

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 15-12000029

A DEVELOPMENT ORDER ISSUED BY THE PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY) OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO CHAPTER 155 OF THE CODE OF ORDINANCES; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR ZF DEVELOPMENT II LLC.

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the project referenced above as a Major Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to issue a final development order for the subject project to construct 150 new single-family homes, a pool, cabana, gazebos, tot lot, a bicycle lane, and associated landscaping. The property is located to the north of West Atlantic Boulevard and between NW 31st Avenue and the Florida Turnpike; more specifically described in the legal description below:

A PARCEL OF LAND IN THE SOUTH ONE-HALF (S. 1/2) OF SECTION 32, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 01°22'47" WEST ALONG THE EAST LINE OF SAID SECTION 32, 365.78 FEET TO AN INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF WEST ATLANTIC BOULEVARD, A 120.00 FOOT RIGHT-OF-WAY ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION MAP NUMBER 410055, SECTION 86130-2504, SHEET 12 OF 18, SAME BEING THE SOUTHWEST CORNER OF TEXACO-POMPANO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 124, PAGE 10, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1,587.89 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 11°21'03" EAST; THENCE NORTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°27'04", AN ARC DISTANCE OF 67.93 FEET; THENCE NORTH 67°56'40" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 164.17 FEET; THENCE NORTH 89°26'43" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 160.24 FEET; THENCE SOUTH 76°08'26" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 54.19 FEET; THENCE SOUTH 82°47'08" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 240.26 FEET; THENCE SOUTH 76°36'32" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 20.77 FEET; THENCE LEAVING SAID NORTH

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RIGHT-OF-WAY LINE, NORTH 15°01'12" WEST, 219.39 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°34'27" WEST, 281.94 FEET; THENCE NORTH 65°23'17" WEST, 44.00 FEET; THENCE SOUTH 87°34'27" WEST, 532.38 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST; THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 110.12 FEET, A CENTRAL ANGLE OF 65°24'43" AND AN ARC DISTANCE OF 125.72 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 58°47'12" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 07°44'33", AND AN ARC DISTANCE OF 13.51 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 54°03'56, AND AN ARC DISTANCE OF 198.16 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 30°00'23", AND AN ARC DISTANCE OF 62.85 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 47°31'48" WEST, 115.23 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTH; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND AN ARC DISTANCE OF 70.69 FEET TO THE POINT OF TANGENCY; THENCE NORTH 42°28'12" WEST, 35.00 FEET TO A CORNER ON THE EAST LINE OF TRACT A, PALM AIRE NORTH COURSE ESTATES 4TH SECTION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID CORNER HEREINAFTER KNOWN AS REFERENCE POINT "A"; THENCE NORTH 47°31'48" EAST ALONG SAID EAST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 590.60 FEET; THENCE NORTH 30°51'09" EAST CONTINUING ALONG SAID EAST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 405.20 FEET; THENCE NORTH 27°20'21" EAST CONTINUING ALONG SAID EAST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 549.07 FEET TO THE NORTH LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION; THENCE NORTH 77°03'57" WEST ALONG SAID NORTH LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 411.09 FEET TO THE WEST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION; THENCE SOUTH 29°11'22" WEST ALONG SAID WEST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 436.70 FEET; THENCE SOUTH 37°13'57" WEST CONTINUING ALONG SAID WEST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 273.27 FEET; THENCE SOUTH 38°34'48" WEST CONTINUING ALONG

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SAID WEST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 711.82 FEET; THENCE SOUTH 62°23'43" EAST ALONG A SOUTH LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 266.57 FEET; THENCE SOUTH 02°32'02" WEST, 173.88 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE AFORESAID WEST ATLANTIC BOULEVARD; THENCE SOUTH 46°42'42" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 41.81 FEET; THENCE NORTH 89°06'30" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 187.78 FEET; THENCE NORTH 77°47'54" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 305.94 FEET; THENCE NORTH 84°51'04" WEST CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, 270.92 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA TURNPIKE A 300.00 FOOT RIGHT-OF-WAY ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION MAP NUMBER 410055, SECTION 86130-2504, SHEET 1 OF 18; THENCE NORTH 37°00'18" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 2,632.45 FEET TO A POINT ON THE WEST LINE OF THE NORTH ONE-HALF (N. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 32; THENCE SOUTH 01°20'33" EAST ALONG SAID WEST LINE, 464.92 FEET TO THE SOUTHWEST CORNER OF THE NORTH ONE-HALF (N. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 32; THENCE NORTH 88°45'32" EAST, ALONG THE SOUTH LINE OF THE NORTH ONE-HALF (N. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 32, 403.85 FEET; THENCE SOUTH 00°00'00" WEST, 430.80 FEET; THENCE SOUTH 90°00'00" EAST, 108.87 FEET; THENCE SOUTH 00°00'00" WEST, 702.13 FEET; THENCE SOUTH 55°23'30" EAST, 132.52 FEET; THENCE SOUTH 12°02'24" WEST, 44.31 FEET; THENCE SOUTH 15°01'12" EAST, 36.87 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

