

Staff Report

File #: LN-750

ZONING BOARD OF APPEALS

Meeting Date: **JULY 17, 2025**

VARIANCE - FESTIVAL REAL ESTATE LLC

Request: Variance
P&Z# 25-11000013
Owner: Festival Real Estate, LLC
Project Location: 2900 W Sample Rd
Folio Number: 484221070010
Land Use Designation: I (Industrial)
Zoning District: I-1 (General Industrial)
Agent: Dennis Mele
Project Planner: Scott Reale

Summary:

The Applicant Landowner requests a Variance from Section 155.5101(G)(8)(B) of the Pompano Beach Zoning Code, which establishes the minimum stacking lane distance for parking lot entrance driveways. The requested Variance would permit stacking lane distances ranging from 50 feet to 70 feet, in lieu of the required 100 feet, in order to accommodate site-specific constraints.

The property is located on the south side of W Sample Road in Northwest Pompano, between NW 27th Avenue and the Sample Road Florida Turnpike ramp.

ZONING REGULATIONS

TABLE 155.5101.G.8.B: MINIMUM STACKING LANE DISTANCE FOR PARKING LOT ENTRANCE DRIVEWAYS	
NUMBER OF OFF-STREET PARKING SPACES ¹	MINIMUM STACKING LANE DISTANCE (FT) ²
I - 49	25
50 - 249	50
250 - 499	100
500 or more	100 + 15 ft for every additional 50 spaces beyond 500

PROPERTY INFORMATION AND STAFF ANALYSIS

1. The approximately 24-acre site, formerly home to the Festival Marketplace (Festival Flea Market) with over 250 vendors at its peak, is proposed for redevelopment into three industrial warehouse buildings totaling roughly 474,000 square feet and 422 parking spaces. The associated Major Site Plan application (PZ #24-12000024) was presented to the Development Review Committee (DRC) on 2/5/2025, 3/19/2025, 5/7/2025, and 7/2/2025. Final approval is pending before the Planning & Zoning Board.
2. The site features four access points-two on Sample Road (under FDOT jurisdiction) and two on NW 27th Avenue (under Broward County jurisdiction). Code requires a minimum 100-foot driveway throat depth for sites with over 150 parking spaces. However, the applicant is requesting a reduction to 50-70 feet, arguing that the standard does not account for large, multi-access properties or overlapping regulatory constraints. FDOT has preliminarily approved the reduced throat depths along Sample Road, and the applicant states Broward County has accepted similar reductions for NW 27th Avenue, contingent upon compliance with safety and circulation standards.
3. Given the site's unusually large size, multiple street frontages, and dispersed parking configuration, traffic is expected to distribute evenly across all access points. The applicant argues this lessens demand on any single driveway and diminishes the necessity for the full 100-foot throat depth across the board. Current City standards do not differentiate between compact sites with a single driveway and expansive, multi-access developments like this one.
4. The purpose of the throat depth requirement is to ensure queued vehicles do not obstruct internal site circulation or spill onto public roads. The applicant contends that the combination of four access points and an efficient internal layout is expected to prevent congestion at any one location.
5. Supporting materials for the variance include a narrative addressing the statutory criteria, a traffic analysis, and a site plan illustrating the proposed driveway lengths. These documents were submitted in conjunction with the broader site plan.
6. The applicant maintains that the variance would not constitute a special privilege, noting that such relief is available to any applicant under similar circumstances. The request is tailored to the site's unique configuration and aligns with the City's land use objectives. The project repurposes a long-vacant commercial property for productive industrial use and is not expected to negatively impact neighboring properties or public safety.
7. The City retained an independent traffic engineering consultant to evaluate the proposed driveway layout and stacking analysis. The consultant's review concluded that the proposed throat depths are functionally adequate, taking into account the site design, anticipated traffic distribution, and coordination with external agencies. The consultant recommended that the internal east-west drive aisle be restricted to right-turn-only movements at its intersection with the eastern Sample Road driveway in front of Building 2. The consultant also recommended that the applicant provide written approval from the County on the two driveways along NW 27th Avenue. The consultant's full report is included in the application package backup.

LAND USE PATTERNS

Subject property (Zoning District | Existing Use):

- I-1 | former Festival Marketplace (to be redeveloped with industrial warehouses)

Surrounding Properties (Zoning District | Existing Use):

- North: A-6 (unincorporated Broward County) | landfill
- South: I-1 | drainage/retention pond
- West: ROW | Florida Turnpike ramp
- East: B-3 and B-3/PCI | vacant (undeveloped) land

VARIANCE REVIEW STANDARDS

A Variance application shall be approved only on a finding that there is competent substantial evidence in the record that all of the following standards are met:

- a) There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure for which the Variance is sought, that do not generally apply to other lands or structures in the vicinity;
- b) The extraordinary and exceptional conditions referred to in paragraph a., above, are not the result of the actions of the landowner;
- c) Because of the extraordinary and exceptional conditions referred to in paragraph a., above, the application of this Code to the land or structure for which the Variance is sought would effectively prohibit or unreasonably restrict the utilization of the land or structure and result in unnecessary and undue hardship;
- d) The Variance would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.
- e) The extent of the Variance is the minimum necessary to allow a reasonable use of the land or structure;
- f) The Variance is in harmony with the general purpose and intent of this Code and preserves its spirit;
- g) The Variance would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to property or improvements in the neighborhood, or otherwise be detrimental to the public welfare; and
- h) The Variance is consistent with the comprehensive plan.

