

MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 17-164

DATE: April 14, 2017

TO: Planning & Zoning Board

VIA: Robin M. Bird, Development Services Director *MB*
Jennifer Gomez, Assistant Development Services Director *JG*

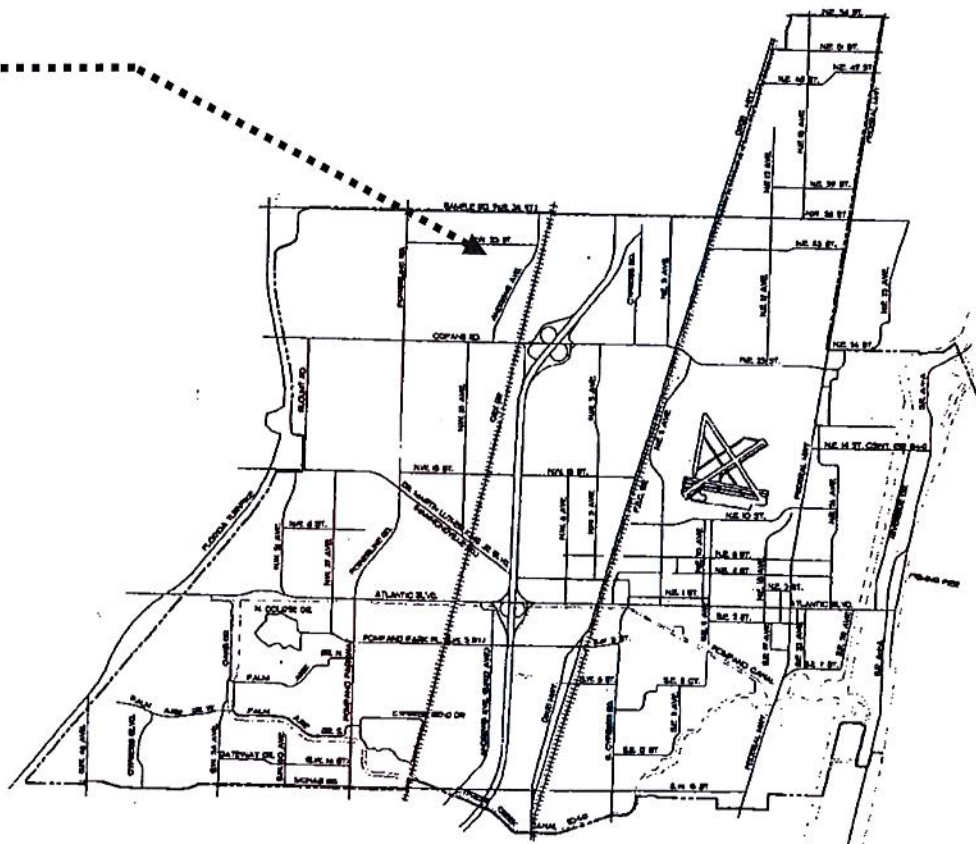
FROM: Maggie Barszewski, Planner *MB*

RE: Rezoning – From I-1/Planned Commercial Development to I-1
Location – 1600 NW 36 Street
April 26, 2017 Meeting

P & Z #17-13000001

The applicant is requesting to rezone the subject property from I-1/ Planned Commercial Development (PCD) to I-1. This property is a 4.19-net acre site and the address is 1600 NW 36 Street. The parcel currently has six existing one-story self-storage buildings. The applicant is requesting the rezoning to enable the construction of a project including a three-story self-storage building and related site improvements. In order to receive approval of a Major Site Plan, a rezoning is necessary to either change the PCD master plan or to change the zoning to a straight General Industrial (I-1). The applicant has chosen the latter since the proposed site plan is able to meet all of the development regulations of I-1. That Major Site Plan Application is on this agenda and, if approved, will have to be conditioned on the approval of this rezoning request.

