

Staff Report

File #: LN-221

PLANNING AND ZONING BOARD

Meeting Date: AUGUST 23, 2023

POMpano CITI CENTRE REZONING

Request: Rezoning of Residential Property
P&Z# 21-13000008
Owner: SVAP Pompano Citi Centre LP
Project Location: 1600 NE 23rd Avenue
Folio Number: Multiple Folios
Land Use Designation: Irregular Residential 29.5 du/ac
Zoning District: PCD (Planned Commercial District)
Commission District: 2 (Rhonda Eaton)
Agent: Dennis D. Mele (954-491-1120)
Project Planner: Jean Dolan (954-786-4045 / jean.dolan@copfl.com)

APPLICANT'S REQUEST

The applicant is requesting to rezone a 12.1 acre parcel in the rear of the Citi Centre Mall, previously the location of the Macy's Department Store building and parking field. The Citi Centre property is south of Copans Road and west of Federal Highway. The rezoning is from B-3/PCD to RM 30. The land use designation on this 12.1 acre parcel was changed from Commercial to an irregular residential density of 29.5 units per acre in 2021 (Ordinance 2022-01). The land use designation allows for a maximum of 356 units. The requested rezoning to RM 30 will bring the zoning district into compliance with the land use category and the site will continue to be limited to a maximum of 356 units per the land use designation. The site plan submitted for the property is for 352 units which complies with the land use designation and the proposed RM 30 zoning district.

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.

A. The following policies of the Comprehensive Plan have been identified as pertinent to this rezoning:

Policy 01.03.03

Encourage property owners to rezone the subject properties when initiating development and/or redevelopment

proposals to be consistent with the designations on the Future Land Use Map.

Objective 01.04.00 - Major Corridor Land Use

Support and promote the intermix of residential and commercial uses along major traffic corridors.

Policy 01.04.01

The Planning Department shall support and promote the intermix of residential and commercial uses along major traffic corridors, where mass transit is available, through the allocation of flex and redevelopment units and approval of land use plan map amendments allowing for mixed use and residential developments.

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:

- A. Density;
- B. Design;
- C. Distance to similar development;
- D. Existing adjoining uses;
- E. Proposed adjoining uses;
- F. Readiness for redevelopment of surrounding uses; and.
- G. Proximity to mass transit.

Policy 01.06.01

Consider and minimize the impacts that land use amendments, rezonings or site plan approvals have on natural resources, including wetlands, and culturally, historically, archaeologically and paleontologically significant resources.

Policy 01.06.12

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

Policy 06.01.04

The City shall require that all new residential, commercial and industrial development be serviced by centralized wastewater systems.

Policy 06.03.03

Broward County Water and Wastewater Services should require that all new residential, commercial and industrial development be serviced by centralized wastewater systems where financially feasible.

Policy 07A.08.07

Review all land use plan map and text amendments, rezonings and site plan applications to ensure that there is sufficient potable water resources available to serve the proposed development and the land uses are consistent with the wellfield protection zone regulations.

B. Findings of Fact. Development Services Department Staff submits the following factual information which is relevant to this Rezoning Application:

1. The Land Use Designation is Residential Irregular Density 79.5 du/ac per Ordinance 2022-01.

2. The rezoning was reviewed by the DRC on February 2, 2022.
3. The property is located south of Copans Road, west of Federal Highway in the rear of the Citi Centre Mall fronting the municipal golf course on the south and west.
4. The subject property to be rezoned is 12.1 acres.
5. The property is platted.
6. The existing land use and zoning designations of adjacent properties are as follows:

LAND USE, ZONING AND CURRENT USES OF ADJACENT AREAS

	Site	North	South	East	West
Future Land Use and Zoning	Residential Irregular Density / Proposed RM 30 Zoning	Commercial / B-3/PCD	Open Space Recreation (OR) / Parks and Recreation (PR)	Commercial B-3/PCD	Open Space Recreation (OR) / Parks and Recreation (PR)
Existing Uses	Macy's Parking Field and Building	Citi Centre Mall Property (Wendy's and other outparcels)	Pompano Municipal Golf Course on Airpark Property	Citi Centre Mall Property (Lowes)	Pompano Municipal Golf Course on Airpark Property

C. Analysis

As a criteria for rezoning, 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 10 policies in the Comprehensive Plan, provided in Section 'A' of this report, that are relevant to this rezoning request. These policies generally require: rezoning consistent with the land use designation; compatibility with adjacent properties; and adequate public facilities and service capacity to accommodate the demands of the project.

