



**DUNAY  
MISKEL  
BACKMAN** LLP

Gary Dunay  
Bonnie Miskel  
Scott Backman  
Eric Coffman  
Hope Calhoun

Dwayne Dickerson  
Ele Zachariades  
Matthew H. Scott  
Matthew Kwasman  
Christina Bilenki

Lauren G. Odom  
Nicole Jaeger  
Rachael Bond Palmer

**3100 West Atlantic, Inc.  
3100 W. Atlantic Blvd.  
Rezoning Narrative**

3100 West Atlantic, Inc. (“Applicant”) is the owner of four parcels generally located on the south side of W. Atlantic Blvd., between NW 31<sup>st</sup> Ave. and the Florida Turnpike. The four parcels comprise a total of 9.02 gross acres and are addressed at 3100 W. Atlantic Blvd. in the City of Pompano Beach (“Property”). It is important to note that the application only includes the eastern half of the most western parcel (folio # 48423370010). This eastern half of the parcel contains a PR (Parks & Recreation) zoning designation. The remaining portion of the parcel contains a B-3 zoning designation and is not included in this amendment.

The Applicant has a contract buyer to purchase the Property and develop an indoor tennis facility with 8 tennis courts, pickle ball courts and a 5,044 square foot clubhouse (“Project”).

The four parcels contain a zoning designation of PR (Parks & Recreation) and a future land use designation of Parks & Recreation. In order to develop the Project, the Applicant is requesting the following applications: 1.) a land use plan amendment to change the future land use designation on the Property to Commercial Recreation 2.) a rezoning to change the zoning designation to Commercial Recreation.

Compatibility with the Surrounding Neighborhood

The Property has a City future land use designation of Recreation & Open Space and a Broward County Land use designation of Commercial Recreation. This amendment will change the land use designation for the Property on the City’s future land use map to be consistent with the land use designation of Commercial Recreation on the Broward County future land use map. Additionally, the proposed Commercial Recreation designation is consistent with the Commercial Recreation designation of the remaining portions of the land that were once used for the Palm Aire golf course to the south of the Property and will provide a use that is also compatible with the surrounding residential uses. The Project has been designed to ensure compatibility with the adjacent residential uses. All of the tennis courts and pickle ball courts are within a fully enclosed building, eliminating any noise that would be generated by the use onto the adjacent residential properties. A drive aisle with landscaping will be placed along the south property to provide a buffer between the Property and the residential uses. Furthermore, the canal and South Florida Water Management District right-of-way area between the Property and the residential uses will provide an ample buffer area between the two uses.

### Rezoning Criteria

Per Section 155.2404 of the City Zoning Code, the City shall find that the Applicant has shown compliance with the following criteria for a rezoning request:

- 1. The applicant has provided, as part of the record of the public hearing on the application, 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 proposed rezoning amendment is consistent with the proposed Future Land Use designation of Commercial Recreation. Furthermore, the amendment is consistent with the follow policies listed in the Comprehensive Plan.

Policy 01.01.11-Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

*As shown in the water and wastewater sections above, the facilities servicing the Project have more than adequate capacity for potable water and wastewater to serve the project.*

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

*The proposed Commercial Recreation designation is consistent with the Commercial Recreation designation of the remaining portions of the land that were once used for the Palm Aire golf course to the south of the Property and will provide a use that is also compatible with the surrounding residential uses. Additionally, The Project has been designed to ensure compatibility with the adjacent residential uses. All of the tennis courts and pickle ball courts are within a fully enclosed building, eliminating any noise that would be generated by the use onto the adjacent residential properties. A drive aisle with landscaping will be placed along the south property to provide a buffer between the Property and the residential uses. Furthermore, the canal and South Florida Water Management District right-of-way area between the Property and the residential uses will provide an ample buffer area between the two uses.*

Policy 01.14.01 The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.

*This amendment will facilitate the infill development of a vacant parcel of land located on W. Atlantic Blvd. There are existing public utilities available to the Property that will service the project.*

Policy 04.05.02 To recognize the contribution that private recreational facilities provide in meeting the needs of seasonal residents and tourists and cooperate with them.

*This amendment will facilitate the development of an indoor recreational facility that will provide tennis courts and pickle ball courts for the enjoyment of permanent and seasonal residents and tourists. The indoor facility is unique and provides the ability to play tennis or pickle ball during all seasons throughout the year. This is especially beneficial during the hot summer months when many are not able to play sports outdoors. This private facility will meet a need for all residents and tourists in providing an indoor recreational option.*