

Mr. Asbury reiterated all standards are met and they accept the conditions.

Mr. Klosiewicz asked if there are other airports with similar tree requirements. Mr. Asbury replied no and he said all airports forbid trees near the taxiways.

Assistant City Attorney Saunders recommended the Board remain within their purview when considering the criteria for the Major Site Plan. He reiterated the applicant has accepted the staff conditions.

Chair Stacer noted the applicant will either provide the trees or pay into the Tree Fund and recommended the Board consider the conditions.

Ms. Smith said, based on the aerial, they are not removing trees since there are no trees currently on the parcel.

Mr. Asbury said they are adding hundreds of new trees but stopping short in the area where there is a concern about trees. He noted they will pay into the Tree Fund for any trees they cannot provide, based on the condition. He said there is a minimal number of trees they cannot provide.

(0:53:05)

MOTION by Tundra King and seconded by Richard Klosiewicz that the Board finds that competent, substantial evidence has been presented for the Major Site Plan that satisfies the review criteria, and move approval of the item, subject to the three (3) conditions provided by staff. All voted in favor. The motion was approved.

(0:54:03)

6. [LN-341](#)

NW 31ST AVE LUPA

Request:	Local Land Use Plan Amendment from Commercial to Industrial
P&Z#	22-92000004
Owner:	Pompano Beach Hospitality LLC
Project Location:	1201 NW 31 Ave
Folio Number:	484233280010; 484233000323; 484233000328
Land Use Designation:	Commercial
Zoning District:	B-3 (General Business)
Agent:	John Rinaldi
Project Planner:	Jean Dolan

Ms. Jean Dolan, Planner, introduced herself to the Board and reviewed the location map and adjacent land use map designations. She noted one Industrial triangle amongst the Commercial designations. She explained it is owned by the Turnpike and has no access. She stated it has been Industrial since at least 1985 but it is not a usable parcel. She continued by reviewing the Change in Entitlements and the Comprehensive Plan Goals, Objectives, and Policies. She noted Policy 01.23.05 discourages rezonings that permit additional self-storage and warehouse uses along the City's gateway corridors, which include Atlantic Boulevard, Dr. Martin Luther King, Jr. Boulevard, and NW 31st Avenue. She referenced three additional policies that mention NW 31st Avenue and reviewed Flex Units awarded or in progress to create a residential character on the frontage of NW 31st Avenue. She displayed the City of Pompano Beach Local-Only LUPA Process.

Ms. Dolan reviewed the following Alternative Motions:

1. Motion to recommend approval of the proposed Future Land Use Map Amendment as the Board finds it to be compatible with the Goals, Objectives, and Policies in the Comprehensive Plan. If the application is approved, the Applicant will be required to provide an analysis by a qualified professional that no protected or endangered flora or fauna are using the site prior to site plan approval.

2. Motion to table the proposed Future Land Use Map Amendment to allow further analysis of any issues raised by the Board, Staff, Applicant, or the general public.

Ms. Dolan stated that staff recommends the Board vote NO on motion number (1) because the project is not compatible with the Goals, Objectives, and Policies in the Comprehensive Plan particularly those specifically related to NW 31st Avenue and in the actions taken by the City Commission to allocate flex units to the frontage NW 31st Avenue to create a residential character.

Chair Stacer asked if Board had any questions for staff. Ms. Coleman asked Ms. Dolan about the second sentence in the first condition. Ms. Dolan confirmed it can remain as a condition, although they are not encouraged to add conditional language to LUPAs.

Mr. Dennis Mele, Land Attorney, (200 E. Broward Boulevard, Fort Lauderdale) introduced himself to the Board on behalf of the applicant. He noted his presentation would cover information for both the LUPA and the Rezoning. He reviewed the location map and addressed the area concerns heard at the neighborhood meeting, including FDOT Interchange improvements, truck parking issues in residential neighborhoods, hotel property issues, and area crime.

Mr. Jim Kahn, KEITH & Associates, (301 E. Atlantic Boulevard, Pompano Beach), introduced himself to the Board and provided background on the FDOT Plan. He described the plan to create access to NW 31st Avenue and MLK Boulevard. He noted the site is approximately 500 feet away from the Interchange.

Chair Stacer asked about the eastbound access. Mr. Kahn said the plan is to split the traffic up towards Coconut Creek.

Chair Stacer asked if the bypass would allow direct access to Blount Road. Mr. Kahn replied yes.

Mr. Mele shared images of digital signage and fines for trucks illegally parking in residential areas.

Mr. Paul Levino (1441 SW 29th Avenue, Pompano Beach) introduced himself to the Board. He further explained the truck traffic challenges and reviewed the 3,163,229 square footage of warehouses under development in Pompano Beach.

Ms. Smith stated she would prefer to see a multi-use residential property.

Mr. Mele referenced the FDOT Statewide Parking Studies and displays maps of unauthorized truck parking and truck parking areas of concern.

Mr. Mike Vonder Meulen. KEITH & Associates, (301 E. Atlantic Boulevard, Pompano Beach) described the community meeting held on November 2, 2022 and noted nine (9) residents were in attendance.

Ms. McLamore asked about the corridor. Ms. Dolan stated the plan is to develop the 31st Avenue corridor with commercial mixed with residential. Ms. McLamore stated she does not believe apartments should be placed in that area with truck traffic.

