



## Legislation Text

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**File #:** LN-136, **Version:** 5

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### PLANNING AND ZONING BOARD

Meeting Date: SEPTEMBER 22, 2021

### OCEAN 723 SITE PLAN

**Request:** Major Site Plan  
**P&Z#** 21-12000020  
**Owner:** Fernbrook Florida LLC  
**Project Location:** 723 North Ocean Blvd.  
**Folio Number:** 484331490020  
**Land Use Designation:** MH (Medium High 16-25 DU/AC)  
**Zoning District:** RM-20 (Multiple Family Residence 20)  
**Commission District:** 1  
**Agent:** Paola West (954-529-9417)  
**Project Planner:** Lauren Gratzer (954-545-7792 / [lauren.gratzer@copbfl.com](mailto:lauren.gratzer@copbfl.com))

### 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 new 12-unit multifamily development with associated parking and landscaping. The footprint of the building is 12,107 square feet on a 20,341 square foot (0.47 acre) site, a total lot coverage of 59.52%. The site plan was reviewed by the Development Review Committee on June 16, 2021, July 21, 2021, and September 15, 2021. The site plan received Major Building Design approval by the Architectural Appearance Committee on August 3, 2021.

The property simultaneously received rezoning approval via PZ #20-13000007 at the City Commission's second reading on July 13, 2021 (Ordinance 2021-76). The property was rezoned from RM-20 (Multiple Family Residence 20) to RPUD (Residential Planned Unit Development).

The property is located on the southwest corner of N Ocean Boulevard and NE 7<sup>th</sup> Court.

## 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 Medium-High 16-25 DU/AC (MH) land use designation. The proposed multifamily 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 01.06.12** *Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.*

**Policy 01.07.04** *Through the ongoing updates to the land development regulations consider the development of various housing units types and residential lots including single family, cluster homes, zero lot line, staggered setbacks and zipper lots, coach houses, townhouses, stacked townhouses, courtyard buildings, terraced buildings and sculptured towers.*

**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 of the approved RPUD*

*rezoning (Residential Planned Unit Development) zoning district.*

Article 4: Use Standards

*The development proposes a residential use that complies with the use-specific standards in Article 4: Use Standards and is consistent with section 155.4202.C. 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 has received Building Design approval from the Architectural Appearance Committee (AAC).*

*As part of the Major Site Plan and Building Design application, the applicant has developed a separate table that addresses how the project will achieve the required sustainability points. The project has met the required 10 sustainability points for multifamily 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.

*This site complies with all requirements or conditions of any prior applicable development orders.*

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.*

<i>Wastewater Treatment Demand</i>	<i>3,000.00 gallons per day *</i>
<i>Water Treatment Demand</i>	<i>3,558.00 gallons per day *</i>
<i>Raw Water Demand</i>	<i>3,842.64 gallons per day *</i>

*Park Acreage Required 0.08 acres*  
*School Impacts Broward County School Capacity Availability Determination (SCAD) letter has been provided and is valid until January 20, 2022*

*Transportation Transit fees paid to the Broward County to meet concurrency*  
*Solid Waste Generation 106.80 lbs. per meal (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 is located on N Ocean Blvd (SR A1A), a street identified on the Broward County Trafficways Plan; however, is designed to provide safe, adequate, and paved vehicular access from the secondary street, NE 7 Court.*

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  
<<http://library.amlegal.com/nxt/gateway.dll?>

*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 is not located in any of the subject areas of the approved Transportation Corridor Study.*

### **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. A Plat Note Amendment amending the number of units permitted on this property is required, prior to building permit approval.
2. A utility easement agreement must be obtained for the concrete and fencing located in the north, east, and south easements, prior to building permit approval.
3. Standard Conditions of Approval and/or Specifications required prior to Building Permit / Zoning Compliance Permit issuance:
  - a. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
  - b. A copy of the CPTED plan approved by the Broward Sheriff's Office must be submitted for Zoning Compliance Permit approval.
  - c. Substantial compliance with the plans, as submitted with this application.