

Project #: **PZ24-14000001 (Plat)**  
**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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Prepared by:  
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PZ24-14000001  
06/18/2024

## **List of Applicant / Consultants**

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## **Section I: Justification Statement – Plat Application**

### **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 Plat 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. In addition, a Major Final Site Plan Application Pre-Application meeting request has been filed for the proposed residential community. These applications supplement a Land Use Plan Amendment (LUPA) 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 maximum total of two hundred, fourteen (214) 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 exhibit, 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 Master 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

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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. The required setback radii have been indicated on the plans, as well as the requested easements to access the well sites. Finally, proposed locations 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

## Plat 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 155.2410 Plat. A summary and justification is provided below. Finally, in order to comply with the City Plat application checklist requirements a Review Standard summary is included within this document. Applicant is submitting a boundary plat application that will support the other development applications submitted for the proposed residential community.

### 155.2410. Plat

#### A. Purpose

The purpose of this section is to provide a review procedure to conform to the Broward County Land Use Plan's requirement that local governments require compliance with the county's platting requirements and to ensure subdivisions of land within the city:

1. Provide for the orderly growth and development of the city;

- **Response:** As indicated in the Surrounding Properties and Compatibility Section above the proposed fee simple residential townhome community will be compatible with the surrounding residential existing communities. This proposed community represents an orderly growth pattern within the City and will support non-residential existing uses on West Atlantic Boulevard.

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2. Coordinate proposed streets with existing and planned streets in the city's street system, and with other public facilities;

- **Response:** Applicant is proposing a vehicular connection to West Atlantic Boulevard that will line up with N.W. 31st Avenue on the north side of West Atlantic Avenue. Applicant is proposing that this access be a shared access with the proposed hotel uses just north of the proposed residential community. See Surrounding Properties and Compatibility Section above. 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.

3. Provide rights-of-way for streets and utility easements;

- **Response:** Applicant is proposing private internal residential streets that will be maintained by the to be formed homeowner's association. See built #2 above for details. The private residential streets will have a secured vehicular entrance with vehicular and pedestrian gates to provide security and privacy for the new residential community. Utility easements will provided via this plat application or by separate instrument to the required franchise utility providers as well as the City Utilities Department.

4. Avoid congestion and overcrowding of streets;

- **Response:** As part of the LUPA application, the applicant team has submitted a traffic study which assess the traffic impacts of the proposed residential community on the surrounding roadways. Any traffic concurrency items and offsite improvements will be addressed as part of the review of this study.

5. Ensure there is adequate access to development;

- **Response:** Applicant is proposing a vehicular connection to West Atlantic Boulevard that will line up with N.W. 31st Avenue on the north side of West Atlantic Avenue. In addition, as indicated on the included Major Site Plan applicant is proposing two secured emergency access points for City Fire and emergency onto North Course Drive to the south of the proposed residential community. These access points will be secured with a fence and a Knox Lock that only the emergency service providers will have access to. 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.

6. Ensure there are adequate utility facilities to serve development;

- **Response:** As part of the Major Site Plan application, applicant design team is submitting preliminary engineering plans. These preliminary engineering plans will indicate all proposed utility connections to existing City utility infrastructure. Should any utility upsizing or upgrades be necessary, these plans will indicate any such upgrades. An onsite lift station will also be located to service the proposed residential community. Finally, as part of the LUPA application any utility concurrency items are also addressed within this application.

**DRC**

PZ24-14000001

06/18/2024

7. Ensure there is adequate open space and recreation facilities to serve development; and

- **Response:** Applicant is providing approximately 1.4 acres of onsite recreational area. This private onsite recreational area will consist of cabana and pool primary recreation facility, along with smaller satellite passive park areas. The applicant is also in the process of finalizing the Site Plan design in order to explore providing pedestrian connections from the proposed community south to connect to the existing trail system within the City's lake park area in the southwest quadrant of the property. In addition, the LUPA application completes a concurrency analysis of the surrounding County and City Parks and the impacts of the proposed residential community on those infrastructure items.

8. Ensure there is proper recordation of land ownership or property owner association records, where applicable.

- **Response:** Applicant will form a homeowner's association which will have maintenance responsibility of the internal private streets, internal private recreational facilities as well as any onsite drainage infrastructure to service the proposed residential community. A declaration of restrictive covenants dictating all maintenance responsibilities and requirements of the homeowner's association will be recorded in the public records of Broward County.