Mr. Mele reviewed the concept plan with CPTED, illustrative site plan; landscaping buffer; Goals, Objectives, and Polies; and Rezoning Criteria.

Mr. Klosiewicz asked for further clarification on staging trucks. Mr. Mele said there would be a small building for trucker check-in and restrooms. He noted the construction period is short because it is primarily landscaping, paving, and a small building.

Mr. Klosiewicz asked about landscaping. Mr. Mele reiterated the proposed landscaping and buffer. Ms. King noted she attended the community meeting, but it was during elections. She recommended another community meeting.

She expressed concern about residential development on the corridor and truck traffic. Mr. Mele confirmed they would agree to another community meeting.

Chair Stacer opened the public hearing.

Vincente Thower (1890 NW 6th Avenue, Pompano Beach) expressed concern about limited locations for truck parking in the code but agreed they should not park in the neighborhoods. He supported the suggestions of safeguards.

Chair Stacer closed the public hearing.

Ms. Coleman asked Ms. Dolan if there is any guarantee if they change the land use and zoning to Industrial that a more intense use won't be proposed. Ms. Dolan confirmed, if approved, the applicant can do any use in the Industrial land use category. She noted their application does not mention a truck stop at all.

Ms. Coleman stated this solves the problem for truckers but does not solve the gateway problem. She recommended identifying a new location. Mr. Mele said they would agree to a Restrictive Covenant for the truck stop use.

Chair Stacer said the NW 31st Avenue corridor needs improvement through mixed-used opportunities. He asked about truck parking on NW 15th Avenue. Mr. Daniel Keester O'Mills, Planner, said the application is still in for site plan.

Chair Stacer stated he is not in favor.

(1:46:19)

MOTION by Darlene Smith and seconded by Carla Coleman that the Board finds that competent, substantial evidence has been presented satisfying the review criteria for the Land Use Plan Amendment, with the Goals, Objectives, and Policies in the Comprehensive Plan, and recommend approval of the item, subject to condition contained in the staff report as outlined in Alternative Motion I. All voted in opposition, except for Richard Klosiewicz and Maria McLamore who voted in favor. The motion was denied 5-2.

(1:48:52)

7. [LN-349](#) **NW 31ST AVE WAREHOUSES REZONING**

Request:	Rezoning from B-3 & B-4 to I-1
P&Z#	22-1300011
Owner:	Pompano Beach Hospitality LLC
Project Location:	1201 NW 31 Ave
Folio Number:	484233280010; 484233000323; 484233000328
Land Use Designation:	C (Commercial)
Zoning District:	B-3 (General Commercial)
Agent:	Jonathan Cady
Project Planner:	Jean Dolan

Ms. Jean Dolan, Planner, introduced herself to the Board and reviewed the location map and Rezoning schedule.

Ms. Dolan reviewed the following Alternative Motions:

1. Motion to recommend approval of the proposed rezoning as the Board finds it to be compatible with the Goals, Objectives, and Policies in the Comprehensive Plan. If the application is approved, the Applicant will be required to provide an analysis by a qualified professional that no protected or endangered flora or fauna are using the site prior to site plan approval.
2. Motion to table the proposed rezoning to allow further analysis of any issues raised by the Board, Staff, Applicant, or the general public.

Ms. Dolan stated that staff recommends the Board vote NO on motion number (1) because the project is not compatible with the Goals, Objectives, and Policies in the Comprehensive Plan particularly those specifically related to NW 31st Avenue and in the actions taken by the City Commission to allocate flex units to the frontage NW 31st Avenue to create a residential character.

Mr. Mele stated the client would like to make a comment. Mr. Levino said he understands the concerns and asked the Board to reconsider the land use and zoning.

Chair Stacer asked to review the zoning map again. Ms. Dolan suggested the B-4 parcel in question may have been map error and the zoning map was drawn wrong.

Chair Stacer opened the public hearing. No one came forth to speak. Chair Stacer closed the public hearing.

Chair Stacer reopened the public hearing.

Henri Hage (801 McNab Road, Pompano Beach) stated he owns the property across the street, and he is trying to develop a multi-family project. He said he will not move forward with his residential project if the zoning changes to Industrial.

Chair Stacer closed the public hearing.

(1:55:25)

MOTION by Carla Coleman and seconded by Darlene Smith that the Board finds that competent, substantial evidence has been presented satisfying the review criteria for the Rezoning, with the Goals, Objectives, and Policies in the Comprehensive Plan, and recommend approval of the item, subject to the condition contained in the staff report as outlined in Alternative Motion I. All voted in opposition, except for Richard Klosiewicz and Maria McLamore who voted in favor. The motion was denied 5-2.

G. AUDIENCE TO BE HEARD

No one came forth.

H. OTHER BUSINESS

1. REPORTS BY STAFF

None.

2. BOARD MEMBERS DISCUSSION

Ms. Smith congratulated the staff on the recent drone show.

Chair Stacer provided an update on installing a stop light at MLK Boulevard near 18th Avenue. He stated there was a previous political pathway to the opportunity that did not materialize. He also noted there are a limited number of County warrants, but more time is needed. He is hopeful there will be movement on this topic within the first quarter of 2023. Ms. King thanked Chair Stacer for continuing to work on it.

Chair Stacer noted they are at \$450 million in construction volume to date.

H. ADJOURNMENT

There being no further business before the Committee, **MOTION** by all to adjourn the meeting adjourned at 8:06 PM.