

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 19-12000001

A DEVELOPMENT ORDER ISSUED BY THE PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY) OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO CHAPTER 155 OF THE CODE OF ORDINANCES; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR THE CITY OF POMPANO BEACH.

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the specific application for Development referenced above as a Major Site Plan Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to review and issue a final development order with respect to the Applicant's request to construct 100 residential dwelling units and 6,000 square feet of ancillary uses (Project). The Project encompasses the following properties: 1906, 1860, and 1850 & 1820 Dr. Martin Luther King Jr. Boulevard; which are more specifically described as follows:

PARCEL 1:

THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4 LYING SOUTHWEST OF COUNTY ROAD OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, LESS THE EAST 365.8 FEET AND LESS THE WEST 294.2 FEET THEREOF, BROWARD COUNTY, FLORIDA.

PARCEL 2:

THE EAST 169.3 FEET OF THE WEST 294.2 FEET OF THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4 LYING SOUTH OF COUNTY ROAD, LESS THE SOUTH 100 FEET, BROWARD COUNTY, FLORIDA.

PARCEL 3:

THE WEST 165.80 FEET OF THE EAST 365.80 FEET OF A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4)

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OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST , LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 361, BROWARD COUNTY, FLORIDA.

AND

THAT PART OF THE EAST 200.00 FEET OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 361, BROWARD COUNTY, FLORIDA, LESS THE EAST 15.00 FEET THEREOF, FOR ROAD PURPOSES AND ALSO LESS THE FOLLOWING DESCRIBED PORTION THEREOF:

BEGINNING AT A POINT ON THE SAID SOUTH RIGHT-OF-WAY LINE AT A POINT 15.00 FEET WEST OF THE EAST LINE OF THE SAID NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4); THENCE SOUTHERLY PARALLEL TO THE SAID EAST LINE A DISTANCE OF 65.40 FEET; THENCE WESTERLY PERPENDICULAR A DISTANCE OF 90.30 FEET; THENCE NORTHEASTERLY WITH AN INCLUDED ANGLE OF 53 DEGREES 31°40" TO A POINT ON THE SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

ALL OF THE DESCRIBED LAND HEREON LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY FLORIDA AND CONTAINING 181,107 SQUARE FEET (4.158 ACRES) MORE OR LESS.

WHEREAS, the Development Review Committee has met to review this Project and has provided the Applicant with written comments; and

WHEREAS, the Application for Development Permit is not in compliance with the applicable standards and minimum requirements of this Code, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

WHEREAS, copies of the survey and final site plan are on file with the Department of Development Services, stamped with the meeting date of April 24, 2019.

IT IS THEREFORE ORDERED by the Board that the requested Major Site Plan Application for the above Project is hereby **GRANTED**, with the following conditions to which the Applicant has agreed to comply with:

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Obtain approval and revise affected plans to address the following issues prior to Zoning Compliance Permit approval:

1. Successfully obtain the following final approvals:
 - a. Plat application (18-14000013) shall be approved.
 - b. Per Resolution 2018-47, Flex Allocation, applicant must provide a signed agreement documenting how the affordability requirements will be met, pursuant to Section 154.64.E.
2. Provide the following information and updates:
 - a. Revise plans to comply with the limitation on direct access along arterial and collector streets (Section 155.5101.G.3.a), or do one of the following:
 - i. Design the access to accommodate cross access to the adjacent (to the west) site, which will likely have the same limitation of access, thereby avoiding future conflicts with this standard.
 - ii. Provide a traffic study that demonstrates that the origin or destination points accessed by the driveway will generate sufficiently low traffic volumes, and the adjacent arterial or collector street has sufficiently low travel speeds and traffic volumes, to allow safe driveway access while preserving the safety and efficiency of travel on the arterial or collector street that will allow the Development Services Director to approve a waiver.
 - b. Provide a material board with paint color and actual material samples (to be approved by the AAC) for inspection purposes.
 - c. Provide a traffic study that evaluates the necessity and feasibility of a traffic signal at NW 18th Avenue and Dr. Martin Luther King Jr. Boulevard.
3. Provide a sidewalk along the frontage of NW 9th Street, in accordance with 155.5101.F.2
4. Complete the required Right-of-Way Dedication as demonstrated on the Site Plan.
5. Building Permit plans will be subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this Site Plan.
6. Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forestry Division.

Be advised that pursuant to Section 155.2308(B)(1) of the Pompano Beach Code of Ordinances, this DEVELOPMENT ORDER shall expire if a Zoning Compliance Permit is not obtained within two years.

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Heard before the Planning and Zoning Board/Local Planning Agency and Ordered this

____ 24th ____ day of ____ April ____, 2019.

DocuSigned by:

Fred Stacer

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Fred Stacer

Chairman

Planning and Zoning Board/Local Planning Agency

Filed with the Advisory Board Secretary this ____ 9th ____ day of ____ May ____, 2019.

DocuSigned by:

Pamela McCleod

BA9370D598DA410

Pamela McCleod

Assistant Planner