

## Legislation Details (With Text)

<b>File #:</b>	20-150	<b>Version:</b>	5	<b>Name:</b>	
<b>Type:</b>	Ordinance / Quasi-Judicial	<b>Status:</b>	Passed		
<b>File created:</b>	11/21/2019	<b>In control:</b>	City Commission		
<b>On agenda:</b>	4/27/2021	<b>Final action:</b>	4/27/2021		
<b>Title:</b>	<p>P.H. 2021-53: (PUBLIC HEARING 2ND READING)  AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA,  REZONING PROPERTY LYING BETWEEN S. OCEAN DRIVE AND BRINY AVENUE ON THE  NORTH SIDE OF SE 4TH STREET FROM RM-20/AOD (MULTI-FAMILY RESIDENTIAL 20) TO RM-  30/AOD (MULTI-FAMILY RESIDENTIAL 30); PROVIDING FOR SEVERABILITY; PROVIDING AN  EFFECTIVE DATE.  (Fiscal Impact: N/A)</p>				

FIRST READING: MARCH 23, 2021

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Postponement confirmed to Indefinite date Email.pdf, 2. Request for Postponement to June 9, 2020.pdf, 3. Postponement Request to April 14, 2020.msg, 4. Postponement Request to 2-25-2020 Briny Residences Rezoning.msg, 5. Rezoning Ordinance from City Attorney.pdf, 6. City Attorney Transmittal Memo.pdf, 7. P&Z Staff Report.pdf, 8. PZ Approval Memo 19-042.pdf, 9. PZB Minutes for Briny Rezoning.pdf, 10. Request for placement on March 23, 2021 agenda, 11. Application.pdf, 12. Letter of Support\_ Briny Residences Rezoning.pdf, 13. Email in support of rezoning.pdf, 14. Email of Objection 1, 15. Letter of Opposition\_ Briny Residence Rezoning.pdf, 16. Community Outreach Presentation\_11.19.2019.pdf, 17. Revised Conceptual Site Plan.pdf, 18. Revised East Elevation 3.pdf, 19. Revised South Elevation.pdf, 20. Revised West Elevation.pdf

Date	Ver.	Action By	Action	Result
4/27/2021	5	City Commission	ADOPTED	Pass
3/23/2021	4	City Commission	APPROVED FIRST READING	Pass
2/25/2020	3	City Commission	POSTPONED	Pass
1/28/2020	2	City Commission	POSTPONED	Pass
12/10/2019	1	City Commission	POSTPONED	Pass

### P.H. 2021-53: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA,  
REZONING PROPERTY LYING BETWEEN S. OCEAN DRIVE AND BRINY AVENUE ON THE NORTH  
SIDE OF SE 4TH STREET FROM RM-20/AOD (MULTI-FAMILY RESIDENTIAL 20) TO RM-30/AOD  
(MULTI-FAMILY RESIDENTIAL 30); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE  
DATE.

(Fiscal Impact: N/A)

### FIRST READING: MARCH 23, 2021

(Staff Contact: Jean Dolan/David Recor)

### Summary Explanation/Background:

The Applicant requested postponements as they continued to improve the project drawings in order to accommodate the comments from the public. However, there were delays due to Covid-19 (see a copy of the email requesting placement on the March 23, 2021 agenda).

The Applicant has requested an indefinite postponement of this item in order to amend the project drawings to accommodate concerns expressed by the public. A copy of the email requesting the postponement is attached.

The Applicant has requested a postponement of this item until June 9, 2020. A copy of the email requesting the postponement is attached.

The Applicant has requested a postponement of this item until April 14, 2020. A copy of the email requesting the postponement is attached.

The Applicant has requested a postponement of this item until February 25, 2020. A copy of the email requesting the postponement is attached.

The Applicant, Mike Vonder Meulen, on behalf of 305 Briny Avenue, LP, is requesting to rezone the subject property from RM-20 (Multi-Family Residential 20) to RM-30 (Multi-Family Residential 30). The property is located between South Ocean Drive and Briny Avenue on the north side of SE 4th Street. The site includes five parcels, which currently has one and two-story rental apartment units that had been built in 1951 taking up two of the parcels. The other three parcels are currently vacant. The subject property includes a total of 1.334 net acres. The gross acreage of the property is 1.76 acres. It is located within the City's Atlantic Boulevard Overlay District and has a land use designation of Medium-High (MH) 25; therefore, the total residential entitlements for this property is a maximum of 44 units. The Applicant is proposing to develop a mixed-use building with a height of 105 feet that includes 40 residential units and 5,889 square feet of ground-floor commercial space. The Comprehensive Plan Land Use Implementation Section 3.02.A.8.c allows space within residential buildings in the MH-25 land use category to be used for office and/or retail space as long as it's less than 50 percent of the building's total floor area. This rezoning request was recommended for approval with a vote of 5-2 by the Planning and Zoning Board on September 11, 2019. The P&Z Board added a stipulation, to which the applicant agreed, that the applicant shall submit a traffic statement and a shadow study with their site plan; and that they would hold a community meeting prior to this City Commission meeting. The community meeting was held on November 19, 2019 and there have been no further meetings due to Covid-19.

**Origin of request for this action:** 305 Briny Ave, LP

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

