



Staff Report

File #: LN-362

PLANNING AND ZONING BOARD  
Meeting Date: NOVEMBER 16, 2022

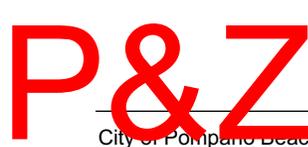
**GATEWAY LUXURY APARTMENTS SITE PLAN**

**Request:** Major Site Plan for the Construction of 128 Units  
**P&Z#** 22-12000008  
**Owner:** US Gateway Investments LLC  
**Project Location:** 950 N Powerline Rd  
**Folio Number:** 484234480010  
**Land Use Designation:** Commercial  
**Zoning District:** B-3 (General Business)  
**Commission District:** 4 (Beverly Perkins)  
**Agent:** Tiffany Crump (954-788-3400)  
**Project Planner:** Lauren Gratzer (954-545-7792 / lauren.gratzer@copbfl.com)

**Summary:**

The following is a summary of information on the subject property. The applicant is requesting Major Site Plan approval in order to construct four, three-story residential buildings with 128 units along with associated parking and landscaping. The total footprint of the buildings is 51,246 square feet on a 184,055 square foot (4.23 acre) site, a total lot coverage of 27.8%. The site plan was reviewed by the Development Review Committee on June 15, 2022 and August 17, 2022. Given the commercial zoning district (B-3) that the project located within, there are no residential entitlements and the Applicant is seeking residential Flex units. The Flex application related to this project (PZ 22-05000005) was heard by Planning and Zoning Board at the October 26, 2022 meeting. The Planning & Zoning Board unanimous recommended approval of the Flex, and the Applicant will present the request to the City Commission for their consideration.

The property is located at the northeast corner of NW 9<sup>th</sup> Street and North Powerline Road.



## 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 property has a land use designation of C (Commercial). The proposed residential apartments are a compatible use for this land use category with the approval of Flex Unit Allocation. The Development is consistent with the City of Pompano Beach Comprehensive Plan, and the Future Land Use Element Goals, Objectives and Policies contained therein:*

**Goal 01.00.00** *The attainment of a living environment which provides the maximum physical, economic and social well-being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.*

**Policy 01.06.12** *Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.*

**Policy 03.03.02** *Through the review of development proposals, the City shall support public and private sector efforts to create and/or preserve affordable housing for very-low, low and moderate-income groups in areas designated for residential land use for future and current residents recognizing the need for distance separation for subsidized low income tax credit projects of no less than one-half mile. Review of such proposals shall be based on overall compatibility with already established residential areas, the extent to which the location supports the deconcentration of poverty, and consistency with the land development code.*

**Policy 01.14.01** *The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.*

**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.*

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 proposed development complies with the standards for development within the B-3 (General Commercial) zoning district.*

Article 4: Use Standards

*The development proposes a residential use that complies with the use-specific standards in Article 4: Use Standards and is consistent with section 155.4202.C Dwelling, Multifamily.*

Article 5: Development Standards

*See section 3 below.*

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

*The DRC and project applicant have worked together to present a project that satisfies the requirements of Article 5 for new development requiring Major Site Plan approval, with exception of the conditions listed for approval.*

*The project has obtained Building Design approval from the Architectural Appearance Committee (AAC) at the November 1, 2022 meeting.*

*As part of the Major Site Plan and Building Design application, the applicant has provided a narrative addressing how the project will achieve the required sustainability points. The project has met the required 10 sustainability points for residential development.*

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

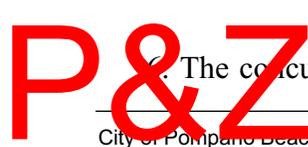
*The proposed site plan is in compliance with all other applicable standards of this Code.*

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

*The site does not have any prior applicable development orders or plans of record.*

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The concurrency review has been completed in accordance with Chapter 154 (Planning) of the Code of



Ordinances;

*Based on the calculations below, the proposed project complies with concurrency requirements.*