It is Staff's conclusion that the RM 30 rezoning is in conformance with the Irregular Density 29.5 du/ac land use designation and the RM 30 zoning designation would be the most logical zoning district for the site. The RM 30 zoning district is compatible with the adjacent land uses.

Staff finds there is substantial evidence to support this request.

Department Recommendations

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 goals and policies.

Alternative Motion II

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

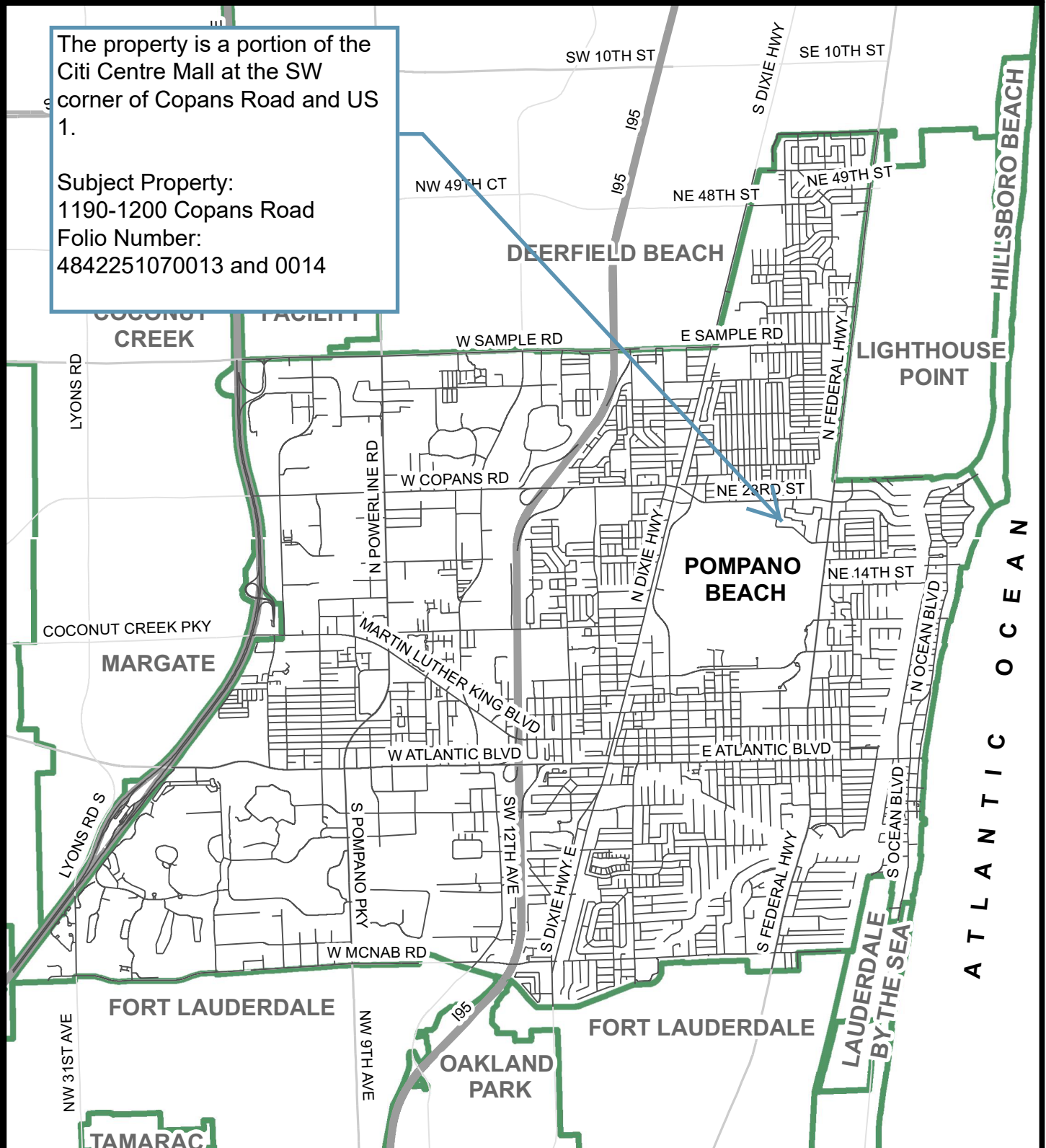
Staff recommends alternative motion number I.

