

REQUESTED COMMISSION ACTION: **QUASI-JUDICIAL**

 Consent X Ordinance Resolution Consideration/
 Discussion Presentation

SHORT TITLE **AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING NORTH OF NW 33RD STREET AND WEST OF NW 8TH AVENUE FROM I-1 (GENERAL INDUSTRIAL) WITH A PCI (PLANNED COMMERCIAL/INDUSTRIAL) OVERLAY TO I-1 (GENERAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

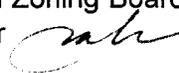
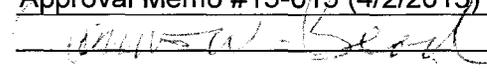
Summary of Purpose and Why:

This approximate 4.4-acre property is located at the northwest corner of NW 33 St. and NW 8 Ave. The property is owned by the South Florida Regional Transportation Authority (SFRTA). The property currently serves as a parking lot for "Park and Ride" users and the SFRTA intends to develop its Operations Center and Parking Garage on the site. The request is to rezone the subject property from I-PCI (General Industrial/Planned Commercial Development) to I-1(General Industrial). The Land Use Designation for the parcel is I (Industrial) therefore the rezoning request is consistent with the Land Use Designation. On March 25, 2015, the Planning & Zoning Board approved this rezoning request with a 7-0 vote.

- (1) Origin of request for this action: South FL. Regional Transportation Authority Tri Rail
- (2) Primary staff contact: Robin M. Bird/ Maggie Barszewski Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	03/13/15	Approval	Memo# 15-135
City Attorney	03/24/15	See Memo	CAC# 2015-771 

X Planning and Zoning Board Approval Memo #15-015 (4/2/2015)

X City Manager  

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
1 st Reading <u>4/28/15</u>	1 st Reading <u> </u>	Results: <u> </u>
<u>Approved</u>		
2 nd Reading <u>5/12/15</u>	<u> </u>	Results: <u> </u>
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City Attorney's Communication #2015-771

March 24, 2015

TO: Maggie Barszewski, AICP, Planner
FROM: Gordon B. Linn, City Attorney
RE: Ordinance Rezoning TriRail Site

As requested in your memorandum dated March 23, 2015, the following form of ordinance, relative to the above-referenced matter, has been prepared and is attached:

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING NORTH OF NW 33RD STREET AND WEST OF NW 8TH AVENUE FROM I-1 (GENERAL INDUSTRIAL) WITH A PCI (PLANNED COMMERCIAL/INDUSTRIAL) OVERLAY TO I-1 (GENERAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.

GORDON B. LINN

GBL/jrm
l:cor/dev-srv/2015-771

Attachment

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING NORTH OF NW 33RD STREET AND WEST OF NW 8TH AVENUE FROM I-1 (GENERAL INDUSTRIAL) WITH A PCI (PLANNED COMMERCIAL/INDUSTRIAL) OVERLAY TO I-1 (GENERAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, a public hearing before the City Commission was held pursuant to the aforesaid notice, at which hearing the parties in interest and all other citizens so desiring, had an opportunity to be, and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach, having considered the evidence and argument presented at the public hearing, finds:

SECTION 2. That the property more particularly described in Exhibit "A," attached hereto and made a part hereof ("Property), which Property is hereby rezoned from a present zoning classification of I-1 (General Industrial) with a PCI (Planned Commercial/Industrial) Overlay to a I-1 (General Industrial) as said zoning classification is defined by Chapter 155 of the Code of Ordinances of the City of Pompano Beach, Florida.

SECTION 3. That the Development Services Director is hereby directed to mark the zoning provided for in this Ordinance on the Official Zoning Map of the City of Pompano Beach.

SECTION 4. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. This Ordinance shall become effective upon passage.

PASSED FIRST READING this ____ day of _____, 2015.

