

ADMINISTRATIVE MEMORANDUM NO. 19-309

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Max Wemyss, Planner
SUBJECT: Powerline/MLK Commerce Center Rezoning Request
P&Z #19-13000007 / October 23, 2019 P&Z Meeting
DATE: October 8, 2019

APPLICANT'S REQUEST

The Applicant, BTH Development Partners, LLC, is requesting to rezone the subject property from B-3 (General Business) to B-4 (Heavy Business). The site includes three parcels, which are currently vacant. The subject property includes a total of 3.52 net acres. The gross acreage of the property is approximately 4.03 acres. It is located within the City's Northwest Community Redevelopment Area and has a land use designation of Commercial (C). The Applicant is proposing to develop a 41,520 square foot warehouse/showroom with office/retail store fronts. The Comprehensive Plan Land Use Implementation Section 3.02.B.3 allows wholesale, storage, light fabricating and warehouse uses, if deemed appropriate by the City. This rezoning request was reviewed by the Development Review Committee (DRC) on June 5, 2019.

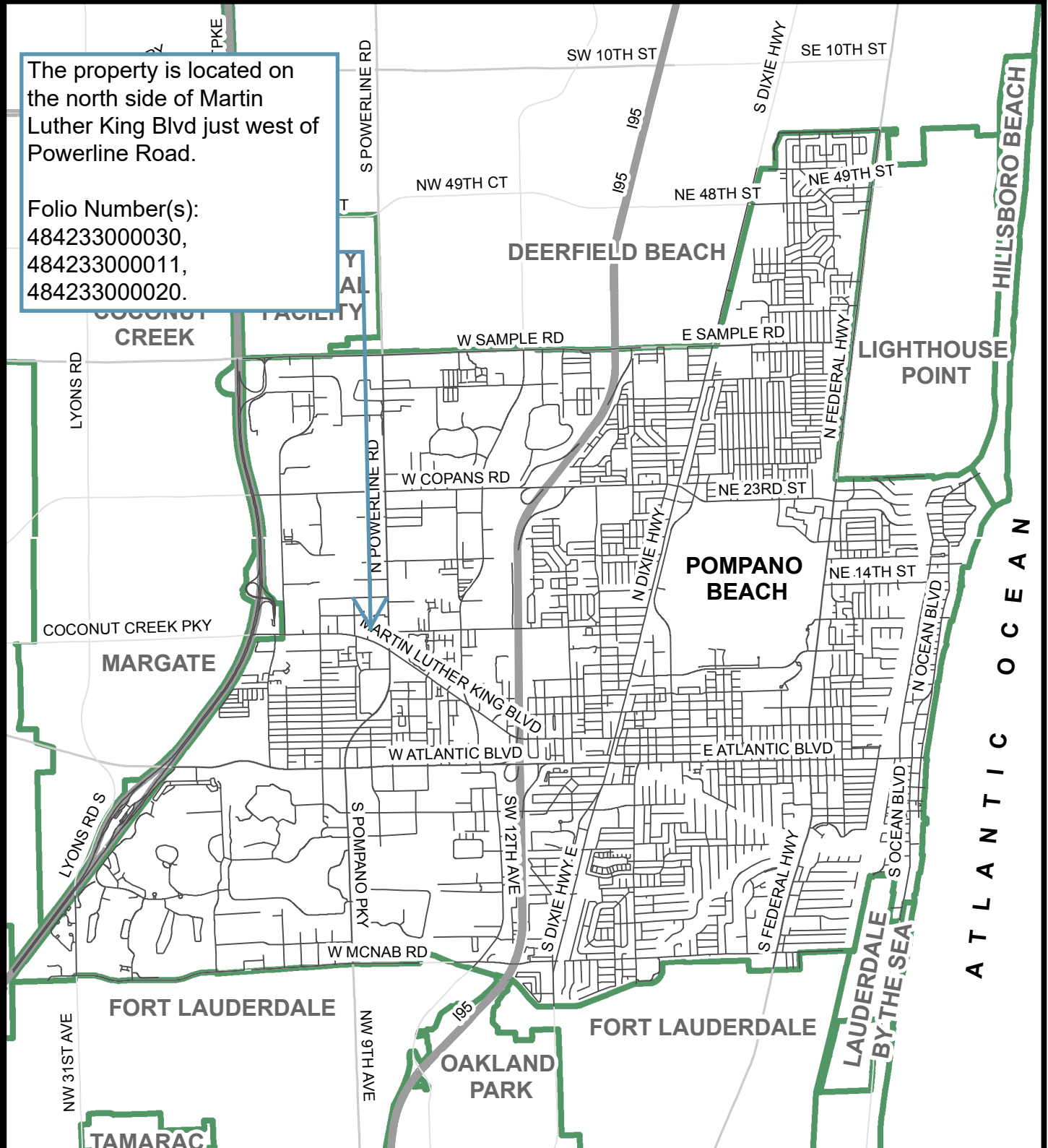
The property is located on the north side of Martin Luther King Blvd just west of Powerline Road. A location map is provided on page 2 and an aerial of the property is shown on page 3 of this staff report.

