




DEVELOPMENT SERVICES

David L. Recor, ICMA-CM, Development Services Director
E: david.recor@copbfl.com | P: 954.786.4664 | F: 954.786.4504

ADMINISTRATIVE MEMORANDUM NO. 19-278

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services 
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Maggie Barszewski, AICP, Planner *MB*
SUBJECT: Briny Residence Rezoning Request
 Rezoning Request P&Z #19-13000009/ September 25, 2019 P&Z Meeting
DATE: September 11, 2019

APPLICANT'S REQUEST

The Applicant, Mike Vonder Meulen, on behalf of 305 Briny Avenue, LP, is requesting to rezone the subject property from RM-20 (Multi-Family Residential 20) to RM-30 (Multi-Family Residential 30). The site includes five parcels, which currently has one and two-story rental apartment units that had been built in 1951 taking up two of the parcels. The other three parcels are currently vacant. The subject property includes a total of 1.334 net acres. The gross acreage of the property is 1.76 acres. It is located within the City's Atlantic Overlay District and has a land use designation of Medium-High (MH) 25; therefore, the total residential entitlement for this property is a maximum of 44 units. The Applicant is proposing to develop a 105-foot mixed-use building that would include 40 residential units and 5,889 square feet of ground-floor commercial space. The Comprehensive Plan Land Use Implementation Section 3.02.A.8.c allows space within residential buildings in areas designated for MH25 density to be used for office and/or retail space as long as it's less than 50 percent of the floor area. This rezoning request was reviewed by the Development Review Committee (DRC) on August 7, 2019.

The property is located between S. Ocean Drive & Briny Avenue on the north side of SE 4th Street.

SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING) REVIEW STANDARDS

In determining whether to adopt or deny a proposed Zoning Map Amendment, the City shall weigh the relevance of information submitted by the applicant and consider the extent to which the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives and policies of the Comprehensive Plan. Accordingly, the review criteria for a Site Specific Rezoning Application is as follows:

Section 155.2404.C, Site-Specific Zoning Map Amendment Review Standards

1. The applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
 - a. Is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

A. The following policies of the City's Comprehensive Plan Land Use Element have been identified as pertinent to this rezoning:

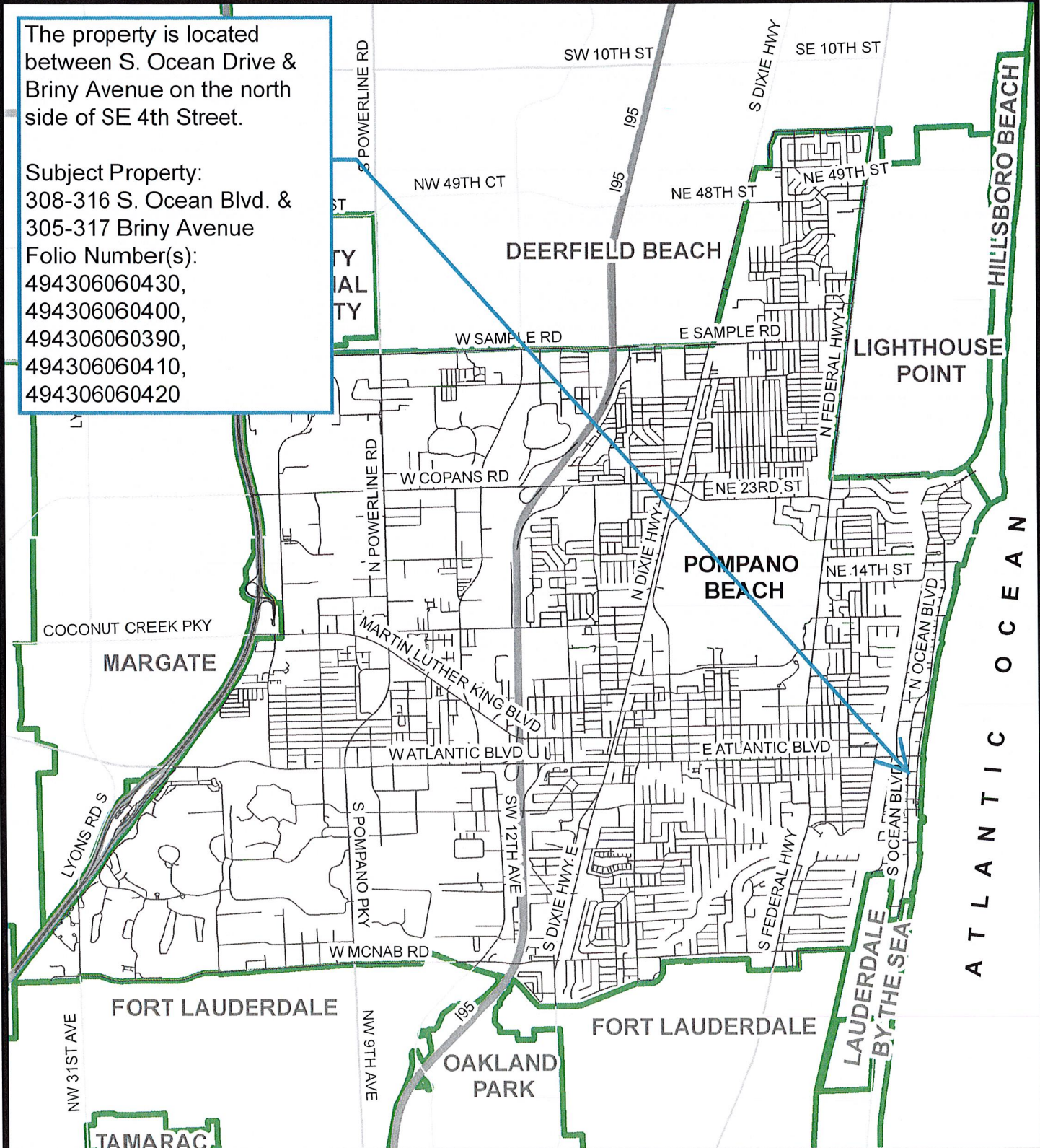
Goal 01.04.00 Support and promote the inter-mix of residential and commercial uses along major traffic corridors.

CITY OF POMPANO BEACH LOCATION MAP



The property is located between S. Ocean Drive & Briny Avenue on the north side of SE 4th Street.

Subject Property:
308-316 S. Ocean Blvd. &
305-317 Briny Avenue
Folio Number(s):
494306060430,
494306060400,
494306060390,
494306060410,
494306060420



