

**C. MOMENT OF SILENCE**

A moment of silence was observed.

**D. APPROVAL OF THE MINUTES:**

Approval of the minutes of the meeting of August 22, 2018.

**MOTION** by Tony Hill and second by Carla Coleman to approve the minutes of the August 22, 2018 meeting.

*Discussion*

Mr. Stacer asked for clarification of who “they” refers to on page 26, in reference to Mr. Hill attending a meeting at the Five Star Residences.

Mr. Hill responded that “they” refers to the building tenants.

*Vote:*

All voted in favor.

**E. INDIVIDUALS TESTIFYING PLACED UNDER OATH**

City staff and members of the public testifying before the Board at the meeting were placed under oath by Martha Lawson, Zoning Technician and Notary Public in the State of Florida.

**F. PLAT**

**1. PREFERRED DEVELOPMENT POMPANO LLC / PREFERRED POMPANO PLAT  
Planning and Zoning No. 18-14000001  
Commission District: 5**

Consideration of the PLAT submitted by **TARA-LYNN PATTON** on behalf of **PREFERRED DEVELOPMENT POMPANO LLC** that restricts the property to a maximum building of 25,000 square feet of industrial use for parcel A, 110,000 square feet of self-storage uses on Parcel B and open space on Parcel C. The subject property consists of 2.52 acres and is currently vacant and unplatted. All parcels are legally defined as follows:

PARCEL 1:

A PORTION OF TRACT 'B', POMPANO TERMINAL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 54, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND A PORTION OF GOVERNMENT LOTS 1 AND 4, SECTIONS 2 AND 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP OF ANDREWS AVENUE

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY 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. // ML

EXTENSION, ITEM/SEGMENT NO. 2307241, SECTION 86000-2590 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE SOUTH 02°50'19" EAST ALONG THE EAST LINE OF SAID SECTION 3, A DISTANCE OF 297.09 FEET TO A POINT ON THE SOUTHERLY EXISTING RIGHT-OF-WAY LINE OF SOUTHWEST 1st COURT AND THE POINT OF BEGINNING; THENCE SOUTH 89°00'43" WEST ALONG THE SOUTHERLY EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 60.17 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF SOUTH 27°12'53" EAST; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 2,016.00 FEET, THROUGH A CENTRAL ANGLE OF 03°34'12", AN ARC DISTANCE OF 125.62 FEET TO THE END OF SAID CURVE; THENCE SOUTH 15°50'03" EAST, A DISTANCE OF 50.11 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF SOUTH 32°25'26" EAST; THENCE ALONG SAID CURVE, HAVING A RADIUS OF 2,028.00 FEET, THROUGH A CENTRAL ANGLE OF 04°05'29", AN ARC DISTANCE OF 144.81 FEET TO THE END OF SAID CURVE, THENCE NORTH 89°09'30" EAST, A DISTANCE OF 207.99 FEET TO A POINT ON THE WESTERLY EXISTING RIGHT-OF-WAY LINE OF ANDREWS AVENUE EXTENSION; THENCE NORTH 02°29'05" WEST ALONG SAID WESTERLY EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 184.33 FEET; THENCE NORTH 49°21'41" WEST, A DISTANCE OF 151.89 FEET TO A POINT ON SAID SOUTHERLY EXISTING RIGHT-OF-WAY LINE OF SOUTHWEST 1st COURT; THENCE SOUTH 89°00'43" WEST ALONG SAID SOUTHERLY EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 173.33 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PORTION OF GOVERNMENT LOT 1, SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, AND GOVERNMENT LOT 4, SECTION 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE SOUTH 00°04'22" EAST ALONG THE EAST LINE OF SAID SECTION 3, A DISTANCE OF 242.03 FEET; THENCE SOUTH 88°12'14" EAST, A DISTANCE OF 314.52 FEET TO A POINT ON THE CENTERLINE OF SOUTHWEST 12TH AVENUE; THENCE SOUTH 00°16'42" WEST ALONG THE SAID CENTERLINE, A DISTANCE OF 340.97 FEET; THENCE NORTH 88°04'43" WEST, A DISTANCE OF 30.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 12 AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°04'43" WEST, A DISTANCE OF 424.00 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG AN 18 DEGREE CURVE TO THE RIGHT WITH A CENTER ANGLE OF 57°36'32", A DISTANCE OF 321.37 FEET; THENCE SOUTH 87°56'54" EAST, A DISTANCE OF 228.36 FEET TO A POINT ON THE SAID WEST RIGHT-OF-WAY LINE OF SOUTHWEST 12TH AVENUE; THENCE NORTH 00°16'42" EAST ALONG THE SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 232.86 FEET TO THE POINT OF BEGINNING.

