

## Legislation Text

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**File #:** LN-13, **Version:** 1

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### PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: OCTOBER 28, 2020

### FESTIVAL MARKETPLACE

**Request:** Major Site Plan  
**P&Z#** 19-12000016  
**Owner:** Festival Real Estate LLC  
**Project Location:** 2900 W. Sample Road  
**Folio Number:** 484221070010  
**Land Use Designation:** C (Commercial)  
**Zoning District:** B-3 (General Business)  
**Commission District:** 4  
**Agent:** Christopher Collins  
**Project Planner:** Matt Edge

### Summary:

The following is a summary of information on the subject property. The applicant is requesting Major Site Plan approval in order to construct a 25,500 sq. ft. restaurant/retail building and a 5,411 sq. ft. RaceTrac gas station and convenience store. Additional site improvements will include new sidewalks, landscaping, parking, and a large sodded space between the outparcel buildings. The combined footprint of the existing and proposed buildings is 412,673 square feet on a 1,180,423 sq. ft. (27.1 acre) site (a lot coverage of 35%). This site plan was reviewed by the Development Review Committee on May 6, 2020 and by the Architectural Appearance Committee on September 1, 2020.

The applicant has received a variance approval from the Zoning Board of Appeals (20-11000004) to provide bollards between the parking spaces and the gas station in lieu of a continuous curb. They have also received approval of two Superior Design Alternatives, which allow the outparcel buildings to be constructed without matching the principal building and for a portion of the street-facing windows on the convenience store to be opaque.

The subject property, commonly known as the Festival Flea Market, was built in 1986 shortly after the area was annexed into the City of Pompano Beach. This proposal is to construct two outparcel buildings in place of surplus parking between the main building and W Sample Road.

The property is located on the southwest corner of W Sample Road and NW 27 Avenue.

## 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 land use designation for this property is Commercial (C). The proposed outparcel buildings are consistent with the permitted uses identified. The Development is consistent with the City of Pompano Beach Comprehensive Plan, and the Future Land Use Element Goals, Objectives and Policies contained therein:*

*Policy 01.01.01. Adopt and maintain community services based on the Level of Service Standards contained in the various Elements of the City's Comprehensive Plan.*

*Policy 01.16.01. 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 the development within the B-3 (General Business) Zoning district.*

**Article 4: Use Standards**

*The development proposes a fire station 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 application, the applicant has developed a separate table that addresses how the project will achieve the required sustainability points. The project achieves the required 12 sustainability points required for nonresidential 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;

*The property was originally approved as a single-building development (Festival Marketplace), which received a Development Order in 1994, and the property has since changed ownership. The site complies with all pertinent Code requirements for the site plan Development Order and for the project site.*

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	3,600.0 gallons per day *
Water Treatment Demand	4,269.60 gallons per day *
Raw Water Demand	4,611.17 gallons per day *
Park Acreage Required	N/A
School Impacts	N/A
Transportation	Transit fees are paid to the Broward County to meet concurrency
Solid Waste Generation	1860 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 abuts W Sample Road, designated as a collector street on the Broward County Trafficways Plan and is designed to provide safe, adequate, paved vehicular access between the buildings 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 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](#)  
<http://library.amlegal.com/nxt/gateway.dll?>

*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 not located on a roadway that is identified in the Transportation Corridor Study.*

**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. 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. Compliance with all applicable City Ordinances, including but not limited to comments issued by the Development Review Committee.
  - c. Substantial compliance with the plans, as submitted with this application.