

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 18-12000030

A DEVELOPMENT ORDER ISSUED BY THE PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY) OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO CHAPTER 155 OF THE CODE OF ORDINANCES; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR THE CITY OF POMPANO BEACH.

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the specific application for Development referenced above as a Major Site Plan Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to review and issue a final development order with respect to the Applicant's request to construct a new convenience store/restaurant and 16-station gasoline filling station with associated parking and landscaping (Project). The Project encompasses the following properties: NW corner of W Atlantic Blvd. and N Andrews Ave.; which are more specifically described as follows:

A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (1/4) OF SAID SECTION 34; THENCE N.89°01'23"E. ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 609.15 FEET TO A POINT ON THE BASELINE OF SURVEY FOR ANDREWS AVENUE EXTENSION, AS RECORDED IN ROAD PLAT BOOK 14, PAGE 94 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE N.01°25'51"W. ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 141.38 FEET; THENCE S.88°34'09"W., A DISTANCE OF 47.70 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID ANDREWS AVENUE EXTENSION, AS RECORDED IN OFFICIAL RECORD BOOK 41828, PAGE 330 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE S.89°01'23"W. ALONG THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 814 (ATLANTIC BOULEVARD), AS RECORDED IN OFFICIAL RECORD BOOK 5444, PAGE 206 OF SAID PUBLIC RECORDS, A DISTANCE OF 44.13 FEET; THENCE S.00°58'37"E. ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 28.19

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 19-12000001

Page 2

FEET; THENCE S.88°50'28"W. ALONG THE NORTH RIGHT-OF-WAY OF SAID STATE ROAD 814 (ATLANTIC BOULEVARD), AS RECORDED IN OFFICIAL RECORD BOOK 12285, PAGE 668 OF SAID PUBLIC RECORDS, A DISTANCE OF 369.07 FEET; THENCE N.10°47'39"E., A DISTANCE OF 146.45 FEET; THENCE N.89°01'24"E., A DISTANCE OF 229.83 FEET; THENCE N.10°47'39"E., A DISTANCE OF 610.00 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID ANDREWS AVENUE EXTENSION; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES; S.79°12'21"E., A DISTANCE OF 6.69 FEET; THENCE S.01°25'55"E., A DISTANCE OF 382.44 FEET; THENCE S.10°06'13"W., A DISTANCE OF 54.43 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.86°40'16"E., A RADIAL DISTANCE OF 2,035.50 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 07°45'49", A DISTANCE OF 275.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 95,756 SQUARE FEET OR 2.1983 ACRES MORE OR LESS.

WHEREAS, the Development Review Committee has met to review this Project and has provided the Applicant with written comments; and

WHEREAS, the Application for Development Permit is not in compliance with the applicable standards and minimum requirements of this Code, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

WHEREAS, copies of the survey and final site plan are on file with the Department of Development Services, stamped with the meeting date of April 24, 2019.

IT IS THEREFORE ORDERED by the Board that the requested Major Site Plan Application for the above Project is hereby **GRANTED**, with the following conditions to which the Applicant has agreed to comply with:

Obtain approval and revise affected plans to address the following issues prior to Zoning Compliance Permit approval:

1. For permit approval, obtain the following final approvals:
 - a) Successfully obtain approval of the Commercial Flex application prior to allow the convenience store/restaurant use in a General Industrial (I-1) Zoning District.
 - b) Successfully obtain Minor Administrative Adjustment approval to allow a modification to the front setback, pursuant to §155.2421.

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 19-12000001

Page 3

- c) The Plat must be approved by the City Commission and County Commission, and recorded in the Public Records of Broward County, pursuant to §155.2410.
 - d) Obtain approval from Broward County EPD Surface Water Management Division for the proposed paving and drainage plans.
 - e) Obtain approval from Broward County Engineering and Broward County Traffic Engineering Division for proposed work on N Andrews Ave.
 - f) The Broward Sheriff's Office shall provide approval for the Submitted CPTED Plan.
 - g) Building permit plans subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
 - h) Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forestry Division.
2. Provide additional documentation to verify the techniques that were used to satisfy the requirement of 12 sustainable development points required by code section §155.5802.

Be advised that pursuant to Section 155.2308(B)(1) of the Pompano Beach Code of Ordinances, this DEVELOPMENT ORDER shall expire if a Zoning Compliance Permit is not obtained within two years.

Heard before the Planning and Zoning Board/Local Planning Agency and Ordered this

____ 24th ____ day of ____ April ____, 2019.

DocuSigned by:

Fred Stacer

5C071CDDE1944A7...

Fred Stacer

Chairman

Planning and Zoning Board/Local Planning Agency

Filed with the Advisory Board Secretary this ____ 9th ____ day of ____ May ____, 2019.

DocuSigned by:

Pamela McCleod

BA0370D608DA410...

Pamela McCleod

Assistant Planner