

Meeting Date: July 14, 2015

Agenda Item 20

REQUESTED COMMISSION ACTION:

L

<u>        </u>	<u>        </u>	<u>        </u>	<u>        </u>	<u>        </u>	<u>        </u>
Consent	X Ordinance	Resolution	Consideration/ Discussion	Presentation	

SHORT TITLE AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE WH POMPANO, LP REQUEST LOCATED AT 1333-1350 S. OCEAN BOULEVARD; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 27, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

The Applicant is proposing a change in the land use designation of the 6.60 gross acre property located on the east and west sides of A1A, south of S.E. 13<sup>th</sup> Street, otherwise known as 1333-1350 S. Ocean Blvd. Currently the property has a Commercial (C) Land Use designation. The Applicant is requesting a change in land use to High Residential (46) that will allow a maximum of 303 residential units. Staff has included 2 Conditions of Implementation in Exhibit B of the proposed Ordinance should it be approved on second reading, which must take place after the Broward County Planning Council hearing of the request. The Planning & Zoning Board recommended denial of this request in a 5-1 vote.

- (1) Origin of request for this action: Mr. Dev R. Motwani
- (2) Primary staff contact: Robin M. Bird/ Maggie Barszewski Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
<u>Dev. Services</u>	<u>08/8/14</u>	<u>Denial</u>	<u>Memo# 14-348</u> <i>[Signature]</i>
<u>City Attorney</u>	<u>09/19/14</u>	<u>10/2/14</u>	<u>CAC# 2014-1556</u> <i>[Signature]</i>

X Planning and Zoning Board  
X City Manager *[Signature]* Denial Memo #14-053  
*[Signature]*

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
<u>1<sup>st</sup> Reading</u> <u>10/14/14</u>	<u>1<sup>st</sup> Reading</u>	<u>Results:</u>
<u>APPROVED</u>		
<u>2<sup>nd</sup> Reading</u> <u>7/14/15</u>		



**City Attorney's Communication #2014-1556**  
September 19, 2014

**TO:** Maggie Barszewski, AICP, Planner

**FROM:** Gordon B. Linn, City Attorney

**RE:** Ordinance to Amend the Future Land Use Designation for Property Located at 1333-1350 S. Ocean Blvd.

As requested in your memorandum to me of September 18, 2014, Development Services Memorandum No. 14-416, I have reviewed the ordinance that was attached to your memorandum and find same to be acceptable as to legal form. Please confirm the name of the requestor on Page 2 of the proposed ordinance.

Should you have any further questions regarding this matter, please feel free to contact me.

---

GORDON B. LINN

GBL/jrm  
l:cor/zoning/2014-1556

CITY OF POMPANO BEACH  
Broward County, Florida

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE WH POMPANO, LP REQUEST LOCATED AT 1333-1350 S. OCEAN BOULEVARD; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 27, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on August 27, 2014 on the proposed amendments to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan, and subsequently recommended denial to the City Commission; and

**WHEREAS**, said amendment proposes to change a Land Use Plan map designation of 6.60 gross acres in the Commercial (C) land use category to a High Residential 46 (HR46) land use designation that will allow a maximum of 303 dwelling units, for the property legally described in Exhibit A; and.

**WHEREAS**, pursuant to Ch. 163.3187, Florida Statutes the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan; and

**WHEREAS**, at the public hearings, the parties having an interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

**WHEREAS**, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference; and

**WHEREAS**, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines the request is in the best interests of the City; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1:** That the foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

**SECTION 2:** That duly noticed public hearing was held on August 27, 2014 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the referenced Future Land Use Map Amendment.

**SECTION 3:** That the City Commission hereby adopts the amendment to the City of Pompano Beach Future Land Use Map to change the land use designation from Commercial (C) land use category to a High Residential 46 (HR46) on 6.60 gross acres, for the WH Pompano, LP request located at 1333 – 1350 S. Ocean Boulevard, as legally described in Exhibit A attached hereto and made a part hereof with the conditions of project implementation described in Exhibit B.

**SECTION 4:** That the City Clerk is directed to transmit a certified copy of this Ordinance to the Department of Economic Opportunity and required State Agencies for review under the Small Scale amendment process allowed by Ch. 163.

**SECTION 5:** The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council with the City's amended Future Land Use Map for the Planning Council to recertify the City Future Land Use Map.

**SECTION 6:** That in the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications thereof shall not be thereby affected;

**SECTION 7:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**SECTION 8:** That this Ordinance shall take effect immediately upon its passage and adoption, but the amendments shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Plan as consistent with the County Land Use Plan.

PASSED FIRST READING THIS 14<sup>th</sup> DAY OF OCTOBER, 2014

PASSED SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
LAMAR FISHER, MAYOR

ATTEST:

\_\_\_\_\_  
MARY L. CHAMBERS  
CITY CLERK

# Exhibit A - Legal Description of The WH Pompano, LP Request

ALL OF "OCEAN LAND POMPAÑO BEACH RESORT", ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGE(S) 127, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

FORMERLY DESCRIBED AS:

PARCEL 1:

THE NORTH 200 FEET OF THAT PART OF THE SOUTH 450 FEET OF GOVERNMENT LOT 2, SECTION 5, TOWNSHIP 49 SOUTH, RANGE 43 EAST, LYING NORTH OF THE EAST-WEST CENTER LINE OF SECTION 5, TOWNSHIP 49 SOUTH, RANGE 43 EAST;

TOGETHER WITH:

THE NORTH 200 FEET OF THE SOUTH 450 FEET OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) LYING EAST OF HIGHWAY A-1-A IN SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST;

TOGETHER WITH:

THE NORTH 300 FEET OF THE SOUTH 550 FEET OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) IN SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, LYING WEST OF STATE ROAD A-1-A AS THE SAME IS NOW CONSTRUCTED AND USED, AND EAST OF THE CENTER LINE OF SPANISH RIVER;

LESS AND EXCEPT:

THOSE CERTAIN FEE PARCELS AS SET FORTH IN THAT CERTAIN STIPULATED FINAL JUDGMENT ENTERED IN CASE NO. 88-24930-CK, IN THE COURTS OF BROWARD COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 18474, PAGE 625.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 2:

ALL OF "SPANISH RIVER RACQUET CLUB", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 125, PAGE 22, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

LESS AND EXCEPT:

THOSE CERTAIN FEE PARCELS AS SET FORTH IN THAT CERTAIN STIPULATED FINAL JUDGMENT ENTERED IN CASE NO. 88-24930-CK, IN THE COURTS OF BROWARD COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 18474, PAGE 625.

PARCEL 3 :

THE NORTH 10 FEET OF THE SOUTH 250 FEET OF THAT PART OF GOVERNMENT LOT 2, LYING NORTH OF SECTION CENTERLINE OF SECTION 5, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA; AND THAT PART OF THE NORTH 10 FEET OF THE SOUTH 250 FEET OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, LYING EAST OF STATE ROAD A-1-A, MORE PARTICULARLY DESCRIBED AS ALL OF THAT TRACT OF LAND 10 FEET IN WIDTH RUNNING FROM EAST RIGHT-OF-WAY LINE OF STATE ROAD A-1-A TO THE WEST BOUNDARY OF THE ATLANTIC OCEAN ON THE EAST.

TOGETHER WITH:

THE NORTH 10 FEET OF THE SOUTH 250 FEET OF THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) IN SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, LYING WEST OF STATE ROAD A-1-A AS THE SAME IS NOW CONSTRUCTED AND USED, AND EAST OF THE CENTERLINE OF SPANISH RIVER.

LESS AND EXCEPT:

THOSE CERTAIN FEE PARCELS AS SET FORTH IN THAT CERTAIN STIPULATED FINAL JUDGMENT ENTERED IN CASE NO. 88-24930-CK, IN THE COURTS OF BROWARD COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 18474, PAGE 625.

SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA.

**EXHIBIT B**  
**CONDITIONS OF PROJECT IMPLEMENTATION**

- 1) No building permit shall be issued until the Pompano Beach “In-Lieu Fee” for Affordable Housing is submitted.
- 2) Recreation and Open Space Analysis (Beach Access) - a public beach access easement through the property will be required to be shown on the site plan and recorded at the time of first building permit issuance.

**ECONOMIC DEVELOPMENT COUNCIL  
MEMORANDUM #14-060**

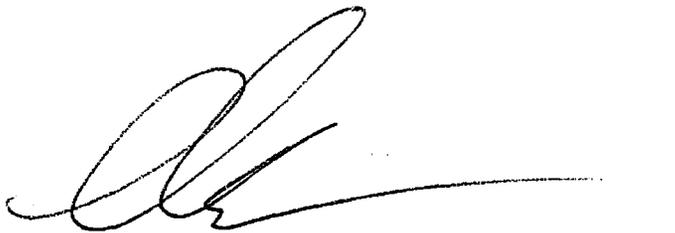
**DATE:** October 7, 2014  
**TO:** City Commission  
**FROM:** Economic Development Council  
**SUBJECT:** WH Pompano LUPA Recommendation  
P & Z #14-93000001

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At the meeting of the Economic Development Council held on October 6, 2014, the Council discussed the proposed **WH Pompano** Land Use Plan Amendment, located at 1350 S. Ocean Blvd.

It is the recommendation of the Council that the proposed Land Use Plan Amendment be denied approval. Below is the recommendation motion that was passed:

**MOTION** was made by Roy Rogers and seconded by Rob Wyre to request that the land use for the property located at 1350 S. Ocean Blvd remain the same. The motion was passed 8-2.



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Tom DiGiorgio  
Chairman of the Council  
Economic Development Council

# Lambert Advisory

1201 Brickell Avenue  
Miami, FL 33131  
Phone: 305-503-4099  
E-Mail: plambert@lambertadvisory.com  
Web: www.lambertadvisory.com

To: Mr. Tom DiGiorgio, Chairman Pompano Beach  
EDC

From: Paul Lambert, Managing Principal

Date: September 28, 2014

Re: Pompano Beach Economic Development Strategy  
Recommendations

## Memo

Both the City of Pompano Beach's 2009 Economic Development Strategy and the 2010 Mayor's Stimulus Task Force Recommendations call for encouraging/supporting the development of new beach oriented hotel product so that Pompano Beach could increasingly enjoy the significant economic benefits which are derived from the continuous inflow of substantial new dollars being spent by tourists who live outside the community.

Following our discussion last week, and in an attempt to measure the potential benefits from new hospitality development in relation to residential buildings, we developed an assessment of the differential in economic and fiscal impacts subsequent to construction between a prototypical luxury condominium development of 125 units built on a beachfront property in Pompano Beach vs. 250 room full service hotel built on the same property. As we understand it, the City's zoning code allows two hotel rooms for each residential unit on any given property that has the appropriate land use designation.

Although the market can only absorb and support so many residential units or hotel rooms at any given point in time, the ratio of economic and fiscal impacts between a residential development and a full service hotel on the same property should hold if the prototypical developed outlined above is scaled up or down. Said another way, while the actual numbers will change, the ratio of impacts from a 300 unit condominium development in comparison to a 600 room hotel will be consistent with our analysis below as long as the market is able to absorb the units and hotel rooms.

To complete our analysis, we utilized our standard economic impact model to compare the relative impact on jobs creation and wages, our retail trade model to estimate the retail sales which would be generated by the project, and an assessment based upon our experience in the Broward market as to the property taxes which would be generated by the residential tower and hotels. Key assumptions that drive the analysis are detailed in the table below.

**Table 1**  
**Key Inputs for Economic & Fiscal Benefit Analysis**  
**125 unit Luxury Condominium/250 Room Full Service Hotel**

<b>Key Input</b>	<b>Luxury Condominium</b>	<b>Full Service Hotel</b>
<b>Units/Room</b>	125	250
<b>Per Unit/Room Market Value</b>	\$550,000	\$230,000
<b>% of Units with Homestead Exemption</b>	50%	
<b>% of residents/guests from outside Pompano</b>	75%	90%
<b>Average Household Income</b>	\$150,000	
<b>Occupancy Rate</b>		70%
<b>Average Length of Stay (days)</b>		2.5
<b>Average Persons per Unit/Room</b>	2.0	2.0
<b>Average Daily Rate</b>		\$250
<b>Average retail sales per occupied room/daily</b>		\$35

Based upon the assumptions above, we estimate the following economic and fiscal impacts from the residential and hotel development on an annual basis.

**Table 2**  
**Economic & Fiscal Benefit**  
**125 unit Luxury Condominium/250 Room Full Service Hotel**

<b>Benefit</b>	<b>Luxury Condominium</b>	<b>Full Service Hotel</b>
<b>Direct Employment (FTE)</b>	8	250
<b>Annual Direct Wages</b>	\$189,000	\$9.45 million
<b>Annual Ad Valorem Tax – City</b>	\$335,000	\$280,000
<b>Annual Ad Valorem Tax - Total</b>	\$1.47 million	\$1.23 million
<b>Sales Tax on New Retail &amp; Hotel Sales</b>	\$232,000	\$958,000
<b>Additional Retail Space Demanded</b>	11,000	6,300
<b>New Tourist Development Tax</b>	-	\$798,000

As the table above makes clear, while the prototypical luxury condominium development produces a moderate amount of ad valorem tax and generates more retail sales than the comparative full service hotel, by virtually any other measure of economic or fiscal benefit, a full service hotel produces dramatically more Full Time Equivalent (FTE) jobs, wages, total sales tax and tourist development tax revenue.

It should be noted that while the table above illustrates economic and fiscal benefits, it does not provide an indication as to the relative cost of providing City services to full service hotels vs. condominium units. This is particularly important as it relates to police and fire services. For example, based upon three years of data provided by the City's Fire Department, the number of fire and medical calls on a per room/unit basis for hotel rooms vs. residential units which are located east of the Intercostal waterway indicate that for every hotel room there were 0.30 calls over the period and for every residential unit 0.52 calls. As it relates to medical calls alone (which made up over 92% of all fire department calls over the past three years east of the Intercostal), on a per hotel room vs. residential unit basis an average residential unit had more than double the number of calls than an average hotel room.

Another benefit which should be highlighted is the intangible benefit of hotels activating the beach and commercial areas close to where hotels are built 365 days per year and up to 15 hours a day. While hotel occupancies certainly increase and decrease depending upon the season, unlike residential units that are often vacated by working families during the day and second home residents for much of the year, resort hotel guests enliven activity in and around the beach throughout most of the day. This is beneficial to beach oriented businesses, provides a customer base for restaurants in the area to maintain longer operating hours, and generally helps create an active beach community.

Finally, we have not conducted a specific feasibility analysis of the demand for condominium units or hotel rooms on Pompano Beach although our illustrative program is based upon reasonably broad experience in the market and expectations that both reasonably sized luxury condominium units and beach oriented hotels can be absorbed in today's market. Currently, the condo hotel Beachwalk in Hallandale Beach (216 rooms/units), Margaritaville in Hollywood (350 rooms)<sup>1</sup> and Conrad Hotel in Ft. Lauderdale (290 rooms) are under construction and a number of other hotels are in the planning stage. Many more condominium projects are in process. Both should enjoy reasonable market acceptance for the foreseeable future.

As always, please let me know if you would like to discuss the above further.

<sup>1</sup> The Hollywood CRA is supporting the development of the Margaritaville with \$23 million in increment investment. However, this public investment is partially being used to replace parking spaces in a City owned garage previously located on the site and certain infrastructure improvements which are unique to the Johnson Street property in Hollywood.

**ECONOMIC DEVELOPMENT COUNCIL  
MEMORANDUM #14-059**

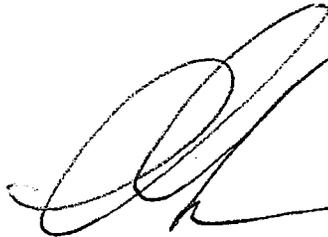
**DATE:** October 2, 2014  
**TO:** City Commission  
**FROM:** Economic Development Council  
**SUBJECT:** WH Pompano LUPA Recommendation  
P & Z #14-9300001

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At the meeting of the Economic Development Council held on September 22, 2014, the Council discussed the proposed **WH Pompano** Land Use Plan Amendment, located at 1350 S. Ocean Blvd.

It is the unanimous recommendation of the Council that the proposed Land Use Plan Amendment be postponed. Below is the recommendation motion that was passed:

**MOTION** was made by Jack Rogerson and seconded by Rob Wyre to request that the City Commission postpone any transmittal decision for the Land Use Plan Amendment located at 1350 S. Ocean Blvd. until they have completed the fact findings of the advantages and disadvantages of residential versus commercial hotel development. All voted in favor of the above motion.



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Tom DiGiorgio  
Chairman of the Council  
Economic Development Council

**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY  
MEMORANDUM #14-053**

**DATE:** September 3, 2014  
**TO:** City Commission  
**FROM:** Planning and Zoning Board/ Local Planning Agency  
**SUBJECT:** Future Land Use Amendment – WH Pompano, LP  
P & Z #14-9300001 Project: WH Pompano LUPA

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At the meeting of the Planning and Zoning Board/ Local Planning Agency held on August 27, 2014, the Board considered the request by **WH POMPANO, LP** requesting a **FUTURE LAND USE AMENDMENT** of the properties located at 1333 and 1350 S. Ocean Blvd. from Commercial (C) to High Density Residential (H).

By a vote of 5-1, with Richard Kloseiwicz casting the dissenting vote, it is the recommendation of the Board that the **FUTURE LAND USE AMENDMENT** request be denied.

  
\_\_\_\_\_  
Jim Beeson  
Chairman  
Planning and Zoning Board/ Local Planning Agency



# MEMORANDUM

## Development Services

**ADMINISTRATIVE MEMORANDUM NO. 14-348**

DATE: August 8, 2014

TO: Planning and Zoning Board

VIA: Robin M. Bird, Development Services Director *[Signature]*

FROM: Maggie Barszewski, AICP, Planner *[Signature]*

RE: WH Pompano Small Scale Future Land Use Map Amendment  
August 27, 2014 meeting P&Z # 14-93000001

**Request**

The Applicant is proposing a change in the future land use designation of a 6.60 gross-acre parcel. This subject property is generally located on the east and west sides of A1A south of SE 3<sup>rd</sup> Street, as described in **Exhibit A**. Currently the parcel has a Commercial Future Land Use designation. The Applicant is requesting a change in land use to High Residential (HR) (46 units/acre).

**Proposed Development**

The proposed land use would permit a maximum of 303 dwelling units or 606 hotel rooms. The applicant has indicated an intent to build the dwelling units, as well as a maximum of 10,000 square feet of commercial use, as permitted within this category.

**A. Existing Land Use Designations - Density/Intensities**

The land use that is currently permitted by the adopted Future Land Use Map designations within this 6.60 gross-acre area is shown in Table 1. The Floor Area Ratio (FAR) used to calculate the maximum commercial square footage allowed on this property is based on the commercial FAR in the adopted Future Land Use Element policy 01.07.20. That policy specifies for Commercial, a maximum 60 percent lot coverage and a maximum 105-foot height, which results in an FAR of 6.

Land Use Designation	Density/Intensity	Gross Acres	Units/SF
High Residential	46 du/ac	6.6	303

Note: Section 3.02A.8.c. allows offices and/or retail sales of merchandise or services, as long as no more than 50% of the floor area is used for said purpose."

**B. Proposed Land Use Designation - Density/Intensities**

The density allowed by the proposed High Residential land use for the property is shown below in Table 2.

Land Use	Type of Use	Dwelling Units
High Residential	Multi-Family	303
<b>Total</b>		<b>303 du</b>

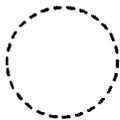
## LEGEND

### FOR LAND USE PLAN

Symbol      Classification Units/ Acre

		Gross Residential Density
		Residential
	E	Estate
	L	Low
	LM	Low- Medium
	M	Medium
	MH	Medium-High
>	H	High
*	C	Commercial
	CR	Commercial Recreation
	I	Industrial
	T	Transportation
	U	Utilities
	CF	Community Facilities
	OR	Recreation & Open Space
	W	Water
	RAC	Regional Activity Center
		Boundaries
		City of Pompano Beach

13 Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

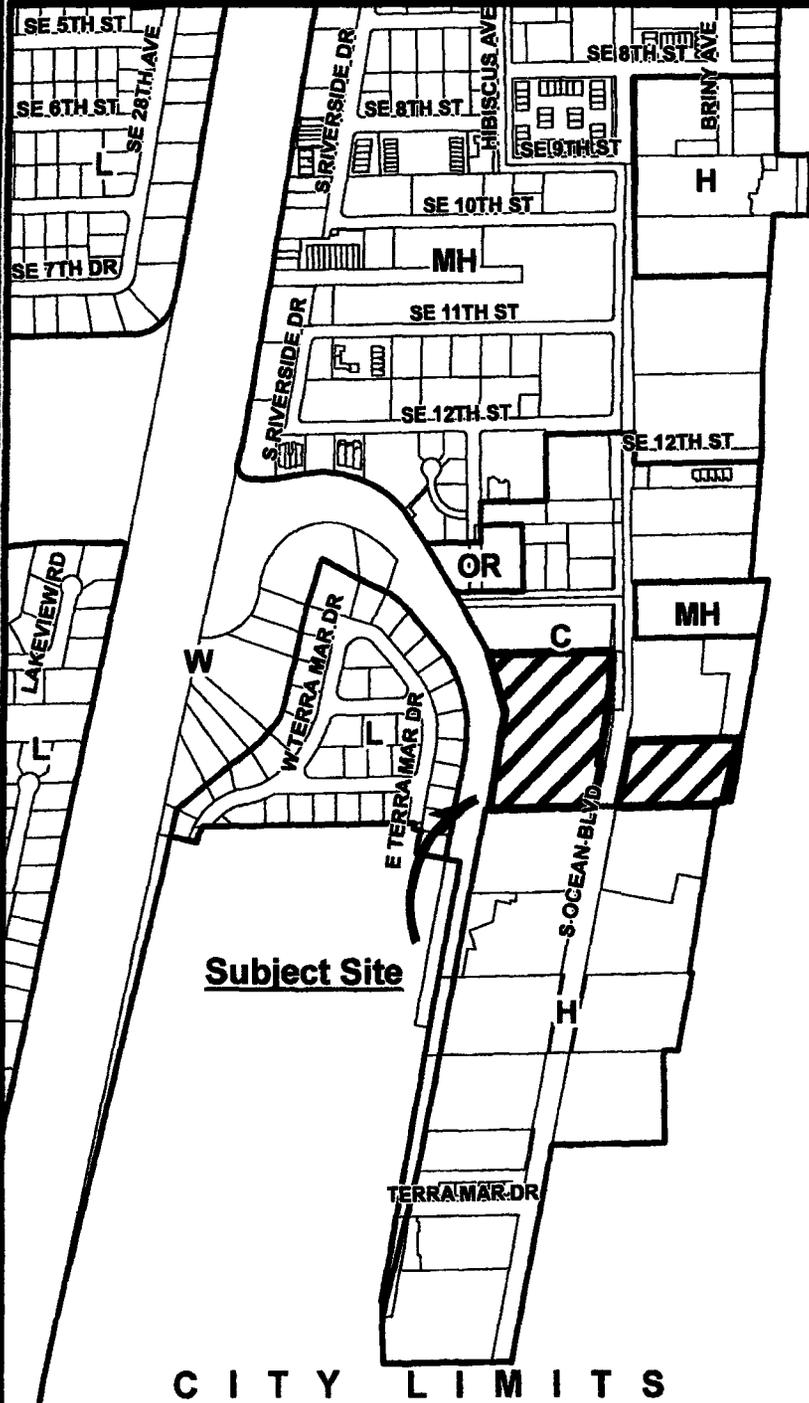
* Existing
> Proposed

### FOR ZONING MAP

Symbol      District

	RS-1	One-Family Residence
	RS-2	One-Family Residence
	RS-3	One-Family Residence
	RS-4	One-Family Residence
	RD-1	Two- Family Residence
	RM-12	Multi-Family Residence
	RM-20	Multi-Family Residence
	RM-30	Multi-Family Residence
	RM-45	Multi-Family Residence
	RM-45/HR	Overlay
	RPUD	Residential Planned Unit Dev.
	AOD	Atlantic Boulevard Overlay District
	MH-12	Mobile Home Park
	B-1	Limited Business
	B-2	Neighborhood Business
*	B-3	General Business
	B-4	Heavy Business
	RO	Residence Office
	M-1	Marina Business
	M-2	Marina Industrial
	I-1	General Industrial
	I-1X	Special Industrial
	O-IP	Office Industrial Park
	BP	Business Parking
	BSC	Planned Shopping Center
	PCI	Planned Commercial / Industrial Overlay
	PR	Parks & Recreation
	CR	Commerical Recreation
	CF	Community Facilities
	T	Transportation
	PU	Public Utility

# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



**Subject Site**

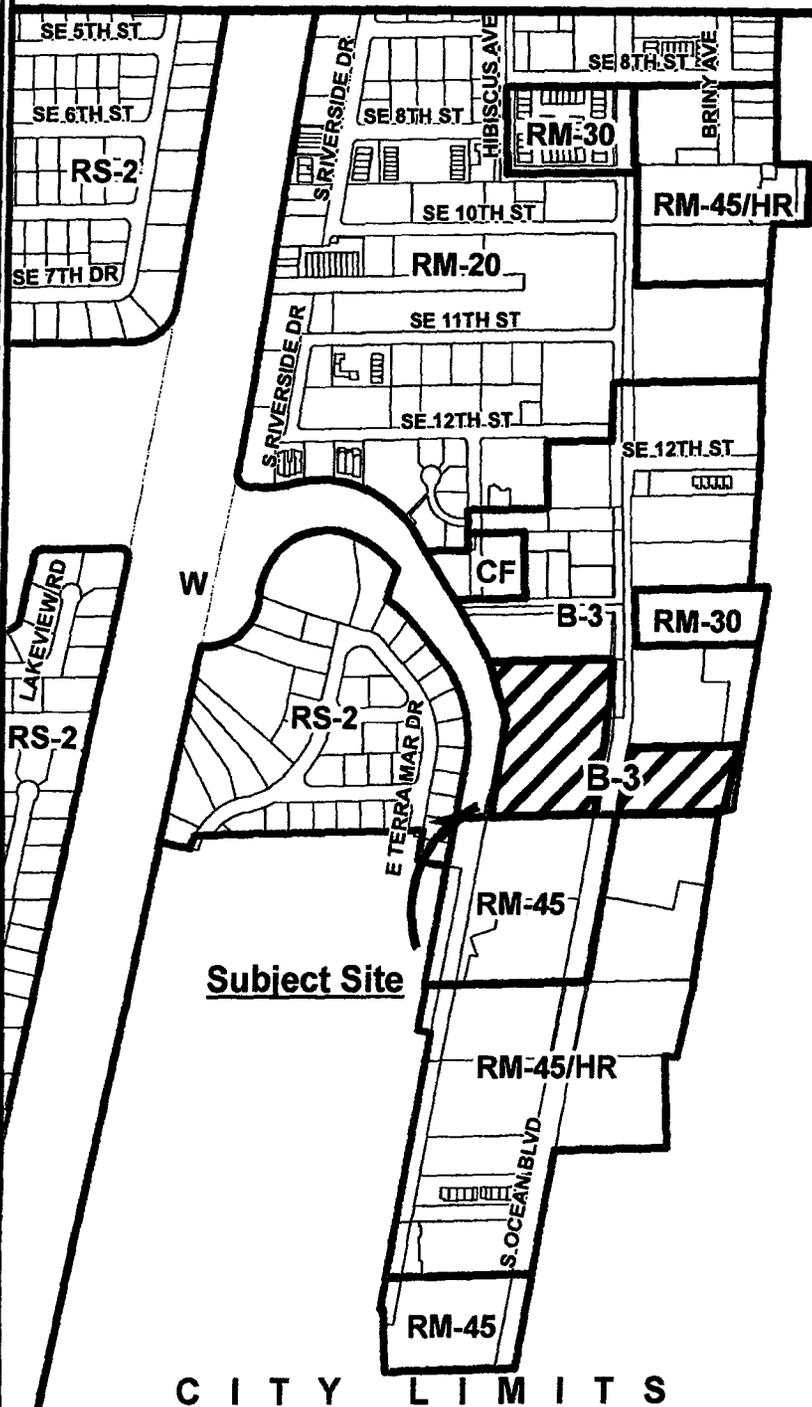
**CITY LIMITS**

1 in = 600 ft

3

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



**Subject Site**

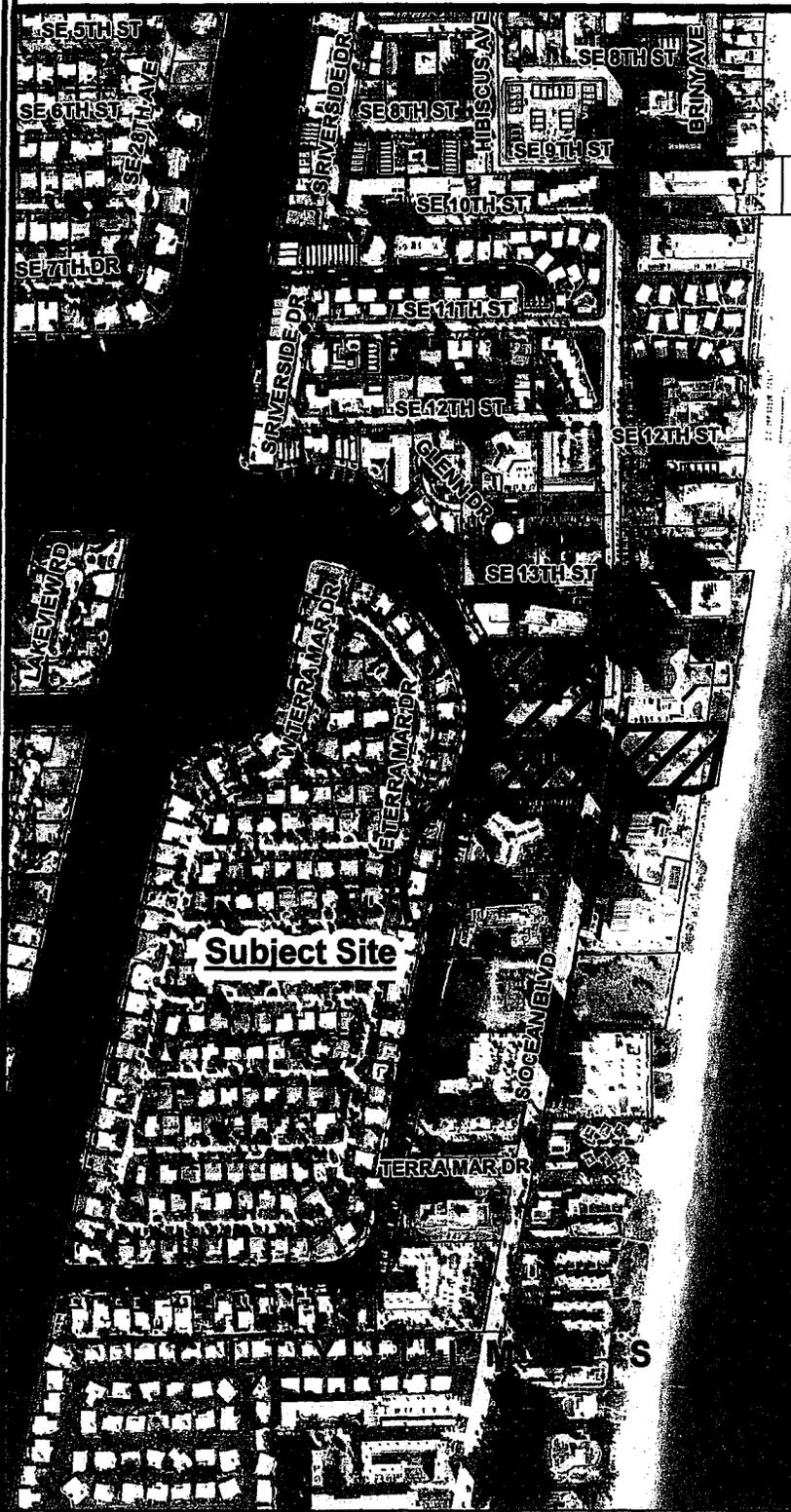
C I T Y   L I M I T S

1 in = 600 ft

4

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

# CITY OF POMPANO BEACH AERIAL MAP

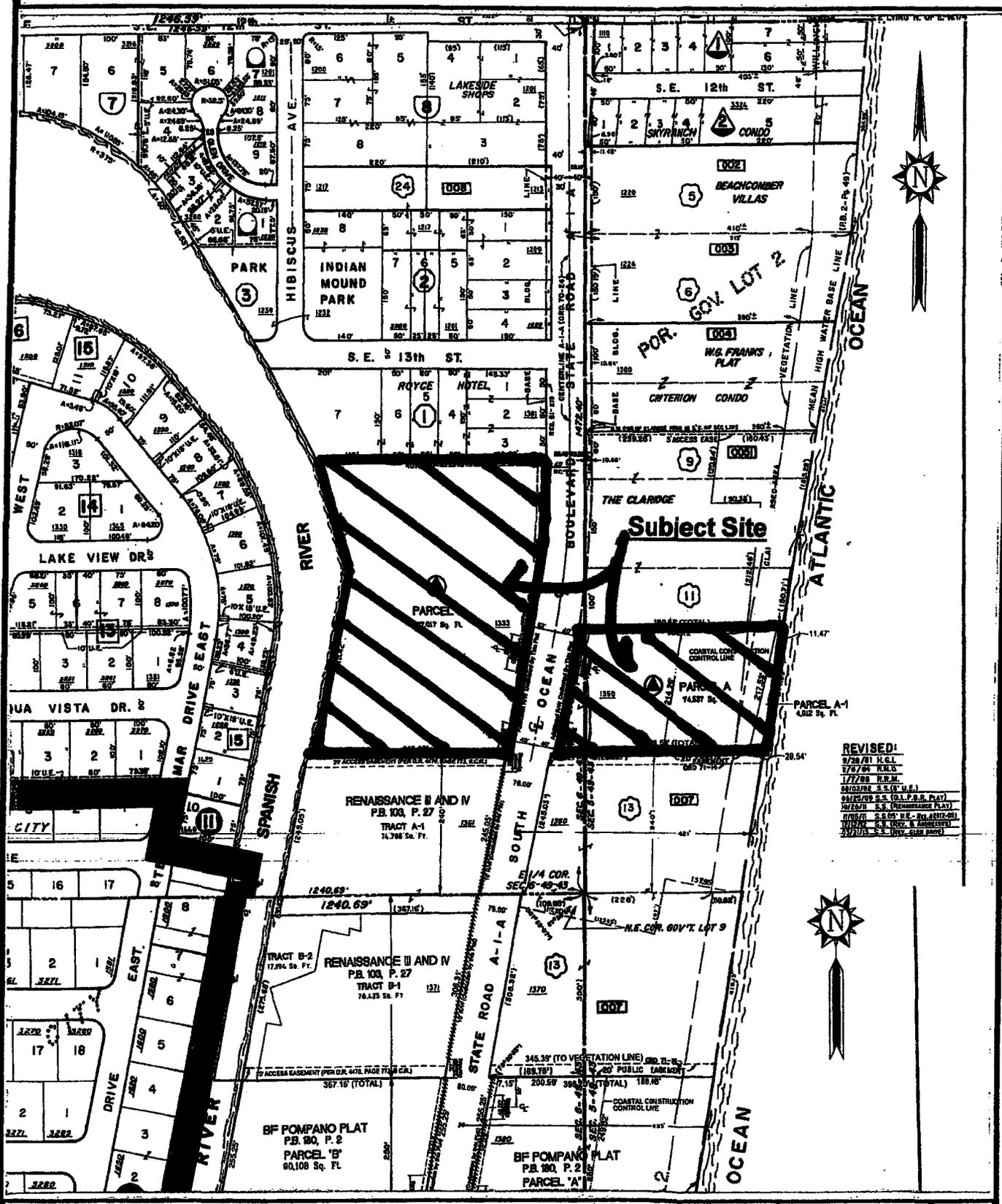


1 in = 600 ft

5

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

# EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



REVISED:  
 3/28/01 H.C.L.  
 3/28/04 R.M.L.  
 1/27/06 R.M.L.  
 04/23/08 S.S.(O' U.E.)  
 04/23/08 S.S. (O.L.P.R. Plat)  
 10/24/10 S.S. (REMEMBERED PLAT)  
 11/08/10 S.S. (S.E. - No. 4012-01)  
 11/08/10 S.S. (NOV. 6 APPROVED)  
 03/27/13 S.S. (NOV. 6-0181-01)

SCALE: **NTS**

**C. Rationale for the Proposed Amendment**

The Applicant requests the Land Use Plan Amendment to allow development of up to 303 market-rate residential units (the maximum allowed at 46 units per acre). In addition, the proposed residential development plans include a maximum of 10,000 sq. ft. of commercial use and a marina with boat slips. Fifty percent of the boat slips will be available for rental to the public.

**D. Surrounding Land Uses** – The subject property is surrounded by the following land use designations:

- North: Commercial
- South: High Residential
- East: Recreational /Open Space
- West: Waterway

**E. Proposed City Land Use Designation** - The proposed land use designation is High Residential (HR).

**F. Impact Analysis**

The proposed intensity of the amendment area is a net decrease over what is currently allowed under the city’s adopted plan; the reduction in intensity is due to the elimination of the Commercial land use and replacing it with residential. The impact on the public facilities and services at build-out, therefore, is less. The amendment will also result in a population increase and therefore will generate additional demands on the parks systems, hurricane evacuation, and on the school district. The results of the impact analysis are provided below.

Sanitary Sewer

The proposed Residential High Land Use is expected to decrease sanitary sewer flows by 96,748 gallons per day of sanitary sewer demand from what would be generated under the existing Commercial Land Use Designation. The table below shows the difference in generation between the two uses.

Sanitary Sewer Impact			
	Use	Calculation	Total
Current	Commercial 1,724,976	X .1 GPD per sq.ft.	=172498 GPD
Proposed	High Res. 303 d.u.	X 250 GPD per d.u.	=75,750 GPD
	Commercial 10,000 sq. ft.	X .1 GPD per sq. ft.	=1,000 GPD
		Change	-95,748 GPD

Source: Broward County LDC

There is a letter verifying this information & the capacity of the County Wastewater treatment plant from the Water & Wastewater Engineering Division.

Potable Water

The new use is expected to also decrease the demand in potable water. The table below shows that demand for potable water will decrease by 84,784 gallons per day from what would be generated under the existing Commercial Land Use Designation.

Potable Water Impact			
	Use	Calculation	Total
Current	Commercial 1,724,976	X .1 GPD per sq.ft. <sup>2</sup>	=172,498 GPD
Proposed	303 d.u. x 1.5 = 454	X 191/capita <sup>1</sup>	=86,714 GPD
	Commercial 10,000 sq. ft.	X .1 GPD per sq. ft. <sup>2</sup>	=1,000 GPD
		Change	-84,784 GPD

Source: City Comprehensive Plan<sup>1</sup> & Broward County LDC<sup>2</sup>

The applicant uses a Broward County Level of Service (LOS) for this service impact showing an anticipated reduction of 126,048 GPD. The Development Services Staff uses the City's LOS since the project would be serviced by the City's treatment plant. The difference in the anticipated reduction using the City's LOS is only 84,784 GPD. Staff recognizes that there would be a reduction, just not as great a reduction; and therefore, the applicant should correct this in the report.

There is a confirmation email from the City of Pompano Beach Utilities Department verifying that there will be a reduction in usage with the proposed change.

**Drainage**

Drainage for the subject property will be accomplished through swales, exfiltration trench and positive drainage connecting to the Intracoastal Waterway. The developer states that all improvements required to meet the adopted level of service will be installed in conjunction with new development.

Drainage Letter from Pompano Beach City says that the Utilities Department has "no issues with the reduction in water issues; however the County has the final word on stormwater changes."

**Solid Waste**

The new use is expected to also decrease the output of solid waste. The table below shows that the output for solid waste will decrease by 65,902 pounds per day from what would be generated under the existing Commercial Land Use Designation.

Solid Waste Impact			
	Use	Calculation	Total
Current	Commercial 1,724,976	X 4lbs./100 sq. ft./day	=68,999 lbs/day
Proposed	High Res. 303 d.u.	X 8.9 lbs/day	=2,697 lbs/day
	Commercial 10,000 sq. ft.	X 4 lbs/100 sq. ft./day	=400 lbs/day
		Change	-65,902 lbs/day

The applicant has provided the a letter from Waste Management to verify that the information above is correct.

**Recreation and Open Space**

The level of service standard for neighborhood parks is based on 2 acres per 1,000 persons.

The level of service standard for community parks is 1 acre per 1,000 persons.

The level of service standard for urban parks based is 2 acres per 1,000 persons.

The proposed change in land use designation will increase residential units by a net 303 units since the current Comprehensive Plan assumes a 2 person average household size, the amendment would increase the population by approximately 606 people. The current population of Pompano Beach is approximately 103,977 and with the estimated increase of this amendment it would be approximately 104,583. The required park acreage would be 209 acres of neighborhood, 104.6 acres of community park, and 209 acres of Urban park. According to the Comprehensive Plan there is capacity at each level to meet this demand (see table below).

Park Type	2014 Population (with Amendment)	2025 Population Demand (with Amendment)	Capacity
Neighborhood	209 ac	219	233.5 ac.
Community	105 ac	110	120.2 ac.
Urban	209 ac.	219	240.3 ac

Source: Development Services Staff

### Traffic Circulation

Replacing Commercial land use with Residential High land use would result in a reduction of average daily trips.

Traffic Impact			
	Use Code	Calculation	Total <sup>1</sup>
Current	Commercial (820)	1,724,976 sq. ft.	=6,400 trips/day
Proposed	High Res. 303 d.u. (232)	303 High Rise du	=115 trips /day
	Commercial (820)	10,000 sq. ft.	=128 trips/day
			<b>Change</b>
			<b>-6,157 trips/day</b>

<sup>1</sup> P.M. peak hour

### Mass Transit

Replacing Commercial land use with Residential High land use would result in a reduction in transit ridership along the existing service route. Route number 11 currently serves the subject property. The service frequency is shown below.

BCT Route #	Days of Service	Hours of Service	Service Frequency
11	Monday –Friday	5:00a-11:55p	30 minutes
	Saturday	5:00a-11:15p	40 minutes
	Sunday	7:00a-9:15p	45 minutes

Source: Transit Division of Broward County

TABLE 16 CHANGE IN MASS TRANSIT DEMAND			
Current:			
Commercial 1,724,976 sq. ft	6,400 trips	X 1.64%	105 Trips <sup>1</sup>
Proposed:			
High Res. 303 d.u.	115 trips	X 1.64 %	2 Trips <sup>1</sup>
Commercial 10,000 sq. ft.	128 trips	X 1.64 %	2 Trips <sup>1</sup>
<b>change</b>			<b>-101 Trips</b>

Source: Broward County Transportation Element Table 3-42

<sup>1</sup> P.M. peak hour

There is a transit letter provided by the applicant from the Broward County Transit Division of the Transportation Dept.

## Natural and Historic Resources

The applicant states that review of the Pompano Beach Comprehensive Plan Maps reveals no historic sites located on or near the subject property.

## Beach Access

The applicant has stated that no on-site beach access is planned for with this proposed project. This is in conflict with the following Comprehensive Policies found in the Coastal Zone Element.

Policy 10.03.01 Shoreline uses shall be designed in a manner compatible with the environment and be compatible with existing surrounding land uses and are prioritized according to the following criteria:

1. Water dependent commercial and municipal uses.
2. Water related uses in conjunction with water dependent uses.
3. Public accessibility
4. Non-water related uses.

Policy 10.03.05 The City shall seek additional beach access in redevelopment.

The submitted response did not address the 2 highest priority use criteria specified in Policy 10.03.01, but merely pointed out public accesses off-site. Furthermore this proposed project would be considered redevelopment and therefore is required to provide additional beach access. Staff does not agree that this request is in conformance with these policies.

## Affordable Housing

The requirements of affordable housing units per the Broward County Land Use Plan Policy 1.07.07 do apply for this request.

### **RULES FOR IMPLEMENTATION AND ADMINISTRATION OF BROWARD COUNTY**

#### **10.2 BROWARD COUNTY LAND USE PLAN POLICY 1.07.07**

For amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan. Broward County and affected municipalities shall coordinate and cooperate to implement the affected municipality's chosen policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing.

The applicant states that the Pompano Beach "In-Lieu Fee" for Affordable Housing will be used to satisfy this requirement. Therefore, it will be suggested for a condition if approved.

## Land Use Compatibility

The proposed use is of High Residential (HR) (46/acre) is not compatible with the adjacent Commercial Future Land Use designation to the north and east. Furthermore, the applicant is proposing to have a marina use, which according to Consolidated Use table of the Zoning Code would be prohibited and not compatible with the residential to the south. The surrounding uses and land use designations are shown in the table below:

Location	Existing Use	City Land Use Designation
North	Resort & Yacht Club	Commercial
South	Residential	Medium Residential
East	Commercial/ Atlantic Ocean	Commercial
West	ICW	Water

### Hurricane Evacuation Analysis

The subject property is within a Hurricane Evacuation Zone. The applicant addressed the required analysis with what is included in item X, starting on Page 24 of the submitted application.

This “analysis” is insufficient since Table 21 simply references the range of hours for link clearance for critical roadways (bridges in this case). There is a need to be showing the increment of change due to the amendment. Also, the Public shelter demand Table 19 uses 2006 data. Staff does not believe that this is the “best available data.”

Furthermore, the request is inconsistent with City’s Future Land Use Element of the Comprehensive Plan which includes the following policy regarding hurricane evacuation.

Policy 01.09.01 - Continue to reject future land use plan amendments for increased density in the coastal area unless a consistency determination can be made with the Broward County Hurricane Evacuation Plan, or unless a finding can be made that the amendment will not increase current evacuation times.

It is Staff’s opinion, that the response does not address the fact that the amendment will increase current evacuation times. Adding residents to the barrier island will increase the number of cars evacuating during a hurricane. A simple traffic study will show this. Staff does not believe that plugging this project’s impact into a regional hurricane traffic model can provide the adequate analysis to provide as stated in Policy 01.09.01 “a finding...that the amendment will not increase current evacuation times.” Therefore per that Policy staff must recommend to “continue to reject future land use plan amendments for increased density in the coastal area.” Staff also does not believe that “a consistency determination can be made with the Broward County Hurricane Evacuation Plan...”

### Redevelopment Analysis

The amendment is not within the City's CRA Boundaries.

### Intergovernmental Coordination

The subject property is not adjacent to any other local governments.

### Public Education

The applicant has yet to get the School Board to provide the project with a School Consistency Review Report prior to County adoption of the Land Use Plan amendment since there will be an increase in residential and therefore possible students as well.

## Consistency with Goals, Objectives and Policies of the City's Land Use Plan

The proposed amendment is **inconsistent** with the following goals, objectives and policies of the Comprehensive Plan:

### **Future Land Use Element**

#### Objective Hurricane Preparedness

01.09.00 Make preparations to protect residences and businesses from hurricanes.

#### Policies

- 01.09.01 - Continue to reject future land use plan amendments for increased density in the coastal area unless a consistency determination can be made with the Broward County Hurricane Evacuation Plan, or unless a finding can be made that the amendment will not increase current evacuation times.
- 01.03.10 - Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.
- 01.04.00 - Support and promote the inter-mix of residential and commercial uses along major traffic corridors.
- 01.01.01 - Adopt and maintain community services based on the Level of Service Standards contained in the various Elements of the City's Comprehensive Plan.
- 10.03.03 - Land zoned for marine and water dependent commercial activities shall be preserved.
- 10.07.03 - The evacuation times set forth in the Broward County Hurricane Evacuation Plan shall be maintained throughout the procedures set forth in the Pompano Beach Fire Rescue Hurricane Procedures.
- 10.09.04 - In accordance with the South Florida Regional Planning Council Policy Plan, the City shall coordinate with Broward County to provide temporary emergency housing for displaced residents.

