



## Staff Report

**File #:** LN-25

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY  
Meeting Date: DECEMBER 16, 2020

### OCEANSIDE REZONING

**Request:** Rezoning  
**P&Z#** 20-13000002  
**Owner:** City of Pompano Beach  
**Project Location:** 109 N. Ocean Blvd.  
**Folio Number:** 484331520010  
**Land Use Designation:** C (Commercial)  
**Zoning District:** CF (Community Facilities) and PR (Parks and Recreation)  
**Commission District:** 1  
**Agent:** Jean Dolan  
**Project Planner:** Jean Dolan

### Summary:

#### APPLICANT'S REQUEST

The City is the Applicant for this request to rezone the 4.2 acre parking lot at 109 North Ocean Boulevard in the AOD (Atlantic Overlay District) from PR/AOD (Parks and Recreation) and CF/AOD (Community Facility) to B-3/AOD (General Business). The land use designation of this parking lot was changed from OR (Open Space/Recreation) to Commercial (C) to accommodate the proposed project (Ordinance 20-46 approved on March 10, 2020) and now the property needs to be rezoned to be consistent with the Commercial land use designation. The City is proposing to develop a public parking garage, hotel and retail uses to support the beach activity area. This rezoning request was reviewed by the Development Review Committee (DRC) on August 5, 2020.

#### SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING) REVIEW STANDARDS

In determining whether to adopt or deny a proposed Zoning Map Amendment, the City shall weigh the relevance of information submitted by the applicant and consider the extent to which the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives and policies of the Comprehensive Plan. Accordingly, the review criteria for a Site Specific Rezoning Application is as follows:

##### **Section 155.2404.C, Site-Specific Zoning Map Amendment Review Standards**

1. The applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
  - a. Is consistent with the Future Land Use Category and any applicable goals, objectives and

policies of the comprehensive plan and all other applicable city-adopted plans.

**A. The following policies of the newly updated and adopted Comprehensive Plan have been identified as pertinent to this rezoning:**

**Policy 01.03.03**

Encourage property owners to rezone the subject properties when initiating development and/or redevelopment proposals to be consistent with the designations on the Future Land Use Map.

**Policy 01.03.11**

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

**Policy 01.03.10**

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

**Policy 01.03.12**

The following criteria may be used in evaluating rezoning requests:

- A. Density;
- B. Design;
- C. Distance to similar development;
- D. Existing adjoining uses;
- E. Proposed adjoining uses;
- F. Readiness for redevelopment of surrounding uses; and
- G. Proximity to mass transit.

**Policy 01.06.01**

Consider and minimize the impacts that land use amendments, rezonings or site plan approvals have on natural resources, including wetlands, and culturally, historically, archaeologically and paleontologically significant resources.

**Policy 01.06.12**

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

**Policy 01.08.01**

Follow the recommendation of the Community Redevelopment Plans in all Land Use Plan amendments and rezonings.

**B. Findings of Fact. Development Services Department Staff submits the following factual information which is relevant to this Rezoning Application:**

- 1. The rezoning was reviewed by the DRC on August 5, 2020.
- 2. The property is located north of Atlantic Boulevard on A1A just south of the Beach Fire Station site.
- 3. The subject property to be rezoned is 4.2 acres.
- 4. The property is platted.
- 5. The existing zoning and uses of adjacent properties are as follows:

Direction	Zoning/ Land Use Designation	Use
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North	CF/CF	Fire Station and Library Site
East	B-3	Retail, Office, Marina
South	B-3/PCD	Oceanside Plaza Condominium
West	B-3/PCDand RM 45	Temporary Parking Lot/Condominium

6. The Land Use Designation is Commercial (C).

### C. Analysis

As a criteria for rezoning the Applicant must provide competent, substantial evidence that the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

There are seven policies in the Comprehensive Plan, provided in Section 'A' of this report, that are relevant to this rezoning request. These policies require: rezoning consistent with the land use designation; minimal negative impacts to existing residential and compatibility with adjacent properties; adequate public facilities and service capacity to accommodate the demands of the project and consistency with the East CRA redevelopment plans.

