

REQUESTED COMMISSION ACTION:

Consent

Ordinance

X Resolution

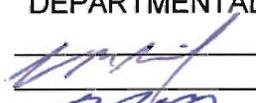
Consideration/
Discussion

Presentation

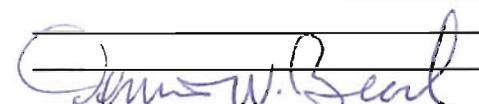
SHORT TITLE: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 100 NW 33 AVENUE, IDENTIFIED BY FOLIO NO. 484232190021, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why: The property owner, FCI Development Ten, LLC (FCIDT) has submitted a letter of application requesting the City Commission designate the property identified by Folio # 484232190021, as a Brownfield site pursuant to Section 376.80(2)(c), Florida Statutes. The City has approved and permitted a 210 unit residential complex with a total capital cost estimated at about \$34 million. Staff finds that FCIDT has demonstrated this project and property meet the five statutory criteria for designation of a Brownfield site as set forth in Section 376.80(2)(c), Florida Statutes and as such, it is a mandatory designation. Proper notice has been provided in accordance with Section 376.80(1) and 166.041(3)(c)2, Florida Statutes for this proposed action.

- (1) Origin of request for this action: City Manager's Office/ Dennis Beach
- (2) Primary staff contact: Chris Clemens/ Greg Harrison Ext. 4048
- (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. Serv. Dept.	1/8/2016	Approval	
City Attorney	1/13/2016		

Advisory Board

City Manager 

ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration
Workshop		
1 st Reading	1 st Reading	Results:
		Results:
2 nd Reading		



City Attorney's Communication #2016-355

January 13, 2016

TO: Christopher J. Clemens, AICP, Economic Development Manager

FROM: Fawn Powers, Assistant City Attorney

RE: Resolution – FCI Development Ten, LLC

As requested in your memorandum of January 8, 2016, Development Services Memorandum #16-007, the following form of resolution, relative to the above-referenced matter, has been prepared and is attached:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 100 NW 33 AVENUE, IDENTIFIED BY FOLIO NO. 484232190021, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

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

FAWN POWERS

FP/ds

l:cor/recr/2016-355f

Attachment

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 100 NW 33 AVENUE, IDENTIFIED BY FOLIO NO. 484232190021, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to § 97-277, Laws of Florida, codified at § 376.77 – 376.86, Florida Statutes, the State of Florida has provided for designation of a “brownfield area” by resolution at the request of the person who owns or controls one or more real estate parcels, to provide for their environmental remediation and redevelopment and promote economic development and revitalization generally; and

WHEREAS, FCI Development Ten, LLC (“FCI”) owns the property located at 100 Northwest 33 Avenue, Pompano Beach, Broward County, Florida 33069, Folio No. 484232190021 (hereinafter the “Property”) depicted and more particularly described in Exhibit “A” and is developing it for residential use; and

WHEREAS, FCI has requested that the City Commission of Pompano Beach designate the Property as a “brownfield area” pursuant to §376.80(2)(c), Florida Statutes; and

WHEREAS, the City Commission has reviewed the criteria set forth in § 376.80(2)(c), Florida Statutes, and has determined that the Property qualifies for designation as a “brownfield area” because the following requirements have been satisfied:

1. FCI owns the Property which is proposed for designation and has agreed to rehabilitate and redevelop it;
2. The rehabilitation and redevelopment of the Property will result in economic productivity in the area;
3. The redevelopment of the Property is consistent with the City’s Comprehensive Plan and is a permissible use under the City’s Zoning and Land Development Code;
4. Proper notice of the proposed rehabilitation of the Property has been provided to neighbors and nearby residents, and FCI has provided those receiving notice the opportunity to provide comments and suggestions regarding the rehabilitation; and
5. FCI has provided reasonable assurance that it has sufficient financial resources to implement and complete a rehabilitation agreement and redevelopment plan.

WHEREAS, the City Commission desires to notify the Florida Department of Environmental Protection of its resolution designating the Property as a “brownfield area” to further its rehabilitation and redevelopment for purposes of § 376.77 – 376.86, Florida Statutes; and

WHEREAS, the applicable procedures set forth in § 376.80 and § 166.041, Florida Statutes, have been followed and proper notice has been provided in accordance with § 376.80(1) and 166.041(3)(c)2, Florida Statutes; and

WHEREAS, such designation shall not render the City of Pompano Beach liable for costs or site remediation, rehabilitation and economic development or source removal, as those terms are defined in Section 376.79 (17) and (18), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this Resolution; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the recitals and findings set forth in the Preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

SECTION 2. That the City Commission finds that FCI Development Ten, LLC has satisfied the criteria set forth in § 376.80(2)(c), Florida Statutes.

