



# City of Pompano Beach

100 West Atlantic Blvd.  
Pompano Beach, FL 33060

## Staff Report

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**File #:** LN-73

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PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: JANUARY 27, 2021

### IMECA POMPANO FLEX

**Request:** Commercial Flexibility  
**P&Z#** 20-05000005  
**Owner:** Cocchiola, LLC  
**Project Location:** 2429 NW 4 Street  
**Folio Number:** 484233040500, 484233040510, & 484233040520  
**Land Use Designation:** L-5 (Residential)  
**Zoning District:** B-2 (General Business)  
**Commission District:** 5  
**Agent:** Mark Richards  
**Project Planner:** Jean Dolan

### Summary:

#### Request

The Applicant is proposing a “boutique” hardware store in a new building with a customer service area and warehouse area on a parcel of land fronting on Powerline Road and NW 4<sup>th</sup> Street in Collier City. The subject property is currently vacant. The subject property has two different Future Land Use designations, including both Commercial (C) and Residential (Low 1-5 du/ac). Pursuant to section 154.62, the City may allow nonresidential uses in residential land use categories through the distribution of nonresidential flexibility within the City’s unified flexibility (or ‘flex’) zone. The subject property is within the unified flex zone. All but approximately 2,800 SF of the 23,636 SF of the 3 parcels associated with the Application require the application of commercial flexibility because only the frontage of the parcels with folio numbers ending in 0510 and 0520 have a commercial land use designation. The depth of the area with commercial land use is not sufficient to build a commercial project so if commercial uses are desired on the Powerline Road frontage, commercial flexibility (or a land use plan map amendment) will be necessary to enable a viable project. The Applicant, therefore, is requesting commercial flexibility for the subject property.

#### Rationale for the Commercial Flexibility Request

The City has 274.77 acres of commercial flexibility available. This request for approximately 21,000 square feet of commercial flexibility (less than half an acre) can be accommodated.

A plan for Collier City was funded by the Northwest CRA entitled Collier City Neighborhood Development Plan

(Decomap) and was adopted back in May of 2012. That plan does identify the vacant parcels fronting on Powerline as undesirable and a blighting influence but does not specifically recommend the type of uses desired for those properties.

To ensure neighborhood support for the commercial use of the subject property in general and this project specifically, the Applicant presented the project and obtained written confirmation by the Collier City Civic Association that the neighborhood leadership supports the application of commercial flex and construction of the proposed building on this property.

The CRA staff is also generally supportive of this request, however, concern was raised about the measures to be put in place to mitigate the potential for cut-through traffic through the Collier City residential neighborhood, specifically cut through traffic between NW 31<sup>st</sup> Avenue and Powerline Road. Concern was also expressed about how loading and unloading will be accomplished without blocking traffic, parking and on-site circulation.

The Applicant has assured the City that no semi-trucks will deliver materials to the site. Any large deliveries will be made directly to the end-user. Trucks no larger than box trucks will make deliveries to the site.

The Applicant provided a parking study showing that the business does not attract large amount of on-site customers and demonstrated that 13 parking spaces is adequate to serve the expected peak daily business volume, therefore, large amounts of traffic cutting through the neighborhood is unlikely to occur.

### Surrounding Land Uses

The future land use designation, zoning districts and existing uses of the properties immediately surrounding the subject property are summarized as follows:

**EXISTING AND PLANNED USE OF ADJACENT AREAS**

Land Use/Zoning	Site	North	South	East	West
City Future Land Use Map and Zoning Designation	Land Use: Commercial and L-5 Residential Zoning: B-2	Land Use: Commercial and L-5 Residential Zoning: B-2	Land Use: L-5 Residential Zoning: B-2	Powerline Road	Land Use: L-5 Residential Zoning: RS-3
Existing Uses	Vacant	Vacant (billboard) and Single-Family homes	Vacant	Powerline Road	Single-Family homes

### Commercial Flexibility Review Standards

An application for Commercial Flexibility shall be approved only on a finding that there is competent substantial evidence in the record that the development, as proposed, meets the following review standards found in Section 154.61(D):

- (1) Consistency with applicable goals, objectives and policies of the City's Comprehensive Plan and

chapter.

(2) The nonresidential development within the residential land use designation will produce a reasonable development pattern. The criteria for reasonableness shall include compatibility of adjacent land uses.

The following Comprehensive Plan Goals, Objectives and Policies support this Application:

**Policy 01.03.04**

Consider the preservation of established single-family neighborhoods in all rezonings, land use plan amendments and site plan approvals.

