



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-373

PLANNING AND ZONING BOARD

Meeting Date: JUNE 28, 2023

1207 EAST ATLANTIC

Request: Major Site Plan
P&Z# 22-12000034
Owner: 1207 E Atlantic, LLC
Project Location: 1207 East Atlantic Boulevard
Folio Number: 484236000360
Land Use Designation: ETOC (East Transit Oriented Corridor)
Zoning District: TO-EOD (Transit Oriented - East Overlay District)
Commission District: 3 (Alison Fournier)
Agent: Seth Yeslow (954-971-1010)
Project Planner: Pamela Stanton (954-786-5561 / pamela.stanton@copbfl.com)

Summary:

The applicant is requesting Major Building Design approval for a 47-unit mixed-use development, which includes 6 townhouse style units, 41 multi-family units, approximately 5,000 square feet of commercial/ retail uses on the ground floor, parking and amenities on a 46,914 square foot (1.077 acre) lot. 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 4 stories (43' in height), and the portion of the building within the Edge Sub-Area is proposed to be 3 stories (33' in height). The project proposes to apply Density Bonus Option #1 to increase the allowable density from 32 units to 35 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 16, 2022, February 15 and April 5, 2023, and was approved by the Architectural Appearance Committee on June 6, 2023.

The property is located on the northwest corner of NE 13 Av and East Atlantic Blvd.

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 01.02.02. *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 01.05.01. *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 the trip generation as 494 daily trips with 29 AM peak hour trips and 51 PM peak hour trips. The Statement concludes that the traffic that is anticipated to be generate by this project will have a minor impact on the surrounding transportation network and that the projected low driveway volumes during AM and PM peak hours indicate that exclusive turn lanes are not required or warranted on NE 1 St or NE 13 Ave.

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.

2. 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	35,000 gallons per day *
Water Treatment Demand	41,510.00 gallons per day *
Raw Water Demand	44,830.80 gallons per day *
Park Acreage Required	.32
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	418.30 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

