

NARRATIVE STATEMENT
REZONING APPLICATION TO AMEND MASTER PLAN AND DEVELOPMENT
STANDARDS FOR
POMPANO CENTER OF COMMERCE

I. INTRODUCTION

The Pompano Center of Commerce (the “Project”) is located at 1700 NW 18th Street Pompano Beach, Florida 33069, Broward County Parcel ID Number 4842 27 44 0030 (the “Property”). Under Final Rezoning Ordinance 2009-32 the Property was rezoned from a zoning classification of I-1 (General Industrial) and O-IP (Office Industrial Park) to (O-IP) (Office Industrial Park) with an overlay of a PCD (Planned Commercial/Industrial Park). The Property’s future land use is Industrial. The Project site plan was approved under Development Order 2013-12000027. The original Master Plan for the PCD did not include outdoor storage as a permitted use, although that use is permitted by right in the PCD zoning designation and is in high demand by the Class A Industrial end-users and operators within the Project. Despite the use being allowed in a PCD by right under City Zoning Code, the Type B buffer requirements are entirely too burdensome for the typical, accessory outdoor storage use actually undertaken in the PCD.

In light of these facts, the applicant is confident that outdoor storage within the project fits within the PCD overlay as long as satisfiable and adequate screening standards are established in the PCD Master Plan and Development Standards Plan. Outdoor storage use within the PCD, as set forth in this application, will also be compatible with and help achieve the goals and objectives of the Pompano Beach Comprehensive Plan and the City’s economic development objectives, as set forth in more detail below. The goal of this application is to therefore amend the PCD Master Plan as set forth in Exhibit “A” (the “First Master Plan Amendment”) attached and incorporated into this Narrative Statement and also amend the PCD Development Standards Plan to incorporate the development standards for outdoor storage use within the PCD, as set forth in Exhibit “B” (the “First Development Standards Plan Amendment”) attached and incorporated into this Narrative Statement.

II. BACKGROUND

Anixter, Inc. (“Applicant”), headquartered in greater Chicago and founded in 1957, is a Fortune 500 company that supplies goods and services for communications, security, networking, audio-visual and industrial control applications. Outdoor storage is an essential part of Anixter’s business, and the Property is ideally situated for this business. In January of 2020, Anixter, Inc., as Tenant, entered into that certain Lease Agreement (the “Lease”) with Pompano Industrial Venture LLC as Landlord, and both parties quickly learned that through inadvertence, neither realized that outdoor storage is not presently a permitted use within the PCD. Landlord has also joined in this application because it foresees other users/tenants in the Project will also require

outdoor storage use and Landlord, as a seasoned and experienced industrial real estate owner and operator, wishes to apply sound master planning and development standards to all future outdoor storage use permitted within the Project/PCD. Applicant and Landlord have agreed that in order to allow Applicant to perform its core business functions, both parties would agree to submit the present rezoning application to the city of Pompano. The requisite Statement of Interest in Property and Authorization to File Applications/Petitions is incorporated into the present application.

As depicted in the plans submitted with the application, the outdoor storage use will comprise less than thirty-five percent (35%) of the total square footage of the Property. For that reason, the standards in Section 155.4303 of the Pompano Beach Zoning Code (“Code”) apply. Under Section 155.4303.W.I. outdoor storage as an accessory use is permitted by right in the PCD zoning classification. The specific use standards set forth in Code Section 155.4303.W.I.3 apply to this Project:

a. Perimeter buffer and screening standards

i. A Type B perimeter buffer in accordance with Section 155.5203.F, Perimeter Buffers, shall be provided between the outdoor storage area(s) and all property lines.

(A) Existing properties. Lawfully existing outdoor storage established prior to 1999, or lawfully existing outdoor storage established prior to annexation without a Landscape Plan approved on record shall comply with the perimeter buffer and screening standards of this section. Submission and approval of a landscape plan shall be required for compliance with this section.

