

RESOLUTION NO. 2021-_____

**CITY OF POMPANO BEACH
Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF POMPANO BEACH, FLORIDA, ALLOCATING
0.48 ACRES OF NONRESIDENTIAL FLEXIBILITY TO
ALLOW A COMMERCIAL USE IN A RESIDENTIAL LAND
USE CATEGORY ON PROPERTY LOCATED WEST OF
POWERLINE ROAD AND NORTH OF NW 4TH STREET
AND COMMONLY KNOWN AS 2429 NW 4TH STREET IN
COLLIER CITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the current owner (“Applicant”) requests an allocation of 0.48 acres of Residential to Commercial flexibility on property known as 2429 NW 4th Street, legally described in Exhibit “A.” The site being a portion of a vacant lot in Collier City with frontage on Powerline Road; and

WHEREAS, the City’s Comprehensive Plan provides for the utilization of Residential to Commercial flexibility which allows up to 5% of all the residential land use acreage in the City be used for nonresidential purposes without requiring a Comprehensive Plan amendment; and

WHEREAS, the City’s Comprehensive Plan further provides for the use of Residential to Commercial flexibility within the adopted flex receiving areas when consistent with the community character and adjacent land uses; and

WHEREAS, the City has received an application for use of Residential to Commercial flexibility on the property at 2429 NW 4th Street, Pompano Beach, Florida (the “Project”) and

WHEREAS, pursuant to Section 154.61 (C)(3), the Development Services Department obtained a recommendation of approval from the Planning and Zoning Board on January 27, 2021; and

WHEREAS, the City desires to ensure that the application complies with the City's Comprehensive Plan together with all other applicable regulations affecting the proposed project; and

WHEREAS, the City is willing to allocate 0.48 acres of Residential to Commercial flexibility to the Applicant pursuant to the terms of this Resolution; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach finds that the requirements in Section 154.61(C) have been met and hereby allocates a maximum of 0.48 acres of Residential to Commercial flexibility for the proposed project to be constructed on the property, which is legally described in Exhibit "A."

SECTION 2. The proposed project must be built in substantial conformity with the conceptual site plan, provided herein as Exhibit "B."

SECTION 3. The Development Services Director may approve minor modifications to the attached conceptual site plan if needed to comply with the Zoning Code. Any major deviations from the Conceptual Site Plan will require City Commission approval.

SECTION 4. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2021.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