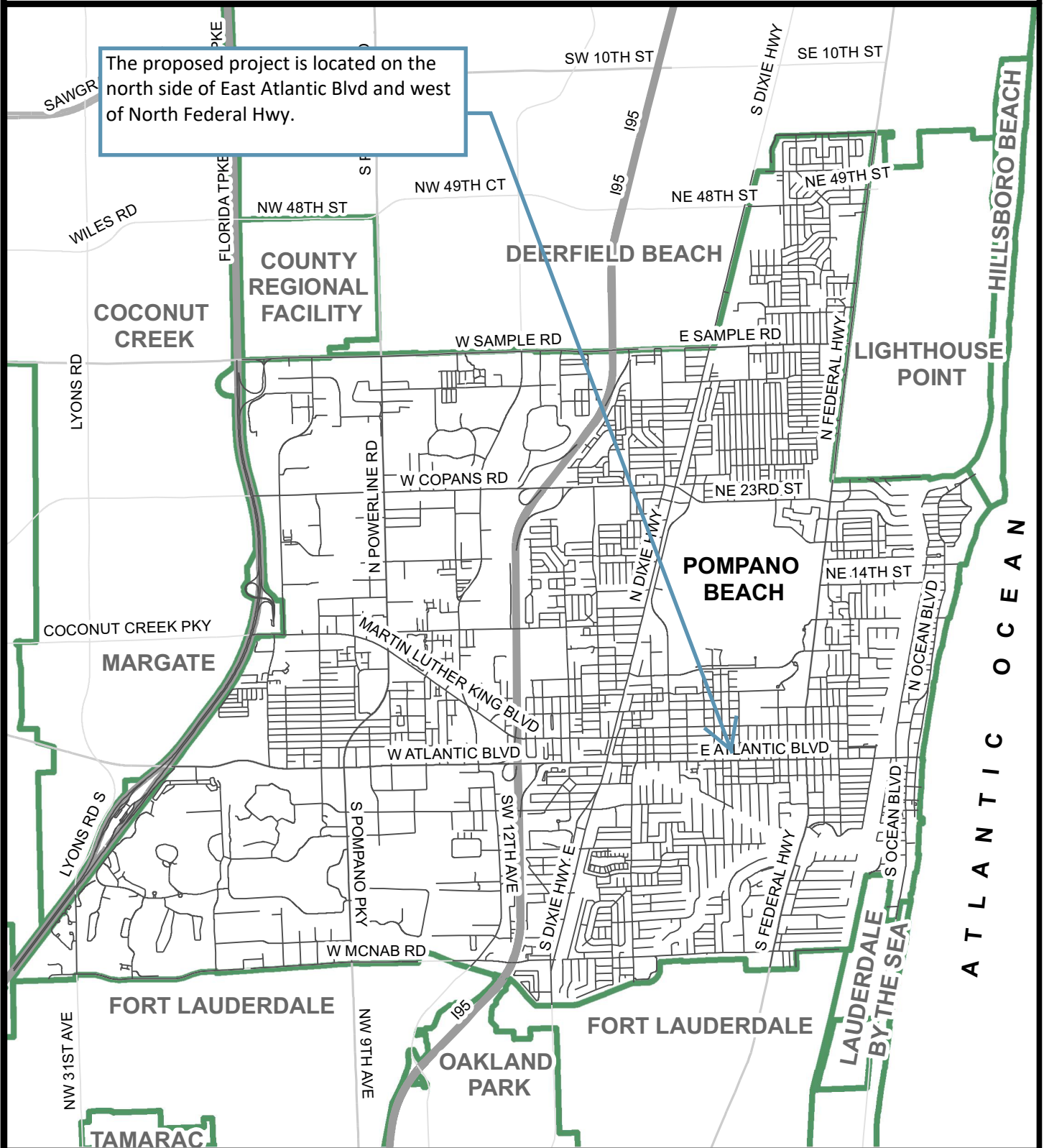
recorded on file with the Department of Development Services. The Development Services Department recommends approval of the Major Site Plan subject to the following comments and conditions:

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. 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. Provide detailed evidence that all interior elements of the parking garage will be screened from view on the east and the west sides of the building.
3. A Revocable License Agreement must be approved by the City Commission for the main entrance canopy that encroaches into the East Atlantic Blvd future right-of-way prior to permit approval.
4. Dedicate 5 feet of public right-of-way on East Atlantic Blvd. abutting the site.
5. Comply with the Affordable Housing requirements as defined in Section 155.3709.K, by either setting aside a minimum of 15% of the proposed units as affordable housing or contribute the in-lieu-of fee for each unit, prior to building permit approval. If providing the 15% affordable housing, the City will apply Broward County Policy 2.16.3 or 2.16.4, whichever is more appropriate to generate the project's entitlements thereby preserving units in the ETOC basket of rights.
6. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
 - a. Provide evidence that the Sustainable Development Point requirement has been met for a mixed-use development in the Transit-Oriented district required to achieve at least eighteen points from Table 155.5802, Sustainable Development Options and Points. The Development Services Director may award up to 6 points for options not explicitly listed in the table.
 - b. Provide a copy of the final Plat.
 - 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.
 - g. Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City's Urban Forestry Division.

