



DEVELOPMENT SERVICES

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ADMINISTRATIVE MEMORANDUM NO. 20-050

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Maggie Barszewski, AICP, Planner
SUBJECT: H Greg Rezoning Request
Rezoning Request P&Z #19-13000013/ February 26, 2020 P&Z Meeting
DATE: February 7, 2020

APPLICANT'S REQUEST

Christina Bilenki, Esq. of Dunay, Miskel, & Backman, LLP, on behalf of H. Greg Pompano Corp., is requesting to rezone the subject property from General Industrial/Planned Commercial Development (I-1/PCD) to General Industrial (I-1) in order to remove the master plan requirements from the property. The subject property include 1.7 acres. This rezoning request was reviewed by the Development Review Committee (DRC) on December 4, 2019.

This property is located on the southeast corner of SW 6th Street & SW 9th Ter.

BACKGROUND

There is an existing +/- 103,995 square foot building on the Property that was constructed circa 1975. On October 22, 2013, the City approved Ordinance 2014-03 to rezone for the Property from the standard I-1 (General Industrial) zoning district to the I-1/PCD (Planned Commercial/Industrial Development) district. The I-1/PCD was approved with a corresponding master plan for the proposed redevelopment of the building ("Master Plan"). The Master Plan included adding an additional story to the existing structure, as well as a parking deck on the roof of the building, so that the Property could be used for vehicle sales and storage. Since the 2013 approval of the Master Plan, Petitioner has reassessed construction costs and the feasibility to renovate the building. Further, with the opening of a successful new sales center for the business located on Sample Road in the City, Petitioner no longer requires the vehicle sales use on the Property. Rather, Petitioner is proposing to renovate the façade of the building, make interior building improvements and add a tower feature in order to use the building for the storage of high-end vehicles ("Project").

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

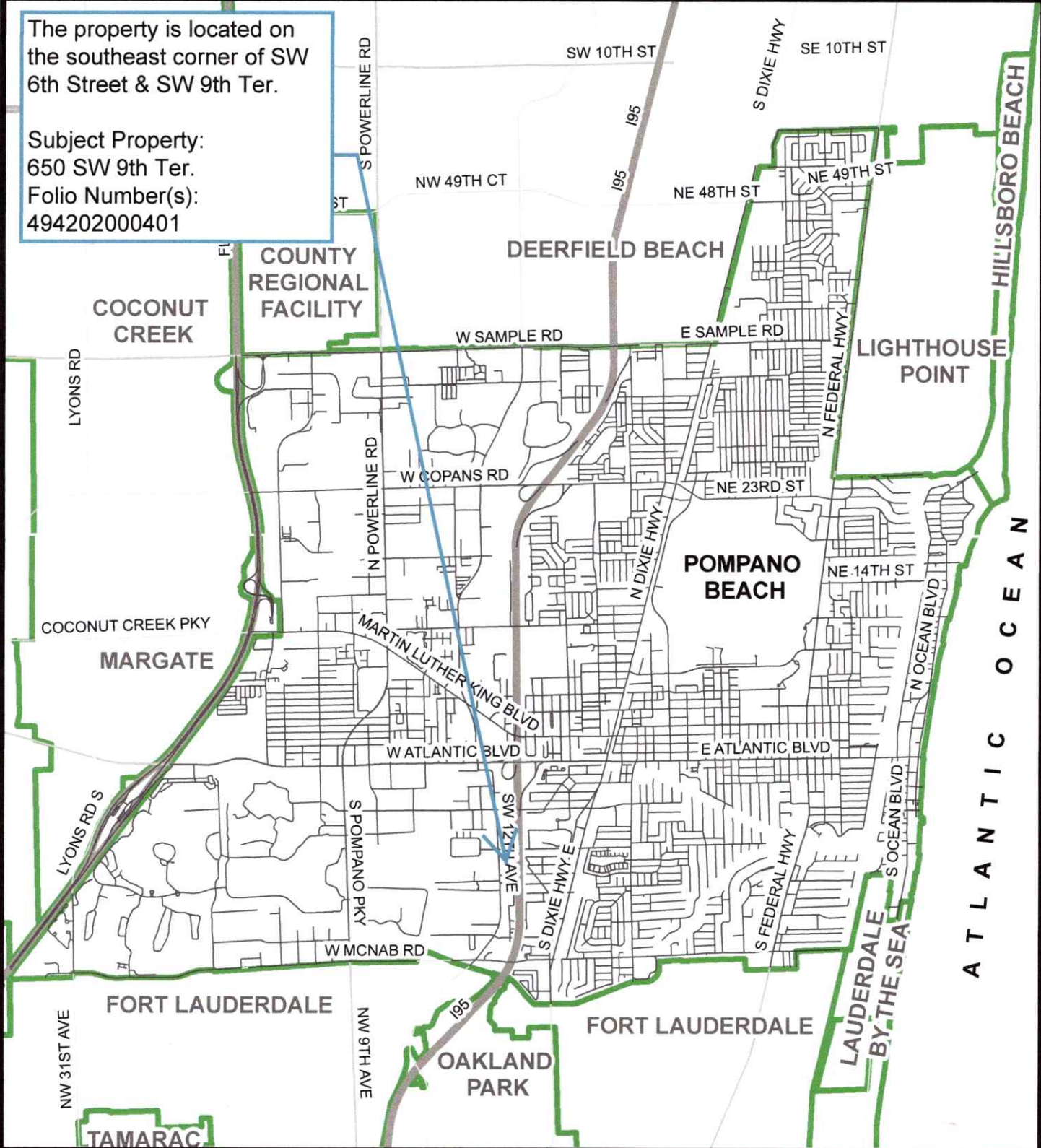
1. The applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
 - a. Is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable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

