



Staff Report

File #: LN-800

DEVELOPMENT REVIEW COMMITTEE

Meeting Date: OCTOBER 15, 2025

MODERA REZONING

Request: Rezoning
P&Z# 25-13000002
Owner: Pompano Real Estate Investments LLC
Project Location: 855 S Federal Highway
Folio Number: 494306490010
Land Use Designation: C (Commercial)
Zoning District: B-3 (General Business)
Commission District: 1 (Audrey Fesik)
Agent: Christina Bilenki
Project Planner: Max Wemyss (954-786-4671 / max.wemyss@copbfl.com)

Summary:

The request is for a rezoning of a portion of the property from B-3 (General Business) zoning to PD-I (Planned Development - Infill) zoning district. The proposed mixed-use development includes 347 multi-family residential units and approximately 10,600 square feet of commercial use. The subject property is presently part of a larger automobile dealership which will be subdivided. Plat amendments, cross-access easements, declaration of restrictive covenants, and site plan concurrent to this rezoning (non-exhaustive list) will be required.

Subject property area is the northern 3.88 acres of parcel 494306490010. The Land Use is Commercial. Application to use Broward County Land Use Policy 2.16.4 for the residential entitlements.

Staff advises the applicant to generally finalize the site plan prior to advancing the rezoning application to ensure that every element of the site plan (uses, proposed deviations, lot standards, etc) is captured and resolved with the rezoning. Staff comments are enclosed in the separate comment report exported from ePlan. On resubmittal, please provide the Master Plan Document to provide complete set of regulations for the Planned Development District (see Planning comments for clarification).

Staff Conditions:

See ePlan exported comment report. Resubmittal required.

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REVIEW COMMENTS						
REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
1	1	BSO Anthony Russo 9/18/25 4:10 PM	Comment Development Review Committee Date Reviewed: 09-18-2025 Subject: CPTED and Security Strengthening Report: PZ#: 25-13000002 Name: Modera Address / Folio: 855 S. Federal Hwy., Pompano Beach, FL Type: Rezoning Reviewer: BSO Deputy T. Russo for the City of Pompano Beach anthony_russo@sheriff.org M-(561) 917-4556 (Send Text & Email, No Voicemail) Tuesday Friday; 8 AM 3 PM ***Please Note*** BSO CPTED & Security Strengthening comments are incorporated into PZ25-12000028 in Pompano E-Plan.			Info Only
2	1	UTILITIES Nathaniel Watson 9/19/25 2:36 PM	Comment 1. Additional comments may be forthcoming contingent upon future submittals to the PAM and/or DRC review process.			Info Only
3	1	UTILITIES Nathaniel Watson 9/19/25 2:36 PM	Comment 2. Please note that a capacity study demonstrating the developments impact on the Citys water and sewer system must be initiated and concluded utilizing the Citys modeling consultants. Resulting improvements to be initiated at cost to the developer.			Info Only
4	1	UTILITIES Nathaniel Watson 9/19/25 2:36 PM	Comment 3. In addition to the aforementioned, the Utilities Department has no comment on the requested Rezoning approval.			Info Only
5	1	FIRE DEPARTMENT Jim Galloway 9/22/25 3:14 PM	Comment This P&Z application is able to meet all of the Fire Department requirements at this time for REZONING ONLY. Site plan approval will be required, maintaining all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time. *Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.			Info Only
6	1	ZONING Lauren Gratzner 10/1/25 3:24 PM	Comment Why is the property at 943 S Federal Highway shown on this plan if not related to the PD? Remove this from the plan if not proposed as part of the PD.			Unresolved



