



Staff Report

File #: LN-551

PLANNING AND ZONING BOARD

Meeting Date: APRIL 24, 2024

ARCHI ONE

Request: Major Site Plan
P&Z# 23-12000052
Owner: Archi Group LLC
Project Location: 200 N Federal Highway
Folio Number: 484236010820
Land Use Designation: ETOC (East Transit Overlay Corridor)
Zoning District: TO-EOD (Transit Oriented East Overlay District)
Commission District: 1 (Andrea McGee)
Agent: Paola West (954-529-9417 / pwest@planw3st.com)
Project Planner: Pamela Stanton (954-786-5561 / pamela.stanton@copbfl.com)

Summary:

This project was approved by the Planning and Zoning Board on August 23, 2023 under previous Major Site Plan PZ#22-12000039. The project is returning as a new Major Site Plan due to a request from the applicant for an increase in density from 95 units to 99 units. Code Section 155.2407.H disallows modifications to an existing site plan if the modifications include an increase to the density of residential development. The project remains a 7-story mixed-use development with the same building footprint as previously approved. Other changes are to the ground floor commercial/retail area from 5,181 square feet to 6,216 square feet and a slight reduction in the number of parking spaces within the garage. The site is 0.85 acres (37,172 sf). The project is in the TO/EOD, within the Core Sub-Area and proposes to apply Density Bonus Option #1 (Public Art) and Option #6 (Structured Parking) to increase the allowable density from 76 units by-right to 99 units.

The Major Site Plan application was reviewed by the Development Review Committee (DRC) on December 20, 2023 and approved by the Architectural Appearance Committee (AAC) on April 2, 2024.

The property is located on the northeast corner of NE 2 St. and North Federal Hwy.

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;

The land use designation for this property is TO (Transit Oriented). The proposal is for a mixed-use development. The Development is consistent with the City of Pompano Beach Comprehensive Plan, and the Future Land Use Element Goals, Objectives and Policies contained therein:

Objective 01.02.00. *Right-of-Way Protection and Accessibility. Protect the existing and future building encroachments and ensure proper accessibility with the roadway and transit network.*

Policy 01.05.01. *Continue to require all substantial improvement, new development and redevelopment to be consistent with the minimum finished floor elevations as specified in the Federal Emergency Management Agency Flood Insurance requirements, the South Florida Building Code, Chapter 152 of the City's Code of Ordinances and future maps being prepared to determine appropriate finished floor elevations and crown of road elevations based on adopted sea level rise projections.*

Policy 01.14.07. *All site plans will be reviewed for Crime Prevention Through Environmental Design (CPTED) design principles such as lighting, street design, natural surveillance, natural access control, and territorial reinforcement. CPTED infrastructure such as security lighting, security cameras, bollards and other access control methods will be required based on the specific needs of the project.*

Section 3.02.N.2.a.iv. *Affordable Housing: The ETOC land use plan amendment created 2,399 new residential units and a minimum of 15% of those units (360 units) are required to be affordable or to contribute to the implementation of the City's policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing in the City.*

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

Article 3: Zoning Districts

The project complies with the Intensity and Dimensional Standards of the TO/EOD Zoning District in Article 3. The applicant has submitted a Traffic Statement in lieu of providing a Traffic Study, which is required for developments that are expected to generate 100 or more trips per hour during AM or PM peak hours. The Traffic Statement summarizes the trip generation as 838 daily trips with 50 AM peak hour trips and 89 PM peak hour trips.

Article 4: Use Standards

The proposed mixed-use development is allowed in the TO/EOD Zoning District.

Article 5: Development Standards

See Section 3 below.

3. Complies with the applicable development standards of this Code (Article 5);

The development complies with the requirements of Article 5, including Access, Parking and Loading; and Sustainable Development Standards. Staff conditions included in this staff report include provisions that the project must comply with the requirements for landscaping.

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

The proposed site plan complies with the applicable standards in the Code.

5. Complies with all requirements or conditions of any prior applicable Development Orders;

The project will comply with all requirements and conditions of the prior Development Order PZ#22-12000039.

6. The concurrency review has been completed in accordance with [Chapter 154](#) <http://library.amlegal.com/nxt/gateway.dll?> (Planning) of the Code of Ordinances;

Based on the estimated demand calculated below, the proposed project complies with concurrency requirements.