1 in = 1 miles

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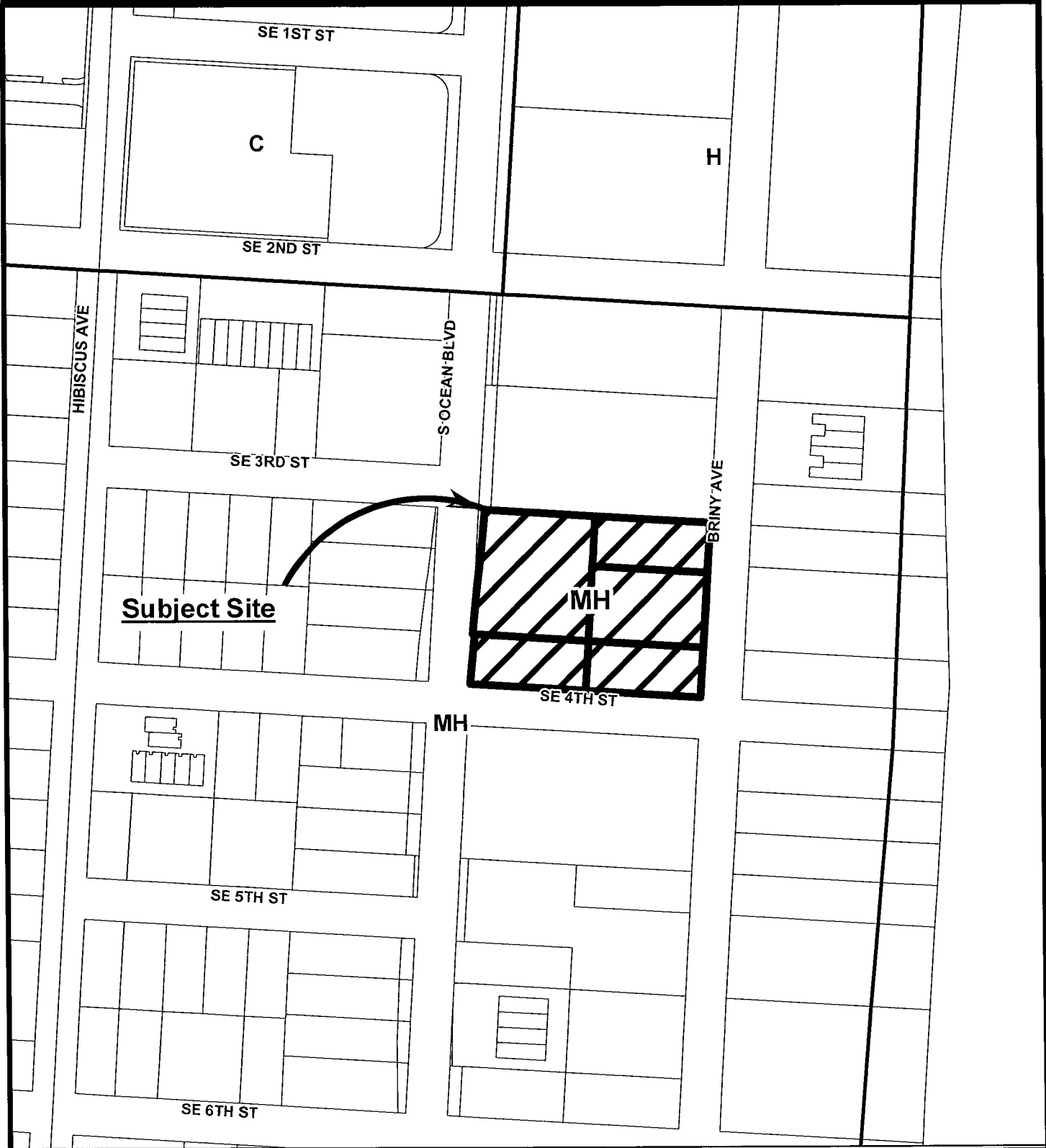
CITY OF POMPANO BEACH AERIAL MAP



