2. **MOUNT VERNON PROPERTY HOLDINGS, LLC / OCEAN PARK BEACH RESIDENCES**
Planning and Zoning #16-13000001

Consideration of the request by **HOPE CALHOUN** on behalf of **MOUNT VERNON PROPERTY HOLDINGS, LLC** to rezone the property from RM-45 (Multiple-Family Residence 45) to PD-I (Planned Development - Infill). This property is 0.62 net acres (including a future ROW dedication along A1A) and 0.86 gross acres. The address is 1508 N Ocean Boulevard. The general location is the southeast corner of the intersection of A1A and NE 16 Street. The parcel is currently vacant. As part of the rezoning application, the applicant is requesting 36 multi-family dwelling units in a 22 story building. The building is made up of two 18 story towers over a three floor podium with a pool and amenity deck on level four. The project also includes 2,000 square feet of commercial uses, and of those commercial uses, 1,200 square feet is proposed for retail. The project has also offered an office or staging space for the Sea Turtle Conservation organization. The property is legally described as follows:

THE WEST 300 FEET OF LOT 20 OF THE "EAST COAST FINANCE CORPORATION'S SUBDIVISION OF GOVERNMENT LOT 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 48, RANGE 43 EAST.
LESS THE FOLLOWING:
COMMENCE AT NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29; THENCE ON AN ASSUMED BEARING, SOUTH 00 01'26" WEST ALONG THE WEST LINE OF THE SOUTWEST QUARTER (SW 1/4) OF SAID SECTION 29, A DISTANCE OF 700.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0'01"26 WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) A DISTANCE OF 100.00 FEET; THENCE NORTH 8937'56" EAST A DISTANCE OF 29.84 FEET; THENCE NORTH 0020'27" WEST A DISTANCE OF 99.99 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 20, SAID LINE ALSO BEING THE EXISTING SOUTH R/W LINE OF N.E. 16TH STREET; THENCE SOUTH 8939'19" WEST A DISTANCE OF 29.20 FEET TO THE POINT OF BEGINNING.

AKA: 1508 N Ocean Boulevard
ZONED: RM-45 (Multiple-Family Residence 45)
TO: PD-I (Planned Development - Infill)
STAFF CONTACT: Jae Eun Kim (954) 545-7778

MOTION was made by Jerry Mills and second by Carla Coleman to postpone this item to the December 20, 2017 meeting. All voted in favor.

3. **MLEF 1-2 LLC / POMPANO BEACH BUSINESS PARK**
Planning and Zoning #17-13000004

Consideration of the request by **JAMES KAHN** on behalf of **MLEF 1-2 LLC** to rezone the property from B-3 (General Business) to B-4 (Heavy

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Business). This property is a 4.36-acre site and is located on NW 31st Avenue approximately 500 feet south of Dr. Martin Luther King Jr. Blvd. The applicant is requesting to intensify the Commercial designation from B-3 (General Commercial) to B-4 (Heavy Business) in order to develop the "Pompano Beach Business Park". The intent of the rezoning is primarily to allow the business park to include the use of "Contractor's Office". The property is legally described as follows:

PARCEL 'C' OF THE LANIER PLAT, AS RECORDED IN PLAT BOOK 180, PAGE 182 OF THE BROWARD COUNTY RECORDS.

AKA: NW 31st Avenue
ZONED: B-3 (General Business)
TO: B-4 (Heavy Business)
STAFF CONTACT: Maggie Barszewski (954)786-7921

Ms. Maggie Barszewski, Planner, presented herself to the Board. She stated that the approximately 4.36-acre property is located on NW 31st Avenue approximately 500 feet south of Dr. Martin Luther King Jr. Blvd. The applicant is requesting to intensify the Commercial designation from B-3 (General Commercial) to B-4 (Heavy Business) in order to develop the "Pompano Beach Business Park". The intent of the rezoning is primarily to allow the business park to include the use of "Contractor's Office". The property is currently vacant, and the applicant is requesting a Major Building Design approval in order to construct a 58,000 sq. ft. warehouse storage facility with ancillary office. The applicant has offered a list of prohibited uses to be included in a voluntary declaration of restricted uses in order to limit certain types of B-4 uses that would be in conflict with the surrounding properties.