**Policy 01.03.11**

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

**Policy 01.08.01**

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

The support of the Collier City Civic Association for the project, the assurances regarding the absence of semi-trucks, the relatively light traffic to the site even on peak business days and the deterrent to cut-through delivery truck traffic allow for the conclusion that the proposed project will be reasonably compatible with the adjacent single-family homes. The development of a vacant lot that was identified as a blighting influence in the Collier City Neighborhood Development Plan (Decomap) adopted by the CRA in 2012, also supports the allocation of commercial flexibility for this property. Given that ground-floor commercial uses are one of the most appropriate uses along Powerline Road, it is necessary to create deeper commercial lots along Powerline to enable construction of reasonably sized nonresidential or mixed use projects. These facts support the request for commercial flexibility for the subject property.

**Staff Conditions:  
Recommendation**

Given the information provided to the Board, as the findings of fact, staff provides the following alternative motions, which may be revised or modified at the Board's discretion.

**Alternative Motion I**

Approval of the requested Commercial Flexibility with the following conditions:

(1) Prior to being placed on a City Commission agenda, the Applicant will add a note on the Conceptual Site Plan that states:

*"No semi-trucks will make deliveries to the property. The route from NW 31<sup>st</sup> Avenue to Powerline along NW 4<sup>th</sup> Street shall not be used as a delivery route to the site. All deliveries will access the site to and from Powerline Road and will not travel west of the site on NW 4<sup>th</sup> Street."*

**Alternative Motion II**

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

**Alternative Motion III**

Denial of the Commercial Flexibility as the Board finds it is not consistent with the goals, objectives and policies of the Comprehensive Plan.

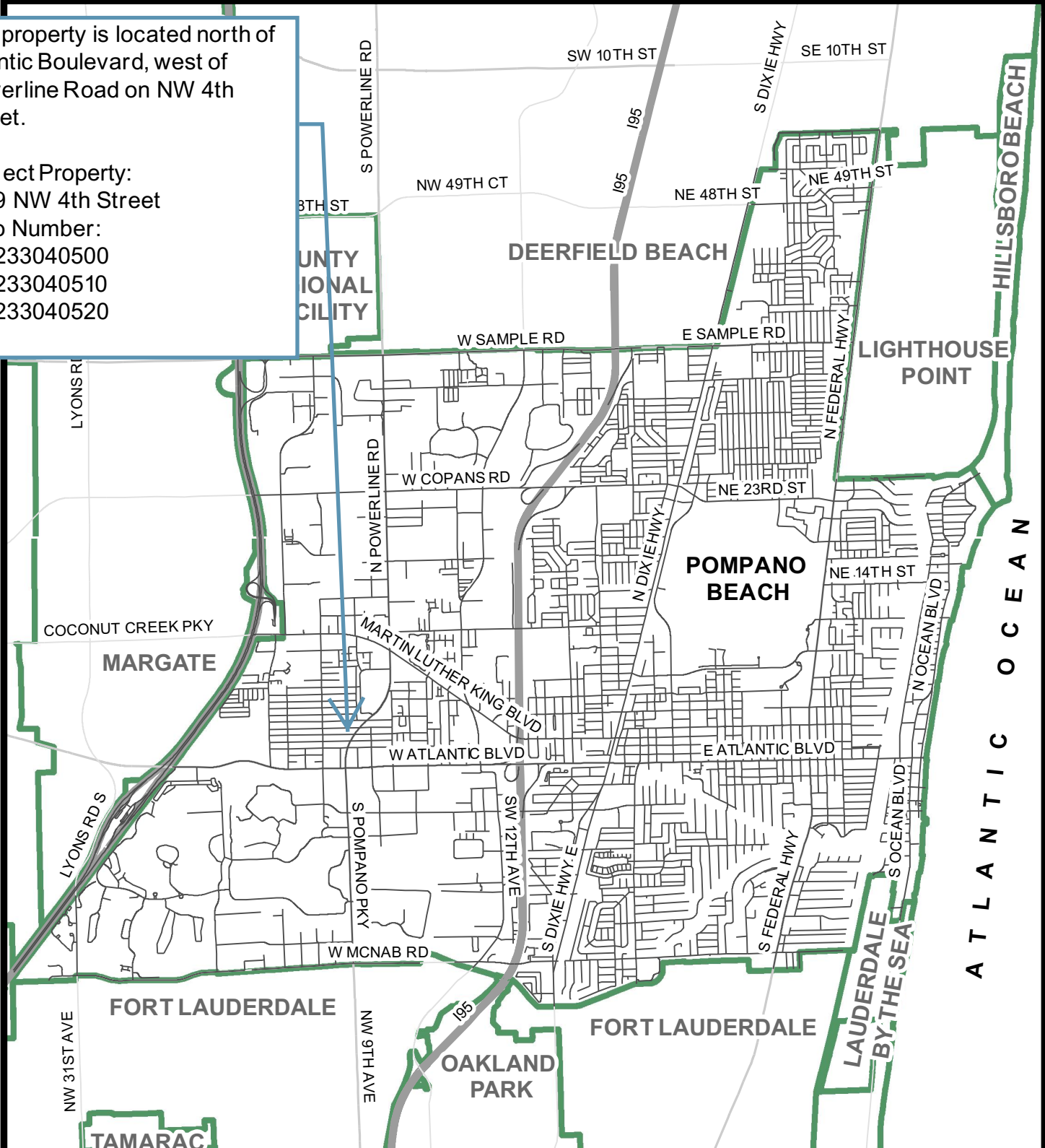
Staff recommends Alternative Motion I.