1 in = 167 ft

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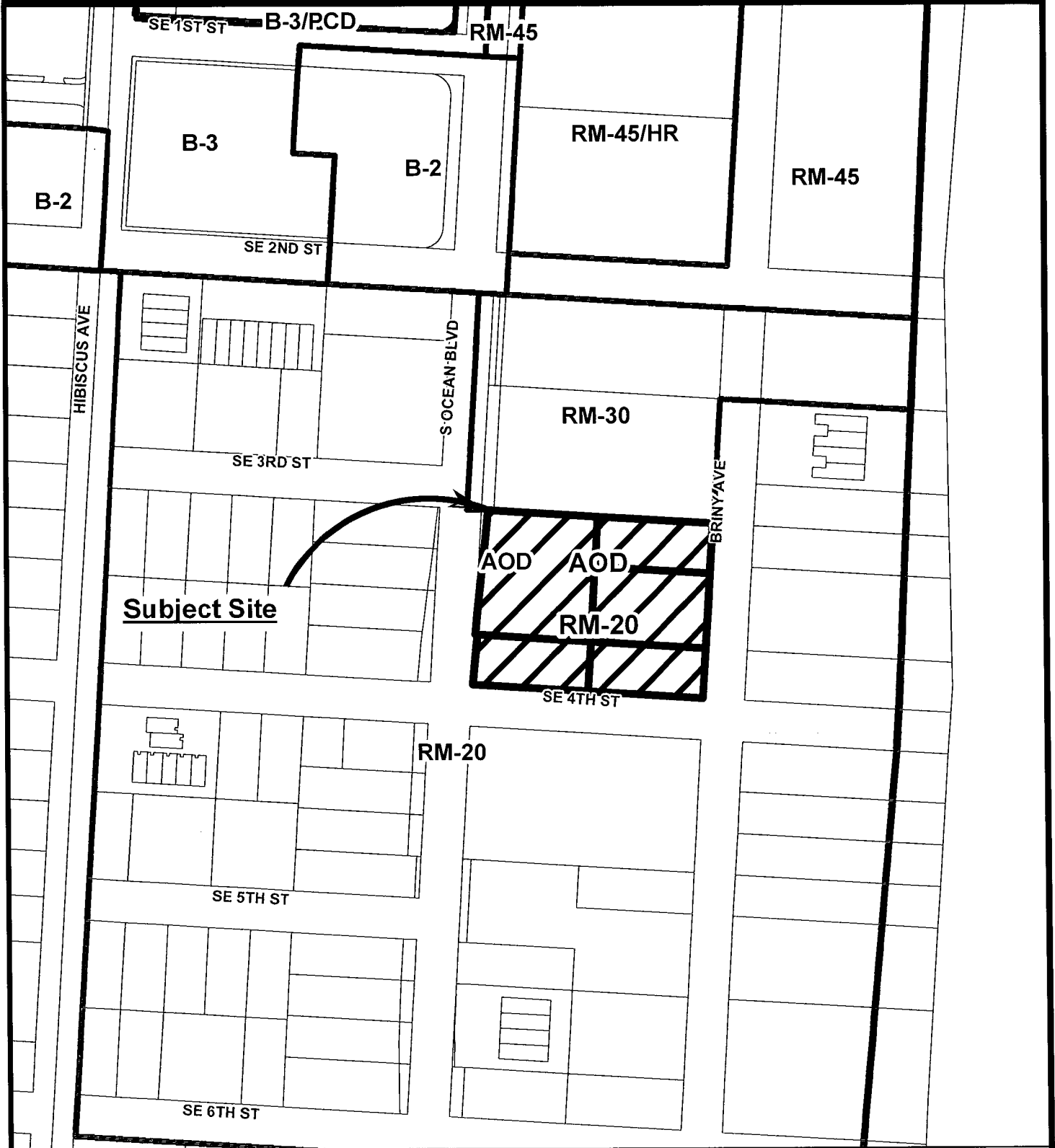
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 167 ft

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 167 ft

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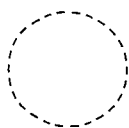
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LEGEND

FOR LAND USE PLAN

<u>Symbol</u>	<u>Classification</u>	<u>Units/ Acre</u>
	Residential	
L	Low (1-5 DU/AC)	
LM	Low- Medium (5-10 DU/AC)	
M	Medium (10-16 DU/AC)	
* MH	Medium-High (16-25 DU/AC)	
H	High (25-46 DU/AC)	
12	Irregular Density	
36	Irregular Density	
C	Commercial	
CR	Commercial Recreation	
I	Industrial	
T	Transportation	
U	Utilities	
CF	Community Facilities	
OR	Recreation & Open Space	
W	Water	
RAC	Regional Activity Center	
LAC	Local Activity Center	
DPTOC	Downtown Pompano Transit Oriented Corridor	
ETOC	East Transit Oriented Corridor	

Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

*	Existing
>	Proposed

FOR ZONING MAP

<u>Symbol</u>	<u>District</u>
RS-1	Single-Family Residence 1
RS-2	Single-Family Residence 2
RS-3	Single-Family Residence 3
RS-4	Single-Family Residence 4
RS-L	Single-Family Residence Leisureville
RD-1	Two- Family Residence
RM-7	Multiple-Family Residence 7
RM-12	Multiple-Family Residence 12
* RM-20	Multiple-Family Residence 20
> RM-30	Multiple-Family Residence 30
RM-45	Multiple-Family Residence 45
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
B-3	General Business
B-4	Heavy Business
M-1	Marina Business
CR	Commerical Recreation
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
M-2	Marina Industrial
TO	Transit Oriented
PR	Parks & Recreation
CF	Community Facilities
PU	Public Utility
T	Transportation
BP	Business Parking
LAC	Local Activity Center
RPUD	Residential Planned Unit Dev.
PCD	Planned Commercial Development
PD-TO	Planned Development - Transit Oriented
PD-I	Planned Development - Infill
RM-45 HR	Multiple-Family Residence 45 High-Rise Overlay
* AOD	Atlantic Boulevard Overlay District
CRAO	Community Redevelopment Area Overlay
NCO	Neighborhood Conservation Overlay
APO	Air Park Overlay
DP	Downtown Pompano Beach Overlay

Goal 01.21.00 Promote mixed use land development patterns which combine residential and nonresidential uses to achieve an attractive, well integrated, and pedestrian and transit friendly environment through the establishment of residential mixed land use categories.

Policy 01.03.02 Require residential densities of zoning districts to be consistent with the densities on the Future Land Use Map.

Policy 01.03.03 Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.

Policy 01.03.05 All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

Policy 01.03.11 Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Policy 01.03.12 The following criteria may be used in evaluating rezoning requests:

1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and
7. Proximity to mass transit.

B. Findings of Fact. Development Services Department Staff submits the following factual information which is relevant to this Rezoning Application:

1. The rezoning was reviewed by the DRC on August 7, 2019.
2. The property is located between S. Ocean Drive & Briny Avenue on the north side of SE 4th Street.
3. The subject property to be rezoned is approximately 1.334 acres.
4. The property has been platted.
5. The existing zoning and uses of adjacent properties are as follows:

Direction	Zoning/ Land Use Designation	Use
North	RM-30 AOD/MH	Hotel
East	RM-20 AOD/MH	Hotel & Residential Unit
South	RM-20 AOD/MH	Multi-Family Residence
West	RM-20 AOD/MH	Vacant & Residential Units

6. The Land Use Designation is Medium High (MH) 25.

C. Analysis

In the review criteria it states that the applicant must provide competent substantial evidence that the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

There are two goals and five policies of the Future Land Use Element listed in Section 'A' of this report as being relevant in the consideration of this rezoning request. The two goals promote attractive and pedestrian-friendly, mixed-use development. These goals are to be implemented through the five policies that require: minimal negative impacts to existing residential and compatibility with adjacent properties; density compatibility with both adjacent properties and Land Use Designations; and the orderly transition of varying uses. The applicant states in the narrative that the rezoning will be compatible with the adjacent uses since it is located within the Atlantic Overlay District, since the use to the south is more intense regarding density.

It is Staff's opinion that the RM-30 rezoning would be compatible with the properties immediately adjacent to the north and south of the subject property since one has the zoning for 30 units to the acre and the other currently has the density of 30 units to the acre. The mixed use nature of this rezoning's proposed project would be a good transition between the resort to the east and the lower density residential existing to the west of the subject property.

Staff is therefore of the opinion that there is a reasonable basis to support this request for rezoning since it is compatible with the surrounding existing uses.

Department Recommendation

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion.

Alternative Motion I

Recommend approval of the rezoning request as the Board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals and policies.

Alternative Motion II

Table this application for additional information as requested by the Board.

Alternative Motion III

Recommend denial as the Board finds that the request is not consistent with the Future Land Use Goals and Policies listed in Section 'A' of this report.

Staff recommends alternative motion number I.