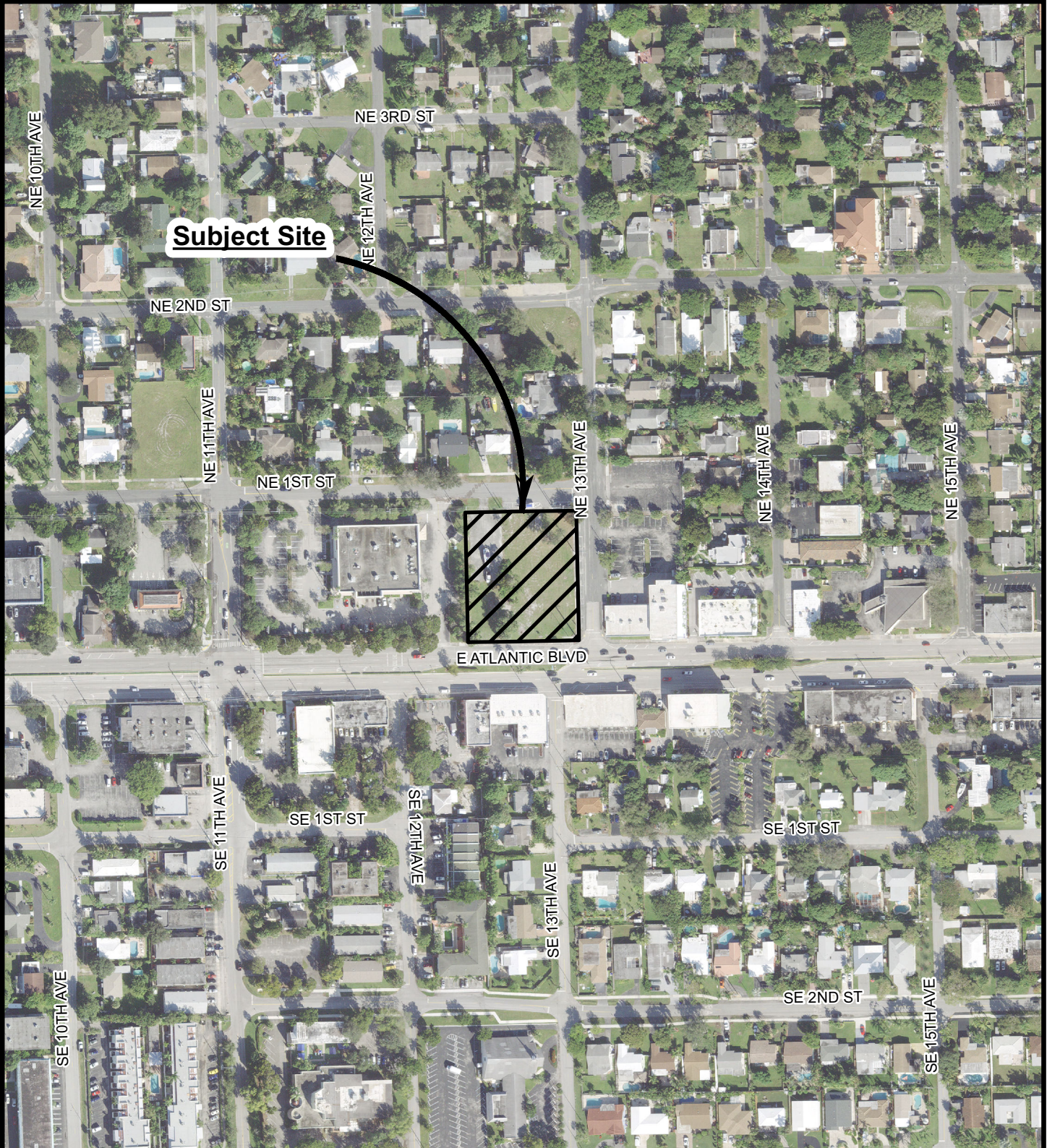
CITY OF POMPANO BEACH LOCATION MAP



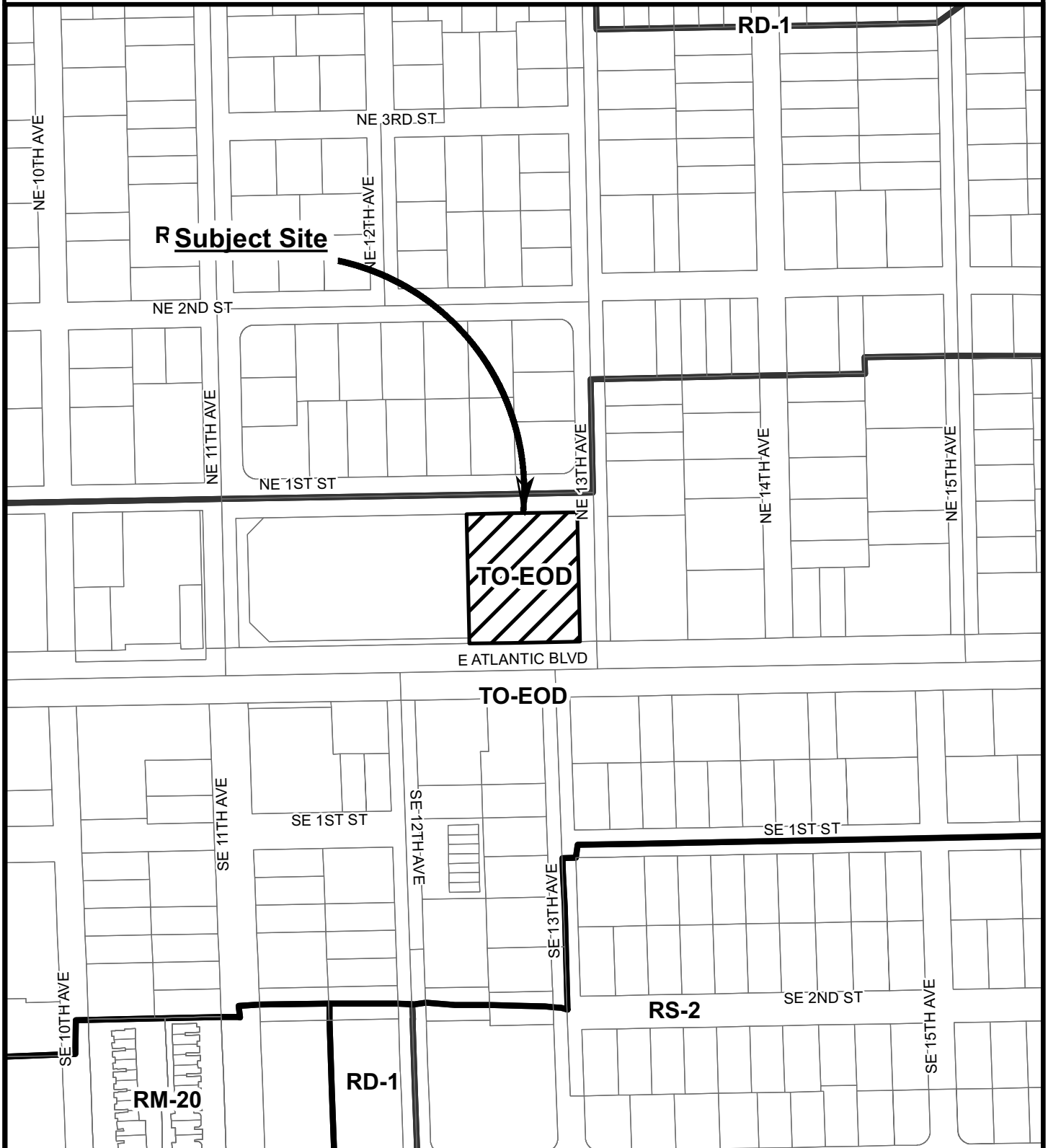
The proposed project is located on the north side of East Atlantic Blvd and west of North Federal Hwy.



