



# City of Pompano Beach

100 West Atlantic Blvd.  
Pompano Beach, FL 33060

## Staff Report

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**File #:** LN-571

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### PLANNING AND ZONING BOARD

Meeting Date: MAY 22, 2024

### 911 E ATLANTIC

**Request:** Major Site Plan  
**P&Z#** 23-12000043  
**Owner:** JSA 911 Pompano, LLC.  
**Project Location:** 911 E Atlantic Blvd.  
**Folio Number:** 484236050960  
**Land Use Designation:** TO (Transit Oriented)  
**Zoning District:** TO-EOD (Transit Oriented - East Overlay District)  
**Commission District:** 3 (Alison Fournier)  
**Agent:** Seth Yeslow (954-971-1010 / syeslow@slcarchitects.com)  
**Project Planner:** Pamela Stanton (954-786-5561 / pamela.stanton@copbfl.com)

### Summary:

The applicant is requesting Major Site Plan approval for a 78-unit mixed-use development, which includes 5 townhouse style units, approximately 9,107 square feet of commercial uses on the ground floor, parking and amenities on a 55,263 square foot lot (approximately 1.269 acres). The project is in the TO/EOD, within the Center Sub-Area and the Edge Sub-Area. The portion of the building within the Center Sub-Area is proposed to be 5 stories (53'-6" in height), and the portion of the building within the Edge Sub-Area is proposed to be 3 stories (33'-6" in height). The project proposes to apply Density Bonus Options #1 (Public Art) and #3 (Sustainable Development) to increase the allowable density from 38 units to 63 units for the portion of the project that is located within the Center Sub-Area. Density Bonuses are not available for the Edge Sub-Area.

The Major Site Plan application was reviewed by the Development Review Committee (DRC) on November 15, 2023 and February 21, 2024, and was approved by the Architectural Appearance Committee on April 2, 2024.

The property is located on the northwest corner of NE 10 Ave. and East Atlantic Blvd.

**P&Z**

City of Pompano Beach

## SITE PLAN REVIEW STANDARDS

An application for a Major 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 01.02.02.** *Approve site plans, plats and other development approvals on the condition that the applicant will dedicate right-of-way according to the requirements of the Broward County Trafficways Plan and the City's street standards in Chapter 100 of the City's Code of Ordinances.*

**Policy 01.03.07**

*Require the provision of building height transitions and decorative structural or vegetative buffers between different density residential land uses, and residential and non-residential land uses.*

**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.*

**Policy 01.16.08.** *Areas designated as Transit Oriented Corridors must include design features that promote and enhance pedestrian mobility, including connectivity to transit stops and stations, based on the following characteristics which are detailed further in the City's TOC Zoning District regulations:*

*A. Integrated transit stop with shelter, or station (within the TOC area).*

*B. Wide (the minimum shall be consistent with ADA requirements) pedestrian and bicycle paths that*

*minimize conflicts with motorized traffic and are adequately landscaped, shaded and provide opportunities for shelter from the elements.*

*C. Buildings should front the street (zero or minimal setbacks are encouraged).*

*D. Vehicle parking strategies that encourage and support transit usage (such as parking that does not front the street, shared parking, parking structures, and/or reduced parking ratios).*

*E. Streets (internal and adjacent to the TOC) shall be designed to discourage isolation and provide*

*connectivity (such as streets in the grid pattern).*

**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 that based on the trip generation analysis, the proposed development is expected to generate 555 Net New Daily Trips, 1 Net New AM Peak Hour Trips and 21 Net New PM Peak Hour trips, therefore a Traffic Study is not required, and a Traffic statement has been prepared. The proposed development is not expected to adversely impact any surrounding roadways within the project area.*

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, and that all interior elements of the parking garage must be screened from view on the east and the west sides of the building.*