SECTION 3. That the City Commission designates the Property depicted on Exhibit "A" attached hereto and incorporated herein by reference, as a "brownfield area" for purposes of §376.77 – 376.86, Florida Statutes.

SECTION 4. That the City Manager, or his designee, is hereby authorized to notify the Florida Department of Environmental Protection of the City Commission's resolution designating the Property a "brownfield area" for purposes of § 376.77 – 376.86, Florida Statutes.

SECTION 5. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2016.

PASSED AND ADOPTED this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

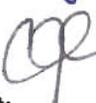
FP/ds
1/12/2016
L:reso/2016-101f

Memorandum No. 16-006

Date: January 8, 2016

To: Dennis W. Beach, City Manager

Via:  Greg Harrison, Assistant City Manager

From:  Chris Clemens, AICP, Economic Development Manager

Subject: FCI Development Ten, LLC (FCIDT) at 100 NW 33rd Avenue, brownfield eligibility application

The following is a review of the FCI Development Ten, LLC (FCIDT) brownfield application you had asked staff to review, specifically the five applicable brownfield area designation criteria set forth in Section 376.80(2)(c), Florida Statutes, as follows:

Agreement to Redevelop the Brownfield Site: FCIDT satisfies this criterion in that it owns the Subject Property (484232190021), is requesting the property be designated a Brownfield area, and has agreed to redevelop and, as necessary, rehabilitate the Subject Property. The applicant has provided proof of ownership.

Economic Productivity: FCIDT satisfies this second criterion in that, when fully developed, the project will employ 7 full-time positions. These figures exceed the requirement of the "creation of at least 5 new permanent jobs at the brownfield site." It is estimated that the total capital cost of the FCIDT project will exceed \$34 million.

Consistency with Local Comprehensive Plan and Permissible Use Under Local Land Development Regulations: The land use and zoning at the Subject Property are Residential dashed-line Medium (16-25 du/ac) and Residential Planned Unit Development (RPUD) respectively. Both districts permit multifamily residential developments which satisfies the criteria. The applicant has also provided the Development Order (No. 15-12000013) for the project, issued by the Planning & Zoning Board authorizing the development of 9 new three-story multi-family buildings consisting of 210 residential units, a club house, tot lot, dog park and a bike path.

Public Notice and Comment: FCIDT satisfied this criterion by posting notice at the Subject Property and in the Sun Sentinel and on Craigslist. The applicant provided the City with a picture of the posting on the Subject Property and well as copies of the ads and the dates it ran. FCIDT also hosted a public meeting on December 2nd at the Jan Moran Collier City Learning Library at 2800 NW 9th Court in Pompano Beach and have provided us the sign-in sheet from the meeting. They are also hosting another community meeting on January 13th.

Reasonable Financial Assurance: The applicant provided the City with a letter outlining the company's planned financing for the current project, as well as, personal assurances from the Vice President of the company as to the financial assurances provided. The City's Finance Department reviewed the letter submittal and was satisfied that the provided assurances satisfied the statutory requirement.

Based on a review of the Statute and the provided information, staff finds that FCIDT has satisfied each of the Florida Statute requirements for the Brownfield area designation.



Site Address	100 NW 33 AVENUE, POMPAÑO BEACH	ID #	4842 32 19 0021
Property Owner	FCI DEVELOPMENT TEN LLC	Millage	1512
Mailing Address	PO BOX 3435 WEST PALM BEACH FL 33401	Use	00

Abbreviated Legal Description	RESIDENCES AT PALM AIRE 181-178 B PORTION OF PARCEL B DESC AS:COMM SE COR SEC 32,N 365.78,WLY 67.93 NW 164.17,W 160.24,SW 54.19, SW 240.26,SW 20.77 TO POB,SW 21.85, SW 238.14,SW 182.76,SW 211.47, WLY 449.60,NW .13,NW 180.40, W 111.27,NW 78.33,NW 30.83,N 6.52, NE 30.83,NE 33.68,SE 35,ELY 70.69,NE 115.23,NELY 62.85,NELY 198.16,NLY 13.51,NELY 125.72,NE 532.38,SE 44,NE 281.94, SE 219.39 TO POB
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The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

Property Assessment Values					
Click here to see 2015 Exemptions and Taxable Values as reflected on the Nov. 1, 2015 tax bill.					
Year	Land	Building	Just / Market Value	Assessed / SOH Value	Tax
2016	\$435,050		\$435,050	\$435,050	
2015	\$435,050		\$435,050	\$119,650	\$4,802.53
2014					

IMPORTANT: The 2016 values currently shown are "roll over" values from 2015. These numbers will change frequently online as we make various adjustments until they are finalized on June 1. Please check back here AFTER June 1, 2016, to see the actual proposed 2016 assessments and portability values.