It is Staff's conclusion that the B-3 rezoning is required to bring the property into conformance with the Commercial land use designation. The B-3/AOD zoning district is compatible with the properties immediately adjacent to the subject property. The B-3/AOD zoning will allow a similar intensity of development as exists on the Oceanside Plaza site to the south of the subject property. The site plan and building design will be sensitive to the Oceanside Plaza building to ensure it is a good neighbor and compatible with the existing, primarily residential building. The hotel will be a slender tower building design as required by the AOD design standards which are intended to reduce building mass and volume and preserve views as much as possible. The beach parking and proposed hotel and retail uses (preferably a beach-neighborhood scale grocery store) will be in close proximity to the Pier redevelopment project (the Pompano Fishing Village) and support the success of that project with additional parking, hotel accommodations and retail services. The proposed Oceanside Parking Lot project is part of the East CRA Redevelopment Plan for the beach area which has been very successful.

There is mass transit service to the site and the project is intended as a hub for the city's new microtransit program which has recently been funded with a 50% matching grant of \$800,000 from FDOT. The \$1.6 million dollar program will be rolled-out over the next three years (2020-23). The first park and ride lot to support the program is currently in the design phase.

Staff is therefore of the opinion that there is substantial evidence to support this request.

**Staff Conditions:**

**Department Recommendation**

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion.

Alternative Motion I

Recommend approval of the rezoning request as the Board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals and policies.

Alternative Motion II

Table this application for additional information as requested by the Board.

Alternative Motion III

Recommend denial as the Board finds that the request is not consistent with the Future Land Use Goals and Policies listed in Section 'A' of this report.

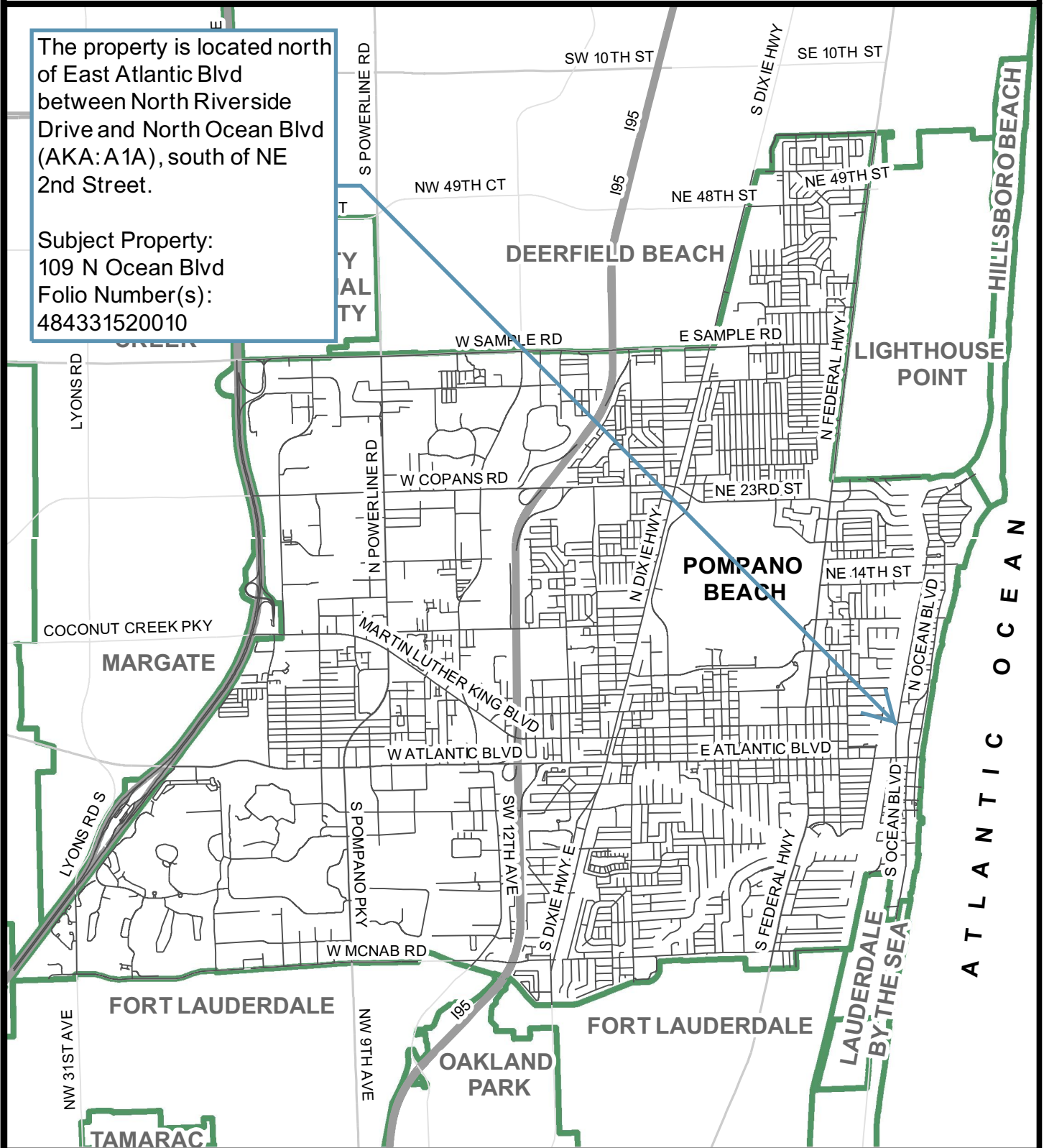
Staff recommends alternative motion number I.