Subject Site: 1600 NW 36 St
Tax Folio ID: [484222180010](#)

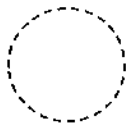


LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

	Gross Residential Density
	Residential
E	Estate
L	Low
LM	Low- Medium
M	Medium
MH	Medium-High
H	High
C	Commercial
CR	Commercial Recreation
* I	Industrial
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
	Boundaries
	City of Pompano Beach
13	Number



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

*

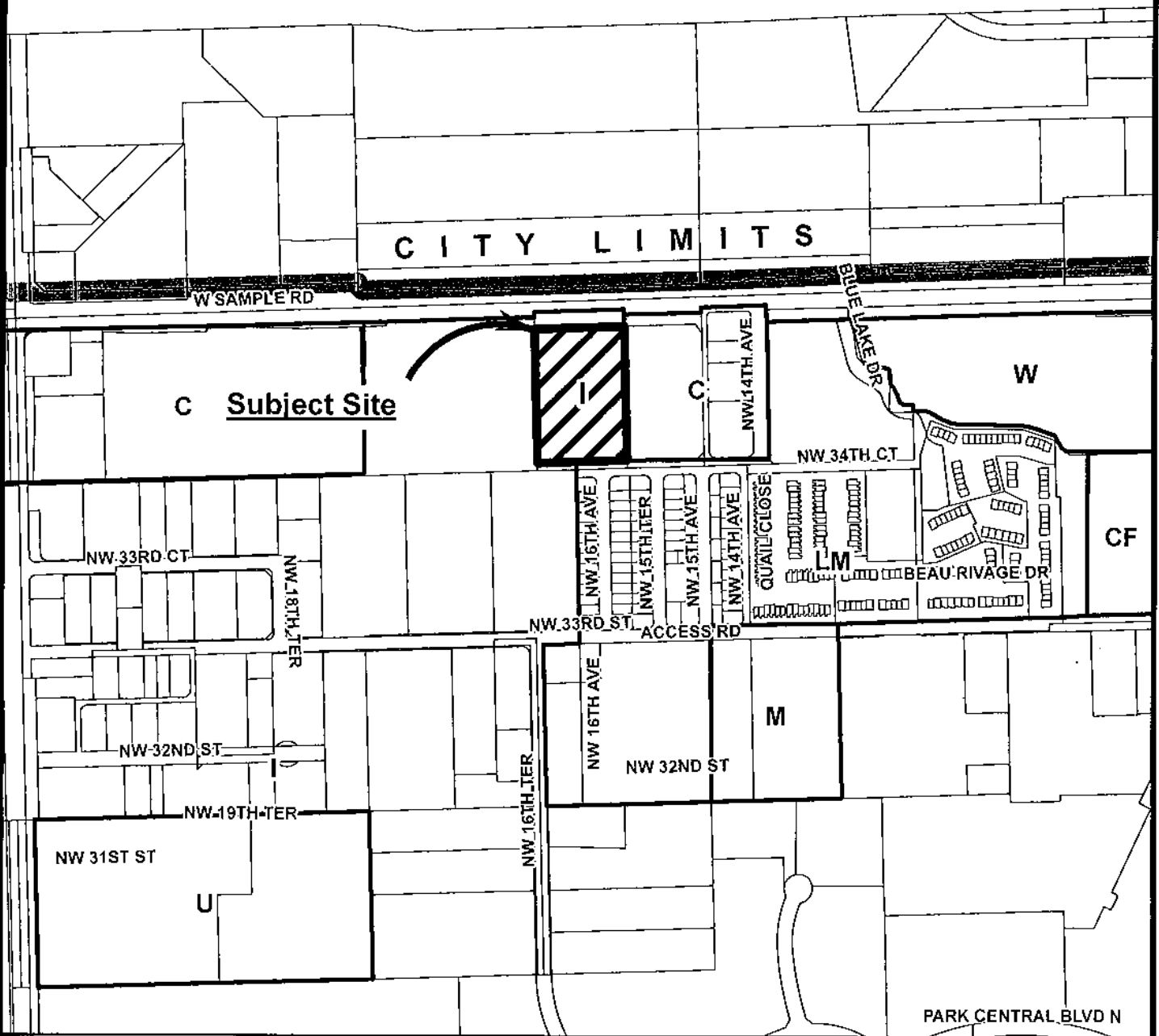
* Existing
> Proposed

FOR ZONING MAP

Symbol District

RS-1	One-Family Residence
RS-2	One-Family Residence
RS-3	One-Family Residence
RS-4	One-Family Residence
RD-1	Two- Family Residence
RM-12	Multi-Family Residence
RM-20	Multi-Family Residence
RM-30	Multi-Family Residence
RM-45	Multi-Family Residence
RM-45/HR	Overlay
RPUD	Residential Planned Unit Dev.
AOD	Atlantic Boulevard Overlay District
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
B-3	General Business
B-4	Heavy Business
RO	Residence Office
M-1	Marina Business
M-2	Marina Industrial
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
BP	Business Parking
BSC	Planned Shopping Center
PCI	Planned Commercial / Industrial Overlay
PR	Parks & Recreation
CR	Commerical Recreation
CF	Community Facilities
T	Transportation
PU	Public Utility

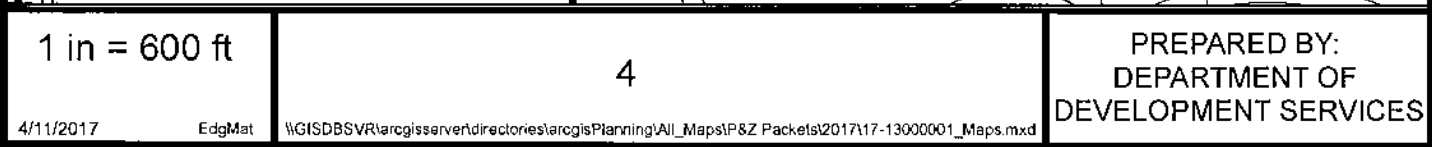
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