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

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

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

*No prior applicable Development Orders are in place.*

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	20,750 gallons per day *
Water Treatment Demand	24,609.5 gallons per day *
Raw Water Demand	26,578.26 gallons per day *
Park Acreage Required	.57
School Impacts	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	738.70 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 design 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 Atlantic Boulevard 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. Should the Board find that the application has provided competent, substantial evidence to satisfy the review standards for Major Site Plan approval, the Development Services Department recommends approval of the Major Site Plan subject to the following comments and 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. The applicant has proposed to locate artwork on the site. Clarify where the artwork will be located on the site so that the artwork will be accessible to the public. The artwork 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. Density Bonus Option #3 was selected in order to qualify for an additional 20 units per acre in the Center Sub-Area portion of the project. The applicant has proposed to provide 28 Sustainable Development Points from Table 155.5802, as amended, and must provide evidence that indicates compliance with the selected Options from the Table, prior to permit approval.
3. The Sustainability Narrative includes 4-100sf Rain Gardens for 4 points. Table 155.5802 states that the rain gardens must consist of native plant material. Revise the landscape plan to replace the *Alocasia odora* 'California' with a native plant for the rain gardens.
4. Specify a color for the wall behind the faux window grille shown on the elevations to create the appearance of a window behind the grille.
5. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
  - a. Pursuant to Section 155.3709.K, the development is required to set aside a minimum of 15% of their proposed residential units as affordable. The entitlements for this project are generated using County Policy 2.16.4, which requires moderate income affordable housing and 50% of the ground floor facing Atlantic Boulevard must be non-accessory commercial uses (per County Policy 2.16.4). Should the Applicant choose to provide the 15% affordable units, a Declaration of Restrictive Covenants for the affordable housing must be recorded prior to the issuance of building permits. If the Applicant chooses to buy out of the affordable requirement, the in-lieu fee will apply to every unit in the project in the amount applicable at the time of building permit per Chapter 154.80 (currently \$10,300 per unit which is escalated 3% every January 1<sup>st</sup>).
  - b. Dedicate 5 feet of public right-of-way on East Atlantic Blvd.
  - c. Pursuant to Section 155.5509, in all new development, all overhead utilities located on the development site and/or along the public right-of-way fronting the development site must be placed underground to the maximum extent practicable-provided that the Development Services Director can waive this requirement where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.

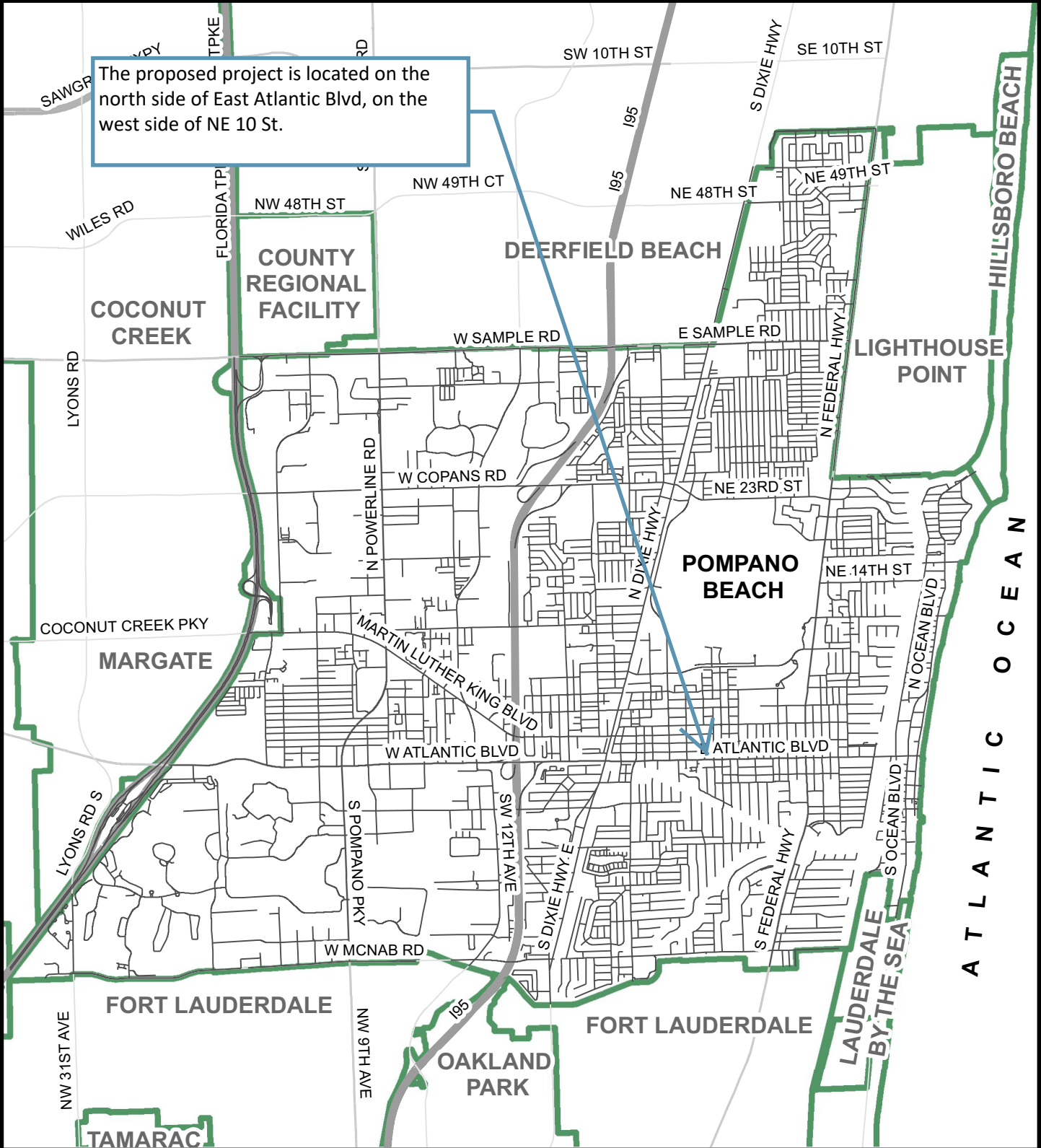
- d. A Unity of Title is required to unify the two parcels.
- e. Provide a Plat Determination Letter from the Broward County Planning Council.
- f. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
- g. Park Impact fees shall be assessed upon Zoning Compliance Permit approval.
- h. A copy of the CPTED plan and narrative approved by the Broward Sheriff's Office must be submitted for Zoning Compliance Permit approval.
- i. 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.
- j. 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