PASSED SECOND READING this ____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

GBL/jrm
3/24/15
l:ord/2015-270

Exhibit A

A PORTION OF PARCEL "A", MORNINGSTAR LAKE PARCELS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 144, ON PAGE 22, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERN MOST NORTHWEST CORNER OF SAID PLAT;

THENCE NORTH $88^{\circ}40'37''$ EAST ALONG A NORTH LINE OF SAID PARCEL "A", SAID NORTH LINE ALSO BEING THE SOUTH LINE OF LOT 2, EVERETT SQUARE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 93, ON PAGE 8 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, A DISTANCE OF 285.52 FEET;

THENCE DEPARTING SAID NORTH AND SOUTH LINE AND ALONG THE EAST LINE OF SAID LOT 2 AND WESTERLY LINE OF SAID PARCEL "A", NORTH $01^{\circ}17'41''$ WEST, A DISTANCE OF 208.79 FEET;

THENCE DEPARTING SAID EAST AND WESTERLY LINE AND ALONG THE NORTH LINE OF SAID PARCEL "A", NORTH $88^{\circ}42'18''$ EAST, A DISTANCE OF 19.90 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE AS DESCRIBED IN OFFICIAL RECORDS BOOK 18806, ON PAGE 634 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE DEPARTING SAID NORTHERLY LINE AND ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) SOUTH $03^{\circ}26'09''$ WEST, 398.90 FEET; (2) SOUTH $01^{\circ}17'41''$ EAST, 347.96 FEET; (3) SOUTH $43^{\circ}40'52''$ WEST, 42.41 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 33RD STREET AS DESCRIBED IN OFFICIAL RECORDS BOOK 18806, ON PAGE 634 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH $88^{\circ}39'25''$ WEST, A DISTANCE OF 364.16 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL "A", SAID WEST LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF THE C.S.X. RAILROAD;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG SAID EAST AND WEST LINE, NORTH $10^{\circ}48'49''$ EAST, A DISTANCE OF 579.78 FEET TO THE POINT OF BEGINNING.

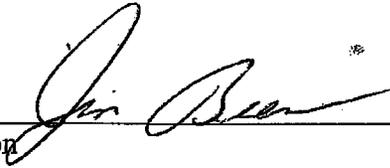
CONTAINING 192,285 SQUARE FEET (4.41) ACRES MORE OR LESS, SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #15-015**

DATE: April 2, 2015
TO: City Commission
FROM: Planning and Zoning Board/ Local Planning Agency
SUBJECT: REZONING – I-1 (General Industrial) from I-1/PCI (General Industrial Planned Industrial Overlay)
3301 NW 8th Avenue
P & Z #14-13000009 South Florida Regional Transportation Authority

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on March 25th, 2015, the Board considered the request by **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY** requesting REZONING of the above referenced property.

It is the unanimous recommendation of the Board that the REZONING request be approved.



Jim Beeson
Chairman
Planning and Zoning Board/ Local Planning Agency

ADMINISTRATIVE MEMORANDUM NO. 15-135

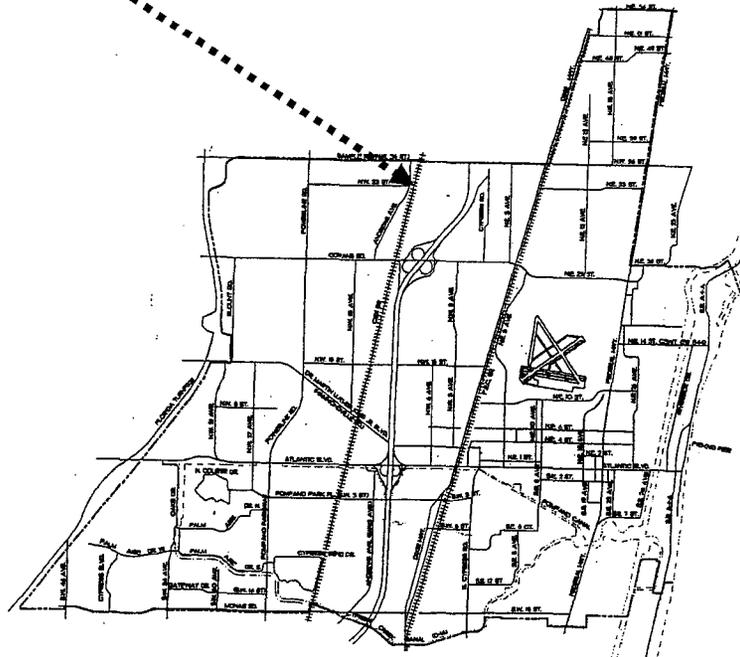
DATE: March 13, 2015
TO: Planning and Zoning Board
VIA: Robin M. Bird, Development Services Director *RMB*
FROM: Maggie Barszewski, AICP, Planner *MB*
RE: Tri Rail Rezoning
March 25, 2015 meeting