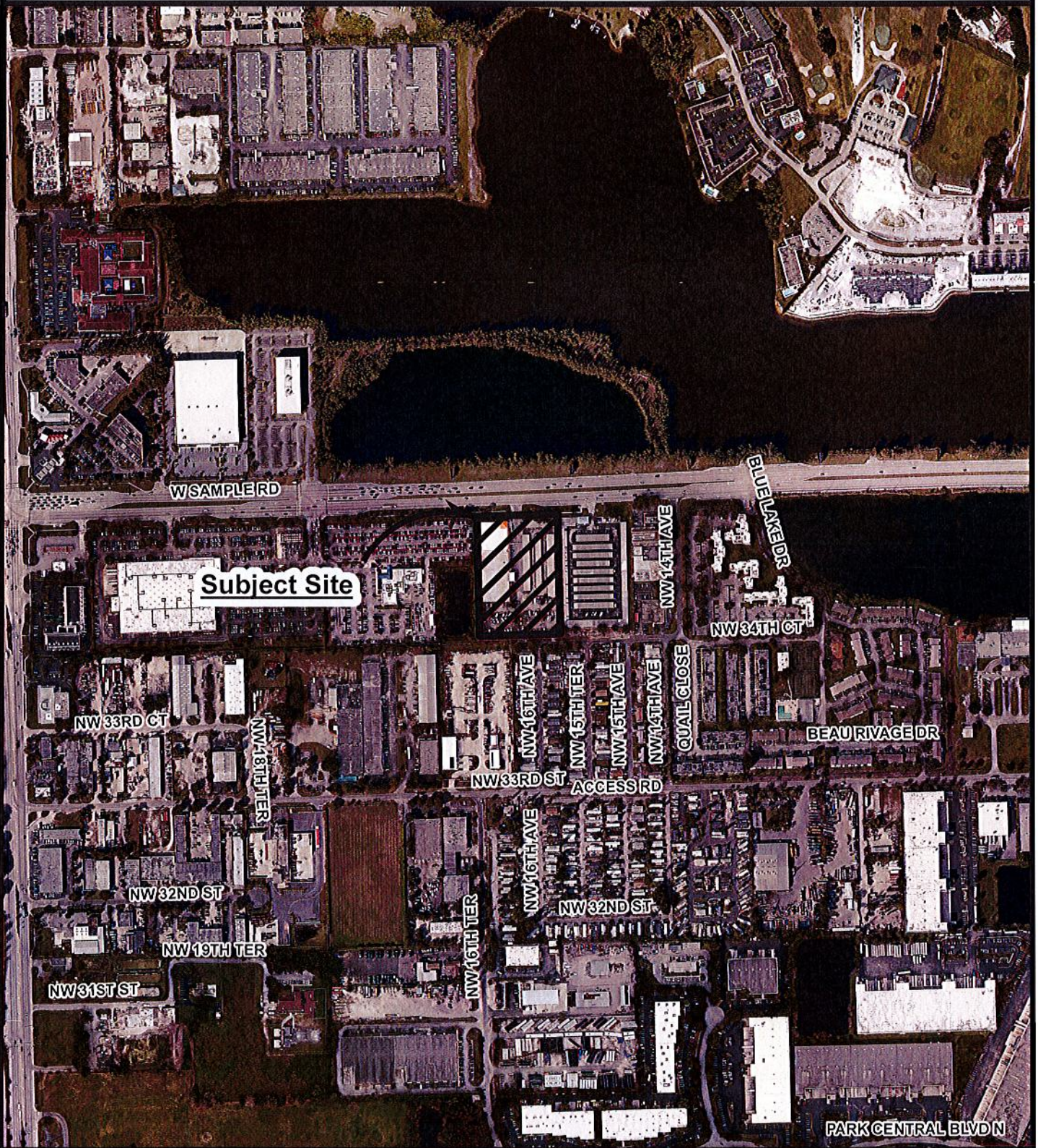
1 in = 600 ft

3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES



CITY OF POMPANO BEACH AERIAL MAP



1 in = 600 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

This is a detailed plat map of a portion of the City of Pompano Beach, Florida. The map shows various land parcels, roads, and legal descriptions. Key features include:

- Roads:** SAMPLE ROAD, N.W. 34th COURT, N.W. 15th AVENUE, N.W. 14th AVENUE.
- Parcels and Tracts:**
 - HASEY CENTER, P.B. 138, P. 13
 - PARCEL B
 - F.F. MINIONE, P.B. 103, P. 11, TRACT A, 8222-14-001
 - SAMPLE ROAD M/W, P.B. 119, P. 20
 - BEAU RIVAGE ON BLUE LAKE, P.B. 95, P. 1, TRACT A
 - SILLS PROPERTY PLAT, P.B. 124, P. 34
 - KARIN PLAT, P.B. 60, P. 60, PARCEL "A", 131,763 SQ. FT.
 - THE CIGA FRESHNA PLAT TWO, P.B. 126, P. 41, TRACT "A"
 - POMPAO UNRECORDED 62
 - MUSSELWHITE FARMS, P.B. 11, P. 9
 - LUCE PLAT, P.B. 6, P. 9, 8222-20-001
 - HRS. SITE POMPAO HALF-WAY HOUSE, PARCEL "A", P.B. 153, P. 2
 - MDR PLAT NO. 1, P.B. 129, P. 7, TRACT "A"
 - ABCC PLAT, P.B. 93, P. 143, PARCEL "A", 101,118 SQ. FT.
 - NOOKS PLAT, P.B. 97, P. 43, 8222-11-001
 - FARMS SUBDIVISION
 - POMPAO UNRECORDED
- Other Labels:** UNRECORDED, PRIVATE RECREATION LEASE, FARM SUBDIVISION, POMPANO UNRECORDED, MUSSELWHITE FARMS, LUCE PLAT, HRS. SITE POMPAO HALF-WAY HOUSE, MDR PLAT NO. 1, ABCC PLAT, NOOKS PLAT, FARMS SUBDIVISION, POMPANO UNRECORDED.

NORTH

REVIEW & SUMMARY

- A. Pursuant to Section 155.2207(B) [Development Review Committee Report and Notice to Applicant], the Development Services Director has compiled the department comments from the Development Review Committee (DRC) meeting held on March 15, 2017.**

Review comments from the DRC meeting on March 15, 2017 are summarized below:

PLANNING

Plan Reviewer Maggie Barszewski
maggie.barszewski@copbfl.com

Status Review Complete Pending Development Order

Comments

The submittal is sufficient; however a clarification is necessary regarding the narrative. It would seem that the abandoned right-of-way would not be a part of the request, since it may not have been a part of the PC D. Also the survey of the subject property does not include such. Therefore, there should be consistency between the narrative and the survey.