<i>Wastewater Treatment Demand</i>	<i>32,000 gallons per day *</i>
<i>Water Treatment Demand</i>	<i>37,952 gallons per day *</i>
<i>Raw Water Demand</i>	<i>40,988.16 gallons per day *</i>
<i>Park Acreage Required</i>	<i>0.87 acres</i>
<i>School Impacts</i>	<i>The applicant shall submit a Student Capacity Availability Determination (SCAD) letter</i>
<i>Transportation</i>	<i>Transit fees paid to the Broward County to meet concurrency</i>
<i>Solid Waste Generation</i>	<i>1,139.20 lbs per day (City has a contract with the Waste Management for disposal of all solid waste through 2033)</i>

*\* 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 development is located on a street identified on the Broward County Trafficways Plan and is designed to provide safe, adequate, and paved vehicular access.*

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 as identified on the Broward County Wellfield Protection Zones map.*

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 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 adopted Fire Codes and Standards per City Code Section 95.02.

*The proposed site plan was reviewed by a Fire Plans Examiner during DRC and will be required to meet all applicable standards before building permits are approved.*

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

*The proposed development is not within an area that will have impact on environmentally sensitive lands as defined in the Broward County Land Use Plan.*

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

*The proposed development is not located in any of the subject areas of the approved Transportation Corridor Study.*

## DEPARTMENT RECOMMENDATION

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. Provide a copy of the Resolution, approved by the City Commission, issuing the necessary 19 Flex Units necessary to develop this property as residential.
2. The Applicant shall provide a recorded copy of a Declaration of Restrictive Covenants reserving the 19 Flex Units to moderate income affordable for 30-years, prior to building permit approval.
3. Prior to building permit approval, provide a copy of the recorded plat note amendment approved by the County Commission that revises: (1) the note restricting the property to only 80,000 SF of commercial, (2) the NVAL line on the plat, and (3) the 24' access easement in connection with the northern property.
4. Standard Conditions of Approval and/or Specifications required prior to Building Permit / Zoning Compliance Permit issuance:
  - a. Provide evidence that all exterior lighting, specifically the upward facing balcony light fixtures, do not exceed 900 lumens, pursuant to Code section 155.5401.G.
  - b. Provide evidence that all air conditioners will be energy stall qualified, per the applicant's Sustainable Development narrative, pursuant to Table 155.5802: Sustainable Development Options and Points.
  - c. The proposed fence shall obtain an easement agreement form signed off by all utility agencies prior to building permit approval.
  - d. All signage shall be approved as a separate building permit and is not part of this site plan approval.
  - e. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
  - f. A copy of the CPTED plan approved by the Broward Sheriff's Office must be submitted for Zoning Compliance Permit approval.