### **Capital Improvements Element:**

#### Objective

13.02.00 - The City will limit the expenditure of public funds that subsidize development in high hazard coastal areas to the projects which only contribute to the maintenance of existing capital facilities.

#### Policy

13.02.01 - Restrict the funding of capital improvement projects in coastal high hazard areas to projects which serve a public purpose.

### **Coastal Zone Element**

#### Objective Support and Protect Water Dependent Uses

10.03.00 - Water dependent and water related uses will be protected and encouraged within the coastal area; this shall include retaining commercial zoning so that private residential redevelopment does not displace such uses.

## Policy

10.03.01 - Shoreline uses shall be designed in a manner compatible with the environment and be compatible with existing surrounding land uses and are prioritized according to the following criteria:

1. Water dependent commercial and municipal uses.
2. Water related uses in conjunction with water dependent uses.
3. Public accessibility
4. Non-water related uses.

## Other Planning Considerations

In addition to the Comprehensive Plan, the City has been perusing economic development initiatives that will promote jobs as well as tourism. The following staff considerations are relevant to any amendment proposing to decrease the amount of commercially designated land on the Barrier Island.

Economic indicators show a strengthening in the hotel market, but even in the worst case scenario, if the property were to remain vacant for the next 5 years, the City would then have retained a commercial parcel for a future improved beach economy. The unique size and location of the parcel merits a resort-type development, possibly even with a marina. Such an exceptional development would enhance the market value of all the residential surrounding it providing a view comparable to the ocean. No condominium in this location could enhance the character of the City of Pompano Beach as would a large high-end hotel and marina resort.

### **Employment and Economic Impact Considerations**

Any type of Commercial use likely to be developed on this parcel would generate more employment than residential use. Given the size and location of the parcel, a resort-type use could be a reasonable assumption for development. Other such uses located on similar acreage have employed approximately 120 people. If the property were to be rezoned to residential, it would most likely become a condominium employing approximately fewer than 10 people.

The economic impact of the two different types of uses is not only in employment, it goes even further when the seasonal impact is considered. Approximately 30 percent of the barrier island population leaves South Florida during more than half the year. This seasonal impact is felt economically for Pompano Beach Businesses. If the subject property were to remain commercial and be developed as a resort-type use, the market would be year-round. This is due to the fact that the South Florida tourism market brings European tourists during the summer months. So the seasonal economic drop for the entire City may only apply if the property were to be rezoned to residential.

### **Existing Amount of Commercial Vs. Residential Zoned Property on the Barrier Island**

The City of Pompano Beach has an extremely small amount of commercially zoned property on the barrier island. An inventory of the acreage on the barrier island shows that excluding publically-owned property, only 10 percent is currently zoned commercial and 90

percent is zoned residential. Furthermore, 6 different parcels zoned RM-45 on the barrier island are currently vacant property. It would seem that there is a surplus of residentially zoned property on the barrier island.

### **Beach Commercial Economic Benefits for Both Tourism and Convenience for Local Residents**

In 2010, the City of Pompano Beach embarked on a marketing effort to improve the City's tourism. A Tourism Marketing Manager was hired in February of 2013, and has been working with the Greater Ft. Lauderdale Convention and Visitors Bureau promoting the City of Pompano as a tourist destination to state, domestic and foreign markets.

A "Tourism Strategic Plan" was published by the City in 2011, assessing the actions necessary to ensure that this tourism marketing effort is a success. Regarding accommodations, it lists the subject property as a prime potential site for future hotel development. Fostering such potential sites is critical to the effort that the City has chosen to invest in, especially when considering the small number of hotel rooms currently existing on the barrier island. The City has approximately 631 rooms within major hotels (including the recently approved but not built Pier Project). In contrast, the City of Hollywood has a total of 2,186 approved rooms at major hotels on the barrier island

Logistically, it would also be beneficial for residents living on the barrier island to be able to go to restaurants relatively close. Residents may feel that they need to travel to adjacent cities in order to enjoy beach-area dining. It is important for a city to have a reasonable amount of commercial to serve local residents. Market forces will ultimately dictate whether restaurants or hotels in such commercial areas will end up serving the residents. However, it is clear that retaining the little amount of Commercial that exists on the beach is vital.

### Applicant's Rational is not supported by Staff

The Applicant states incorrectly that Pompano Beach Pier Parking Lot Project includes a hotel development; and furthermore, it is stated that the existing Land Use designation is in conflict with the project. On the contrary, Staff feels that the existing Commercial Land Use will actually complement the investment the City is making in the Pier development as well as all of the beach improvements on the barrier island. As mentioned above, the City is working toward improving the marketability of this City as a tourist destination. Such a goal will be much more difficult with reducing the amount of commercial development that can be built to retain tourism dollars within the City limits.

## **Summary**

Staff finds the request to be inconsistent with 12 Objectives and/or Policies of the Pompano Beach Comprehensive Plan. This document represents the City's guide for future development.

With the economy improving, Staff believes this is the wrong time to be making changes to the Future Land Use designations that will bolster the investments this City has made in its economy. For this reason as well as the determination of incompatibility and Comprehensive Plan inconsistency, Staff cannot support this request.

## **G. Recommendation of Denial**

Staff recommends denial of the Land Use Plan Map Amendment from Commercial (C) to Residential High (RH) for the property described in Exhibit A. This denial recommendation is included in Motion 1 below.

### **ALTERNATIVE MOTIONS:**

- (1) **Motion to recommend denial** of the proposed Future Land Use Map Amendment from Commercial (C) to Residential High (RH) map change to be incompatible with the goals, objectives and policies in the Comprehensive Plan as listed below, as well as other staff considerations sited in this report:

#### **Future Land Use Element**

Objective Hurricane Preparedness

01.09.00 Make preparations to protect residences and businesses from hurricanes.

#### **Policies**

- 01.09.01 - Continue to reject future land use plan amendments for increased density in the coastal area unless a consistency determination can be made with the Broward County Hurricane Evacuation Plan, or unless a finding can be made that the amendment will not increase current evacuation times.
- 01.03.10 - Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.
- 01.04.00 - Support and promote the inter-mix of residential and commercial uses along major traffic corridors.
- 01.01.01 - Adopt and maintain community services based on the Level of Service Standards contained in the various Elements of the City's Comprehensive Plan.
- 10.03.03 - Land zoned for marine and water dependent commercial activities shall be preserved.
- 10.07.03 - The evacuation times set forth in the Broward County Hurricane Evacuation Plan shall be maintained throughout the procedures set forth in the Pompano Beach Fire Rescue Hurricane Procedures.
- 10.09.04 - In accordance with the South Florida Regional Planning Council Policy Plan, the City shall coordinate with Broward County to provide temporary emergency housing for displaced residents.

**Capital Improvements Element:**

**Objective**

13.02.00 - The City will limit the expenditure of public funds that subsidize development in high hazard coastal areas to the projects which only contribute to the maintenance of existing capital facilities.

**Policy**

13.02.01 - Restrict the funding of capital improvement projects in coastal high hazard areas to projects which serve a public purpose.

**Coastal Zone Element**

**Objective Support and Protect Water Dependent Uses**

10.03.00 - Water dependent and water related uses will be protected and encouraged within the coastal area; this shall include retaining commercial zoning so that private residential redevelopment does not displace such uses.

**Policy**

10.03.01 - Shoreline uses shall be designed in a manner compatible with the environment and be compatible with existing surrounding land uses and are prioritized according to the following criteria:

1. Water dependent commercial and municipal uses.
2. Water related uses in conjunction with water dependent uses.
3. Public accessibility
4. Non-water related uses.

**(2) Motion to table** the requested Comprehensive Plan Map amendment to provide time for any issues raised by the Board, Staff, Applicant or the general public.

**(3) Motion to recommend approval** as the Board finds the proposed land use map change compatible with the goals, objectives and policies in the Comprehensive Plan.

This motion would include possible recommended Conditions of Implementation, should the request be recommended for approval which would be as follows:

- 1) No building permit shall be issued until the Pompano Beach "In-Lieu Fee" for Affordable Housing is submitted.
- 2) A School Board Assessment letter needs to be submitted prior to final approval of this request.
- 3) The applicant should provide the City's LOS for potable water impact in this in the report before this request is placed on a City Commission agenda.
- 4) The Drainage letter needs to be provided from Broward County prior to final approval of this request.
- 5) Recreation and Open Space Analysis (Beach Access) - a public beach access easement through the property will be required to be shown on the site plan and recorded at the time of first building permit issuance.

**STAFF RECOMMENDS MOTION NUMBER I**

## **Exhibit A**

### **Legal Description**

All of "Ocean Land Pompano Beach Resort", according to the map or plat thereof, as recorded in Plat Book 178, Page(s) 127, of the Public Records of Broward County, Florida.

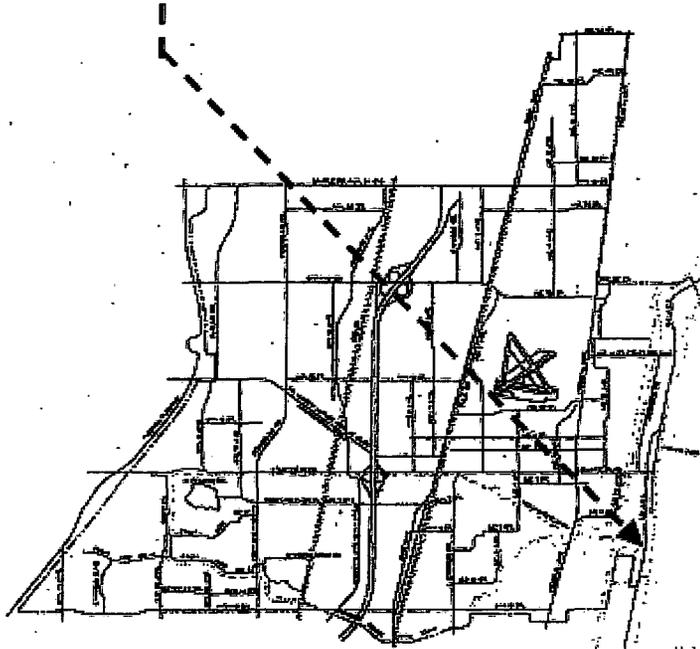
# CITY OF POMPANO BEACH, FLORIDA NOTICE OF PUBLIC HEARING

The City of Pompano Beach proposes to change the uses of land within the area shown in the map in this advertisement. The **CITY COMMISSION** will hold Public Hearing on **Tuesday, October 14, 2014 at 7:00 P.M.** in the City Commission Chambers, at the City Hall Complex at 100 West Atlantic Blvd. The subject of the Public Hearing is to discuss and hear public comments on the proposed amendment to the Future Land Use Map of the Comprehensive Plan. At the Public Hearing, the City Commission will consider an ordinance to adopt the proposed amendment as follows:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE WH POMPANO, LP REQUEST LOCATED AT 1333-1350 S. OCEAN BOULEVARD; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 27, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**Public Hearing #15-09.** The proposed map amendment would change the Future Land Use Map designation from Commercial (C) land use category to a High Residential (HR) land use designation with a maximum of 303 Units, on the 6.60 acre property located at 1333-1350 S. Ocean Blvd.

Subject Property – W. H. Pompano, LP



You may either be present in person at this Public Hearing, represented by counsel or letter. All interested persons take due notice of the time and place of this Public Hearing and govern yourselves accordingly.

Copies of the Future Land Use Map and proposed Amendment are available for public inspection in the Development Services Department, 100 West Atlantic Boulevard, Pompano Beach, FL.

Any person who decides to appeal any decision of the **CITY COMMISSION** with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

All correspondence to the **CITY COMMISSION** relative to this matter should be mailed to P.O. Drawer 1300, Pompano Beach, Florida 33061.

**CITY OF POMPANO BEACH, FLORIDA**  
**BY:** Mary L. Chambers, City Clerk

**PUBLISH ON OCTOBER 6, 2014**  
Sun Sentinel

#20

# WH Pompano

## Application for Amendment to the City of Pompano Beach and Broward County Land Use Plans

April 8, 2014

Revised April 14, 2014



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**WH Pompano**  
**Land Use Plan Amendment**

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Existing Land Uses	D
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I. TRANSMITTAL INFORMATION

- A. Letter of transmittal from municipal mayor or manager documenting that the local government took action by motion, resolution or ordinance to transmit a proposed amendment to the Broward County Land Use Plan. Please attach a copy of the referenced motion, resolution or ordinance. The local government's action to transmit must include a recommendation of approval, denial or modification regarding the proposed amendment to the Broward County Land Use Plan.

**To be provided.**

- B. Date local governing body held transmittal public hearing.

**To be provided.**

- C. Whether the amendment area is within an Area of Critical State Concern or proposed for adoption under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

**The amendment site is not located in an Area of Critical State Concern or part of a joint planning agreement.**

- D. Whether the amendment is one of the following:
- \* Development of Regional Impact
  - \* Small scale development activity (per Florida Statutes)
  - \* Emergency (please describe on separate page)
  - \* Other amendments which may be submitted without regard to FL statutory limits regarding submittals (Brownfield amendments, etc.).

**The amendment site qualifies as a small-scale development activity.**

II. LOCAL GOVERNMENT INFORMATION

- A. Local land use plan amendment or case number.

**To be determined.**

- B. Proposed month of adoption of local land use plan amendment.

**To be determined.**

- C. Name, title, address, telephone, facsimile number and email of the local government contact.

**Mr. Robin Bird**  
**Director of Development Services**  
**City of Pompano Beach**  
**100 West Atlantic Boulevard**  
**Pompano Beach, FL 33061**  
**phone: 786-4634 Fax: 954-786-4666**  
**Email: robin.bird@copbfl.com**

- D. Summary minutes from the local planning agency and local government public hearings on the transmittal of the Broward County Land Use Plan amendment.

**To be provided.**

- E. Description of public notification procedures followed for the amendment by the local government.

**Per Chapter 163, F.S.**

III. APPLICANT INFORMATION

- A. Name, title, address, telephone, facsimile number and email of the applicant.

**Mr. Dev R. Motwani**  
**President and CFO**  
**Merrimac Ventures**  
**401 E. Las Olas Boulevard**  
**Suite 130-324**  
**Fort Lauderdale, FL 33301**  
**Ph: 954-332-5265 Fax: 954-342-1840**  
**Email: Dev@MerrimacVentures.com**

- B. Name, title, address, telephone, facsimile number and email of the agent.

**Leigh R. Kerr, AICP**  
**President**  
**Leigh Robinson Kerr & Associates, Inc.**  
**808 East Las Olas Blvd. #104**  
**Fort Lauderdale, FL 33301**  
**Ph: 954-467-6308 Fax: 954-467-6308**  
**Email: lkerr808@bellsouth.net**

- C. Name, title, address, telephone, facsimile number and email of the property owner.

**WH Pompano LP  
c/o Mr. Dev R. Motwani, Manager of the General Partnership  
President and CFO  
Merrimac Ventures  
401 E. Las Olas Boulevard  
Suite 130-324  
Fort Lauderdale, FL 33301  
Ph: 954-332-5265 Fax: 954-342-1840  
Email: Dev@MerrimacVentures.com**

- D. Planning Council fee for processing the amendment in accordance with the attached Exhibit C, "Fee Schedule for Amendments to the Broward County Land Use Plan and Local Land Use Elements."

**To be provided.**

- E. Applicant's rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report (about two paragraphs). Planning Council staff may accept greater than two paragraphs, if submitted in an electronic format.

**The applicant is requesting a change in the future land use designation from Commercial on the City and Broward County Land Use Plans to High Residential (46). The proposed land use would permit a maximum of 303 dwelling units or 606 hotel rooms. The proposed change to residential use is appropriate for the subject site due to its compatibility with adjacent uses; proximity to the City's CRA; and reduced impact on City services including traffic, water and sewer;**

**The compatibility of the subject site will be improved with the proposed change in land use. The change from commercial to high residential is a suitable and more compatible neighbor to adjacent uses and will eliminate the other more intense uses that are presently permitted (i.e. retail and office) and could potentially be situated adjacent to the existing residential to the north and the south of the subject site, while continuing to permit the development of a hotel which is a permitted use under the proposed land use category. In addition, the proposed residential development plans to include a maximum of 10,000 square feet of commercial use which is permitted as long as the commercial use does not exceed 50% of the floor area.**

The proposed amendment will not have a negative effect on commercial development. There is a total of 10.87 acres of vacant or underutilized commercial property on the barrier island of Pompano Beach excluding the subject site. In addition, The City's East Community Redevelopment Area (CRA) seeks to attract new investment and provide redevelopment opportunities in the CRA which is located just north of the subject site (approximately ¾ mile) at Atlantic Boulevard. Specifically, the CRA Plan states an immediate objective is to attract new commercial businesses and hotel development within the CRA. The City recently processed a land use plan amendment known as "Pompano Beach Pier Parking Lot Redevelopment" to permit commercial and hotel development at A1A between N.E. 2<sup>nd</sup> Street and N.E. 3<sup>rd</sup> Street within the CRA. Given the City's investment in the CRA and existing redevelopment opportunities within the CRA, commercial uses should be directed to that area in this part of the City. The change in use for the subject site from commercial to residential supports this goal and will provide potential residents with convenient access to, rather than competition with, the retail, restaurant and tourist activities envisioned for the CRA.

The proposed residential use will have a reduced impact on the below public facilities. It should be noted that SRA1A in the vicinity of the site currently operates at level of service "F" and the proposed change in land use will result in a substantial reduction in trips compared to the current commercial land use.

Service	Current Demand	Proposed Demand	Change
Sanitary Sewer (gallons/day)	172,498 gpd	76,750 gpd	-95,748 gpd
Potable Water (gallons/day)	172,498 gpd	46,450 gpd	-126,048 gpd
Solid Waste (lbs/day)	68,999 lbs	3,097 lbs	-65,902 lbs
Traffic (peak) (trips/day)	6,400 Trips	243 Trips	-6,157 Trips

Additionally, marina and water-dependent activities will not be compromised as a result of the change in land use. The proposed site plan includes a marina with boat slips. Fifty percent of the boat slips will be available for rental to the public. The shoreline use/boat slips will be designed and developed compatible with the environment. The proposed marina plan is comparable to what is currently approved under the existing site plan and therefor will not have a negative impact on existing marina and water-dependent uses.

There are 16 beach access points via street and private property rights-of-way along the entire length of the City's beach with the exception of the northern 2,500 feet. Refer to Exhibit E which depicts beach access locations. Access points

labeled as “Criterion Condominiums”, “Renaissance (North)”, and “Renaissance (South)” are located very near the subject site and will provide the public with adequate access to the beach in the vicinity of the subject site.

With regard to hurricane evacuation impact, the applicant believes the land use change would have a minimal impact on hurricane evacuation and would not increase evacuation times in Broward County and the region. Refer to Section X of this report. In addition, seasonal residents typically leave for the summer which coincides with hurricane season, thereby minimizing the impact the proposed residential use might have on hurricane evacuation.

The applicant believes that the proposed amendment to the Comprehensive Plan still provides the City with benefits of residential uses compatible with adjacent neighbors while maintaining the opportunity for hotel development at the site. The subject site is currently approved for a 586-room hotel under a previous site plan approval. The applicant believes the amendment is supportive of the below City policies:

**POLICY 01.01.05**

Review proposals for new development to identify the cumulative impacts of the proposed development on public services and facilities.

**POLICY 01.03.05**

All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

**POLICY 01.03.06**

Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

**POLICY 01.03.10**

Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.

**POLICY 01.03.11**

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezoning’s.

**POLICY 01.03.12**

The following criteria may be used in evaluating rezoning requests:

1. Density;

2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and
7. Proximity to mass transit.

**POLICY 01.16.01**

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

In addition, given the site is located on the southern end of the beach with no major intersecting streets, the marketability of commercial uses and a hotel facility at the subject site is more limited than more prime locations on the beach. Examples of this include the below.

1. Recently opened Marriott on the northern portion of the beach in the vicinity of the N.E. 14<sup>th</sup> Street Causeway which connects the beach to northeastern Pompano Beach and Broward County;
2. Recently approved Atlantic 3350 development which is situated at the southwest corner of East Atlantic Boulevard and A1A for a 110-room hotel and residential and retail uses which is also located within the East CRA;
3. The Atlantic Point Plat at the northeast corner of A1A and Atlantic Boulevard which is approved for a 360-room hotel; and
4. The development of a boutique hotel in the location of the Pompano Fishing Pier recently approved by the County and City Commission.
5. Hillsboro Inlet Hotel

In summary, the proposed change is a suitable and compatible use for the subject site which preserves hotel uses and adds residential opportunity, while eliminating potential commercial uses which may compete with the City's CRA and have greater negative impacts on the surrounding community and adjacent residential uses.

IV. **AMENDMENT SITE DESCRIPTION**

- A. Concise written description of the general boundaries and gross acreage (as defined by BCLUP) of the proposed amendment.

The subject site contains approximately 6.60 gross acres and is located on the east and west sides of A1A south of S.E. 13<sup>th</sup> Street. See **Exhibit A: Location Map.**

- B. Sealed survey, including legal description of the area proposed to be amended.

**See Appendix I – Parcels A and B of the Ocean Land Pompano Beach Resort (178/127).**

- C. Map at a scale of 1"=300' clearly indicating the amendment's location, boundaries and proposed land uses. (Other scales may be accepted at the discretion of the Planning Council Executive Director. Please contact the Planning Council office in this regard, prior to the submittal of the application.)

**Please see Exhibit A: Location Map.**

V. EXISTING AND PROPOSED USES

- A. Current and proposed local and Broward County Land Use Plan designation(s) for the amendment site. If multiple land use designations, describe gross acreage within each designation.

**The applicant is requesting a change in land use designation from Commercial on the City and Broward County Land Use Plans to High Residential.**

- B. Current land use designations for the adjacent properties.

**Refer to below TABLE 1 and Exhibit B: Current Future Land Use and Exhibit C: Proposed Future Land Use.**

TABLE 1 ADJACENT LAND USES	
North	Commercial
South	High Residential
West	Waterway
East	Recreation/Open Space

- C. Indicate if the flexibility provisions of the Broward County Land Use Plan have been used for adjacent areas.

**The coastal zone is not currently within the City's flexibility receiving area. However, flexibility provisions may have previously been utilized for the residentially developed property to the north at 1340 S. Ocean Boulevard.**

- D. Existing use of amendment site and adjacent areas.

**The subject site is vacant. Refer to below TABLE 2 and Exhibit D: Existing Uses.**

<b>TABLE 2 ADJACENT SITE USES</b>	
<b>North</b>	<b>Residential</b>
<b>South</b>	<b>Residential</b>
<b>West</b>	<b>Waterway</b>
<b>East</b>	<b>Beach</b>

- E. Proposed use of the amendment site including proposed square footage\* for each non-residential use and/or dwelling unit count. For RAC, LAC, TOC, TOD and MU-R amendments, please provide each existing non-residential use square footage and existing dwelling units for amendment area.

**The amendment site is proposed to be used for residential or hotel development, including a marina with boat slips with fifty percent of the boat slips available for rental to the public. In addition, the proposed residential development plans to include a maximum of 10,000 square feet of commercial use which is permitted as long as the commercial use does not exceed 50% of the floor area. Residential development is restricted to 303 dwelling units on the City's Plan (46 d.u./ac).**

- F. Maximum allowable development per local government land use plans under existing designation for the site, including square footage for each non-residential use and/or dwelling unit count.

