



# City of Pompano Beach Planning & Zoning Board

Commission Chambers  
100 West Atlantic Blvd.  
Pompano Beach, FL  
33060

## Draft Minutes

Wednesday, October 12, 2022

6:00 PM

(00:07)

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(1:05:33)

3. [LN-326](#)      **1741 NW 33 ST REZONING**

<b>Request:</b>	Rezoning from General Industrial (I-1) to Special Industrial (I-1X)
<b>P&amp;Z#</b>	22-13000010
<b>Owner:</b>	ST 33, LLC; LC 33, LLC and DS 33, LLC
<b>Project Location:</b>	1741 NW 33 Street
<b>Folio Number:</b>	484222220020
<b>Land Use Designation:</b>	Industrial
<b>Zoning District:</b>	I-1 (Industrial)
<b>Agent:</b>	Amanda Martinez
<b>Project Planner:</b>	Maggie Barszewski

Ms. Maggie Barszewski, Planner, introduced herself to the Board and stated the applicant is requesting to rezone the property from I-1 (General Industrial) to I-1X (Special Industrial). The subject property is occupied by a 41,821-square foot industrial building which is currently used as a wholesale bakery. The Owners / Applicants (ST 33, LLC; LC 33, LLC; & DS 33, LLC) intend to expand the types of industrial uses allowed for potential tenants with this rezoning. The Applicant is volunteering to record a Declaration of Restrictive Covenants to remove sexually oriented businesses and fortune telling as permitted uses for the property should this rezoning be approved. This rezoning request was reviewed by the Development Review Committee (DRC) on August 3, 2022. She noted there are 4 policies in the Comprehensive Plan, provided in Section A of this report, that are relevant to this rezoning request. These policies generally require: compatibility with adjacent properties; and minimal impact on residential. The I-1X zoning district is permitted in the Industrial land use category. It is staff's contention that the I-1X zoning district is compatible with the I-1X properties immediately adjacent to the subject property to the west and south, and with the

I-1 properties on the east. Costco to the north with a Commercial land use designation and B-3 zoning have the rear of their building adjacent to the subject property and thus the I-1X zoning would be reasonable compatible.

Staff finds there is competent substantial evidence to support this request. The applicant should provide staff with the above-mentioned Voluntary Restrictive Covenant prior to the City Commission hearing on the rezoning.

Given the information provided to the Board, staff provides the following 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, objectives, and policies, and all applicable Zoning Code standards. The applicant should provide staff with the Voluntary Restrictive Covenant prior to the City Commission hearing on this rezoning and the Covenant can be recorded after second reading of the proposed rezoning ordinance.
- 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 of the comprehensive plan cited in this report, as required in Section 155.2404.C.

Ms. Barszewski stated that staff recommends Alternative Motion I.

Mr. Dwayne Dickerson (14 S.E. 4<sup>th</sup> Street, Boca Raton) introduced himself to the Board on behalf of the applicant. He briefly reviewed the project location aerial, zoning map, and Voluntary Declaration of Restrictions. He confirmed the applicant accepts Alternative Motion I.

Ms. Aycock asked about limiting outdoor storage as a principal use. Mr. Dickerson said the applicant is not willing to limit the use as they seek a new tenant.

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

(1:19:17)

**MOTION** by Joan Kovac and seconded by Carla Coleman that the Board finds that competent, substantial evidence has been presented for the Rezoning that satisfies the review criteria, subject to the conditions provided by staff under Alternative Motion I. All voted in favor. The motion was approved.

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Fred Stacer, Chair