CITY OF POMPANO BEACH LOCATION MAP



The property is a portion of the Citi Centre Mall at the SW corner of Copans Road and US 1.

Subject Property:
1190-1200 Copans Road
Folio Number:
4842251070013 and 0014



1 in = 1 miles

P&Z

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DEPARTMENT OF
DEVELOPMENT SERVICES

7/30/2017

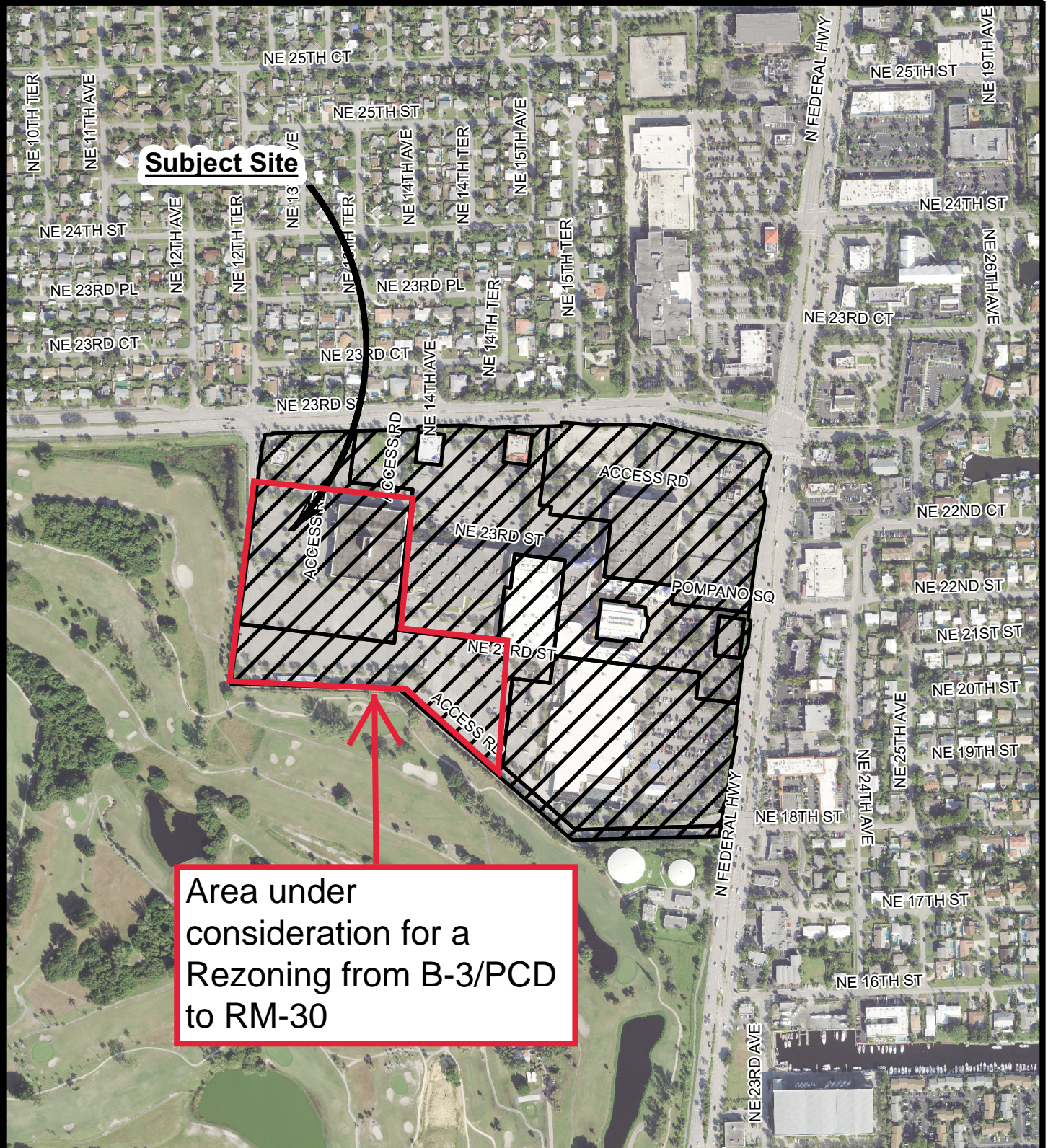
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CITY OF POMPANO BEACH AERIAL MAP



