

## Agenda

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Wednesday, July 27, 2022

6:00 PM

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MOMENT OF SILENCE**

**C. APPROVAL OF THE MINUTES**

*Approval of the minutes from the special meeting and the Planning and Zoning Board meeting held on June 22nd, 2022.*

**D. INDIVIDUALS TESTIFYING PLACED UNDER OATH**

**E. NEW BUSINESS**

**1. [LN-196](#) COLOR FACTORY PLAT**

<b>Request:</b>	Plat
<b>P&amp;Z#</b>	21-14000022
<b>Owner:</b>	Color Factory, Inc.
<b>Project Location:</b>	1621 N Dixie Highway
<b>Folio Number:</b>	Multiple Folios
<b>Land Use Designation:</b>	Industrial / Commercial
<b>Zoning District:</b>	I-1 (General Industrial) / B-3 (General Business)
<b>Commission District:</b>	4 (Beverly Perkins)
<b>Agent:</b>	Paola West (954-529-9417)
<b>Project Planner:</b>	Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

**2.     [LN-313](#)           VERIZON POMPANO BEACH**

**Request:** Major Site Plan  
**P&Z#** 21-12000054  
**Owner:** Verizon Business Network Services, LLC.  
**Project Location:** 599 SW 16th Terrace  
**Folio Number:** 494203160400  
**Land Use Designation:** Industrial  
**Zoning District:** I-1 (General Industrial)  
**Commission District:** 5 (Cyndy Floyd)  
**Agent:** Nathan Spence (813-532-3250)  
**Project Planner:** Diego Guevara (954-786-4310 /  
diego.guevara@copbfl.com )

**3.     [LN-219](#)           BRINY RESIDENCES SITE PLAN**

**Request:** Major Site Plan  
**P&Z#** 21-12000043  
**Owner:** 305 Briny Avenue, LP  
**Project Location:** 308 & 316 S. Ocean Boulevard  
305 & 317 Briny Avenue  
**Folio Number:** Multiple Folios  
**Land Use Designation:** Medium-High (16-25 DU/AC)  
**Zoning District:** RM-30 (Multi-Family Residence-30)  
AOD (Atlantic Overlay District)  
**Commission District:** 1 (Andrea McGee)  
**Agent:** Andrea Harper (954-788-3400)  
**Project Planner:** Diego Guevara (954-786-4310 /  
diego.guevara@copbfl.com)

4. [LN-164](#)**HUNTERS MANOR REZONING**

**Request:** Rezoning  
**P&Z#** 21-13000004  
**Owner:** Pompano Beach CRA  
**Project Location:** North of NW 6th Street, between NW 19th Ct. and NW 18th Ave.  
**Folio Number:** 484234440010  
484234440020  
**Land Use Designation:** L (Low 1-5 DU/AC)  
LM (Low-Medium 5-10 DU/AC)  
**Zoning District:** RS-3 (Single-Family Residential 3)  
RM-12 (Multiple-Family Residence 12)  
**Commission District:** 4 (Beverly Perkins)  
**Agent:** Kristen Nowicki (954-660-2432)  
**Project Planner:** Daniel Keester-O'Mills (954-786-5541 / daniel.keester@copbfl.com)

5. [LN-246](#)**FIBERBUILT UMBRELLAS & CUSHIONS COMMERCIAL FLEX**

**Request:** Commercial Flex  
**P&Z#** 22-05000001  
**Owner:** 2201, LLC.  
**Project Location:** 6 Residential lots north of 2201 W. Atlantic Boulevard  
**Folio Number:** Multiple Folios  
**Land Use Designation:** LM (Low-Medium 10 DU/AC)  
**Zoning District:** RM-12 (Multiple-Family Residential-12)  
**Commission District:** 4 (Beverly Perkins)  
**Agent:** John Tice (954-794-0300)  
**Project Planner:** Jean Dolan (954-786-4045 / jean.dolan@copbfl.com)

**6.     [LN-245](#)           FIBERBUILT UMBRELLAS & CUSHIONS REZONING**

<b>Request:</b>	Rezoning
<b>P&amp;Z#</b>	22-13000001
<b>Owner:</b>	2201, LLC.
<b>Project Location:</b>	6 Residential Lots North of 2201 W. Atlantic Blvd.
<b>Folio Number:</b>	Multiple Folios
<b>Land Use Designation:</b>	LM (Low Medium 5-10 DU/AC)
<b>Zoning District:</b>	RM-12 (Multiple-Family Residence 12)
<b>Commission District:</b>	4 (Beverly Perkins)
<b>Agent:</b>	John Tice (954-794-0300)
<b>Project Planner:</b>	Jean Dolan (954-786-4045 / jean.dolan@copbfl.com)