(1) The modifications permitted in Section 155.4228.A.3.a.ii.(A) may be permitted.

b. The total area of outdoor storage areas shall not exceed 35 percent of the total gross floor area of the building(s) containing the principal use(s) of the lot.

c. Each outdoor storage area shall be incorporated into the overall design of the principal structure on the site and shall be located to the side or rear of the principal structure, and not on the roof of a structure.

d. Goods stored in an outdoor storage area intended for sale or resale shall be limited to those sold on the premises in conjunction with the principal use.

The Applicant thinks it appropriate to deviate from the above standards within the PCD in one respect: screening requirements. This because (i) the Type B perimeter buffer required under Code Section 155.4303.W.I.3 does not fit within the overall plan and scheme of development within the PCD, and (ii) the Type B buffer would require not only unnecessary and inordinate cost burden on any user in the PCD wishing to conduct outdoor storage as an accessory use, but it would also require unnecessary and incompatible improvements be made to the Property. For example, tearing up parking and loading areas to install landscaping where typical industrial products are being stored. This kind of improvement would be unfitting for the PCD and also not a sound use of landscaping materials. Many operators such as Anixter, Inc. are invested in leasing Class A industrial space in Pompano for the central purpose of conducting a well-organized, well-maintained and properly screened outdoor storage use as would be typical in any Class A industrial

park in North America. For these reasons, Applicant strongly feels that as long as the other basic standards are met as set forth in the First Development Standards Plan Amendment, end users, operators and lessees in the PCD should be able to conduct outdoor storage in the PCD under the PCD Master Plan and Development Standards Plan.

III. POMPANO BEACH COMPREHANSIVE PLAN

Several aspects of Pompano Beach’s Comprehensive Plan are worth noting as being congruent with and served by the First Master Plan Amendment and First Development Standards Plan Amendment proposed in this Application. Being that Class A industrial uses have been heavily promoted in Pompano in recent years, as set forth with regard to the City’s economic development objectives as set forth below, it makes sense that the outdoor storage use as set forth in this Application fits perfectly within the City’s economic development and planning objectives.

First, Pompano Comprehensive Plan (“Comp Plan”) Policy 01.03.12 states “future industrial land uses shall be located with access to major transportation facilities including highways, airports, railroads, and seaports.” The Property is perfectly situated for Anixter’s business with close access to multi-modal network of logistics networks. Being that the PCD is adjacent to Interstate 95 and close to Pompano’s cargo rail connections and south Florida marine and inland ports, the Property, and the outdoor storage use proposed in this Application fits within this planning objective.

Second, Comp Plan policy 01.07.06 states, “through ongoing updates to the land development regulations revise prohibited and permitted uses in the mixed use, commercial, industrial and non-residential zoning districts.” Considering that progress and success happen through change and adaptation, the plan already contemplates the land development regulations being a living entity that can undergo “ongoing” change and update to permitted uses.

Third, with regard to economic development as addressed in the Comp Plan, Pompano’s long-standing prominence as a destination for industrial uses is apparent. Objective 01.23.00, titled “Economic Development” states a goal to “expand the economic base by attracting Class A office space and higher education institutional uses, *continuing to support the industrial and manufacturing sectors* while protecting tourism as well as the quality of life and delivery of services to local residents.” [Emphasis Added]. Taken with the above objectives laid out thus far, it follows that continuing to support industrial uses goes right alongside policy 01.07.06 of continually updating and refining permitted and prohibited uses, such as proposed in this Application geared toward maintaining and increasing the PCD and thus Pompano’s value as a Class A industrial destination.

Fourth, the Comp Plan definition of “Industrial Uses” states, “means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products or materials”. Thus, storage generally is contemplated in the very definition of industrial uses, and the amendments sought in this Application fit squarely within that definition.

Fifth and lastly, the Future Land Use Element at Comp Plan Section 1-45F includes the following uses for industrial land use category, all of which fit into Anixter's business and use: transportation and communication facilities, ancillary commercial uses within buildings devoted to primary industrial uses, wholesaling uses.