CITY OF POMPANO BEACH LOCATION MAP



The property is located on the north side of Martin Luther King Blvd just west of Powerline Road.

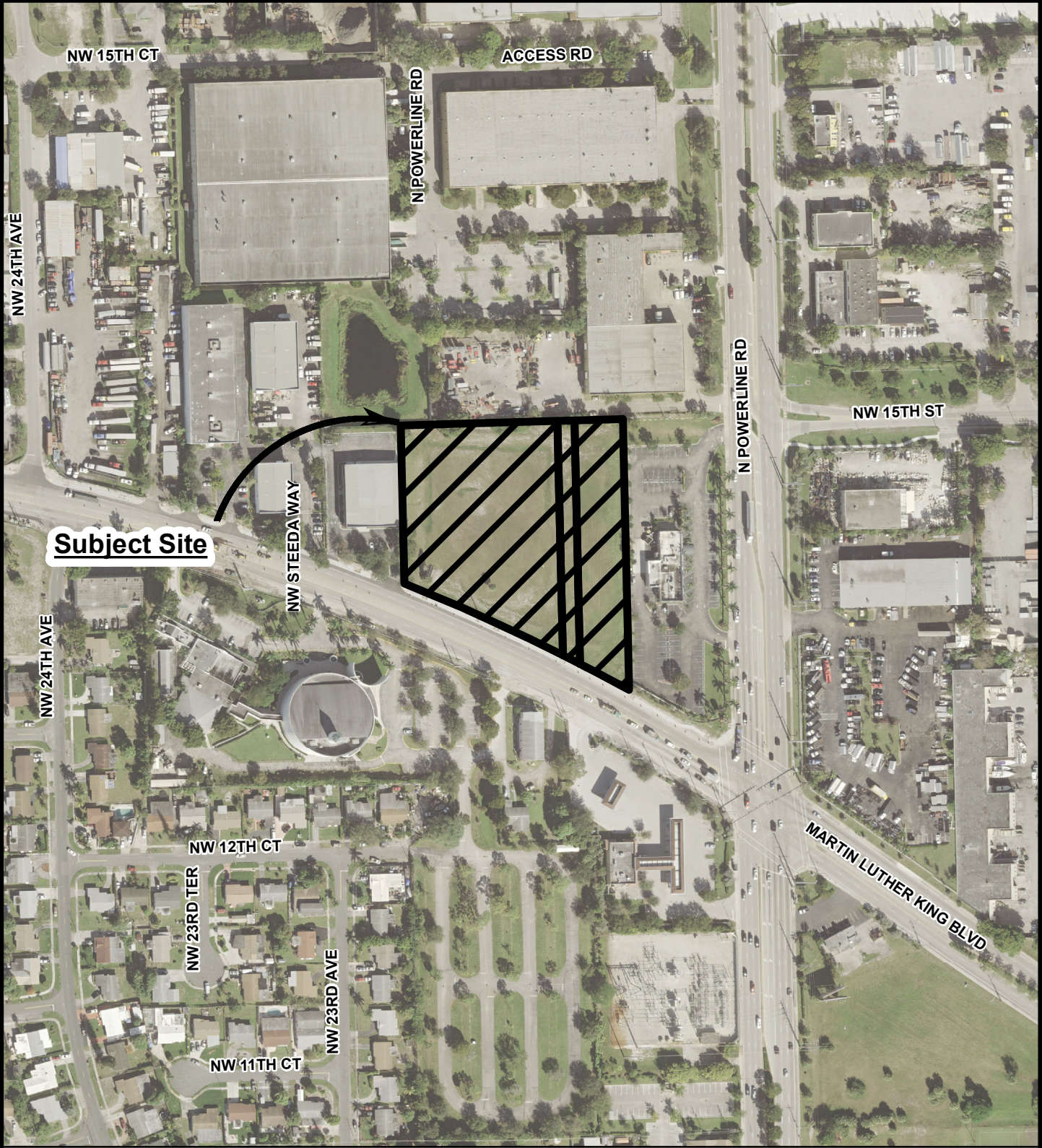
Folio Number(s):
484233000030,
484233000011,
484233000020.