**The City establishes a maximum intensity by limiting the height of building in Commercial land use category as follows:**

- **105 feet with 60% floor area coverage**

**Therefore, the maximum allowable development for the existing designation is 1,724,976 square feet (43,560 sq. ft. x 60% = 26,136 sq. ft. x 6.6 ac = 172,497.6 sq. ft. x 10 floors = 1,724,976 square feet).**

- G. Indicate if the amendment is part of a larger development project that is intended to be developed as a unit such as a site plan, plat or DRI. If so, indicate the name of the development; provide the site plan or plat number, provide a location map; and, identify the proposed uses.

**The amendment is not part of a larger development project.**

VI. ANALYSIS OF PUBLIC FACILITIES AND SERVICES

The items below must be addressed to determine the impact of an amendment on existing and planned public facilities and services. Provide calculations for each public facility and/or service. If more than one amendment is submitted, calculations must be prepared on an individual and cumulative basis.

B. Sanitary Sewer Analysis

1. Identify whether the amendment site or a portion is currently and/or proposed to be serviced by septic tanks.

**The amendment site is not currently or proposed to be served by septic tanks.**

2. Identify the sanitary sewer facilities serving the amendment site including the current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.

<b>TABLE 3 SANITARY SEWER DEMAND AND CAPACITY Broward County North Regional Waste Water Treatment Plant</b>	
Plant Capacity	95.00 MGD
Current + Committed Plant Demand	71.62 MGD
Planned Plant Capacity	95.00 MGD
Source: Water Wastewater Div. Letter May 20, 2014	

3. Identify the net impact on sanitary sewer demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot\* or dwelling unit.

<b>TABLE 4 SANITARY SEWER IMPACT</b>			
	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft.	x .1 GPD per sq. ft.	= 172,498 GPD
Proposed	High Res. 303 d.u.	x 250 GPD per d.u.	= 75,750 GPD
	Commercial 10,000 sq. ft.	x .1 GPD per sq. ft.	= 1,000 GPD
<b>change</b>			<b>- 95,748 GPD</b>

Source: Broward County LDC Sec. 5-182 (g); Broward County Sanitary Sewer Element Table 10

4. Identify the projected plant capacity and demand for the short and long range planning horizons as identified within the local government's adopted comprehensive plan. Provide demand projections and information regarding planned plant capacity expansions including year, identified funding sources and other relevant information.

<b>TABLE 5 PROJECTED PLANT CAPACITY &amp; DEMAND – SANITARY SEWER Broward County North District Regional Wastewater Treatment Plant</b>		
	<b>2015</b>	<b>2025</b>
Projected Plant Capacity	95.00 MGD	95.00 MGD
Projected Plant Demand	84.02 MGD <sup>(1)</sup>	93.4 MGD
Planned Plant Expansions	None.	
Funding Sources	Not applicable.	
Source: Letter from Broward County Water & Wastewater dated 04/21/2014		

(1) The short-term projected plant demand for the NRWWTP is 84.02 MGD, which was interpolated based upon the Broward County Water & Wastewater Engineering Division's current plant demand (81.20 MGD <sup>(a)</sup>) and the projected long-term (93.4 MGD <sup>(b)</sup>).

(a) Source: Letter from Broward County Water & Wastewater dated 07/09/12

(b) City's Comprehensive Plan projected 2025 demand.

5. Correspondence from sewer provider verifying information submitted as part of the application on items 1-4. Correspondence must contain name, position and contact information of party providing verification.

**See Appendix II: Sanitary Sewer Correspondence and below:**

**Name:** Mario Manrique  
**Agency:** Broward County Dpt.of Public Works and Transportation -  
 Water & Wastewater Eng. Div.  
**Ph:** 954-831-0926 Fax : 954-831-0925  
**Address:** 2555 W. Copans Road, Pompano Bch, 33069

C. Potable Water Analysis

1. Data & analysis demonstrating that sufficient supply of potable water and related infrastructure will be available to serve the amendment site through the long-term planning horizon, including the nature, timing and size of the proposed water supply and related infrastructure improvements.

The City of Pompano Beach Water Treatment Plant provides potable water to the subject site. Potable water needs for current and future populations served by the Plant will be met through the long term. The average raw water withdrawal rate is approximately 14.6 MGD with a permit capacity of 17.75 raw MGD.

2. Identify the facilities serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and the South Florida Water Management District (SFWMD) permitted withdrawal, including the expiration date of the SFWMD permit.

<b>TABLE 6 PROJECTED PLANT CAPACITY &amp; DEMAND – POTABLE WATER City of Pompano Water Plant</b>	
Current Plant Capacity (Lime Softening Plant 40 MGD + Membrane Plant 10 MGD)	50.00 MGD
Current + Committed Plant Demand	13.1 MGD
SFWMD Permitted Withdrawal	17.75 MGD
Expiration Date of SFWMD Permit	Sept. 14, 2025

3. Identify the wellfield serving the service area in which the amendment is located including the permitted capacity, committed capacity, remaining capacity and expiration date of the permit.

The City owns and operates a water supply facility which provides potable water service to the amendment area. The South Florida Water Management District issued a Use of Water Permit No. 06-00070- W on September 14, 2005 to the City of Pompano Beach. Permitted capacity for the City of Pompano Beach wellfield is 19.4 MGD through 2010. Permitted capacity after 2010 is 17.75 MGD. The permit expires in September of 2025. As of August 10, 2010, the annual allocation shall not exceed of 6,478 million gallons.

4. Identify the net impact on potable water demand, based on adopted level of service resulting from the proposed amendment. Provide calculations, including anticipated demand per s.f.\* or d.u.

<b>TABLE 7 POTABLE WATER IMPACT</b>			
	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft	x .1 GPD per sq. ft	= 172,498 GPD
Proposed	High Res. 303 d.u.	x 1.5 pp x 100 GPD	= 45,450 GPD
	Commercial 10,000 sq. ft.	x .1 GPD per sq. ft.	= 1,000 sq. ft.
<b>change</b>			<b>- 126,048 GPD</b>

Source: Broward County LDC Sec. 5-182 (f)(2)

5. Identify the projected capacity and demand for the short and long range planning horizons as identified within the adopted comprehensive plan - provide demand projections and information regarding planned wellfield and planned plant capacity expansions including year, funding sources and other relevant information. If additional wellfields are planned, provide status including the status of any permit applications.

**The City of Pompano Beach Water Treatment plants have a combined designed capacity of 50.0 MGD with a current demand of 13.1 GPD. There are no plans for expansion at this time.**

6. Correspondence from potable water provider verifying the information submitted as part of the application on items 1-4 above. Correspondence must contain name, position and contact information of party providing verification.

**See Appendix III: Potable Water and below:**

**Name:** A. Randolph Brown, Director of Utilities  
Alessandra, City Engineer Delfico

**Agency:** City of Pompano Beach

**Ph:** 954-545-7043

**Address:** 1205 N.E. 5<sup>th</sup> Avenue, Pompano Beach, FL 33060

**D. Drainage Analysis**

1. Provide the adopted level of service standard for the service area in which the amendment is located.

**The City of Pompano Beach shall set and maintain the level of service standards, which shall be the minimum levels of service standards for drainage per South Florida Water Management District standards. (Source: Drainage Element Policy 06.03.01C)**

**25-Year Frequency**

**72-Hour Duration for allowable discharge**

**10-year frequency storm**

**24-hour duration for the minimum road crown elevation**

**100-year frequency storm**

**24-hour duration for minimum finished floor elevation**

2. Identify the drainage district and drainage systems serving the amendment area.

**The City of Pompano Beach is located within portions of three (3) drainage basins: the Coastal Basin; the Pompano Canal Basin; and, the C-14 East Basin. Three (3) primary canals provide major drainage flow for the City of Pompano Beach. The subject site is located within the Coastal Basin.**

**Generally, surface water drainage in the area is accomplished through swales, exfiltration trench and positive drainage connecting to the Intracoastal Waterway.**

3. Identify any planned drainage improvements, including year, funding sources and other relevant information.

**All improvements required to meet the adopted level of service will be installed in conjunction with new development.**

4. Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site. Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.

**A Basin Surface Water Management Plan has not been approved by the South Florida Water Management District for the amendment area.**

5. If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrated how the site will be drained and the impact on the surrounding properties. The information should include the wet season water level for the amendment site, design storm elevation, natural and proposed land elevation, one hundred year flood elevation, acreage for proposed water management retention area, elevations for buildings, roads and yards, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

**The area meets the adopted level of service. Development within the site will be required to meet the drainage standards of the City of Pompano Beach, Broward County Department of Planning and Environmental Protection, and the South Florida Water Management District. The subject site will meet the level of service when development of the site is complete.**

6. Correspondence from local drainage district verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.

**See Appendix IV: Drainage Correspondence and below:**

**Name:** Alessandra Delfico  
**Agency:** City of Pompano Beach  
**Position:** City Engineer  
**Ph:** 954-786-4144  
**Address:** 1201 N.E. 5<sup>th</sup> Avenue , Pompano Beach, FL 33061

E. Solid Waste

1. Provide the adopted level of service standard for the municipality in which the amendment is located.

**The adopted level of service standard for residential use is 8.9 pounds per unit per day.**

2. Identify the solid waste facilities serving the service area in which the amendment is located including the landfill/plant capacity, current plus committed demand on landfill/plant capacity, and planned landfill/plant capacity.

The City contracts with Waste Management, Inc., to collect and dispose of solid waste material and garbage within the City. The solid waste collected within the City is transported to the Monarch Hill Landfill located at 2700 Wiles Road, Pompano Beach, FL 33073 and the Wheelabrator North Plant.

**SOLID WASTE FACILITIES**

**Disposal Facilities:** Wheelabrator Waste-to-Energy Plants  
**Capacity:** 821,250 Tons/Year  
**Current + Committed Demand:** 500,000 Tons/Year  
**Expansions:** None planned

The City has also implemented a recycling program to reduce the quantity of solid waste. In 2005, the quantity of solid waste generated in the City was estimated at 397 tons per day based on the LOS of 7.8 pounds per person per day.

3. Identify the net impact on solid waste demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

<b>TABLE 8 SOLID WASTE IMPACT</b>			
	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft	X 4 lbs./100 sq. ft./day	= 68,999 Lbs/day
Proposed	High Res. 303 d.u.	X 8.9 Lbs/day	= 2,697 Lbs/day
	Commercial 10,000 sq. ft.	X 4 lbs./100 sq. ft./day	= 400 Lbs/day
		<b>change</b>	<b>- 65,902 Lbs/day</b>

4. Correspondence from the solid waste provider verifying that capacity is available to serve the amendment area the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

**See Appendix V: Solid Waste Correspondence and below:**

**Name:** John Albert  
**Agency:** Waste Management Inc. of Florida  
**Position:** Manager of Government Affairs  
**Ph:** 954-984-2000 Fax: 954-214-2473  
**Address:** 2700 Wiles Rd

F. Recreation and Open Space Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located and the current level of service.

**The adopted level of service for recreation and open space in the City is as follows:**

**Mini/Neighborhood: 2.0 acres/1,000 residents**  
**Community Parks: 1.0 acres/1,000 residents**  
**Urban Parks: 2.0 acres/1,000 residents**

**The adopted level of service for Broward County is 3 acres/1,000 residents.**

2. Identify the parks serving the service area in which the amendment is located including acreage and facility type, e.g. neighborhood, community or regional park.

**The parks and other spaces that serve the amendment site are provided below:**

Name	Type	Acreage
Indian Mound Park	Small Urban Open Space	1.0
Public Beach	Community	26.8
Fern Forest Nature Center	Regional*	10.0
Tradewinds	Regional*	10.0
Quiet Waters	Regional*	10.0
		<b>Total 57.8</b>

\*Per Broward County, local governments may credit 10% or 10 acres, whichever is less, toward their regional park acreage needs.

3. Identify the net impact on demand for park acreage, as defined by the Broward County Land Use Plan, resulting from this amendment.

<b>TABLE 9 RECREATION &amp; OPEN SPACE IMPACT</b>			
	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft	n/a	0 acres
Proposed	High Res. 303 d.u.	X 1.5 pp x .003	= 1.4 acres
	Commercial 10,000 sq. ft.	n/a	n/a
<b>change</b>			<b>+ 1.4 acres</b>

4. Identify the projected park needs for the short and long range planning horizons as identified within the adopted comprehensive plan – provide need projections and information regarding planned expansions including year, identified funding sources, and other relevant information.

<b>TABLE 10 PARK NEEDS</b>			
<b>Planning Horizon</b>	<b>Population<sup>(1)</sup></b>	<b>Required*</b>	<b>Available<sup>(2)</sup></b>
2015 (short)	103,977	x .003 = 312 acres	486.6
2030 (long)	113,731	x .003 = 341 acres	486.6
<small>*Broward County Parks Requirement (3 ac/1,000 pop)                      (1) Broward County Population Forecasts, Broward County Planning and Environ.I Regulation Div. July 12, 2012                      (2) City Letter dated 5.4.2010</small>			

G. Traffic Circulation Analysis

1. Identify the roadways impacted by the proposed amendment and indicate the number of lanes, current traffic volumes, adopted level of service and current level of service for each roadway.

<b>TABLE 11 EXISTING ROADWAY CONDITIONS</b>							
<b>ROADWAYS</b>	<b>LANES</b>	<b>AADT</b>			<b>Peak Hour</b>		
		Capacity	Volume	LOS	Capacity	Volume	LOS
<b>NORTH-SOUTH</b>							
SR A1A							
North of Pine Ave	2	15,200	18,600	F	1,480	1,670	F
North of Atlantic Blvd	2	16,500	12,100	C	1,600	1,160	C
<b>EAST-WEST</b>							
Atlantic Boulevard							
East of US1	4	28,200	28,000	D	2,730	2,520	D

Source: Roadway Level of Service Analysis '09/'35

2. Identify the projected level of service for the roadways impacted by the proposed amendment for the short (5 year) and long range planning horizons. Utilize average daily and p.m. peak hour traffic volumes per Broward County Metropolitan Planning Organization plans and projections.

TABLE 12 PROJECTED ROADWAY CONDITIONS, SHORT-TERM (2017)							
ROADWAYS	LANES	AADT			Peak Hour		
		Capacity	Volume <sup>1</sup>	LOS	Capacity	Volume <sup>2</sup>	LOS
NORTH-SOUTH							
SR A1A							
North of Pine Ave	2	15,200	20,338	F	1,480	1,932	F
North of Atlantic Blvd	2	16,500	13,277	C	1,600	1,568	
EAST-WEST							
Atlantic Boulevard							
East of US1	4	28,200	29,382	D	2,730	2,679	D

Source: Roadway Level of Service Analysis '09/'35;  
<sup>1</sup>Interpolation Leigh Robinson Kerr & Associates, Inc.  
<sup>2</sup>Factor of .095 to convert daily volumes to peak-hour

TABLE 13 PROJECTED ROADWAY CONDITIONS, LONG -TERM (2035)							
ROADWAYS	LANES	AADT			Peak Hour		
		Capacity	Volume	LOS	Capacity	Volume*	LOS
NORTH-SOUTH							
SR A1A							
North of Pine Ave	2	15,200	24,247	F	1,480	2,303	F
North of Atlantic Blvd	2	16,500	15,924	D	1,600	1,512	D
EAST-WEST							
Atlantic Boulevard							
East of US1	4	28,200	32,793	F	2,730	3,115	F

Source: Roadway Level of Service Analysis '09/'35  
 \*Factor of .095 to convert daily volumes to peak-hour

3. Planning Council staff will analyze traffic impacts resulting from the amendment. You may provide a traffic impact analysis for this amendment - calculate anticipated average daily and p.m. peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the amendment site and provide a distribution of the additional traffic on the impacted roadway network and identify the resulting level of service change for the short (5 year) and long range planning horizons.

<b>TABLE 14</b>			
<b>TRAFFIC IMPACT</b>			
	<i>Use (Use Code)</i>	<i>Qty</i>	<i>Total <sup>1</sup></i>
Current	Commercial (820)	1,724,976 sq. ft.	= 6,400 trips/day
Proposed	High Res. 303 d.u. (232) Commercial (820)	303 High Rise du 10,000 sq. ft.	= 115 trips/day = 128 trips/day
<b>change</b>			<b>- 6,157 trips/day</b>

<sup>1</sup> P.M. peak hour

4. Provide any transportation studies relating to this amendment, as desired.

**No additional transportation studies are presented at this time.**

H. Mass Transit Analysis

1. Identify the mass transit modes, existing and planned mass transit routes and scheduled service (headway) serving the amendment area within one-quarter of a mile.

**Broward County Transit Route 11 serves the subject site along A1A. In addition, the City's Community Bus "Green Route" serves the site along A1A.**

<b>TABLE 15</b>			
<b>MASS TRANSIT ROUTES</b>			
<b>Route</b>	<b>Coverage</b>	<b>Weekday Headways</b>	<b>Weekend Headways</b>
11	A1A	30 min. headways	Sat: 30 min. headways Sun: 45 min. headways

2. Quantify the change in demand resulting from this amendment.

<b>TABLE 16 CHANGE IN MASS TRANSIT DEMAND</b>			
Current: Commercial 1,724,976 sq. ft	6,400 trips	X 1.64%	105 Trips <sup>1</sup>
Proposed: High Res. 303 d.u.	115 trips	X 1.64 %	2 Trips <sup>1</sup>
Commercial 10,000 sq. ft.	128 trips	X 1.64 %	2 Trips <sup>1</sup>
<b>change</b>			<b>-101 Trips</b>

Source: Broward County Transportation Element Table 3-42

<sup>1</sup> P.M. peak hour

3. Correspondence from transit provider verifying the information submitted as part of the application on items 1-2 above. Correspondence must contain name, position and contact information of party providing verification.

See **Appendix VI: Mass Transit Correspondence** and below:

**Name:** John Ramos  
**Agency:** Broward County Transit Division  
**Position:** Senior Planner  
**Ph:** 954-357-8450 **Fax:** 954-978-1189  
**Address:** 1101 Park Central South #3500, Pompano Beach  
 33064

4. Describe how the proposed amendment furthers or supports mass transit use.

**The proposed land use designation will support the utilization of mass transit by developing along and near roadways which are currently served by mass transit services.**

VII. ANALYSIS OF NATURAL AND HISTORIC RESOURCES

Indicate if the site contains, is located adjacent to or has the potential to impact any of the natural and historic resource(s) listed below, and if so, how they will be protected or mitigated. Planning Council staff will request additional information from Broward County regarding the amendment's impact on natural and historic resources.

- A. Historic sites or districts on the National Register of Historic Places or locally designated historic sites.

**A review of the Records of the Florida Department of State, Division of Historical Resources, Broward County Historical Commission and the City of Pompano Beach Comprehensive Plan indicates that no natural or historical resources are located on or adjacent to the site.**

- B. Archaeological sites listed on the Florida Master Site File.

**A review of the Records of the Florida Department of State, Division of Historical Resources, Broward County Historical Commission and the City of Pompano Beach Comprehensive Plan indicates that no archeological sites are located on or adjacent to the site.**

- C. Wetlands

**There are no known wetlands within the amendment site.**

- D. Local Areas of Particular Concern as Identified within the Broward County Land Use Plan.

**There are no known LAPCs within the amendment site.**

- E. Priority Planning Area map and Broward County Land Use Plan Policy A.03.05 regarding sea level rise.

**The Broward County Priority Planning Areas for Sea Level Rise Map was reviewed. The amendment site is not located within a Priority Planning Area.**

- F. "Endangered" or "threatened species" or "species of special concern" or "commercially exploited" as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

**There are no endangered or threatened species or species of special concern known to inhabit the subject site.**

- G. Plants listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services.

**There are no plants listed on the Regulated Plant Index known to inhabit the site.**

- H. Wellfields – Indicate whether the amendment is located within a wellfield protection zone of influence as defined by Broward County Code, Chapter 27, Article 13 “Wellfield Protection.” If so, specify the protected zone and any provisions, which will be made to protect the wellfield

**The subject site is not located within a wellfield zone.**

- I. Soils – Describe whether the amendment will require the alteration of soil conditions or topography. If so, describe what management practices will be used to mitigate the area’s natural features

**Development resulting from this amendment will not require the alteration of soil conditions or topography other than typical construction activity. No special soil conditions exist on site that would affect the land development activity.**

- J. Beach Access – Indicate if the amendment is ocean-front. If so, describe how public beach access will be addressed.

**The portion of the subject site located east of SRA1A is ocean-front. There are 16 access points via street and private property rights-of-way along the entire length of the City’s beach with the exception of the northern 2,500 feet. The below table provides the location of each access point with information on existing features, including those nearest to the subject site.**

Access Point	Spacing	Amenities
Wahoo Bay Bridge Park	400'	Lighted walk to wooden bridge (scenic view)
North Ocean Park (NE 16th Street)	1,050'	Restrooms, picnic tables & pavilions *
NE 13th Street	1,000'	*
NE 10th Street	410'	Trash receptacles & shower
Sea Point Condos	100'	
Admiralty Towers	1,575'	Chain link fence and gate w/posted hours
Silver Thatch Ocean Club	430'	Concrete walkway & trash receptacle
Main Public Beach	520'	Restrooms, picnic tables, pavilions & pier *

SE 2nd Street	500'	*
SE 4th Street	500'	*
SE 6th Street	350'	*
SE 8th Street	1,250'	*
SE 12th Street	575'	*
Criterion Condos	1,100'	Paved concrete walkway
Renaissance (North)	530'	Stairs
Renaissance (South)		Stairs

Source: City of Pompano Beach Comp. Plan Coastal Element Table 4

Notes: Spacing is lineal distance to next access location.

\* with parking, bench, shower & trash receptacles.

**Refer to Exhibit E which depicts beach access locations. Access points labeled as "Criterion Condominiums", "Renaissance (North)", and "Renaissance (South)" are located very near the subject site and will provide the public with access to the beach in the vicinity of the subject site.**

VIII. AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 1.07.07.

**The City of Pompano Beach has a variety of affordable housing policies and programs which meet Broward County Land Use Plan Policy 1.07.07.**

IX. LAND USE COMPATIBILITY

Describe how the amendment is consistent with existing and planned future land uses in the area (including adjacent municipalities and/or county jurisdictions). Identify specific land development code provisions or other measures that have or will be utilized to ensure land use compatibility.

**The subject site is currently designated Commercial on the City Land Use Plan. The proposed designation is High Residential. The proposed land use is compatible with the surrounding uses as depicted in the below table.**

	Land Use	Existing Site Use
North	Commercial	Residential Condo
South	High (25-46)	Residential Condo
West	Water	Intracoastal Waterway
East	N/A	Public Beach

X. HURRICANE EVACUATION ANALYSIS

(Required for amendments located in a hurricane evacuation zone as identified by the Broward County Emergency Management Agency). Provide a hurricane evacuation analysis based on the proposed amendment, considering the number of permanent and seasonal residential dwelling units (including special residential facilities) requiring evacuation, availability of hurricane shelter spaces, and evacuation routes and clearance times. The hurricane evacuation analysis shall be based on the best available data/modeling techniques as identified by the Broward County Emergency Management Agency.

**The subject site is located in Hurricane Evacuation Zone A which includes areas east of the Intracoastal Waterway, typically a category 1-2 hurricane.**

**Hurricane shelters are provided throughout the County. Pompano Beach High School is located approximately two miles to the north west of the subject site and is a designated hurricane shelter. Refer to Appendix VII: Hurricane Evacuation Routes & Shelters.**

**The 2006 South Florida Regional Hurricane Evacuation Traffic Study is a research document prepared to enhance and update the South Florida Regional Hurricane Evacuation Model for Broward, Miami-Dade and Monroe Counties, and to provide technical data to DCA and other South Florida partners.**

**The updated regional hurricane evacuation model was prepared with a set of six baseline scenarios based on three levels of storm events (Categories 1-2, Category 3 and Categories 4-5) for both low and high tourist occupancy. The baseline data and the behavioral assumptions incorporated into these six scenarios represent the best available data. Each of these six baseline scenarios produced an estimate of the number of evacuating people and vehicles in the three counties in accordance with destination choices inside and outside of the region for a storm requiring the simultaneous evacuation of all three counties. In addition, the traffic modeling carried out in the Study identified critical links in the regional roadway network for each baseline scenario, and a clearance time was calculated for each of those critical links.**

**The following underscores the study's findings as it relates to Broward County and the vicinity of the subject site.**

***ESTIMATES OF THE NUMBER OF EVACUATING PEOPLE AND VEHICLES, THEIR DESTINATIONS, AND SHELTER/HOTEL CAPACITIES.***

**The 2006 study estimates evacuation destinations for Broward County evacuees as follows:**

- 50% evacuate out of the region,
- 45% evacuate to a Broward County residence
- 5% evacuate to a Broward County hotel.

