

## Legislation Text

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**File #:** LN-120, **Version:** 10

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### PLANNING AND ZONING BOARD

Meeting Date: JUNE 26, 2024

### COVENT GARDENS SITE PLAN

**Request:** Major Site Plan  
**P&Z#** 21-12000031  
**Owner:** ICG CGP58, LLC.  
**Project Location:** 90-140 NW 27 Ave.  
**Folio Number:** 484233650010 & 484233053810  
**Land Use Designation:** Commercial  
**Zoning District:** B-3 (General Business)  
**Commission District:** 5 (Barry Moss)  
**Agent:** Andres Vasquez (305-763-8471 / andres@g3aec.com)  
**Project Planner:** Lauren Gratzner (954-545-7792 / lauren.gratzner@copbfl.com)

### Summary:

This agenda item was originally presented to the Planning and Zoning Board (PZB) at the March 27, 2024 meeting in which it was deferred to the April meeting by the Board members for more information. The project was then subsequently postponed by the applicant twice, to be heard at the June 26, 2024 meeting. The applicant is requesting Major Site Plan approval in order to construct 40 residential units along with a tot lot, associated parking, and landscaping. The total footprint of all buildings is 31,788 square feet on a 116,331 square foot (2.67 acre) site, a total lot coverage of 27.3%. The site plan was reviewed by the Development Review Committee seven times since the original submittal in December of 2021. This project was approved by the Architectural Appearance Committee (AAC) at the June 4, 2024 meeting.

Based on discussions with the AAC, changes to this project from the previous submittal include new grey stucco stripes as decorative details around the windows on the fronts and sides of the buildings as well as fencing around the proposed tot lot. These changes were included in the June AAC approval. Additionally, based on the March discussion with the PZB and close coordination with BSO, the applicant has added cameras to the site for security.

The property is located on the east side of NW 27<sup>th</sup> Avenue between Atlantic Boulevard and NW 2<sup>nd</sup> Street.

## 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 development is a compatible use for this land use category with the previous approval of Flex unit allocation (Resolution NO. 2024-22). The property is surrounded by other residential properties on the north and west sides. 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.*

**Goal 03.00.00** *To provide structurally safe, affordable, uncrowded and otherwise adequate residential shelter for all existing and anticipated future residents of the City of Pompano Beach that utilize energy efficient, sustainable design, resilient construction techniques, materials and renewable energy resources.*

### **Policy 01.01.13**

*The City shall utilize flexibility units and redevelopment units to increase residential densities within the flex receiving area when consistent with the community character; adjacent land uses; and public school capacity both within Pompano and affected contiguous municipalities; and has undergone a compatibility review relative to potential impacts on Environmentally Sensitive Lands and County or regional parks in accordance with Policy 2.10.01 of the Broward County Land Use Plan.*

### **Policy 01.07.19**

*The City's land development code shall include provisions to encourage or enable a variety of housing opportunities in varying price ranges, including housing for low and moderate income families in large scale residential developments.*

**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.*

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 districts. This property obtained 40 residential Flex Units via Resolution NO. 2024-22.*

Article 4: Use Standards

*The project proposes a residential development that complies with the use-specific standards in Article 4: Use Standards and is consistent with section 155.4202.D. 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's Building Design was reviewed for a second time by the Architectural Appearance Committee (AAC) on June 4, 2024 and subsequently approved.*

*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 mixed-use developments.*

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 existing site is currently vacant. There are no prior applicable development orders of record.*

6. 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.*

Wastewater Treatment Demand 10,000.00 gallons per day \*

Water Treatment Demand 11,860.00 gallons per day \*

Raw Water Demand 12,808.80 gallons per day \*

Park Acreage Required 0.27 acres

School Impacts School impacts are evaluated by the Broward County School District. A Final SCAD letter to be provided.

Transportation Transit fees paid to the Broward County to meet concurrency

Solid Waste Generation 356.00 pounds per day (City has a contract with the Waste Management for disposal of all solid waste through 2032)

\* 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 not located on a street identified on the Broward County Trafficways Plan. The project is designed to provide safe, adequate, and paved vehicular access from NW 27<sup>th</sup> Avenue.*

8. Complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance;

*The property may be located within a wellfield protection area as identified on the Broward County Wellfield Protection Zones map. The applicant shall adhere to all Broward County requirements as necessary.*

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 Transportation Corridor Study calls for “Residential Development - Develop a zoning code overlay to support 2 to 3 stories of multifamily residential and/or residential mixed use development to increase housing choices” at this location. The proposed development meets this intent.*

### 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 the recorded plat for the northern property (folio 484233650010) with all recorded plat note amendments by time of building permit approval.
2. A Unity of Title shall be submitted to Staff unifying both subject folios as one site prior to building permit approval.
3. Any project consisting of phasing shall have all site amenities (tot lot, etc.) and landscaping installed on site prior to the issuance of the first Certificate of Occupancy (CO) or similar approval (Temporary Certificate of Occupancy, Certificate of Completion, etc.).
4. An easement agreement form shall be signed off by all utility agencies for the proposed wall, sidewalk, and pavers within the ten-foot easement surrounding the northern parcel.
5. The applicant shall dedicate five feet of the southern property (folio 484233053810) along NW 27<sup>th</sup> Avenue for the purposes of right-of-way, prior to building permit approval.
6. The elevations shall be revised to illustrate the awnings over the corner units on the west side of the property, as shown on the site plan, by time of building permit submittal.
7. The dimension of the building height shown the Building Section sheets do not match the heights shown on the elevations. All plans shall be consistent by time of building permit submittal.
8. The project shall comply with all conditions of approval for the Flex allocation in accordance with Resolution NO. 2024-22.
9. Standard Conditions of Approval and/or Specifications required prior to Building Permit / Zoning Compliance Permit issuance:

- a. The applicant shall provide evidence of compliance for the points used for the Sustainability Narrative as submitted to the DRC by time of building permit approval in accordance with Table 155.5802: Sustainable Development Options and Points.
- b. Provide the “final” SCAD letter from the Broward County School Board permitting 40 units on these two folios, prior to building permit approval.
- c. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
- d. Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City’s Urban Forestry Division.
- e. A copy of the CPTED plan approved by the Broward Sheriff’s Office must be submitted for Zoning Compliance Permit approval.
- f. Park Impact fees shall be assessed upon Zoning Compliance Permit approval.