It is also worth noting that the Capital Improvements Plan at Comp Plan Policy 14.01.01 prioritizes capital improvement projects that meet certain enumerated criteria. Two of those include "accommodation of new development and redevelopment in the Northwest Area" and "promotes or accelerates sustainable economic development, increased tax base, increased property values, and improved job opportunities". Being that the Project contemplated in the instant Application is a private capital improvement project it also serves the above-stated goals of the City's own Capital Improvements Plan. The Project has already contributed to redevelopment of the Northwest Area by bringing Class A, national industrial space operators into the City. That continued redevelopment is well served by also having the flexibility for well-thought and planned outdoor storage use and standards as set forth in this Application. The second enumerated goal above is served by virtue of the following additional facts: (i) Anixter's business is environmentally sustainable, (ii) the value of the Property and thus City tax base is enhanced and bolstered with Anixter and other national Fortune 500 industrial users having an outdoor storage component to their business as tenants and business operators in the City, (iii) improved job opportunities as Fortune 500 employers come into Pompano and provide much needed jobs to local residents.

IV. POMPANO BEACH ECONOMIC DEVELOPMENT CONSIDERATIONS

The 2014 City of Pompano Beach Economic Development Strategy Evaluation and Strategic Update addresses Pompano's robust industrial sector in a number of aspects. It sets forth that the Pompano Beach municipal submarket is the "single largest industrial/warehouse market in Broward County" (Page 12, Figure 3). In the same section, the 2014 Update notes the historically low vacancy rates and high absorption rates for industrial space within the city (*Id.* at Page 12).

At Page 8, Section 2, the 2014 Update further notes industrial and distribution as part of the City's economic base. That same Section 2 also states that industrial and distribution was central to the City's recovery from the 2008 economic downturn as it was central to the nation's recovery (*Id.* At Page 8). Further on in Section 2, the 2014 Update makes special note of the growth in wholesaling businesses (such as Anixter's), which growth has mitigated job loss from the manufacturing-based industrial sector (*Id.* At Page 8).

Finally, on Page 16 at the Market Summary, the 2014 Update acknowledges that "Pompano continues to be the center of activity for distribution in northern Broward County and serves as one of the main distribution centers in South Florida. As a result, the City has a strong and growing corporate presence and awareness upon which to attract new industries and build on those that already exist. Additionally, while only 10 percent of employees in Pompano Beach businesses live in Pompano Beach, the industrial areas of the City provide an opportunity to link residents of the

City, particular those residents who live in the northwest quadrant of the City, to jobs in the area” (*Id* at Page 16).

V. CONCLUSION

In conclusion, Applicant is confident this Application meets the Code standards, fits within and promotes the goals of the Comp Plan and serves a number of Pompano economic development objectives. The amendments proposed to the PCD in the First Master Plan Amendment and First Development Standards Plan Amendment, respectively, will serve to promote a consistent plan of development within the PCD, while also accommodating Class A industrial users who would otherwise be dismayed and turned away by the cost associated with installing a Type B buffer for every accessory outdoor storage use otherwise permitted by right within the PCD. The updated screening standards set forth in the First Development Standards Plan Amendment will make it so that land values, tax base and job opportunities continue to increase.

EXHIBIT "A"

FIRST MASTER PLAN AMENDMENT

The Master Plan table of uses for the Pompano Center of Commerce is hereby amended to allow for outdoor storage as an accessory use. Any outdoor storage within the PCD shall comprise less than thirty-five percent (35%) of the total square footage of the principal building footprint. Any outdoor storage use permitted under this First Master Plan Amendment shall adhere to certain containment and screening standards as set forth in the Pompano Center of Commerce First Development Standards Plan Amendment.

EXHIBIT "B"

FIRST DEVELOPMENT STANDARDS PLAN AMENDMENT

The Development Standards Plan for Pompano Center of Commerce is hereby amended to state the following:

Outdoor storage as an accessory use; screening requirements: Outdoor storage, as permitted in the Master Plan, shall be enclosed by either a fence made of aluminum or a fence made of vinyl-coated aluminum, which fence shall be at least eight (8) feet tall, and which shall be screened with a solid or solid decorative screening material.