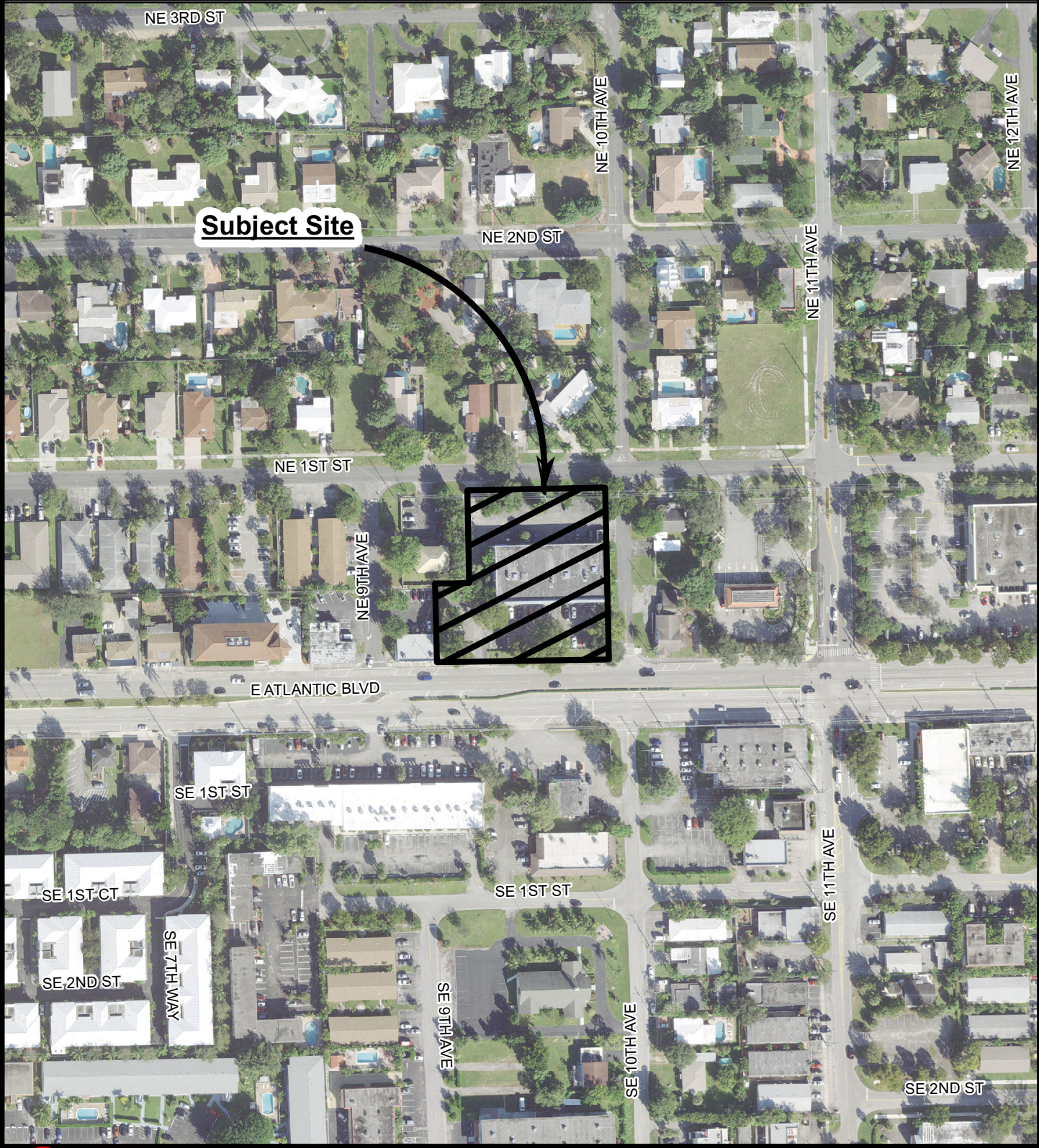


The proposed project is located on the north side of East Atlantic Blvd, on the west side of NE 10 St.



