

ADMINISTRATIVE MEMORANDUM NO. 19-237

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: Daniel T. Keester-O'Mills, AICP, Principal Planner
SUBJECT: Avira / Rezoning Request P&Z #19-13000008/ August 28, 2019 P&Z Meeting
DATE: August 12, 2019

The Applicant is requesting to rezone the subject property from B-4 (Heavy Business) to B-3 (General Business) in order to develop a mixed-use project with up to 229 units and 13,000 square feet of ground floor commercial space. The property was used as a junk yard, but there are no active businesses on the site at this time. This total area of the subject property is 5.13 acres in size; however, given the split zoning of the property the applicant is only seeking to rezone a portion of the property. The eastern portion of the property currently zoned B-4 is approximately 2.485-acres in size. The subject property is located west of South Dixie Highway, on the south of W McNab Road. The applicant has concurrently submitted an application requesting Flexibility Units (P&Z: 19-05000004) and a Plat Application (P&Z: 18-14000010). This rezoning request was reviewed by the Development Review Committee (DRC) on June 19, 2019.

SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING) REVIEW STANDARDS

In determining whether to adopt or deny a proposed General Zoning Map Amendment, the City shall weigh the relevance of and consider whether and 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.

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

Goal 01.00.00 The attainment of a living environment which provides the maximum physical, economic and social well being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

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 01.03.11 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:

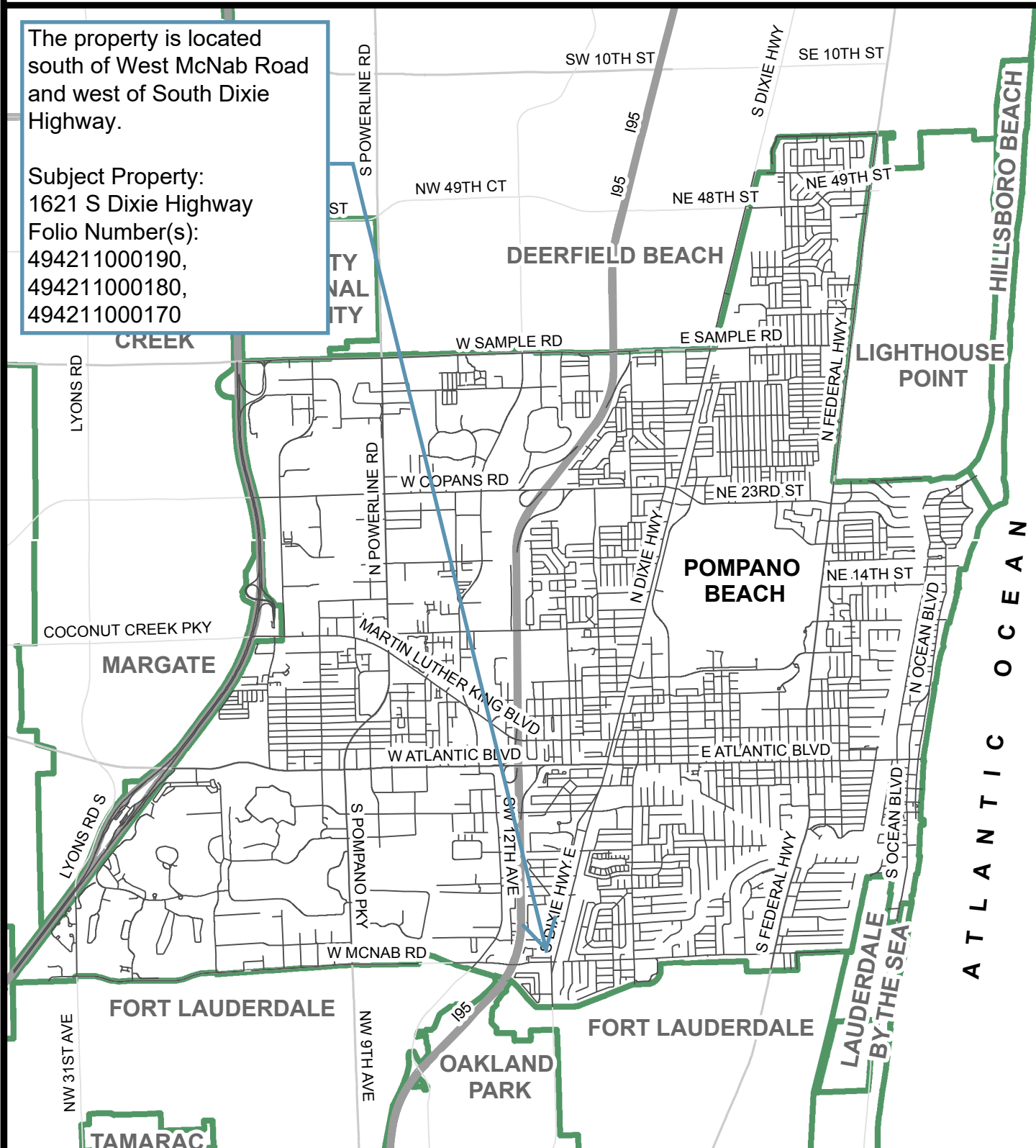
1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and
7. Proximity to mass transit.