2016 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$435,050	\$435,050	\$435,050	\$435,050
Portability	0	0	0	0
Assessed/SOH	\$435,050	\$435,050	\$435,050	\$435,050
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$435,050	\$435,050	\$435,050	\$435,050

Sales History			
Date	Type	Price	Book/Page or CIN
2/11/2015	SWD-D	\$6,300,000	112814105

Land Calculations		
Price	Factor	Type
\$1.00	435,049	SF
Adj. Bldg. S.F.		

Special Assessments

LAND DESCRIPTION: PROPOSED PHASE 2 PARCEL – MULTIFAMILY

A parcel of land being a portion of the South One-Half (S 1/2) of Section 32, Township 48 South, Range 42 East, said parcel being more particularly described as follows:

COMMENCE at the Southeast corner of said Section 32;
 THENCE on an assumed bearing of N 01°22'47" W along the East line of said Section 32, a distance of 365.78 feet to the North right-of-way line of West Atlantic Boulevard as shown on the Florida Department of Transportation Right-of-Way Number 410055, Section 86130-2504, Sheet 12 of 18, said point also being the Southwest corner of TEXACO-POMPANO, according to the plat thereof, as recorded in Plat Book 124, Page 10, of the Public Records of Broward County, Florida, said point also being on the arc of a non-tangent curve concave to the South, a radial line of said curve through said point having a bearing of N 11°21'03" E;
 NEXT 14 courses along the said North right-of-way line of W. Atlantic Boulevard;
 THENCE Westerly along the arc of said curve to the left, having a central angle of 02°27'04" and a radius of 1587.89 feet for an arc distance of 67.93 feet to a point on a non-tangent line;
 THENCE N 67°56'40" W a distance of 164.17 feet;
 THENCE N 89°26'43" W a distance of 160.24 feet;
 THENCE S 76°08'26" W a distance of 54.19 feet;
 THENCE S 82°47'08" W a distance of 240.26 feet;
 THENCE S 76°36'32" W a distance of 20.77 feet to the POINT OF BEGINNING;
 THENCE continue S 76°36'32" W a distance of 21.85 feet;
 THENCE S 69°19'34" W a distance of 238.14 feet;
 THENCE S 73°55'06" W a distance of 182.76 feet;
 THENCE S 71°12'48" W a distance of 211.47 feet to a point on the arc of a non-tangent curve concave to the North, a radial line of said curve through said point having a bearing of S 10°39'02" E;
 THENCE Westerly along the arc of said curve to the right, having a central angle of 11°32'32" and a radius of 2231.83 feet for an arc distance of 449.60 feet to a point of tangency;
 THENCE N 89°06'30" W a distance of 0.13 feet;
 THENCE N 85°20'44" W a distance of 180.40 feet;
 THENCE N 89°06'30" W a distance of 111.27 feet;
 THENCE N 35°03'08" W a distance of 78.33 feet;
 THENCE N 42°27'58" W a distance of 30.83 feet;
 THENCE N 02°32'02" E a distance of 6.52 feet;
 THENCE N 47°32'02" E a distance of 30.83 feet;
 THENCE N 22°03'23" E a distance of 33.68 feet;
 THENCE S 42°28'12" E a distance of 35.00 feet to a point of curvature of a tangent curve concave to the North;
 THENCE Southeasterly, Easterly and Northeasterly along the arc of said curve to the left, having a central angle of 90°00'00" and a radius of 45.00 feet for an arc distance of 70.69 feet to a point of tangency;
 THENCE N 47°31'48" E a distance of 115.23 feet to a point of curvature of a tangent curve concave to the Southeast;
 THENCE Northeasterly along the arc of said curve to the right, having a central angle of 30°00'23" and a radius of 120.00 feet for an arc distance of 62.85 feet to a point of reverse curvature of a tangent curve concave to the Northwest;

THENCE Northeasterly and Northerly along the arc of said curve to the left, having a central angle of $54^{\circ}03'56''$ and a radius of 210.00 feet for an arc distance of 198.16 feet to a point of reverse curvature of a tangent curve concave to the East;

THENCE Northerly along the arc of said curve to the right, having a central angle of $07^{\circ}44'33''$ and a radius of 100.00 feet for an arc distance of 13.51 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of $N 68^{\circ}00'39'' W$;

THENCE Northerly, Northeasterly and Easterly along the arc of said curve to the right, having a central angle of $65^{\circ}24'43''$ and a radius of 110.12 feet for an arc distance of 125.72 feet to a point of tangency;

THENCE $N 87^{\circ}34'27'' W$ a distance of 532.38 feet;