# CITY OF POMPANO BEACH LOCATION MAP



The property is located north of Atlantic Boulevard, west of Powerline Road on NW 4th Street.

Subject Property:  
2429 NW 4th Street  
Folio Number:  
484233040500  
484233040510  
484233040520



1 in = 1 miles

7/30/2017

KeeDan

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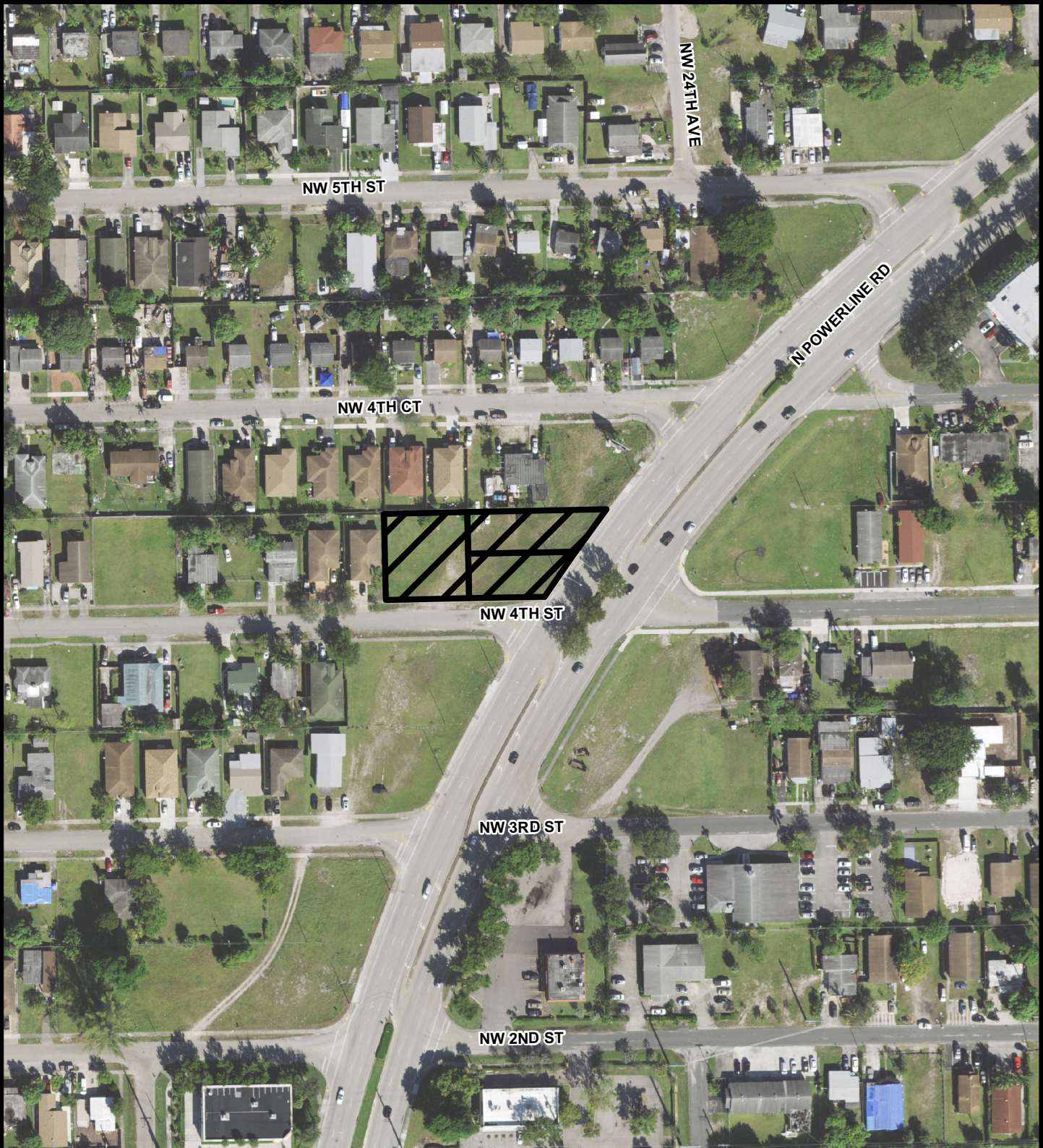
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DEPARTMENT OF  
DEVELOPMENT SERVICES