Table 20 depicts this trend as it is evident in the table that the majority of evacuees in Broward County stay close to home and travel to the home of a friend or relative following the “shelter in place” philosophy emphasized by Broward County.

TABLE 17 TOTAL EVACUATING VEHICLES BY SCENARIO TO EVACUATION DESTINATION BROWARD COUNTY						
Destination	Scenario					
	1A	1B	2A	2B	3A	3B
Shelter	2,637	2,694	7,624	7,687	17,341	17,471
Hotel	11,490	13,305	15,396	17,146	19,035	20,510
Local friend/ relative	88,150	95,033	125,834	133,456	146,016	154,389

Scenario Definitions

1A Category 1-2 Storm Conditions with Low Tourist Occupancy  
 1B Category 1-2 Storm Conditions with High Tourist Occupancy  
 2A Category 3 Storm Conditions with Low Tourist Occupancy  
 2B Category 3 Storm Conditions with High Tourist Occupancy  
 3A Category 4-5 Storm Conditions with Low Tourist Occupancy  
 3B Category 4-5 Storm Conditions with High Tourist Occupancy

Source: 2006 South Florida Regional Hurricane Evacuation Traffic Study Table 30

TABLE 18 TOTAL EVACUATING PEOPLE BY SCENARIO BROWARD COUNTY					
Scenario					
1A	1B	2A	2B	3A	3B
219,402	227,723	312,270	320,177	391,293	400,640

Source: 2006 South Florida Regional Hurricane Evacuation Traffic Study Table 31

Table 22 outlines the public shelter demand and capacity for Broward County. In the worst case scenario (3B) public shelter demand does not exceed the shelter space available in Broward County.

<b>TABLE 19</b>					
<b>TOTAL PUBLIC SHELTER DEMAND (PEOPLE) BY SCENARIO AND CAPACITY (PEOPLE) - BROWARD COUNTY</b>					
<b>Scenario</b>					
<b>1A</b>	<b>1B</b>	<b>2A</b>	<b>2B</b>	<b>3A</b>	<b>3B</b>
5,538	5,621	15,731	15,820	36,304	36,493
Total Shelter Capacity		37,135			
Source: 2006 South Florida Regional Hurricane Evacuation Traffic Study Table 32 and 33					

Table 23 outlines the hotel room demand and capacity for Broward County. Adequate hotel rooms exist to absorb arriving evacuees.

<b>TABLE 20</b>					
<b>TOTAL HOTEL DEMAND (PEOPLE) BY SCENARIO AND CAPACITY (PEOPLE) - BROWARD COUNTY</b>					
<b>Scenario</b>					
<b>1A</b>	<b>1B</b>	<b>2A</b>	<b>2B</b>	<b>3A</b>	<b>3B</b>
20,766	23,699	28,956	30,785	39,169	41,620
Total Hotel Capacity		34,615			
Source: 2006 South Florida Regional Hurricane Evacuation Traffic Study Table 34					

**CRITICAL LINKS AND CLEARANCE TIMES**

An analysis of the traffic congestion and traffic conditions created under each baseline scenario was generated using a traffic model results. The results enable an understanding of how traffic congestion patterns change across the baseline scenarios by coding all roadways in the region according to their clearance times. The total roadways coded with 12-24 hour and more than 24 hour clearance times is greatest under the 3B scenario.

The study utilized a critical link analysis to present clearance times for a regional hurricane evacuation and to determine final clearance times. It calculates the volume to capacity ratio, in hours, on selected critical links. Each county's critical link with the highest volume to capacity ratio determines the final clearance time for that county.

The below table presents the critical links identified in Broward County. The "Atlantic Boulevard Bridge over Intracoastal" link is nearest the subject site. The N.E. 14<sup>th</sup> Street Bridge is approximately one mile north of Atlantic Boulevard.

Link	Scenario					
	1A	1B	2A	2B	3A	3B
Hallandale Bch Blvd bridge over Intracoastal	5.8	5.7	5.0	5.2	5.4	5.9
Hollywood Blvd bridge over Intracoastal	4.6	4.7	4.7	4.8	4.6	4.7
Sunrise Blvd bridge over Intracoastal	4.5	4.8	4.6	4.8	4.5	4.7
Oakland Park Blvd bridge over Intracoastal	5.4	5.7	5.4	5.7	5.4	5.7
<b>NE 14<sup>th</sup> Street bridge over Intracoastal</b>	<b>4.0</b>	<b>4.1</b>	<b>4.1</b>	<b>4.1</b>	<b>4.1</b>	<b>4.2</b>
Hillsboro bridge over Intracoastal	4.3	4.4	4.4	4.4	4.4	4.5
<b>Atlantic Blvd bridge over Intracoastal</b>	<b>4.7</b>	<b>4.7</b>	<b>4.6</b>	<b>4.7</b>	<b>4.6</b>	<b>4.6</b>
SE 17 <sup>th</sup> Street bridge over Intracoastal	4.4	4.7	5.0	5.2	5.0	5.3
E. Commercial Blvd bridge over Intracoastal	5.9	6.1	6.1	6.2	6.0	6.2
Sheridan Street bridge over Intracoastal	3.7	3.7	4.0	3.9	3.7	4.1
Dania Bch Blvd bridge over Intracoastal	3.2	3.4	3.5	3.8	4.2	3.7
Las Olas bridge over Intracoastal	3.7	3.9	3.0	3.2	3.0	3.2
Source: 2006 South Florida Regional Hurricane Evacuation Traffic Study Table 36						

\*The **clearance times** shown represent the traffic volume-to-roadway capacity ratio, in hours, for each specified critical link. These times are mutually exclusive and are not cumulative. Under each hurricane evacuation scenario, each county's overall clearance time is defined as the number of hours it takes total evacuating vehicles to traverse that county's most limiting critical link (the critical link with the highest volume-to-capacity ratio). For the regional roadways, clearance time is the amount of time it takes the total evacuating vehicles on each regional roadway to exit the region under each hurricane evacuation scenario.

**Broward County's overall clearance time is 6.2 hours under the worst case scenario modeled, scenario 3B. Scenario 3B is designed to represent the simultaneous directed evacuation of all three counties under Category 4-5 storm conditions. It reflects an evacuation shaped by each county's current hurricane evacuation policies. Under Category 4-5 storm conditions, emergency management officials would direct these areas to evacuate. The 3B scenario also assumes a simultaneous evacuation of all unit types in Monroe County.**

**SUMMARY**

Based upon the information provided above, Broward County maintains adequate shelter and hotel space for evacuating residents under all scenarios, including the worst case scenario 3B. The Atlantic Boulevard Bridge critical link is within one mile of the subject site with an evacuation time of 4.6 to 4.7 hours. The 14<sup>th</sup> Street Bridge critical link is approximately two miles from the subject site with an evacuation time of 4.0 to 4.2 hours. Both links have evacuation times that are less than the overall Broward County evacuation time of 6.2 hours.

The proposed land use will generate a maximum of 303 dwelling units with a

**maximum of 455 residents. Based upon the destination choices/percentages indicated in the Study, 228 (50%) of the residents generated would evacuate out of the region, 205 would evacuate to a friend/relative residence within Broward County, and 22 would evacuate to a hotel.**

**Based upon the Study, the applicant believes the land use change would have a minimal impact on hurricane evacuation and would not increase evacuation times in Broward County and the region.**

XI. REDEVELOPMENT ANALYSIS

Indicate if the amendment is located in an identified Redevelopment (i.e., Community Redevelopment Agency, Community Development Block Grant) area. If so, describe how the amendment will facilitate redevelopment and promote approved redevelopment plans.

**The amendment site is not located within a CRA.**

XII. INTERGOVERNMENTAL COORDINATION

Indicate whether the proposed amendment site is adjacent to other local governments. If so, please provide additional copies for the notification and/or review by adjacent local governments.

**The subject site is not located adjacent to other local governments.**

XIII. CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES OF THE COUNTY LAND USE PLAN

**POLICY A.01.01** - Provide a range of housing opportunities and choices, including those in the "medium" to "high" densities where compatible with the physical location and services needs of residents in all age and income groups.

**RESIDENTIAL USES:**

**OBJECTIVE 1.01.00 RESIDENTIAL DENSITIES AND PERMITTED USES IN RESIDENTIAL AREAS** - Accommodate the projected population of Broward County by providing adequate areas on the Future Broward County Land Use Plan Map (Series) intended primarily for residential development, but which also permit those non-residential uses that are compatible with and necessary to support residential neighborhoods.

**POLICY 1.01.01** - Residential areas shall be designated on the future Broward County Land Use Plan Map (Series) consistent with those categories identified within the Residential Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan. The categories limit

the maximum number of dwelling units that can be built in any designated residential area.

**POLICY 1.01.02** Permit those land uses within designated residential areas which are identified in the Residential Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan.

**OBJECTIVE 1.03.00 CORRELATION OF RESIDENTIAL DENSITIES WITH TRANSPORTATION FACILITIES** - Correlate the impacts of residential development with the regional roadway network of Broward County and all existing and planned transit facilities to ensure the adequacy and safety of all transportation facilities.

**POLICY 1.03.02** Residential densities in the Medium High and High ranges should be located with adequate access to major and minor arterials, expressways and mass transit routes.

**OBJECTIVE 8.03.00 EFFICIENT USE OF URBAN SERVICES** - Discourage urban sprawl and encourage a separation of urban and rural land uses by directing new development into areas where necessary regional and community facilities and services exist.

**LAND USE AND TRANSPORTATION:**

**GOAL 12.00.00** - COORDINATE TRANSPORTATION AND LAND USE PLANNING ACTIVITIES TO ENSURE ADEQUATE FACILITIES AND SERVICES ARE AVAILABLE TO MEET THE EXISTING AND FUTURE NEEDS OF BROWARD COUNTY'S POPULATION AND ECONOMY.

**POLICY 12.01.04** - Broward County and its local governments shall consider the individual and cumulative impacts of land use plan amendments on the existing and planned transportation facilities within the County.

XIV. CONSISTENCY WITH GOALS, OBJECTIVES, AND POLICIES OF THE CITY LAND USE PLAN

**POLICY 01.01.05**

Review proposals for new development to identify the cumulative impacts of the proposed development on public services and facilities.

**POLICY 01.03.05**

All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

**POLICY 01.03.06**

Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

**POLICY 01.03.10**

Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.

**POLICY 01.03.11**

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezoning's.

**POLICY 01.03.12**

The following criteria may be used in evaluating rezoning requests:

1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and
7. Proximity to mass transit.

**POLICY 01.16.01**

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

XV. **POPULATION PROJECTIONS**

- A. Population projections for the 20 year planning horizon (indicate year).

Year	Population
2015 (short)	103,977
2040 (long)	116,448
Source: Broward County Planning & Environmental Regulation Division, July 2012	

- B. Population projections resulting from proposed land use (if applicable).

**303 dwelling units x 1.5 pop/du = 455 people**

- C. Using population projections for the 20 yr planning horizon, demonstrate the effect of the amendment on the land needed to accommodate projected population.

**The proposed amendment will help provide additional housing opportunities to serve the city's current and future population.**

XVI. ADDITIONAL SUPPORT DOCUMENTS

- A. Other support documents or summary of support documents on which the proposed amendment is based.

**N/A.**

- B. Any proposed voluntary mitigation or draft agreements.

**N/A.**

XVII. PUBLIC EDUCATION ANALYSIS

Please be advised that the Planning Council staff will request from the Broward County School Board an analysis of the impacts of the amendment on public education facilities as indicated below. Please note that as per the School Board of Broward County Policy 1151, the applicant will be subject to a fee for the review of the application. The applicant is encouraged to contact the School Board staff to discuss these issues as soon as possible.

- A. Identify the existing public elementary and secondary education facilities serving the area in which the amendment is located.

**Elementary: McNab Elementary**  
**Middle: Pompano Beach Middle**  
**High School: Blanche Ely High**

- B. Identify the existing school enrollment and permanent design capacity of the public elementary and secondary education facilities serving the area.

School	Benchmark Enrollment	Gross Capacity	Over + Under -
<b>McNab Elementary</b>	<b>686</b>	<b>695</b>	<b>-9</b>
<b>Pompano Beach Middle</b>	<b>1,051</b>	<b>1,235</b>	<b>-184</b>
<b>Blanche Ely High</b>	<b>2,084</b>	<b>3,639</b>	<b>-1,555</b>
Source: School Board of Broward County Planning Toll for School Enrollment and Capacity March 27, 2014			

- C. Identify the additional student demand resulting from this amendment - calculations must be based on applicable student generation rates specified in the Broward County Land Development Code.

<b>TABLE 22 SCHOOL IMPACT</b>			
	Elementary	Middle	High
Current: Commercial 1,724,976 s.f.	N/A	N/A	N/A
Proposed: High Res. 303 d.u.	X .002 = .6	X .001- .3	X .001- .3
Commercial 10,000 s.f.	N/A	N/A	N/A
	+ 1 students	+1 students	+ 1 students
<b>Total students = + 3 students</b>			

- D. Identify the planned and/or funded improvements to serve the area in which the amendment is located as included within the School Board’s five year capital plan - provide student demand projections and information regarding planned permanent design capacities and other relevant information.

**The School District’s Tentative District Educational Facilities Plan 11/12-15/16 shows no planned capacity improvements for the schools serving the subject site.**

- E. Identify other public elementary and secondary school sites or alternatives (such as site improvements, nominal fee lease options, shared use of public space for school purposes etc.), not identified in Item #4 above, to serve the area in which the amendment is located.

**Applicant will pay school impact fees.**

**XVIII. PLAN AMENDMENT COPIES**

- A. 15 copies for the BCPC (Please include additional copies, if amendment site is adjacent to other municipalities and/or county jurisdictions). Additional copies may be requested by the Planning Council Executive Director after the initial application submittal.

**To be provided with transmittal.**

- B. 10 copies of the corresponding local land use plan amendment application, if transmitting concurrent to DCA, including transmittal letter from municipality to DCA.

**To be provided with transmittal.**

## APPENDIX

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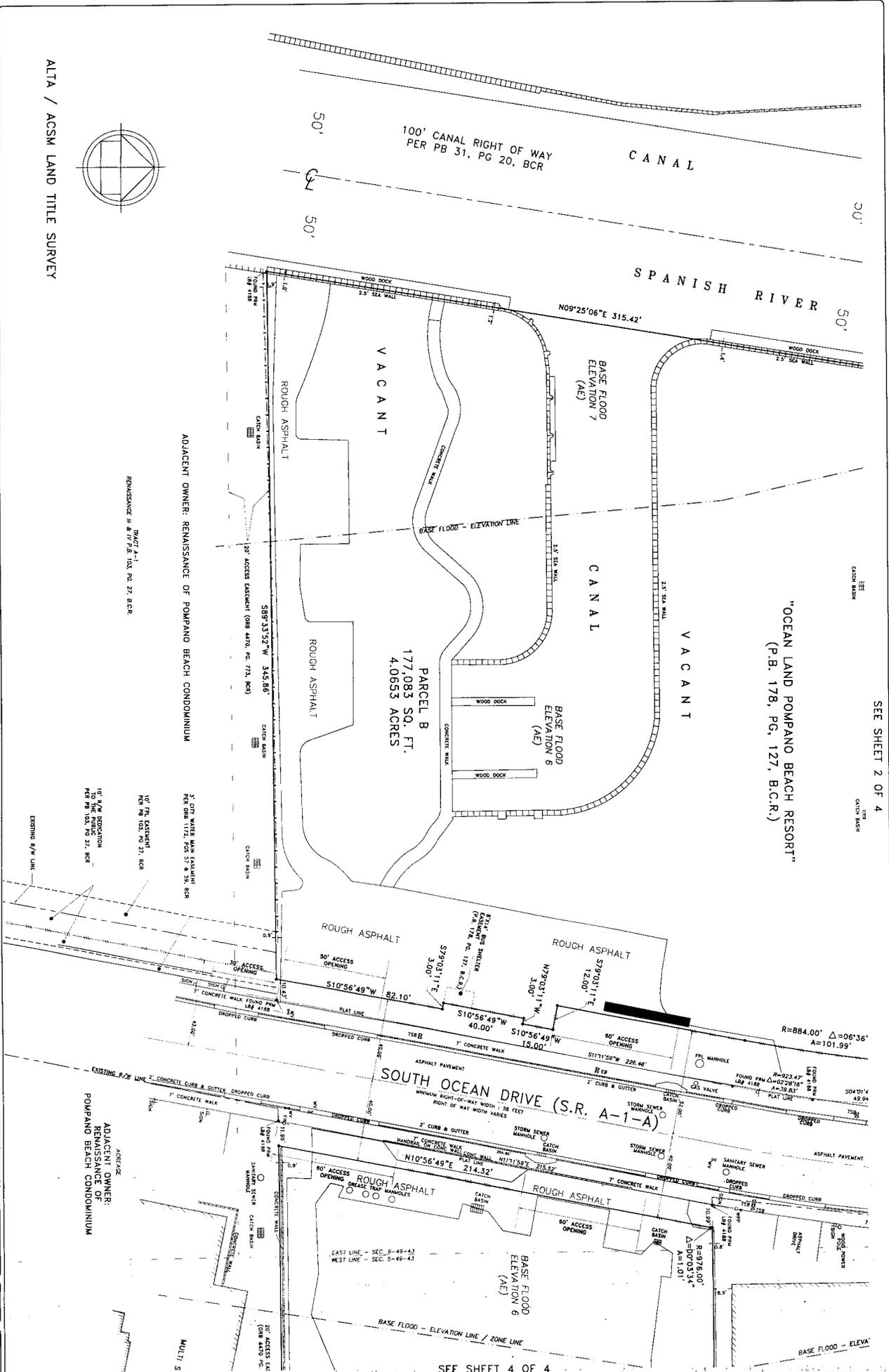
Legal Description	I
Sanitary Sewer Correspondence	II
Potable Water Correspondence	III
Drainage Correspondence	IV
Solid Waste Correspondence	V
Mass Transit Correspondence	VI
Hurricane Evacuation Routes & Shelters	VII

**APPENDIX I**  
Legal Description/Survey

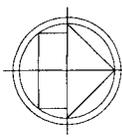




"OCEAN LAND POMPADNO BEACH RESORT"  
(P.B. 178, PG. 127, B.C.R.)



ALTA / ACSM LAND TITLE SURVEY



**COUSINS SURVEYORS & ASSOCIATES, INC.**  
3921 SW 47TH AVENUE, SUITE 1011  
DADE COUNTY, FLORIDA 33314  
CERTIFICATE OF SURVEY NO. 19,864,448  
PHONE (305)985-7180 FAX (305)985-7799

CLIENT:  
UNION TITLE SERVICES, INC.

1350 SOUTH OCEAN DRIVE  
POMPANO BEACH, FLORIDA

DATE: 11/17/11  
PROJECT NO.: 2876-99  
SHEET NO.: 3 OF 4

DATE: 11/17/11  
PROJECT NO.: 2876-99  
SHEET NO.: 3 OF 4

DATE: 11/17/11  
PROJECT NO.: 2876-99  
SHEET NO.: 3 OF 4

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SHEET NO.: 3 OF 4

DATE: 11/17/11  
PROJECT NO.: 2876-99  
SHEET NO.: 3 OF 4



**APPENDIX II**  
Sanitary Sewer Correspondence



Public Works Department - Water and Wastewater Services  
**WATER AND WASTEWATER ENGINEERING DIVISION**  
2555 West Copans Road • Pompano Beach, Florida 33069 • 954-831-0745 • FAX 954-831-0798/0925

April 21, 2014

via e-mail to: [kray808@bellsouth.net](mailto:kray808@bellsouth.net)

Ms. Kelly Ray, Planner  
Leigh Robinson, Kerr & Associates, Inc.  
808 East Las Olas Blvd., Suite 104  
Fort Lauderdale, FL 33301

**RE: ABILITY TO PROVIDE WASTEWATER SERVICE TO  
WH POMPANO LP**

Dear Ms. Ray:

Reference is made to your April 7, 2014 letter regarding the ability of Broward County Water & Wastewater Services (WWS) to provide wastewater services to the referenced development located within the City of Pompano Beach service area.

Nothing in this letter reserves capacity for the referenced development.

### **WASTEWATER TREATMENT**

The referenced development's wastewater will be treated at North Regional Wastewater Treatment Plant (NRWWTP).

The referenced development is expected to decrease wastewater demand from its current land use potential of 0.173 MGD to 0.076 MGD, for a decrease of 0.097 MGD average day demand. The level of service standard for wastewater treatment plants is average day flow. There is currently no existing wastewater demand from these properties with a total of approximately 6.60 acres.

### **TREATMENT PLANT**

As of February 2014, the one-year average day flow for the NRWWTP was 70.00 MGD and committed capacity was 1.37 MGD average day flow, for a total of 71.37 MGD. Committed

Ms. Kelly Ray  
April 21, 2014  
Page 2 of 2

capacity means capacity for which construction permits have already been signed but the development is not yet generating demand.

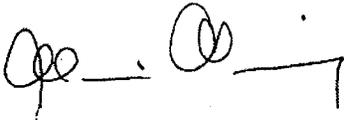
The NRWTPs permitted capacity is 95.00 MGD. Current available treatment plant capacity is 23.63 MGD (95.00 – 71.37).

### **WASTEWATER COLLECTION SYSTEM**

The referenced development is within the service area of the City of Pompano Beach. Please contact them for information on the ability of their wastewater collection system piping to provide the required level of service.

Please contact me at (954) 831-0968 or [mmanrique@broward.org](mailto:mmanrique@broward.org) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mario Manrique', with a horizontal line extending to the right.

Mario Manrique  
Engineer II

MM/bad

cc: Steven W. Uhrick, P.E., Planning and Development Manager  
File: Rezoning and Land Use Plan Amendments

Leigh Robinson Kerr  
& Associates, Inc.

Member, American Institute of Certified Planners

April 15, 2014

**Alicia Dunne, E.I.**

Broward County Department of Public Works and Transportation  
Water and Wastewater Engineering Division  
2555 West Copans Road  
Pompano Beach, FL 33069

**Re: WH Pompano Land Use Plan Amendment – Sanitary Sewer**

Ms. Dunne:

My office is preparing an application for a land use plan amendment to the City of Pompano Beach's Comprehensive Plan. As you are aware, we are required to assess the impacts of the proposed amendment and confirm the effect on Sanitary Sewer.

We previously submitted this analysis for your review but since that time the application has been revised to include 10,000 square feet of commercial use. I would appreciate your review of the materials and a written response concerning the accuracy of this information. Please provide me with your response at your earliest convenience.

Thank you for your assistance in this matter.

Sincerely,



Kelly Ray  
Planner

Enclosures

---

• Planning • Zoning • Land Use • Expert Testimony •

808 East Las Olas Boulevard, Suite 104, Fort Lauderdale, Florida 33301

Phone (954) 467-6308 Fax (954) 467-6309

lkerr808@bellsouth.net

Established 1985

A. Project Information

**General**

The subject site contains approximately 6.60 acres and is located on the east and west sides of A1A south of S.E. 13<sup>th</sup> Street in the City of Pompano Beach. Folio #: 494306560020; 494306560010.

**Proposed Use of the Site**

The amendment site is proposed to be used for residential or hotel development, including a marina with boat slips with fifty percent of the boat slips available for rental to the public. In addition, the proposed residential development plans to include a maximum of 10,000 square feet of commercial use which is permitted as long as the commercial use does not exceed 50% of the floor area. Residential development is restricted to 303 dwelling units on the City's Plan (46 d.u./ac).

