

MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 17-432

DATE:

December 8, 2017

TO:

Planning and Zoning Board

VIA:

David L. Recor, Development Services Director

Jennifer Gomez, Assistant Development Services Director

FROM:

Maggie Barszewski, AICP, Planner Mag

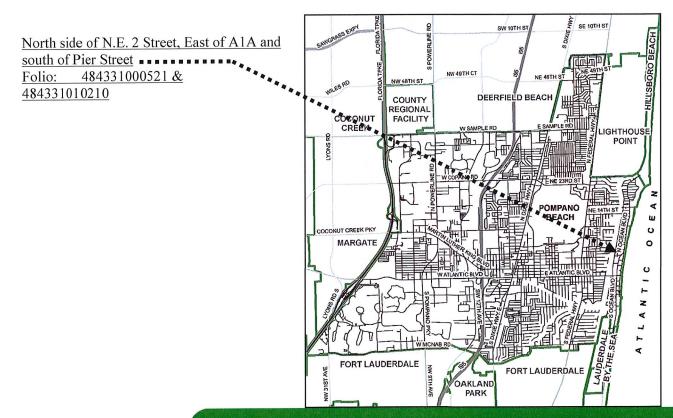
RE:

Pompano Fishing Village Parcel R5 Plat Request

December 20, 2017 Meeting

P&Z # 17-14000009

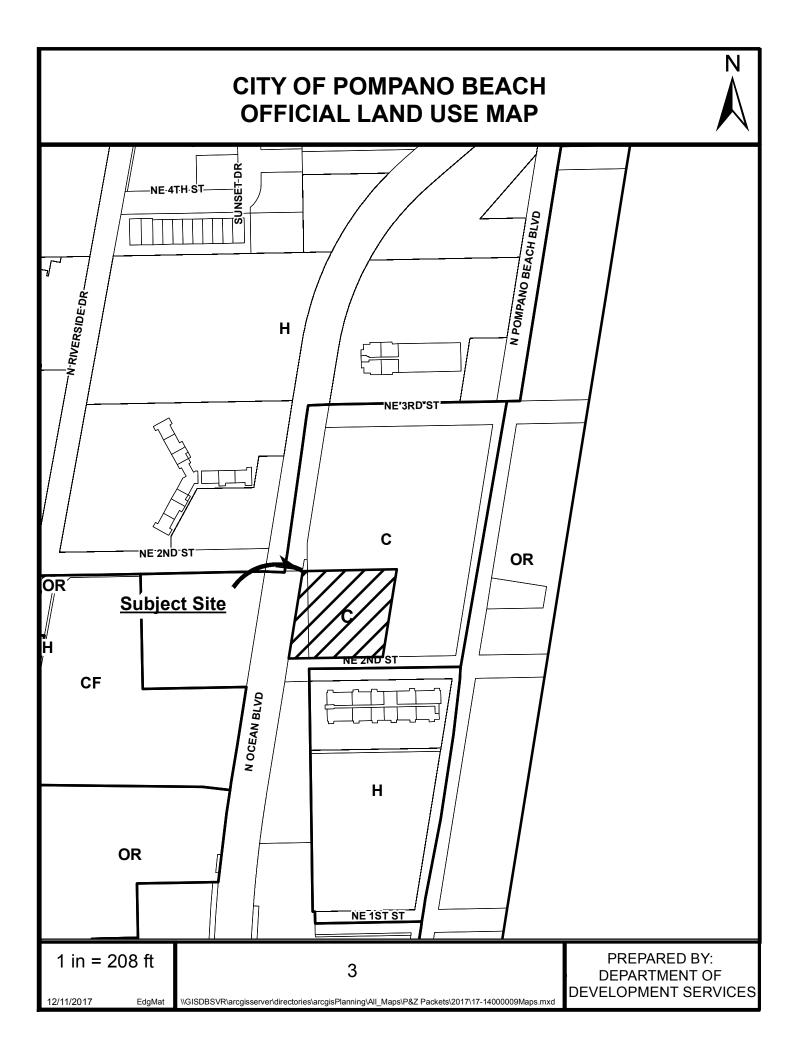
The following is a brief summary of information on the subject and surrounding properties. This is a City-initiated request for a proposed plat generally located on the north side of N.E. 2 Street, east of A1A and south of Pier Street. The proposed plat restricts the property to a 150-room hotel and 20,000 square feet of commercial (ancillary restaurant) use. The site area is 38,572 square feet, (.89 acres) and is currently vacant (previously a public parking lot). The current zoning designation is Planned Development – Infill (PD-I) / Atlantic Boulevard Overlay District (AOD) (Ordinance 2018-03). The subject property is a part of the master plan for the beach and pier that was approved with that rezoning. This portion is referred to as "Parcel R5," and a Development Order was approved on June 28, 2017 (D.O. 17-12000021).