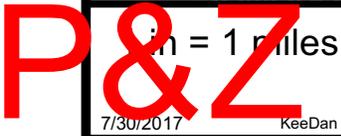
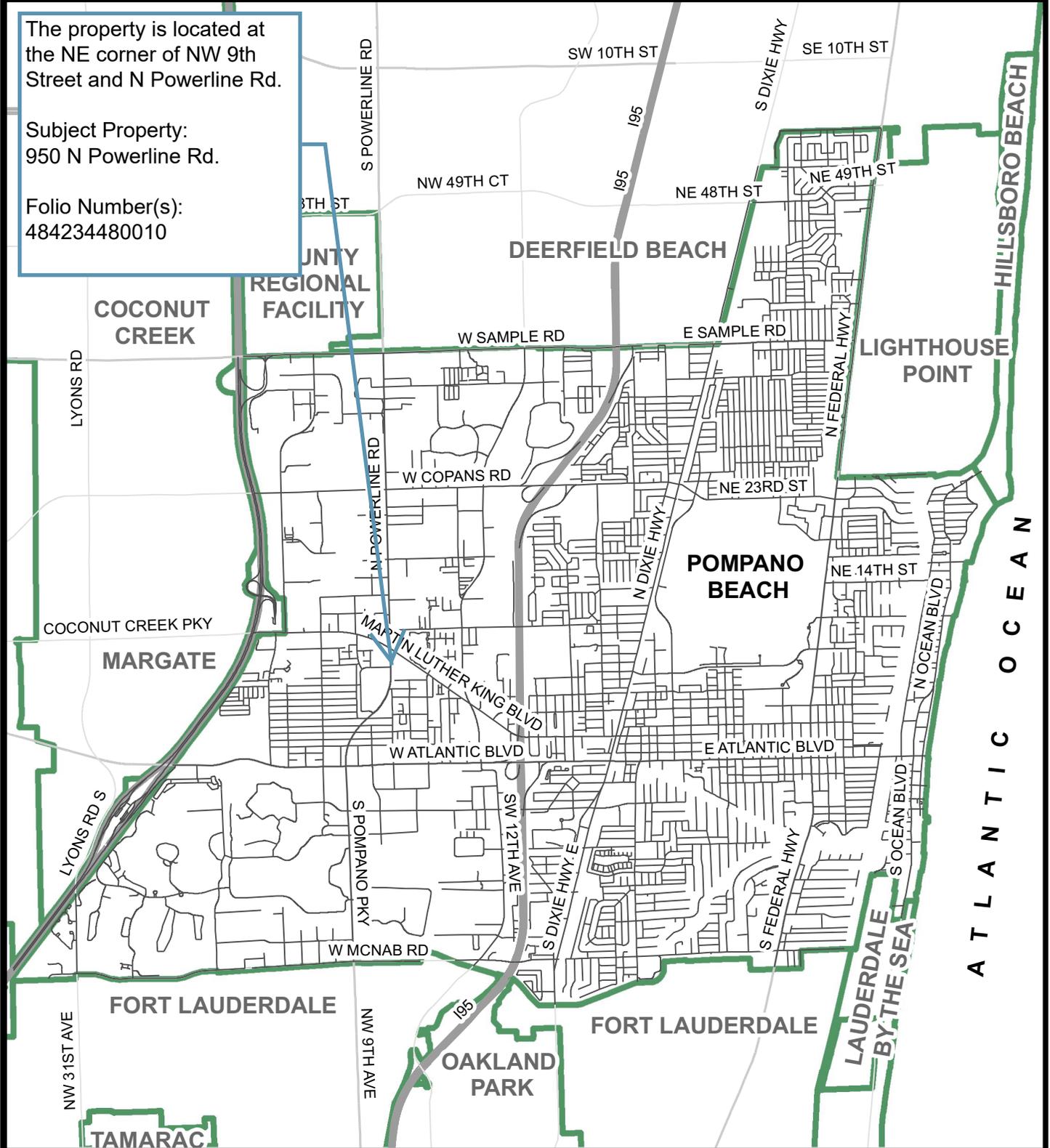
# CITY OF POMPANO BEACH LOCATION MAP



The property is located at  
the NE corner of NW 9th  
Street and N Powerline Rd.

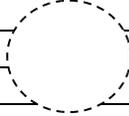
Subject Property:  
950 N Powerline Rd.

