

Mr. Stacer asked to move item #6 to be heard after item #1 as they relate to the same project.

MOTION by Jerry Mills and second by Richard Klosiewicz to move item #6 to be heard after item #1. All voted in favor of the above motion.

Mr. Stacer asked for item #7 to be heard after item #4.

Mr. Hill suggested moving item #4 to be heard just before item #7, as there are many people in the audience present for item #5.

MOTION by Tony Hill and second by Joan Kovac to move item #5 to be the third item on the agenda. All voted in favor of the above motion.

F. PROPOSED PLATS

**1. CITY OF POMPANO BEACH / POMPANO BEACH FISHING
VILLAGE PARCEL R5 PLAT
Planning and Zoning #17-14000009**

Consideration of the proposed PLAT submitted by **TIM HERNANDEZ** on behalf of **THE CITY OF POMPANO BEACH**. 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). The subject property is located on the northeast corner of N.E. 2 Street and A1A, south of Pier Street, more specifically described as follows:

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;

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;

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // ME

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 BEGINNING.

LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.
CONTAINING 38,572 SQUARE FEET, MORE OR LESS.

AKA: Northeast corner of N.E. 2 Street and A1A, south of Pier Street

ZONED: PD-I

STAFF CONTACT: Maggie Barszewski (954) 786-7921

Ms. Maggie Barszewski, Planner, introduced herself to the Board. She stated that 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). She stated that 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.

Ms. Barszewski stated that there are currently four outstanding service provider letters.

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:

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // ME

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.

5. 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.

Dr. Mills asked what page the recommended conditions are located on.

Ms. Barszewski responded that they are on the last page of the staff report before the attachments (page 10).

Mr. Stacer asked why there is a blank line as part of condition #5B.

Ms. Barszewski responded that this is because this date is intended to be 5 years from the date that City Commission gives approval.

Mr. Tim Hernandez (200 Congress Park Drive, Suite 201, Delray Beach, FL) of Pompano Pier Associates presented himself as the owner's representative and stated that he is available for questions.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

MOTION was made by Joan Kovac and seconded by Richard Klosiewicz to recommend approval of the plat PZ #17-14000009 subject to the five conditions of staff. All voted in favor of the motion with the exception of Tony Hill, therefore the motion passed.

G. FLEXIBILITY ALLOCATION REQUESTS

2. CITY OF POMPANO BEACH / NE 28 COURT ALLOCATION OF NONRESIDENTIAL FLEX
Planning and Zoning #17-05000003

Consideration of the NONRESIDENTIAL FLEX REQUEST submitted by **GREG HARRISON** on behalf of **THE CITY OF POMPANO BEACH** to request Commercial Land Use to be located on property that has a Residential Low (L) Land Use designation. The site is either owned or under purchase contract by Holman Ford except for one single-family home, therefore, the City is acting as Applicant for the flexibility application and Holman Ford is providing the design team for the project. The purpose for the Commercial Flex allocation request is to allow the development of parking garage to support business operations at Holman Ford. The property is a 0.7 acre site which contains six single-family homes located on the south side of NE 28th Court. The subject site is legally described as follows:

LOTS 1, 2, 3, 4, 5, 6 OF BLOCK 1 ACCORDING TO THE PLAT OF CRESTHAVEN NO. 3 AS RECORDED IN PLAT BOOK 37, PAGE 11 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

AKA: 1628 NE 28th Court, 1642 NE 28th Court, 1656 NE 28th Court,
1670 NE 28th Court, 1684 NE 28th Court, 1698 NE 28th Court
ZONED: RS-4 (Single Family Home 4)
STAFF CONTACT: Jean Dolan (954)786-4045

Mr. Robert Bamonte (11537 SW 34 Lane, Miami, FL) presented himself as a representative for Pompano Ford Lincoln. He noted that the items need to be postponed due to the acquiring of an additional property and the resulting public notice requirements. He stated this in order to make it clear that the applicant did not request this postponement at the last minute.

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // ME