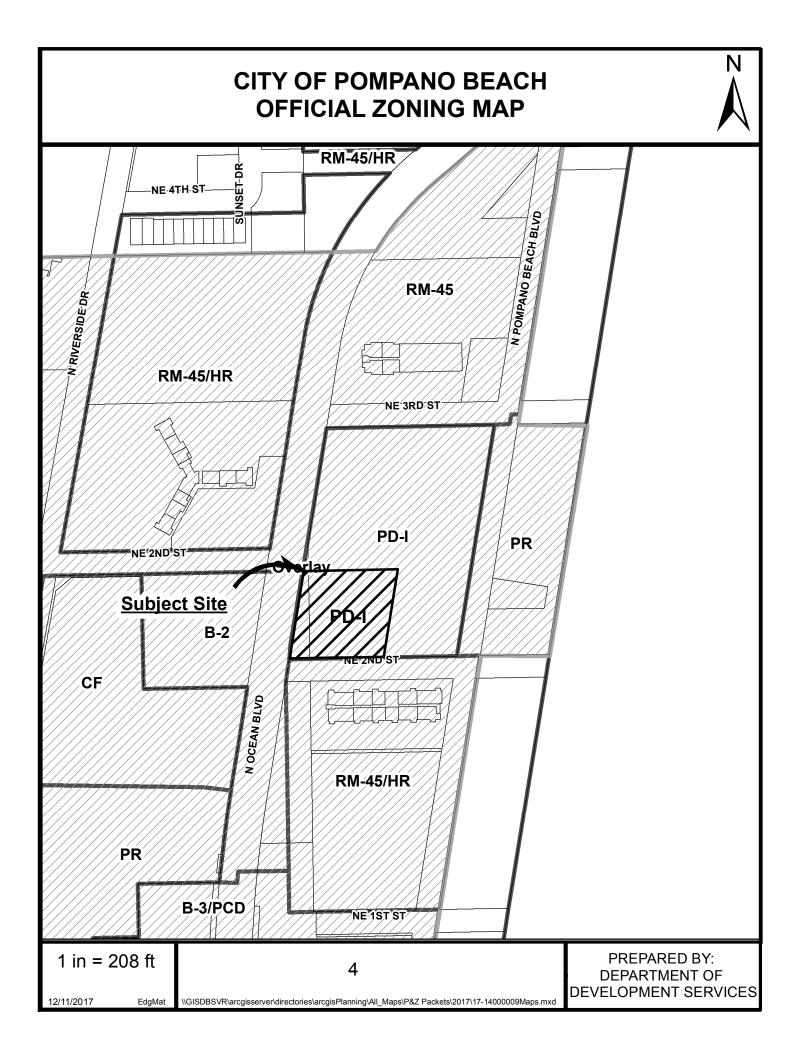


LEGEND

FOR LAND USE PLAN		FOR ZONING MAP	
Symbol	Classification Units/ Acre	Symbol	 District
· · · · · · · · · · · · · · · · · · ·			
		RS-1	One-Family Residence
	Gross Residential Density	RS-2	One-Family Residence
		RS-3	One-Family Residence
	Residential	RS-4	One-Family Residence
E	Estate		·
L	Low	RD-1	Two- Family Residence
LM	Low- Medium		•
М	Medium	RM-12	Multi-Family Residence
МН	Medium-High	RM-20	Multi-Family Residence
Н	High	RM-30	Multi-Family Residence
	•	RM-45	Multi-Family Residence
С	Commercial	RM-45/HR	Overlay
			- · - · · · · · ·
CR	Commercial Recreation	RPUD	Residential Planned Unit Dev.
		* AOD	Atlantic Boulevard Overlay District
ı	Industrial	MH-12	Mobile Home Park
•			
Т	Transportation	B-1	Limited Business
•	Transportation.	B-2	Neighborhood Business
U	Utilities	B-3	General Business
CF	Community Facilities	B-4	Heavy Business
Oi	Community Facilities	RO	Residence Office
OR	Recreation & Open Space	110	residence office
OIX	recordation a open opace	M-1	Marina Business
W	Water	M-2	Marina Industrial
VV	vvalor	IVI-Z	Walifa maasifal
RAC	Regional Activity Center	I-1	General Industrial
NAO	regional retivity center	I-1X	Special Industrial
	Boundaries	O-IP	Office Industrial Park
	City of Pompano Beach	O-1F	Office fridustrial Faik
	City of Fortipario Beach	ВР	Business Parking
13	Number	BSC	Planned Shopping Center
13 Number		D3C	Flaimed Shopping Center
,\	Reflects the maximum total	PCI	Planned Commercial /
<i>(</i>	number of units permitted within	FCI	
(the dashed line of Palm Aire &	DD	Industrial Overlay Parks & Recreation
