

MEMORANDUM

Development Services

ADMINISTRATIVE REPORT NO. 17-242

DATE: June 20, 2017

TO: City Commission

VIA: Robin M. Bird, Development Services Director *RB*

FROM: Maggie Barszewski, Planner *MB*

RE: Clarification for Question at First Reading - Public Storage Rezoning – From I-1/PCD to I-1 (1600 NW Sample Rd.)

P & Z # 17-13000001

As requested at the June 13, 2017 City Commission meeting where this item was first read, staff has researched the previous rezoning Ordinance No. 2008-56 (attached) and determined that it did not convey any additional uses over those allowed in the I-1 General Industrial District. Instead it merely provided for flexibility in the development regulations.

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.