The following Comprehensive Plan Policies of the Comprehensive Plan will be considered in reviewing this request:

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.

ENGINEERING DEPARTMENT

Plan Reviewer Bob Lawson
bob.lawson@copbfl.com

Status Review Complete No Comments

Comments

03-02-17:

Review complete - No Comments for Rezoning only.

FIRE DEPARTMENT

Plan Reviewer Jim Galloway
jim.galloway@copbfl.com

Status Review Complete Pending Development Order

Comments

Fire has no objections at this time, subject to site plan changes from other departments:

This P&Z application is able to meet all of the Fire Department requirements at this time for REZONING ONLY.

Site plan approval will be required, maintaining all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

*Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.

BUILDING DIVISION

Plan Reviewer Sal Pravata

salvator.pravata@copbfl.com

Status Review Complete No Comments

Comments

No comments at this time

2/24/2017

BSO

Plan Reviewer Scott Longo

scott_longo@sheriff.org

Status Review Complete No Comments

Comments

No comments

02/24/2017

CRA

Plan Reviewer Max Wemyss

max@rma.us.com

Status Review Complete No Comments

Comments

This project is not located within the CRA and does not conflict with the CRA redevelopment goals and objectives. Therefore, the CRA offers no comment or objections at this time.

UTILITIES

Plan Reviewer Nathaniel Watson

nathaniel.watson@copbfl.com Status

Status

Comments

LANDSCAPE REVIEW

Plan Reviewer

Status Review Complete No Comments

Comments

- Please note that additional comments may be forth coming contingent upon future submittals and review process.
- The Utilities department has no comment with regard to the requested rezoning from I-1 to PCD.

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

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.

C. 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 March 15, 2017.
2. The property is platted as Tract A of the F.F. Minione Plat as recorded in Plat Book 103, Pg 11 and a portion of Right-of-Way abandoned by the City of Pompano Beach by Ordinance 89-18 (see attachment I).
3. The site was rezoned from I-1 (General Industrial) to I-1 PCD (Planned Commercial/Industrial) in September 2008 by Ordinance 2008-56 (see attachment II).
4. The overall site is 4.19 net acres / 4.34 gross acres.
5. The Zoning and uses of adjacent properties are:

Property	Adjacent Property	Zoning District	Existing Use
East of A1A	North	B-2c (Deerfield Beach Zoning)	Drainage lake
	South	I-1 & MH-12	Industrial Bldg.s & Mobile Homes
	East	B-4	Self Storage
	West	B-3	Carmax Dealership

6. The Land Use Designation is I (Industrial).
7. The review criteria for a Planned Development Rezoning Application are compliance of the proposed zoning reclassification and the PD Plan with the review standards in:
 - ***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;

D. Recommendation:

Given the information provided to the Board, as the finder of fact, staff 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 following pertinent Future Land Use policies.

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.

ORDINANCE NO. 89-.18

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE ABANDONING CERTAIN PORTIONS OF N.W.
34TH COURT IN THE CITY OF POMPANO BEACH; PROVIDING
FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

'88 DEC 14 AM 9:36

BK# 6031 PG 0487

WHEREAS, pursuant to law, fifteen (15) days' notice has been given by publication in a paper of general circulation in the City notifying the public of this proposed Ordinance and of a public hearing in the Commission Meeting Room of the City of Pompano Beach, Florida; and

WHEREAS, a public hearing before the City Commission was held, pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

WHEREAS, the City Commission has received a request for the abandonment of certain right-of-ways; and

WHEREAS, the Planning and Zoning Board has made its recommendation upon said request; now therefore

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: It is hereby found and determined by the City Commission that the public health, welfare, safety and necessity no longer requires retention of an interest by the public in that certain right-of-ways particularly described below.

SECTION 2: It is hereby further found and determined that abandonment and vacation of said right-of-ways will not have a

FEE ITEM
RETURN TO
FRONT RECORDED

13
+ 2
416

detrimental effect to the surrounding property or area.