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LESS AND EXCEPT THE LANDS AS CONTAINED IN THE CERTAIN ORDER OF TAKING, DATED MARCH 3, 2014, CASE NO. CACE 13014621-21, AS RECORDED IN OFFICIAL INSTR #\_\_, AND DESCRIBED AS FOLLOWS:

A PORTION OF LAND LYING IN GOVERNMENT LOT 1, SECTION 3 AND GOVERNMENT LOT 4, SECTION 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP OF ANDREWS AVENUE EXTENSION, ITEM/SEGMENT NO. 2307241, SECTION 8600-2590 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE SOUTH 02°50'19" EAST ALONG THE EAST LINE OF SAID SECTION 3, A DISTANCE OF 813.92 FEET TO A POINT ON THE NORTHERLY EXISTING RIGHT-OF-WAY LINE OF SOUTHWEST 2ND STREET; THENCE NORTH 89°17'40" EAST ALONG SAID NORTHERLY EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 52.71 FEET TO THE POINT OF BEGINNING AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 319.62 FEET AND A CHORD BEARING OF NORTH 28°18'46" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°25'24", A DISTANCE OF 169.71 FEET TO THE END OF SAID CURVE; THENCE NORTH 34°14'30" WEST, A DISTANCE OF 18.28 FEET; THENCE NORTH 20°19'23" WEST, A DISTANCE OF 51.14 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2,138.00 FEET, AND A CHORD BEARING OF NORTH 32°50'44" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°37'49", A DISTANCE OF 23.52 FEET TO THE END OF SAID CURVE; THENCE NORTH 89°09'30" EAST, A DISTANCE OF 130.64 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2,028.00 FEET AND A CHORD BEARING OF SOUTH 34°29'10" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°01'58", A DISTANCE OF 1.16 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2,138.00 FEET AND A CHORD BEARING OF SOUTH 31°01'58" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'21", A DISTANCE OF 258.94 FEET TO THE END OF SAID CURVE; THENCE SOUTH 59°08'21" EAST, A DISTANCE OF 15.13 FEET TO A POINT ON THE NORTHERLY EXISTING RIGHT-OF-WAY LINE OF SOUTHWEST 2ND STREET; THENCE SOUTH 89°17'40" WEST ALONG SAID NORTHERLY EXISTING RIGHT-OF-WAY LINE, A DISTANCE OF 157.34 FEET TO THE POINT OF BEGINNING.

AKA: 100 S. Andrews Avenue and 151 SW 12 Avenue

ZONED: I-1 (General Industrial)

STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

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Mr. Daniel Keester-O'Mills, Principal Planner, explained that the proposed plat is for a 2.5 acre property zoned I-1 and that it would split it into three lots. Parcel A would be limited to 25,000 square feet of industrial use, Parcel B would be limited to 110,000 square feet of self-storage use, and Parcel C will be restricted to open space as a consequence of its very small size. All service provider letters have been submitted with no objections. The plat was reviewed by the DRC on March 7, 2018 and found to be in compliance with the City's land development regulations.