PZ20-05000005

1/27/2021



# CITY OF POMPANO BEACH AERIAL MAP



1 in = 167 ft

12/28/2020

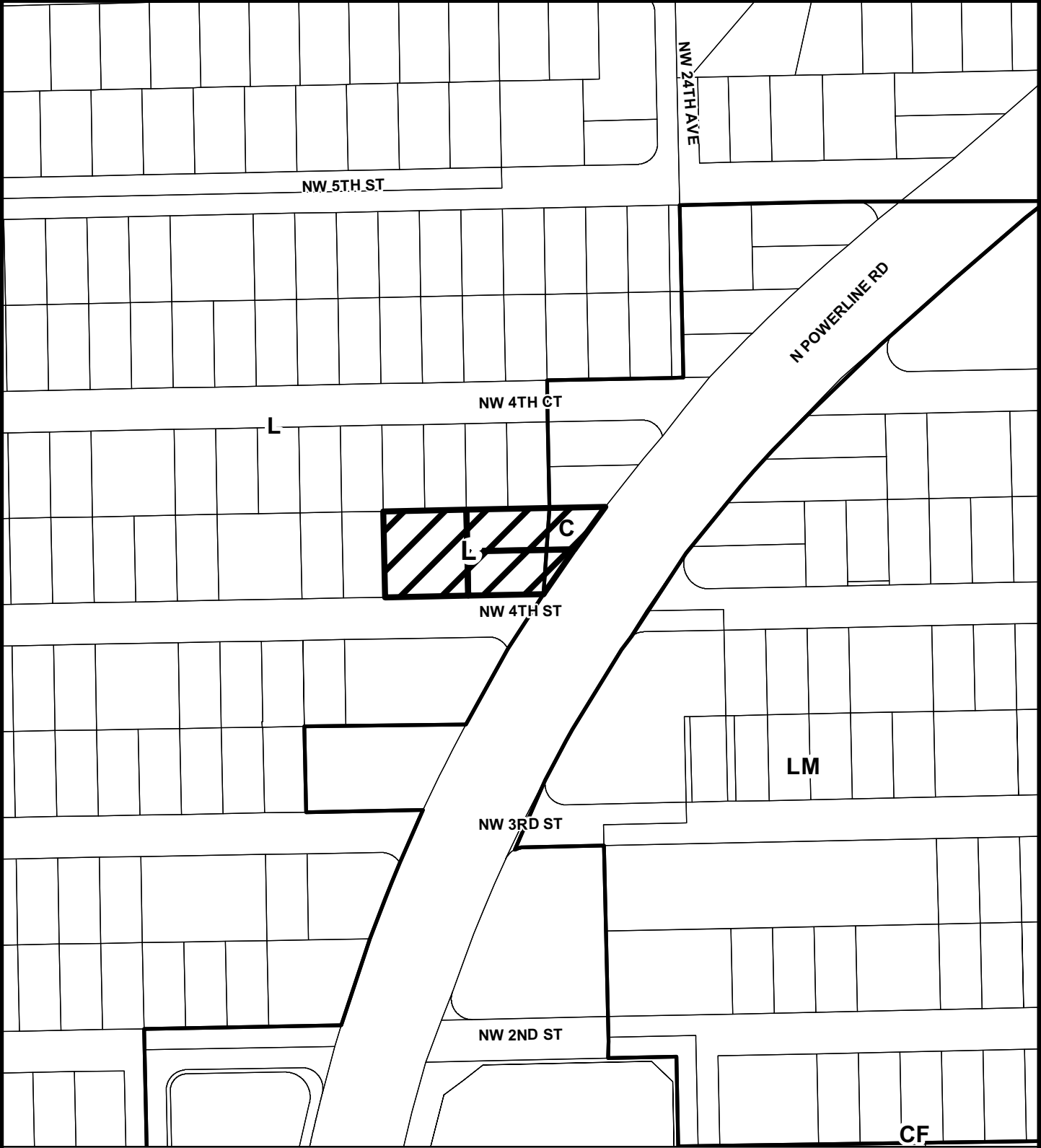
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**P&Z**  
PZ20-05000005  
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CITY OF POMPANO BEACH  
OFFICIAL LAND USE MAP