Wastewater Treatment Demand	44,641.20 gallons per day *
Water Treatment Demand	52,944.46 gallons per day *
Raw Water Demand	57,180.02 gallons per day *
Park Acreage Required	.66
School Impacts	Final Broward County School Capacity Availability Determination (SCAD) must be provided.
Transportation	Transit fees are paid to the Broward County to meet concurrency.
Solid Waste Generation	2,207.18 lbs. per day (City has a contract with the Waste Management for disposal of all solid waste through 2027)

** The City has adequate capacity to serve the proposed project.*

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;

The project was designed to provide safe and adequate paved vehicular access between the proposed buildings and the adjacent streets as identified on the Broward County Trafficways Plan.

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

The Property is not located within a wellfield protection area. The Development does not anticipate requiring any hazardous material licensing.

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

As part of the Major Site Plan and Building Design application, the applicant's team has developed a separate CPTED security plan which addresses the CPTED standards for natural surveillance, natural access control, territorial reinforcement, maintenance and activity support.

10. Complies with the adopted Fire Codes and Standards pursuant to City Code Section 95.02;

The proposed site plan was reviewed by Fire Plans Examiner during DRC.

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

Not applicable.

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

The Federal Highway Corridor Study from the City's "Transformation Plan" encourages mixed-use development. The Study recognizes that the corridor is appropriate for mixed-use development.

Staff Conditions:

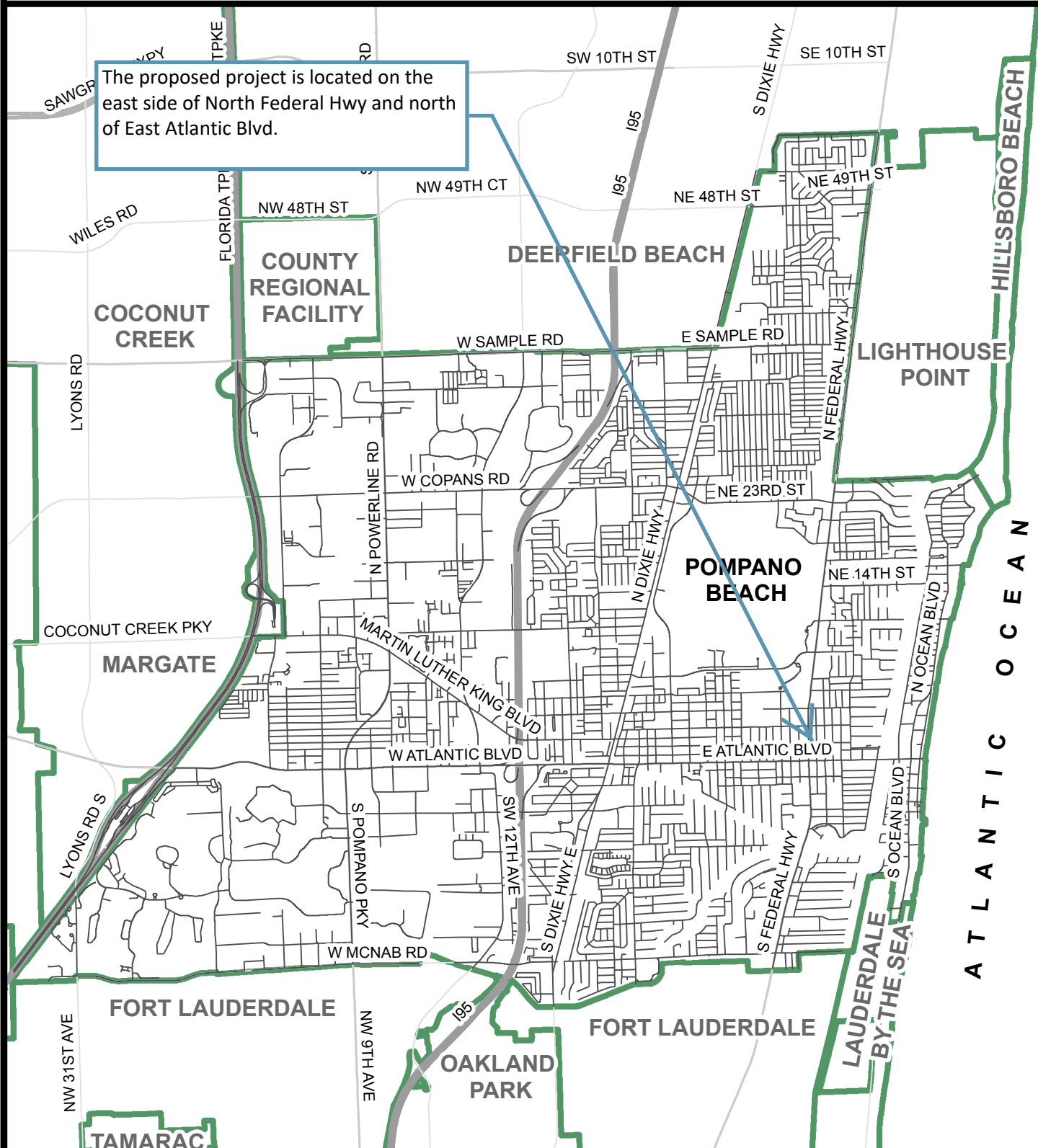
Pursuant to §155.2304.C, Applications Subject to Staff Recommendation, the Development Services Director has compiled the department reports from the Development Review Committee (DRC) meeting which are recorded on file with the Department of Development Services. The Development Services Department recommends approval of the Major Site Plan subject to the following conditions:

1. Density Bonus Option #1 was selected in order to qualify for an additional 20 units per acre in the Center Sub-Area portion of the project. Identify which strategy will be applied: a fee equal to 1% of the project's construction costs or \$250,000 whichever is less; or a piece of artwork valued at 1% of the project's construction costs or a maximum of \$250,000 whichever is less. If a piece of artwork is proposed, clarify where the artwork will be located. The artwork must be accessible to the public and may be displayed in public open spaces or areas along the street abutting the building. The art must receive a recommendation by the Public Art Committee and approval from the City Commission. Funds, or an appropriate bonding instrument, must be placed in escrow at the time of building permit and will be held until the art is approved after installation.
2. Comply with the Affordable Housing requirements as defined in Section 155.3709.K, by either setting aside a minimum required number of the proposed units as affordable housing or contribute the in-lieu-of fee for each unit in accordance with Broward County Policy 2.16.3 or 2.16.4, prior to building permit approval.
3. Indicate the locations of the four proposed rain gardens on the site plan and landscape plan, in order to obtain four Sustainable Development Option points for bioretention systems, or select a suitable alternative from Table 155.5802 to achieve the required 18 Sustainable Development points for mixed-use development in the Transit-Oriented (TO) district. Each rain garden must have an area of at least 100 square feet, must be sized to hold stormwater runoff from between 5 and 10 percent of the impervious area draining to it, and must consist of native plants planted in a sand/soil matrix soil bed with a mulch cover layer.
4. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
 - a. Provide evidence that the project achieves 18 Sustainable Development Points.
 - b. Park Impact fees are due at the time of permit approval.
 - c. Prior to Zoning Compliance Permit approval, a final School Capacity Availability Determination (SCAD) letter from the Broward County School Board must be provided to confirm that student capacity is available.
 - d. All overhead utilities located on the development site and/or along the public right-of-way fronting the development site must be placed underground, pursuant to Section 155.5509.
 - e. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
 - f. Include a copy of the approved CPTED plan, approved by the Broward Sheriff's Office, for permit.
 - g. Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City's Urban Forestry Division.

CITY OF POMPANO BEACH LOCATION MAP



The proposed project is located on the east side of North Federal Hwy and north of East Atlantic Blvd.