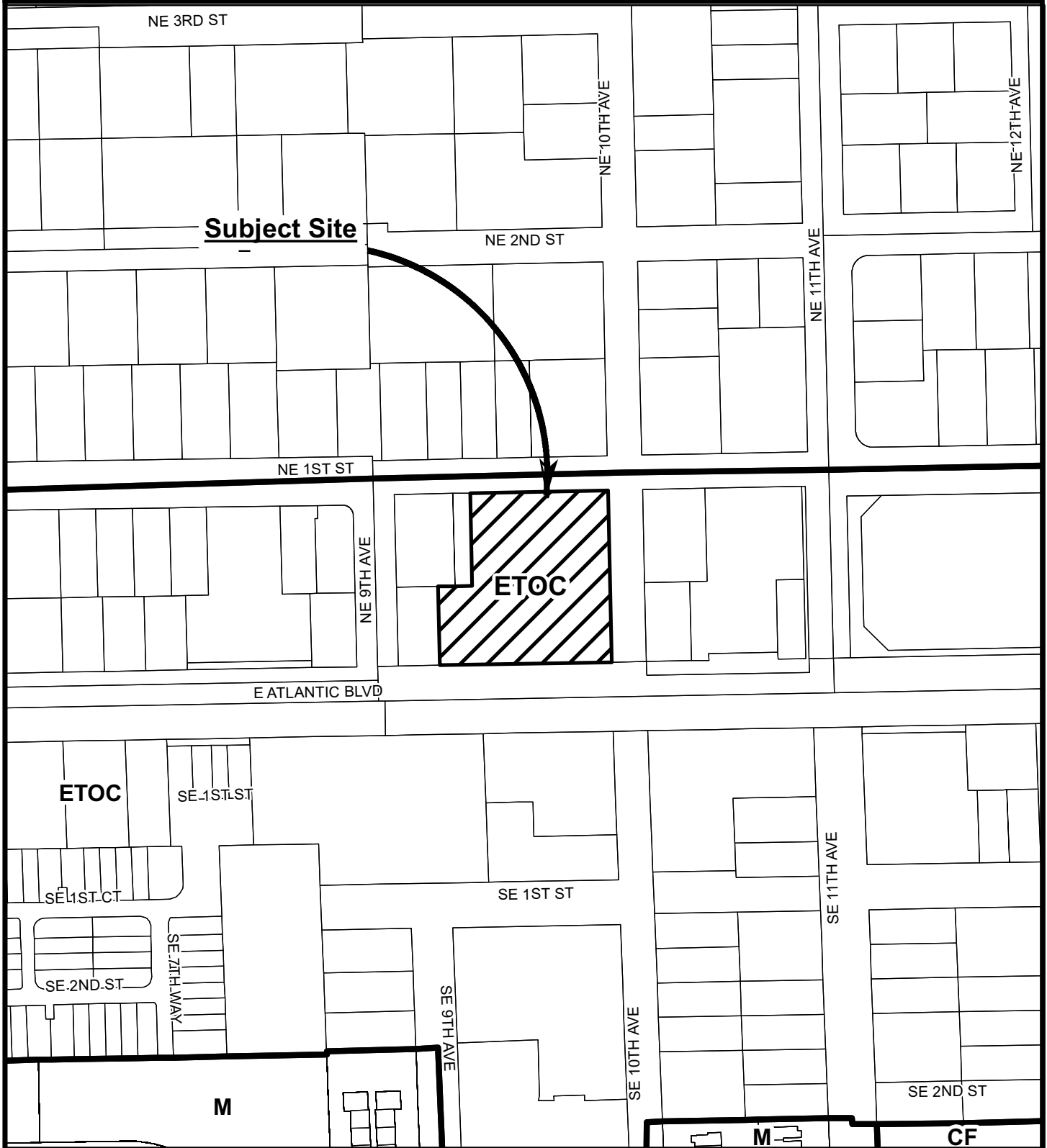


CITY OF POMPANO BEACH  
AERIAL MAP





# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



**P&Z**  
5/2/2024 AdkBob

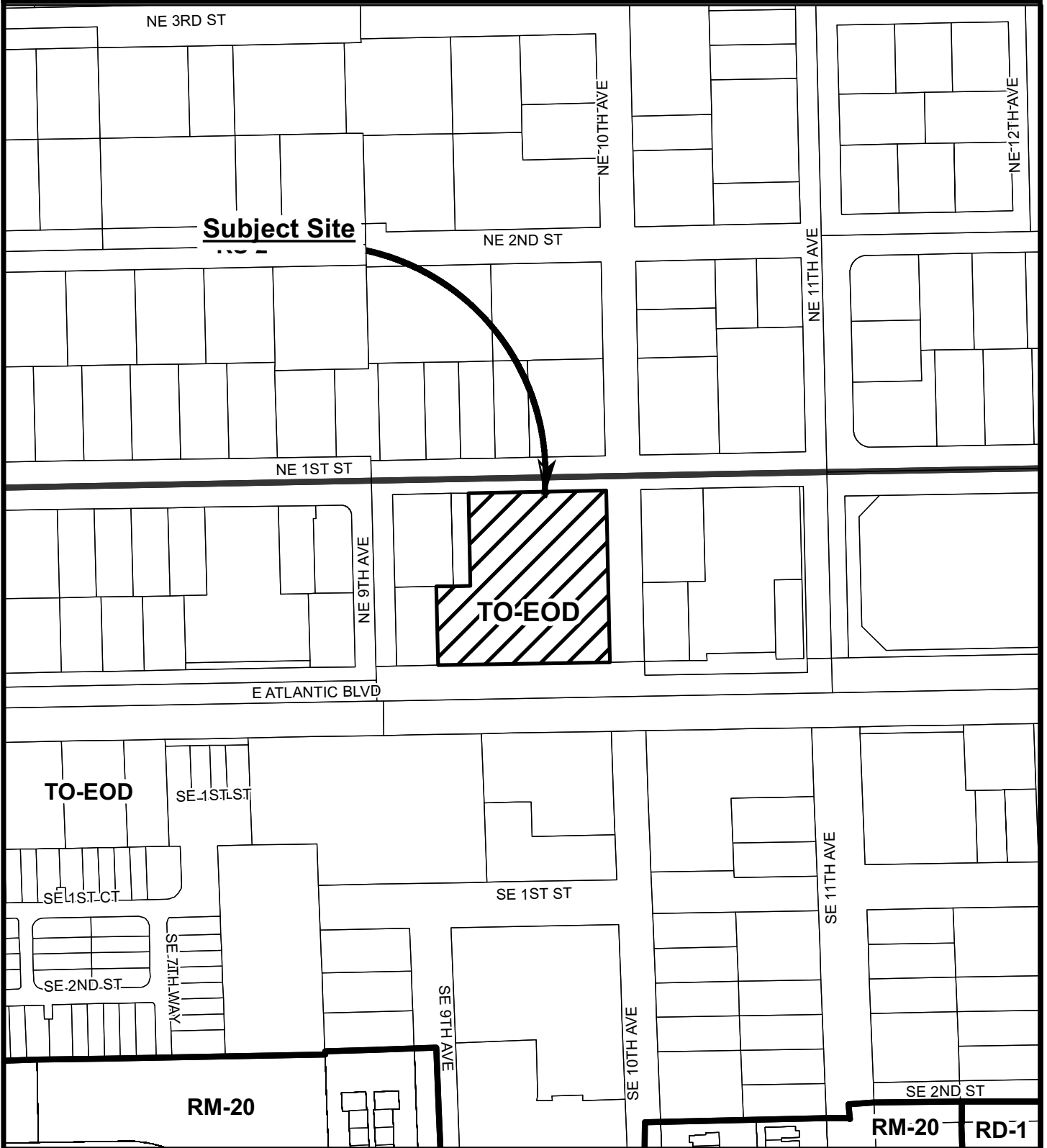
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PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

PZ23-12000043  
05/22/2024

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# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



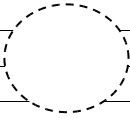
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PZ23-12000043  
05/22/2024

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	East Transit Oriented		T	Transportation
		Corridor		BP	Business Parking
		Number		LAC	Local Activity Center
				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