``	Cypress Bend being 9,724 and	PR	
	1,998	CR	Commerical Recreation
		CF	Community Facilities
		T	Transportation
		PU * PD:	Public Utility
		* PDI	Planned Development-Infill

* Existing
> Proposed





CITY OF POMPANO BEACH AERIAL MAP



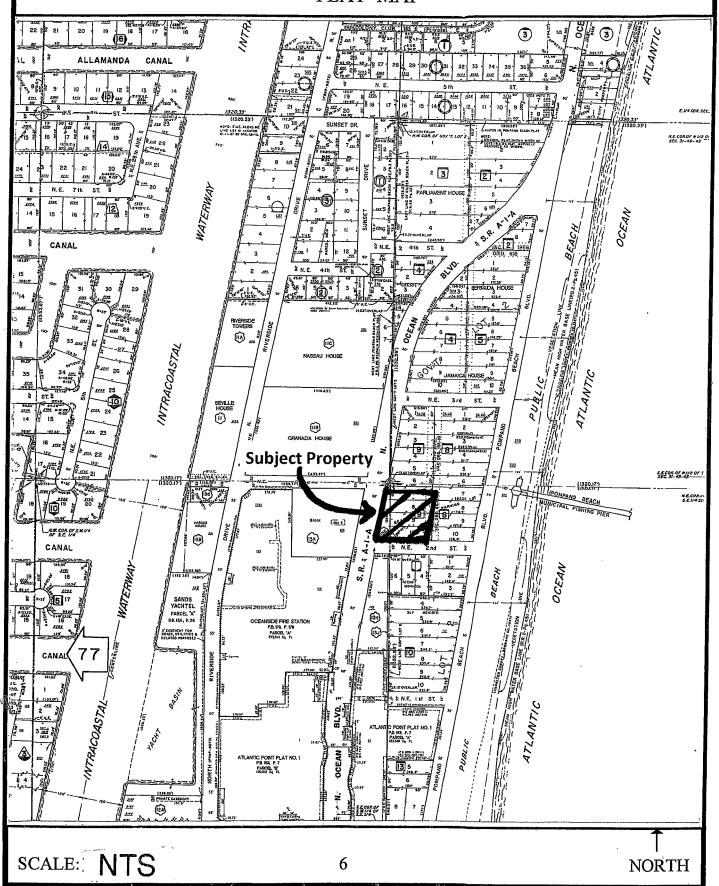


1 in = 208 ft

5

DEPARTMENT OF DEVELOPMENT SERVICES

EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



Review and Summary

Pursuant to Section 155.2410 (D) [Plat Review Standards], this plat was reviewed at a Development Review Committee (DRC) meeting held on July 5, 2017, and found to be in compliance with the City's Land Development Regulations.

Section 155.2410. PLAT

A. Purpose

The purpose of this section is to provide a review procedure to conform to the Broward County Land Use Plan's requirement that local governments require compliance with the county's platting requirements and to ensure subdivisions of land within the city:

- 1. Provide for the orderly growth and development of the city;
- 2. Coordinate proposed streets with existing and planned streets in the city's street system, and with other public facilities;
- 3. Provide rights-of-way for streets and utility easements;
- 4. Avoid congestion and overcrowding of streets;
- 5. Ensure there is adequate access to development;
- 6. Ensure there are adequate utility facilities to serve development;
- 7. Ensure there is adequate open space and recreation facilities to serve development; and
- 8. Ensure there is proper recordation of land ownership or property owner association records, where applicable.