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7	1	ZONING Lauren Gratzner 10/1/25 3:25 PM	Comment In the project narrative provide details as to how this project provides a benefit to the surrounding community in support of creating a new planned development per the standards of a PD (155.3602.A.2.e).			Unresolved
8	1	ZONING Lauren Gratzner 10/1/25 3:25 PM	Comment Under the assumption per the narrative that this PD plan is only for the 3 acres to the north, revise the Master Plan to make it clear that the southern portion of the existing property is not within the scope of work and not part of the PD.			Unresolved
9	1	ZONING Lauren Gratzner 10/1/25 3:25 PM	Comment The subject parcel shall be formally subdivided with Broward County to reflect the proposed PD. The division shall be configured so that nonconformities are not created or increased on the south parcel and compliance with requirements such as perimeter landscape strips and other spatial items such as setbacks are met. Any construction required for the southern parcel shall obtain separate building permits from the subject parcel.			Unresolved
10	1	ZONING Lauren Gratzner 10/1/25 3:25 PM	Comment On the Master Plan provide a call out for the red line as the proposed new property line.			Unresolved
11	1	ZONING Lauren Gratzner 10/1/25 3:25 PM	Comment A shared access agreement shall be provided for the new north and south parcels at the time of building permit approval.			Unresolved
12	1	ZONING Lauren Gratzner 10/1/25 3:26 PM	Comment The access easement shown on the survey sketch (per plat) shall be revised to correlate with the access points of the new southern parcel. The survey illustration does not show access being provided to the south. Revise the outline on the Master Plan as well.			Unresolved
13	1	ZONING Lauren Gratzner 10/1/25 3:26 PM	Comment Revise sheet A001 to be identified as the PD-I Master Plan, not the site plan.			Unresolved
14	1	ZONING Lauren Gratzner 10/1/25 3:26 PM	Comment The PD Master Plan shall establish the Intensity and Dimensional Standards table for the development. On the Master Plan include a "required" column (consistent with the B-3 zoning district and 155.4202.Residential: Household Living Uses) and a "proposed" column. Anything "provided" on the site plan application shall be within the allotted permission of the proposed PD Master Plan. For example, the table currently limits the lot coverage to 46% but the B-3 permits up to 60%. If approved as is, the site will be limited to 46% lot coverage and will not be permitted to have any building/lot coverage expansions in the future.			Unresolved



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15	1	ZONING Lauren Gratzner 10/1/25 3:27 PM	Comment Revise the zoning designation on the site data table to state Existing: B-3 and Proposed: PD-I.			Unresolved
16	1	ZONING Lauren Gratzner 10/1/25 3:27 PM	Comment The current proposal limits the permitted uses to multi-family, retail, and restaurants. Staff recommends including the following uses within the permitted use table: a professional office, a medical office, outdoor seating areas as an accessory use, and any other retail/service use that may benefit the residents of this property. Any use not listed on your PD plan will not be permitted to operate here in the future. Adjust the parking calculations as necessary.			Unresolved
17	1	ZONING Lauren Gratzner 10/1/25 3:27 PM	Comment Clarify what open spaces are being provided on the Master Plan and part of this PD-I submittal.			Unresolved
18	1	ZONING Lauren Gratzner 10/1/25 3:28 PM	Comment The Master Plan calls out the southern parcel as “existing commercial buildings and parking”. However, the plan proposes to change the parking and landscape configuration along the northern property line. A scope of work line should be included to identify these changes. On a separate document from the Master Plan, provide evidence that the required parking is being met for all existing uses of the southern property.			Unresolved
19	1	ZONING Lauren Gratzner 10/1/25 3:28 PM	Comment The new property line cuts off access to a dumpster that was presumably used by the businesses on the southern parcel. Clarify if the southern businesses will still have a dumpster and where that is located.			Unresolved
20	1	ZONING Lauren Gratzner 10/1/25 3:28 PM	Comment A two-way drive aisle is required to be a minimum of 24 feet wide. Provide this dimension for the shared access point along the new south property line.			Unresolved
21	1	ZONING Lauren Gratzner 10/1/25 3:28 PM	Comment A vehicular use area (VUA) buffer is required for the drive aisle along the new south property line.			Unresolved
22	1	ZONING Lauren Gratzner 10/1/25 3:28 PM	Comment Revise the note on the Master Plan for the northern 10’ UE to include that it is also a Landscape Easement, per the Plat.			Unresolved
23	1	ZONING Lauren Gratzner 10/1/25 3:29 PM	Comment On the intensity and dimensional standards table clarify that the lot coverage and pervious calculations are based on the net acreage and not the gross.			Unresolved