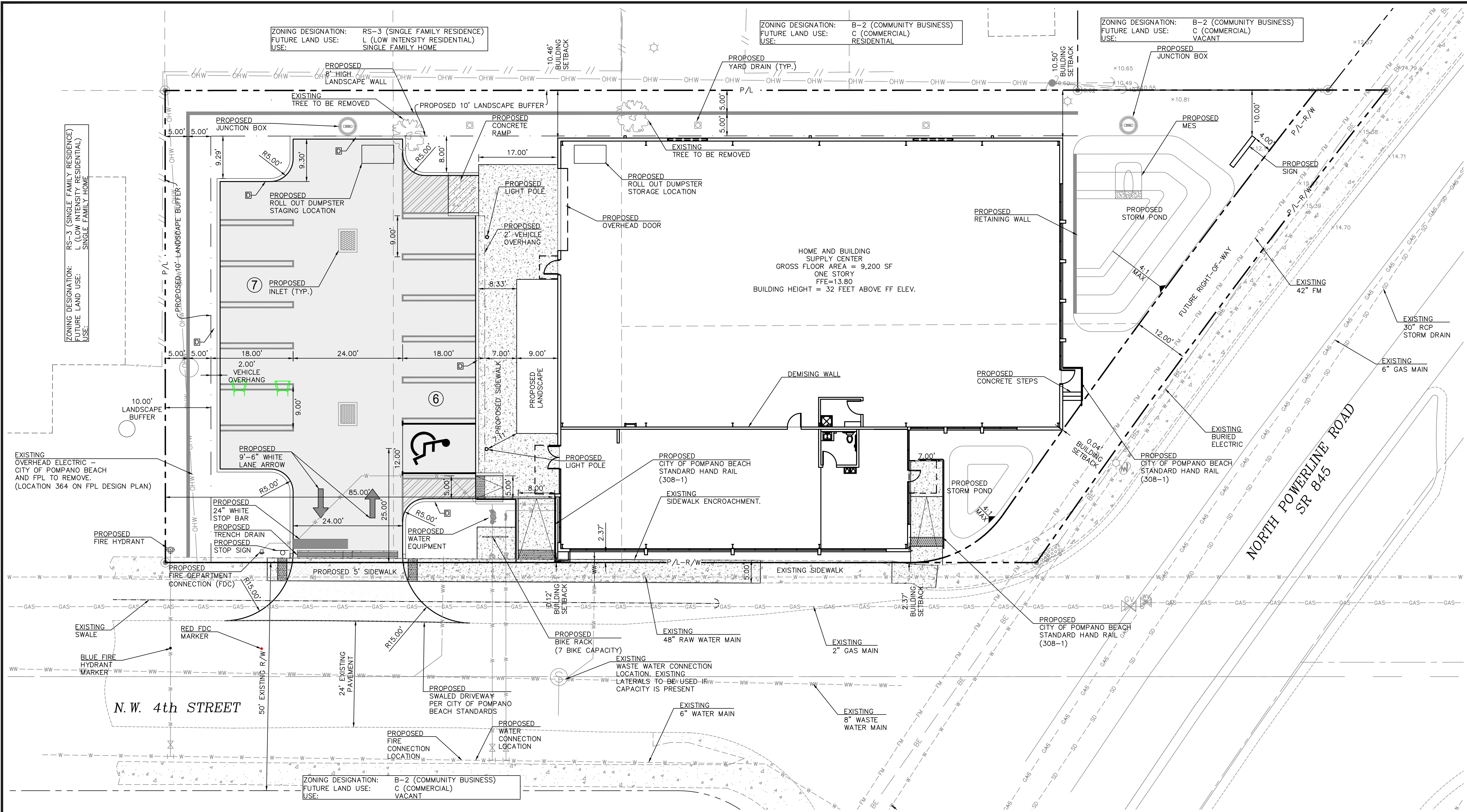
MEB/jrm
2/3/21
L:reso/2021-106

Exhibit A












LOTS 286 AND 287, OF THE RECORDED PLAT OF COLLIER CITY LOTS, DESCRIBED AS FOLLOWS: THE EAST 100 FEET OF THE WEST 400 FEET OF THE SOUTH $\frac{1}{5}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST; LESS THE SOUTH 25 FEET THEROF, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

LOTS 288 AND 289 OF THE UNRECORDED PLAT COLLIER CITY LOTS, BEING MORE PARTICULARLY DESCRIBED AS THE SOUTH $\frac{1}{5}$ OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ SECTION 33, TOWNSHIP 48 EAST, LESS THE WEST 400 FEET THEREOF, AND ALSO LESS THE SOUTH 25 FEET THEROF FOR ROAD RIGHT-OF WAY, ALL LYING NORTHWESTERLY OF THE NORTHWESTERLY RIGHT-OF-WAY MAP, SECTION 86550-2606, SHEET 2 OF 5 SHEETS, DATED 4/23/2071, AND RECORDED IN RIGHT-OF-WAY MAP BOOK 8, PAGE 29, BROWARD COUNTY, FLORIDA.

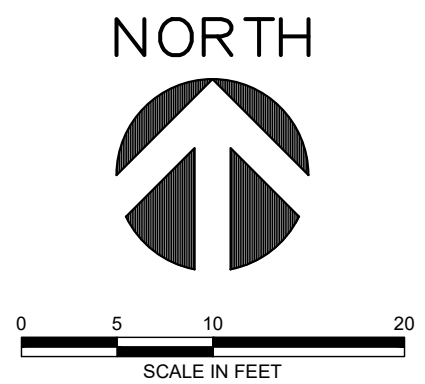
Exhibit B
CONCEPTUAL SITE PLAN



PROPOSED LEGEND

- | | | | |
|---|---|---|--|
|  | PROPOSED ASPHALT PAVEMENT |  | PROPOSED PARKING PER BAY |
|  | PROPOSED CONCRETE SIDEWALK/PAVEMENT |  | DIRECTIONAL LANE ARROW |
|  | PROPOSED GUTTER TRANSITION |  | PROPOSED TYPE "D" CURB |
|  | PROPOSED BIKE RACK |  | SIDEWALK RAMP WITH TACTILE WARNING DEVICE.
(FDOT STANDARD INDEX 304 SHEET 1, 3 & 6) |
|  | PROPOSED FIRE HYDRANT |  | PROPOSED STOP SIGN |
|  | PROPOSED FIRE DEPARTMENT CONNECTION (FDC) | | |

PROPOSED CONDITION:
NO SEMI-TRUCKS WILL MAKE DELIVERIES TO THE PROPERTY. THE ROUTE FROM NW 31ST AVENUE TO POWERLINE ALONG NW 4TH STREET SHALL NOT BE USED AS A DELIVERY ROUTE TO THE SITE. ALL DELIVERIES WILL ACCESS THE SITE TO AND FROM POWERLINE ROAD AND WILL NOT TRAVEL WEST OF THE SITE ON NW 4TH STREET.

[illegible]