

**ARCHITECTURAL APPEARANCE COMMITTEE
CITY OF POMPANO BEACH
BROWARD COUNTY, FLORIDA**

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 21-12000004

AN ORDER ISSUED BY THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO ORDINANCE NO. 98-57; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR 40th STREET LLC.

WHEREAS, Ordinance No. 98-57, authorizes the Architectural Appearance Committee (“Committee”) to review plans for this project which consists of the construction of a retail stores and remodeling of a shopping plaza façade with an updated existing parking lot layout (“Project”). The Project encompasses the following property: 3301 N. Federal Highway; which is more specifically described as follows:

LOTS 1 AND 2 AND THE EAST 33 FEET OF LOT 17, TOGETHER WITH LOTS 18, 19 AND 20, BLOCK 1, AND PARCEL ‘A’, LESS THE NORTH 15 FEET OF SAID PARCEL ‘A,’ “CRESTHAVEN NO. 9 REPLAT”, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 46, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND LESS THAT PART OF SAID PARCEL ‘A’ WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY A 25 FOOT RADIUS ARC, WHICH IS TANGENT TO THE WEST LINE OF SAID PARCEL ‘A’ AND TANGENT TO A LINE 15 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID PARCEL ‘A’; AND LESS THAT PART OF SAID PARCEL ‘A’ WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY A 25 FOOT RADIUS ARC, WHICH IS TANGENT TO THE EAST OF SAID PARCEL ‘A’ AND TANGENT TO A LINE 15 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID PARCEL ‘A’.

LESS AND EXCEPT THEREFROM THOSE LANDS CONVEYED TO BROWARD COUNTY BY WARRANTY DEED RECORDED OCTOBER 15, 1997 IN OFFICIAL RECORDS BOOK 27143, PAGE 282; FURTHER

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LESS AND EXCEPT THOSE LANDS CONTAINED IN PARCEL NO. 108 AS DESCRIBED IN COUNTY DEED RECORDED AUGUST 14, 1997 IN OFFICIAL RECORDS BOOK 26853, PAGE 991; AND FURTHER LESS AND EXCEPT THOSE LANDS CONVEYED TO BROWARD COUNTY BY WARRANTY DEED RECORDED MAY 13, 1997 IN OFFICIAL RECORDS BOOK 26416, PAGE 92.; and

WHEREAS, the Committee has met and reviewed this Project to be in general compliance with the applicable standards and with the criteria for approval as set forth in Ordinance 98-57 as follows, 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

- a) The plan for the proposed structure or project is in conformity with good taste, good design and, in general, contributes to the image of Pompano Beach as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality;
- b) The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value;
- c) The proposed structure or project is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved;
- d) The proposed structure or project is in harmony with the proposed developments in the general area, with the Comprehensive Plan for the City and with the criteria set forth in the adopted "Supplemental Criteria of the Architectural Appearance Committee".

Upon further examination and participation of the Development Services Staff, the following conditions were offered to further comply with the City Code and offer further clarification for the building permitting process:

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1. *A Master Sign Program must be approved by the Architectural Appearance Committee for the proposed multi-tenant building, pursuant to Section 155.2416.*
2. *Modify the photometric plan to add the overall height of the light poles including the light fixtures. The maximum height of the exterior lighting, whether mounted on poles or walls, shall not exceed 20 feet in those parts of nonresidential district within 200 feet of a residential zoning district, pursuant to Section 155.5401.D. All other lights shall not exceed 30 ft.*
3. *Identify "new" or "existing" lights on the photometric plan. A new light pole shall be placed at least 15 ft. away from tree or palm trunks, pursuant to Section 155.5203.B.2.g.i.(C).*
4. *A copy of the CPTED plan approved by the Broward Sheriff's Office must be submitted for Zoning Compliance Permit approval.*
5. *Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City's Urban Forestry Division.*
6. *Building permit plans subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.*

After careful consideration of the Project and the recommendations of City staff, the Committee approves the plans, subject to the 6 City staff conditions and additional conditions below:

1. *Applicant will provide pavers in the drive aisle in front of the grocer.*
2. *Applicant will provide brick pavers at all entry driveway locations from the property line to the first driveway intersection, no less than a minimum of 20 feet.*

DONE AND ORDERED this 6th day of September, 2022.


ROBERT H. ZBIKOWSKI
Chairman
Architectural Appearance Committee

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Filed with the Advisory Board Secretary this 7th day of September, 2022.



Saul Umana
Planner