

**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY  
MEMORANDUM #18-005**

**DATE:** January 30, 2018  
**TO:** City Commission  
**FROM:** Planning and Zoning Board/ Local Planning Agency  
**SUBJECT:** REZONING – From RS-4 (Single-Family Residential 4) to B-3 (General Business)  
1628, 1642, 1656, 1670, 1684, and 1698 NE 28 Court  
P & Z #17-13000005 POMPANO FORD LINCOLN, INC / NE 28 COURT REZONING

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At the meeting of the Planning and Zoning Board/ Local Planning Agency held on January 24, 2018, the Board considered the request by **POMPANO FORD LINCOLN, INC** requesting REZONING of the above referenced property.

With a vote of 4 – 2, the Board finds that the proposed rezoning is consistent with the goals, objectives, and policies of the Comprehensive Plan stated in Administrative Report 18-009, and therefore it is the recommendation of the Board that the REZONING request be approved, subject to the following conditions of staff:

The rezoning is recommended for approval with the following conditions:

- (1) Subject to approval of the nonresidential flexibility application to allow commercial development in a residential land use category without a City and County Land Use Plan amendment;
- (2) Subject to the recordation of a Declaration of Restrictive Covenants limiting the permitted B-3 uses on the area to be rezoned to:
  - Dwelling, live/work\* *\*Subject to the allocation of flexibility units*
  - Dwelling, multi-family\*
  - Arboretum or botanical garden
  - Community garden
  - Parking deck or garage
  - Parking lot
- (3) Subject to the site plan showing no left turn from the proposed access drive connection to NE 17<sup>th</sup> Avenue.
- (4) Subject to the commitment that no loading or unloading of car carrier trucks will occur in the right-of-way of NE 28<sup>th</sup> Street or any other public right-of-way and car carrier trucks will be required to exit the site through the parking structure travelling north on NE 17<sup>th</sup> Avenue to eliminate cut through car carrier trucks deeper into the Cresthaven neighborhood. This condition must be specified on the site plan ultimately approved for the garage.



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Fred Stacer  
Chairman  
Planning and Zoning Board/ Local Planning Agency