**Current Maximum allowable development**

The City establishes a maximum intensity by limiting the height of building in Commercial land use category as follows:

- 105 feet with 60% floor area coverage

Therefore, the maximum allowable development for the existing designation is 1,724,976 square feet (43,560 sq. ft. x 60% = 26,136 sq. ft. x 6.6 ac = 172,497.6 sq. ft. x 10 floors = 1,724,976 square feet).

A.

Sanitary Sewer Analysis

1. Identify whether the amendment site or a portion is currently and/or proposed to be serviced by septic tanks.

**The amendment site is not currently or proposed to be served by septic tanks.**

2. Identify the sanitary sewer facilities serving the amendment site including the current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.

<b>SANITARY SEWER DEMAND AND CAPACITY</b>	
<b>Broward County North Regional Waste Water Treatment Plant</b>	
Plant Capacity	84.00 MGD
Current + Committed Plant Demand	68.70 MGD
Planned Plant Capacity	100 MGD
Source: Wastewater Treatment Plant Flow Calculations for Facilities in Broward County April 2012	

3. Identify the net impact on sanitary sewer demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot\* or dwelling unit.

<b>SANITARY SEWER IMPACT</b>			
	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft	x .1 GPD per sq. ft.	= 172,498 GPD
Proposed	High Res. 303 d.u.	x 250 GPD per d.u.	= 75,750 GPD
	Commercial 10,000 sq. ft.	x .1 GPD per sq. ft.	= 1,000 GPD
Source: Broward County LDC Sec. 5-182 (g); Broward County Sanitary Sewer Element Table 10			<b>change - 95,748 GPD</b>

4. Identify the projected plant capacity and demand for the short and long range planning horizons as identified within the local government's adopted comprehensive plan. Provide demand projections and information regarding planned plant capacity expansions including year, identified funding sources and other relevant information.

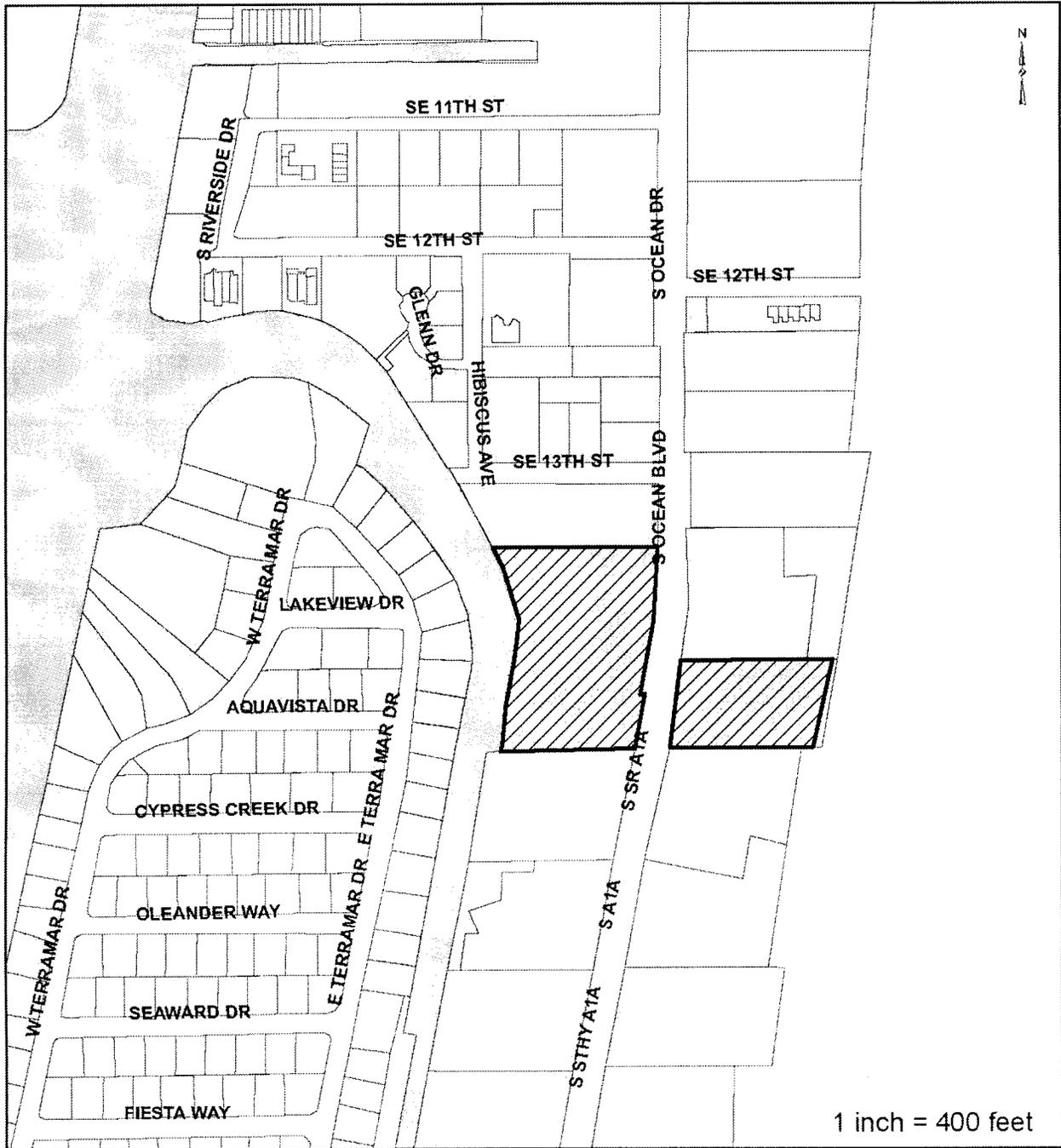
<b>PROJECTED PLANT CAPACITY &amp; DEMAND – SANITARY SEWER Broward County North District Regional Wastewater Treatment Plant</b>		
	<b>2015</b>	<b>2025</b>
Projected Plant Capacity	100 MGD	100 MGD
Projected Plant Demand	74.4 MGD <sup>(1)</sup>	93.4 MGD
Planned Plant Expansions	Expansion to 100 MGD.	
Funding Sources	User fees and revenue bonds	
Source: Letter from Broward County Water & Wastewater dated 01/27/12		

(1) The short-term projected plant demand for the NRWWTP is 74.4 MGD, which was interpolated based upon the Broward County Water & Wastewater Engineering Division's current plant demand (68.70 MGD <sup>(a)</sup>) and the projected long-term (93.4 MGD <sup>(b)</sup>).

(a) Source: Letter from Broward County Water/Wastewater 01/27/12

(b) City's Comprehensive Plan projected 2025 demand.

# WH POMPANO Land Use Plan Amendment



## **Exhibit A Subject Site Location**

-  Subject Site
-  Parcels

Prepared by:  
 Leigh Robinson Kerr & Associates, Inc.  
 808 E. Las Olas Blvd #104  
 Fort Lauderdale, FL 33301  
 P: 954-467-6308 F: 954-467-6309  
 E: Lkerr808@bellsouth.net

Date: 7/3/2012

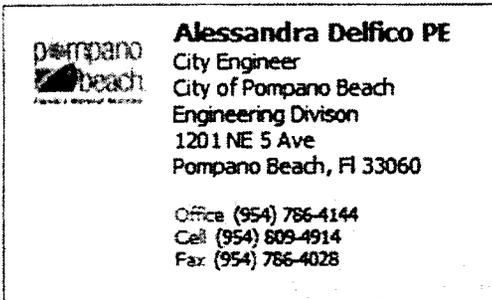
**APPENDIX III**  
Potable Water Correspondence

## Kelly Ray

---

**From:** Alessandra Delfico <Alessandra.Delfico@copbfl.com>  
**Sent:** Tuesday, April 08, 2014 2:38 PM  
**To:** Kelly Ray  
**Subject:** RE: WH Pompano Land Use Plan Amendment  
**Attachments:** Alessandra Delfico PE.vcf

Yes the information is still valid.



---

**From:** Kelly Ray [mailto:kray808@bellsouth.net]  
**Sent:** Tuesday, April 08, 2014 9:29 AM  
**To:** Alessandra Delfico  
**Cc:** Randolph Brown  
**Subject:** WH Pompano Land Use Plan Amendment

Good morning,

Attached please find our request for your review of drainage and potable water for the above referenced land use plan amendment.

Please call or email with any questions you may have.

Thank you for your help.

Kelly Ray-Sosnowski, LEED AP+BDC  
Planner  
*Leigh Robinson Kerr & Associates, Inc.*  
808 East Las Olas Boulevard, Suite 104  
Fort Lauderdale, FL 33301  
Ph: 954-467-6308 F: 954-467-6309  
[www.LeighRobinsonKerr.com](http://www.LeighRobinsonKerr.com)

Leigh Robinson Kerr  
& Associates, Inc.

Member, American Institute of Certified Planners

May 16, 2014

Via e-mail: Alessandra.Delfico@copbfl.com

Alessandra Delfico  
City Engineer  
1201 NE 5 Avenue  
Pompano Beach, Florida 33060

**Re: WH Pompano Land Use Plan Amendment – Drainage and Potable Water**

Dear Ms. Delfico:

My office is preparing an application for a land use plan amendment to the City of Pompano Beach's Comprehensive Plan. As you are aware, we are required to assess the impacts of the proposed amendment and confirm the effect on Drainage.

We previously submitted this analysis for your review but since that time the application has been revised to include 10,000 square feet of commercial use. I would appreciate your review of the materials and a written response concerning the accuracy of this information. Please provide me with your response at your earliest convenience.

Call or email with any questions you may have. Thank you for your assistance in this matter.

Sincerely,



Kelly Ray  
Planner

cc: A. Randolph Brown

Enclosures

---

• Planning • Zoning • Land Use • Expert Testimony •  
808 East Las Olas Boulevard, Suite 104, Fort Lauderdale, Florida 33301

Phone (954) 467-6308 Fax (954) 467-6309

lkerr808@bellsouth.net

Established 1985

A. Project Information

**General**

The subject site contains approximately 6.60 acres and is located on the east and west sides of A1A south of S.E. 13<sup>th</sup> Street in the City of Pompano Beach. Folio #: 494306560020; 494306560010.

**Proposed Use of the Site**

The amendment site is proposed to be used for residential or hotel development, including a marina with boat slips with fifty percent of the boat slips available for rental to the public. In addition, the proposed residential development plans to include a maximum of 10,000 square feet of commercial use which is permitted as long as the commercial use does not exceed 50% of the floor area. Residential development is restricted to 303 dwelling units on the City's Plan (46 d.u./ac).

**Current Maximum allowable development**

The City establishes a maximum intensity by limiting the height of building in Commercial land use category as follows:

- 105 feet with 60% floor area coverage

Therefore, the maximum allowable development for the existing designation is 1,724,976 square feet (43,560 sq. ft. x 60% = 26,136 sq. ft. x 6.6 ac = 172,497.6 sq. ft. x 10 floors = 1,724,976 square feet).

B. Drainage Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located.

The City of Pompano Beach shall set and maintain the level of service standards, which shall be the minimum levels of service standards for drainage per South Florida Water Management District standards. (Source: Drainage Element Policy 06.03.01C)

25-Year Frequency

72-Hour Duration for allowable discharge

10-year frequency storm

24-hour duration for the minimum road crown elevation

100-year frequency storm

24-hour duration for minimum finished floor elevation

2. Identify the drainage district and drainage systems serving the amendment area.

**The City of Pompano Beach is located within portions of three (3) drainage basins: the Coastal Basin; the Pompano Canal Basin; and, the C-14 East Basin. Three (3) primary canals provide major drainage flow for the City of Pompano Beach. The subject site is located within the Coastal Basin.**

**Generally, surface water drainage in the area is accomplished through swales, exfiltration trench and positive drainage connecting to the Intracoastal Waterway.**

3. Identify any planned drainage improvements, including year, funding sources and other relevant information.

**All improvements required to meet the adopted level of service will be installed in conjunction with new development.**

4. Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site. Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.

**A Basin Surface Water Management Plan has not been approved by the South Florida Water Management District for the amendment area.**

5. If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrated how the site will be drained and the impact on the surrounding properties. The information should include the wet season water level for the amendment site, design storm elevation, natural and proposed land elevation, one hundred year flood elevation, acreage for proposed water management retention area, elevations for buildings, roads and years, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

**The area meets the adopted level of service. Development within the site will be required to meet the drainage standards of the City of Pompano Beach, Broward County Department of Planning and Environmental Protection, and the South Florida Water Management District. The subject site will meet the level of service when development of the site is complete.**

C. Potable Water Analysis

1. Data & analysis demonstrating that sufficient supply of potable water and related infrastructure will be available to serve the amendment site through the long-term planning horizon, including the nature, timing and size of the proposed water supply and related infrastructure improvements.

**The City of Pompano Beach Water Treatment Plant provides potable water to the subject site. Potable water needs for current and future populations served by the Plant will be met through the long term. The average raw water withdrawal rate is approximately 14.6 MGD with a permit capacity of 17.75 raw MGD.**

2. Identify the facilities serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and the South Florida Water Management District (SFWMD) permitted withdrawal, including the expiration date of the SFWMD permit.

<b>PROJECTED PLANT CAPACITY &amp; DEMAND – POTABLE WATER</b>	
<b>City of Pompano Water Plant</b>	
Current Plant Capacity (Lime Softening Plant 40 MGD + Membrane Plant 10 MGD)	50.00 MGD
Current + Committed Plant Demand	13.1 MGD
SFWMD Permitted Withdrawal	17.75 MGD
Expiration Date of SFWMD Permit	Sept. 14, 2025

3. Identify the wellfield serving the service area in which the amendment is located including the permitted capacity, committed capacity, remaining capacity and expiration date of the permit.

**The City owns and operates a water supply facility which provides potable water service to the amendment area. The South Florida Water Management District issued a Use of Water Permit No. 06-00070- W on September 14, 2005 to the City of Pompano Beach. Permitted capacity for the City of Pompano Beach wellfield is 19.4 MGD through 2010. Permitted capacity after 2010 is 17.75 MGD. The permit expires in September of 2025. As of August 10, 2010, the annual allocation shall not exceed of 6,478 million gallons.**

4. Identify the net impact on potable water demand, based on adopted level of service resulting from the proposed amendment. Provide calculations, including anticipated demand per s.f.\* or d.u.

<b>TABLE 1</b>			
<b>POTABLE WATER IMPACT</b>			
	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft	x .1 GPD per sq. ft	= 172,498 GPD
Proposed	High Res. 303 d.u.	x 1.5 pp x 100 GPD	= 45,450 GPD
	Commercial 10,000 sq. ft.	x .1 GPD per sq. ft.	= 1,000 sq. ft.
<b>change</b>			<b>- 126,048 GPD</b>

Source: Broward County LDC Sec. 5-182 (f)(2)

5. Identify the projected capacity and demand for the short and long range planning horizons as identified within the adopted comprehensive plan - provide demand projections and information regarding planned wellfield and planned plant capacity expansions including year, funding sources and other relevant information. If additional wellfields are planned, provide status including the status of any permit applications.

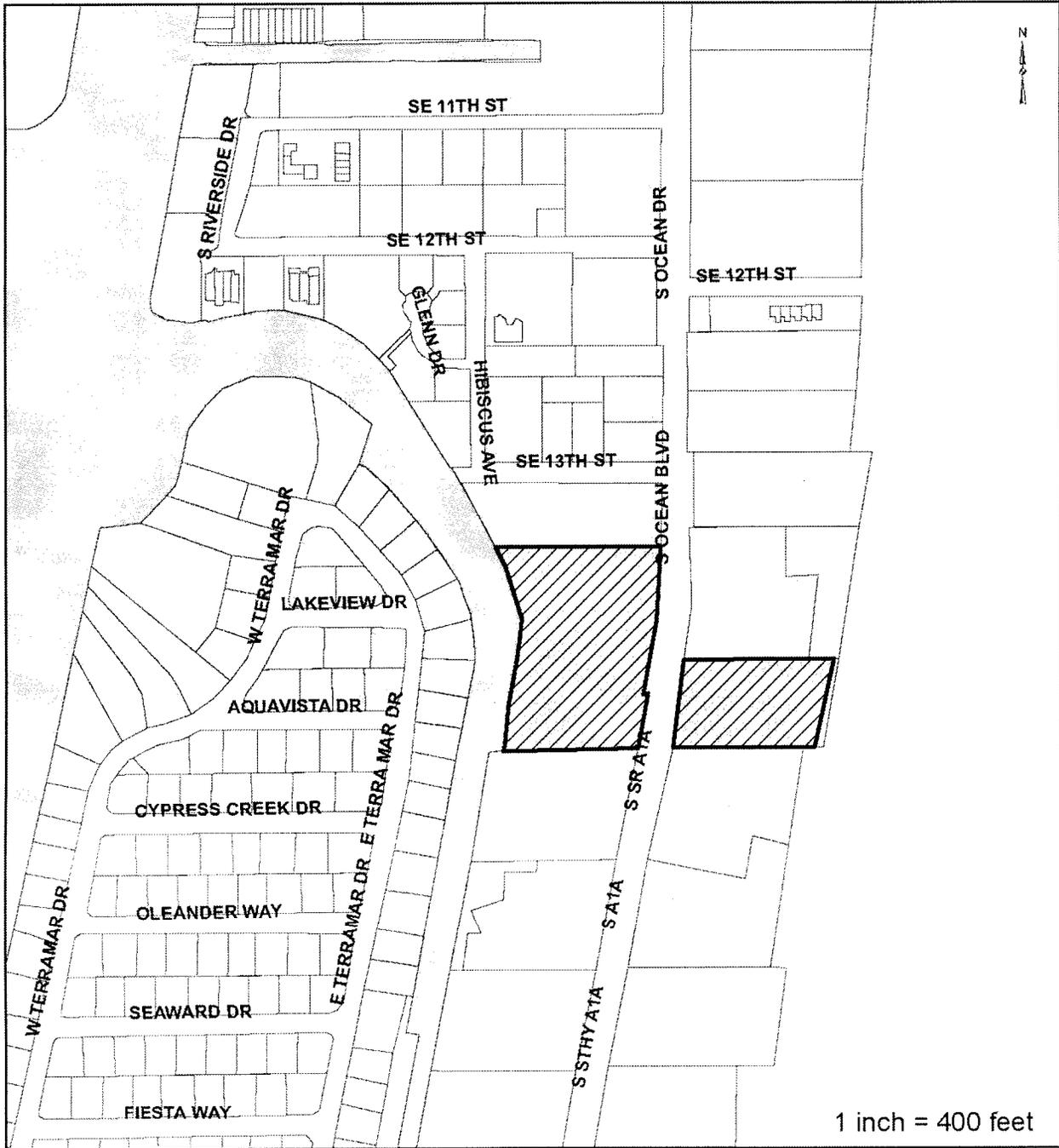
**The City of Pompano Beach Water Treatment plants have a combined designed capacity of 50.0 MGD with a current demand of 13.1 GPD. There are no plans for expansion at this time.**

6. Correspondence from potable water provider verifying the information submitted as part of the application on items 1-4 above. Correspondence must contain name, position and contact information of party providing verification.

See Appendix III: Potable Water and below:

**Name:** A. Randolph Brown, Director of Utilities  
Alessandra Delfico, City Engineer  
**Agency:** City of Pompano Beach  
**Ph:** 954-545-7043  
**Address:** 1205 N.E. 5<sup>th</sup> Avenue, Pompano Beach, FL 33060

# WH POMPANO Land Use Plan Amendment



## **Exhibit A** **Subject Site Location**

-  Subject Site
-  Parcels

Prepared by:  
Leigh Robinson Kerr & Associates, Inc.  
808 E. Las Olas Blvd #104  
Fort Lauderdale, FL 33301  
P: 954-467-6308 F: 954-467-6309  
E: Lkerr808@bellsouth.net

Date: 7/3/2012

**APPENDIX IV**  
Drainage Letter

## Kelly Ray

---

**From:** Randolph Brown <Randolph.Brown@copbfl.com>  
**Sent:** Wednesday, April 09, 2014 8:47 AM  
**To:** Kelly Ray; Alessandra Delfico  
**Subject:** RE: WH Pompano Land Use Plan Amendment

Good Morning Mr. Ray,  
I have no issues with the reduction in water usage; however the County is the final word on stormwater changes.

Thank you,  
Randy Brown  
Utilities Director

---

**From:** Kelly Ray [mailto:kray808@bellsouth.net]  
**Sent:** Tuesday, April 08, 2014 9:29 AM  
**To:** Alessandra Delfico  
**Cc:** Randolph Brown  
**Subject:** WH Pompano Land Use Plan Amendment

Good morning,

Attached please find our request for your review of drainage and potable water for the above referenced land use plan amendment.

Please call or email with any questions you may have.

Thank you for your help.

Kelly Ray-Sosnowski, LEED AP+BDC  
Planner  
*Leigh Robinson Kerr & Associates, Inc.*  
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[www.LeighRobinsonKerr.com](http://www.LeighRobinsonKerr.com)

Leigh Robinson Kerr  
& Associates, Inc.

Member, American Institute of Certified Planners

May 16, 2014

Via e-mail: Alessandra.Delfico@copbfl.com

Alessandra Delfico  
City Engineer  
1201 NE 5 Avenue  
Pompano Beach, Florida 33060

**Re: WH Pompano Land Use Plan Amendment – Drainage and Potable Water**

Dear Ms. Delfico:

My office is preparing an application for a land use plan amendment to the City of Pompano Beach's Comprehensive Plan. As you are aware, we are required to assess the impacts of the proposed amendment and confirm the effect on Drainage.

We previously submitted this analysis for your review but since that time the application has been revised to include 10,000 square feet of commercial use. I would appreciate your review of the materials and a written response concerning the accuracy of this information. Please provide me with your response at your earliest convenience.

Call or email with any questions you may have. Thank you for your assistance in this matter.

Sincerely,



Kelly Ray  
Planner

cc: A. Randolph Brown

Enclosures

---

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Phone (954) 467-6308 Fax (954) 467-6309

lkerr808@bellsouth.net

Established 1985

A. Project Information

General

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Proposed Use of the Site

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Current Maximum allowable development

The City establishes a maximum intensity by limiting the height of building in Commercial land use category as follows:

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Therefore, the maximum allowable development for the existing designation is 1,724,976 square feet (43,560 sq. ft. x 60% = 26,136 sq. ft. x 6.6 ac = 172,497.6 sq. ft. x 10 floors = 1,724,976 square feet).

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1. Provide the adopted level of service standard for the service area in which the amendment is located.

The City of Pompano Beach shall set and maintain the level of service standards, which shall be the minimum levels of service standards for drainage per South Florida Water Management District standards. (Source: Drainage Element Policy 06.03.01C)

25-Year Frequency

72-Hour Duration for allowable discharge

10-year frequency storm

24-hour duration for the minimum road crown elevation

100-year frequency storm

24-hour duration for minimum finished floor elevation

2. Identify the drainage district and drainage systems serving the amendment area.

**The City of Pompano Beach is located within portions of three (3) drainage basins: the Coastal Basin; the Pompano Canal Basin; and, the C-14 East Basin. Three (3) primary canals provide major drainage flow for the City of Pompano Beach. The subject site is located within the Coastal Basin.**

**Generally, surface water drainage in the area is accomplished through swales, exfiltration trench and positive drainage connecting to the Intracoastal Waterway.**

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**The City of Pompano Beach Water Treatment Plant provides potable water to the subject site. Potable water needs for current and future populations served by the Plant will be met through the long term. The average raw water withdrawal rate is approximately 14.6 MGD with a permit capacity of 17.75 raw MGD.**

2. Identify the facilities serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and the South Florida Water Management District (SFWMD) permitted withdrawal, including the expiration date of the SFWMD permit.