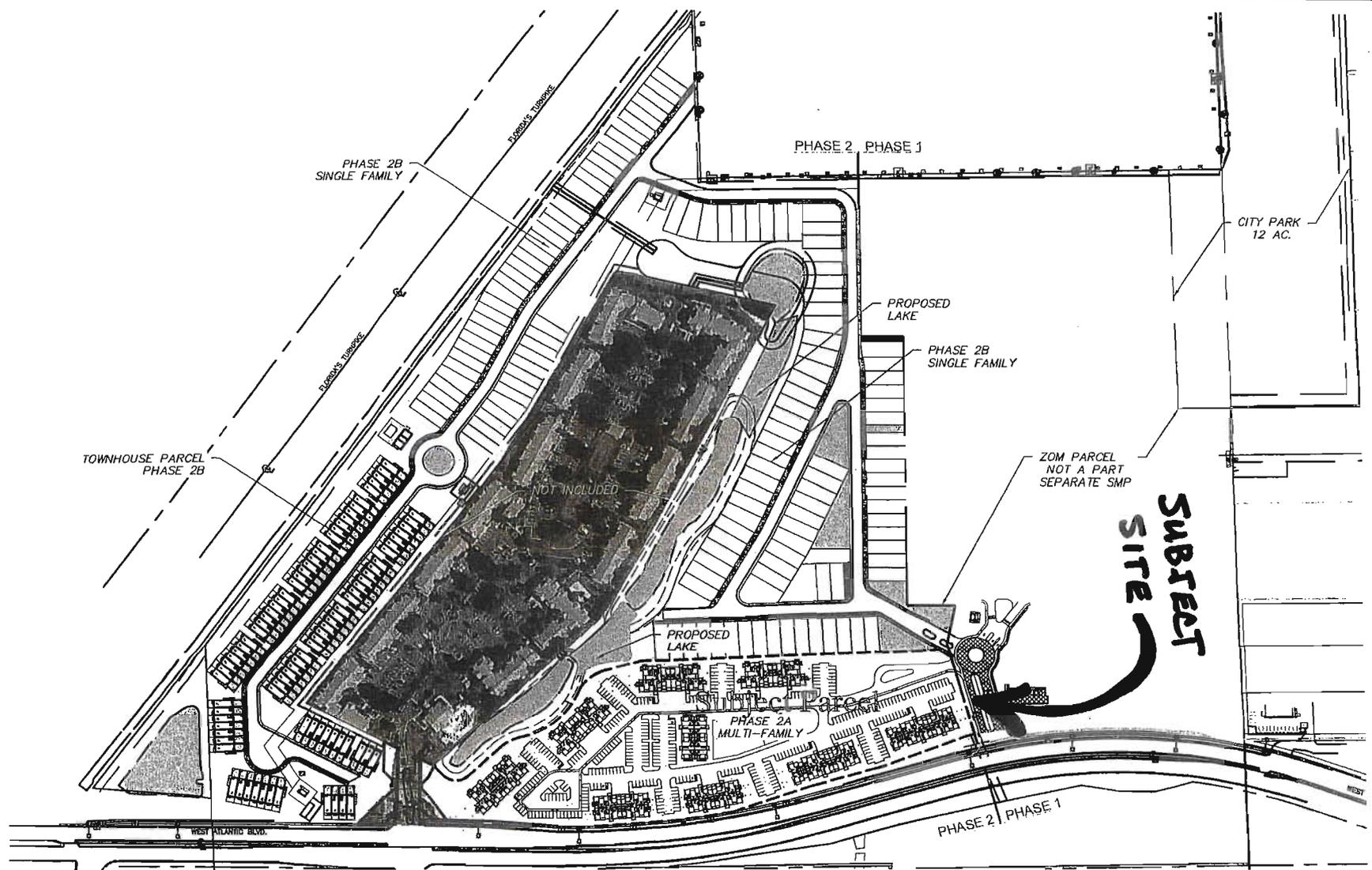
THENCE $S 65^{\circ}23'17'' E$ a distance of 44.00 feet;

THENCE $N 87^{\circ}34'27'' E$ a distance of 281.94 feet;

THENCE $S 15^{\circ}01'12'' E$ a distance of 219.39 feet;

Said land situate within the City of Pompano Beach, Broward County, Florida, containing 9.987 Acres, more or less.