# CITY OF POMPANO BEACH LOCATION MAP



The property is located north of East Atlantic Blvd between North Riverside Drive and North Ocean Blvd (AKA: A1A), south of NE 2nd Street.

Subject Property:  
109 N Ocean Blvd  
Folio Number(s):  
484331520010



1 in = 1 miles



# CITY OF POMPANO BEACH AERIAL MAP

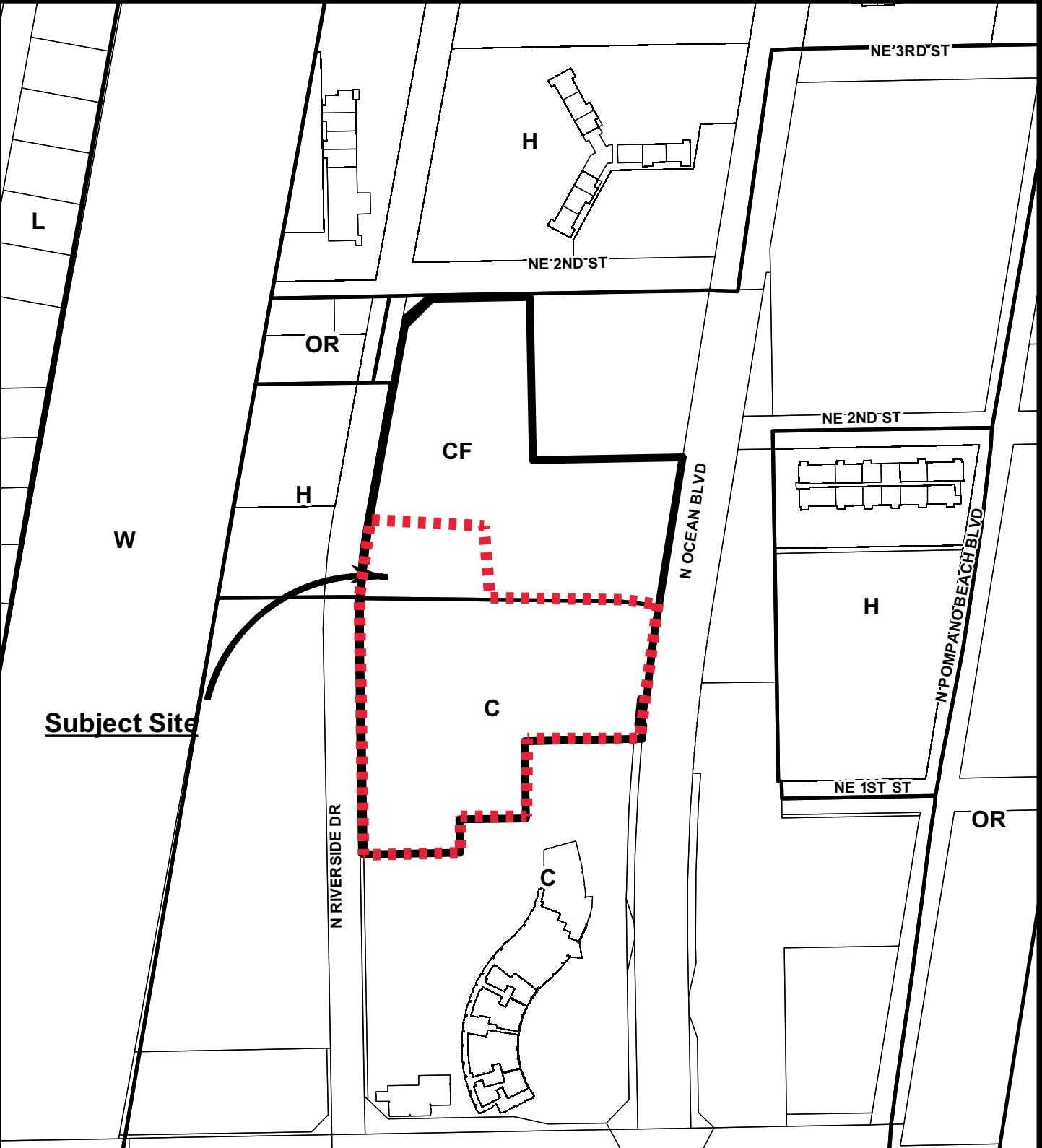


1 in = 500 ft

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES  
**P&Z**



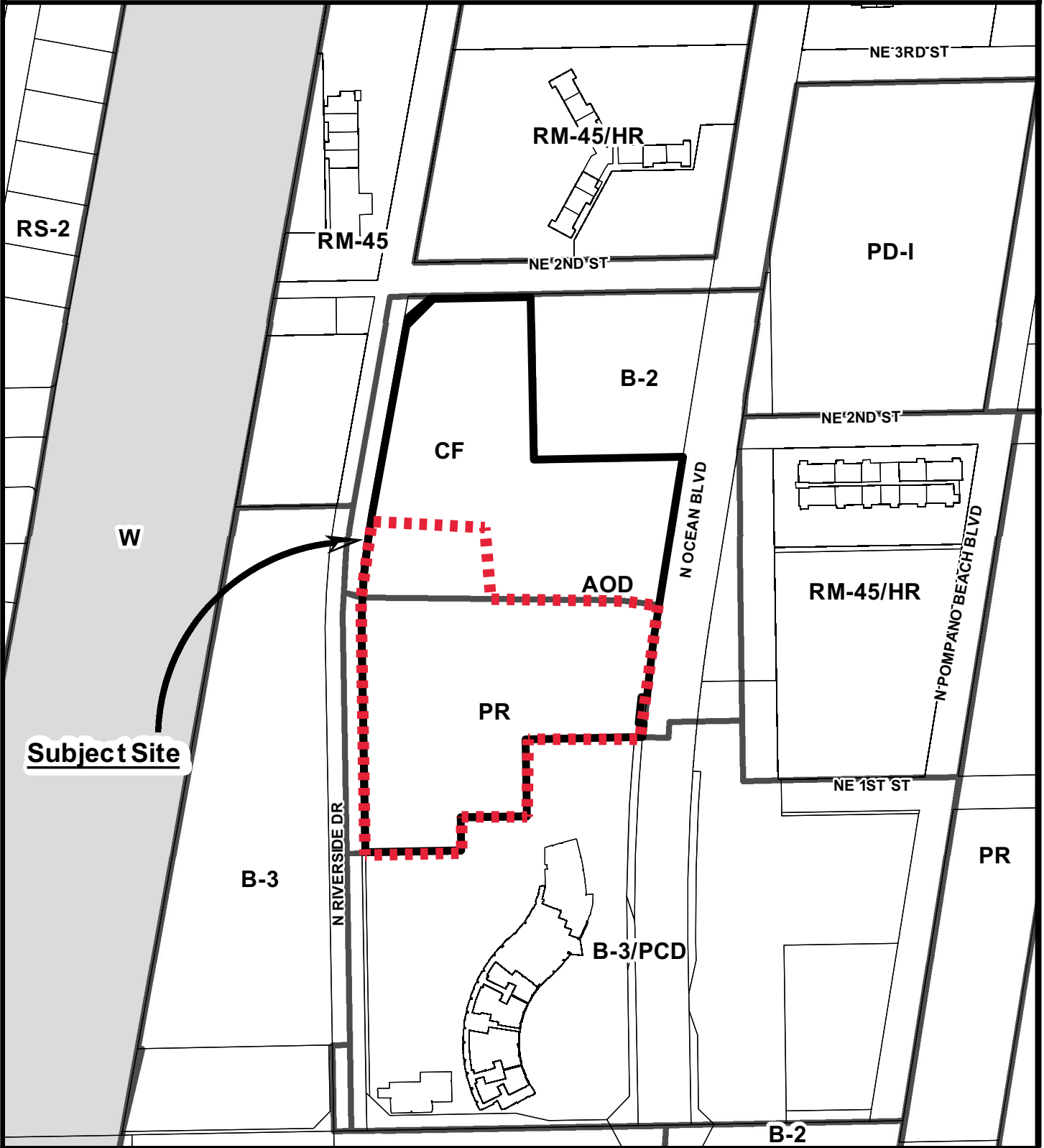
CITY OF POMPANO BEACH  
OFFICIAL LAND USE MAP



