



Public Works and Environmental Services Department

HOUSING AND URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Crown Heights Gardens	Application Number:	025-MP-25
Application Type:	New Plat	Legistar Number:	25-1592
Owner/Applicant:	Crown Heights Gardens LLC	Commission District:	4
Authorized Agent:	PLANW3ST LLC	Section/Twn./Range:	35/48/42
Location:	South side of Northwest 6 Street, between Northwest 3 Avenue and Northwest 4 Avenue	Folio Number (s):	4842-35-48-0010
Municipality:	City of Pompano Beach	Platted Area:	0.5 Acre
Previous Plat:	Raysor Plat	Replat:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Recommendation:	APPROVAL		
FS 125.022 Waiver	An extension waiver was granted until August 4, 2027.		
Meeting Date:	January 22, 2026		

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

The Application is attached (**Exhibit 5**). The Housing and Urban Planning Division (HUPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Existing and Future Land Use	
Existing Use:	1,160 square feet of Restaurant use
Proposed Use:	20 Garden Apartments and 3,000 square feet of commercial use
Plan Designation:	Downtown Pompano Transit Oriented Corridor
Adjacent Uses	Adjacent Plan Designations
North: Funeral home	North: Transit Oriented
South: Residential	South: Transit Oriented
East: Vacant	East: Transit Oriented
West: Vacant	West: Transit Oriented

This plat is a replat of Raysor Plat (017-MP-81, Plat Book 109 Page 33) and was recorded on May 14, 1981. The underlying plat is restricted to non-residential use.

In accordance with the Land Development Code, garden apartment is defined as three (3) or more attached dwelling units in a two (2) or three (3) residential story building, exclusive of parking levels, with each unit being only one (1) residential story.

1. Land Use and Affordable Housing

Planning Council staff has reviewed this application and determined that the City of Pompano Beach Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat for the uses permitted in the "Downtown Pompano Transit Oriented Corridor" land use category.

The proposed commercial and residential use are in compliance with the permitted uses of the effective land use plan and subject to the executed "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Transit Oriented Corridor," as recorded in Official Record Book 50245, Pages 1102-1108. Planning Council memorandum is attached (**Exhibit 3**).

Planning Council staff notes that this plat is located within an area that was the subject of Broward County Land Use Plan (BCLUP) amendments PC 12-1, PCT 12-1 and PCT 20-2, which amended various future land use designations to the "Pompano Downtown Activity Center." Said amendments were adopted by the Broward County Commission on October 23, 2012, and September 22, 2020, subject to the following voluntary restriction:

- Restrict 15% of the dwelling units as affordable or pay in-lieu of fee into the City's affordable housing programs (as adopted in the Pompano Downtown Activity Center text).

2. Trafficways

Trafficways was approved, and expires on October 4, 2026.

3. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and provided comments and recommendations with respect to the safe and adequate access standards of the Broward County Land Development Code, as shown in the attached memorandum (**Exhibit 4**).

4. Concurrency – Transportation

This plat is located in the Northeast Transportation Concurrency Management Areas (TCMA), where level of service (LOS) is expressed in term of bus headways, and where Transportation Concurrency Assessment Fees apply per Sec. 5-182.1(a) of the Land Development Code. The proposed development generates an increase of 30 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	12
Non-residential	22	40
Difference	(52-22) = 30	

5. 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	Broward County
Plant name:	Pompano Beach WTP (3/25)	BC North Regional (BCN) (6/25)

Design Capacity:	50.00 MGD	95.00 MGD
Annual Average Flow:	18.93 MGD	69.02 MGD
Estimated Project Flow:	0.0073 MGD	0.0073 MGD

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

6. Concurrency – Regional Parks

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

	Land Dedication (Acres)
Regional	0.09
Local	0

7. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 20 garden apartments will generate 3 (2 elementary, 1 high school) students. 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. This determination will expire on July 4, 2026.

8. Impact Fee

All impact fees (school impact fees, park impact fees, transportation impact fees and administrative fees) will be calculated by the Housing and Urban Planning Division, Development and Environmental Review Section, in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for Broward County Development and Environmental review. Fees must be paid prior to the issuance of the building permit.

At the time of plat application, a 1,160 square foot restaurant exists on this site, which the applicant stated will be demolished. In accordance with the credit provisions in the Land Development Code, this structure may be eligible for credit towards impact fees, provided appropriate documentation is submitted during the review of construction plans submitted for County Development and Environmental review approval.

Road contribution fees, which were previously assessed for the underlying plat, were paid in the amount of \$1,455.76 on May 18, 1981.

9. Environmental Review

This plat was reviewed by Environmental Permitting Division and have the following recommendations regarding environmental permitting for the future development.

A. Domestic & Non-Domestic Wastewater and Surface Water Management

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat. Nonetheless, should there be a significant flow generation from the site, advanced planning and upgrades to the downstream/off-site wastewater facilities may be warranted. Contact the Environmental Permitting Division at 954-519-1483 or WWLicense@broward.org for specific code requirements.