CITY OF POMPANO BEACH LOCATION MAP



The property is located on the southeast corner of SW 6th Street & SW 9th Ter.

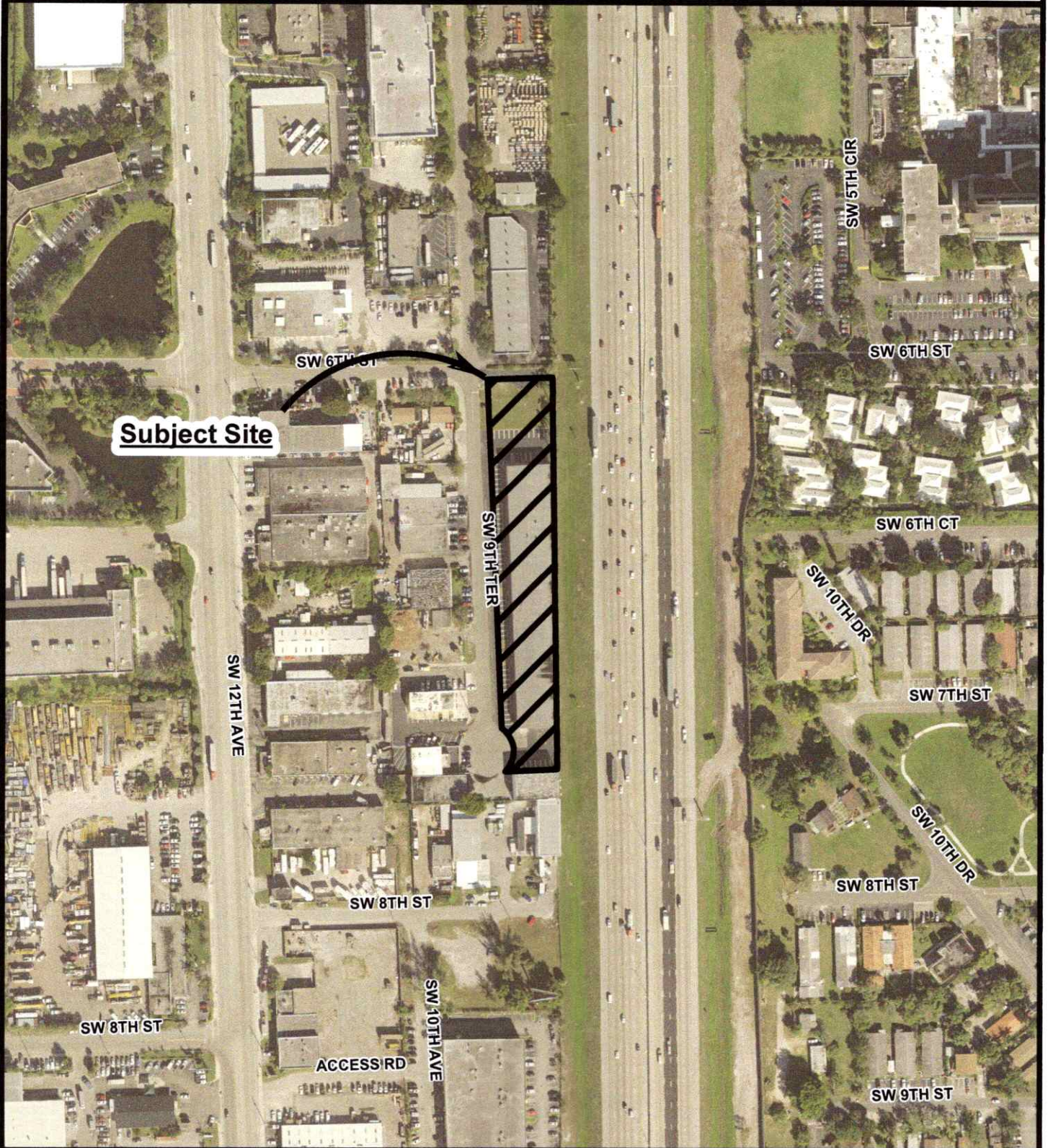
Subject Property:
650 SW 9th Ter.
Folio Number(s):
494202000401



