Resilient Environment Department
URBAN PLANNING DIVISION
1 N. University Drive, Box 102A, Plantation, FL 33324 T: 954-357-8695 F: 954-357-6521

DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	IMECA	Number:	004-MP-23
Application Type:	New Plat	Legistar Number:	24-307
Applicant:	Cocchiola, LLC/Tony Cocchiola	Commission District:	8
Agent:	Bello & Bello Land Surveying Corp	Section/Twn./Range:	33/48/42
Location:	Northwest corner of North Powerline Road and Northwest 4th Street	Platted Area:	0.5 Acres
Municipalities:	Pompano Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐Yes ☒No
FS 125.022 Waiver	An Extension waiver was granted until September 2, 2024		
Recommendation:	**APPROVAL**		
Meeting Date:	April 16, 2024		

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

The Application is attached as **(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:	9,200 Sq. Ft. of Commercial Use
Plan Designation:	Commercial (i.e. the eastern approximately 0.07 acres) and Low (1-5 du/ac) Residential (i.e. the western approximately 0.47 acres)
Adjacent Uses	**Adjacent Plan Designations**
North: Single-Family Residences	North: Low (1-5 du/ac) Residential and Commercial
South: Vacant	South: Low (1-5 du/ac) Residential and Commercial
East: Vacant	East: Commercial
West: Single-Family Residences	West: Low (1-5 du/ac) Residential
Existing Zoning	**Proposed Zoning**
B-2 Community Business	B-2 Community Business

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 the uses permitted in the "Commercial" (i.e. the eastern approximately 0.07 acres) and "Low (1-5 du/ac) Residential" (i.e. the western approximately 0.47 acres) land use category.

The City of Pompano Beach utilized the "5% residential-to-commercial" flexibility provision for the subject property. That provision permits commercial uses within areas designated "Residential" on parcels less than ten (10) acres in size which will be used for retail sales of merchandise or services. Therefore, the proposed commercial use complies with the permitted uses of the effective land use plan. Planning Council memorandum is attached **(Exhibit 3)**.

2. Trafficways

Trafficways is valid until May 24, 2024.

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. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans **(Exhibit 4)**.

This project is located on Powerline Road (SR 845). Florida Department of Transportation (FDOT) has issued a pre-application letter. Openings or improvements on functionally classified State Roads are subject to the "Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards" **(Exhibit 5)**.

4. Concurrency – Transportation

This plat is located in the Northeast Concurrency Management Area, which is subject to transportation concurrency fees, as defined in Section 5-182.1(a)(1)a) of Land Development Code. The proposed generates 122 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	0
Non-residential	0	122
Total	122	

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 Water Service (05/22)	Broward County North Regional (BCUD 4) (12/22)
Design Capacity:	50.00 MGD	95.00 MGD
Annual Average Flow:	1.70 MGD	71.38 MGD
Estimated Project Flow:	0.0009 MGD	0.0009 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.

6. Impact Fee Payment

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

7. Environmental Review

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

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 and Archaeological Resources

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 the Development Services Department of the 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 remain 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 **(Exhibit 7)**.

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 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 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 Broward County Aviation Department Review, please contact AirspaceReview@Broward.org. To initiate the local municipality review, please contact the City of Fort Lauderdale and 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 Urban Planning 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 the 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 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 a note on the face of the plat, preceding the 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 9,200 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, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[CLD]