



Staff Report

File #: LN-245

PLANNING AND ZONING BOARD

Meeting Date: August 24, 2022

FIBERBUILT UMBRELLAS & CUSHIONS REZONING

Request: Rezoning
P&Z# 22-13000001
Owner: 2201, LLC.
Project Location: 6 Residential Lots North of 2201 W. Atlantic Blvd.
Folio Number: Multiple Folios
Land Use Designation: LM (Low Medium 5-10 DU/AC)
Zoning District: RM-12 (Multiple-Family Residence 12)
Commission District: 4 (Beverly Perkins)
Agent: John Tice (954-794-0300)
Project Planner: Jean Dolan (954-786-4045 / jean.dolan@copbfl.com)

APPLICANT'S REQUEST

The applicant is requesting to rezone the 6 residential lots north of and contiguous to 2201 West Atlantic Boulevard from RM-12 to B-3 following approval of the concurrent request for commercial flexibility. The subject 6 lots are currently vacant and will be developed as a commercial building as an expansion of the existing commercial design center on the 2100 West Atlantic Boulevard property.

The area north of these lots is residential, primarily single-family homes, while the area to the south is commercial in nature. The applicant will be required to provide an incompatibility buffer (Type C which requires a minimum 10 foot wide space with an 8 foot high masonry wall and required landscaping) between the subject lots and the residential lots to the north.

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 Comprehensive Plan have been identified as pertinent to this rezoning:

Policy 01.03.04

Consider the preservation of established single family neighborhoods in all rezonings, land use plan amendments and site plan approvals.

Policy 01.03.06

Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

Policy 01.03.07

Require the provision of building height transitions and decorative structural or vegetative buffers between different density residential land uses, and residential and non-residential land uses.

Policy 01.03.08

Establish criteria to protect residential areas and other land uses that are adjacent to industrial and commercial areas from excessive, odors, traffic and parking impacts.

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:

- A. Density;
- B. Design;
- C. Distance to similar development;
- D. Existing adjoining uses;
- E. Proposed adjoining uses;
- F. Readiness for redevelopment of surrounding uses; and
- G. Proximity to mass transit.

Policy 01.06.12

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

Policy 01.08.01

Follow the recommendation of the Community Redevelopment Plans in all Land Use Plan amendments and rezonings.

Policy 01.23.05

Discourage rezonings that permit additional self-storage and warehouse uses along the City's gateway corridors which include Atlantic Boulevard, Dr. Martin Luther King, Jr. Boulevard and NW 31st Avenue.

Policy 06.01.04

The City shall require that all new residential, commercial and industrial development be serviced by centralized wastewater systems.

Policy 07A.08.07

Review all land use plan map and text amendments, rezonings and site plan applications to ensure that there is sufficient

potable water resources available to serve the proposed development and the land uses are consistent with the wellfield protection zone regulations.

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

1. The Land Use Designation is currently LM 10 but approval of the concurrent commercial flex application will allow commercial uses in the LM 10 underlying land use designation.
2. The rezoning was reviewed by the DRC on March 16, 2022.
3. The property is located **north** of and adjacent to 2201 West Atlantic Boulevard just east of the U.S. Post Office on West Atlantic Boulevard.
4. The subject property to be rezoned is 1.1 acres.
5. The property is platted.
6. The existing land use and zoning designations of adjacent properties are as follows:

LAND USE, ZONING AND CURRENT USES OF ADJACENT AREAS

	Site	North	South	East	West
Future Land Use and Zoning	LM-10 RM-12	LM-10 RM-12	LM-10 (with commercial flex) B-3	Commercial B-3	Community Facility (City land use: LM 10 (County Land Use) CF Zoning
Existing Uses	Vacant and parking lot	Single-Family Homes	Commercial Building (Design Center)	Commercial Building (Showroom / Warehouse	U.S. Post Office

C. Analysis

As a criteria for rezoning, 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.

The policies in the Comprehensive Plan relevant to this rezoning request are provided in Section ‘A’ of this report. These policies generally require: rezoning consistent with the land use designation; compatibility with adjacent properties, particularly the single-family homes; adequate public facilities and service capacity to accommodate the demands of the project.

It is Staff’s conclusion that the B-3 rezoning will be in conformance with the land use designation if the commercial flexibility being requested concurrently with the rezoning is approved. Given that the 2201 property was given commercial flex in 1984 and that approval land locked the 6 residential lots in question, the application of commercial flexibility, rezoning to B-3 and unification of all the lots with the 2201 property to accommodate access is the most logical approach to the reasonable development of these 6 lots. A Type C buffer between the proposed commercial expansion and the homes to the north, as well as the proposed 24’ building height, will provide reasonable compatibility as defined by the standards in the City’s zoning code.

