

**Project #:** PZ24-12000001 (Major Site Plan)

**Initial Submittal:** May 14, 2024

**Resubmittal:**

## Lakes at Palm Aire City of Pompano Beach, Florida



Submitted to:  
**City of Pompano Beach**  
Development Services Department  
Pompano Beach, FL 33060  
O: 954-786-4000

Prepared for:  
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## **Section I: Justification Statement – Major Site Plan Application**

**PZ24-12000001**

**07/03/2024**

### **Introduction and Proposed Applications**

This Development Application is being filed on behalf of Pulte Home Company, LLC. for the development of the Lakes At Palm Aire Property (Subject Property). This application is requesting approval of a Major Site Plan Application for a 20.64 acre parcel on the south side of West Atlantic Avenue. A supporting Rezoning Application has been submitted and is currently under review by Pompano staff requesting a rezoning from PR - Parks and Recreation Zoning District to RM-12 Multiple Family Residential District. These applications supplement a Land Use Plan Amendment application submitted by others, which proposes to amend the City Land Use Designation of the Subject Property from OR - Recreation And Open Space Within The Palm Aire Dashed Line Area (10,631 D.U.) to LM - Low Medium Residential (0 - 10 D.U./Ac.). The proposed Land Use Designation would cap the proposed project at two hundred, fourteen (214) dwelling units.

The subject property is located on the south side of West Atlantic Boulevard approximately 0.6 miles east of the Florida Turnpike. The subject property is the former, now closed, Pines and Sable Golf Course within the Palm Aire residential golf community. The new residential community will consist of fee simple residential townhome units with a total of one hundred - ninety (190) residential units available for sale to prospective home buyers. The townhomes will be further broken down by two different home types: a 20' wide townhome and a 24' wide townhome is proposed for sale to prospective home buyers. Per the requirements of Broward County and the Land Use Plan Amendment application referenced, fifteen (15) percent of the proposed homes will need to be allocated for affordable housing. The applicant will address this requirement by providing the homes onsite, , or the payment in lieu of the required homes option. The main entrance for this residential community, as indicated on the attached Major Site Plan, will be on the north property line off of West Atlantic Boulevard and is proposed to line up with N.W. 31st Avenue on the north side of West Atlantic Avenue. Additional details on how each City code requirement and criteria is addressed is provided within the Justification Statement Section of this document.

### **Surrounding Properties and Compatibility**

Should the indicated application requests be approved, the proposed Lakes At Palm Aire Residential Community will be compatible with most of the existing uses surrounding it. Directly to the north of the property are two non-residential properties located on the north side of the Pompano Canal. The property to the northwest is zoned CR, Commercial Recreation, with a Land Use of CR Commercial Recreation. The property to the northeast is zoned B-3 General Business, with a Land Use of C - Commercial. It is the applicant's understanding that these parcels are currently seeking plan approvals for hotel and supporting uses. The Pompano Canal provides a natural buffer between the incompatible uses. A ten foot buffer is also proposed on the Site Plan to further address transitions between the parcels. A proposed concrete panel wall is also proposed along this north buffer as well.

To the east of the subject property is the existing Palm Aire Condominium residential community. This is an existing condominium residential community which consists of two story condominium residential units. This development has a Land Use Designation of The Palm Aire Dashed Line Area (10,631 D.U.) and a Zoning Designation of RM-45 Multiple Family Residential 45.

To the southeast of the subject property is open space lake area. This parcel has a Land Use Designation of OR - Recreation And Open Space Within The Palm Aire Dashed Line Area (10,631 D.U.) and a Zoning Designation of PR - Parks and Recreation Zoning District. This parcel was part of the former golf course but also contains a large lake to replace the old golf course and is now a City owned public park.

To the south of the subject property is a mix of two parcels. The easternmost parcel is the existing Palm Aire Country Club Apartment Condominium residential community. This is an existing community that consists of eight story condominium apartment residential units. This development has a Land Use Designation of The Palm Aire Dashed Line Area (10,631 D.U.) and a Zoning Designation of RM-45 Multiple Family Residential 45. The applicant design team designed the current Master Plan in order to have either Recreation uses, or drainage uses adjacent to these existing high rise residential units.

The second parcels is a large existing lake which also was part of the former golf course but also is utilized for drainage purposes. The applicant is proposing to expand this lake into the subject property limits in order to increase the lake area and open space area. This parcel has a Land Use Designation of OR - Recreation And Open Space within The Palm Aire Dashed Line Area (10,631 D.U.) and a Zoning Designation of PR - Parks and Recreation Zoning District.