The Development Services Department recommends approval of the Plat subject to the following comments and conditions:

1. Plat cover page must be signed and sealed by the surveyor and signed by all owners.
2. Applicant must submit a Title Certificate dated within the last 6 months.
3. The Broward County Development Review Report recommendations listed on Attachment I of this report are all required to be on the plat.
4. Section 155.5101.I.1.b. requires a sidewalk to be constructed along SW 12th Avenue adjacent to this plat, to connect to a walkway to the northernmost-building entrance. It shall be installed prior to Certificate of Occupancy.

Mr. Hill asked why the applicant would restrict themselves to these two uses.

Mr. Keester-O'Mills responded that this might be a way to limit impact fees the property owner would need to pay to Broward County.

Mr. Hill asked what commitment the City has to allow a self-storage facility on the property.

Mr. Keester-O'Mills stated the use would be allowed by the plat and by the zoning, so the City would permit the use if proposed.

Mr. Stacer stated for the record that he worked on the eminent domain case for the Department of Transportation, but that he has no predjudice one way or another regarding this proposal.

Mr. James Saunders, Assistant City Attorney, confirmed that the City Attorney's office also does not see any conflict of interest.

Ms. Tara Patton (10805 Glean Eagles Road, Boynton Beach, FL.) introduced herself on behalf of the applicant. She stated that the current property owner is different from when Mr. Stacer was involved with the property and that they agree with staff's recommendation.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

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**MOTION** was made by Carla Coleman and seconded by Rhonda Eaton to recommend approval of the Plat PZ #18-14000001 per staff conditions as described in the staff report. All voted in favor of the motion.

Ms. Coleman reminded the Chair that the Board had recently asked staff to do some analysis regarding self-storage in the City, particularly how much the need is for it. She asked if the Board could look at these results.

Mr. Stacer responded that this could be discussed at the Staff Reports section of the agenda.

## **H. MAJOR SITE PLAN**

### **2. WHITNEY LLC / OUTBACK AT SHOPPER'S HAVEN Planning and Zoning No. 18-12000002 Commission District: 2**

Consideration of the MAJOR SITE PLAN submitted by **CHRISTINA BILENKI** on behalf of the **WHITNEY LLC** in order to construct a new 6,697 sq. ft. restaurant on an existing outparcel on the Shopper's Haven shopping center site. The property is currently vacant. The total building footprint of the shopping center including the subject property is 211,309 sq. ft. on a 963,823 sq. ft. site (21.9% lot coverage on 22.13 acres). All parcels are legally defined as follows:

LOTS 1 AND 2 AND THE EAST 33 FEET OF LOT 17, TOGETHER WITH LOTS 18, 19 AND 20, BLOCK 1, AND PARCEL "a", LESS THE NORTH 15 FEET OF SAID PARCEL "A", CRESTHAVEN NO. 9 RE-PLAT, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 46, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND LESS THAT PART OF SAID PARCEL "A" WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY 25 FOOT RADIUS ARC, WHICH IS TANGENT TO THE WEST LINE OF SAID PARCEL "A" AND TANGENT TO A LINE 15 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID PARCEL "A", AND LESS THAT PART OF SAID PARCEL "A" WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY A 25 FOOT RADIUS ARC, WHICH IS TANGENT TO THE EAST LINE OF SAID PARCEL "A" AND TANGENT TO A LINE 15 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID PARCEL "A".  
LESS AND EXCEPT THEREFROM THOSE LANDS CONVEYED TO BROWARD COUNTY BY WARRANTY DEED RECORDED OCTOBER 15, 1997 IN OFFICIAL RECORDS BOOK 27143, PAGE 282; FURTHER LESS AND EXCEPT THOSE LANDS CONTAINED IN PARCEL NO. 108 AS DESCRIBED IN COUNTY DEED RECORDED AUGUST 14, 1997 IN OFFICIAL RECORDS BOOK 26853, PAGE 991; AND FURTHER LESS AND EXCEPT THOSE LANDS CONVEYED TO BROWARD COUNTY BY WARRANTY DEED RECORDED MAY 13, 1997 IN OFFICIAL RECORDS BOOK 26416, PAGE 92.

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