Folio Number(s):  
484234480010



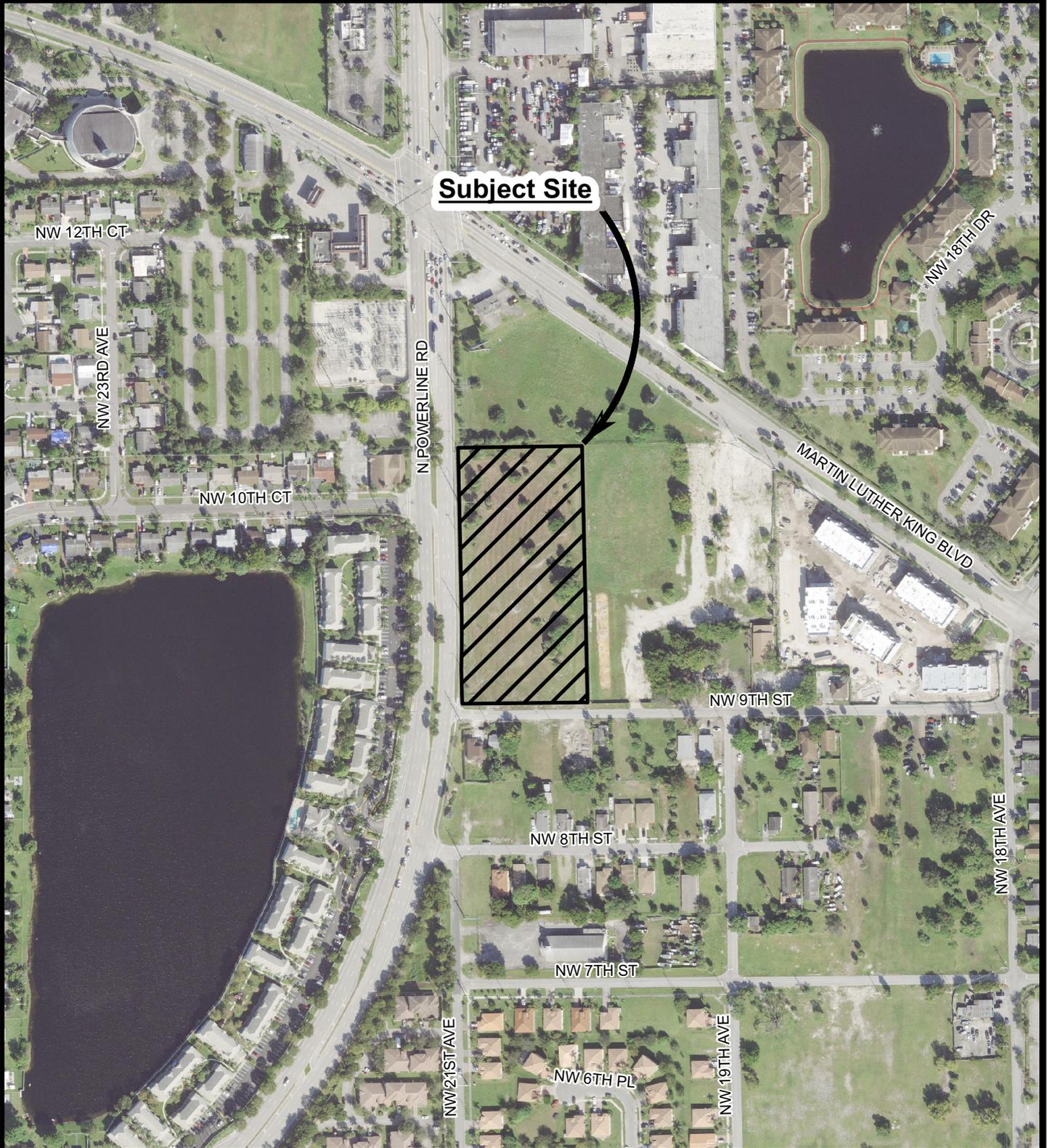
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DEVELOPMENT SERVICES

## 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		
		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	Commercal 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
	Number	PU	Public Utility
		T	Transportation
		BP	Business Parking
*	Current Designation	LAC	Local Activity Center
>	Proposed Designation	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
		APO	Air Park Overlay
		DP	Downtown Pompano Beach Overlay