<b>PROJECTED PLANT CAPACITY &amp; DEMAND – POTABLE WATER</b>	
<b>City of Pompano Water Plant</b>	
Current Plant Capacity (Lime Softening Plant 40 MGD + Membrane Plant 10 MGD)	50.00 MGD
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Expiration Date of SFWMD Permit	Sept. 14, 2025

3. Identify the wellfield serving the service area in which the amendment is located including the permitted capacity, committed capacity, remaining capacity and expiration date of the permit.

**The City owns and operates a water supply facility which provides potable water service to the amendment area. The South Florida Water Management District issued a Use of Water Permit No. 06-00070- W on September 14, 2005 to the City of Pompano Beach. Permitted capacity for the City of Pompano Beach wellfield is 19.4 MGD through 2010. Permitted capacity after 2010 is 17.75 MGD. The permit expires in September of 2025. As of August 10, 2010, the annual allocation shall not exceed of 6,478 million gallons.**

4. Identify the net impact on potable water demand, based on adopted level of service resulting from the proposed amendment. Provide calculations, including anticipated demand per s.f.\* or d.u.

<b>TABLE 1</b>			
<b>POTABLE WATER IMPACT</b>			
	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft	x .1 GPD per sq. ft	= 172,498 GPD
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	Commercial 10,000 sq. ft.	x .1 GPD per sq. ft.	= 1,000 sq. ft.
<b>change</b>			<b>- 126,048 GPD</b>

Source: Broward County LDC Sec. 5-182 (f)(2)

5. Identify the projected capacity and demand for the short and long range planning horizons as identified within the adopted comprehensive plan - provide demand projections and information regarding planned wellfield and planned plant capacity expansions including year, funding sources and other relevant information. If additional wellfields are planned, provide status including the status of any permit applications.

**The City of Pompano Beach Water Treatment plants have a combined designed capacity of 50.0 MGD with a current demand of 13.1 GPD. There are no plans for expansion at this time.**

6. Correspondence from potable water provider verifying the information submitted as part of the application on items 1-4 above. Correspondence must contain name, position and contact information of party providing verification.

**See Appendix III: Potable Water and below:**

**Name:** A. Randolph Brown, Director of Utilities  
Alessandra Delfico, City Engineer

**Agency:** City of Pompano Beach

**Ph:** 954-545-7043

**Address:** 1205 N.E. 5<sup>th</sup> Avenue, Pompano Beach, FL 33060

# WH POMPANO Land Use Plan Amendment



## Exhibit A Subject Site Location

-  Subject Site
-  Parcels

Prepared by:  
Leigh Robinson Kerr & Associates, Inc.  
808 E. Las Olas Blvd #104  
Fort Lauderdale, FL 33301  
P: 954-467-6308 F: 954-467-6309  
E: Lkerr808@bellsouth.net

Date: 7/3/2012

**APPENDIX V**  
Solid Waste Letter

## Kelly Ray

---

**From:** Albert, John <jalbert@wm.com>  
**Sent:** Tuesday, April 08, 2014 2:29 PM  
**To:** Kelly Ray  
**Subject:** RE: WH Pompano Land Use Plan Amendment

It looks fine.

---

**From:** Kelly Ray [mailto:kray808@bellsouth.net]  
**Sent:** Tuesday, April 08, 2014 2:24 PM  
**To:** Albert, John  
**Subject:** RE: WH Pompano Land Use Plan Amendment

Please see revised attached.  
Thanks.

Kelly

---

**From:** Albert, John [mailto:jalbert@wm.com]  
**Sent:** Tuesday, April 08, 2014 10:48 AM  
**To:** Kelly Ray  
**Subject:** RE: WH Pompano Land Use Plan Amendment

Kelly, the disposal for this waste would be Monarch Hill and the North Wheelabrator Plant.

---

**From:** Kelly Ray [mailto:kray808@bellsouth.net]  
**Sent:** Tuesday, April 08, 2014 10:08 AM  
**To:** Albert, John  
**Subject:** WH Pompano Land Use Plan Amendment

Hi John,

Attached please find our request for your review of solid waste for the above referenced land use plan amendment.

Please call or email with any questions you may have.

Thank you for your help.

Kelly Ray-Sosnowski, LEED AP+BDC  
Planner  
Leigh Robinson Kerr & Associates, Inc.  
808 East Las Olas Boulevard, Suite 104  
Fort Lauderdale, FL 33301  
Ph: 954-467-6308 E: 954-467-6309  
[www.LeighRobinsonKerr.com](http://www.LeighRobinsonKerr.com)

Leigh Robinson Kerr  
& Associates, Inc.

Member, American Institute of Certified Planners

April 15, 2014

Jim Epsilantis  
Waste Management Inc. of Florida  
Manager of Government Affairs  
2700 Wiles Rd  
Pompano Beach, FL 33073

**Re: WH Pompano Land Use Plan Amendment – Solid Waste**

Dear Sir:

My office is preparing an application for a land use plan amendment to the City of Pompano Beach's Comprehensive Plan. As you are aware, we are required to assess the impacts of the proposed amendment and confirm the effect on Solid Waste.

We previously submitted this analysis for your review but since that time the application has been revised to include 10,000 square feet of commercial use. I would appreciate your review of the materials and a written response concerning the accuracy of this information. Please provide me with your response at your earliest convenience.

Thank you for your assistance in this matter.

Sincerely,

  
Kelly Ray  
Planner

Enclosures

---

• Planning • Zoning • Land Use • Expert Testimony •

808 East Las Olas Boulevard, Suite 104, Fort Lauderdale, Florida 33301

Phone (954) 467-6308 Fax (954) 467-6309

lkerr808@bellsouth.net

Established 1985

A. Project Information

General

The subject site contains approximately 6.60 acres and is located on the east and west sides of A1A south of S.E. 13<sup>th</sup> Street in the City of Pompano Beach. Folio #: 494306560020; 494306560010.

Proposed Use of the Site

The amendment site is proposed to be used for residential or hotel development, including a marina with boat slips with fifty percent of the boat slips available for rental to the public. In addition, the proposed residential development plans to include a maximum of 10,000 square feet of commercial use which is permitted as long as the commercial use does not exceed 50% of the floor area. Residential development is restricted to 303 dwelling units on the City's Plan (46 d.u./ac).

Current Maximum allowable development

The City establishes a maximum intensity by limiting the height of building in Commercial land use category as follows:

- 105 feet with 60% floor area coverage

Therefore, the maximum allowable development for the existing designation is 1,724,976 square feet (43,560 sq. ft. x 60% = 26,136 sq. ft. x 6.6 ac = 172,497.6 sq. ft. x 10 floors = 1,724,976 square feet).

B. Solid Waste Analysis

1. Provide the adopted level of service standard for the municipality in which the amendment is located.

**The adopted level of service standard for residential use is 8.9 pounds per unit per day.**

2. Identify the solid waste facilities serving the service area in which the amendment is located including the landfill/plant capacity, current plus committed demand on landfill/plant capacity, and planned landfill/plant capacity.

**The City contracts with Waste Management, Inc., to collect and dispose of solid waste material and garbage within the City. The solid waste collected within the City is transported to the Monarch Hill Landfill located at 2700 Wiles Road, Pompano Beach, FL 33073 and the Wheelabrator North Plant.**

**SOLID WASTE FACILITIES**

**Disposal Facilities: Wheelabrator Waste-to-Energy Plants**

**Capacity: 821,250 Tons/Year**

**Current + Committed Demand: 500,000 Tons/Year**

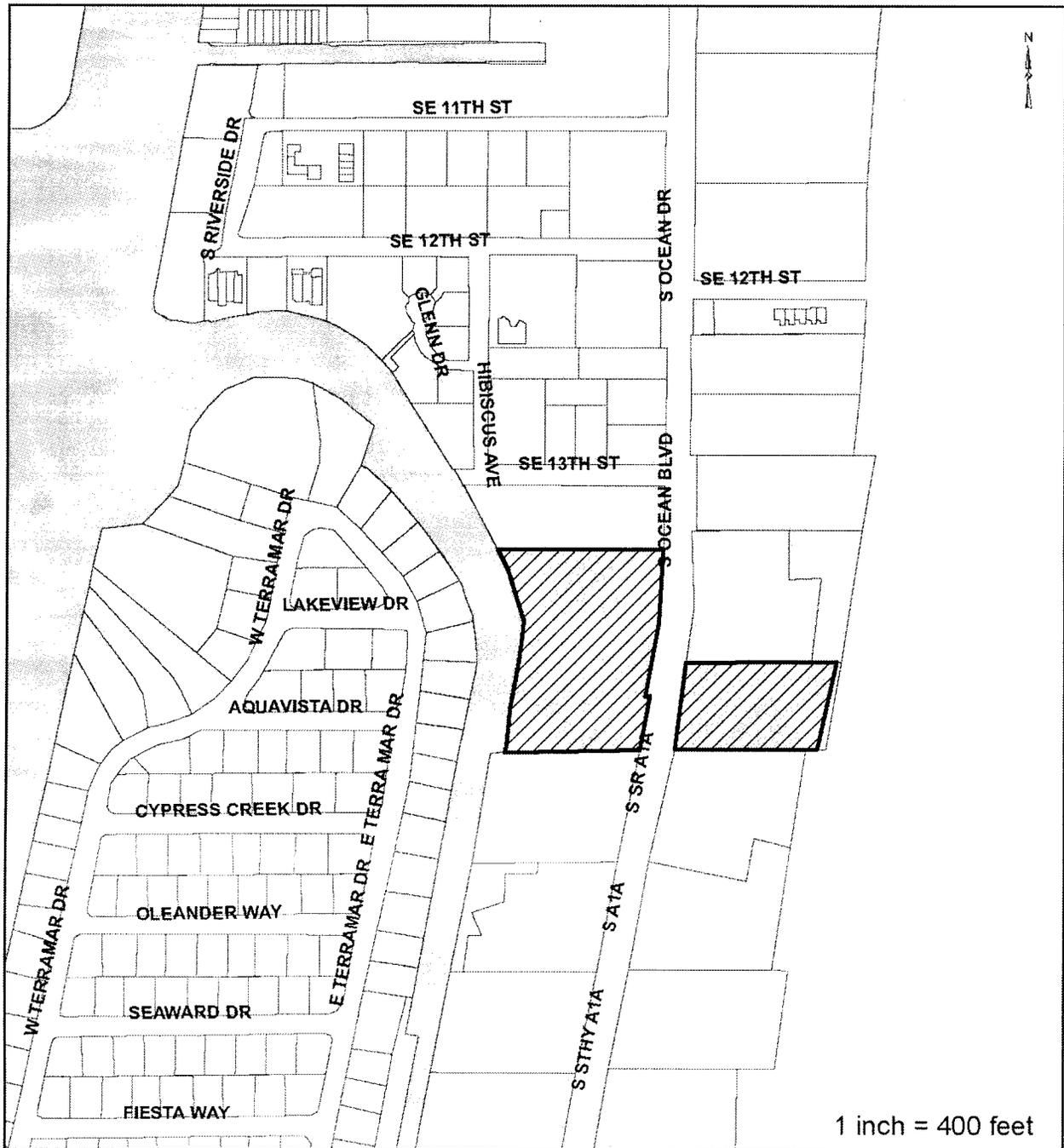
**Expansions: None planned**

The City has also implemented a recycling program to reduce the quantity of solid waste. In 2005, the quantity of solid waste generated in the City was estimated at 397 tons per day based on the LOS of 7.8 pounds per person per day.

3. Identify the net impact on solid waste demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

	<i>Use</i>	<i>Calculation</i>	<i>Total</i>
Current	Commercial 1,724,976 sq. ft	X 4 lbs./100 sq. ft./day	= 68,999 Lbs/day
Proposed	High Res. 303 d.u.	X 8.9 Lbs/day	= 2,697 Lbs/day
	Commercial 10,000 sq. ft.	X 4 lbs./100 sq. ft./day	= 400 Lbs/day
		<b>change</b>	<b>- 65,902 Lbs/day</b>

# WH POMPANO Land Use Plan Amendment



## **Exhibit A** **Subject Site Location**

-  Subject Site
-  Parcels

Prepared by:  
 Leigh Robinson Kerr & Associates, Inc.  
 808 E. Las Olas Blvd #104  
 Fort Lauderdale, FL 33301  
 P: 954-467-6308 F: 954-467-6309  
 E: Lkerr808@bellsouth.net

Date: 7/3/2012

**APPENDIX VI**  
Mass Transit Letter



Transportation Department  
Transit Division – Service and Capital Planning  
One N. University Drive, Suite 3100A, Plantation, FL 33324

April 8, 2014

Kelly Ray-Sosnowski, LEED AP+BDC  
Leigh Robinson Kerr & Associates, Inc.  
808 East Las Olas Boulevard, Suite 104  
Fort Lauderdale, FL 33301

RE: WH Pompano Land Use Plan Amendment – Mass Transit

Dear Ms. Ray:

Broward County Transit (BCT) has reviewed your correspondence dated April 8, 2014 regarding the revised proposed WH Pompano Land Use Plan Amendment for current and planned bus service. Current fixed-route county bus service to the amendment site is currently provided by BCT Route 11. Please see the following table for detailed information:

BCT ROUTE	DAYS OF SERVICE	HOURS OF SERVICE A.M. – P.M	SERVICE FREQUENCY
11	Monday – Friday	5:00a - 11:55p	30 Minutes
	Saturday	5:00a- 11:15p	40 Minutes
	Sunday	7:00a - 9:15p	45 Minutes

Future fixed-route bus services including route extension improvements are specified in the Broward County Transit Development Plan (TDP) and Broward MPO 2035 Long Range Transportation Plan (LRTP). It should be noted that because of the density consideration, we have asked for a dedication of a three (3) by forty (40) foot long paved bus landing pad (8-foot total expanded sidewalk) on the west side of SR A1A, an 8 foot by 14 foot bus shelter easement and the construction of the 8 feet x 40 feet bus landing pad. Please call me at 954-357-8450 if you require any additional information.

Sincerely,

John A. Ramos, Senior Planner  
Service and Capital Planning



Leigh Robinson Kerr  
& Associates, Inc.

Member, American Institute of Certified Planners

April 15, 2014

John A. Ramos  
Service and Capital Planning  
Broward County Transportation Department  
1100 Park Central South, Suite 3500  
Pompano Beach, FL 33064

**Re: WH Pompano Land Use Plan Amendment – Mass Transit**

Dear Sir:

My office is preparing an application for a land use plan amendment to the City of Pompano Beach's Comprehensive Plan. As you are aware, we are required to assess the impacts of the proposed amendment and confirm the effect on Mass Transit.

We previously submitted this analysis for your review but since that time the application has been revised to include 10,000 square feet of commercial use. I would appreciate your review of the materials and a written response concerning the accuracy of this information. Please provide me with your response at your earliest convenience.

Thank you for your assistance in this matter.

Sincerely,

  
Kelly Ray  
Planner

Enclosures

A. Project Information

**General**

The subject site contains approximately 6.60 acres and is located on the east and west sides of A1A south of S.E. 13<sup>th</sup> Street in the City of Pompano Beach. Folio #s: 494306560020; 494306560010.

**Proposed Use of the Site**

The amendment site is proposed to be used for residential or hotel development, including a marina with boat slips with fifty percent of the boat slips available for rental to the public. In addition, the proposed residential development plans to include a maximum of 10,000 square feet of commercial use which is permitted as long as the commercial use does not exceed 50% of the floor area. Residential development is restricted to 303 dwelling units on the City's Plan (46 d.u./ac).

**Current Maximum allowable development**

The City establishes a maximum intensity by limiting the height of building in Commercial land use category as follows:

- 105 feet with 60% floor area coverage

Therefore, the maximum allowable development for the existing designation is 1,724,976 square feet (43,560 sq. ft. x 60% = 26,136 sq. ft. x 6.6 ac = 172,497.6 sq. ft. x 10 floors = 1,724,976 square feet).

B. Mass Transit Analysis

1. Identify the mass transit modes, existing and planned mass transit routes and scheduled service (headway) serving the amendment area within one-quarter of a mile.

**Broward County Transit Route 11 serves the subject site along A1A. In addition, the City's Community Bus "Green Route" serves the site along A1A.**

<b>MASS TRANSIT ROUTES</b>			
<b>Route</b>	<b>Coverage</b>	<b>Weekday Headways</b>	<b>Weekend Headways</b>
11	A1A	30 min. headways	Sat: 30 min. headways Sun: 45 min. headways

2. Quantify the change in demand resulting from this amendment.

<b>CHANGE IN MASS TRANSIT DEMAND</b>			
Current:			
Commercial 1,724,976 sq. ft	6,400 trips	X 1.64%	105 Trips <sup>1</sup>
Proposed:			
High Res. 303 d.u.	115 trips	X 1.64 %	2 Trips <sup>1</sup>
Commercial 10,000 sq. ft.	128 trips	X 1.64 %	2 Trips <sup>1</sup>
		<b>change</b>	<b>-101 Trips</b>

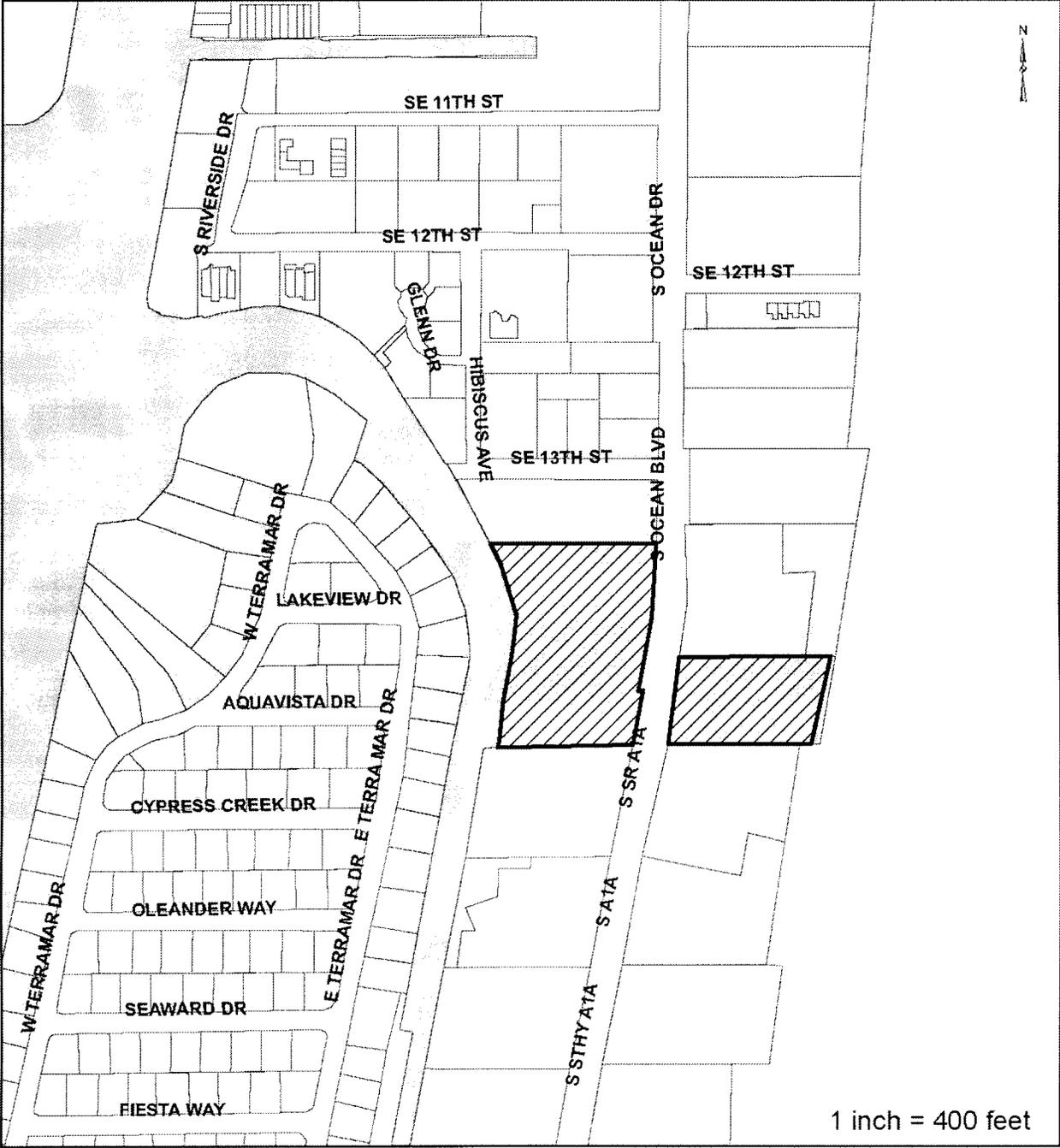
Source: Broward County Transportation Element Table 3-42

<sup>1</sup> P.M. peak hour

3. Describe how the proposed amendment furthers or supports mass transit use.

**The proposed land use designation will support the utilization of mass transit by developing along and near roadways which are currently served by mass transit services.**

# WH POMPANO Land Use Plan Amendment



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-  Subject Site
-  Parcels

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Date: 7/3/2012

**APPENDIX VII**  
Hurricane Evacuation Routes & Shelters

**Emergency Management Division**  
Environmental Protection  
and Growth Management Department  
201 N.W. 84th Avenue, Plantation, FL 33324  
Telephone: 954-831-3900  
**Emergency Hotline: 311 or 954-831-4000**

Not all shelters may be open during a state of emergency. In the event of an evacuation order, monitor news reports or call the Broward County Emergency Hotline, 311 or 954-831-4000, for specific shelter openings.

**Pet-Friendly Shelter**

A pet-friendly shelter operated by the American Red Cross and the Broward County Humane Society is available to residents with pets who either live in an evacuation area, or a mobile home anywhere in Broward County. Pre-registration is required. Call the Humane Society at 954-989-3977.