P&Z # 14-1300009

Request

This approximate 4.4-acre property is located at the northwest corner of NW 33 St. and NW 8 Ave. The property is owned by the South Florida Regional Transportation Authority (SFRTA). The property currently serves as a parking lot for "Park and Ride" users and the SFRTA intends to develop its Operations Center and Parking Garage on the site. The request is to rezone the subject property from I-1/PCI (General Industrial/Planned Commercial Development) to I-1 (General Industrial). The Land Use Designation for the parcel is I (Industrial) so the zoning will remain consistent with the Land Use Designation.

Northwest corner of
NW33 St. and NW 8 Ave.



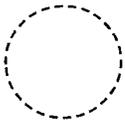
LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

	Gross Residential Density
	Residential
E	Estate
L	Low
LM	Low- Medium
M	Medium
MH	Medium-High
H	High
C	Commercial
CR	Commercial Recreation
*	I Industrial
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
	Boundaries
	City of Pompano Beach

13 Number



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

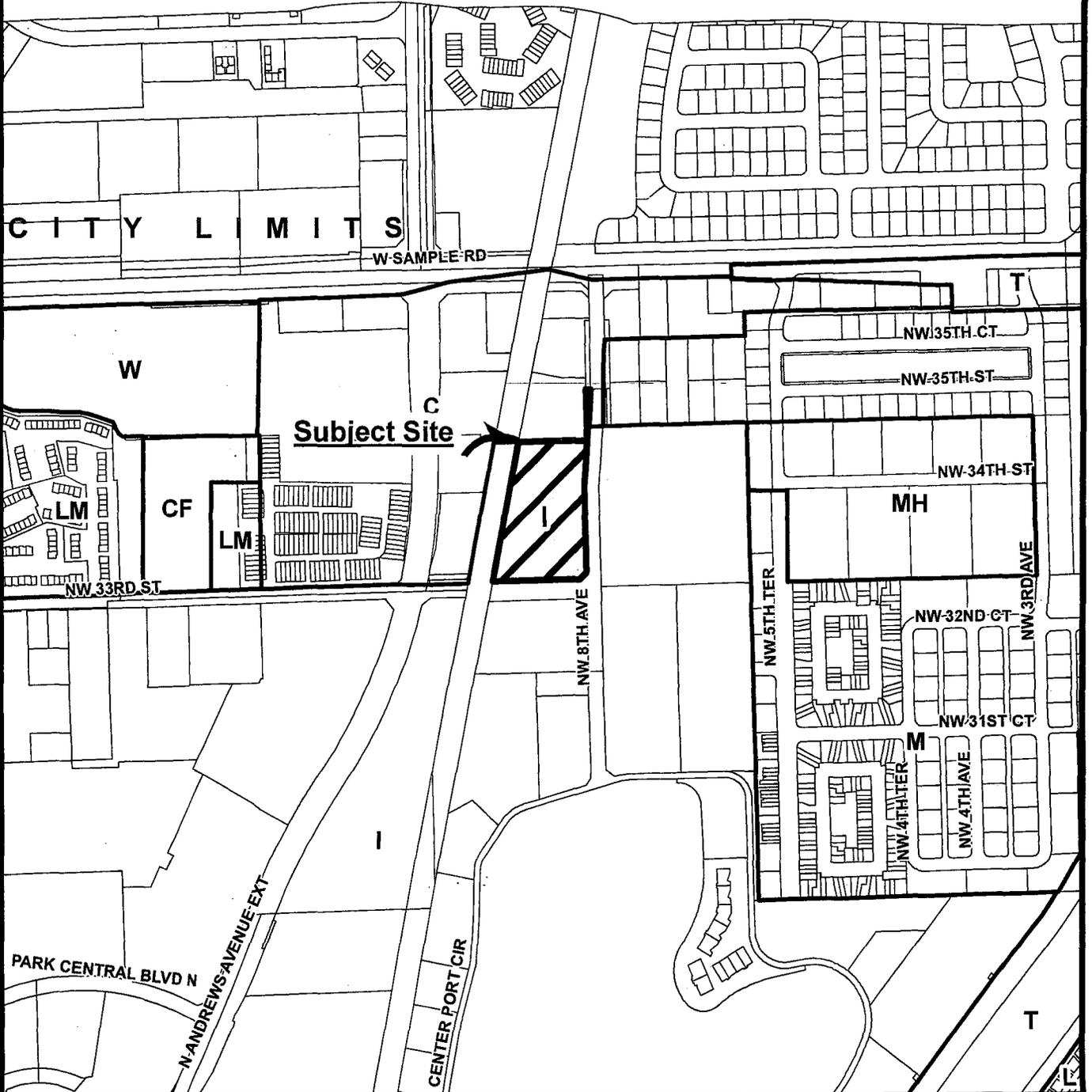
FOR ZONING MAP

Symbol District

RS-1	One-Family Residence
RS-2	One-Family Residence
RS-3	One-Family Residence
RS-4	One-Family Residence
RD-1	Two- Family Residence
RM-12	Multi-Family Residence
RM-20	Multi-Family Residence
RM-30	Multi-Family Residence
RM-45	Multi-Family Residence
RM-45/HR	Overlay
RPUD	Residential Planned Unit Dev.
AOD	Atlantic Boulevard Overlay District
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
B-3	General Business
B-4	Heavy Business
RO	Residence Office
M-1	Marina Business
M-2	Marina Industrial
>	I-1 General Industrial
	I-1X Special Industrial
	O-IP Office Industrial Park
	BP Business Parking
	BSC Planned Shopping Center
*	PCI Planned Commercial / Industrial Overlay
	PR Parks & Recreation
	CR Commerical Recreation
	CF Community Facilities
	T Transportation
	PU Public Utility