Ms. Barszewski described the review criteria for proposed rezonings and noted that Policy 01.03.11 and Policy 01.03.12 of the Comprehensive Plan are pertinent to this rezoning. She described the surrounding zoning districts and current land uses. She stated that the applicant has voluntarily offered to deed restrict 33 uses that are otherwise permitted in the B-4 zoning district from this property. The full list of these uses is found in the staff report. Therefore, there would be a total of 14 additional uses that would be permitted at this property should the rezoning be approved with the restrictions.
In light of the voluntary restrictions, staff believes that the applicant has adequately provided competent substantial evidence in addressing the Comprehensive Plan's Policy regarding incompatibility that could otherwise have resulted from an approval of this B-4 rezoning request.

Ms. Barszewski provided the following three alternative motions:
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.

Ms. Barszewski stated that staff recommends alternative motion I.

Mr. Hill asked for clarification as to what uses would be allowed at the site.

Mr. Barszewski explained that the uses would be a combination of the current B-3 uses as well as the B-4 uses that the applicant has not voluntarily offered to restrict.

Ms. Eaton expressed a concern that since the site is in close proximity to a school, any stains, lacquers, or other noxious fumes might be a hazard to students.

Mr. Keith Poliakoff (200 E. Las Olas Boulevard, Suite 1000, Fort Lauderdale, FL) presented himself as the applicant's attorney. He stated that the development of this project has been fast-tracked due to financing requirements. He stated that they invited all property owners within 500' of the property to a community meeting. He stated, however, that he just became aware of the Collier City Civic Association this evening. They have not been invited to this meeting. He apologized for them not being contacted directly and committed to fully reaching out to this association prior to this request going before the City Commission. He gave an overview of the request with a PowerPoint presentation, explaining that they are requesting both a rezoning and also major site plan approval. He highlighted some surrounding land uses and stated that they have been considered when proposing the development for this particular site. He stated that they have offered to voluntarily restrict the more intense uses included in the B-4 zoning district and that they worked collaboratively with City staff in making this list. He stated that there will be no outdoor uses at the site and there will be no heavy manufacturing, rather there will be mainly warehousing with retail space. He pointed out the surrounding zoning categories and noted there is surrounding B-4 zoning which does not make this an "island" or spot zoning. He stated that the site plan is basic but satisfies all code requirements. He stated that the warehouses are in the rear of the site and not visible from the street.

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Mr. Joe Pasquale (5101 NW 21 Avenue, Fort Lauderdale, FL) presented himself as the project architect. He stated that the showrooms will be towards the front of the site and the warehousing to the rear and that the site plan exceeds all design criteria. He described some of the building features, landscaping, and safety considerations.

Mr. Poliakoff reiterated that CPTED considerations were taken very seriously and that they are enthusiastic about the design they have created. He noted that the Architectural Appearance Committee approved their designs without any required changes. He stated that they feel they have provided competent substantial evidence demonstrating that the review criteria have been met for rezoning.

Dr. Mills asked how many people were included in the 500' notice radius.

Mr. Poliakoff stated there were 85 notices letters mailed.

Dr. Mills stated that knowing that the Collier City Civic Association was not notified of this request, he cannot vote in favor of the rezoning.

Mr. Poliakoff stated that staff had not previously informed them of this association's existence, but he can understand the concern.

Ms. Eaton thanked the applicant for addressing her environmental concern. She commended the design of the project and stated that it will be an improvement to the area.

Mr. Klosiewicz commented that this project would be an asset to the community.

Ms. Coleman asked if they received any feedback from Charles Drew Elementary School.

Mr. Poliakoff stated that they were noticed but did not hear back from them. He suggested that the distance between them due to the canal might make the school not very concerned with this request.

Mr. Hill stated that he also thinks that this will be a positive development for the neighborhood and that he agrees that it is very important that they commit to speak with the community association before going to the City Commission. He asked when the language for the deed restriction was submitted.

Mr. Poliakoff responded that it has been executed and submitted and reviewed by the City Attorney's office.

Ms. Barszewski stated that typically just a list is presented to the Board in case they wish to recommend and changes. This list is then usually recorded later in the process.