M:\ESMASTER\Florida Crystals\Palms Aire\Drawings\Fig.1 - Proposed Site Plan.dwg
10/8/2014



0 250 500
SCALE IN FEET

Prepared For FLORIDA CRYSTALS	Project Name and Address FLORIDA CRYSTALS FORMER PALM AIRE GOLF COURSE	Sheet Title PROPOSED SITE PLAN
SCS ENGINEERS 7700 NORTH KENDALL DRIVE, SUITE 607 MIAMI, FLORIDA 33156 PH 305.412.8185 FX 305.412.8185	Project No. 09214130.00	Date OCTOBER 2014
		Sheet FIG. 1

EXHIBIT C

Notice of Community Meeting in Connection with Two Public Hearings to Consider Request for Designation of Property Located at or near 3211 North Palm Aire Drive as a Brownfield Area

Representatives for FCI Development Ten, LLC, will hold a community meeting on December 2, 2015, from 6:00 p.m. to 7:30 p.m. for the purpose of affording interested parties the opportunity to provide comments and suggestions about the potential designation of property located at 3211 North Palm Aire Drive, Pompano Beach, Broward County, Florida 33069, Folio Number 484232190021, as a Brownfield Area pursuant to Section 376.80, Florida Statutes. The community meeting will also address future development and rehabilitation activities planned for the site. This designation will require two public hearings before the Pompano Beach City Commission.

The community meeting will be held at the Jan Moran Collier City Learning Library, 2800 NW 9th Court, Pompano Beach, Broward County, Florida 33069, and is free and open to all members of the public.

For more information regarding the community meeting, including directions, the dates of the two public hearings, or to provide comments and suggestions regarding designation, development, or rehabilitation at any time before or after the meeting date, please contact Michael R. Goldstein, who can be reached by telephone at (305) 777-1682, U.S. Mail at The Goldstein Environmental Law Firm, P.A., 1 SE 3rd Avenue, Suite 2120, Miami, FL 33131, and/or email at mgoldstein@goldsteinenvlaw.com.

This E-Sheet confirms that the ad appeared in Sun-Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content displayed or contained on the electronic tearsheet.

Ad Number: 3871874-1 / PO# P Novaro
 Insertion Number: The Goldstein Environmental Law Fir...
 Size: 3 x 5.25 Local/B008/SB
 Color Type: B&W Community Meeting Schd

Police detail home invasion

By LINDA TRISCHITTA
 Staff writer

A gunman surprised a married couple in their bed Sunday night, when the wife and a house guest were shot during a home invasion, Davie Police said.

Jeff Reyes, 41, and his spouse, NestryMarie Mercado Soto, 29, were ambushed in their bedroom by a man armed with a pistol at about 8:50 p.m. at their house in the Sterling Townhomes community, a police report said.

Reyes gave the gunman his gold ring, hoping it would distract the intruder from Soto, police said.

But Soto was wounded by gunfire in both legs. Family friend Ramelo Devon Bunce, 19, of Hollywood, was shot in his chest, according to Sgt. Mark Leone. Davie Fire Rescue took Soto and Bunce to a hospital, he said.

A cellphone worth \$500 was stolen from another friend, Gilchrist Piedrahita, 25, of Davie, who was also at the home that is on the 3800 block of Northwest 76th Way, police said.

Piedrahita was ordered at gunpoint to keep his eyes on the ground, and could not provide a description of two suspects he saw run from the home, police said.

The gunman, who was wearing a red beanie, and another man are being sought by investigators. They may have driven away in a silver Chevrolet Cobalt or small SUV, Leone said.

Davie Police ask anyone with information to call 954-493-8200 or Broward County Crime Stoppers at 954-493-8477. Crime Stoppers accepts anonymous tips and will pay up to \$3,000 for an information that leads to an arrest.

Drug smuggler pleads guilty

By JAY WEAVER
 The Miami Herald

A South Florida man believed to be the first suspect charged locally with smuggling deadly synthetic heroin from overseas through the U.S. mail pleaded guilty on Wednesday in Fort Lauderdale federal court.

The conviction of Adolpho Joseph on charges of conspiring to distribute fentanyl and its heroin-like variants, along with gun possession by a felon, followed a circuitous investigative trail from China to Canada to South Florida.

Joseph, 34, of Miramar, faces up to 20 years in prison at his sentencing on March 18 before U.S. District Judge James Cohn.

Drug Enforcement Administrative agents uncovered Joseph's supplier in Canada, who had bought packages of synthetic heroin from lais in China, according to a criminal complaint.

The Canadian trafficker, a Colombian national, used a contraband cellphone to make his global deals over the Internet while serving time in a Canadian prison outside Montreal, federal prosecutors say.

The feds indicted the Colombian, Daniel Ceron, and members of his ring in July Ceron was arrested in Panama while on a layover to be deported after finishing his drug-trafficking and attempted-murder sentence in Canada.

Inside Ceron's prison cell, investigators found a phone and a ledger with Joseph's name and the address of a Pembroke Pines private-mail facility. Below the notation, DEA agents found six tracking numbers for mail packages that had been sent from Canada.

Joseph had been exchanging emails and buying

pill from the inmate's ring according to the criminal complaint filed by prosecutor Anita White. One package seized by agents intended for Joseph contained 14.9 grams of fentanyl, potentially worth millions on the street.