BEGINNING AT THE AFORESAID REFERENCE POINT "A"; THENCE NORTH 62°23'43" WEST ALONG A SOUTH LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 36.49 FEET; THENCE SOUTH 02°32'02" WEST ALONG AN EAST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 69.01 FEET TO A POINT HEREINAFTER KNOWN AS REFERENCE POINT "B"; THENCE NORTH 47°32'02" EAST, 30.83 FEET; THENCE NORTH 22°03'23" EAST, 33.68 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCE AT THE AFORESAID REFERENCE POINT "B"; THENCE SOUTH 02°32'02" WEST ALONG AN EAST LINE OF SAID PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 6.52 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°32'02" WEST AND CONTINUING ALONG SAID EAST LINE OF PALM AIRE NORTH COURSE ESTATES 4TH SECTION, 55.00 FEET; THENCE SOUTH

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43°17'14" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF WEST ATLANTIC BOULEVARD, 43.03 FEET; THENCE SOUTH 89°06'30" EAST, CONTINUING ALONG SAID NORTH NIGHT-OF-WAY LINE, 38.73 FEET; THENCE NORTH 35°03'08" WEST, 78.33 FEET; THENCE NORTH 42°27'58" WEST, 30.83 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 36.2962 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED LANDS ARE NOW A PORTION OF PARCEL B, RESIDENCES AT PALM AIRE, RECORDED JUNE 25, 2015 IN PLAT BOOK 181, PAGES 178-182, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

WHEREAS, the Development Review Committee has met to review this project and has provided the applicant with written comments; and

WHEREAS, the Application for Development Permit is not in compliance with the applicable standards and minimum requirements of this Code, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

WHEREAS, copies of the survey and final site plan are on file with the Department of Development Services, stamped with the meeting date of December 16, 2015.

The Application for Development Permit is hereby approved by the Planning and Zoning Board (Local Planning Agency) subject to the following conditions and bases therefore:

1. Phase 1 of the proposed development must include the perimeter buffers adjacent to the communities referred to as the Island Club & Golfview Mobile Home Park.
2. The common area landscaping, street trees, and remaining perimeter buffers shall be installed within each phase of the construction and completed prior to the issuance of the last certificate of occupancy within such phase.
3. The property owner will seek building permits for the primary recreation amenities (i.e. the cabana and pool) at the same time that the permits for homes in Phase 1 are submitted. The primary recreation amenities must be completed prior to the issuance of the last certificate of occupancy for development within Phase 1 of the project.
4. Following the completion of the site work in Phase 4, the demolition of the temporary model parking and construction of the remaining 2 units (Lots 23 & 24) may be submitted.
5. Emergency access is shown within an NVAL line. Submit a plat note amendment requesting a change to the NVAL line or provide documentation that emergency access is permitted at this location, prior to building permit approval.
6. Subject to verification with the Declaration of Restrictive Covenants not less than 15% of the potential 907 housing units to be developed are restricted to individuals that meet the income limitations for affordable work-force housing. Provide evidence of compliance for the Residences at Palm Aire Plat (at large) with this requirement, prior to final Certificate of Occupancy.

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7. For building permit approval, provide the following:
- a. Evidence that the project will achieve at least ten sustainable development points.
 - b. BSO approved CPTED Plan.
 - c. Details of tot lot, mail kiosk, bike racks and gazebos, as well as any potential amenities that may be included at the passive parks.
8. Landscape & irrigation plans must meet zoning code requirements.

Be advised that pursuant to Section 155.2407 (G) of the Pompano Beach Code of Ordinances, a DEVELOPMENT ORDER for a site plan application shall remain in effect for a period of 24 months from the date of its issuance.

Heard before the Planning and Zoning Board/Local Planning Agency and Ordered this 16th day of December, 2015.


Fred Stacer
Chairman
Planning and Zoning Board/Local Planning Agency

1/12/16
Date

Filed with the Advisory Board Secretary this 13th day of January, 2016.


KERRIE MACNEIL
Zoning Technician