There is mass transit service to the site.

Staff finds there is substantial evidence to support this request.

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 assuming the commercial flexibility is approved based on the conceptual site plan provided which provides a Type C buffer to the north and limits the building height to 24 feet.

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.

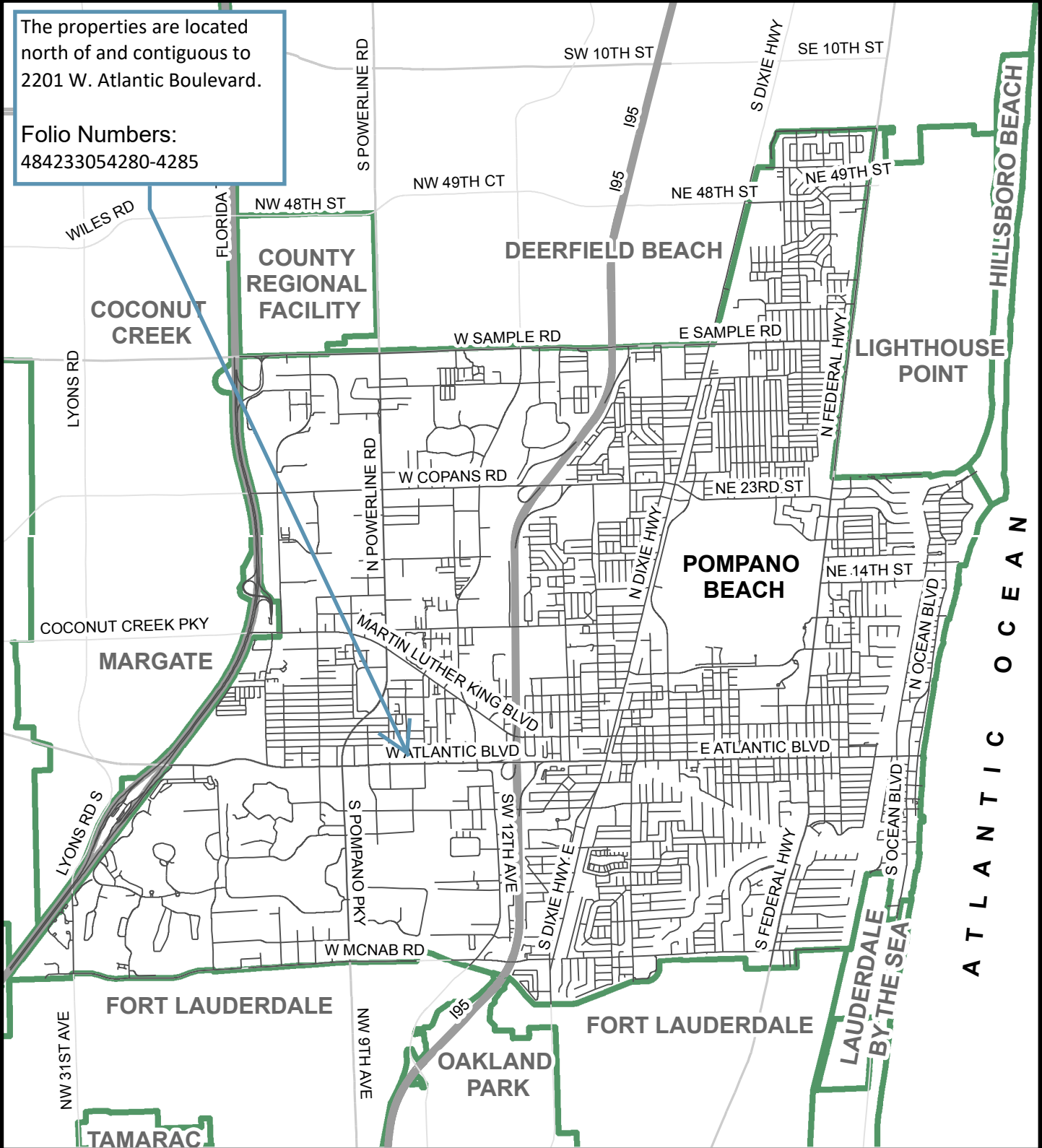
Staff recommends alternative motion number I.

CITY OF POMPANO BEACH LOCATION MAP



The properties are located north of and contiguous to 2201 W. Atlantic Boulevard.