According to the criminal complaint, DEA Agent Michael Baum created an account with a private-messaging app and began posing as Ceron. Joseph sent him nearly \$3,000 in Bitcoin payments for one kilogram of "acetyl fentanyl" — a variant of the drug — to be shipped to a woman in Maine.

Joseph, arrested Sept. 24 in Miami Gardens, was eventually indicted on charges of conspiring to import and distribute fentanyl. Investigators believe that while driving his silver Mercedes, he was involved in a shooting with an unknown person in another

car. He was also arrested on a state charge of possession of a firearm by a convicted felon.

Agents tracked down Joseph in their stepped-up efforts to slow the pipeline of synthetic drugs from China, which has helped fuel a spike in fentanyl-related deaths. Statistics from the Florida Department of Law Enforcement show that deaths caused by fentanyl overdoses statewide jumped 184 percent in 2014 over the previous year.

Fentanyl and its chemical variants, which are often laced into heroin, have been flagged by public health authorities as the most lethal synthetic drugs pouring into the United States.

The fast-acting painkiller has been used as a surgical anesthetic for decades, but in recent years, synthetically made versions of the drug exported from China and other countries have made their way to the United States and Canada.

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Notice of Community Meeting and Public Hearings to Consider Request for Designation of Property Located at 100 NW 33rd Avenue, Pompano Beach, Broward County, FL 33069 as a Brownfield Area

Representatives for FCI Development Ten, LLC, will hold a community meeting on January 13, 2016, from 6:00 p.m. to 7:30 p.m. for the purpose of affording interested parties the opportunity to provide comments and suggestions about the potential designation of property located at 100 NW 33rd Avenue, Pompano Beach, Broward County, FL 33069, Folio Number 484232190021, as a Brownfield Area pursuant to Section 376.80, Florida Statutes. The community meeting will also address future development and rehabilitation activities planned for the site. This designation will require two public hearings before the Pompano Beach City Commission, which are scheduled to take place on January 26, 2016, and February 9, 2016.

The community meeting will be held at the Jan Moran Collier City Learning Library, 2800 NW 9th Court, Pompano Beach, Broward County, Florida 33069. The public hearings will be held at Pompano Beach City Hall in the City Commission Chambers, 100 West Atlantic Boulevard, Pompano Beach, Florida 33060.

For more information regarding the community meeting or the public hearings, including directions, or to provide comments and suggestions regarding designation, development, or rehabilitation at any time before or after the community meeting date, please contact Michael R. Goldstein, who can be reached by telephone at (305) 777-1882, U.S. Mail at The Goldstein Environmental Law Firm, P.A., 1 SE 9th Avenue, Suite 2120, Miami, FL 33131, and/or email at mgoldstein@goldsteinenvlaw.com.

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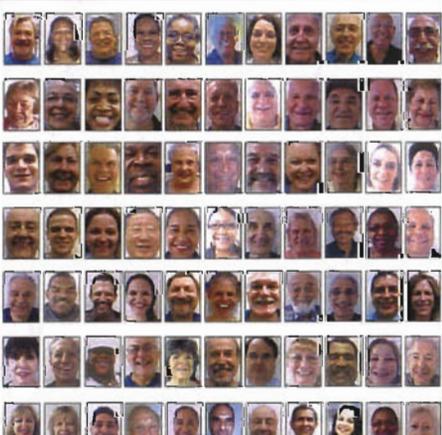
PRE-REGISTRATION
 *EVENT DAY REGISTRATION \$35.00
 NO REFUNDS. EVENT WILL TAKE PLACE RAIN OR SHINE.
 RUN/WALK IN CONJUNCTION WITH THE ROTARY CLUB OF MIRAMAR-PINES
MIRAMAR REGIONAL PARK 16801 MIRAMAR PKWY, MIRAMAR, FL 33027



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For more information & to pre-register visit our website or contact The Mourning Family Foundation at (305) 476-0095

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Posted: 2015-12-29 3:27pm

Notice of Community Meeting (Pompano Beach)

Notice of Community Meeting and Public Hearings to Consider Request for Designation of Property Located at 100 NW 33rd Avenue, Pompano Beach, Broward County, FL 33069 as a Brownfield Area