SECTION 3: That the City of Pompano Beach does hereby abandon and vacate the following described right-of-ways, to wit:

PARCEL I

That portion of "F.F. Minione" plat as shown on plat recorded in Plat Book 103, Page 11 of the Public Records of Broward County, Florida described as follows:

Commence at the southwest corner of tract A of said "F.F. Minione" plat for a point of beginning and run thence north 88 degrees 31 minutes 29 seconds east along the south boundary of said tract A, a distance of 229.74 feet; thence south 0 degrees 00 minutes 56 seconds east along a northerly extension of the east boundary of block 1 of Whispering Pines Addition as shown on plat recorded in Plat Book 77, page 1 of the Public Records of Broward County, Florida, a distance of 30.00 feet to the south boundary of said "F.F. Minione" plat; thence south 89 degrees 31 minutes 29 seconds west along said south boundary, a distance of 229.75 feet to the southwest corner of said "F.F. Minione" plat; thence north along the west boundary of said "F.F. Minione" plat a distance of 30.00 feet to the point or place of beginning. Containing 6,892 s.f. or 0.16 acres more or less.

PARCEL II

That portion of Whispering Pines Addition as shown on Plat Book 77, Page 1 of the Public Records of Broward County, Florida described as follows:

Commence at the northwest corner of lot 14, block 1 of said Whispering Pines Addition for a point of beginning and run thence north 0 degrees 00 minutes 54 seconds west along the west boundary of said Whispering Pines Addition, a distance of 30.00 feet to the northwest corner of said Whispering Pines Addition; thence north 89 degrees 31 minutes 31 seconds east along the north boundary of said Whispering Pines Addition, a distance of 80.00 feet to an intersection with a northerly extension of the east boundary said lot 14; thence south 0 degrees 00 minutes 54 seconds east along said extension, a distance of 55.20 feet

BR 6031 PG 488

to a point on the east boundary of said lot 14 and a point of curvature; thence northwesterly along a curve to the left having a radius of 25.00 feet, an arc of 39.47 feet, a central angle of 90 degrees 27 minutes 35 seconds, and a chord which bears north 45 degrees 14 minutes 41 seconds west, a distance of 35.50 feet to a point on the north boundary of said lot 14; thence south 89 degrees 31 minutes 31 seconds west along said north boundary, a distance of 54.80 feet to the point of beginning. Containing 2,537 s.f. or 0.06 acres more or less.

SECTION 4: That the City Clerk is hereby instructed to record this Ordinance in the public records of Broward County, Florida.

SECTION 5: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6: This Ordinance shall become effective upon passage.

PASSED FIRST READING this 29th day of September, 1987.

PASSED SECOND READING this 29th day of November, 1988.


E. PAT LARKINS MAYOR

ATTEST:


VERNADETTE HEWETT
CITY CLERK

DCR/jl
9/2/87
#001BD/293

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
L. A. HESTER
COUNTY ADMINISTRATOR

BK 6031 PG 489

ORDINANCE NO. 2008- 56

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE AMENDING SECTION 155.005 OF CHAPTER 155 OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY REZONING A PARCEL OF PROPERTY LYING SOUTH OF SAMPLE ROAD AND NORTH OF NW 34TH COURT NEAR THE TERMINUS WITH NW 16TH AVENUE AND COMMONLY REFERRED TO AS 1600 W. SAMPLE ROAD FROM I-1 (GENERAL INDUSTRIAL) TO I-1 (GENERAL INDUSTRIAL) WITH A PCD (PLANNED COMMERCIAL/INDUSTRIAL) OVERLAY; PROVIDING FOR CONFORMANCE TO AN APPROVED MASTER PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, fourteen (14) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, a public hearing before the City Commission was held pursuant to the aforesaid notice, at which hearing the parties in interest and all other citizens so desiring, had an opportunity to be, and were, in fact, heard; and

