

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 22-12000035

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 BBA PROPERTY HOLDINGS 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's request to construct a one-story new golf cart dealership with the repair and service of golf carts with associated parking and landscaping known as Phoenix Golf Car. The proposal includes a one-story 9,660 square feet building on a 73,218 square foot (1.68 acres) site, a total lot coverage of 13.2%. The site has a Unity of Use with the adjacent development to the south (Popeyes) for lot unification for the use of the existing parking between the two properties along with the newly constructed access easements. (Project). The Project encompasses the following property: 140 – 160 NW 31st Ave; which is more specifically described as follows:

PARCEL 'A', "GENCO CORNER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 162, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. TOGETHER WITH A PORTION OF TRACTS 37 AND 38, OF THE UNRECORDED PLAT, "COLLIER CITY", BEING PORTIONS OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 'A' OF SAID PLAT; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL "A", ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF THE WEST ATLANTIC BOULEVARD (STATE ROAD NO. 814) THE FOLLOWING 4 COURSES AND DISTANCES; 1) SOUTH 88°56'16" WEST 51.28 FEET TO A POINT ON THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE NORTHEASTERLY FROM WHICH A RADIAL LINE BEARS NORTH 29°21'31" EAST; 2) NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 522.96 FEET, A CENTRAL ANGLE OF 0°24'09" FOR AN ARC LENGTH OF 3.67 FEET TO A POINT ON THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE NORTHEASTERLY FROM WHICH A RADIAL LINE BEARS NORTH 00°37'53" EAST; 3) WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1455.89 FEET, A CENTRAL ANGLE OF 7°08'14" FOR AN ARC LENGTH OF 181.36 FEET TO A POINT ON THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE NORTHEASTERLY FROM WHICH A RADIAL LINE BEARS NORTH 44°57'47" EAST; 4) NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 622.96 FEET, A CENTRAL ANGLE OF 6°48'06" FOR AN ARC LENGTH OF 73.95 FEET TO A POINT OF NON-TANGENCY ON THE EASTERLY RIGHT-OF-WAY LINE OF NW 31ST AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING 3 COURSES AND DISTANCES; 1) NORTH 01°17'16" WEST ALONG THE WESTERLY LINE OF SAID PARCEL "A" AND ITS NORTHERLY EXTENSION, 180.63 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/3 OF THE NORTH 3/5 OF THE AFOREMENTIONED SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 33, ALSO BEING THE NORTH LINE OF SAID TRACT 38; THENCE NORTH 88°54'56" EAST ALONG SAID NORTH LINE 12.24 FEET TO A POINT ON THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE NORTHEASTERLY FROM WHICH A RADIAL LINE BEARS NORTH 66°56'48" EAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 522.96 FEET, A CENTRAL ANGLE OF 14°31'40" FOR AN ARC LENGTH OF 132.60 FEET TO A POINT ON NON-TANGENCY TO A POINT ON THE NORTH LINE OF THE SOUTH ½ OF THE NORTH 2/5 OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 33, ALSO BEING THE NORTH LINE OF SAID TRACT 37; THENCE NORTH 88°54'42" EAST ALONG SAID NORTH LINE 303.83 FEET TO THE NORTHEAST CORNER OF TRACT 37 SAID POINT BEING ON THE EAST LINE OF THE WEST ½ OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 33; THENCE SOUTH 01°15'21" EAST ALONG SAID EAST LINE OF TRACT 37, CONTINUING ALONG THE EAST LINE OF TRACT 38, AND EAST LINE OF SAID PARCEL 'A' 383.30 FEET TO A POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

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 April 26, 2023.

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:

Obtain approval and revise affected plans to address the following issues prior to Zoning Compliance Permit approval:

1. All mechanical equipment mounted on the roof must be screened by a parapet wall of height equal to or exceeding the height of the mechanical equipment. Provide note that on roof plan that all roof surfaces will include a white high efficiency TPO roof.
2. The Outdoor Golf Cart display area on the east side of the parcel must be striped and clearly designated for Cart Parking Spaces only.
3. Substantial conformance with superior and enhanced landscaping consistent with the Comprehensive Plan policies 01.04.04, 01.07.21, and 01.08.03, subject to approval of the City's Urban Forestry Division.
4. Prior to building permit approval, provide a Unity of Title for the unification of two parcels owned by BBA Property Holdings.
5. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
 - a. Provide a photometric plan illustrating compliance with all applicable Exterior Lighting Standards.
 - b. A Plat must be approved and recorded with Broward County, prior to building permit approval.
 - c. Provide evidence that the development achieves at least 12 sustainable development points (TABLE 155.5802, Sustainable Development Options and Points).
 - d. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
 - e. All overhead utilities located on the development site and/or along the public right-of-way fronting the development site must be placed underground, pursuant to Section 155.5509.

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- f. Include a copy of the approved CPTED plan, approved by the Broward Sheriff's Office.
- g. 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

____ 26 ____ day of ____ April ____, 2023.

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 ____ 18 ____ day of ____ May ____, 2023

DocuSigned by:

Bobby Adkins

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Bobby Adkins

Planning Aide