



Resilient Environment Department
URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	McClinton 25	Number:	013-MP-23
Application Type:	New Plat	Legistar Number:	24-1521
Applicant:	1207 E Atlantic, LLC	Commission District:	4
Agent:	Keith & Associates	Section/Twn./Range:	36/48/42
Location:	Northwest corner of Northeast 13 Avenue and Atlantic Boulevard	Platted Area:	1 Acre
Municipalities:	City of Pompano Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	An extension waiver was granted until May 8, 2025		
Recommendation:	APPROVAL		
Meeting Date:	December 10, 2024		

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

The Application is attached (**Exhibit 8**). The Urban Planning Division (UPD) 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:	6 Townhouse Units, 41 Mid-Rise Units, and 5,200 square feet of Commercial use
Plan Designation:	East Transit Oriented Corridor
Adjacent Uses	Adjacent Plan Designations
North: Single-Family Residences	North: Low (1-5 du/ac) Residential
South: Mixed use Commercial/Office	South: East Transit Oriented Corridor
East: Mixed use Commercial/Office	East: East Transit Oriented Corridor
West: Commercial	West: East Transit Oriented Corridor
Existing Zoning	Proposed Zoning
TO – Transit Oriented East Atlantic Overlay District	TO – Transit Oriented East Atlantic Overlay District

In accordance with the Land Development Code, townhouse units are defined as three (3) or more attached dwelling units, attached to a common party or fire wall, with each unit having two (2) or more residential stories (exclusive of parking levels).

In accordance with the Land Development Code, mid-rise units are defined as four (4) or more attached dwelling units in a building with four (4) to eight (8) stories (exclusive of parking levels).

1. Land Use

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 uses permitted in the “East Transit Oriented Corridor” land use category. Regarding the proposed residential and commercial uses, this plat is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Activity Center,” as recorded with Instrument Number 115066195. Planning Council memorandum is attached (**Exhibit 3**).

2. Affordable Housing

The applicant proposes fewer than 100 additional units. Therefore, the development shown on this plat is not subject to Policy 2.16.2 of the Broward County Land Use Plan.

3. Trafficways

Trafficways approval was received on August 29, 2024, and is valid for 10 months.

4. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division reviewed the plat application and determined that its 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 (**Exhibit 4**). The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

Please note Section 5-184(d)(2) of the Broward County Land Development Code requires a recordable agreement for the required improvements. The owner of this plat shall enter into the standard installation of Required Improvements Agreement (BCF#450) and submit it to the Highway Construction and Engineering Division for review and approval prior to plat recordation. The use of a non-standard agreement will require independent approval by the County Commission.

5. Concurrency – Transportation

This plat is located in the Northeast Transportation Concurrency Management Area. The proposed use generates 89 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	20
Non-residential	0	69
Total	(69 + 20) = 89	

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	Pompano Beach	Broward County
Plant name:	Pompano Beach WTP (03/23)	Broward County North Regional (BCUD) (BCN4) (06/24)
Design Capacity:	50.00 MGD	95.00 MGD
Annual Average Flow:	1.89 MGD	73.49 MGD
Estimated Project Flow:	0.021 MGD	0.0165 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 Broward Municipal Service Districts/unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	0.212
Local	0

8. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 47 dwelling units will generate 2 (0 elementary, 0 middle and 2 high school) students. This plat will be subject to school impact fees. See the attached Final School Capacity Availability Determination (SCAD) letter (**Exhibit 5**).

9. Impact Fee Payment

All impact fees (school impact, park impact, Road impact and administrative) will be calculated by 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 and must be paid prior to the issuance of the building permit.

10. Environmental Review

This plat was reviewed by the Environmental Permitting Division. See the attached environmental review report which provides recommendations to the developer regarding environmental permitting for the future development (**Exhibit 6**).

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.

11. 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.

12. Historical and Archaeological Resources Review

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 archaeological resources or areas of archaeological or paleontological sensitivity.

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 Department, City of Pompano Beach at 100 West Atlantic Boulevard, Pompano Beach, FL 33060 or by phone at (954) 786-4600 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. Such activity shall not resume unless specifically authorized by the district medical examiner or State

Archaeologist. See the attached historical and archaeological comments (**Exhibit 7**).

13. Aviation

Broward County Aviation Department has no objection to this plat. This property is within 20,000 feet of the City of Fort Lauderdale Executive Airport and the City of Pompano Beach's Pompano Beach Airpark. 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 Cities' Airport Zoning Ordinances 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 City of Pompano Beach directly.

14. Utilities

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

15. 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 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 assure compliance with the standards and requirements of the Land Development Code:

1. Conditions attached in 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 this face of the plat reading:
 - a. This plat is restricted to 6 townhouse units, 41 mid-rise units, and 5,200 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.

[CLD]