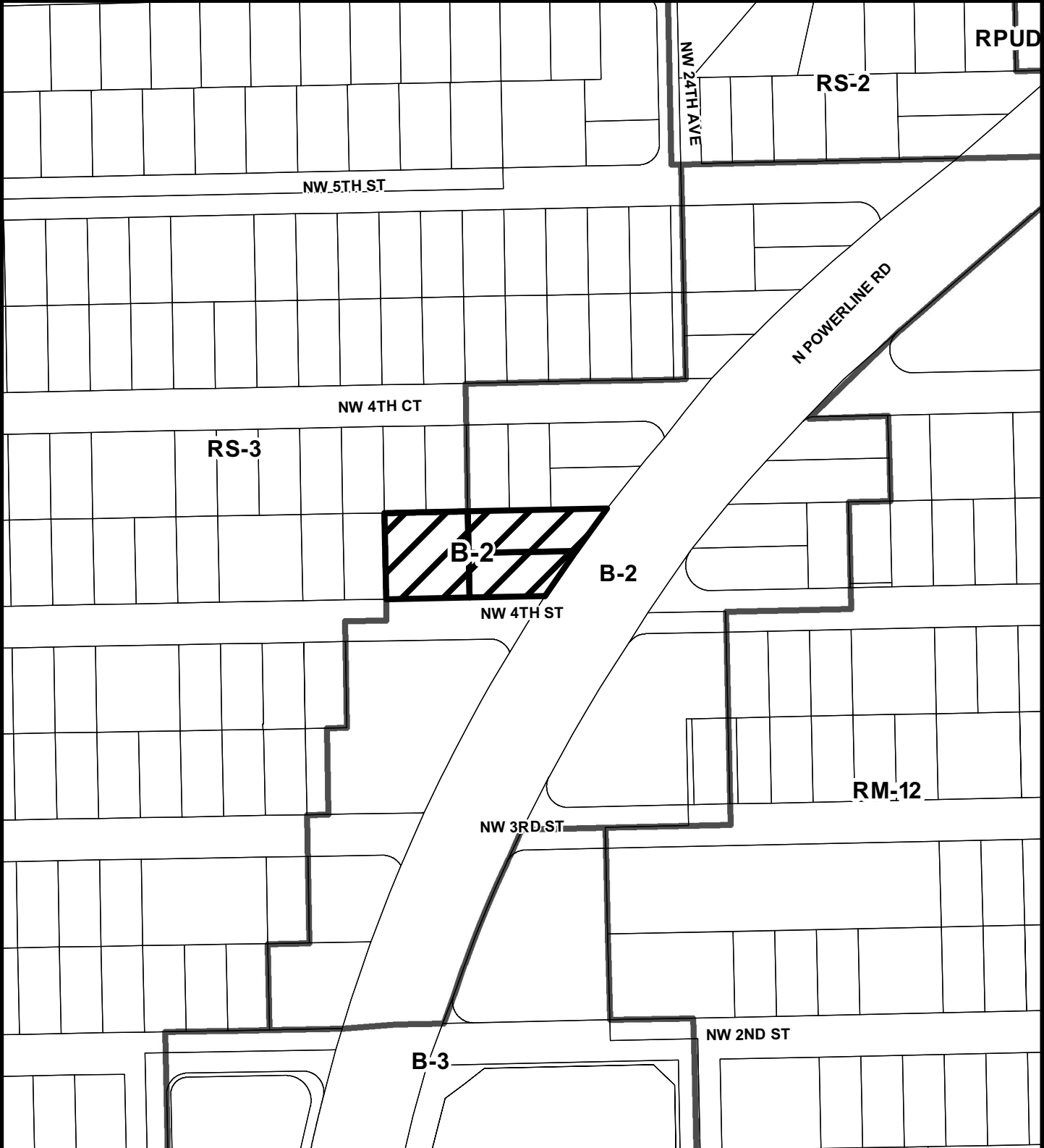
1 in = 167 ft

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# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



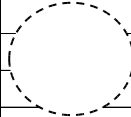
1 in = 167 ft

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# 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
		Number		PU	Public Utility
				T	Transportation
				BP	Business Parking
				LAC	Local Activity Center
		* Current			
		> Proposed		RPUD	Residential Planned Unit Dev.
				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**

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