1 in = 1 miles

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CITY OF POMPANO BEACH AERIAL MAP

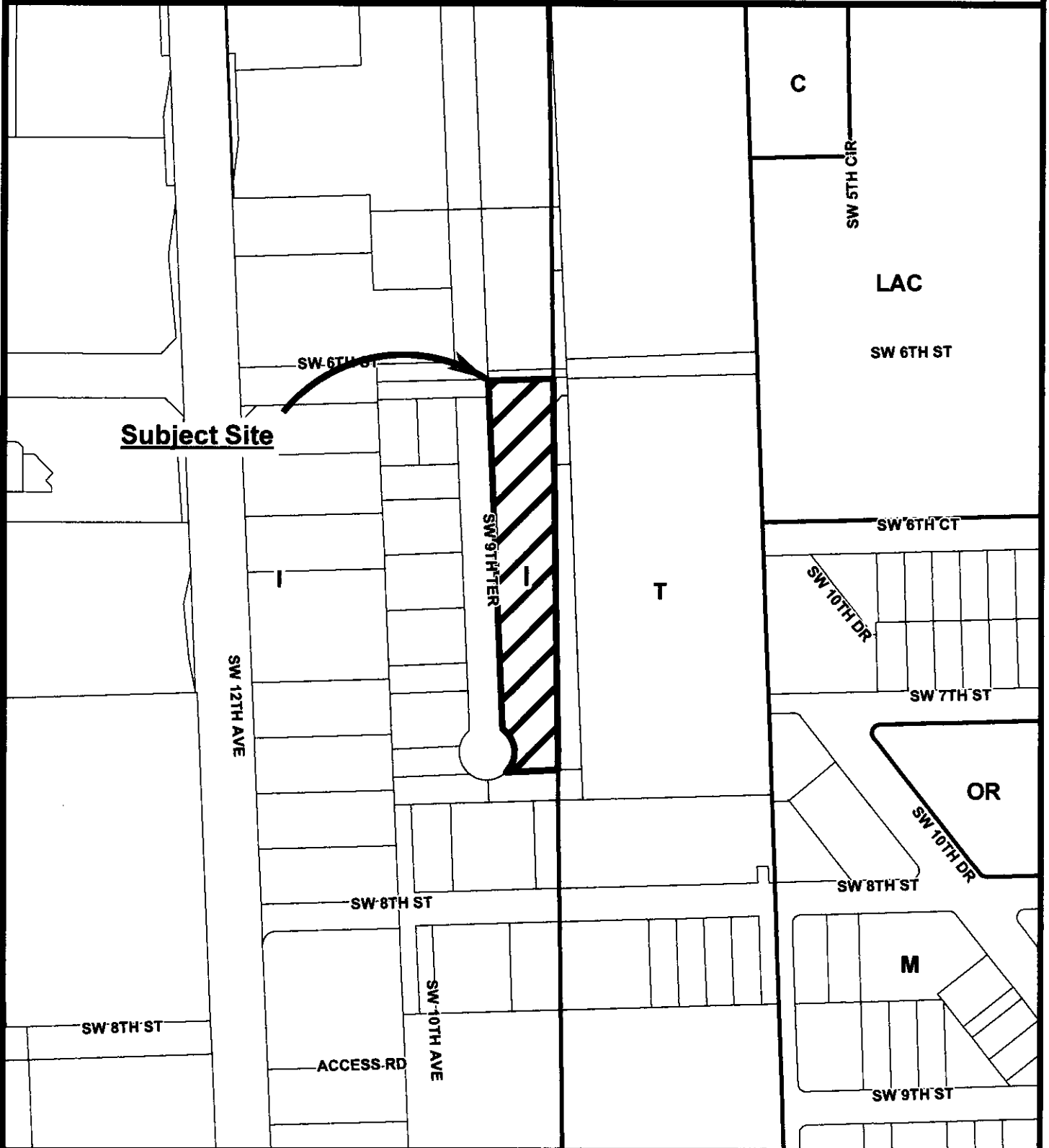


1 in = 250 ft

3

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CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

