



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
 1 N. University Drive, Box 102, Plantation, FL 33324 T: 954-357-8695 F: 954-357-6521

DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Sonata	Number:	028-MP-20
Application Type:	New Plat	Legistar Number:	21-787
Applicant:	Cornerstone Group	Commission District:	2
Agent:	KEITH	Section/Twn./Range:	35/48/42
Location:	West side of Dixie Highway, between Northeast 6 Street and Northwest 8 Court	Platted Area:	6.9 Acres
Municipality:	Pompano Beach	Gross Area:	8.3 Acres
Previous Plat:	None	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	N/A		
Recommendation:	APPROVAL		
Meeting Date:	June 15, 2021	Action Deadline:	July 15, 2021

A location map of the plat is attached as **Exhibit 2**.

The Application is attached as **Exhibit 7**. The Planning and Development Management Division (PDMD) distributed the application to agencies for review, as required by Section 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	Vacant
Proposed Use:	44 Garden Apartments, 77 Midrise Units and 10,000 square feet of Commercial use
Plan Designation:	Low-Medium (5-10 DU/AC) Residential (Western 2.4 Acres) and Commercial (Eastern 5.9 acres)
Adjacent Uses	Adjacent Plan Designations
North: Single Family Residential and Residential/Commercial	North: Low Medium (5-10 DU/AC) Residential, Medium (10-16 DU/AC) Residential and Commercial
South: Single Family Residential and Commercial	South: Downtown Pompano Transit Oriented Corridor
East: Industrial and Commercial	East: Commercial
West: Single Family Residential, Church and Vacant	West: Commercial and Low-Medium (5-10 DU/AC) Residential
Existing Zoning	Proposed Zoning
RM-20 and B-3	RM-20 and B-3

1. Land Use

The Broward County Planning Council staff has reviewed this application and determined that the Future Land Use Element of the City of Pompano Beach Comprehensive Plan is the effective Land Use Plan. The staff indicates that the proposed use of this plat is for free-standing multi-family residential and mixed-use structures, consisting of 121 multi-family dwelling units and 10,000 square feet of commercial use. The proposed commercial use is in compliance with the permitted uses of the effective land use plan provided that said use is restricted to the “Commercial” portion of the plat. Flexibility units were allocated by the City of Pompano Beach through Resolution No. 2020-43.

The proposed 121 dwelling units are in compliance with the permitted uses and densities of the effective land use plan. Additionally, staff is recommending that plat note should be further restricted to the 10,000 square feet of commercial use on Parcel B & D only. Any dwelling units located on Parcel B and D shall be freestanding multifamily and or mixed-use structures which the residential floor area does not exceed 50% of the total floor area or the first floor is confined to commercial uses.

The staff further notes that with the allocation of “flexibility” it is not subject to Policy 2.10.1 of the Broward County Land Use Plan as the plat is note located within 500 feet of a Broward County or regional park, or an Environmental Sensitive Land, see **Exhibit 3**.

2. Affordable housing

This plat is not subject to Policy 2.16.2 because it is not the subject of a Broward County Land Use Plan amendment.

3. Trafficways

Trafficways approval is valid for 10 months. Approval was received on February 25, 2021.

4. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans, see **Exhibit 4**.

5. Concurrency – Transportation

This plat is located within the Northeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(5)a) of the Land Development Code.

Proposed Use	Trips per Peak Hour
Residential	56
Non-residential	109
Total	165

6. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	City of Pompano Beach	City of Pompano Beach
Plant name:	Pompano Beach (03/20)	Broward County North Regional (12/20)
Design Capacity:	50.00 MGD	95.00 MGD
Annual Average Flow:	18.96 MGD	74.00 MGD
Estimated Project Flow:	0.043 MGD	0.030 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

7. Concurrency – Regional Parks

Broward County reviews all projects for Regional Park impacts (and only projects in the BMSD/ unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	0.65
Local	N/A

In accordance with Land Development Code, regional park impact and administrative fees will be assessed in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval and must be paid on the date of building permit issuance.

8. Concurrency - Public School

This plat generates more than one student at one or more levels (i.e., elementary, middle and high), and in accordance with Section 5-182.9(a)(1) of the Land Development Code, is subject to the requirements of public school concurrency. School Board staff has reviewed this application and determined that it satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. Therefore, this plat will be subject to school impact fees which will be assessed in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval and must be paid on the date of building permit issuance. See the attached School Capacity Availability Determination received from the School Board, **Exhibit 5**.

9. Environmental Review

This plat has been reviewed by Environmental Engineering and Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development, **Exhibit 6**.

Environmental Planning and Community Resilience Division notes that this site is not included in the Protected Natural Lands Inventory.

10. Additional Environmental Protection Actions

Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit approval. Approval to connect to such systems is issued by the Environmental Engineering and Permitting Division as a prerequisite to, and just prior to, approval of building permits by the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

11. Historic Resources

Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting archaeologist indicates that the proposed development will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.

The proposed project is adjacent to the Linear Resource BD04087 Railroad Tracks. It is not anticipated that the proposed project will have an adverse effect on this resource.

The archaeologist notes that this property is located in the City of Pompano Beach and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. Therefore, the property owner/agent is advised to contact David Recor, Director of Development Services of the City of Plantation at 954-786-4600 to seek project review for compliance with the municipal historic preservation regulations.

In the event any unmarked human burial remains are discovered, pursuant to Florida Statute Chapter 872.05, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

12. Aviation

This property is within 20,000 feet of Fort Lauderdale's Fort Lauderdale Executive Airport and Pompano Beach Municipal Airport. Any proposed construction on this property or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the local municipal review, please contact the City of Fort Lauderdale and the City of Pompano Beach directly. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

13. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat and provided no comments.

14. Notice to Applicant

The applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Planning and Development Management Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the Northeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(5)a) of the Land Development Code.
2. This plat has been reviewed by the School Board and satisfies the public school concurrency requirements of Section 5-182.9(b) of the Land Development Code. See the attached School Capacity Availability Determination received from the School Board.

3. This plat satisfies the solid waste disposal concurrency requirement of Section 5-182.6. of the Broward County Land Development Code.
4. This plat satisfies the regional park concurrency requirement of Section 5-182.7 of the Broward County Land Development Code.

RECOMMENDATIONS

Based on the review and findings, not all the conditions are met to ensure compliance with the standards and requirements of the Land Development Code. As a result, staff recommends:

1. Approval as per conditions attached in Highway Construction and Engineering Memorandum, **Exhibit 4**.
2. Transportation Concurrency and administrative fees, School Impact fees and regional park and administrative fees must be paid on the date of building permit issuance.
3. Place a note on the face of the plat, preceding municipal official's signature, reading:

All application, concurrency, impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.

4. Place a note on this face of the plat reading:
 - a. This plat is restricted to 44 garden apartments units, 77 midrise units and 10,000 square feet of commercial. The 10,000 square feet of commercial use is further restricted to Parcels B and D only. Any dwelling units located on Parcels B and D shall be freestanding multifamily and or mixed-use structures which the residential floor area does not exceed 50% of the total floor area or the first floor is confined to commercial uses.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

- b. Any structure within this plat must comply with Section 2.1.f Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.
5. If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[HWC]