Finally, to the west of the subject property is the canal 14 property. Further west of the canal is also existing residential developments. These existing residential developments are compatible with the proposed townhome residential community.

Applicant team has meet with the City of Pompano Beach Utilities Department on January 10, 2024. At this meeting, the requirements to have development directly adjacent to the City well sites was discussed at great length. As a result of this meeting several revisions were completed to the proposed Master Site Plan and Final Site Plan. The required setback radii have been indicated on the plans, as well as the requested easements to access the well sites. Finally, proposed areas for the two future well sites as well as the generator building have been indicated on all plans.

A summary of zoning and land uses of surrounding properties is provided below:

Adjacent property to the:	Land Use Designation	Zoning Designation	Existing use(s) of Property	Approved use(s) of Property
NORTH	The Palm Aire Dashed Line Area (10,631 D.U.)	CR & B-3	Vacant	Seeking plat and plan approvals for hotel and supporting uses.
SOUTH	The Palm Aire Dashed Line Area (10,631 D.U.)	PR & RM-45	Lake Area / Open Space & Residential	Lake Area / City owned public park / Open Space & Residential
EAST	The Palm Aire Dashed Line Area (10,631 D.U.)	RM-45	Residential	Residential
WEST	The Palm Aire Dashed Line Area (10,631 D.U.)	RM-45	Residential	Residential

### Major Site Plan Application Justification Statement & Development Application Requirements

The following is a brief summary of how the proposed Lakes At Palm Aire Residential Development conforms to the City Comprehensive Plan and the application requirements of City of Pompano Beach Code Article 2, Part 4, Chapter 155.2407 Site Plan. A summary and Justification is provided below. Finally, in order to comply with the City Major Site Plan application checklist requirements a Sustainable Development Plan summary is included within this document to indicate sustainable features and points - per Part 8 - Section 155.5802.

## 155.2407. Site Plan

### A. Purpose

The site plan provisions of this section are intended to ensure that the layout and general design of proposed development is compatible with surrounding uses and complies with all applicable standards in this Code and all other applicable city regulations. The purpose of this section is to establish the procedure and standards for review of site plans

### B. Applicability

There are two types of Site Plans authorized by this Code: Major Site Plans and Minor Site Plans.

**Response:** Per Table 155.2407.B.1 this particular application categorizes as a Major New Development application as more than ten (10) new multi-family dwelling units are proposed.

## **C. Major Site Plan Approval Procedure**

### **1. Step 1: Pre-Application Meeting**

**Response:** Applicant team has submitted a Pre-Application meeting request, PAM-2024-1, to the City of Pompano Beach. The City staff will provide comments and a staff report; to which the applicant will respond within the final submittal package.

### **2. Step 2: Neighborhood Meeting**

**Response:** Applicant team has met with the surrounding condominium association leadership group regarding the applications. Applicant commits to future meetings as each of the applications proceed with the review process in accordance to the City of Pompano Beach neighborhood meeting regulations.

### **3. Step 3: Application Submittal and Acceptance**

**Response:** Major Site Plan application is being submitted on behalf of the contract purchaser Pulte Home Company LLC. The current property owner has provided Design and Entitlement Consultants consent to file this application request on behalf of the contract purchaser. A copy of the consent letter is included within the application package.

### **4. Step 4: Staff Review and Action**

Applicable (See Section [155.2305](#)).

**Response:** Acknowledged. The applicant is requesting that this application be reviewed concurrently and also scheduled on the same public hearing agenda as the Land Use Plan Amendment and Rezoning applications. Or should staff allow and if feasible, conditionally approve the Major Site Plan application based upon the second readings and approval of the Land Use Plan Amendment and Rezoning applications.

### **5. Step 5: Public Hearing Scheduling and Notice**

**Response:** Not Applicable.

### **6. Step 6: Advisory Body Review and Recommendation**

**Response:** Not Applicable.

### **7. Step 7: Decision-Making Body Review and Decision**

Applicable to a final decision by the P&Z (See Section [155.2307](#).)

**Response:** Acknowledged. Per Table 155.2101, The Planning and Zoning Board will make the final decision of the Major Site Plan application.