1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

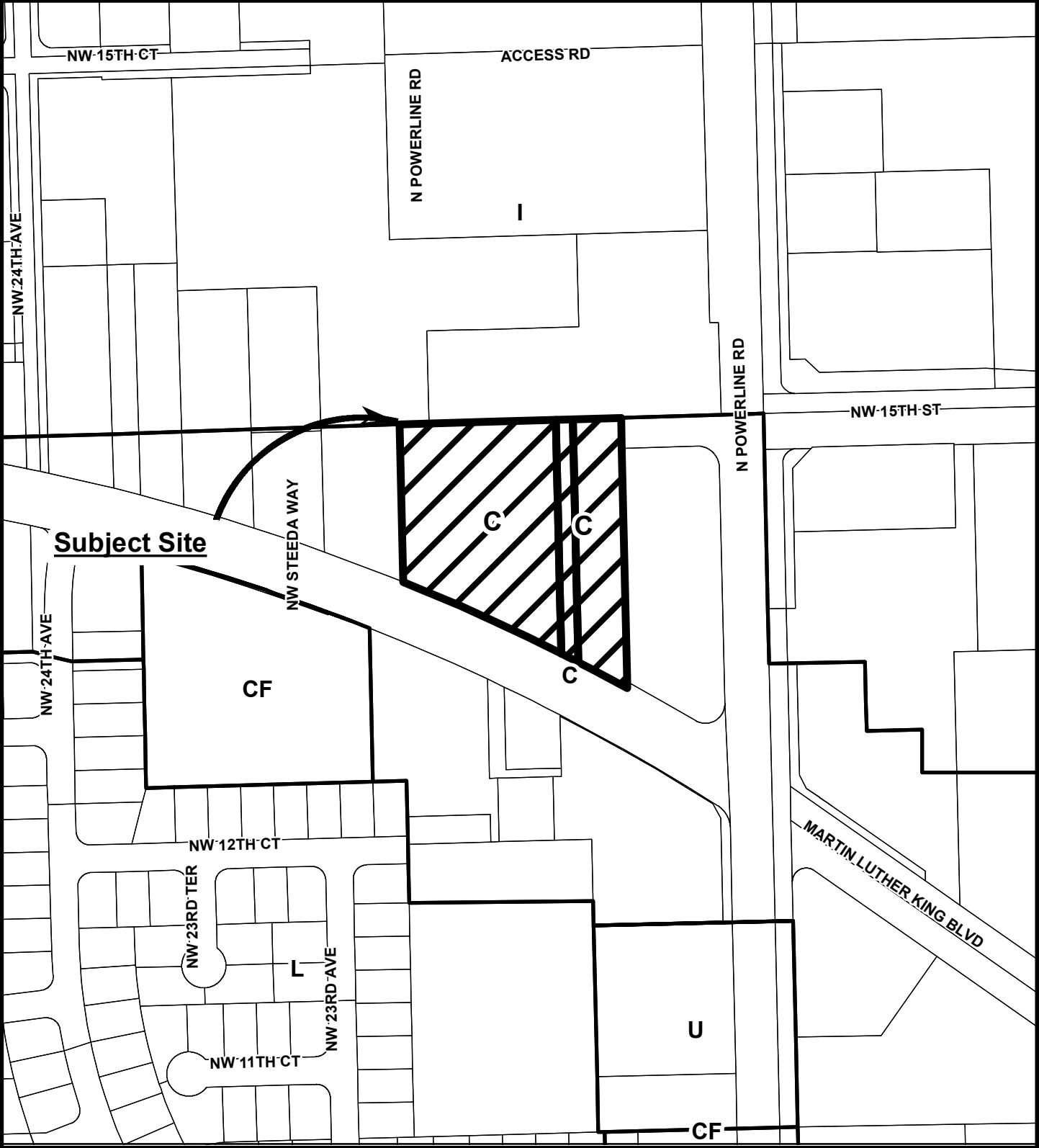
CITY OF POMPANO BEACH AERIAL MAP



1 in = 250 ft

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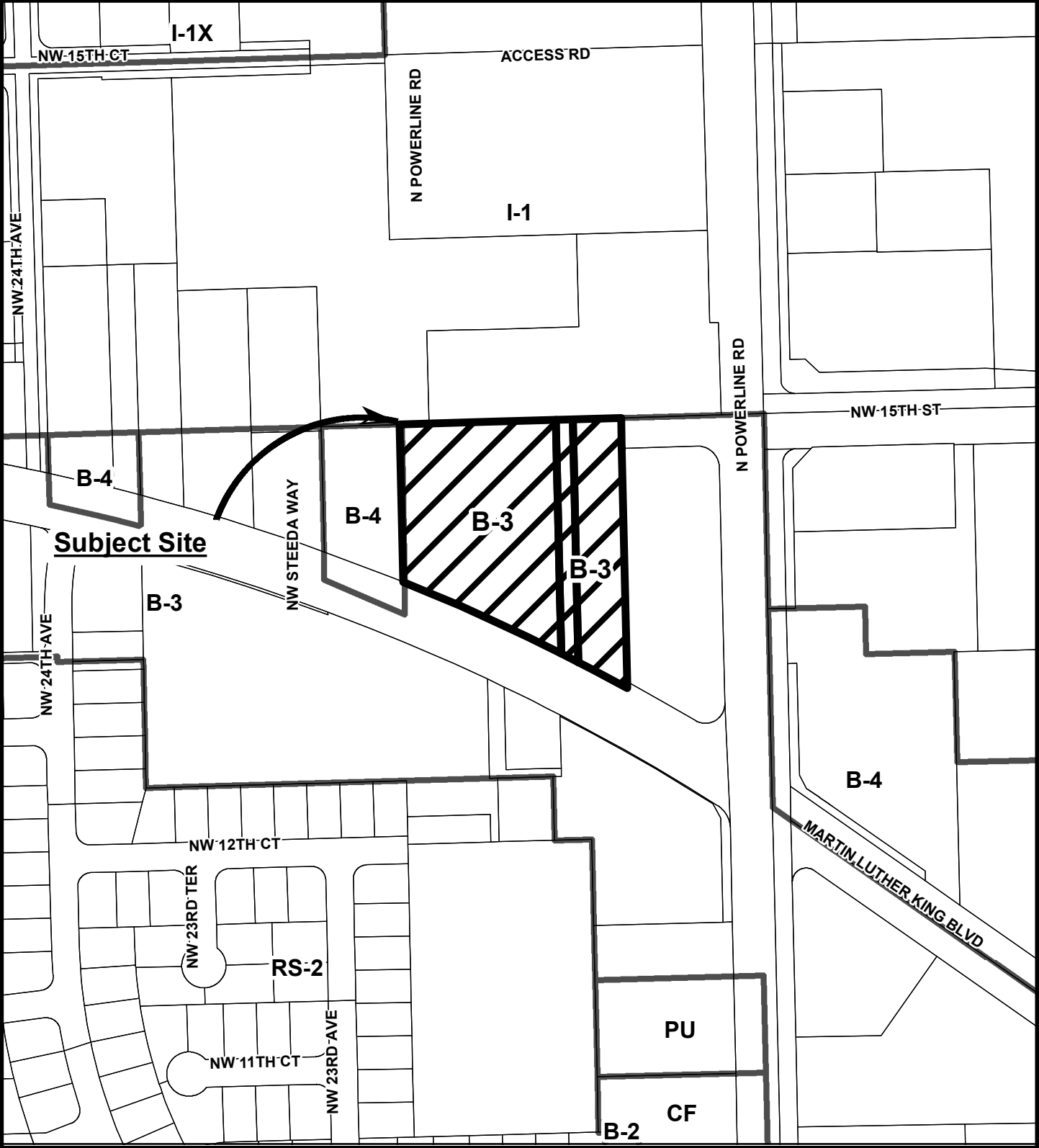
CITY OF POMPANO BEACH
OFFICIAL LAND USE MAP



1 in = 250 ft

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CITY OF POMPANO BEACH
OFFICIAL ZONING MAP



1 in = 250 ft

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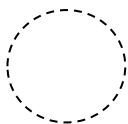
LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

