

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR A 5.76 GROSS ACRE SITE LOCATED ON THE WEST SIDE OF NW 31ST AVENUE, EAST OF THE FLORIDA TURNPIKE GENERALLY LOCATED AT 1201 NW 31ST AVENUE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON NOVEMBER 16, 2022; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on November 16, 2022, on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan and recommended denial to the City Commission; and

WHEREAS, said amendment proposes to change a Land Use Plan map designation of a 5.76 gross acre site currently occupied by the Travelodge Motel from Commercial (C) to Industrial (I); the net acreage of which is legally described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, pursuant to Section 163.3187, F.S., the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184(11)(b), F.S., this matter has been advertised at least seven days prior to the first hearing and advertised at least five days prior to the second public hearing pursuant to the requirements of Section 166.041 F.S.; and

WHEREAS, at the public hearings the parties having an interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

WHEREAS, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference; and

WHEREAS, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines that future industrial use of the site will be compatible with the area and beneficial to the City; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. The foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

SECTION 2. The City Commission hereby adopts the amendment to the City of Pompano Beach Future Land Use Map to change the land use designation from Commercial to Industrial.

SECTION 3. The Department of Development Services is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council along with the City's amended Future Land Use Map for the Planning Council to recertify the City Future Land Use Map.

SECTION 4. In the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications thereof shall not be thereby affected;

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

SECTION 6. This Ordinance shall take effect immediately upon its passage and adoption, but the amendments shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Plan as consistent with the County Land Use Plan.

PASSED FIRST READING this _____ day of _____, 2023.

PASSED SECOND READING this _____ day of _____, 2023.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

:jrm
12/19/22
L:ord/2023-68

EXHIBIT A
LEGAL DESCRIPTION

PARCEL "A", MOTEL 6 – POMPAÑO BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 112, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

PARCEL 2:

THE SOUTH 180 FEET OF THE FOLLOWING PARCEL OF LAND: A PORTION OF THE NE 1/4 OF SECTION 32 AND A PORTION OF THE NW 1/4 OF SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND RUN ON AN ASSUMED BEARING OF N89°51'07"E, ALONG THE SOUTH LINE OF THE SAID NW 1/4 OF SECTION 33 FOR 696.91 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION; THENCE RUN N15°51'17"E, ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION FOR 536.04 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1859.86 FEET AND A CENTRAL ANGLE OF 5°38'56" FOR AN ARC DISTANCE OF 183.36 FEET TO THE POINT OF BEGINNING; THENCE RUN WESTERLY ON A BEARING OF S88°35'42"W TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY OF THE SUNSHINE STATE PARKWAY; THENCE SOUTHWESTERLY ALONG THE EAST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY TO A POINT, BEING THE INTERSECTION OF A LINE 360 FEET SOUTH OF AND PARALLEL TO THE ABOVE DESCRIBED EAST-WEST LINE; THENCE RUN EASTERLY ON A BEARING OF N88°35'42"E TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION; THENCE RUN NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION TO THE POINT OF BEGINNING;

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL OF LAND:

A PORTION OF THE NE 1/4 OF SECTION 32 AND A PORTION OF THE NW 1/4 OF SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, AND RUN ON AN ASSUMED BEARING OF NORTH 89°51'07" EAST, ALONG THE SOUTH LINE OF THE SAID NW 1/4

OF SECTION 33 FOR 696.91 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION; THENCE RUN NORTH 15°51'17" EAST, ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION FOR 536.04 FEET TO A POINT OF CURVATURE; THENCE CONTINUE ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1859.86 FEET AND A CENTRAL ANGLE OF 5°38'56" FOR AN ARC DISTANCE OF 183.36 FEET TO THE POINT OF BEGINNING; THENCE RUN WESTERLY ON A BEARING OF SOUTH 88°35'42" WEST TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY OF THE SUNSHINE STATE PARKWAY; THENCE SOUTHWESTERLY ALONG THE EAST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY TO A POINT, BEING THE INTERSECTION OF A LINE 180 FEET SOUTH OF AND PARALLEL TO THE ABOVE DESCRIBED EAST-WEST LINE; THENCE RUN EASTERLY ON A BEARING OF NORTH 88°35'42" EAST TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION; THENCE RUN NORTHERLY ALONG THE WEST RIGHT-OF-WAY LINE OF ATLANTIC BOULEVARD EXTENSION TO THE POINT OF BEGINNING;

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

LESS AND EXCEPT FROM PARCEL 2 THE FOLLOWING TWO PARCELS OF LAND:

LESS OUT A:

ALL OF THE PLAT OF MOTEL 6 – POMPANO BEACH, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 112, PAGE 27, INCLUDING BUT NOT LIMITED TO THAT CERTAIN 50 FOOT ADDITIONAL RIGHT OF WAY DEDICATED BY THE PLAT.

LESS OUT B:

ALL OF THAT CERTAIN PARCEL OF LAND CONVEYED BY MOTEL 6 OPERATING, L.P. TO MICHAEL L. THOMAS, TRUSTEE, BY THE SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 16308, PAGE 161, AND DESCRIBED AS FOLLOWS:

A PORTION OF THE NE 1/4 OF SECTION 32 AND A PORTION OF THE NW 1/4 OF SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, AND A PORTION OF PARCEL "A" OF "MOTEL 6 – POMPANO BEACH", AS RECORDED IN PLAT BOOK 112, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", RUN ON AN ASSUMED BEARING S88°44'35"W, ALONG THE SOUTH LINE OF SAID PARCEL "A", ALSO BEING THE NORTH LINE OF PARCEL "A" OF "NEILL PLAT", AS RECORDED IN PLAT BOOK 89, PAGE 20, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, 450.50 FEET TO A POINT OF BEGINNING; THENCE CONTINUE S88°44'35"W, ALONG THE LAST DESCRIBED LINE 452.95 FEET TO THE EASTERLY RIGHT-OF-WAY

LINE OF SUNSHINE STATE PARKWAY; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG A CURVE TO THE LEFT WHOSE TANGENT BEARS $N26^{\circ}17'51.8''E$ AT THAT POINT, WITH A RADIUS OF 7789.44 FEET AND A CENTRAL ANGLE OF $2^{\circ}56'55''$, AN ARC DISTANCE OF 400.86 FEET; THENCE $N88^{\circ}44'35''E$ 276.74 FEET TO THE NORTHWEST CORNER OF SAID "MOTEL 6 – POMPANO BEACH"; THENCE $S01^{\circ}15'25''E$ 360 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION OF PARCEL "A" OF "MOTEL 6 – POMPANO BEACH", AS RECORDED IN PLAT BOOK 112, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; RUN ON AN ASSUMED BEARING OF $S88^{\circ}44'35''W$ 450.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE $S88^{\circ}44'35''W$ 222 FEET; THENCE $N01^{\circ}15'25''W$ 150 FEET; THENCE $N88^{\circ}44'35''E$ 222 FEET; THENCE $S01^{\circ}15'25''E$ 150 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 226,192 SQUARE FEET (5.19 ACRES), MORE OR LESS.