1 in = 1 miles

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DEVELOPMENT SERVICES

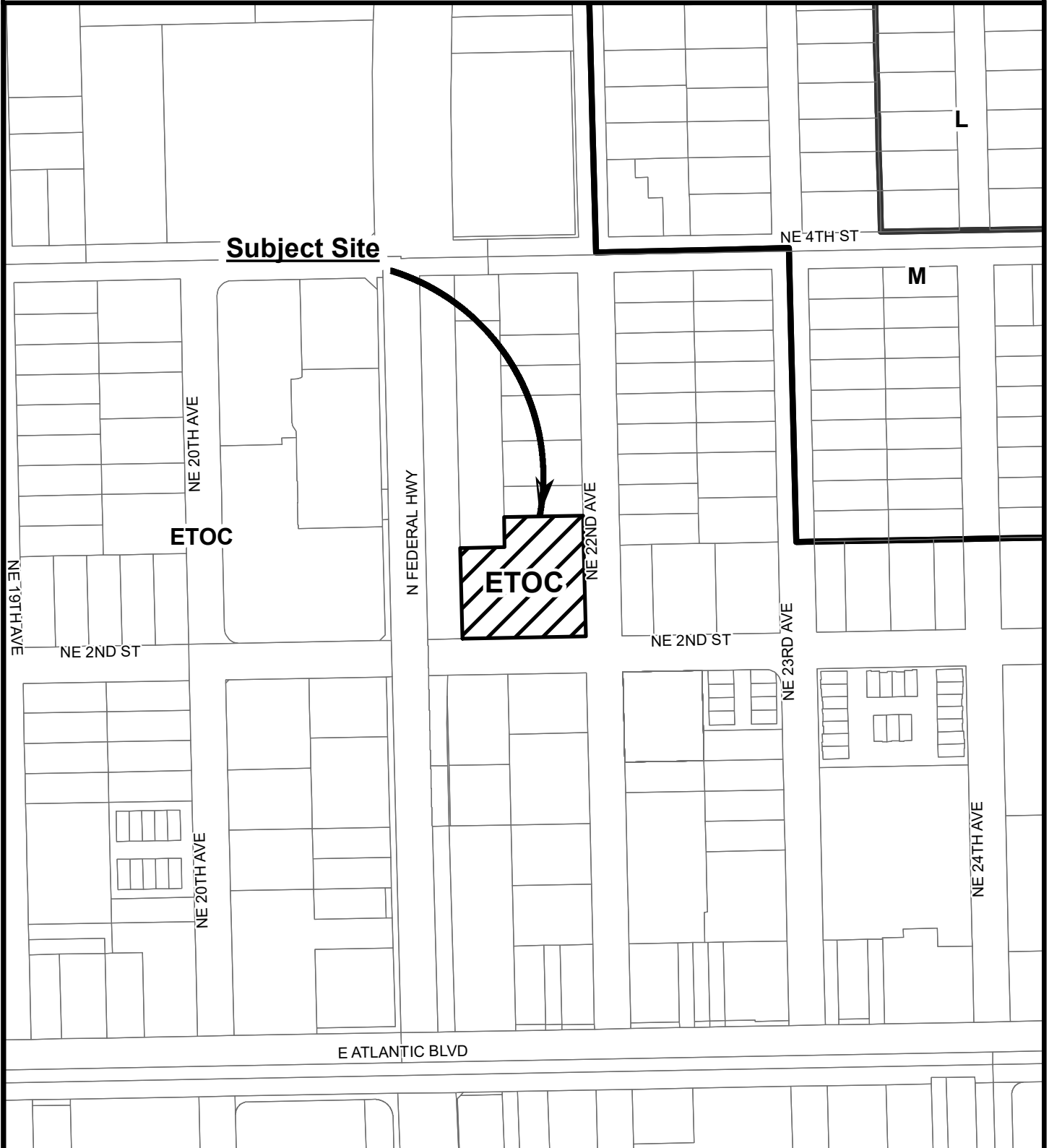
CITY OF POMPANO BEACH AERIAL MAP



1 in = 250 ft

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CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 229 ft