The Broward County Non-Domestic Wastewater Program has no objection to the described plat because no non-domestic wastewater discharge is anticipated for the site. Nonetheless, should there be proposed non-domestic wastewater discharges, these must meet the criteria under Chapter 27, Article V, Sections 27-193(b)(3)a, 27-193(b)(4)a, 27-194(b), and 27-198(c) of the Broward County Code of Ordinances. Contact the Environmental Permitting Division at 954-519-1483 or NDDLICENSE@broward.org for specific code requirements.

Broward County Surface Water Management license will be required for the site development. Contact the Environmental Permitting Division at 954-519-1483 or SWMLICENSE@broward.org for specific code requirements.

B. Aquatic and Wetland Resources

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Permitting Division determined that, at this time, there are no indications of wetlands within the boundaries of the plat. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at [Florida Exotic Pest Plant Council \(invasive.org\)](http://FloridaExoticPestPlantCouncil.org).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the environmental Permitting Division at 954-519-1483 or AWRRLICENSE@broward.org for specific code requirements.

C. Tree Preservation

This site does not fall under the jurisdiction of the Broward County Tree Preservation and Abuse Ordinance.

D. Clean-Up and Waste Regulation

The subject plat is within one-quarter mile of known contaminated sites. Section 27-353, Broward County Code, prohibits dewatering at or within one-quarter mile of contaminated sites without approval from the Environmental Permitting Division (EPD). In order to receive approval to dewater, a certified Dewatering Plan must be submitted in accordance with EPD's Standard Operating Procedure for Dewatering, which can be found at: <https://www.broward.org/Environment/ContaminatedSites/Pages/Dewatering.aspx>. The interactive map of contaminated sites in Broward County can be found on the internet at <https://broward.org/Environment/ContaminatedSites/Pages/Default.aspx>. Any questions can be directed to 954-519-1483 or EAR@broward.org.

E. Air Program

If any existing facility (e.g. existing structures on site including residential building(s) and/or utility building(s) or facility component (including roof system, insulation, walls, attached piping, mechanical systems, etc.) is planned to be demolished or renovated, the project shall comply with applicable asbestos regulations. More

information on the asbestos requirements can be found at:
<https://www.broward.org/ePermits/Pages/AsbestosCertificate.aspx>.

Submit a Statement of Responsibilities Regarding Asbestos (SRRA) electronically at ePermits.broward.org at least 10 working-days before commencing work on demolition and/or renovation of facility components subject to asbestos regulations. For assistance, contact Broward County's asbestos program at AsbestosHelp@broward.org or call 954-519-0340.

F. Natural Resources Division

Natural Resources Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

10. Additional Environmental Protection Actions

Approval to connect to any wastewater collection, treatment, or disposal system is approved by the Environmental Permitting Division as a prerequisite prior to issuance of building permits. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

11. Historical and Archaeological Resource Review

This plat was reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological sensitivity.

Archaeological resources within the City of Pompano Beach fall under the jurisdiction of Broward County's historic preservation ordinance (B.C. Ord. 2014-32). In the event that archaeological materials are uncovered during development activities, such development activities in the immediate vicinity of the discovery shall be discontinued," and the property owner shall notify the County Historic Preservation Officer of the discovery and undertake certain additional actions.

For Historical resources, the site is in a municipality that has been designated a Certified Local Government (CLG). The applicant is advised to contact David Recor, Director, Development Services, City of Pompano Beach at 100 West Atlantic Boulevard, Pompano Beach, FL 33360 or by phone at (954) 921-3471 for additional information.

In the event any unmarked human burial remains are discovered, then pursuant to Florida Statutes, Chapter 872.05, all activities that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. The district medical examiner can be reached via email at Med_Exam_Trauma@broward.org or via phone at (954) 357-5200. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.

12. Aviation

This property may be within 20,000 feet of the City of Fort Lauderdale's Fort Lauderdale Executive Airport and the City of Pompano Beach's Pompano Beach Airpark. To initiate the local municipality review, please contact the City of Fort Lauderdale and City of Pompano Beach directly. Any proposed construction or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Cities' Airport Zoning Ordinances. Based on the location of the proposed project, the cities or FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at <https://oeaaa.faa.gov>.

13. Utilities

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

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 Housing and Urban Planning Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf.

FINDINGS

Staff 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)(1)(a) of the Land Development Code.
2. This plat was reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code.
3. This plat satisfies the drainage, water, wastewater and 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, staff recommends **APPROVAL** of this application, subject to the following conditions which shall ensure compliance with the standards and requirements of the Land Development Code.

1. Conditions attached in the Highway Construction and Engineering Memorandum.
2. Place note on the face of the plat, preceding municipal official's signature, reading:

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.

3. Place a note on the face of the plat reading:

- a. This plat is restricted to 20 garden apartments and 3,000 square feet of commercial use.

- b. 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.
 - c. 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.
4. If this item is approved, the Mayor is authorized to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[NM]