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Maggie Barszewski, Planner
City of Pompano Beach- Development Services
100 West Atlantic Boulevard, Dept. 1510
Pompano Beach, Florida 33060

Via Electronic Mail: maggie.barszewski@copbfl.com

RE: Murphy Rezoning (1661 North Dixie HY; 484226000383 & 484226000380)

Ms. Barszewski,

The PlanW3st LLC and Johnston & Metevia, P.A. are representing Dixie Properties & Investments, LLC and Upper Pompano Properties & Investments, LLC ("Applicants") in requesting a rezoning of the above-referenced property. The property is comprised of two tax parcels that are contiguous to one another and located west of North Dixie Highway between NE 17th CT and NW 16th ST in Pompano Beach. The property is currently zoned B-3 (General Business District) and is proposed to be zoned B-4 (Heavy Business District). Applicants have filed and recorded both a Declaration of Covenant in Lieu of Unity of Title as well as a Grant of Easement for the purpose of draining storm waters. Both of these documents unify the 2 parcels into a one single development. I am including a snapshot of the BCPA aerial to this narrative (see **Exhibit "A"**).

The property obtained Minor Site Plan and Major Building Design approval in 2018 to improve the site for the current and future tenants of the property. The approved site and landscape plans, currently under permitting, are included with the rezoning request as exhibits. Additionally, the subject property recently obtained special exception approval (PZ#20-17000003) for an Automotive Parts Sales with Installation use in a B-3 district in order to operate a business that sells high-end custom wheels and tire combinations and provides the installation thereof. It is the installation component of the use that required the Special Exception approval. The property owners propose to include additional automotive uses similar to the ones currently operating under the Special Exception and Site Plan approvals. Obtaining multiple Special Exception approvals for future tenants is not a reasonable route as the use will remain commercial and the impact to adjacent properties will be the same as it has been.

The properties are bounded by RS-2 (Single Family Residence 2) zoning to the west, RD-1 (Two-Family Residence) and B-3 (General Business) zoning to the north, North Dixie Highway to the east, and I-1 (General Industrial) zoning to the south. We are requesting B-4 Rezoning approval at this time and meet all review standards as specified in code section 155.2404.C [Site-Specific Zoning Map Amendment Review Standards] as identified below:

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;

The property has a current land use of C Commercial. All automotive uses that are existing and proposed for the property will remain commercial in nature, permitted by the City's Comprehensive Plan, and follow the intent and purpose of the B-4 Zoning District.

The following Policies and Objectives are provided which demonstrate the Rezoning Request's compatibility with the goals of the City of Pompano Beach.

Goal 01

The attainment of a living environment which provides the maximum physical, economic and social wellbeing for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Policy 01.01.06

All site plan applications shall provide pedestrian facilities, such as but not limited to sidewalks and street trees (where not in conflict with underground utilities and permitted by City Engineer).

Policy 01.01.08

Those facilities which are subject to concurrency requirements include: traffic circulation/transit, parks and recreation, drainage and flood protection, potable water, solid waste, sanitary sewer facilities and public schools.

Objective 01.03.00 - Inconsistent Land Uses

Annually review and periodically update adopted land development regulations and established procedures that encourage the elimination or reduction of uses inconsistent with the City's character and Future Land Use Plan.

Policy 01.03.01

Eliminate or reduce nonconforming uses which are inconsistent with the land development regulations and the designations of the Future Land Use Plan map.

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 01.03.12

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.

Objective 01.08.00 - Community Redevelopment

Amend the Land Use Plan map and Zoning map to support new development and redevelopment in the Community Redevelopment Areas.

Policy 01.12.00

Establish criteria which encourage development of urban infill and community redevelopment areas to promote economic development, increase housing opportunities and maximize the use of existing public facilities and services.

Policy 01.14.01

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

The Subject Property is located within the Kendall Crossing node of the City of Pompano Beach

Transportation Corridor Studies Transformation Plan for Dixie Highway. This node stretches from just south of NW 15th Street to just north of Copans Road. There are about 50 properties abutting Dixie Highway on the west side of which only 37 (74% including the Subject Property) are developed. The majority, if not all of them, have been existing for at the very least the last 15-20 years—and prior to the implementation of the Transportation Corridor Studies. While the Plan is beneficial to the community and necessary for the Dixie Highway Corridor, existing businesses that are not being redeveloped can remain as is. The uses in the Subject Property are commercial and permitted under the B-3 zoning district, with the exception of the tire installation use that was granted by Special Exception. As this use is not prohibited in the B-3 zone, the request herein is to permit this use by right, as well as other automotive and heavier commercial uses that are not only compatible with the uses to the north and south as well as the existing uses within the Subject Property.

Listed as desired community outcomes in the Transformation Plan for Dixie Highway are vegetation, benches, lighting, and street trees. Working with the City's Engineering and Urban Forestry Division, the lighting and landscaping improvements approved under PZ#17-12000057 will bring the property closer to the intent of the Kendall Crossing node of the City of Pompano Beach Transportation Corridor Studies Transformation Plan for Dixie Highway. It is also worth noting that the approved site plan under PZ#17-12000057 shows the removal of one of the ingress/egress points at the north end of the property. This will provide for safer entrance and exit from the site onto Dixie Highway.

Lastly, the Heavy Business (B-4) district is intended to accommodate a wide and diverse range of moderate- to high-intensity retail, service, office, recreation/entertainment, and institutional uses that provide goods and services serving a community, city -wide, and regional customer bases. It also accommodates the city's major employment-generating non-industrial uses, as well as wholesaling, warehousing, and limited light manufacturing uses. Residential uses are generally inappropriate in this district. Permitting these two parcels to be rezoned to B-4 will provide a better transition from the existing heavy industrial zoning on the south, going north to the B-3 Zoned properties along Dixie Highway.

Thank you for your consideration and please do not hesitate to contact us with any questions.



Paola A. West, ISA-CA, CFM
Land Planner

Exhibit "A"



Folio Number: [484226000380](#)

Owner: UPPER POMPANO PROPERTIES
& INVESTMENTS LLC

Situs Address: N DIXIE HWY POMPANO BEACH
FL 33060

Legal: 26-48-42 PARCEL DESC AS:
COMM AT PT ON W/L OF FEC
RR R/W BEING 2050.72 FROM
S/L OF SAID SEC 26, NW 40 TO
POB, SW 209.19, W 351.64, N
300, E 270.68, SW 59.19, SE 155

Folio Number: [484226000383](#)

Owner: DIXIE PROPERTIES &
INVESTMENTS LLC

Situs Address: 1661 N DIXIE HWY POMPANO
BEACH FL 33060

Legal: 26-48-42 PORTION OF S 1/2 OF
NE 1/4 OF SE 1/4 OF SAID SEC
DESC AS: COMM AT INTERSEC
OF S/L SEC 26 & W R/W/L FEC
RR, NLY ALG W R/W/L 1730.80
TO POB, W 361.80, N 117.80, E