**7.     [LN-287](#)           3100 W. ATLANTIC BLVD LUPA**

<b>Request:</b>	Local Land Use Plan Amendment (LUPA)
<b>P&amp;Z#</b>	22-92000002
<b>Owner:</b>	3100 W. Atlantic, LLC
<b>Project Location:</b>	3100 W. Atlantic Blvd
<b>Folio Number:</b>	484232000143; 484233370010
<b>Land Use Designation:</b>	Open Space Recreation (OR)
<b>Zoning District:</b>	PR (Parks and Recreation)
<b>Commission District:</b>	5 (Cyndy Floyd)
<b>Agent:</b>	Amanda Martinez (561-405-3300)
<b>Project Planner:</b>	Jean Dolan (954-786-4045 / jean.dolan@copbfl.com)

**A. Request**

The Applicant is requesting to change the entitlements for a 9.02 gross acre site (6.6 acres net), located south of Atlantic Boulevard between the Florida Turnpike and NW 27th Avenue in Palm Aire. The Applicant is requesting both a land use map amendment (to Commercial Recreation) and a text amendment (to limit total development rights). The text amendment is necessary because the Applicant is not asking for the full amount of development rights that would be included by right with a Commercial Recreation land use designation (50% lot coverage and 105' height = Floor Area Ratio (FAR) of 5) because they do not intend to build a multi-story building.

**B. Proposed Development and Net Change in Entitlements**

The Applicant is proposing to change the Land Use to Commercial Recreation (CR) from its current Open Space Recreation (OR) Designation to build an indoor tennis/pickleball facility and clubhouse. The Broward County land use plan already has the site designated "Commercial Recreation" so no concurrent County land use plan amendment is required. The Commercial Recreation land use category, as noted above, allows for buildings up to 105' in height (roughly 10 stories). The applicant intends to build a tennis facility with a club house and is asking for and analyzing the impacts of far fewer development rights than would be allowed by a Commercial Recreation map amendment. The Applicant has based their analysis on half the development rights that would be "by right" if the land use map was changed to Commercial Recreation with no limitations.

**NET CHANGE IN ENTITLEMENTS BY LAND USE CATEGORY**

<b>Current Land Use</b>	<b>Current Entitlements Per City Open Space Recreation (based on zoning) Intensity Standards</b>		
	<b>Proposed Entitlements by Applicant for Commercial</b>		

<b>Recreation Land Use</b>	<b>Net Change</b>
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Former golf course	117,873 SF	982,278 SF	+864,405 SF
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1,964,560 SF of commercial recreation use is allowed by the City's intensity standards assuming the 105' height could allow for 10 stories which increases the net change to 1,846,687 SF. The Applicant, however, is assuming all their needs can be met with the 982,278 square footage analyzed in the LUPA Application. A text amendment will be adopted to limit their development rights accordingly.

**Applicant's Rationale for the Proposed Amendment**

The subject property is currently designated Open Space Recreation (within the Palm Aire dashed-line area) on the City of Pompano Beach Land Use Plan and Commercial Recreation on the Broward County Land Use Plan. The property was previously part of one of the Palm Aire golf courses that has been out of service for over 10-years. The proposed land use map and text amendment will allow the Applicant to build a tennis center on the property which will be compatible with the surrounding Palm Aire community and provide a reasonable use of this challenging location and property configuration.

**Surrounding Land Uses**

The future land use designations and existing uses of the properties immediately surrounding the subject property are summarized as follows:

**EXISTING AND PLANNED USE OF ADJACENT AREAS**

<b>Land Use</b>	<b>Site</b>	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
Future Land Use Map Designation		Open Space Recreation (OR)			Medium 16
Residential	Water	Commercial	Canal ROW / Water		
Existing Uses	Vacant (once portion of golf course)			Multi-Family and SF	
residential PUD	Pompano Canal	Vacant	Pompano Canal		

**C. Impact Analysis**

The Applicant assumed a maximum of 982,278 SF of commercial recreation entitlements for the impact analysis (half the maximum allowed based on the Commercial Recreation land use designation). Though this is still considerably more than is likely to be built, the Applicant wanted some flexibility to accommodate an unknown future. The results of the impact analyses are provided below:

Sanitary Sewer

The net impact on sanitary sewer treatment demand from the change in entitlements is an increase of 29,389 gallons per day (0.029 MGD). Broward County Water and Wastewater Services reviewed the assumptions made in the Application and did not disagree with the projected increase in sanitary sewer demand thereby confirming their ability to serve the proposed sanitary sewer treatment demand generated by the proposed change in the land use designation.