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24	1	ZONING Lauren Gratzner 10/1/25 3:29 PM	Comment The proposed development is at the bare minimum pervious area. Provide a note on the Master Plan that there shall be no future expansion of the building, pavers, concrete, patios, or other impervious area.			Unresolved
25	1	ZONING Lauren Gratzner 10/1/25 3:29 PM	Comment The site does not have a street side. This can be removed from the intensity and dimensional standards table. Likewise, the site does not have a rear, instead it backs up to the waterway. Remove the rear yard setback info.			Unresolved
26	1	ZONING Lauren Gratzner 10/1/25 3:29 PM	Comment Table 155.4202.A.2.f. outlines the required setbacks for projects taking advantage of Broward County Policy 2.16.4. Revise the required front yard setback to call out a minimum requirement of 0 feet and a maximum requirement of 20 feet.			Unresolved
27	1	ZONING Lauren Gratzner 10/1/25 3:29 PM	Comment Table 155.4202.A.2.f. requires that 60% of the build-to-zone contain a building. Build-to Zone is the area on a lot located between the minimum and maximum setback that must contain a principal structure. A courtyard, plaza, or forecourt may occupy the otherwise required build-to-zone, if the space is publicly accessible, providing building access and a pedestrian connection to the existing city street grid. Provide a diagram that illustrates this requirement.			Unresolved
28	1	ZONING Lauren Gratzner 10/1/25 3:29 PM	Comment On the intensity and dimensional standards table call out the directions for each setbacks. EX: front (east), interior (north), interior (south), waterway (west), there is no technical rear.			Unresolved
29	1	ZONING Lauren Gratzner 10/1/25 3:29 PM	Comment Provide a diagram that illustrates where the lot coverage percentage is coming from. Lot coverage should be the ground floor square footage of all roofed structures on the lot.			Unresolved
30	1	ZONING Lauren Gratzner 10/1/25 3:30 PM	Comment Multi-family dwellings with two bedrooms or less shall provide a minimum of one off-street parking space per 1,000 square feet of gross floor area, with a minimum of one off-street parking space per unit and one guest space per five units. The more restrictive calculation shall apply. Therefore, revise the site plan data table to reflect the minimum required parking spaces for the 2-bedroom units is 186 (based on the total of 186,000 SF).			Unresolved
31	1	ZONING Lauren Gratzner 10/1/25 3:30 PM	Comment Wheel stops are not permitted in the City of Pompano with the exception for ADA spaces as necessary. Remove them from the master plan.			Unresolved