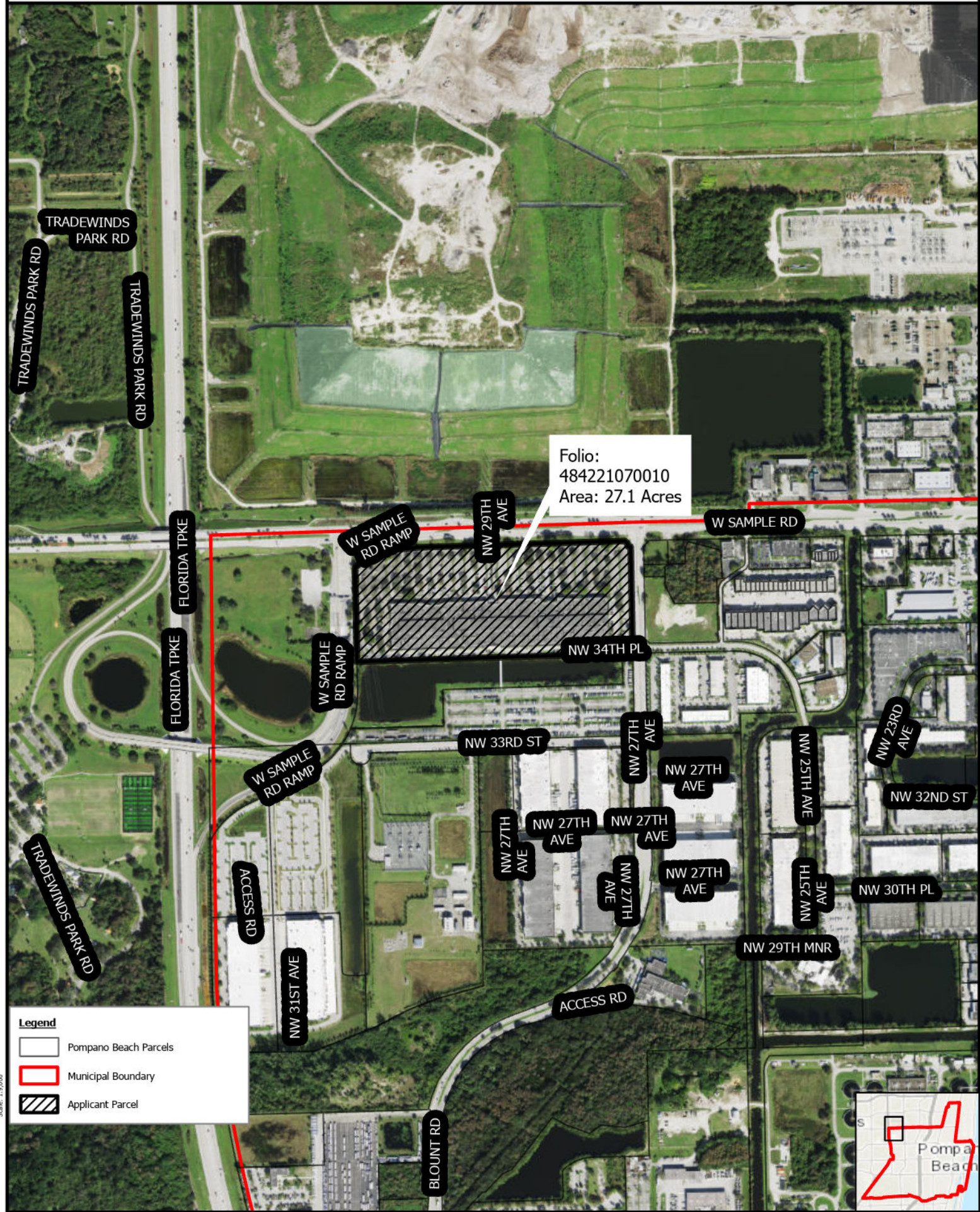
Staff Conditions:

Should the Board determine that the applicant has provided competent and substantial evidence demonstrating compliance with the eight variance review criteria, staff recommends the following conditions be incorporated into the Board's Order of Approval:

- 1. The applicant shall obtain all necessary permits and approvals, including a Major Site Plan Development Order, and Building and Zoning Compliance permits.
- 2. Development shall be in substantial conformance with the plans submitted in support of this variance application and Major Site Plan application PZ #24-12000024.
- 3. Any significant modification to driveway location or site circulation -- including any future changes required by FDOT or Broward County that result in a throat depth less than approved by this Variance -- shall require submittal of a new Variance application.
- 4. The internal east-west drive aisle shall be restricted to right-turn-only movements at the intersection with the eastern Sample Road driveway in front of Building 2 near the adjacent RaceTrac parcel. The applicant shall design, implement, and clearly sign this restriction to ensure safe and efficient traffic circulation, consistent with the recommendations of the City's traffic consultant.
- 5. Prior to the issuance of any building permit, the applicant shall provide written approval from Broward County staff confirming acceptance of the proposed driveway lengths along NW 27th Avenue.

CITY OF POMPANO BEACH

AERIAL MAP



Legend

- Pompano Beach Parcels
- Municipal Boundary
- Applicant Parcel

Scale:
1:9,000

Festival Real Estate LLC

Variance

Created by:
Department of
Development Services



2900 W Sample Rd