

Legislation Text

File #: LN-17, **Version:** 2

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: JANUARY 27, 2021

FS 103 SITE LUPA

Request: Land Use Plan Amendment
P&Z# 20-92000003
Owner: Whitney LLC, 40th Street LLC, Clermont Realty LLC & Newtown Hall LLC
Project Location: 3500 NE 16th Terrace
Folio Number: 484224190060
Land Use Designation: CF
Zoning District: CF
Commission District: 2
Agent: Scott Backman (561-405-3300)
Project Planner: Jean Dolan (954-786-4045) / jean.dolan@copbfl.com

Summary:

A. Request

The Applicant is processing three concurrent applications for the 0.45 gross acre property at 3500 NE 16th Terrace, which is adjacent and west of the shopping center on the SW corner of Sample Road and US 1 and was previously the site of Fire Station 103. The three applications include a local-only land use plan amendment (LUPA) to change the property from Community Facility (CF) to Residential (Low-Medium 10); a commercial flex request to allow local business uses on a residential land use classification and a rezoning to B-1 to allow the commercial use. The purpose of these three applications is to allow an office use in the existing structure on the site for the management staff of the adjacent shopping center. This report will focus on the local LUPA and the commercial flex request (though a separate report has been prepared for the flex request).

The City's Future Land Use Map shows the site as Community Facility (CF) while the County's Land Use Plan shows it as Residential (LM 10). The proposed LUPA will make the City and the County's plan both show a LM-10 land use designation. The concurrent commercial flexibility request will limit the commercial entitlements on the property to the conceptual site plan submitted with the flexibility request which limits development rights to the existing building.

B. Proposed Development and Net Change in Entitlements

The Applicant is proposing to change the Land Use entitlements for this property as follows:

NET CHANGE IN ENTITLEMENTS BY LAND USE CATEGORY

Type of Land Use	Entitlements Per City Plan	Proposed	Net Change
Community Facility	29,400 SF	0	-29,400 SF
Residential LM 10	4 units	0	-4 units
Commercial Flex	Based on Site Plan	2,418 SF	+2,418 SF

C. Rationale for the Proposed Amendment

The Pompano Beach land use designation on the property is CF to accommodate the Fire Station which previously occupied the existing building. A new station was built to serve Cresthaven and this station was subsequently abandoned and sold to the current Applicant who also owns the adjacent shopping center to the east. The reason for the local LUPA is to change the land use back to LM 10 to match the County's Plan and then use the commercial flexibility provision of the Comprehensive Plan to allow local-scale commercial uses in the existing building to accommodate the management staff of the adjacent shopping center. By changing the land use designation to LM-10, the Applicant avoids a County land use plan amendment while achieving their objective of an office use by applying for commercial flexibility. The Applicant is also processing a rezoning to B-1 which has intensity standards similar to the current CF land use entitlements (CF allows for 1.5 FAR while B-1 allows for a 1.75 FAR). Commercial flexibility, however, is further limited to what is shown on a conceptual site plan attached to the resolution approving the commercial flexibility. The Applicant proposes to limit the entitlements on the site to the 2,418 SF building existing on the site.

Surrounding Land Uses

The future land use designation and existing uses of the properties immediately surrounding the subject property are summarized as follows:

EXISTING AND PLANNED USE OF ADJACENT AREAS

Land Use	Site	North	South	East	West
City and County Future Land Use Map Designation	City: Community Facility (CF) County: Residential LM-10	City: Commercial County: Commerce	City: LM 10 County: LM 10	City: Commercial County: Commerce	City: Low 5 County: Low 5
Existing Uses	Abandoned building previously used as Fire Station 103	Vacant	Residential Multi-family apartments	Shopping Center	Single Family Homes

D. Impact Analysis

The impact analysis for a Future Land Use Map amendment is based on a comparison of the entitlements created by the current land use designation (not the current use of the property) and the entitlements being proposed based on the change in land use designation. In this case, the CF land use entitles the property to 29,403 SF of building area, however, based on the conceptual site plan restricting the amount of commercial flexibility being requested concurrent with this land use plan amendment, the site will only be entitled to 2,418 SF of building area. This is a 92% decrease in entitlements for this property. The local land use plan amendment and associated allocation of commercial flexibility, therefore, results in a reduction of demand on all public facilities.

The proposed local-scale commercial use is compatible with the single-family neighborhood to the west and is less intense than the previous fire station use and most other community facility uses that could currently locate on the property by right. The conceptual site plan for the commercial use of the existing building includes additional buffering and a change to access patterns to improve the site's compatibility with the single-family homes as well as the adjacent multi-family apartments.

If the commercial flexibility is ever abandoned and the site rezoned for residential use, the site will have development rights for a maximum of 4 residential units. The City's infrastructure can accommodate this minor increase in residential units and residential units are compatible with existing uses in the vicinity.

E. Consistency with Goals, Objectives and Policies of the City's Land Use Plan

Policy 01.01.05

Review proposals for new development, including future land use plan amendments, to identify the cumulative impacts of the proposed development on public services and facilities.

Policy 01.01.11

Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

Policy 01.03.04

Consider the preservation of established single family neighborhoods in all rezonings, land use plan amendments and site plan approvals.

Policy 01.03.05

All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

Policy 01.03.11

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Policy 01.06.12

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

Staff Conditions:

F. Alternative Motions

- (1) Motion to recommend approval of the proposed Future Land Use Map Amendment** as the Board finds the proposed Land Use Plan Amendment compatible with the Goals, Objectives and Policies in the Comprehensive Plan and the existing adjacent land uses.
- (2) Motion to table** the proposed Future Land Use Map Amendment to allow further analysis of any issues raised by the Board, Staff, Applicant or the general public.
- (3) Motion to recommend denial** of the proposed Future Land Use Map Amendment as the Board finds it to be incompatible with the Goals, Objectives and Policies in the Comprehensive Plan or the existing adjacent land uses.

Staff recommends motion number (1).