



Resilient Environment Department  
**URBAN PLANNING DIVISION**

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**DEVELOPMENT REVIEW REPORT FOR A NEW PLAT**

Project Description			
Plat Name:	Pompano Park Racino II	Number:	015-MP-21
Application Type:	New Plat	Legistar Number:	21-1769
Applicant:	Pompano Park JV Land Holdings, LLC /Taylor Gray	Commission District:	4
Agent:	Keith	Section/Twn./Range:	03/49/42
Location:	West side of the C.S.X. Railroad, between Pompano Beach Park Place/Southwest 3 Street and Cypress Bend Drive	Platted Area:	12.9 Acres
Municipalities:	Pompano Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	Not Applicable		
Recommendation:	<b>APPROVAL</b>		
Deferral Date:	December 7, 2021		
Meeting Date:	January 25, 2022		

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

The Application is attached as **Exhibit 6**. The Urban Planning Division distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	89,685 Square Feet Stables, 11,040 Square Feet Dormitories and 9,661 Sq. Ft. Accessory Structures
Proposed Use:	100,000 Square Feet of Industrial
Plan Designation:	Pompano South Regional Activity Center
<b>Adjacent Uses</b>	<b>Adjacent Plan Designations</b>
North: Stables, Vacant	North: Regional Activity Center
South: Stables, Jockey Dormitories	South: Regional Activity Center
East: Industrial	East: Industrial
West: Racetrack	West: Regional Activity Center
<b>Existing Zoning</b>	<b>Proposed Zoning</b>
PCD	PCD

**1. Land Use**

Planning Council has reviewed this application and determined that the City of Pompano Beach’s Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat uses permitted in the “Pompano Park South Regional Activity Center” land use category. It is subject to the recorded “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in the “Regional Activity Center” (O.R.B. 34520, PG. 371-377, B.C.R.). This requires the City to monitor development activity and to enforce permitted land use densities and intensities within the Regional Activity Center, see **Exhibit 3**.

**2. Trafficways**

Trafficways approval is valid for 10 months. Approval was received on June 24, 2021.

**3. 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, as shown in the attached memorandum. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans, **Exhibit 4**.

**4. Concurrency – Transportation**

This plat is located in the Northeast Transportation Concurrency Management Area, which is subject to Transportation concurrency fees, as defined in Section 5- 182.1(a)(5)a) of Land Development Code. The proposed plat generates an increase of 7 PM trips per peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	NA	NA
Non-residential	65	72
Total	7 PM peak hour increase	

**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 (02/21)	Broward North Regional (06/21)
Design Capacity:	50.00 MGD	95.00 MGD
Annual Average Flow:	16.72 MGD	71.70 MGD
Estimated Project Flow:	0.01 MGD	0.01 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.

**6. Impact Fee Payment**

Transportation Concurrency and administrative fees will be calculated by the Urban Planning Division, Development and Environmental Review Section; assessed based on construction plans submitted for environmental review approval and must be paid on date of building permit issuance.

At the time of plat application, 89,685 Sq. Ft. stables, 11,040 Sq. Ft. dormitories and 9,661 Sq. Ft. accessory structures existed on the site, which the applicant stated will be replaced. In accordance with the credit provisions of Section 5-182.13 of the Land Development Code, this structure may be eligible for credit towards transportation concurrency provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. In order for demolition credit to be given for the dormitories, the applicant must provide the amount of units within the dormitories. No credit will be granted for demolition occurring more than three (3) years prior to the review of construction plans submitted for County environmental review approval.

**7. Environmental Review**

This plat has been reviewed by Environmental Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development. See the attached Environmental Review Report.

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

**8. 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 approved by the Environmental 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.

**9. 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 determined that the proposed project, will have an adverse effect on previous recorded resource(s).

The archaeologists notes that subject property contains ten historic structures previously documented with the Florida Master Site File (FMSF) that will be demolished as part of this project. All structures are documented under Resource Group BD06941 Pompano Harness Tract which has not yet been evaluated by the State Historic Preservation Office (SHPO). It is recommended that the following structures should have their respective FMSF site forms be updated to note the demolition ([SiteFile@dos.myflorida.com](mailto:SiteFile@dos.myflorida.com) – 850-245-6440).

Site number	Name	Build Date	Function
BD06973	Stable F	c 1955	Stable
BD06973	Stable F	c 1955	Stable
BD06973	Stable F	c 1955	Stable
BD06973	Stable F	c 1955	Stable
BD06973	Stable F	c 1955	Stable
BD06973	Dorm 5	c 1955	Dormitory
BD06973	Dorm 5	c 1955	Dormitory
BD06973	Dorm 5	c 1955	Dormitory
BD06973	Dorm 5	c 1955	Dormitory
BD06973	Dorm 5	c 1955	Dormitory

The archaeologist further notes that this property is located in the City of Pompano Beach and is outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. Therefore, the property owner/agent is advised to contact David Recor, Director of the Development Services 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](mailto:med_exam_trauma@broward.org).

#### **10. Aviation**

This property is within 20,000 feet of the City of Fort Lauderdale's Fort Lauderdale Executive Airport and the City of Pompano Beach's 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 Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>. To initiate the local municipality review, please contact the City of Fort Lauderdale and the City of Pompano Beach directly.

#### **11. Utilities**

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

#### **12. 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](http://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 satisfies the drainage, water, wastewater and solid waste disposal concurrency requirement of Section 5-182.6 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 assure compliance with the standards and requirements of the Land Development Code:

1. Conditions attached in Highway Construction and Engineering Memorandum, **Exhibit 4**.
2. Place note of 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 this face of the plat reading:

- a. This plat is restricted to 100,000 square feet of industrial use.

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

[HWC]