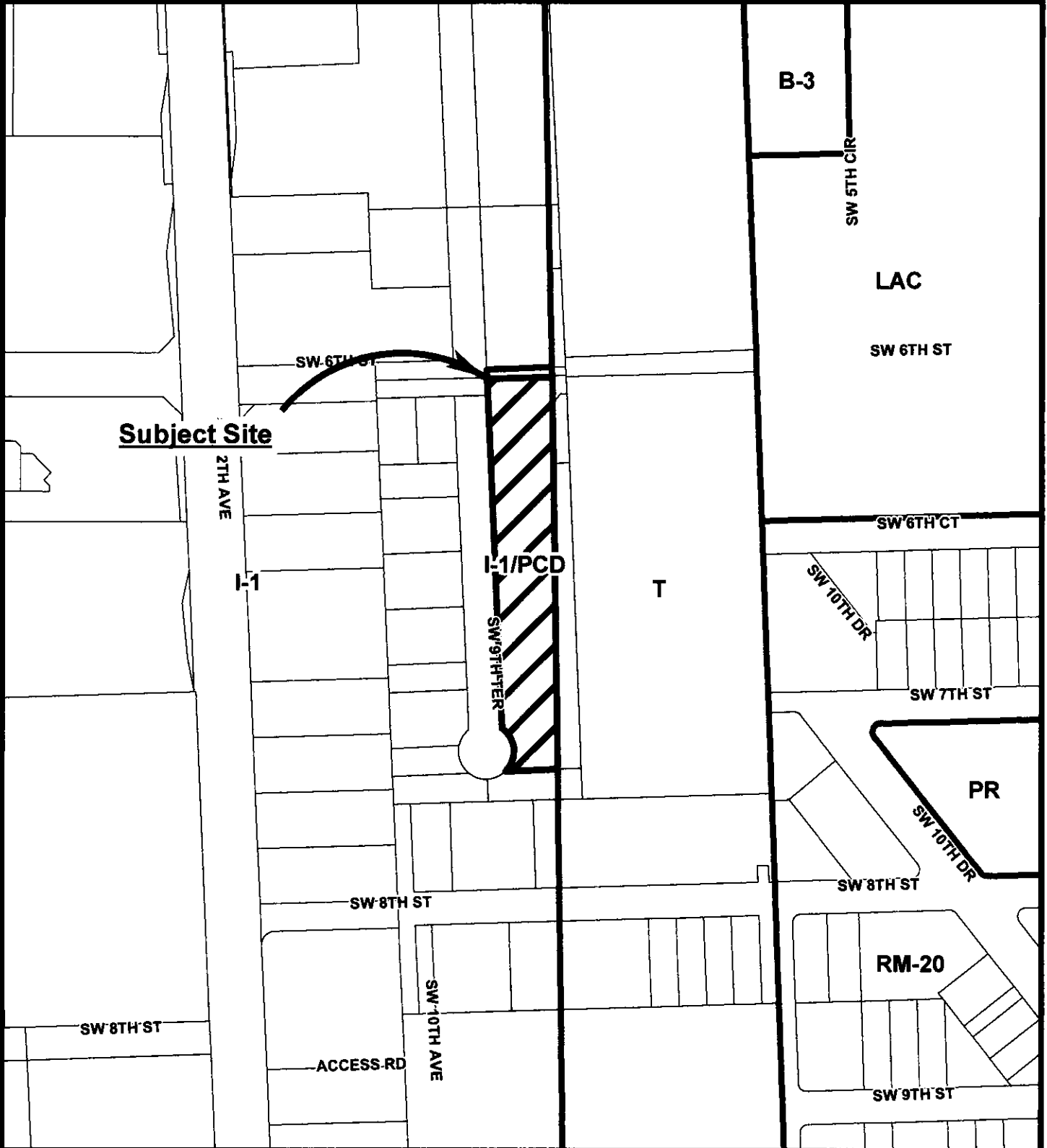


1 in = 250 ft

4

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 250 ft

5

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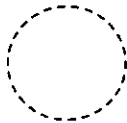
LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

	Gross Residential Density
	Residential
E	Estate
L	Low
LM	Low- Medium
M	Medium
MH	Medium-High
H	High
C	Commercial
CR	Commercial Recreation
*	I Industrial
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
	Boundaries
	City of Pompano Beach

13 Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

*	Existing
>	Proposed

FOR ZONING MAP

Symbol District

RS-1	One-Family Residence
RS-2	One-Family Residence
RS-3	One-Family Residence
RS-4	One-Family Residence
RD-1	Two- Family Residence
RM-12	Multi-Family Residence
RM-20	Multi-Family Residence
RM-30	Multi-Family Residence
RM-45	Multi-Family Residence
RM-45/HR	Overlay
RPUD	Residential Planned Unit Dev.
AOD	Atlantic Boulevard Overlay District
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
B-3	General Business
B-4	Heavy Business
RO	Residence Office
M-1	Marina Business
M-2	Marina Industrial
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
BP	Business Parking
BSC	Planned Shopping Center
PCI	Planned Commercial / Industrial Overlay
PCD	Planned Commercial Development
PR	Parks & Recreation
CR	Commerical Recreation
CF	Community Facilities
T	Transportation
PU	Public Utility

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A. The following policies of the City’s Comprehensive Plan Land Use Element have been identified as pertinent to this rezoning:

Policy 01.03.11 Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Policy 01.03.12 The following criteria may be used in evaluating rezoning requests:

1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and
7. Proximity to mass transit.

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 December 4, 2019.
2. The property is located on the southeast corner of SW 6th Street & SW 9th Ter.
3. The subject property to be rezoned is approximately 1.7 acres.
4. The property is not platted.
5. The existing zoning and uses of adjacent properties are as follows:

Direction	Zoning/ Land Use Designation	Use
North	I-1/I	General Industrial uses
East	T/T	I-95
South	I-1/I	General Industrial uses
West	I-1/I	General Industrial uses

6. The Land Use Designation is Industrial (I).

C. Analysis

In the review criteria it states that 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 two policies listed in Section ‘A’ of this report, as being relevant in the consideration of this rezoning request. Policies 01.03.11 and 01.03.12 of the Future Land Use Element require compatibility with adjacent properties. The surrounding properties are all zoned General Industrial or Transportation and therefore this rezoning would be compatible with such properties. Also, the Table shown above shows that the surrounding existing uses are either industrial uses or I-95.

It is Staff's opinion that the I-1 rezoning would be compatible with the properties immediately adjacent to the subject property since they have the same or more intense zoning. Therefore, there is a reasonable basis to support this request for rezoning since it is compatible with the surrounding existing zoning and uses.

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 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, Objectives and Policies listed in Section 'A' of this report.

Staff recommends alternative motion number I.