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32	1	ZONING Lauren Gratzner 10/1/25 3:30 PM	Comment Provide details in the narrative as to how the shoreline/seawall is being updated.			Unresolved
33	1	ZONING Lauren Gratzner 10/1/25 4:05 PM	Comment Provide a master landscape plan as part of this rezoning that shows the proposed landscaping along the perimeter of the site. Provide details as to how the landscaping along the waterway on the west perimeter will be maintained as to continue to provide a community benefit to the single-family homes across the canal.			Unresolved
34	1	ZONING Lauren Gratzner 10/1/25 4:06 PM	Comment On this master landscape plan, provide a note stating that the landscape provided along the west waterway, including the Mangrove’s and any Mangrove replacements, will be maintained in perpetuity.			Unresolved
35	1	LANDSCAPE REVIEW Wade Collum 10/2/25 1:58 PM	Comment 1. Please provide a detailed narrative on how the west shoreline is going to be impacted by the new sea wall, the potential change in grade and the impact to the critical root zones of nearby existing trees proposed to remain and be protected.			Unresolved
36	1	LANDSCAPE REVIEW Wade Collum 10/2/25 1:58 PM	Comment 2. All shoreline trees shall be tagged for removal and vetted with Urban Forestry staff & Broward County prior to any removals on site. Please note on the tree dipso plan.			Unresolved
37	1	LANDSCAPE REVIEW Wade Collum 10/2/25 1:58 PM	Comment 3. Any potential Mangrove mitigation that may happen due to construction, will be for Mangrove replacements only.			Unresolved
38	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:04 PM	Comment 4. Please provide a version of the West perimeter along the waterway to benefit the adjoining residents to the West.			Unresolved
39	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:04 PM	Comment 5. Please provide a detailed narrative on how the west shoreline is going to be impacted by the new sea wall, the potential change in grade and the impact to the critical root zones of nearby existing trees proposed to remain and be protected, and an action plan for preservation.			Unresolved
40	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:04 PM	Comment 6. All shoreline trees shall be tagged for removal and vetted with Urban Forestry staff & Broward County prior to any removals on site. Please note on the tree dipso plan.			Unresolved



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41	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:04 PM	Comment 7. Any potential Mangrove mitigation that may happen due to construction, will be for Mangrove replacements only.			Unresolved
42	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:05 PM	Comment 8. Provide a master landscape plan as part of this rezoning that shows the proposed landscaping along the perimeter of the site. Provide details as to how the landscaping along the waterway on the west perimeter will be maintained as to continue to provide a community benefit to the single-family homes across the canal.			Unresolved
43	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:05 PM	Comment 9. On this master landscape plan, provide a note stating that the landscape provided along the west waterway, including the Mangrove’s and any Mangrove replacements, will be maintained in perpetuity.			Unresolved
44	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:05 PM	Comment 10. Show how requirements from 155.5203.D.5 VUA Landscaping are being met. Provide a minimum of 24’ of landscape areas between a vehicular use area and an abutting building.			Unresolved
45	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:05 PM	Comment 11. As per 155.5203.D.5 VUA in part, the Development Services Director may grant modifications to the required landscaping between vehicular use areas and buildings for development that provide at least 50% of the required width, subject to providing superior landscape design that includes a minimum of trees or palms as follows within the subject area and must include one or more of the following elements: i. Palms must be provided in multiples (doubles or triples); ii. If palms and trees are combined, one row of shrubs can be provided; iii. If palms or trees are provided, shrubs must be included in layering or height tiering with a minimum of 2 layers or tiers; iv. If trees are provided, design must include a minimum of 2 species; v. Trees or palms must be a minimum of 14 feet in height; vi. Layered or height tiered shrubs are provided in variety with a minimum of two (2) species; vii. Suspended pavements systems are provided for the adjacent vehicular use area.			Unresolved
46	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:05 PM	Comment 12. Specifically show the 10’ perimeter landscaping strip requirements on the west side, showing the required trees, shrubs, sod, etc. as per 155.5203.D. This is to be a clear measurement not to include vehicular overhang.			Unresolved