## E. Site Plan Review Standards

An application for a Major Site Plan or Minor Site Plan shall be approved only on a finding that there is competent substantial evidence in the record that the development, as proposed:

1. Is consistent with the land use designation in the comprehensive plan;

**Response:** Acknowledged. The proposed townhome residential community will be consistent with the goals, objectives and policies of the City Comprehensive Plan. The requested Zoning Designation of RM-12 is compatible and allowable under the requested Land Use Designation of LM Low Medium. The density cap of 10 dwellings units per acre is also compatible with the surrounding Land Use Designations. The proposed residential townhome community is proposed at a density of approximately eight and a half (8.9) dwelling units per acre, which complies with both the Land Use Designation and Zoning Designation cap, respectively.

2. Complies with the applicable district, use, and intensity and dimensional standards of this Code ([Articles 3, 4, and 5](#));

**Response:** Article 3 Part 2 Section 155.2309 provides the property development regulations for a residential community zoned Multiple Family Residential 12 (RM-12). As indicated the applicant has applied for rezoning to RM-12. Per the Site Data indicated on the Major Site Plan applicant lists all of the minimum standards and requirements of the RM-12 Zoning Table. For example, the Site Data on the site plan indicates a maximum height of thirty - five (35) - feet to comply with the RM-12 Table.

Article 4 is the Use Standard section of the Pompano Land Development code. The application is proposing a Principle Use Classification Land Use category of residential use (Section 155.4101). Per Section 155.4101.C Residential Use Classification, the proposed townhome residential community is further categorized by use as Household Living Uses. This classification indicates residential occupancy of a dwelling unit by a single family. As indicated within this code section, accessory uses common to household living uses include recreational active, raising of domestic pets, hobbies, swimming pools and parking of the occupants' vehicles. To provide additional details, this townhome residential development will provide a community wide swimming pool, a supporting cabana and passive recreational parks for the use of the community as a whole. Individual swimming pools as accessory uses for each individual townhome lot is not proposed. Principle use proposed is a multi-family fee simple ownership townhome development with an accessory use of recreational uses including a community pool, supporting cabana and passive park areas. These proposed uses are Permitted within RM-12 Zoning District.

Article 5 is the Development Standards of the Pompano Land Development code as it relates to internal site design. To address Section 155.5101.E a Circulation Plan is included within the Preliminary Engineering Plan set. This plan indicates circulation for emergency vehicles / large trucks within the internal private roadways. Internal private streets have been designed in order to provide a sidewalk which will connect to the existing sidewalk on West Atlantic Boulevard. West Atlantic Boulevard is Broward County Transit Route #42. There is an existing Broward County Transit stop located at intersection of West Atlantic Boulevard and N.W. 31st Avenue approximately 75 linear feet east of the proposed residential community primary access location. This pedestrian connection to the bus stop will provide multi-modal connection opportunities for new residents. Per Section 155.5101.I.2.a of the Pompano Beach Code, applicant design team has designed internal pedestrian sidewalks to allow for connectivity to existing sidewalks on West Atlantic Boulevard and the adjoining uses. All proposed utilities will be underground. Site Plan indicates easements in certain

locations, including ten (10) - foot easements around private road tract for power lines and services.

3. Complies with the applicable development standards of this Code ([Article 5](#)). While not required to comply with the Sustainable Development Standards in [Part 8](#), Sustainable Development Standards, of [Article 5](#), Development Standards, applications for Minor Site Plan shall be approved only on a finding that there is competent substantial evidence in the record that the proposed development is consistent with the goals and intention found in Section [155.5801](#), Purpose;

**Response:** Based upon the fact that the site is located in a sensitive location adjacent to and including City well locations for the City of Pompano Beach, applicant has considered this within the overall site design in order to comply with Part 8, Section 5801. A detailed summary is provided below addressing the requirements of this section.

4. Complies with all other applicable standards in this Code;

**Response:** This Justification Statement summarizes the relevant sections of the code and how the applicant's proposed Major Final Site Plan addresses each section. In addition, detailed Site Data has been provided on the included Major Final Site Plan which indicates how each of the parameters and property development regulation requirements of Article 3, Section 155.3209 of the RM-12 Zoning District have been addressed. The Final Site Plan also indicates all setback and other code compliance information as well.

5. Complies with all requirements or conditions of any prior applicable development orders or prior applicable approved plans on record;

**Response:** The Subject Property is located within the Palm Aire Dash Lined Area. Applicant has filed a concurrent Land Use Plan Amendment in order to amend the Land Use Designation to LM - Low Medium (5-10 D.U./Ac.). Should this application be approved, the property will be withdrawn from the Stipulation, Settlement and Master Plan Agreement For Palm Aire, Official Record 12707, Page 605 - 611. This previous Master Plan Agreement is the only prior approval on record for the Subject Property.