Representatives for FCI Development Ten, LLC, will hold a community meeting on January 13, 2016, from 6:00 p.m. to 7:30 p.m. for the purpose of affording interested parties the opportunity to provide comments and suggestions about the potential designation of property located at 100 NW 33rd Avenue, Pompano Beach, Broward County, FL 33069, Folio Number 484232190021, as a Brownfield Area pursuant to Section 376.80, Florida Statutes. The community meeting will also address future development and rehabilitation activities planned for the site. This designation will require two public hearings before the Pompano Beach City Commission, which are scheduled to take place on January 26, 2016, and February 9, 2016. The community meeting will be held at the Jan Moran Collier City Learning Library, 2800 NW 9th Court, Pompano Beach, Broward County, Florida 33069. The public hearings will be held at Pompano Beach City Hall in the City Commission Chambers, 100 West Atlantic Boulevard, Pompano Beach, Florida 33060. For more information regarding the community meeting or the public hearings, including directions, or to provide comments and suggestions regarding designation, development, or rehabilitation at any time before or after the community meeting date, please contact Michael R. Goldstein, who can be reached by telephone at (305) 777-1682, U.S. Mail at The Goldstein Environmental Law Firm, P.A., 1 SE 3rd Avenue, Suite 2120, Miami, FL 33131, and/or email at mgoldstein@goldsteinenvlaw.com



• do NOT contact me with unsolicited services or offers



NOTICE TO THE PUBLIC
The following information is being provided to the public for their information. This information is not intended to be used for any other purpose. The information is provided as a public service and is not intended to be used for any other purpose. The information is provided as a public service and is not intended to be used for any other purpose.

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Community Meeting Sign-In Sheet

FCI DEVELOPMENT TEN, LLC

Property Location: 3211 North Palm Aire Drive, Pompano Beach, FL 33069

Date: Wednesday, December 2, 2015

Time: 6:00PM – 7:30PM

**Meeting Location: Jan Moran Collier City Learning Library
2800 NW 9th Court, Pompano Beach, FL 33069**

Name	Address	Phone Number	Email	Organization
VICENTE THAWEN	1090 NW 6th Ave Pompano Beach	954-601-7788		Pompano Beach Council
JANELA MCGARHEL	2344 N. W 4 th Pompano Beach, FL 33069	954-548-6649		
Phyllis Smith	2437 NW 4 Ct Pompano Beach, FL 33069	954-971-1062	Miss-Pretty P@ bellsouth.net	Northwest Pompano Beach Civic Assoc Intirium President
BARRY MOSS	305 CYPRESS BLVD. POMPANO BEACH, 33069	954-973-3705		
Rebecca O Johnson	1261 NW 24th AVE Pompano Beach, FL 33069	954-278-0672	rdjohnson1261@yahoo.com	Northwest Pompano Beach Civic Assoc. Secretary
Darlene Brown Ponder	611 N.W. 31 Ave Pompano Beach, FL 33069	954-254-8286	+1 cadu H daycare & aol.com	Tender Loving Care Adult Day Health Center
Willie L. Lawson	510 E. 1st St Pompano Beach, FL 33069	954-659-1487	WillieLawson3 @AOL.com	New Alliance

now
to
*
Phyllis Smith

soil
754-254-8286
*
Darlene Brown Ponder

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 15-12000013

A DEVELOPMENT ORDER ISSUED BY THE PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY) OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO CHAPTER 155 OF THE CODE OF ORDINANCES; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR FCI DEVELOPMENT TEN, LLC.

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the project referenced above as a Major Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to issue a final development order for the subject project to construct nine (9) new three-story multi-family buildings with a total of 210 residential units, a club house building, dog park, tot lot, bike path, associated parking, and landscape improvements. The property is located at W. Atlantic Blvd.; more specifically described in the legal description below.

A PARCEL OF LAND BEING A PORTION OF THE SOUTH ONE-HALF (S 1/2) OF SECTION 32, TOWNSHIP 48 SOUTH, RANGE 42 EAST, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 32;
THENCE ON AN ASSUMED BEARING OF N 01°22'47" W ALONG THE EAST LINE OF SAID SECTION 32, A DISTANCE OF 365.78 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST ATLANTIC BOULEVARD AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY NUMBER 410055, SECTION 86130-2504, SHEET 12 OF 18, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TEXACO-POMPANO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGE 10, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N 11°21'03" E;
NEXT 14 COURSES ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF W. ATLANTIC BOULEVARD;
THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 02°27'04" AND A RADIUS OF 1587.89 FEET FOR AN ARC DISTANCE OF 67.93 FEET TO A POINT ON A NON-TANGENT LINE;
THENCE N 67°56'40" W A DISTANCE OF 164.17 FEET;
THENCE N 89°26'43" W A DISTANCE OF 160.24 FEET;
THENCE S 76°08'26" W A DISTANCE OF 54.19 FEET;
THENCE S 82°47'08" W A DISTANCE OF 240.26 FEET;
THENCE S 76°36'32" W A DISTANCE OF 20.77 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE S 76°36'32" W A DISTANCE OF 21.85 FEET;
THENCE S 69°19'34" W A DISTANCE OF 238.14 FEET;
THENCE S 73°55'06" W A DISTANCE OF 182.76 FEET;
THENCE S 71°12'48" W A DISTANCE OF 211.47 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF S 10°39'02" E;