Subject Site

1 in = 208 ft

CITY OF POMPANO BEACH  
OFFICIAL ZONING MAP



1 in = 208 ft



# LEGEND

FOR LAND USE PLAN			FOR ZONING MAP	
Symbol	Classification Units/ Acre		Symbol	District
			RS-1	Single-Family Residence 1
L	Low (1-5 DU/AC)		RS-2	Single-Family Residence 2
LM	Low- Medium (5-10 DU/AC)		RS-3	Single-Family Residence 3
M	Medium (10-16 DU/AC)		RS-4	Single-Family Residence 4
MH	Medium-High 16-25 DU/AC)		RS-L	Single-Family Residence Leisureville
H	High (25-46 DU/AC)			
12	Irregular Density		RD-1	Two- Family Residence
36	Irregular Density			
			RM-7	Multiple-Family Residence 7
*	C Commercial		RM-12	Multiple-Family Residence 12
	CR Commercial Recreation		RM-20	Multiple-Family Residence 20
			RM-30	Multiple-Family Residence 30
I	Industrial		RM-45	Multiple-Family Residence 45
			MH-12	Mobile Home Park
T	Transportation			
			B-1	Limited Business
U	Utilities		B-2	Neighborhood Business
		>	B-3	General Business
CF	Community Facilities		B-4	Heavy Business
			M-1	Marina Business
OR	Recreation & Open Space		CR	Commerical Recreation
W	Water		I-1	General Industrial
			I-1X	Special Industrial
RAC	Regional Activity Center		O-IP	Office Industrial Park
			M-2	Marina Industrial
LAC	Local Activity Center			
			TO	Transit Oriented
DPTOC	Downtown Pompano	*	PR	Parks & Recreation
	Transit Oriented Corridor	*	CF	Community Facilities
			PU	Public Utility
	Number		T	Transportation
			BP	Business Parking
			LAC	Local Activity Center
	* Current		RPUD	Residential Planned Unit Dev.
	> Proposed		PCD	Planned Commercial Development
			PD-TO	Planned Development - Transit Oriented
			PD-I	Planned Development - Infill
			RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
		*>	AOD	Atlantic Boulevard Overlay District
			CRAO	Community Redevelopment Area Overlay
			NCO	Neighborhood Conservation Overlay
			APO	Air Park Overlay
			DP	Downtown Pompano Beach Overlay

**P&Z**

PZ20-13000002

12/16/2020