6. The concurrency review has been completed in accordance with [Chapter 154](#) (Planning) of the Code of Ordinances;

**Response:** Applicant has submitted a concurrency review as part of the Land Use Plan Amendment. Any concurrency insufficiencies identified within that application will be conditioned on the project to address concurrency items. This includes offsite traffic impacts, if any, as identified with the submitted Traffic Study.

7. Is designed to provide safe, adequate, paved vehicular access between buildings within the development and streets as identified on the Broward County Trafficways Plan;

**Response:** Applicant design team has designed the property to include private residential access streets designed to meet and exceed City of Pompano street access requirements. For example, applicant has proposed a twenty - four (24) - foot pavement section, which exceeds the minimum street pavement width requirement of twenty - two feet as per Chapter 100.24 of the City Code of Ordinances. The section proposed will have a five foot walk which will provide safe access to the existing sidewalks on West Atlantic Boulevard. These connections will provide multi-modal access opportunities to the existing Broward

County Transit stops located directly adjacent to the proposed access onto West Atlantic Boulevard. West Atlantic Boulevard is identified as a one hundred twenty (120) - foot thoroughfare on the Broward County Trafficways Plan.

8. Complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance;

**Response:** The applicant is proposing a residential community. No storage, handling, use or production of any regulated substances is proposed. Industrial uses that could release substances into the ground water or surface waters is not proposed. Applicant will adhere to any other licensing requirements for onsite drainage and irrigation with Broward County.

9. Complies with crime prevention security strengthening and CPTED standards for natural surveillance, natural access control, territorial reinforcement, maintenance, and activity support:

**Response:** The applicant has submitted a CPTED plan which indicates how the Crime Prevention Through Environmental Design Principles are met. The plan indicates locations on the site where signage, fencing, landscape buffer barriers are all proposed. The residential community will have secure vehicular gates controlling access into the community. Perimeter fences and walls are proposed within the transitional perimeter landscape buffers.

10. Complies with adopted Fire Codes and Standards per City Code Section [95.02](#);

**Response:** Site Plan and Preliminary Engineering Plans will be designed in order to comply with the Fire Code standards indicated within City Code Section 95.02. Applicant design team has provided a fire truck access plan, which provides for fire truck turning movements in order to show how the designed internal private roadway radii comply with fire truck access. In addition, proposed residential homes will be two story maximum height and will not require fire sprinklers.

11. Considers and mitigates any potential adverse impacts on environmentally sensitive lands identified by the city Comprehensive Plan or Broward County Land Use Plan; and

**Response:** Subject Property is a vacant old golf course: the old Pines and Sable Golf course in Palm Aire. Due to disturbed nature of past use, Subject Property is considered disturbed and is lacking native upland habitat area. An environmental report was submitted for review as part of the LUPA application which discusses and identifies any potential species of concern or protected species and summarizes any State and Federal permitting requirements, if applicable. Applicant Design Team has designed proposed residential community to comply with the City Utility requirements for properties developed adjacent to City well field sites.

12. Complies with the approved Transportation Corridor Study, unless in direct conflict with another zoning code provision.

**Response:** LUPA application package included a traffic study completed by the project traffic engineer, which assess the traffic impacts of the proposed project on the surrounding roadways.



**Part 8 - Section 155.5802. SUSTAINABLE DEVELOPMENT POINT REQUIREMENT**

Multi-Family residential development shall achieve at least 10 ten points.

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**TABLE 155.5802: SUSTAINABLE DEVELOPMENT OPTIONS AND POINTS**

Green Design Feature	Feature Description	Points	RM-12 Proposed Development Points
<b>Brownfield site redevelopment</b>	Redevelopment of a brownfield site within a designated brownfield area	6	
<b>Efficient Cooling</b>	All air conditioners are Energy Star qualified.	2	
<b>Efficient Water Heating</b>	At least 75 percent of hot water on premises is heated via tankless water heaters or solar water heaters.	2	2
<b>Reuse Water</b>	Water used for dish, shower, sink, and/or laundry purposes is reused for landscape or golf course irrigation.	2	
<b>Green Building</b>	The principal building meets or exceeds LEED certification for new construction. For sites with more than one principal building, points may be awarded for each.	LEED Certified = 2	
		LEED Silver = 4	
		LEED Gold = 6	
		LEED Platinum = 8	
<b>Green Roof</b>	At least 50 percent of the total surface area of the principal building's roof is a green roof constructed in accordance with the Building Code and ASTM green building standards.	4	
<b>Herb or Vegetable Garden</b>	At least one-fourth acre on the site consists of an edible herb or vegetable garden (which may be open to the public).	2	
<b>Hurricane Resistant Structures</b>	The principal building is constructed to meet increased wind loads.	150 mph load minimum = 4	4
		200 mph load minimum = 8	
<b>Infill or Mixed Use Development</b>	The development constitutes infill development and/or mixed-use development.	4	