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Mr. Stacer asked if the prohibition of outdoor storage is in the restrictive covenant.

Mr. Poliakoff responded that it is not.

Mr. Stacer asked if they would object to this being added as a condition of approval.

Mr. Poliakoff responded that he would not object.

Mr. Stacer advised that the meeting they have with the community association should be at least a week in advance of the City Commission hearing in order to give the Commissioner enough time to consider their support.

Mr. Stacer asked, regarding the 14 new uses to be permitted, how a wholesale plant nursery could be an indoor use.

Mr. Poliakoff responded that he would voluntarily offer to restrict that use.

Mr. Stacer opened the hearing to the public. Hearing none, the public hearing was closed.

Dr. Mills asked what would be the implication if the Collier City Civic Association expresses concern with the rezoning after the Board has already offered their approval.

Mr. Poliakoff responded that the matter needs to be heard by the City Commission at two hearings, which will offer ample time for anyone with a concern to express it.

Ms. Coleman asked if it would be appropriate to add an additional condition that the applicant make an effort to meet with the community association before going to the City Commission.

Mr. Stacer stated that it is clear that the applicant has committed to doing so and that they understand the importance of doing so.

Ms. Coleman noted that the testimony given by the applicant is that they made attempts to contact all relevant parties that they were aware of in advance of this hearing, and so she would be comfortable supporting this request.

Mr. Klosiewicz asked if the 500' buffer notice is the only notice requirement that an applicant has.

Mr. Barszewski responded that the applicant is not required to hold a neighborhood meeting.

Mr. Klosiewicz asked if the technical notice requirements have been satisfied.

Ms. Barszewski confirmed this.

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MOTION was made by Carla Coleman and second by Richard Klosiewicz to recommend approval of the rezoning PZ #17-13000004 per Alternative Motion I of the associated staff report with the one (1) additional condition that the applicant make best efforts to engage the Collier City Civic Association in a meeting prior to going before the City Commission. All voted in favor of the motion with the exception of Jerry Mills; therefore, the motion passed.

G. SITE PLAN REVIEWS

4. MLEF 1-2 LLC / POMPANO BEACH BUSINESS PARK
Planning and Zoning #17-12000029

Consideration of the MAJOR SITE PLAN submitted by **JAMES KAHN** on behalf of **MLEF 1-2 LLC** in order to construct a warehouse storage facility with ancillary office-showroom. The project consists of three one-story buildings, loading areas, and associated landscaping and parking improvements. The applicant is concurrently requesting rezoning approval from B-3 (General Business) to B-4 (Heavy Business) to allow the warehouse storage use. The property is currently vacant. The combined building footprint will be 54,121 sq. ft. on a 190,070 sq. ft. (4.36 acres) site (28.5% lot coverage). The property is located east of NW 31st Avenue, west of Canal Parcel 240 and south of Martin Luther King Blvd. All parcels are legally defined as follows:

PARCEL 'C' OF THE LANIER PLAT, AS RECORDED IN PLAT BOOK 180, PAGE 182 OF THE BROWARD COUNTY RECORDS.

AKA: NW 31st Avenue
ZONED: B-3 (General Business)
STAFF CONTACT: Pamela Stanton (954) 786-5561

Ms. Paola West, Principal Planner, presented herself to the Board. She stated that the applicant is requesting Major Site Plan approval in order to construct a warehouse storage facility with ancillary office-showroom. The project consists of three one-story buildings, loading areas, and associated landscaping and parking improvements. The applicant is concurrently requesting rezoning approval from B-3 (General Business) to B-4 (Heavy Business) to allow the warehouse storage use. The property is currently vacant. The combined building footprint will be 54,121 sq. ft. on a 190,070 sq. ft. (4.36 acres) site (28.5% lot coverage). This site plan was reviewed by the Development Review Committee (DRC) on September 6, 2017, and was approved by the Architectural Appearance Committee (AAC) on October 26, 2017.

Pursuant to Section 155.2304(C) [Application Subject to Staff Recommendation], the Development Services Director has compiled the department reports from the Development Review Committee (DRC) meeting and are recorded on file with the Department of Development Services. Provided the Board approves the site plan as

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