

Legislation Text

File #: LN-351, **Version:** 2

PLANNING AND ZONING BOARD

Meeting Date: APRIL 26, 2023

FESTIVAL MARKETPLACE RACETRAC

Request: Major Site Plan for Festival Market Place Racetrac 1002
P&Z# 22-12000027
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 (Beverly Perkins)
Agent: Christopher Collins (321-217-6247)
Project Planner: Pamela Stanton (954-786-4671 /pamela.stanton@copbfl.com)

Summary:

This Major Site Plan application is to expand the existing development of the Festival Marketplace site with a proposed free-standing 5,411 square foot gas station with convenience store and a vacant building pad area for future development on the existing Festival Marketplace site. The project also includes minor modifications to the existing vehicular use area on the east side of the Festival Marketplace main building.

The gas station was previously approved in 2020 as part of a site plan application with a 25,500 sq. ft. restaurant/retail building that has been removed from the project. The applicant has received approval from the Zoning Board of Appeals to provide bollards between the parking spaces and the convenience store in lieu of a continuous curb.

The property is located on the south side of West Sample Rd. and east of the Florida Turnpike.

The Major Site Plan application was reviewed by the Development Review Committee (DRC) on August 17, and October 5, 2022, and was heard by the Architectural Appearance Committee on December 6, 2022.

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 the Major Site Plan portion of this property is C (Commercial). The Development is consistent with the City of Pompano Beach Comprehensive Plan, and the Future Land

Use Element Goals, Objectives and Policies contained therein:

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

Policy 01.02.02. *Approve site plans, plats and other development approvals on the condition that the applicant will dedicate right-of-way according to the requirements of the Broward County Trafficways Plan and the City's street standards in Chapter 100 of the City's Code of Ordinances.*

Policy 01.05.01. *Continue to require all substantial improvement, new development and redevelopment to be consistent with the minimum finished floor elevations as specified in the Federal Emergency Management Agency Flood Insurance requirements, the South Florida Building Code, Chapter 152 of the City's Code of Ordinances and future maps being prepared to determine appropriate finished floor elevations and crown of road elevations based on adopted sea level rise projections.*

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 project complies with the Intensity and Dimensional Standards of the B-3 Zoning District in Article 3.

Article 4: Use Standards

The proposed gasoline filling station with convenience store is allowed in the B-3 Zoning District.

Article 5: Development Standards

See Section 3 below.

3. Complies with the applicable development standards of this Code (Article 5);

The development generally complies with the requirements of Article 5. A Variance was granted for relief from the requirement to provide curbing for all off-street parking spaces. Staff conditions included in this staff report include provisions that the project must comply with the requirements for landscaping and exterior lighting illumination levels.

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

The proposed site plan complies with applicable standards in the Code.

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

No prior applicable Development Orders are in place.

6. The concurrency review has been completed in accordance with [Chapter 154](http://library.amlegal.com/nxt/gateway.dll?)
<<http://library.amlegal.com/nxt/gateway.dll?>
(Planning) of the Code of Ordinances;

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

Wastewater Treatment Demand	1,041.10 gallons per day *
Water Treatment Demand	1,234.74 gallons per day *
Raw Water Demand	1,333.52 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	324.66 lbs. per day (City has a contract with the Waste Management for disposal of all solid waste through 2027)

** 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 project was designed to provide safe and adequate paved vehicular access between the proposed buildings and the adjacent streets as identified on the Broward County Trafficways Plan.

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 does not anticipate requiring any hazardous material licensing.

9. Complies with crime prevention security strengthening and CPTED standards for natural surveillance, natural

As part of the Major Site Plan application, the applicant's design team 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 the adopted Fire Codes and Standards pursuant to City Code Section 95.02;

The proposed site plan was reviewed by Fire Plans Examiner during DRC.

11. Considers and mitigates any potential adverse impacts on environmentally sensitive lands identified by the City Comprehensive Plan or Broward County Land Use Plan;

Not applicable.

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

The project is not located on a roadway 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. The Development Services Department recommends approval of the Major Site Plan subject to the following comments and conditions:

1. Provide illumination levels on the photometric plan for the vehicular use area east of the Festival Marketplace main building. The vehicular use area is included in the scope of work and must comply with required illumination levels.
2. Provide a landscape and irrigation plan for the vehicular use area east of the Festival Marketplace main building. The vehicular use area is included in the scope of work and must comply with landscaping and irrigation requirements.
3. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
 - a. Revise the elevation drawings to correctly identify the north and the south building elevations.
 - b. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan, one landscape island for every 10 parking spaces, one shade tree in every parking island.
 - c. Include a copy of the approved CPTED plan, approved by the Broward Sheriff's Office.
 - d. Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City's Urban Forestry Division.