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 15-12000013 Atlantico at Palm Aire

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THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 11°32'32" AND A RADIUS OF 2231.83 FEET FOR AN ARC DISTANCE OF 449.60 FEET TO A POINT OF TANGENCY;
THENCE N 89°06'30" W A DISTANCE OF 0.13 FEET;
THENCE N 85°20'44" W A DISTANCE OF 180.40 FEET;
THENCE N 89°06'30" W A DISTANCE OF 111.27 FEET;
THENCE N 35°03'08" W A DISTANCE OF 78.33 FEET;
THENCE N 42°27'58" W A DISTANCE OF 30.83 FEET;
THENCE N 02°32'02" E A DISTANCE OF 6.52 FEET;
THENCE N 47°32'02" E A DISTANCE OF 30.83 FEET;
THENCE N 22°03'23" E A DISTANCE OF 33.68 FEET;
THENCE S 42°28'12" E A DISTANCE OF 35.00 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTH;
THENCE SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 45.00 FEET FOR AN ARC DISTANCE OF 70.69 FEET TO A POINT OF TANGENCY;
THENCE N 47°31'48" E A DISTANCE OF 115.23 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST;
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 30°00'23" AND A RADIUS OF 120.00 FEET FOR AN ARC DISTANCE OF 62.85 FEET TO A POINT OF REVERSE CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHWEST;
THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 54°03'56" AND A RADIUS OF 210.00 FEET FOR AN ARC DISTANCE OF 198.16 FEET TO A POINT OF REVERSE CURVATURE OF A TANGENT CURVE CONCAVE TO THE EAST;
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 07°44'33" AND A RADIUS OF 100.00 FEET FOR AN ARC DISTANCE OF 13.51 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N 68°00'39" W;
THENCE NORTHERLY, NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 65°24'43" AND A RADIUS OF 110.12 FEET FOR AN ARC DISTANCE OF 125.72 FEET TO A POINT OF TANGENCY;
THENCE N 87°34'27" W A DISTANCE OF 532.38 FEET;
THENCE S 65°23'17" E A DISTANCE OF 44.00 FEET;
THENCE N 87°34'27" E A DISTANCE OF 281.94 FEET;
THENCE S 15°01'12" E A DISTANCE OF 219.39 FEET;

SAID LAND SITUATE WITHIN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 9.987 ACRES, MORE OR LESS.

WHEREAS, the Development Review Committee has met to review this project and has provided the applicant with written comments; and

WHEREAS, the Application for Development Permit is not in compliance with the applicable standards and minimum requirements of this Code, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

WHEREAS, copies of the survey and final site plan are on file with the Department of Development Services, stamped with the meeting date of August 26, 2015.

The Application for Development Permit is hereby approved by the Planning and Zoning Board (Local Planning Agency) subject to the following conditions and bases therefore:

1. Approval of the site plan is contingent upon the final approval of the revised Minor Deviation with the revised Phasing Plan for the RPUD.
2. Provide a Cross Access Easement Agreement for the proposed northbound egress-only gated access, to be reviewed and approved by the City Commission, prior to building permit approval.
3. Prior to building permit approval, provide proof of an easement agreement demonstrating a lawfully paved access to a public street.
4. Emergency access is located in an NVAL line. Submit a plat note amendment requesting a change to the NVAL line or provide documentation that emergency access is permitted at this location, prior to building permit approval.
5. Indicate that the proposed 6" X 4" force main connection shall have a mechanical joint tapping saddle with a 4" plug valve.
6. Provide a note on civil drawing WS2 that the location of existing plug valves on the 6" force main is in the vicinity of the proposed sewer force main tap.
7. Provide documentation regarding the additional lift station stating any potential impact to the existing 6" force main and if the existing service can accommodate the additional demand.
8. Indicate on the Landscape plan that street trees shall not be placed on top of or within 5 feet of either side of any City owned utility infrastructure. Also, please note that no trees, shrubbery or obstruction shall be placed within a 3' radius of a City owned sewer lateral cleanout or water meter.
9. Applicant shall provide evidence that the project will achieve at least ten sustainable development points, prior to building permit approval.
10. Landscape & irrigation plans must meet zoning code requirements.

Be advised that pursuant to Section 155.2407 (G) of the Pompano Beach Code of Ordinances, a DEVELOPMENT ORDER for a site plan application shall remain in effect for a period of 24 months from the date of its issuance.

Heard before the Planning and Zoning Board/Local Planning Agency and Ordered this 26th day of August, 2015.


Jerry Mills Date
Vice Chairman
Planning and Zoning Board/Local Planning Agency

Filed with the Advisory Board Secretary this 8th day of September, 2015.



KERRIE MACNEIL
Zoning Technician