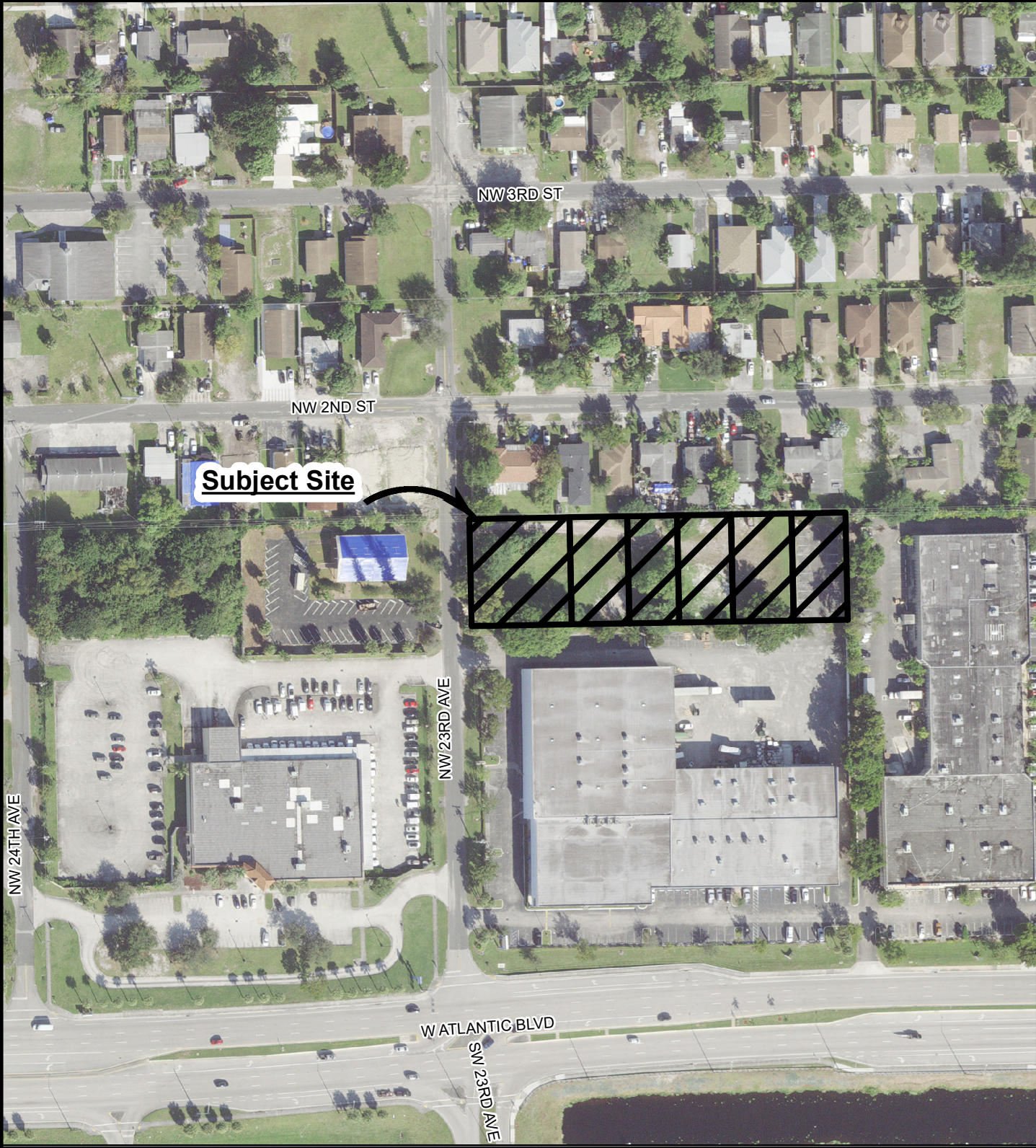
Folio Numbers:
484233054280-4285



1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

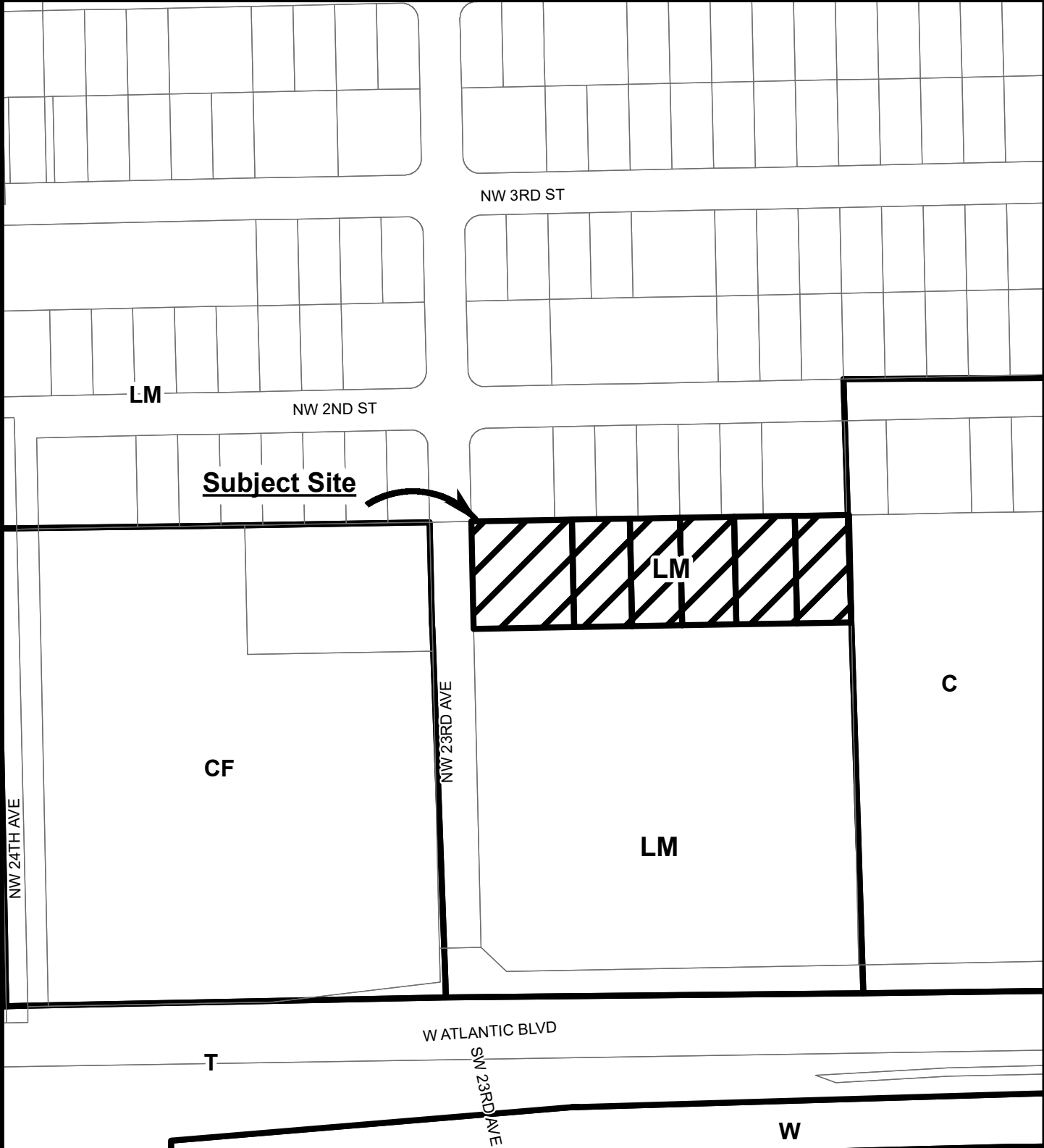


1 in = 167 ft

2201 W ATLANTIC BOULEVARD

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CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