Subject Site

Area under
consideration for a
Rezoning from B-3/PCD
to RM-30

1 in = 542 ft

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DEVELOPMENT SERVICES

6/7/2023

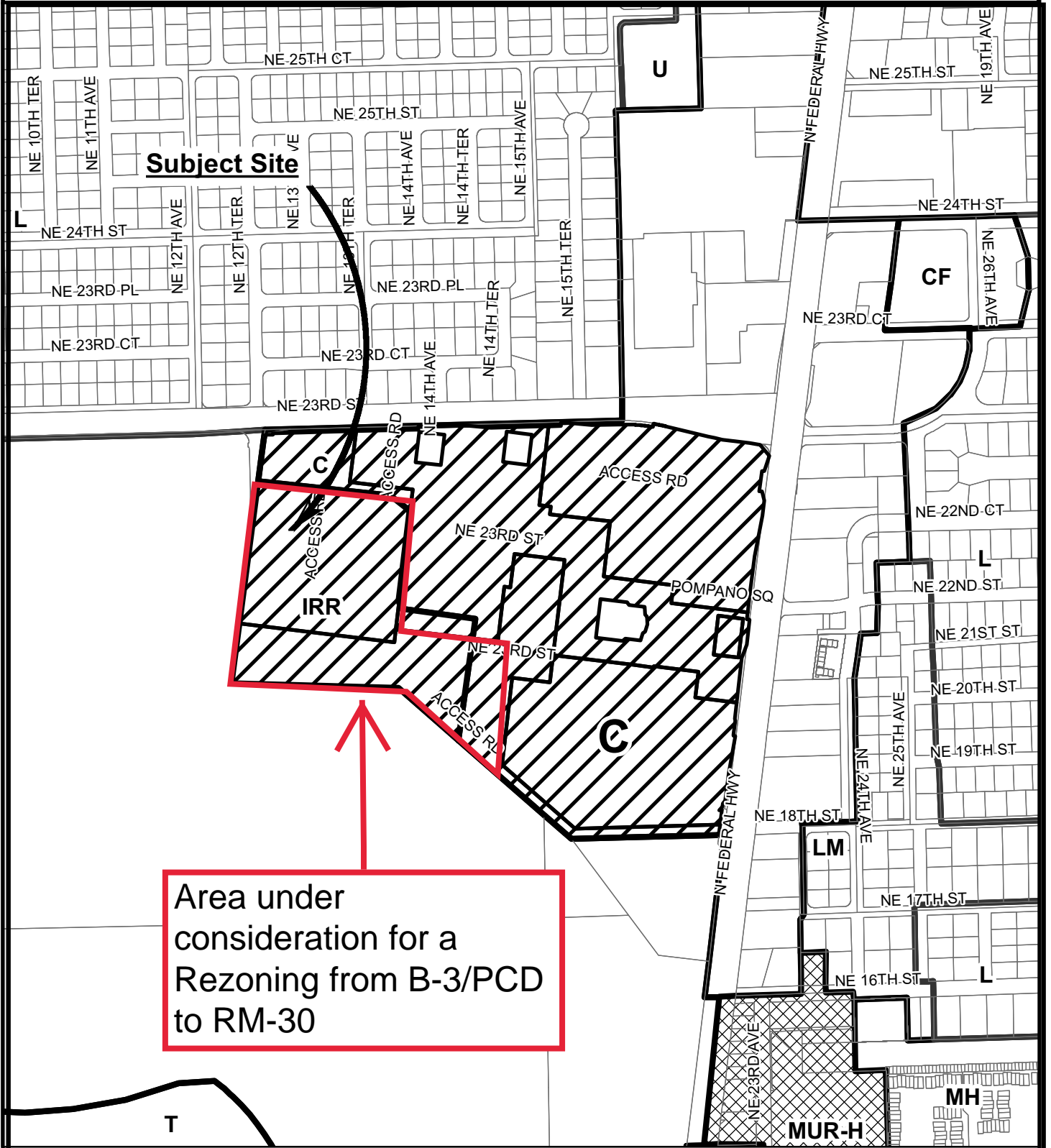
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CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