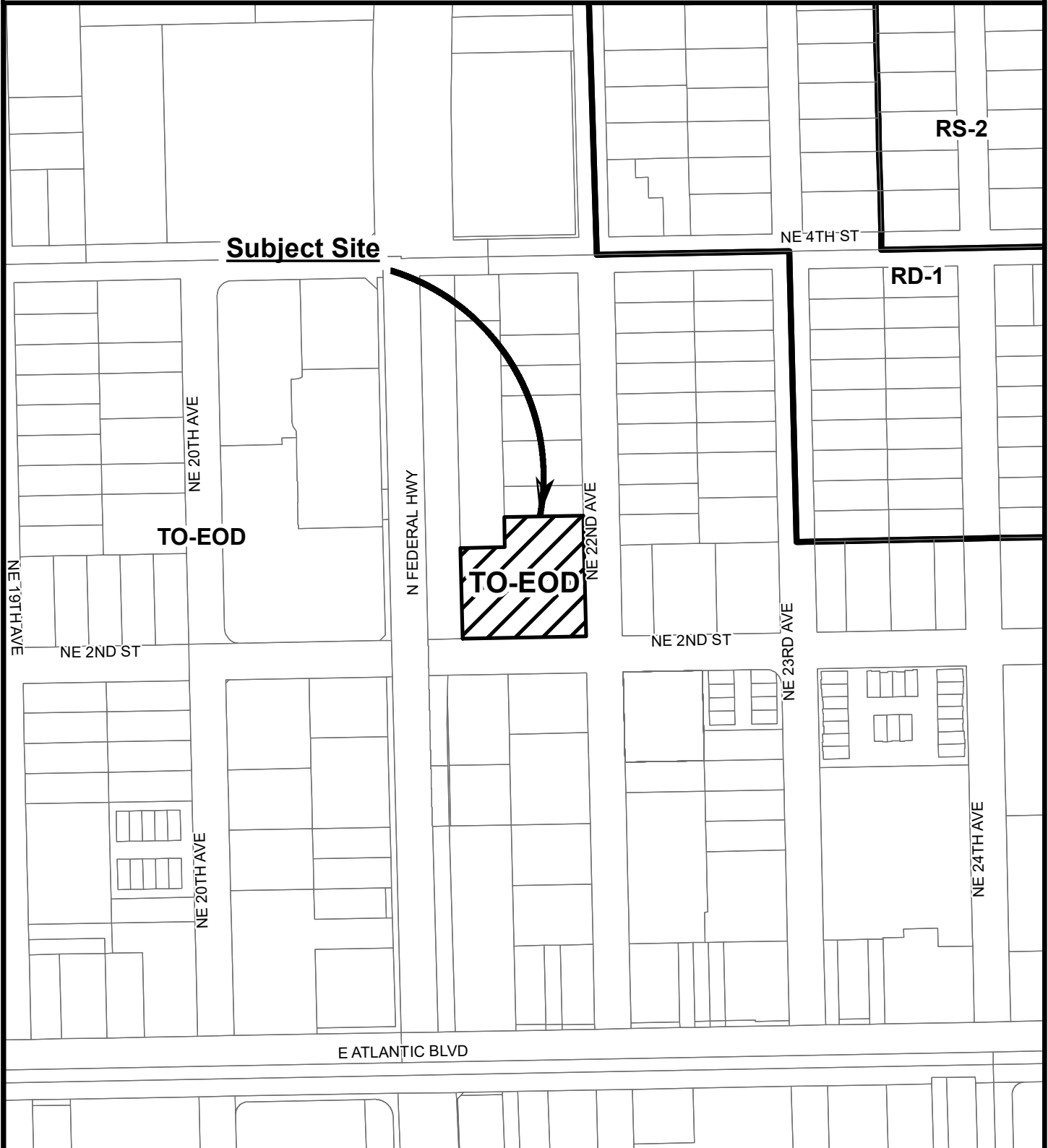
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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 229 ft

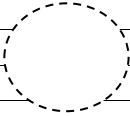
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LEGEND

FOR LAND USE PLAN			FOR ZONING MAP	
Symbol	Classification Units/ Acre		Symbol	District
			RS-1	Single-Family Residence 1
L	Low (1-5 DU/AC)		RS-2	Single-Family Residence 2
LM	Low- Medium (5-10 DU/AC)		RS-3	Single-Family Residence 3
M	Medium (10-16 DU/AC)		RS-4	Single-Family Residence 4
MH	Medium-High 16-25 DU/AC)		RS-L	Single-Family Residence Leisureville
H	High (25-46 DU/AC)			
12	Irregular Density		RD-1	Two- Family Residence
36	Irregular Density			
MUR-H	Mixed-Use Residential (High)		RM-7	Multiple-Family Residence 7
C	Commercial		RM-12	Multiple-Family Residence 12
CR	Commercial Recreation		RM-20	Multiple-Family Residence 20
			RM-30	Multiple-Family Residence 30
I	Industrial		RM-45	Multiple-Family Residence 45
			MH-12	Mobile Home Park
T	Transportation			
			B-1	Limited Business
U	Utilities		B-2	Neighborhood Business
			B-3	General Business
CF	Community Facilities		B-4	Heavy Business
			M-1	Marina Business
OR	Recreation & Open Space		CR	Commerical Recreation
W	Water		I-1	General Industrial
			I-1X	Special Industrial
RAC	Regional Activity Center		O-IP	Office Industrial Park
			M-2	Marina Industrial
LAC	Local Activity Center			
		*	TO	Transit Oriented
DPTOC	Downtown Pompano		PR	Parks & Recreation
	Transit Oriented Corridor		CF	Community Facilities
			PU	Public Utility
*	ETOC		T	Transportation
	Corridor		BP	Business Parking
			LAC	Local Activity Center
	Number			
			RPUD	Residential Planned Unit Dev.
			PCD	Planned Commercial Development
			PD-TO	Planned Development - Transit Oriented
			PD-I	Planned Development - Infill
			RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
			AOD	Atlantic Boulevard Overlay District
			CRAO	Community Redevelopment Area Overlay
			NCO	Neighborhood Conservation Overlay
		*	EOD	East Overlay District
			DPOD	Downtown Pompano Beach Overlay District