D. Plat Review Standards

An application for a Plat shall be approved only on a finding that the proposed subdivision or development on the lots proposed to be platted meets all of the following standards:

- 1. The development complies with the applicable standards in Part 7 (Lots) of Article 5: Development Standards;
- 2. The development complies with all other applicable standards in this Code;
- 3. The development complies with all requirements or conditions of any applicable development orders (e.g., Planned Development);
- 4. Any land within the platted lot(s) that is necessary to comply with the Broward County Trafficways Plan has been conveyed to public by deed or grant of easement;
- 5. The development complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance; and
- 6. All facilities for the distribution of electricity, telephone, cable television, and similar utilities, shall be placed underground.

Service Provider Letters Required Prior to City Commission Approval

FDOT:

FDOT has reviewed this plat and has no problem with the submittal.

Teco Peoples Gas:

Teco Gas has yet to be submitted.

AT&T:

AT&T has yet to be submitted.

Comcast:

Comcast has yet to be submitted.

FPL:

FPL has yet to be submitted.

Compliance with the Broward County Development Review Report (DRR)

The Broward County Development Review Report (DRR) recommended that the following notes be added to this plat:

1. Place a note on the face of the plat, preceding the designated municipal official's signature, reading:

No building permits shall be issued for the construction, expansion, and/or conversion of a building within this plat until such time as the developer provides this municipality with written confirmation from Broward County that all applicable concurrency/impact fees have been paid or are not due.

- 2. Place a note on the face of the plat reading:
 - A) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspections approval are not issued by____, 2022, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or
 - B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by_____, 2022, then the County's findings of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirement set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing

evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

C) This plat is restricted to 150-room hotel and 20,000 square foot commercial (ancillary restaurant) use.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approvals of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

Any structure within this plat must comply with Sections IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, Regarding hazards to air navigation.

Department of Development Services Recommendation

This Plat was reviewed at a Development Review Committee meeting held on July 5, 2017, and found to be in compliance with the City's Land Development Regulations. All comments from the DRC meeting have been addressed.

Development Services staff recommends **approval** of this Plat with the following conditions to be satisfied prior to the City Commission hearing:

- 1. Plat cover page must be signed and sealed by the surveyor and signed by all owners.
- 2. Four remaining service provider letters must be submitted to the Development Services Staff.
- 3. Place a note on the plat that states that "All facilities for the distribution of electricity, telephone, and cable shall be installed underground."
- 4. Place a note on the face of the plat, preceding the designated municipal official's signature, reading:

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CITY OF POMPANO BEACH Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA REZONING PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD AND NORTH POMPANO BEACH BOULEVARD, BOUNDED ON THE NORTH AND SOUTH BY NE THIRD STREET AND NE SECOND STREET, TO AMEND THE PD-I (PLANNED DEVELOPMENT INFILL DISTRICT) WITHIN THE ATLANTIC BOULEVARD OVERLAY DISTRICT, BY AND THROUGH MODIFICATION OF THE CURRENT APPROVED MASTER PD PLAN; PROVIDING FOR CONFORMANCE TO A PLANNED DEVELOPMENT PLAN AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) 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; now, therefore,

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

SECTION 1. - FINDINGS: The City Commission finds as follows: that the rezoning of the property described herein is consistent with the Comprehensive Plan; that the rezoning complies with Section 155.3602., General Standards for All Planned Development Districts, as well as all other requirements of the Zoning Code; that the rezoning does not have a potentially injurious effect on land adjacent to the rezoned parcel; and that rezoning is reasonably related to the public health, safety and welfare.

SECTION 2. REZONING AND APPROVAL OF PLANNED DEVELOPMENT PLAN AND MASTER SITE PLAN: That the property more particularly described in Exhibit "A," attached hereto and made a part hereof ("Property), which Property is hereby rezoned from the present zoning classification of

PD-I (Planned Development-Infill) District by and through modification of the current approved Master PD Plan within the AOD (Atlantic Boulevard Overlay), as said zoning classification is defined in Section

155.3607., Planned Development-Infill, of the Code of Ordinances of the City of Pompano, Beach, Florida.

SECTION 3. Pursuant to the requirements of Section 155.3602 and Section 155.3607 of the

Code of Ordinances of the City of Pompano Beach, Florida, the Planned Development Plan ("Master Site

Plan") submitted for the 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 Plan, as approved, and Section

155.3607 of the Code of Ordinances of the City of Pompano Beach.