**AMERICAN RED CROSS**

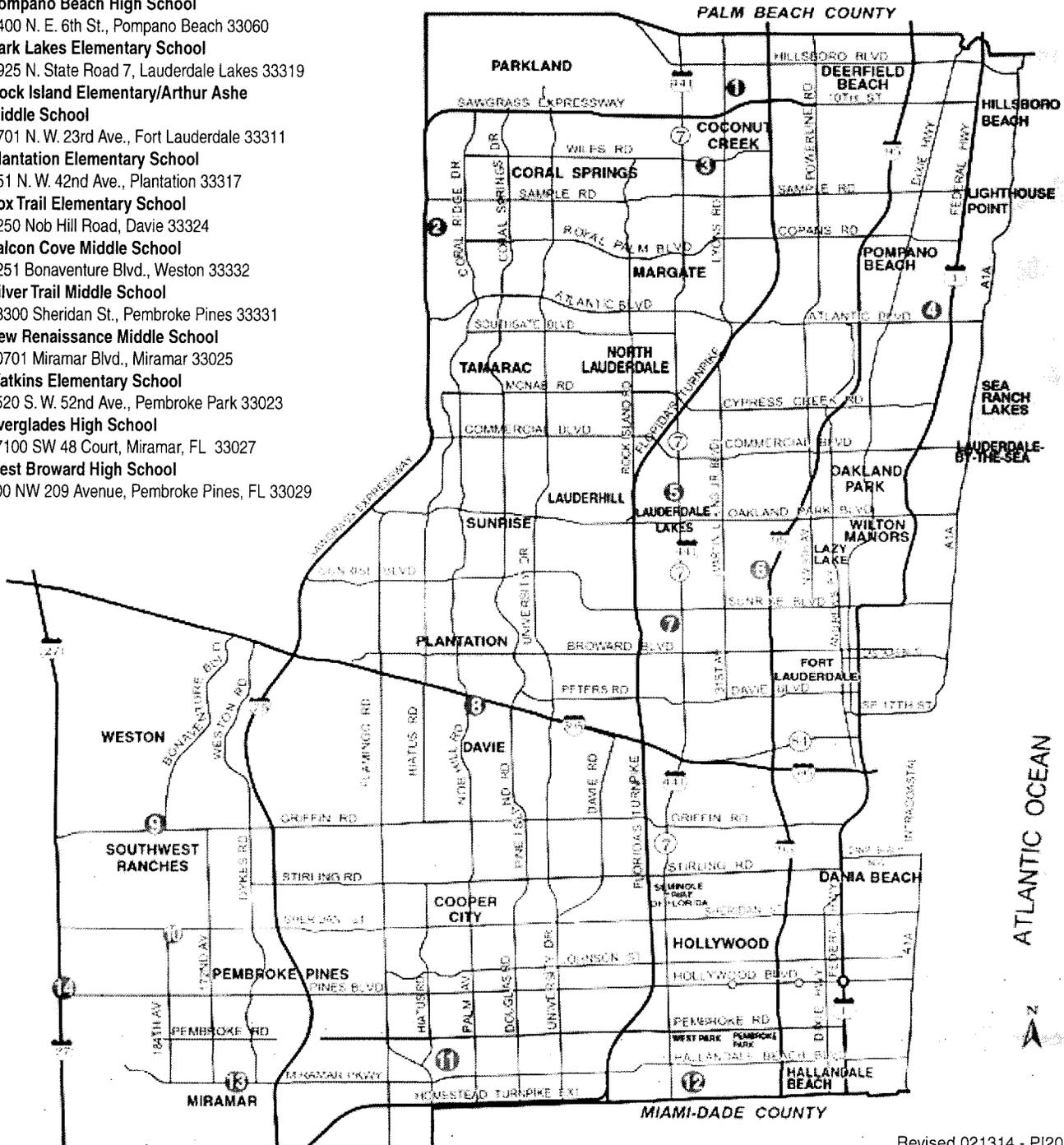
**Operated Regional Emergency Shelters**

- 1) **Lyons Creek Middle School**  
4333 Sol Press Blvd., Coconut Creek 33073
- 2) **Coral Glades High School**  
2700 Sportsplex Dr, Coral Springs 33065
- 3) **Monarch High School**  
5050 Wiles Road, Coconut Creek 33073
- 4) **Pompano Beach High School**  
1400 N. E. 6th St., Pompano Beach 33060
- 5) **Park Lakes Elementary School**  
3925 N. State Road 7, Lauderdale Lakes 33319
- 6) **Rock Island Elementary/Arthur Ashe Middle School**  
1701 N. W. 23rd Ave., Fort Lauderdale 33311
- 7) **Plantation Elementary School**  
651 N. W. 42nd Ave., Plantation 33317
- 8) **Fox Trail Elementary School**  
1250 Nob Hill Road, Davie 33324
- 9) **Falcon Cove Middle School**  
4251 Bonaventure Blvd., Weston 33332
- 10) **Silver Trail Middle School**  
18300 Sheridan St., Pembroke Pines 33331
- 11) **New Renaissance Middle School**  
10701 Miramar Blvd., Miramar 33025
- 12) **Watkins Elementary School**  
3520 S. W. 52nd Ave., Pembroke Park 33023
- 13) **Everglades High School**  
17100 SW 48 Court, Miramar, FL 33027
- 14) **West Broward High School**  
500 NW 209 Avenue, Pembroke Pines, FL 33029

**PLAN A Evacuation**       **PLAN B Evacuation**

Typically a Category 1-2 hurricane.      Typically a Category 3 or higher hurricane

Those persons located in low lying areas or beside tidal bodies of water should seek shelter elsewhere if conditions warrant. ALL mobile home residents must evacuate in PLAN A and PLAN B. In addition, mobile home residents may be ordered to evacuate if tropical storm conditions warrant.

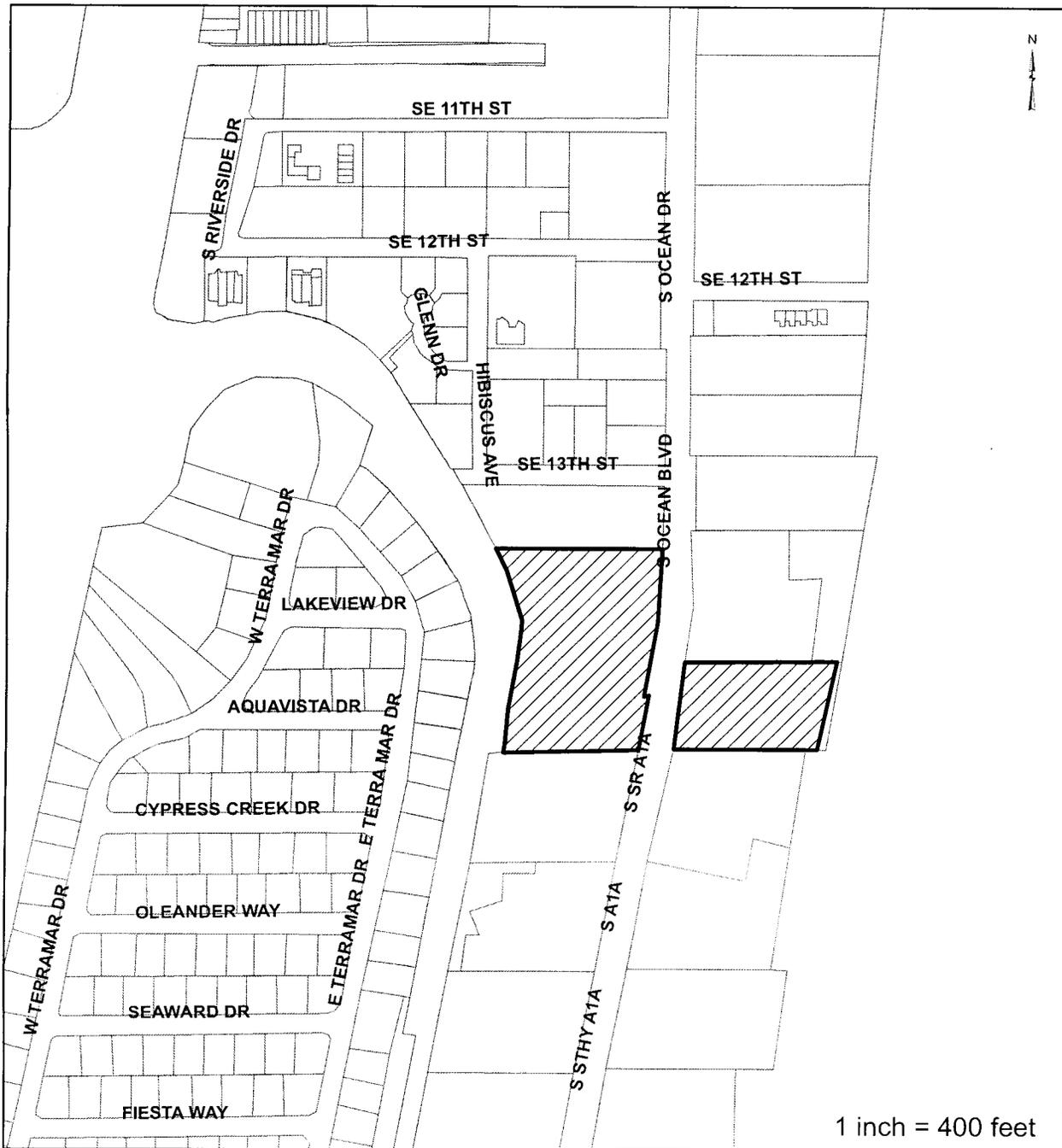


## EXHIBITS

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Location Map	A
Current Future Land Use	B
Proposed Future Land Use	C
Existing Land Uses	D
Beach Access Locations	E

# WH POMPANO Land Use Plan Amendment



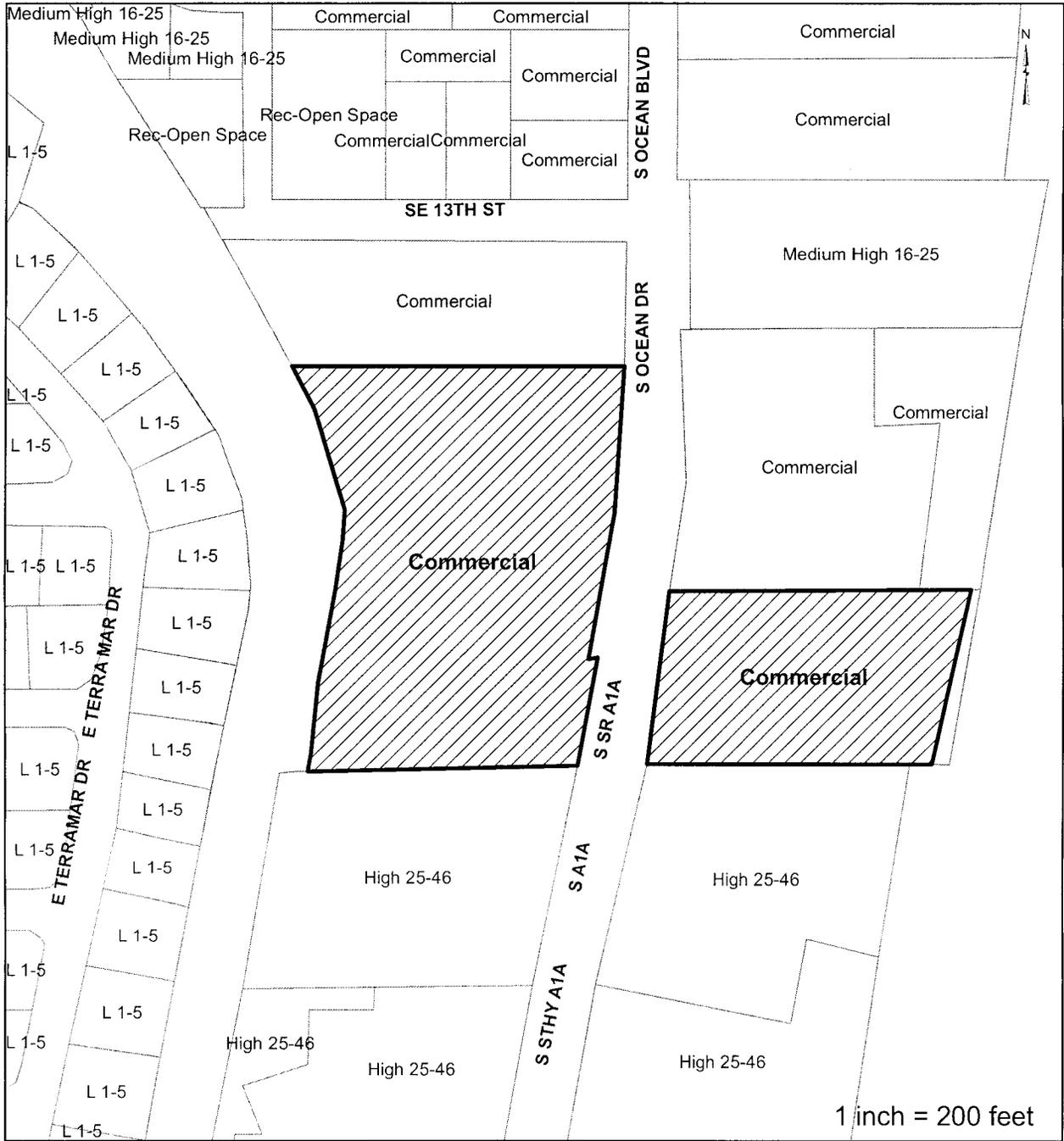
## **Exhibit A** **Subject Site Location**

-  Subject Site
-  Parcels

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# WH POMPANO Land Use Plan Amendment

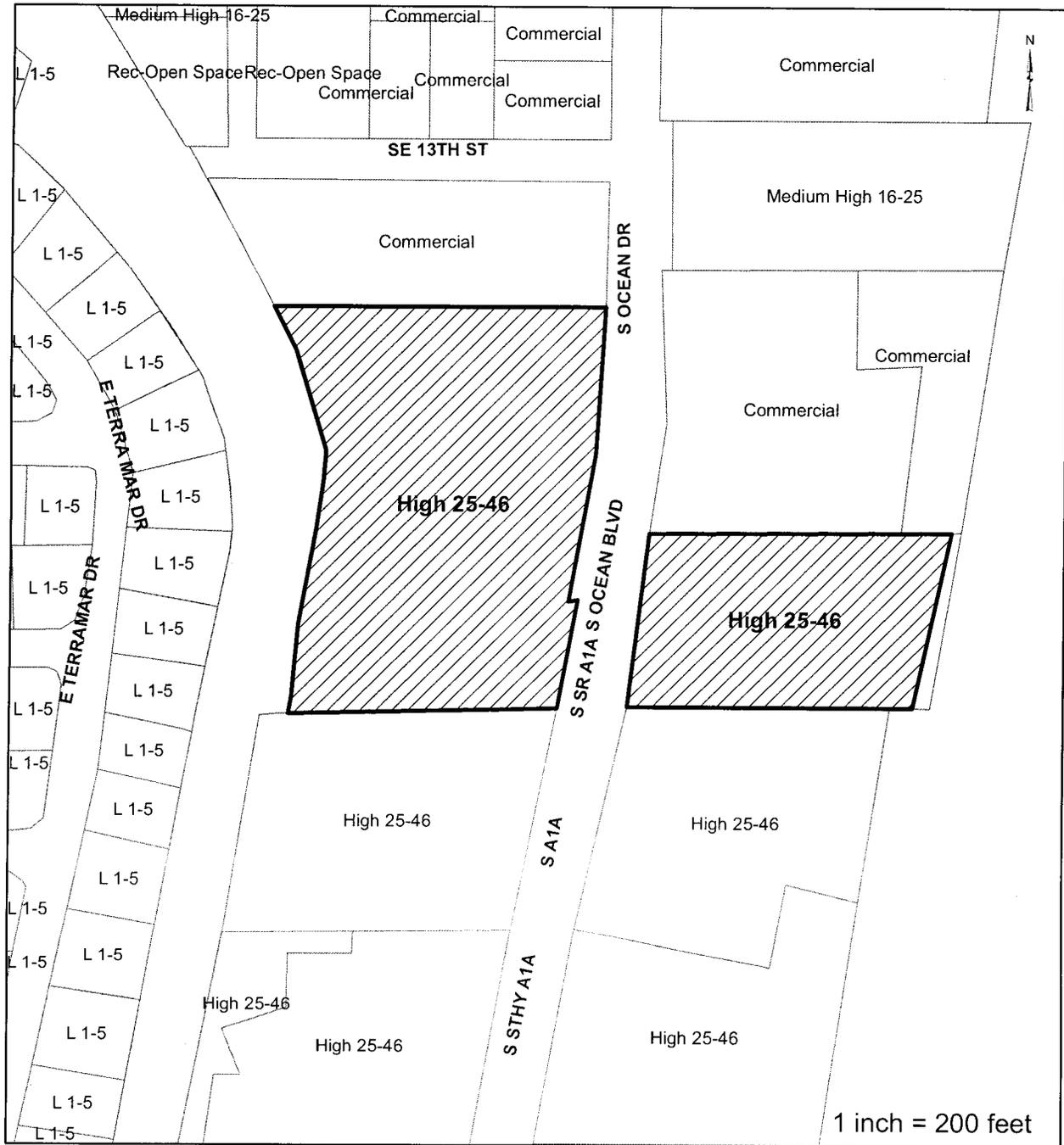


## **Exhibit B** **Current Future Land Use**

-  Subject Site
-  Parcels

Prepared by:  
 Leigh Robinson Kerr & Associates, Inc.  
 808 E. Las Olas Blvd #104  
 Fort Lauderdale, FL 33301  
 P: 954-467-6308 F: 954-467-6309  
 E: Lkerr808@bellsouth.net  
 Date: 7/3/2012

# WH POMPANO Land Use Plan Amendment

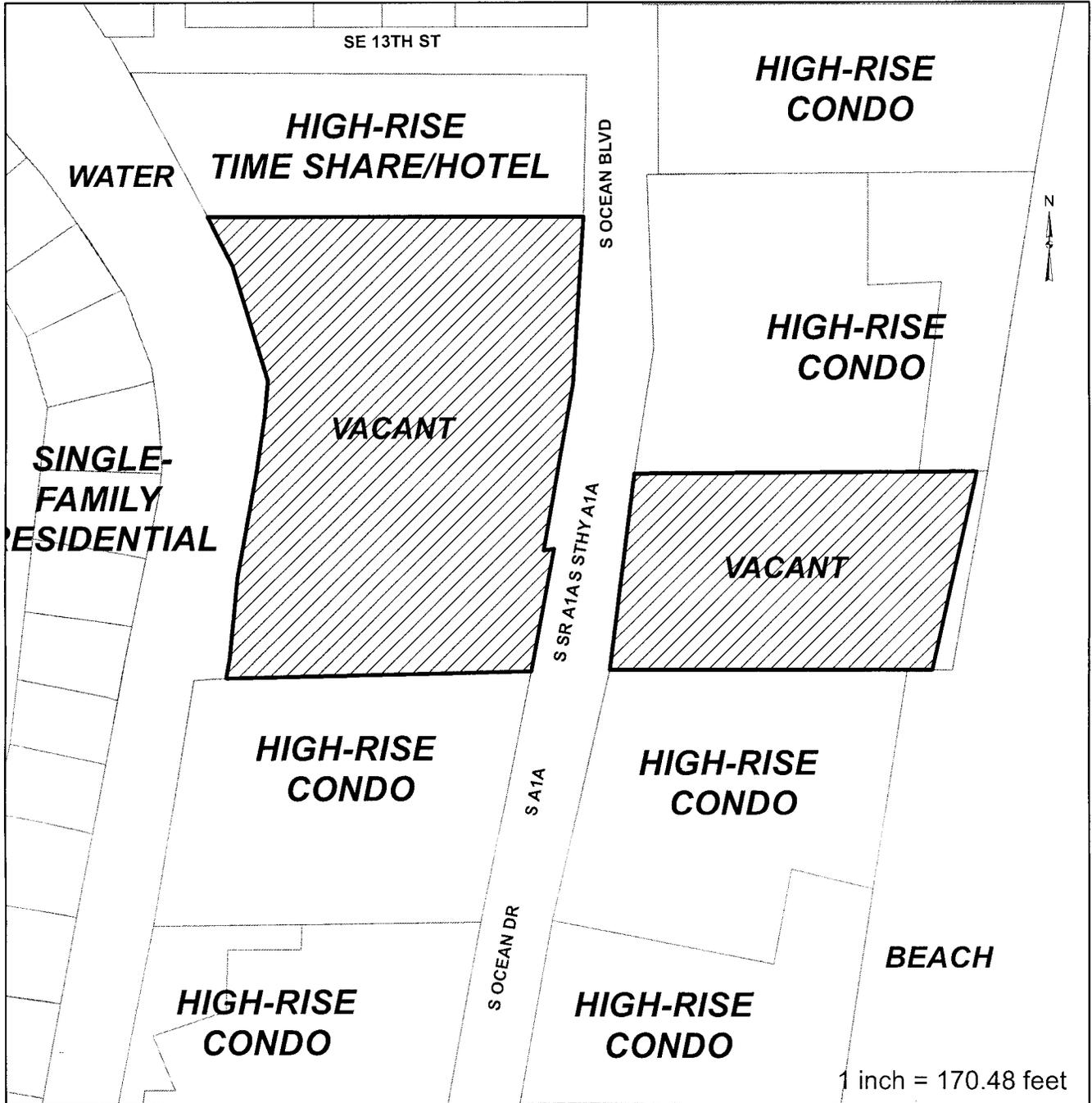


## **Exhibit C Proposed Future Land Use**

-  Subject Site
-  Parcels

Prepared by:  
 Leigh Robinson Kerr & Associates, Inc.  
 808 E. Las Olas Blvd #104  
 Fort Lauderdale, FL 33301  
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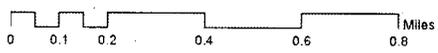
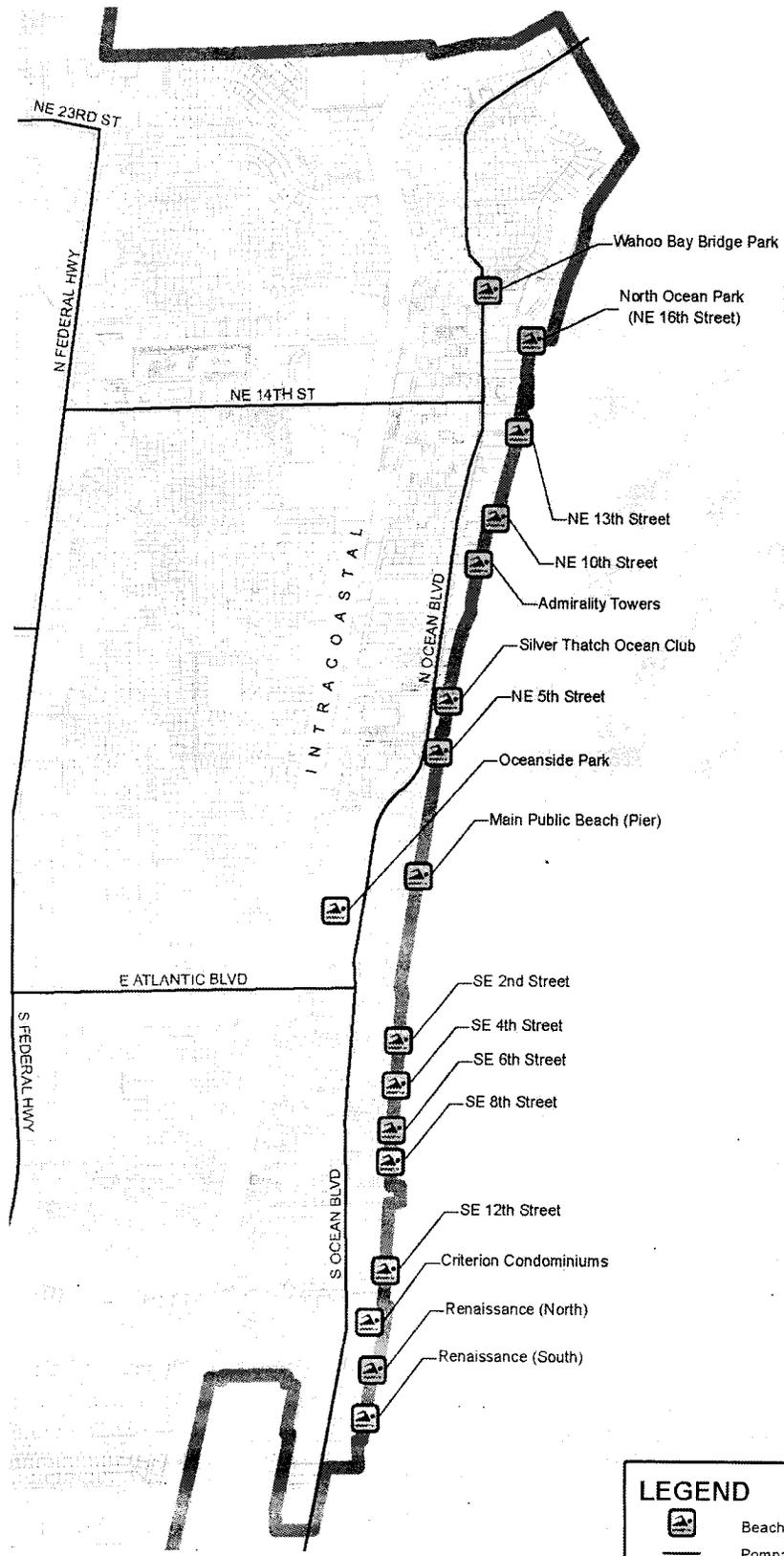


## Exhibit D Existing Uses

-  Subject Site
-  Parcels

Prepared by:  
 Leigh Robinson Kerr & Associates, Inc.  
 808 E. Las Olas Blvd #104  
 Fort Lauderdale, FL 33301  
 P: 954-467-6308 F: 954-467-6309  
 E: Lkerr808@bellsouth.net  
 Date: 7/9/2012

# CITY OF POMPANO BEACH PUBLIC BEACH ACCESS POINTS



**LEGEND**

- Beach Access Points
- Pompano Beach Major Streets
- City Boundaries
- Lot Lines



