



## Legislation Text

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**File #:** LN-566, **Version:** 3

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### PLANNING AND ZONING BOARD

Meeting Date: JUNE 26, 2024

### RETAIL DEVELOPMENT

**Request:** Major Site Plan  
**P&Z#** 23-12000049  
**Owner:** Thieme Family LLC  
**Project Location:** 4791 N Federal Hwy  
**Folio Number:** 484318000092  
**Land Use Designation:** C (Commercial)  
**Zoning District:** B-3 (General Business)  
**Commission District:** 2 (Rhonda Sigerson-Eaton)  
**Agent:** Carlos Justiniano (cjustiniano@justinarc.com / 954-554-3884)  
**Project Planner:** Lauren Gratzner (lauren.gratzner@copbfl.com / 954-545-7792)

### Summary:

The applicant is requesting Major Site Plan approval in order to construct a new 5,124 square foot commercial/retail building along with associated parking and landscaping. The property has an existing animal hospital that will remain on site. The total footprint of all buildings is 9,449 square feet on a 39,542 square foot (0.9 acre) site, a total lot coverage of 23.9%. The site plan was reviewed by the Development Review Committee on February 21, 2024 and April 17, 2024. Additionally, the project was approved by the Architectural Appearance Committee on June 4, 2024.

The property is located on the southwest corner of N Federal Highway and NE 48th 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 commercial development is a compatible use for this land use category. 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.*

**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 01.14.01** *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.*

**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.*

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 Business) zoning district.*

### Article 4: Use Standards

*The development proposes commercial uses that comply with the use-specific standards in Article 4: Use Standards and is consistent with sections 155.4218.Restaurant and 155.4222.S. Other Retail Sales Establishment.*

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. Additionally, the applicant obtained approval of an administrative waiver for the width of the site's internal sidewalks, in accordance with Code Section 155.5101.1.4.*

*The project's Building Design was approved by the Architectural Appearance Committee (AAC) on June 4, 2024.*

*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 12 sustainability points for non-residential development.*

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 was originally developed in the early 1970s. 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	472.00	gallons per day *
Water Treatment Demand	559.79	gallons per day *
Raw Water Demand	604.58	gallons per day *
Park Acreage Required	N/A	
School Impacts	N/A	
Transportation	Transit fees paid to the Broward County to meet concurrency	
Solid Waste Generation	424.80 per meal (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 located on the corner of N Federal Highway and NE 48<sup>th</sup> Street, both streets identified are on the Broward County Trafficways Plan. The project is designed to provide safe, adequate, and paved vehicular access from both of these 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 as identified on the Broward County Wellfield Protection Zones map.*

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 proposed development complies with the approved Transportation Corridor Study. The study promotes a “commercial mixed-use frontage” at this location. This project proposes to provide a mix of retail and restaurant uses to add variety on a site with an existing animal hospital.*

## 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 a recorded plat in accordance with Code Section 155.2410.Plat.
2. The locations of the light poles on the landscape plan do not match the photometrics plan. Revise so all plans are consistent. All trees will be planted at least 15 feet from any light fixture mounted on a pole (155.5203.B.2.g.i.c).
3. The height of a structure is determined by measuring the vertical distance from the average elevation of the existing finished grade at the front of the structure to the top of the roof for a flat roof, to the deck line for a mansard roof, or to the mean height between eaves and ridge for a gable, hip, cone, gambrel, or shed roof (155.9401.G). Revise the elevations to correctly reflect the height of the building from finished grade to the roofline and update the height listed on the site plan data table.
4. 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. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
  - c. Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City's Urban Forestry Division.
  - d. A copy of the CPTED plan approved by the Broward Sheriff's Office must be submitted for Zoning Compliance Permit approval.