

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 21-12000015

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 1307 WABASH, LLC

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the specific application for Development referenced above as a Major Site Plan Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to review and issue a final development order with respect to the applicant is requesting Major Site Plan approval for a mixed-use development with 285 dwelling units and 4,164 square feet of commercial use on a 6.2-acre parcel of land. The project consists of three 7-story buildings, a 4-story parking garage, and a 7-space detached parking garage. which are more specifically described as follows:

PARCEL 1:

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 AND 13, AND A PORTION OF PARCEL 'A', BLOCK 10, CRESTHAVEN NO. 8, ACCORDING TO THE PLAT THEREOF, RECORDED IN. PLAT BOOK 44, PAGE 8 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A" THENCE NORTH 89'59'15" WEST, ON THE SOUTH LINE OF SAID PARCEL "A", AND ON THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 464.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 13; THENCE NORTH 07'57'00" EAST ON THE WEST LINE OF SAID LOTS 13, 12 AND 11, A DISTANCE OF 198.90 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 89'59'15" EAST ON THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 64.49 FEET; THENCE NORTH 07'57'00" EAST ON THE WEST LINES OF SAID LOTS

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10, 9, 8, 7, 6 5, 4, 3, 2 AND 1, A DISTANCE OF 672.42 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89'59'15" EAST ON THE NORTH LINE OF SAID LOT 1, AND THE NORTH LINE OF SAID PARCEL "A", A DISTANCE OF 325.85 FEET; THENCE SOUTH 44'59'15" EAST, A DISTANCE OF 9.28 FEET; THENCE SOUTH 89'59'15" EAST, A DISTANCE OF 49.54 FEET; THENCE SOUTH 53'57'26" EAST, A DISTANCE OF 19.23 FEET; THENCE SOUTH 07'57'00" WEST, ON THE EAST LINE OF SAID PARCEL "A", A DISTANCE OF 852.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

BEING A PORTION OF LOTS 1, 2, 3 AND 4, BLOCK 10 AND A PORTION OF PARCEL "A" OF CRESTHAVEN NO. 8, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 44, PAGE 8 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 07'57'00" WEST, ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 18.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 07'57'00" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 271.95 FEET; THENCE NORTH 82'03'00" WEST, A DISTANCE OF 321.89 FEET; THENCE NORTH 07'57'00" EAST, A DISTANCE OF 245.12 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF NE 33RD STREET; THENCE FOR THE FOLLOWING 4 COURSES AND DISTANCES ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89'59'15" EAST, A DISTANCE OF 250.85 FEET; THENCE SOUTH 44'59'15" EAST, A DISTANCE OF 9.28 FEET; THENCE SOUTH 89'59'15" EAST, A DISTANCE OF 49.54 FEET; THENCE SOUTH 53'57'26" EAST, A DISTANCE OF 19.23 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 EASEMENTS, COVENANTS AND RESTRICTIONS AGREEMENT BY AND BETWEEN 1307 SOUTH WABASH LLC, A FLORIDA LIMITED LIABILITY COMPANY AND RACETRAC PETROLEUM, INC., A GEORGIA CORPORATION, DATED 05/18/2016, AND RECORDED 06/27/2016 IN OFFICIAL RECORDS INSTRUMENT 113777521, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 272,327 SQUARE FEET (6.2518 ACRES) MORE OR LESS.

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

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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 15, 2021.

IT IS THEREFORE ORDERED by the Board that the requested Major Site Plan Application for the above Project is hereby **GRANTED**, with the following conditions to which the Applicant has agreed to comply with:

1. Successfully obtain approval for the allocation of 285 flex units by the City Commission and meet all conditions including affordable housing fees.
2. Provide architectural treatment to the north façade of the detached parking garage, consistent with the principal building, pursuant to Section 155.5601.C.1.a prior to building permit approval.
3. Provide a treatment to the west elevation of the 4-story parking garage so that all openings are treated with decorative screening or in a manner that creates the appearance of an active use area and conceals all internal elements such as plumbing pipes, fans, ducts and lighting, pursuant to Section 155.5601.C.1.b prior to building permit approval.

4. Standard conditions of approval and/or specifications required prior to Building

Permit/Zoning Compliance Permit issuance:

- a. Correct the Site Information table on sheet SP-1 to reflect the correct Land use designation and Zoning district, to remove the reference to the Core Sub-Area, and revise the Current use of the property as vacant.

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- b. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan, one landscape island for every 10 parking spaces, one shade tree in every parking island.
- c. Include a copy of the approved CPTED plan, approved by the Broward Sheriff's Office.
- d. Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City's Urban Forestry Division.

Be advised that pursuant to Section 155.2308(B)(1) of the Pompano Beach Code of Ordinances, this DEVELOPMENT ORDER shall expire if a Zoning Compliance Permit is not obtained within two years.

Heard before the Planning and Zoning Board/Local Planning Agency and Ordered this

15th day of December, 2021.

DocuSigned by:

Fred Stacer

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Fred Stacer

Chairman

Planning and Zoning Board/Local Planning Agency

Filed with the Advisory Board Secretary this 29th of December, 2021,

DocuSigned by:

Saul Umana

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Saul Umana

Assistant Planner