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47	1	LANDSCAPE REVIEW Wade Collum 10/2/25 2:05 PM	Comment 13. Please provide a detailed comment response sheet as needed.			Unresolved
48	1	PLANNING Max Wemyss 10/8/25 3:33 PM	Comment Revise the Master Plan to be limited to the area of the rezoning, off-site improvements/landscaping, shared access, etc. Revise the development standards to be consistent with the comments provided by zoning.			Unresolved
49	1	PLANNING Max Wemyss 10/8/25 3:53 PM	Comment General direction - "finalize" the site plan application through DRC. Then, reflect that site plan with this master plan. Then resubmit the rezoning to DRC based on the DRC approved site plan. This will make the process generally less redundant. In the meantime, provide the Master Plan documentation. Remember, a PD Ordinance is the establishment of your own zoning regulations. Your application must include the below in a document using the sequence of items for the reports format. Address each item even if not applicable: (NOTE: examples can be provided.) GENERAL STANDARDS FOR ALL PLANNED DEVELOPMENT DISTRICTS Before approving a PD zoning district classification, the City Commission shall find that the application for the PD zoning district classification and the associated PD Plan, comply with the following standards set forth in §155.3602: A. PD Plan The PD Plan includes a statement of planning objectives for the district along with a detail description for the district and the development area. Dimensional includes all of the necessary requirements the following: 1. A statement of planning objectives for the district; 2. Detailed description of the following for the entire PD District and for each development area: a. Dimensional Standards This is typically provided on the Master Plan. Please see the table format provided in 155.3607 b. Modifications of Development Standards; Based on the zoning review, provide a list of the standards in the code from which you wish to deviate. c. Provisions addressing how transportation, potable water, wastewater, stormwater management, and other public facilities will be provided to accommodate the proposed development; d. Provisions related to environmental protection and monitoring; e. Identification of community benefits and amenities that will be provided to			Unresolved