	Residential
L	Low (1-5 DU/AC)
LM	Low- Medium (5-10 DU/AC)
M	Medium (10-16 DU/AC)
MH	Medium-High 16-25 DU/AC)
H	High (25-46 DU/AC)
12	Irregular Density
36	Irregular Density
*	C Commercial
	CR Commercial Recreation
I	Industrial
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
LAC	Local Activity Center
DPTOC	Downtown Pompano Transit Oriented Corridor
ETOC	East Transit Oriented Corridor

Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

*	Existing
>	Proposed

FOR ZONING MAP

<u>Symbol</u>	<u>District</u>
RS-1	Single-Family Residence 1
RS-2	Single-Family Residence 2
RS-3	Single-Family Residence 3
RS-4	Single-Family Residence 4
RS-L	Single-Family Residence Leisureville
RD-1	Two- Family Residence
RM-7	Multiple-Family Residence 7
RM-12	Multiple-Family Residence 12
RM-20	Multiple-Family Residence 20
RM-30	Multiple-Family Residence 30
RM-45	Multiple-Family Residence 45
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
* B-3	General Business
> B-4	Heavy Business
M-1	Marina Business
CR	Commerical Recreation
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
M-2	Marina Industrial
TO	Transit Oriented
PR	Parks & Recreation
CF	Community Facilities
PU	Public Utility
T	Transportation
BP	Business Parking
LAC	Local Activity Center
RPUD	Residential Planned Unit Dev.
PCD	Planned Commercial Development
PD-TO	Planned Development - Transit Oriented
PD-I	Planned Development - Infill
RM-45 HR	Multiple-Family Residence 45 High-Rise Overlay
AOD	Atlantic Boulevard Overlay District
CRAO	Community Redevelopment Area Overlay
NCO	Neighborhood Conservation Overlay
APO	Air Park Overlay
DP	Downtown Pompano Beach Overlay

SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING) REVIEW STANDARDS

In determining whether to adopt or deny a proposed Zoning Map Amendment, the City shall weigh the relevance of information submitted by the applicant and consider the extent to which the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives and policies of the Comprehensive Plan. Accordingly, the review criteria for a Site Specific Rezoning Application is as follows:

Section 155.2404.C, Site-Specific Zoning Map Amendment Review Standards

1. The applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
 - a. Is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

A. The following policies of the City's Comprehensive Plan Land Use Element have been identified as pertinent to this rezoning:

Goal 01.00.00 The attainment of a living environment which provides the maximum physical, economic and social wellbeing for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Policy 01.03.03 Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.

Policy 01.03.06 Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

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.

B. Findings of Fact. Development Services Department Staff submits the following factual information which is relevant to this Rezoning Application:

1. The rezoning was reviewed by the DRC on June 5, 2019.
2. The property is located north side of Martin Luther King Blvd just west of Powerline Road.
3. The subject property to be rezoned is approximately 3.52 net acres.
4. The property is in the process of being platted.
5. The existing zoning and uses of adjacent properties are as follows:

Direction	Zoning/ Land Use Designation	Use
North	I-1	Warehouse/Distribution/Storage
East	B-3	Sexually Oriented Business
South	B-3	Gas Station
West	B-4	Automotive Parts Sales/Installation/Showroom

6. The Land Use Designation is Commercial (C).

C. Analysis

In the review criteria it states that the applicant must provide competent substantial evidence that the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

There are one goal and four policies of the Future Land Use Element listed in Section 'A' of this report as being relevant in the consideration of this rezoning request. The goal promotes attractive and thoughtful development. This goal is to be implemented through the four policies that require: rezonings consistent with the land use plan; minimal negative impacts to existing residential and compatibility with adjacent properties; intensity compatibility with both adjacent properties and Land Use Designations; and the orderly transition of varying uses. The applicant states in the narrative that the rezoning will be compatible with the adjacent uses since the majority of parcels along the north side of MLK Blvd are already zoned either I-1 or B-4.

It is Staff's opinion that the B-4 rezoning would be compatible with the properties immediately adjacent to the subject property. The smaller warehousing/showroom operations with storefronts proposed as a result of this rezoning would be a good transition between the B-3 commercial properties to the south and east and the I-1 and B-4 industrial/commercial properties to the north and west of the subject property.

Staff is therefore of the opinion that there is a reasonable basis to support this request.

Department Recommendation

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion.

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 goals and 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 Future Land Use Goals and Policies listed in Section 'A' of this report.

Staff recommends alternative motion number I.