SECTION 4. That the Development Services 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 26th day of

September

, 2017.

PASSED SECOND READING this 10th day of ___

October

, 2017.

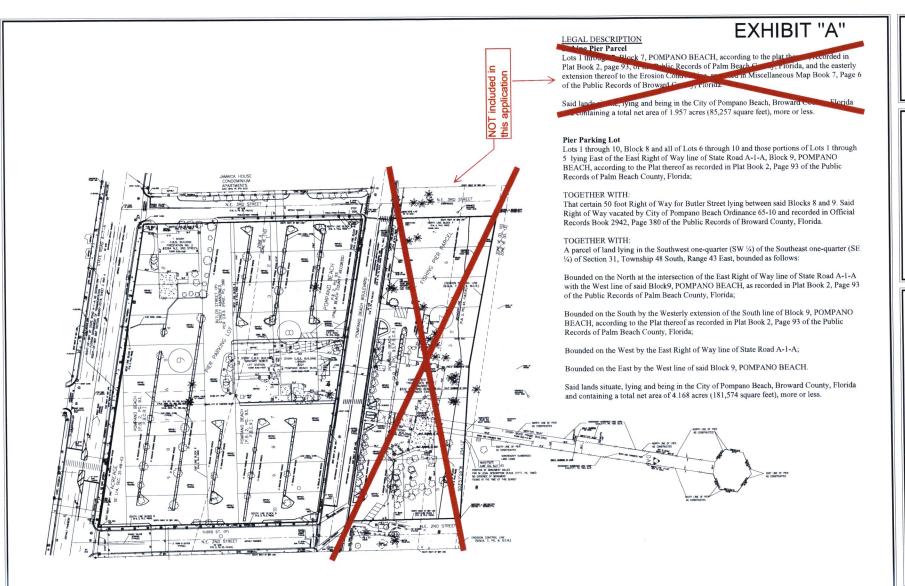
AMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm 8/9/17

1:ord/2017-280



BOUNDARY EXHIBIT

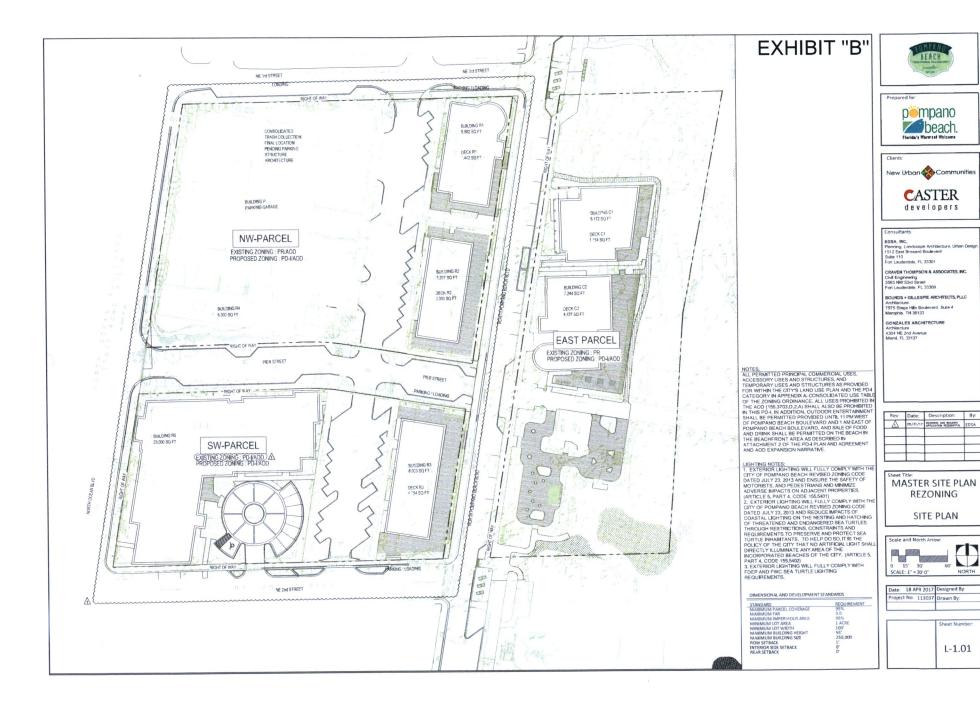
SHEET 01 OF 01
PROJECT NUMBER
07470.05

SCALE 1"=100"
FIELD BOOK
DRAWI BY LP

CONSULTING ENGINEERS
SOLAND RAIGH STANDING BACK STANDING SACK TOPPLA 3300-6643
PORPHA 3300-6643
PORPHA 3300-6643
PORPHA 3300-6643
PORPHA 3300-6643