* Existing
> Proposed

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

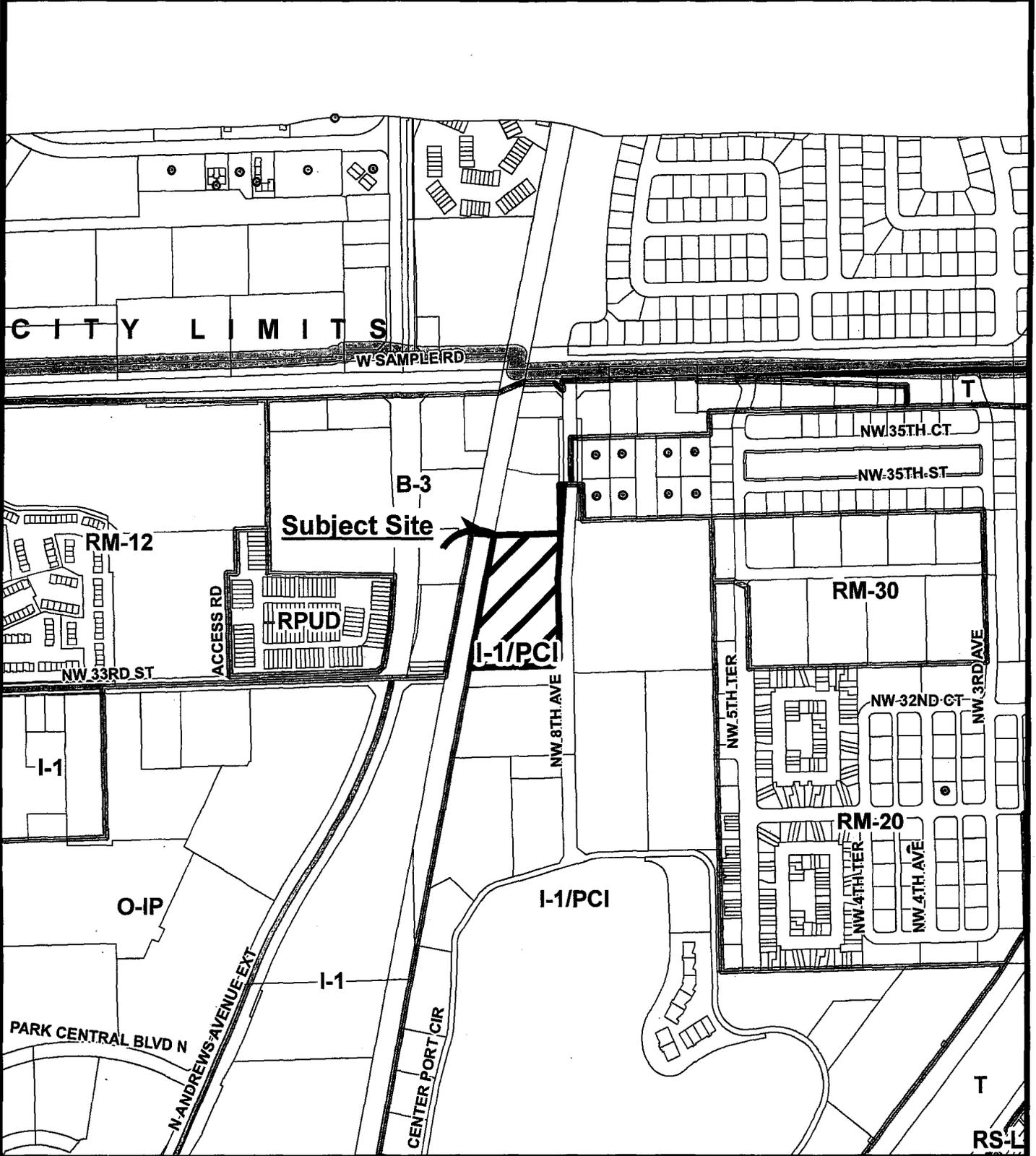


1 in = 600 ft

3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 600 ft

4

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP



Subject Site

I-1/PCI

1 in = 600 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

REVIEW & SUMMARY

- A. Pursuant to Section 157.31(A) [Major Review: Development Review Committee Report and Notice to Applicant], the Development Services Director has compiled the department comments from the November 5, 2014 Development Review (DRC) meeting which are summarized below:**

P&Z # 14-1300009

Owner: South Florida Regional Transit Authority

Project name: Tri Rail Rezone

Project location: 3301 NW 8th AV

Request: The applicant is requesting a REZONE from I-1/PCI (General Industrial / Planned Commercial Development) to I-1 (General Industrial).

Agent: Daniel Mazza (954) 788-7893

Project Planner: Maggie Barszewski (954) 786-7921

Commission District: 4

Engineering Comments:

10-29-14:

No comments.

CRA Comments:

Not in the CRA district.

Landscape Review Comments:

No landscape plan was submitted as started on page 6 of SFRTAN Narrative.

Urban Forestry comments will be rendered at time of site plan submittal.

Planning Comments:

Planning has no objections to the rezoning. Planning is appreciative the plat note amendment language was included for our understanding; however, we want to make sure the applicant is aware that the submittal is not a formal plat note amendment submittal. Also, in that regard, the applicant must confirm the EXACT language the County wants to see on the note because the County has increasingly become more and more detailed with their language regarding notes and since they must be approved by the City Commission changes cannot be made after their approval.

Fire Dept. Comments:

This P&Z application is able to meet all of the Fire Department requirements at this time for Site Plan Review. However, the petitioner shall maintain all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

*Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.

Zoning Comments:

Zoning has no objection, the application can proceed to the Planning and Zoning Board.

Utilities Comments:

No utility plans were provided.

B. Zoning Department staff submits the following factual information which is relevant to this rezoning request:

1. The rezoning was reviewed by DRC on November 5, 2014.
2. The property is located northwest corner of NW 33 St. and NW 8 Ave.
3. The area to be rezoned is approximately 4.4 acres (approximately 192,211 square feet).
4. The Zoning and uses of adjacent properties are:
North – (B-3) – General Business; office building
South – (I-1/PCI) – General Industrial/Planned Commercial Development; current Tri Rail office
West – (B-3) – General Business; Rail road tracks General Business, office building & Tri Rail parking
East – (I-1/PCI) – General Industrial/Planned Commercial Development; office building
5. Access to this property is from NW 33 Street and NW 8th Avenue.
6. The Land Use Designation is (I) Industrial.