CITY OF POMPANO BEACH LOCATION MAP



The property is located south of West McNab Road and west of South Dixie Highway.

Subject Property:
1621 S Dixie Highway
Folio Number(s):
494211000190,
494211000180,
494211000170



1 in = 1 miles

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DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

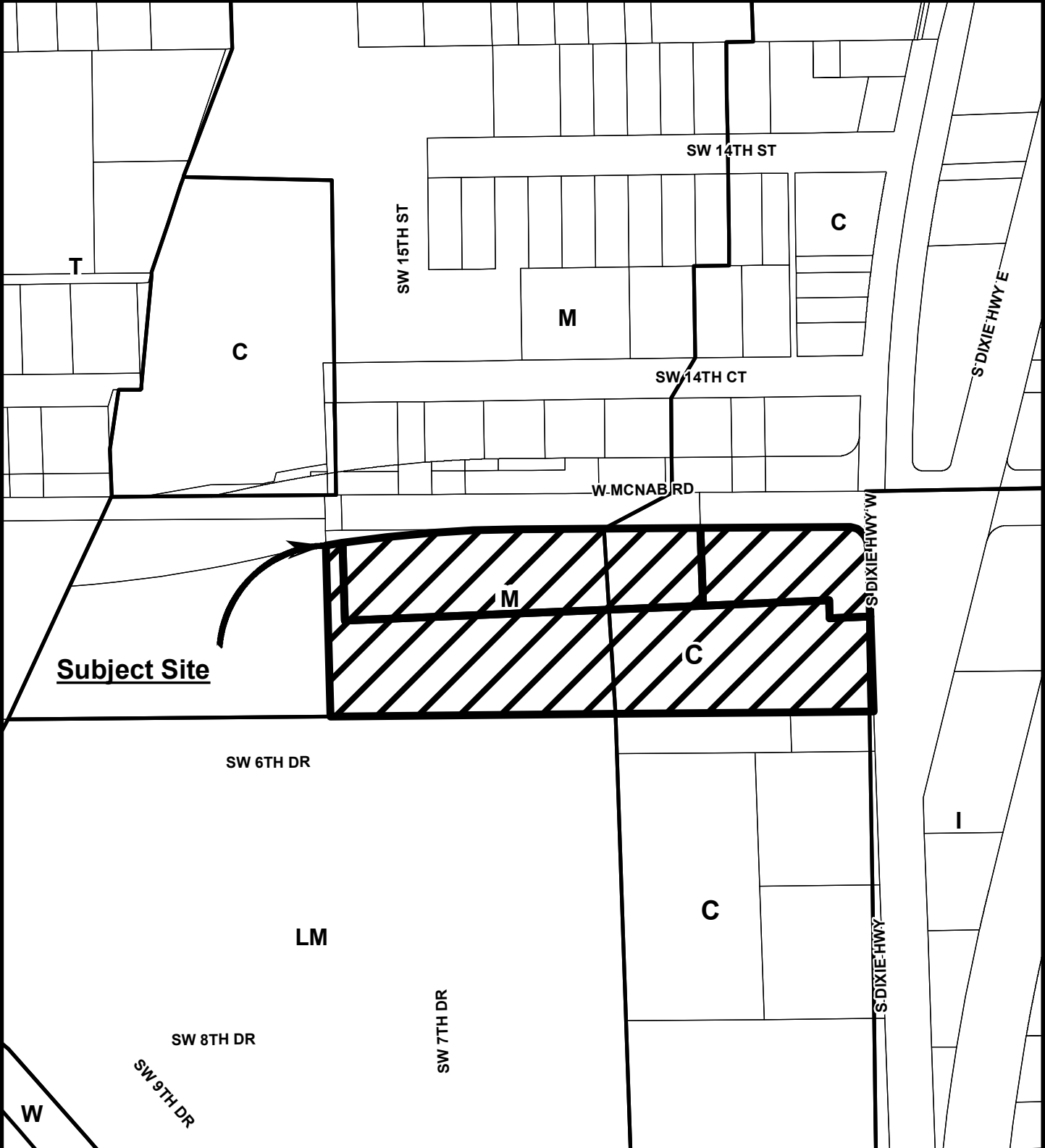


Subject Site

1 in = 208 ft

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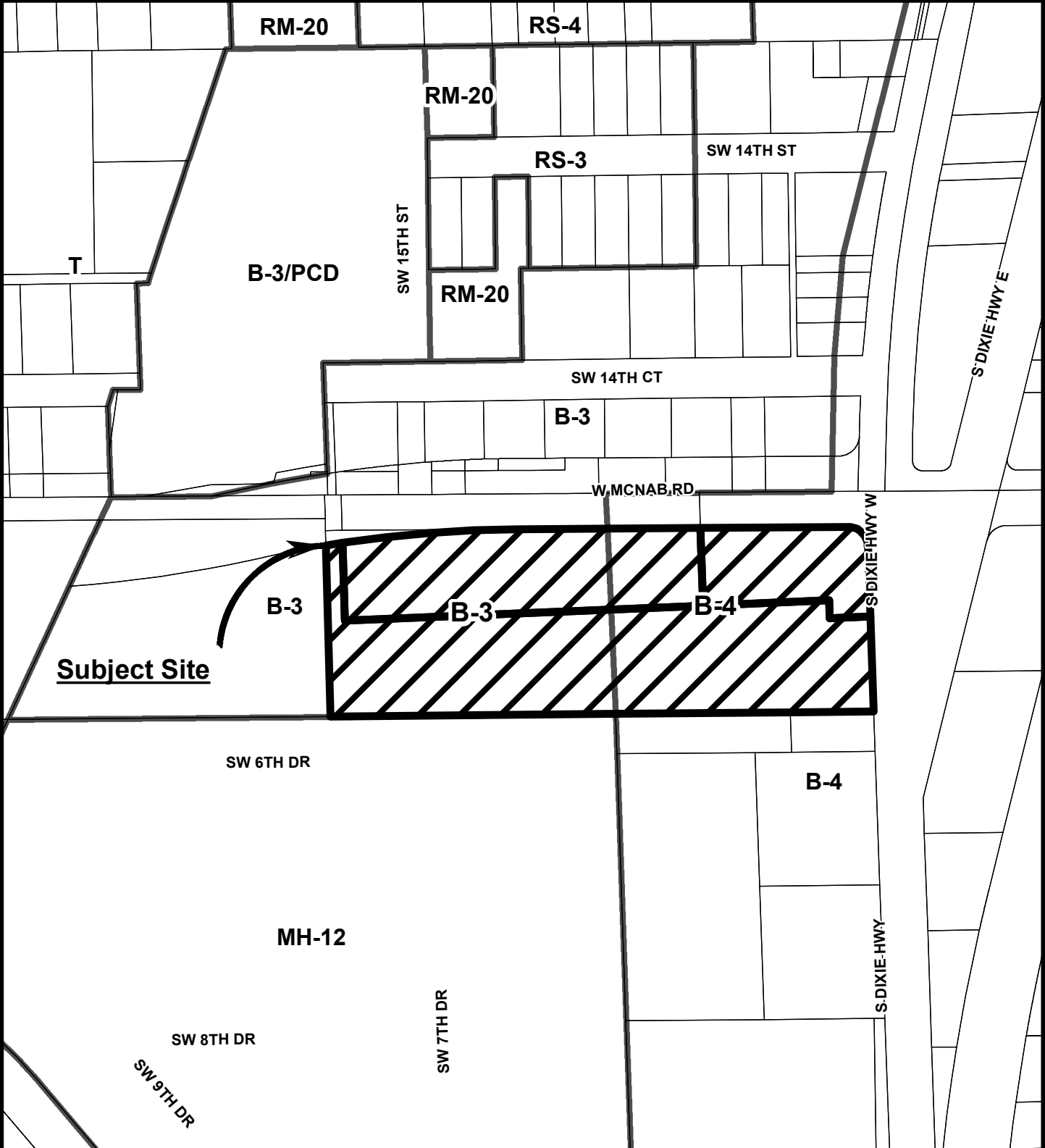
CITY OF POMPANO BEACH
OFFICIAL LAND USE MAP