CITY OF POMPANO BEACH AERIAL MAP



CITY OF POMPANO BEACH OFFICIAL ZONING MAP

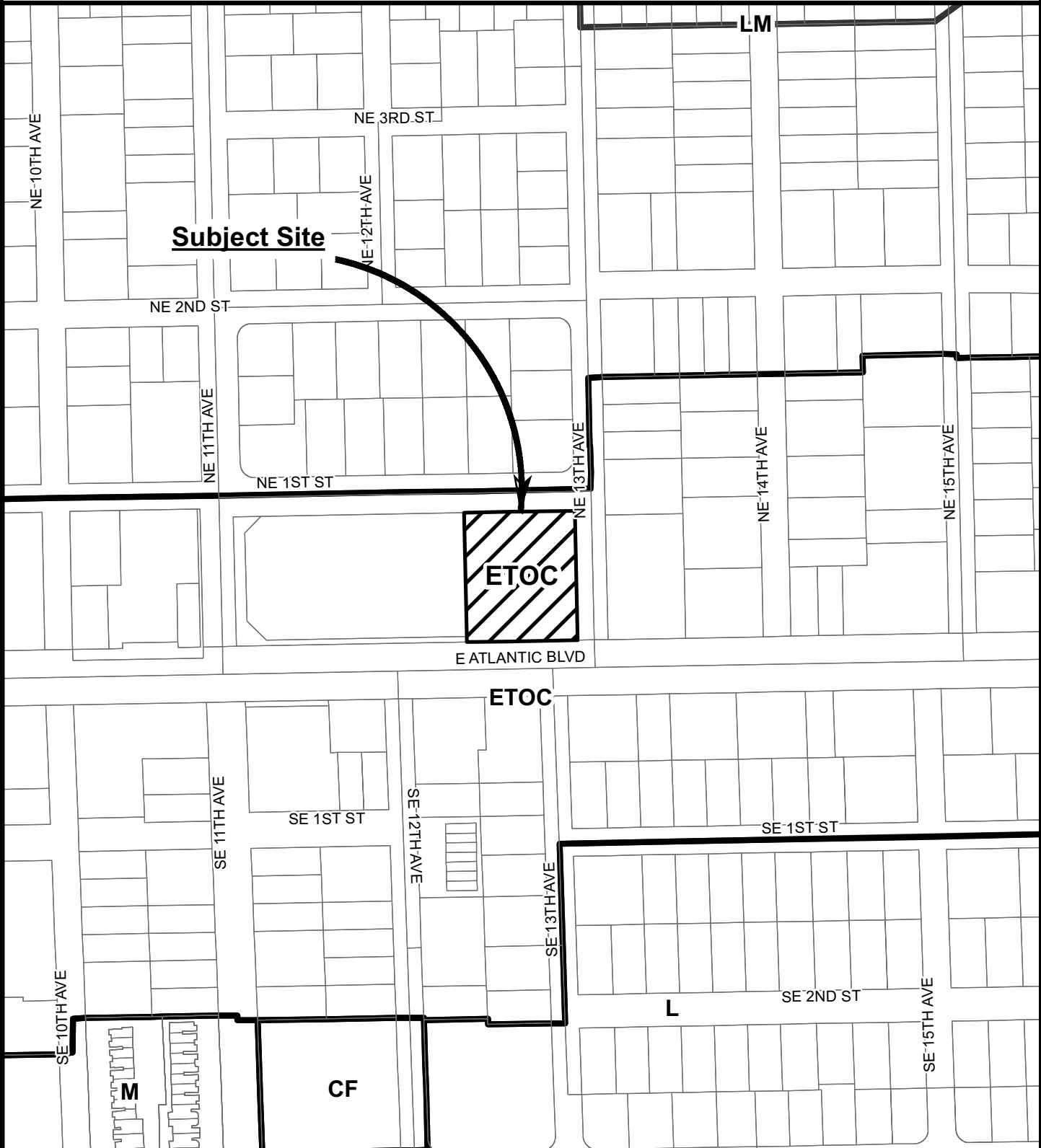


P&Z
 6/7/2023 AdkBob

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PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



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	
			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	