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		compensate for the added development flexibility afforded by the PD district; The PD site is urban in character, with the waterway being a natural feature. The plan has been designed to encourage public pedestrian access to the waterway, both along NE 23 Avenue and along the northside of the waterway. f. Development Phasing Plan; g. Conversion Schedule; and h. Any other provisions the City Commission determines are relevant and necessary to the development of the planned development in accordance with applicable standards and regulations. 3. Identify the general location of the following: a. Individual development areas, identified by land use(s) and/or development density or intensity; b. Open space (whether designated for active or passive recreation), including the amount and type of; c. All public and private streets, existing or projected transit corridors, and pedestrian and bicycle pathways, and how they will connect with existing and planned city systems; d. Environmentally sensitive lands, wildlife habitat, wetlands, and floodplains; e. On-site potable water and wastewater facilities, and how they will connect to city systems; f. On-site stormwater management facilities, and how they will connect to city systems; and g. All other on-site public facilities serving the development, including but not limited to parks, schools, and facilities for fire protection, police protection, EMS, stormwater management, and solid waste management. 4. Graphics demonstrating the following: a. Projects with structures greater than 35 feet in height, the shadowing on adjacent properties at the following times: two hours after sunrise, noon, and two hours before sunset during the winter solstice, spring equinox, summer solstice, and fall equinox. b. The impacts to view corridors of any adjacent properties of natural resources, including but not limited to, beaches, shores, waterways, recreation spaces and conservation spaces. B. Consistency with City Plans The PD zoning district designation and the PD Plan shall be consistent with the comprehensive plan. The narrative provides this. Copy to report. C. Compatibility with Surrounding Areas Development along the perimeter of a PD district shall be compatible with adjacent existing or proposed development. Where there are issues of compatibility, the PD Plan shall			
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		provide for transition areas at the edges of the PD district that provide for appropriate buffering and/or ensure a complementary character of uses. Determination of complementary character shall be based on densities/intensities, lot size and dimensions, building height, building mass and scale, hours of operation, exterior lighting, and siting of service areas. D. Development Phasing Plan If development in the PD district is proposed to be phased, the PD Plan shall include a development phasing plan that identifies the general sequence or phases in which the district is proposed to be developed, including how residential and nonresidential development will be timed, how infrastructure (public and private) and open space will be provided and timed, and how development will be coordinated with the city's capital improvements program. It is assumed to be one phase. E. Conversion Schedule The PD Plan may include a conversion schedule that identifies the extent to which one type of residential use may be converted to another type of residential use (e.g., multifamily dwellings to single-family dwellings) and one type of nonresidential use may be converted to another type of nonresidential use (e.g., office use to retail sales use). Such conversions may occur within development areas and between development areas as long as they occur within the same development phase, as identified by the approved development phasing plan, and are consistent with established extents of conversion set down in the conversion schedule. It is assumed that a conversion schedule will not be requested. F. On-Site Public Facilities 1. Design and Construction The PD Plan shall establish the responsibility of the developer/landowner to design and construct or install required and proposed on-site public facilities in compliance with applicable city, state, and federal regulations. 2. Dedication The PD Plan shall establish the responsibility of the developer/landowner to dedicate to the public the rights-of-way and easements necessary for the construction or installation of required and proposed on-site public facilities in compliance with applicable city, state, and federal regulations. 3. Modifications to Street Standards In approving a PD Plan, the City Commission may approve modifications or reductions of city street design standards-including those for right-of-way widths, pavement widths, required materials, and turning radii-on finding that: a. The PD Plan b. Access for emergency service vehicles is not substantially impaired;			
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			c. Adequate off-street parking is provided for the uses proposed; and d. Adequate space for public utilities is provided within the street right-of-way. No modifications requested. G. Uses The principal, accessory, and temporary uses allowable in each type of PD district are identified in Appendix A: Consolidated Use Table. Allowed principal uses in a particular PD district shall be established in the PD Plan, subject to conversion in accordance with a schedule incorporated in the PD Plan in accordance with Section 155.3602.E, Conversion Schedule. Allowed uses shall be consistent with city plans and the purpose of the particular type of PD district, and subject to applicable use-specific standards in (Principal Uses), Part 3 (Accessory Uses and Structures), and Part 4 (Temporary Uses and Structures) of Article 4: Use Standards, and any additional limitations or requirements set forth in Sections 155.3603 to 155.3607 for the particular type of PD district. Use Standards Principal uses allowed in a PD-I district shall be established in the PD Plan. Uses shall be consistent with the comprehensive plan, other city-adopted plans, and the purpose of the PD-I district, and shall comply with the use table in Appendix A: Consolidated Use Table, and the use-specific standards in Article 4: Use Standards, Update your list of uses (and any modified standards) consistent with the zoning feedback. H. Densities/Intensities The densities for residential development and the intensities for nonresidential development applicable in each development area of a PD district shall be as established in the PD Plan, and shall be consistent with the comprehensive plan and other adopted special area and city plans, and with the purpose of the particular type of PD district. Insert Intensity and Dimension Standards Table I. Dimensional Standards The dimensional standards applicable in each development area of a PD district shall be as established in the PD Plan, and shall be consistent with the purpose of the particular type of PD district. J. Development Standards All development in a PD district shall comply with the development standards of Article 5: Development Standards, or any modifications of those standards established in the PD Plan as consistent with city plans, the objective of the particular type of			
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			development standard, the purpose of the particular PD district, and any additional limitations or requirements set forth in Sections 155.3603 to 155.3607 for the particular type of PD district. Development Standards The development standards in Article 5: Development Standards, shall apply to all development in PD-I , but some development standards may be modified as part of the PD Plan if consistent with the general purposes of the PD-I district and the comprehensive plan, and in accordance with the means of modification noted below. Insert Development Standards Table / Deviations Access and circulation - Description of the intent consistent with our code, or identifying any proposed deviations. Off-street parking and loading - Description of the intent consistent with our code, or identifying any proposed deviations. Landscaping/Tree Preservation - Description of the intent consistent with our code, or identifying any proposed deviations. Screening, fences, and walls - Description of the intent consistent with our code, or identifying any proposed deviations. Lighting - Description of the intent consistent with our code, or identifying any proposed deviations. Parking deck or Garage standards - Description of the intent consistent with our code, or identifying any proposed deviations. Design and compatibility - Description of the intent consistent with our code, or identifying any proposed deviations. Sustainable design -Description of the intent consistent with our code, or identifying any proposed deviations. Signage - Description of the intent consistent with our code, or identifying any proposed deviations.		
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