**TABLE 155.5802: SUSTAINABLE DEVELOPMENT OPTIONS AND POINTS**

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RM-12 Proposed  
Development Points  
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Green Design Feature	Feature Description	Points	RM-12 Proposed Development Points
<b>Landscaped and Tree-Lined Street Median</b>	Ingress and egress lanes of all non-service drives are separated by a landscaped median at least 5 feet wide and containing trees spaced no more than 40 feet apart.	2	2
<b>Nature Path or Trail</b>	Public pedestrian and/or bicycle access to natural elements is provided by a bike or pedestrian path or trail that is at least one-fourth mile long per every 150,000 square feet of building floor area and does not intrude on or unduly harm existing natural features.	1	
<b>Overhangs</b>	Overhangs are present on all south windows for energy efficiency purposes.	2	
<b>Parking Structure</b>	At least 75 percent of the development's total number of required off-street parking spaces is contained in a parking deck or garage.	2	
<b>Parking Structure, Green</b>	At least 75 percent of the development's total number of required off-street parking spaces is contained in a parking deck or garage and at least 50 percent of the total surface area of the top of the parking structure is a green roof.	4	
<b>Permeable Parking Surfaces</b>	Permeable surfacing materials are used for some or all of surface parking areas.	25 percent minimum = 2	2
		59 percent minimum = 4	
<b>Permeable Sidewalk Surfaces</b>	Permeable or natural surfacing materials are used for all sidewalks.	2	
<b>Permeable Path or Trail Surfaces</b>	Permeable or natural surfacing materials are used for all bike and pedestrian paths and trails.	1	
<b>Rain Gardens [Bioretention System]</b>	The development includes rain gardens where each has an area of at least 100 square feet, is sized to hold stormwater runoff from between 5 and 10 percent of the impervious area draining to it, and	1 rain garden = 1	
		2 rain gardens = 2	
		3 rain gardens = 3	

**TABLE 155.5802: SUSTAINABLE DEVELOPMENT OPTIONS AND POINTS**

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Green Design Feature	Feature Description	Points	RM-12 Proposed Development Points
	consists of native plants planted in a sand/soil matrix soil bed with a mulch cover layer.	4 or more rain gardens = 4	
<b>Rain Water Reuse</b>	At least 75 percent of rain water from the roofs of structures is captured and recycled for landscape or golf course irrigation.	2	
<b>Skylights</b>	The primary building is constructed with skylights that provide at least 10 percent of the light necessary for daily use on the story on which the skylights are located.	1	
<b>Solar Panels</b>	A portion of the energy used by the primary building is generated using solar panels located onsite.	15 percent minimum = 4	
		30 percent minimum = 8	
		45 percent minimum = 12	
<b>Sustainable Landscape</b>	The development achieves the Sustainable Sites certification for site and landscaping design	One Star = 2	
		Two Stars = 4	
		Three Stars = 6	
		Four Stars = 8	
<b>White Roof</b>	All roof surfaces are painted white.	2	
<b>Wind Turbines</b>	A portion of the energy used by the primary building is generated using wind turbines located onsite.	15 percent minimum = 4	
		30 percent minimum = 8	
		45 percent minimum = 12	
<b>Other*</b>	The development includes other green features that conserve energy, promote a healthy landscape, support public health and safety, or increase sustainability—points to be awarded at the discretion of the Development Services Director.	Up to 6	6
<b>Total Proposed Points</b>			<b>16</b>

\* Based upon the fact that the proposed residential community is adjacent to existing and future City well sites, applicant design team has designed the site in order to limit impervious surfaces and promote groundwater recharge as much as possible. Applicant design team has designed a residential access easement which has a five (5) - foot concrete walkway on one side of the road. This allows a grass strip to promote groundwater recharge on one side of the road exclusively. Points = 3. Homes meet energy star 3.1 rating. Points = 3.