# P&Z

# CITY OF POMPANO BEACH AERIAL MAP



**Subject Site**



**P & Z**  
in = 333 ft

10/31/2022

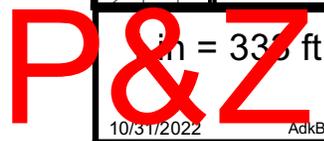
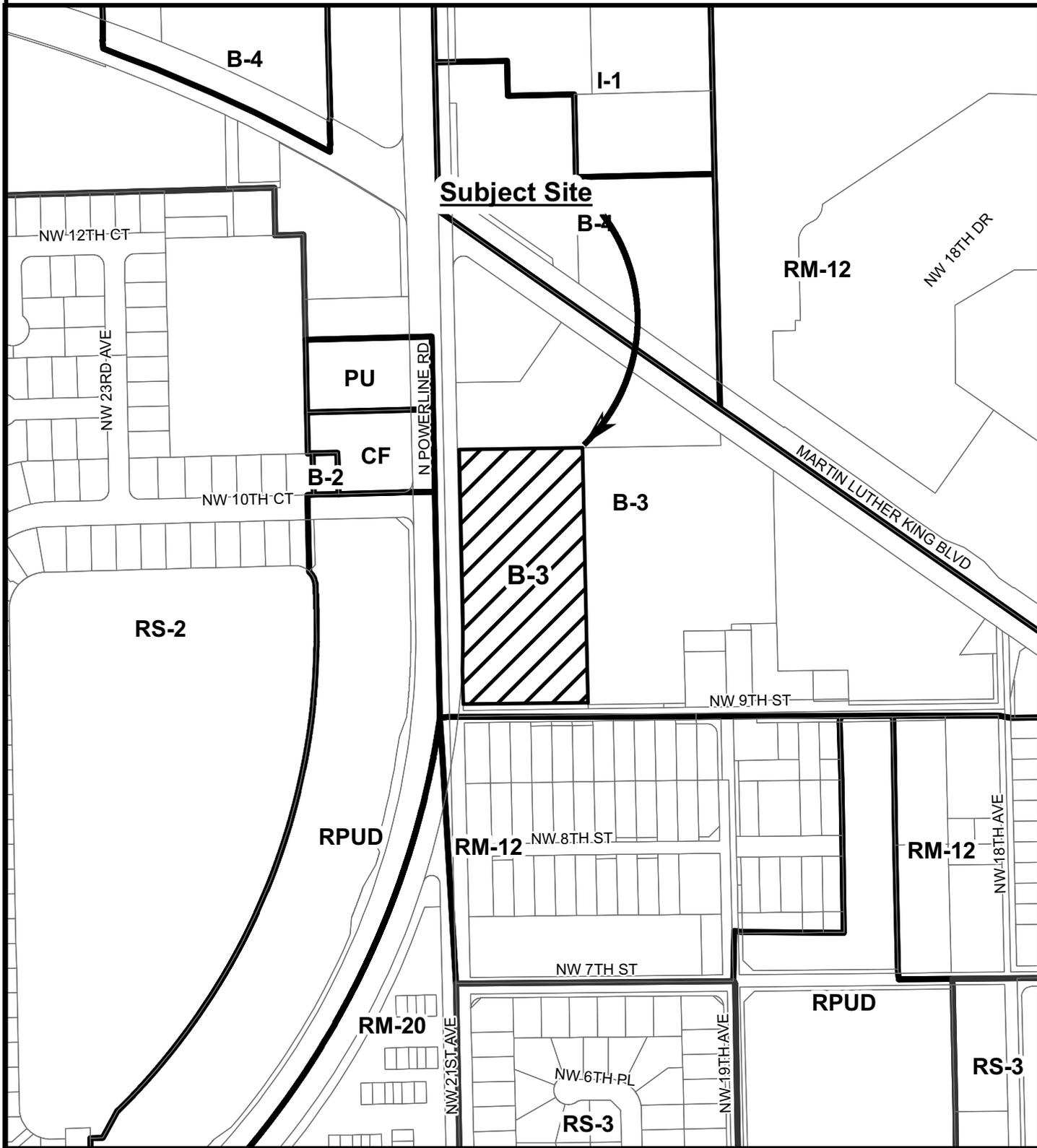
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PZ22-1200008  
11/16/2022

# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



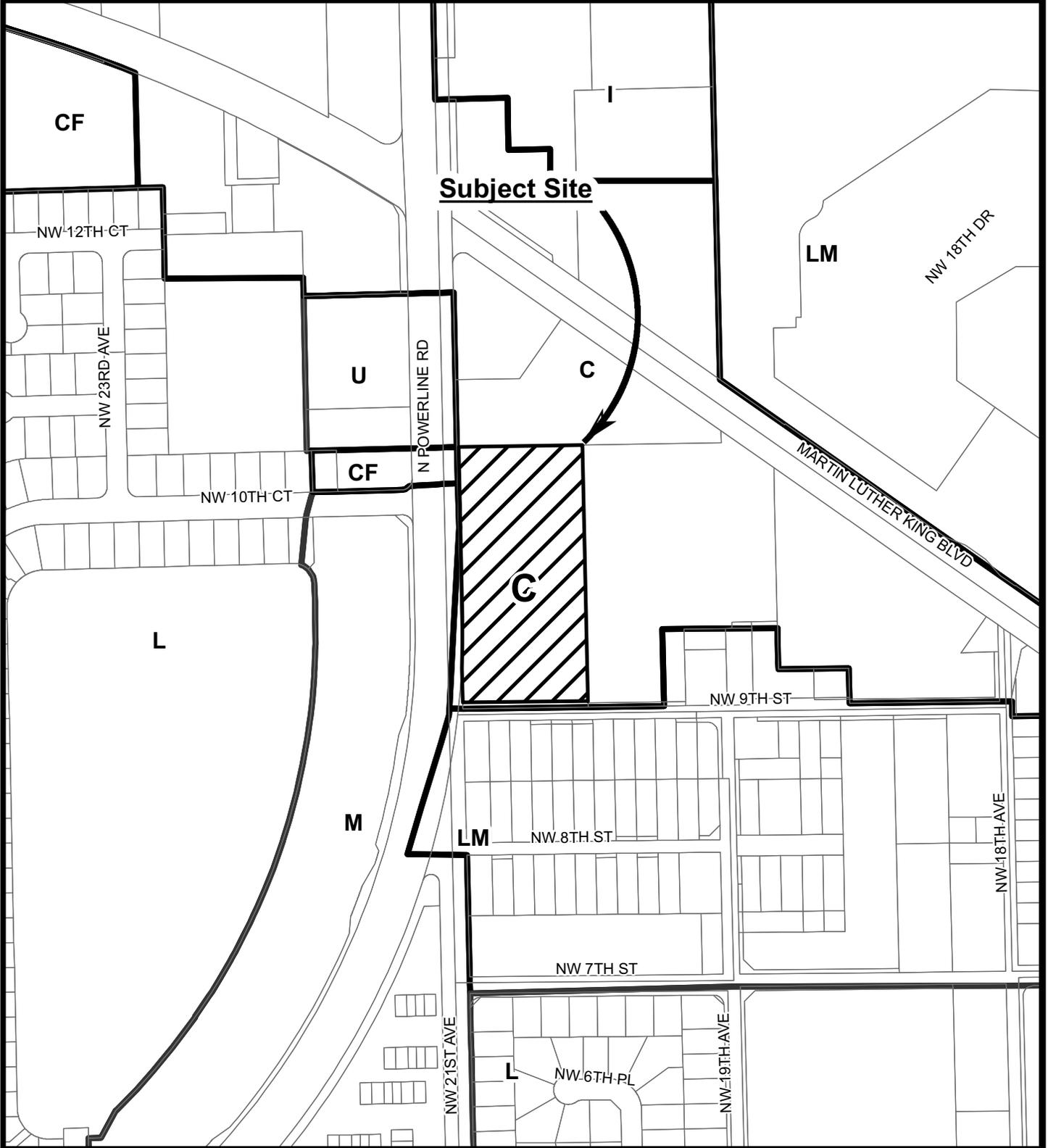
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11/16/2022

# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



**P&Z**  
Scale = 335 ft  
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