WHEREAS, the City Commission of the City of Pompano Beach finds that the rezoning of the property described herein is reasonably related to the public health, safety and welfare and is in conformance with the Land Use Element of the City's Comprehensive Plan; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. FINDINGS: Based upon the application materials, the information provided at the public hearing, and all other information available, the City Commission hereby finds as follows:

(a) The Property subject to this Ordinance is generally located at 1600 West Sample Road, bounded on the north by Sample Road and on the south by NW 34th Court, and is more particularly described in Exhibit "A," attached hereto and made a part hereof ("Property"); and

(b) The proposed Property is suited to the application of the flexible development controls envisioned by Section 155.210 of the Code of Ordinances of the City of Pompano Beach, Florida, relating to mixed commercial/industrial projects with limitations; and

(c) The subject Property does not meet the minimal tract size as required by Section 155.210(B) of Chapter 155 of the Code of Ordinances of the City of Pompano Beach; however, the granting of this rezoning will be in harmony with the adjacent and surrounding properties.

(d) The Property is owned by and under the unified control of the Public Storage, Inc.

(e) The rezoning of the Property described herein is consistent with the Comprehensive Plan; the rezoning complies with all requirements of the Zoning Code; and the rezoning is reasonably related to the public health, safety and welfare.

SECTION 2. REZONING AND APPROVAL OF MASTER SITE PLAN: Section 155.005 of Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida, is amended to include therein rezoning of the Property more particularly described in Exhibit "A," from a present zoning classification of I-1 (General Industrial) to the zoning classification of I-1 (General Industrial) with a PCD (Planned Commercial/Industrial) Overlay with all conditions and limitations as provided in Section 155.210 of the Code of Ordinances of the City of Pompano Beach, Florida.

Pursuant to the requirements of Section 155.210 of the Code of Ordinances of the City of Pompano Beach, Florida, the Master Site Plan submitted for the subject Property, attached hereto and made a part hereof as Exhibit "B," is hereby adopted. All development of the Property shall proceed in accordance with the Master Site Plan, as approved, and in accordance with the restrictions herein below.

Pursuant to Section 155.210 (B) of the Code of Ordinances of the City of Pompano Beach, the 7.5 acre minimum parcel sizes for a PCD is hereby waived and the minimum parcel size for the Property shall be 4.34 acres.

Pursuant to Section 155.210 (E)(4)(a) of the Code of Ordinances of the City of Pompano Beach, a modification of the required 50-foot open space separator abutting a residential district is hereby waived and a 30-foot minimum open space separator with a maximum 40.2 foot open space separator is required as depicted on the Master Site Plan.

SECTION 3. DEVELOPMENT RESTRICTIONS: Pursuant to the provisions of Section 155.210 of the Code of Ordinances of the City of Pompano Beach, Florida, development of the subject Property shall proceed in accordance with:

- (i) the requirements of Section 155.210; and
- (ii) the Master Site Plan hereby adopted and attached hereto as Exhibit "B"; and
- (iii) the underlying I-1 (General Industrial) designation; and
- (iv) the following development restrictions are found to be required and to be consistent with the intent of Section 155.210:
 - a. parking requirements as set forth on the Master Site Plan.

SECTION 4. That the Planning Director is hereby directed to mark the zoning provided for in this Ordinance on the Official Zoning Map of the City of Pompano Beach.

SECTION 5. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6: This Ordinance shall become effective upon passage.

PASSED FIRST READING this 9th day of September, 2008.

PASSED SECOND READING this 23rd day of September, 2008.



LAMAR FISHER, MAYOR

ATTEST:



MARY L. CHAMBERS, CITY CLERK

GBL/jrm

7/8/08

Ord/ch155/2008-230

EXHIBIT "A"

DESCRIPTION (BY SURVEYOR):

TRACT A OF F.F. MINIONE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 103, AT PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

PARCEL I AS DESCRIBED WITHIN THE CITY OF POMPANO BEACH ORDINANCE NO. 89-18, AS RECORDED IN OFFICIAL RECORDS BOOK 1603, PAGE 487, BROWARD COUNTY FLORIDA PUBLIC RECORDS, SAID PARCEL BEING A PORTION OF THE RIGHT-OF-WAY OF NORTHWEST 34TH COURT.