



Legislation Text

File #: LN-07, Version: 2

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: December 16, 2020

POMPANO STATION

**Request:** Major Site Plan  
**P&Z#** 19-12000047  
**Owner:** G & C Platinum, 2400 Investors, LLC & G & C Platinum 2500 Investors, LLC  
**Project Location:** 2401, 2413, 2335 E Atlantic Blvd  
**Folio Number:** 484236012260, 484236012240, 484236012090  
**Land Use Designation:** TO (Transit Oriented)  
**Zoning District:** TO-EOD (Transit Oriented - East Overlay District)  
**Commission District:** 1  
**Agent:** Dennis D. Mele, Esq. (954-527-2409)  
**Project Planner:** Pamela Stanton

Summary:

The applicant is requesting Major Site Plan approval in order to construct two new 8-story mixed-use buildings with a total of 355 dwelling units. The east building, with 147 dwelling units, has a footprint of 21,615 square feet on a 54,099 square foot lot (1.24 acres), and the west building, with 208 dwelling units, has a footprint of 29,327 square feet on a 70,023 square foot lot (1.61 acres). The total of both buildings is 50,942 square feet on a 124,122 square foot overall site (2.85 acres). The proposed development seeks to repurpose the surface parking lots that currently exist on both lots north of the existing nonresidential buildings that front East Atlantic Blvd. The project includes landscaping, courtyards, amenities, and internal parking structures in both buildings that will provide parking for the future residents of Pompano Station as well as the existing nonresidential buildings. This site plan was reviewed by the Development Review Committee on June 3 and July 15, 2020, and approved by the Architectural Appearance Committee on September 6, 2020.

In conjunction with the Major Site Plan, the applicant is requesting Major Administrative Adjustment approval as a separate item on this meeting agenda (PZ#20-16500002), in order to reduce the percentage of building frontage active use required on secondary streets in the Core Sub-Area of the East Overlay District (EOD).

The property is located between NE 23 Ave. and NE 25 Ave., north of 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;

**Goal 01.** *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.*

**Objective 01.01.00 - Future Land Use Plan and Levels of Service.** *Maintain the City's Future Land Use Map consistent with the Broward County Land Use Plan to ensure and all development permits issued are consistent with the City and County land use plans and the adopted level of service requirements for the availability of facilities and services can be met. The adopted levels of service standards will be adjusted over time as necessary to address the impacts of sea level rise and climate change.*

**Policy 01.01.06.** *All site plan applications shall provide pedestrian facilities, such as but not limited to sidewalks and street trees (where not in conflict with underground utilities and permitted by City Engineer).*

**Policy 01.01.08.** *Those facilities which are subject to concurrency requirements include: transit, parks and recreation, drainage and flood protection, potable water, solid waste, sanitary sewer facilities and public schools.*

**Objective 01.02.00 - Right-of-Way Protection and Accessibility.** *Protect the existing and future right-of-way from building encroachments and ensure proper accessibility with the roadway and transit network.*

**Policy 01.02.01.** *Require a traffic impact analysis for development projects when necessary to determine post-development conditions of adjacent roadways and the local multimodal transportation system.*

**Objective 01.16.00 - Transit Oriented Corridor (TOC) Activity Center.** *Facilitate mixed use development with access to transit stations or stops along existing and planned high performance transit service corridors (such as bus rapid transit or rapid bus) designated in the Pompano Beach Comprehensive Plan Transportation Element; the Broward County Transit Master Plan; the Broward County Metropolitan Planning Organization's (MPO) Long Range Transportation Plan; and the Broward County Transit Development Plan, through the establishment of a Transit Oriented Corridor (TOC) land use category.*

**Policy 01.16.02.** *Residential use is required as a principal component within a Transit Oriented Corridor (TOC). Maximum residential density will be specified by the City and may vary along the corridor. Densities and intensities for the TOC will be described in the permitted uses section of the Pompano Beach Future Land Use Element. Residential densities will be specified as a maximum number of permitted units (e.g. pool of units such as in the "Local Activity Center" (LAC) and "Regional Activity Center" (RAC) designations).*

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 will comply with the standards for the development within the TO (Transit Oriented) District and EOD (East Overlay District) upon adoption of the proposed Zoning Code text amendments.*

Article 4: Use Standards

*The development proposes a multifamily residential use that complies with the use-specific standards in Article 4: Use Standards and are consistent with the comprehensive plan.*

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.*

*The project has received Building Design approval from the Architectural Appearance Committee.*

*As part of the Major Site Plan and Building Design application, the applicant has developed a separate list that addresses how the project will achieve the required sustainability points. The project meets the required 18 sustainability points required for nonresidential and mixed-use development in the TO District.*

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

*The proposed site plan will be in compliance with all other applicable standards of this Code upon adoption of the two proposed Zoning Code text amendments.*

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

*The subject property does not have any active development orders.*

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

*Based on the estimated demand calculated below, the proposed project complies with concurrency requirements.*

Wastewater Treatment Demand	88,750.00 gallons per day *
Water Treatment Demand	150,257.50 gallons per day *
Raw Water Demand	113,678.10 gallons per day *
Park Acreage Required	2.42
School Impacts	Broward County School Capacity Availability Determination (SCAD) must be obtained
Transportation	Transit fees are paid to the Broward County to meet concurrency
Solid Waste Generation	3,159.50 lbs. per day (City has a contract with the Waste Management for disposal of all solid waste through 2022)

*\* 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 does about streets that are identified on the Broward County Trafficways Plan and has been*

*designed to provide safe, adequate, paved vehicular access between the building and streets.*

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 will not have any hazardous materials on site.*

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 address 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  
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*The proposed site plan was reviewed by 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.*

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

*The proposed development is located on a roadway that is identified in the Transportation Corridor Study, and has been designed in conformance with the guidelines for this area.*

### 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 conditions:

1. The pedestrian bridge proposed to be constructed over the NE 24 Avenue right-of-way must be approved by the City Commission by a recorded agreement. Prior to placement on an agenda for consideration, the details must be reviewed by the City Engineer and other applicable City Departments.
2. A Major Administrative Adjustment (P&Z: 20-16500002) for a reduction of the required building frontage active use percentage for the east building along NE 24 Avenue must be approved by the Planning and Zoning Board.
3. Provide the required public art and/or fee, pursuant to Table 155.3709.E.3: Density Bonus Option #1 which requires new construction to provide public art to use one or a combination of the following strategies: 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).
4. Standard Conditions of Approval and/or Specifications required prior to Building Permit/ Zoning Compliance Permit issuance:
  - a. Include a copy of the approved CPTED plan, approved by the Broward Sheriff's Office.
  - b. A School Capacity Availability Determination (SCAD) letter from the Broward County School Board must be provided to confirm that the project is exempt from concurrency, is vested, or states that student capacity is available.
  - c. A recorded Unity of Title and other acceptable instruments for all properties demonstrated as unified on the Land Title Survey and all affected neighboring properties (shared parking/loading/access agreements), must be provided prior to building permit. Agreements between subject properties and adjacent properties may be necessary for relocated parking and trash facilities.
  - d. Provide a survey that depicts property lines that are consistent with the Broward County Property Appraiser's records.
  - e. Identify construction phasing of the project in order to provide parking continuity for the existing businesses on E Atlantic Blvd that currently utilize the surface parking lots.
  - f. Provide evidence that existing easements that will no longer be needed have been abandoned.
  - g. Compliance with all applicable City Ordinances, including but not limited to comments issued by the Development Review Committee.
  - h. Substantial compliance with the plans, as submitted with this application.