EAST

SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 POMPANO BEACH, BROWARD COUNTY, FLORIDA



NORTH

Drawn By:

L-1.01

CITY OF POMPANO BEACH BROWARD COUNTY FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 17-12000021

DEVELOPMENT ORDER ISSUED BYTHE **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 project referenced above as a Major Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to issue a final development order for the subject project to construct a hotel building on the R-5 parcel has a building footprint of 22,998 square feet on an 181,574 square foot (4.168 acre) site (12.66% lot coverage). The property is located west of Pompano Beach Blvd, between NE 3rd Street and NE 2nd Street; more specifically described in the legal description below:

A PORTION OF BLOCKS 8 AND 9, POMPANO BEACH, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 93, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; TOGETHER WITH A PORTION OF BUTLER STREET AS SHOWN ON SAID PLAT OF POMPANO BEACH, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 93, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; ALSO TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST LYING WEST OF SAID BLOCK 9 AND EAST OF STATE ROAD A-1-A, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 8:

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 17-12000021 City of Pompano Beach / Pompano Beach Fishing Village R5 Page 2

THENCE SOUTH 88°57'35" WEST ALONG THE NORTH RIGHT OF WAY LINE OF N.E. 2ND STREET (THIRD ST. PER PLAT) AS SHOWN ON SAID PLAT OF POMPANO BEACH, A DISTANCE OF 158.20 FEET TO THE POINT OF BEGINNING:

THENCE CONTINUE SOUTH 88°57'35" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 204.89 FEET TO THE EAST RIGHT OF WAY LINE OF NORTH OCEAN BOULEVARD (STATE ROAD A-1-A); THENCE NORTH 09°08'21" EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 190.28 FEET; THENCE NORTH 88°24'18" EAST, A DISTANCE OF 183.57 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 175.00 FEET;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 7°03'14", AN ARC DISTANCE OF 21.54 FEET:

THENCE SOUTH 09°09'21" WEST, A DISTANCE OF 190.96 FEET TO THE POINT OF REGINNING

LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

CONTAINING 38,572 SQUARE FEET, 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 June 28, 2017.

The Application for Development Permit is hereby approved by the Planning and Zoning Board (Local Planning Agency) subject to the following conditions and bases therefore:

- 1. Driveway entrance is illustrated at 20 feet in width; however, minimum width for a two-way driveway shall be at least 24 feet wide (measured between the edges of the pavement), as required by code 155.5101.G 7.a.ii. Revise the plans to comply with code.
- 2. All roof mounted mechanical equipment must be screened by a parapet wall (or similar device) that is integrated into the building's architectural design and of a height equal to or exceeding the height of the mechanical equipment being screened, as required by code.
- 3. Applicant shall provide evidence that the project will achieve at least twelve sustainable development points, prior to building permit approval.
- 4. Prior to building permit approval:
 - a. Landscape & irrigation plans must meet zoning code requirements.

 $\label{lem:continuous} G: \colong 2009\sline Plans\colong Pompano Beach Fishing Village Parcel R5\PZB\PZ Development Order with Conditions.doc MRE$

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 17-12000021 City of Pompano Beach / Pompano Beach Fishing Village R5 Page 3

- b. Life Safety and Fire Prevention Plans must meet the National Fire Prevention Association (NFPA) standards, subject to the approval of the Fire Marshal.
- c. Submit a copy of the approved CPTED plan.
- d. Civil drawings must be reviewed and approved by the Engineering Department.
- e. Provide a copy of the approved plat for the southwest corner of the property.
- f. Provide a copy of the approved ordinance amending the Master Plan.

Be advised that pursuant to Section 155.2407 (G) of the Pompano Beach Code of Ordinances, a DEVELOPMENT ORDER for a site plan application shall remain in effect for a period of 24 months from the date of its issuance.

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

28th day of June , 2017.

SEAL

FRED STACER

Chairman

Planning and Zoning Board/Local Planning Agency

Matthew R. Edge

Zoning Technician