## B. Applicability

Unless exempted in accordance with subsection 2 below, approval of a Plat in accordance with this section is required before any plat of a subdivision (as defined in [Part 5](#) (Terms and Uses Defined) of [Article 9](#): Definitions and Interpretation) may be recorded or any development associated with the subdivision may occur, and before any Zoning Compliance Permit may be approved for construction of a principal building on a lot or parcel of land.

**Response:** Acknowledged. Applicant is also submitting this boundary plat application to Broward County as well. The boundary plat will have a plat note which provides that the proposed residential community will have a maximum of two hundred fourteen (214) residential townhomes.

## C. Plat Procedure

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

Applicable (See Section [155.2301](#).).

**Response:** Applicant team has followed up with City Planning and Zoning Department and provided all documents prior to the formal plat submittal.

### 2. Step 2: Neighborhood Meeting

Optional (See Section [155.2302](#).).

**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

Applicable (See Section [155.2303](#).).

**Response:** Plat 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.

**DRC**

PZ24-14000001

06/18/2024

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

Applicable to a recommendation by the Development Services Director following DRC review and comment (See Section [155.2304.](#)).

**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, Rezoning and Major Final Site Plan applications, if applicable. Or should staff allow and if feasible, conditionally approve the Major Site Plan and Plat 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**

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

**Response:** Acknowledged. Per Table 155.2305, Plat will require Planning and Zoning Board and City Commission approval.

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

Applicable to a recommendation by the P&Z (See Section [155.2306.](#)), following a quasi-judicial public hearing on the application conducted in accordance with Section [155.2307.B](#), Public Hearing.

**Response:** Acknowledged. Per Table 155.2305, Plat will require Planning and Zoning Board and City Commission approval.

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

Applicable to a final decision by the City Commission (See Section [155.2307.](#)).

**Response:** Acknowledged. Per Table 155.2305, Plat will require Planning and Zoning Board and City Commission approval.

**D. Plat Review Standards**

An application for a Plat shall be approved only on a finding that the proposed subdivision or development on the lots proposed to be platted meets all of the following standards:

1. The development complies with the applicable standards in [Part 7](#) (Lots) of [Article 5](#): Development Standards;

**Response:** Acknowledged. Applicant is submitting a boundary plat to the City and County for approval. The plat will indicate a plat note that indicates a maximum of two hundred fourteen (214) residential townhomes. Prior to conveying lots to prospective home buyers, applicant will submit a lot block exhibit to the Broward County Property Appraiser office. This exhibit will indicate the legal lots of record to be sold to prospective home buyers. The Major Final Site Plan will indicate how the residential community will comply with the other requirements of Part 7 including driveway locations and all residential townhome lots. Preliminary engineering plans will be submitted as part of the Major Final Site Plan application, which will indicate grading and drainage patterns.

2. The development complies with all other applicable standards in this Code;

**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.

**DRC**

PZ24-14000001  
06/18/2024

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.

3. The development complies with all requirements or conditions of any applicable development orders (e.g., Planned Development);

**Response:** Applicant is not proposing a Planned Development Zoning District. All applications filed on behalf of the contract purchaser Pulte Home Company LLC proposes to remove the Subject Property from the existing The Palm Aire Dashed Line Area (10,631 D.U.) and the existing Settlement Agreement, which dictates much of the development approvals within the Dashed Line. Applicant is essentially removing this property and requesting approval of a Land Use Designation of LM - Low Medium Residential (0 - 10 D.U./Ac.), as well as a Zoning Designation of RM-12 Multiple Family Residential District.

4. Any land within the platted lot(s) that is necessary to comply with the Broward County Trafficways Plan has been conveyed to public by deed or grant of easement;

**Response:** No applicable right of way donation is necessary within the Subject Property. Any offsite improvements on West Atlantic Avenue to service the property will be indicated as a result of the concurrency analysis with the LUPA application.

5. The development complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance; and

**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.

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6. All facilities for the distribution of electricity, telephone, cable television, and similar utilities, shall be placed underground.

**Response:** Applicant design team will design the residential community to have all relevant utilities underground. This includes all franchise utility providers such as ATT, Florida Power and Light Company and any other utility providers selected by the homeowner's association / Declarant to service the property. Any relevant utility easements will be provided via the boundary plat or by separate instrument recorded in the public records of Broward County.