1 in = 208 ft

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 208 ft

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LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

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

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C	Commercial
CR	Commercial Recreation

I	Industrial
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T	Transportation
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U	Utilities
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CF	Community Facilities
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OR	Recreation & Open Space
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W	Water
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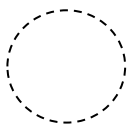
RAC	Regional Activity Center
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LAC	Local Activity Center
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DPTOC	Downtown Pompano Transit Oriented Corridor
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ETOC	East Transit Oriented Corridor
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Number



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

Symbol District

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	Commercal 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

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Objective 01.04.00 Support and promote the intermix of residential and commercial uses along major traffic corridors.

Policy 01.04.01 The Planning Department shall support and promote the intermix of residential and commercial uses along major traffic corridors, where mass transit is available, through the allocation of flex and reserve units and approval of land use plan map amendments allowing for residential developments

Policy 01.12.02 Continue to support the allowance of mixed use land at strategic locations within Urban Infill, Urban Redevelopment and Downtown Revitalization Areas.

Policy 01.12.03 Utilize the existing flexibility provisions to facilitate proposed mixed use developments in urban infill areas provided that the proposed developments are compatible with the community character.

Objective 1.21.00 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.

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 June 19, 2019.
2. The property is located west of S. Dixie Hwy., on the south sides of W McNab Road.
3. The portion of the property to be rezoned is 2.485 acres.
4. The subject property was previously used as a junk yard.
5. The property is not Platted, but there is an application for a new Plat that has been submitted by the property owner.
6. The existing zoning and uses of adjacent properties, relative to the property at large, are as follows:

Direction	Zoning/Land Use Designation	Use
North	B-3/C	Commercial Buildings
East	B-4/I	Commercial Building / Offices
South	MH-12 & B-4/ LM & C	Mobile Homes, Offices, Showroom
West	B-3 / M	Vacant/ Undeveloped Land

7. The Land Use Designation specific to the area of land for this rezoning application is C (Commercial).
8. 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.

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 is one Goal, two Objectives and six Policies listed in Section 'A' of this report, as being relevant in the consideration of this rezoning request. Policies 01.03.06, 01.03.11 and 01.03.12 of the Future Land Use Element

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require minimal negative impacts to existing residential and compatibility with adjacent properties. The applicant is seeking to rezone the eastern portion of the subject property from B-4 to B-3 in order to have a single zoning district governing the entire property. Properties to the north and west are currently zoned B-3.

The integration of residential into the Commercially-Zoned South Dixie Corridor is called for in the 2013 Transportation Corridor Study. The overall proposed mixed-use project precipitating this rezoning will support the area's "transitioning to an urban mix of housing" and retail, as well as fostering pedestrian uses within the area.

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 and is consistent with other applicable city-adopted plans.

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 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, Objectives and Policies listed in Section 'A' of this report.

Staff recommends alternative motion number I.