

Legislation Text

File #: LN-567, **Version:** 2

PLANNING AND ZONING BOARD

Meeting Date: MARCH 27, 2024

PARKING REDUCTION - FIBERBUILT UMBRELLAS

Request: Major Administrative Adjustment
P&Z# 24-16500001
Owner: 2201 LLC
Project Location: 2201 W Atlantic Blvd
Folio Number: 484233290010, 484233054280, 484233054282, 484233054285, 484233054284, 484233054281, 484233054283
Land Use Designation: LM (Low-Medium 5-10 DU/AC)
Zoning District: RM-12 (Multiple-Family Residence 12) & B-3 (General Business)
Commission District: 4 (Beverly Perkins)
Agent: John Tice (jtice@galloherbert.com / 954-703-8103)
Project Planner: Lauren Gratzner (lauren.gratzner@copbfl.com / 954-545-7792)

Summary:

The applicant is requesting Major Administrative Adjustment approval for a 40% reduction of the required parking spaces. The request is from the provision of § 155.5102.D.1: Minimum Number of Off-Street Parking Spaces, in order to provide a total of 144 off-street parking spaces rather than 240 parking spaces as required by code, a reduction of 96 parking spaces. The maximum allowance for a reduction to the required parking spaces via a Major Administrative Adjustment is 40%. The applicant's justification narrative for the request is included within the submittal. This application is being submitted in conjunction with a Minor Site Plan submittal, PZ# 21-12000052. Being that the Site Plan is classified as a Minor, this application will not be brought in front of the Planning and Zoning Board.

The property is located on the northeast corner of NW 23rd Avenue and W Atlantic Boulevard.

ADMINISTRATIVE ADJUSTMENT REVIEW STANDARDS

A Major Administrative Adjustment shall be approved only on a finding that there is competent substantial evidence in the record that both the limitations in Table 155.2421.B.1, Allowable Administrative Adjustments, are met and that the Administrative Adjustment:

- a. Achieves the intent of the subject standard to the same or a higher degree than the subject standard;

The purpose and intent of Code Section 155.5102.Off-Street Parking and Loading is to provide for adequate off-street parking and loading while allowing the flexibility needed to accommodate alternative solutions. The standards are also intended to achieve city policies of supporting development and redevelopment of transit-oriented development and commercial corridors, accommodating appropriate infill development, and encouraging pedestrian-oriented development while avoiding excessive paved surface areas, promoting low impact development, and safeguarding historic resources. The applicant's request achieves the intent of this Code section by nature of being in close proximity to several public bus stops and providing the number of spaces as deemed adequate by a transportation professional via a parking study.

- b. Is consistent with the comprehensive plan and advances the goals of this Code to the same or a higher degree than the subject standard;

The applicant has provided competent substantial evidence that supports the request and is consistent with the comprehensive plan and advances the goals and policies of this Code contained therein:

Policy 01.04.02 *The City of Pompano Beach shall amend its land development regulations to reduce parking requirements for residential and commercial uses along major corridors where it can be shown that pedestrian and transit amenities are provided, shared parking is provided, or sufficient public parking is nearby.*

Policy 01.07.05 *Through ongoing updates to the land development regulations revise the existing off-street parking provisions of the zoning code considering, shared parking, parking space size, compact spaces, parking rates by uses, etc.*

Policy 01.14.01 *The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.*

- c. Imposes no greater impacts on adjacent lands than would occur through compliance with the specific requirements of this Code;

The request imposes no greater impacts on adjacent lands than would occur through compliance with the specific code. The requested 40% parking reduction allows for the applicant to construct a retail building facing the northern residential properties rather than maintaining the existing conditions of the site which

has large truck loading areas directly abutting these homes.

- d. Provides one or more of the following public benefits to an extent sufficient to compensate for the requested modification of standards:
1. Deed-restricted workforce and/or affordable housing;
 2. Permanent conservation of natural areas or lands;
 3. Preservation of protected trees in addition to that required by this Code's tree preservation standards;
 4. Protection against flood damage in addition to that required by the floodplain management requirements in Chapter 152 (Buildings) of the Code of Ordinances;
 5. Permanent protection of scenic views;
 6. Public parks and recreational facilities;
 7. Public trails and trail linkages;
 8. Public art;
 9. Cultural or historic facilities deeded to the city or qualified not-for-profit agencies; or
 10. Other benefits approved by the P&Z

The applicant's narrative suggests implementation of the requested parking reduction would benefit both the adjacent property owners and be sufficient for the existing businesses by making various site improvements, preserving existing trees, and developing a vacant property for commercial use that otherwise would not be developable as residential. These benefits will fall under option ten, "other benefits approved by the Planning and Zoning Board".

DEPARTMENT RECOMMENDATION

Pursuant to §155.2304.C, Applications Subject to Staff Recommendation, the Development Services Director has compiled the department reports from the Development Review Committee (DRC) meeting which are recorded on file with the Department of Development Services. Should the Board find that the application has

provided competent, substantial evidence to satisfy the review standards for Major Administrative Adjustment approval, the Development Services Department recommends approval of the Major Administrative Adjustment subject to the following conditions:

1. The final site plan approval shall be approved via Site Plan PZ# 21-12000052. The attached site plan is for conceptual review only.
2. If this application is approved, the applicant shall record the Development Order and Administrative Adjustment document with Broward County. A copy of the recorded approval shall be submitted at time of building permit.
3. Standard Conditions of Approval and/or Specifications required prior to Building Permit / Zoning Compliance Permit issuance:
 - a. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.