#### Potable Water

The net impact on potable water demand from the proposed amendment is an increase of 36,306 gallons per day (0.036 MGD). The City utility division reviewed the assumptions made in the Application and did not disagree with the projected increase in potable water demand thereby confirming their ability to serve the proposed potable water treatment and raw water supply demand generated by the change of this parcel to commercial recreation land use.

#### Drainage

The City of Pompano Beach completed a Citywide Stormwater Management Master Plan (SMMP) in 2013, which includes a list of recommended stormwater capital improvement projects throughout the City. The subject property was not identified as having any existing drainage issues and no capital improvements are proposed for the associated drainage basin in the SMMP.

#### Solid Waste

The net impact on solid waste demand from a maximum build-out of the proposed entitlements is an increase of 1,915 pounds per day. Waste Management to confirm receipt of this Application the landfill has capacity to service the change in land use designation.

#### Recreation and Open Space

The change in land use from Open Space Recreation to Commercial Recreation will not increase the population and therefore will have no impact on demand for recreation and open space land or uses.

#### Mass Transit

The subject property is serviced by Broward County Transit (BCT) route 42.

#### Traffic Impact

According to the Applicant's analysis, the traffic generation resulting from the amendment results in a net increase of 48 PM peak hour trips when compared to maximum buildout of the current estimated entitlements currently allowed on the site. It should be noted that FDOT is reviewing the Applicant's traffic study due to the fact that Atlantic Boulevard is a State road. The City does not anticipate any traffic problem related to this land use plan amendment.

Natural and Historic Resources

No record of historic or archaeological resources were found on or near the subject property.

Affordable Housing

The proposed change from Open Space/Recreation to Commercial Recreation land use is not required to address affordable housing issues.

Land Use Compatibility

This proposed land use plan amendment is compatible with existing adjacent land use designations and existing land uses.

Hurricane Evacuation

The subject property is not within a hurricane evacuation area.

Redevelopment Analysis

The subject property is not located within one of the Community Redevelopment Areas.

Intergovernmental Coordination

The subject property is the western-most private property in Pompano Beach on Atlantic Boulevard and is adjacent to Coconut Creek to the west, however the Pompano and Coconut Creek jurisdictions are separated by the Florida Turnpike so there will be no significant impact on Coconut Creek from this land use plan amendment.

Public Education

The change from Recreation/Open Space land use to Commercial Recreation land use has no effect on public school demand.

**E. Consistency with Goals, Objectives and Policies of the City's Land Use Plan**

**Policy 01.01.02**

Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards which may be adjusted over time to address the impacts of sea level rise and climate change.

**Policy 01.01.11**

Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

**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 01.06.01**

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 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.

**F. Alternative Motions**

- (1) Motion to recommend approval of the proposed 3100 West Atlantic Boulevard Future Land Use Map Amendment** as the Board finds the proposed map change compatible with adjacent uses and the Goals, Objectives and Policies in the Comprehensive Plan.
- (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.
- (3) Motion to recommend denial** of the proposed Future Land Use Map Amendment as the Board finds it to be incompatible with the Goals, Objectives and Policies in the Comprehensive Plan.

**Staff recommends motion number (1).**

**8.     [LN-286](#)           3100 W. ATLANTIC BLVD REZONING**

**Request:** Rezoning  
**P&Z#** 22-13000005  
**Owner:** 3100 W. Atlantic Inc.  
**Project Location:** 3100 W. Atlantic Blvd  
**Folio Number:** 484232000143; 484233370010  
**Land Use Designation:** OR (Open Space Recreation)  
**Zoning District:** PR (Parks and Recreation)  
**Commission District:** 5 (Cyndy Floyd)  
**Agent:** Amanda Martinez (amartinez@dmbblaw.com)  
**Project Planner:** Jean Dolan (954-786-4045 / jean.dolan@copbfl.com)

**9.     [LN-328](#)           TEXT AMENDMENT TO CHAPTER 154 FOR FLEX ALLOCATION  
POLICY**

**Request:** Text Amendment  
**P&Z#** N/A  
**Owner:** N/A  
**Project Location:** N/A  
**Folio Number:** N/A  
**Land Use Designation:** N/A  
**Zoning District:** N/A  
**Commission District:** N/A  
**Agent:** N/A  
**Project Planner:** Jean Dolan (954-786-4045 /  
jean.dolan@copbfl.com)

**F. AUDIENCE TO BE HEARD****G. OTHER BUSINESS**

1. REPORTS BY STAFF
2. BOARD MEMBERS DISCUSSION

**H. ADJOURNMENT**

NOTE: Any person who decides to appeal any decision of this BOARD/COMMITTEE with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.