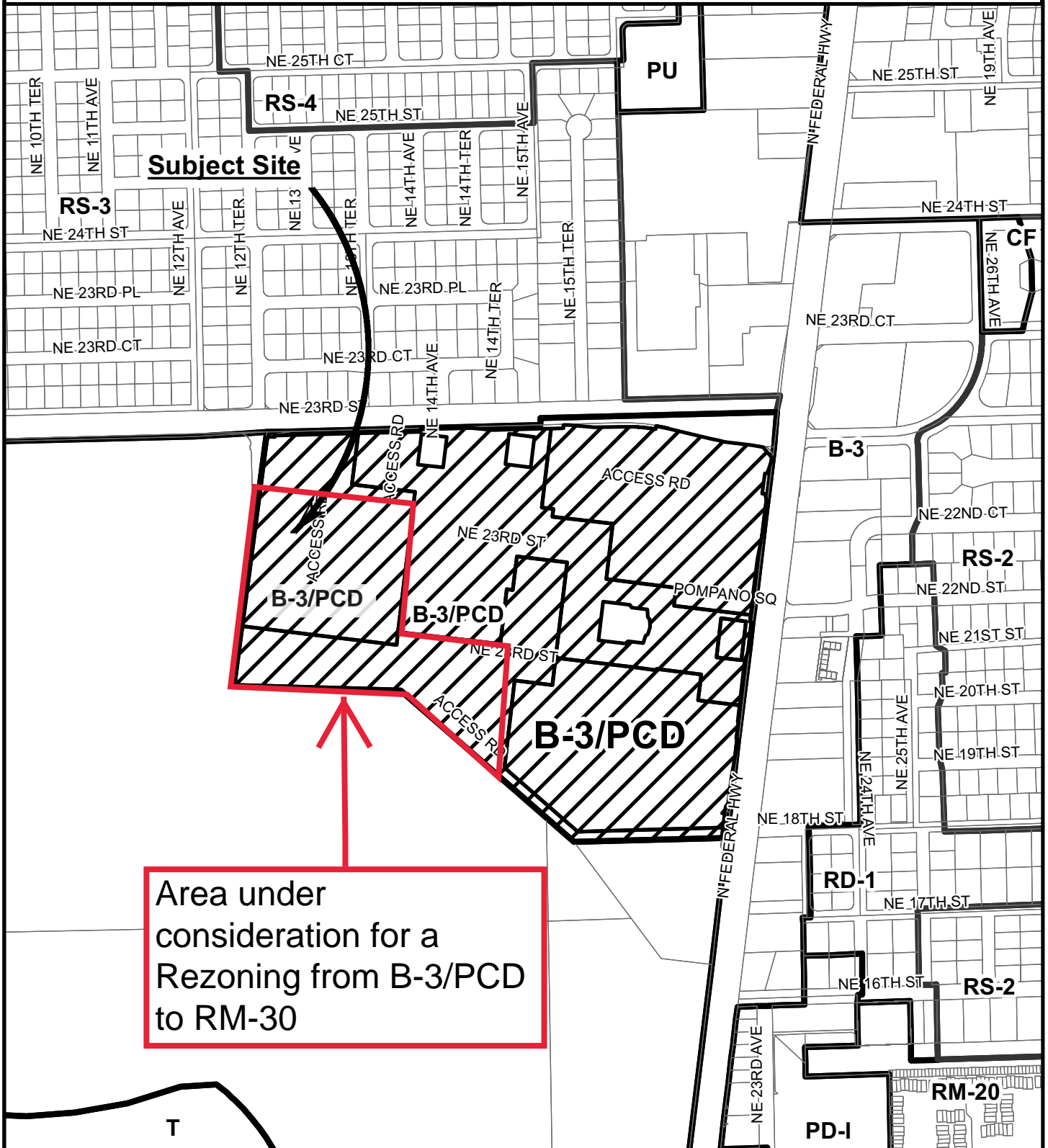
Area under
consideration for a
Rezoning from B-3/PCD
to RM-30

1 in = 542 ft

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



Area under
consideration for a
Rezoning from B-3/PCD
to RM-30

1 in = 542 ft

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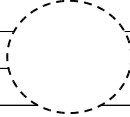
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LEGEND					
	FOR LAND USE PLAN			FOR ZONING MAP	
	Symbol	Classification Units/ Acre		Symbol	District
				RS-1	Single-Family Residence 1
	L	Low (1-5 DU/AC)		RS-2	Single-Family Residence 2
	LM	Low- Medium (5-10 DU/AC)		RS-3	Single-Family Residence 3
	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			
*	29.5	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

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