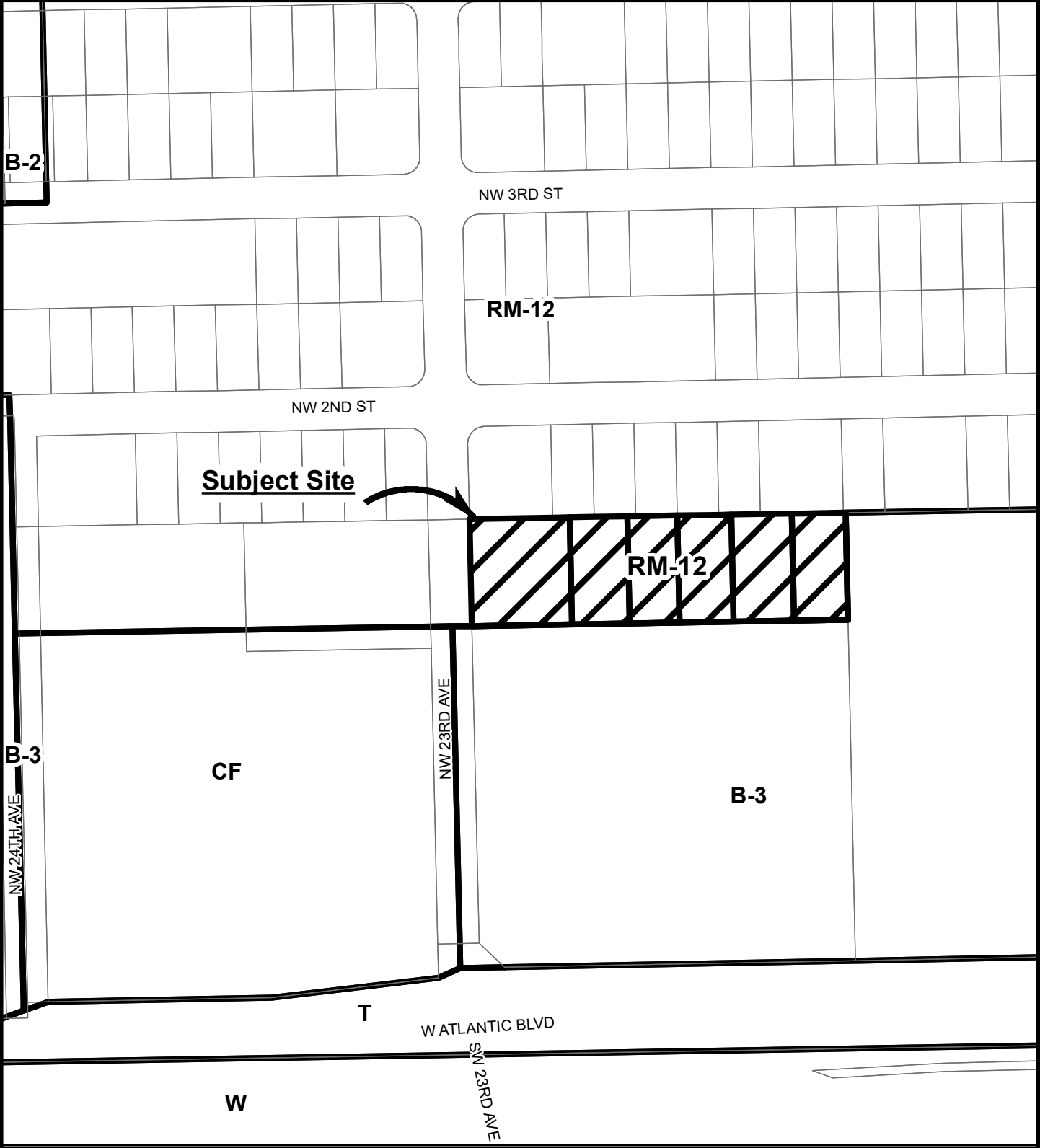


1 in = 167 ft

2201 W ATLANTIC BOULEVARD

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP

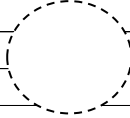


1 in = 167 ft

2201 W ATLANTIC BOULEVARD

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LEGEND

FOR LAND USE PLAN		FOR ZONING MAP		
Symbol	Classification Units/ Acre	Symbol	District	
		RS-1	Single-Family Residence 1	
L	Low (1-5 DU/AC)	RS-2	Single-Family Residence 2	
* LM	Low- Medium (5-10 DU/AC)	RS-3	Single-Family Residence 3	
M	Medium (10-16 DU/AC)	RS-4	Single-Family Residence 4	
MH	Medium-High 16-25 DU/AC)	RS-L	Single-Family Residence Leisureville	
H	High (25-46 DU/AC)			
12	Irregular Density	RD-1	Two- Family Residence	
36	Irregular Density			
		RM-7	Multiple-Family Residence 7	
C	Commercial	>	RM-12	Multiple-Family Residence 12
CR	Commercial Recreation		RM-20	Multiple-Family Residence 20
			RM-30	Multiple-Family Residence 30
I	Industrial		RM-45	Multiple-Family Residence 45
			MH-12	Mobile Home Park
T	Transportation			
		B-1	Limited Business	
U	Utilities		B-2	Neighborhood Business
		*	B-3	General Business
CF	Community Facilities		B-4	Heavy Business
			M-1	Marina Business
OR	Recreation & Open Space		CR	Commerical Recreation
W	Water		I-1	General Industrial
			I-1X	Special Industrial
RAC	Regional Activity Center		O-IP	Office Industrial Park
			M-2	Marina Industrial
LAC	Local Activity Center			
		TO	Transit Oriented	
DPTOC	Downtown Pompano	PR	Parks & Recreation	
	Transit Oriented Corridor	CF	Community Facilities	
	Number	PU	Public Utility	
		T	Transportation	
		BP	Business Parking	
		LAC	Local Activity Center	
	* Current			
	> Proposed	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	