

## Legislation Details (With Text)

**File #:** 18-115      **Version:** 2      **Name:**

**Type:** Ordinance / Regular Agenda      **Status:** Passed

**File created:** 11/15/2017      **In control:** City Commission

**On agenda:** 1/9/2018      **Final action:** 1/9/2018

**Title:** P.H. 2018-17: (PUBLIC HEARING 2ND READING)  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA,  
REZONING PROPERTY LYING SOUTH OF WEST ATLANTIC BOULEVARD AND EAST OF  
SOUTHWEST 27TH AVENUE AND COMMONLY KNOWN AS 20 SW 27TH AVENUE FROM B-2  
(COMMUNITY BUSINESS) TO B-3 (GENERAL BUSINESS); PROVIDING FOR SEVERABILITY;  
PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

FIRST READING: DECEMBER 12, 2017

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. City Attorney's Memo, 2. Ordinance, 3. Exhibit A to Ordinance - Legal, 4. Declaration of Restrictive Covenants, 5. August P&Z Recommendation Memo 17-044, 6. August P&Z Minutes Excerpt, 7. August P&Z Staff\_Report, 8. May P&Z Minutes Excerpt, 9. May P&Z Staff\_Report, 10. Application

Date	Ver.	Action By	Action	Result
1/9/2018	2	City Commission	ADOPTED	Pass
12/12/2017	1	City Commission	APPROVED FIRST READING	Pass

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(Fiscal Impact: N/A)

**FIRST READING: DECEMBER 12, 2017**

(Staff Contact: Maggie Barszewski/David Recor)

**Summary Explanation/Background:**

This approximate .66-acre property is located at 20 SW 27 Avenue. The applicant, Palm Aire Group, LLC, is requesting to rezone the Commercial designation from B-2 (Community Business) to B-3 (General Business). The existing 17,230-square foot building currently has a senior medical care and home assistance service located in it. The intention of the applicant is to expand the medical uses in the building to provide such for the neighboring elderly and greater- community population. The subject property is located across the street and south of property zoned B-3. There is a Fire station to the north on B-2 zoned property, with B-2 property also being on properties to the south & east. On the west is an assisted living facility zoned RM-45 (Multi-Family Residential). The applicant has offered a voluntary declaration of restricted uses to limit certain types of B-3 uses that could be in conflict with the surrounding properties (Attached). The voluntary declaration of restricted

covenants will be recorded by the City Clerk's Office following second reading if this rezoning is approved. The applicant held a neighborhood meeting per §155.2302 of the Code to address possible concerns of the adjacent community. The attendees said they were looking forward to the additional health uses that could provide more localized service to the neighborhood. The Planning & Zoning Board heard this item at its May & August meetings since the applicant decided to amend the voluntary restrictive covenant. The Board unanimously recommended approval of this rezoning request at the August 23, 2017 meeting. This recommendation was subject to the condition that the City Attorney review the Declaration of Restrictive Covenants prior to City Commission placement, which has been met.

**Origin of request for this action:** Shalina Jaffer on behalf of the Palm Aire Group, LLC

**Fiscal impact and source of funding:** N/A