



CITY OF POMPANO BEACH  
FLORIDA

**CITY HALL OFFICES:**

100 W. Atlantic Boulevard  
Pompano Beach, Florida  
PHONE: (954) 786-5554

Visit Our Website At:  
<http://www.pompanobeachfl.gov>

**MAILING ADDRESS:**

City of Pompano Beach  
P.O. Box 1300  
Pompano Beach, FL 33061

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PLANNING AND ZONING BOARD/LOCAL  
PLANNING AGENCY

November 15<sup>th</sup>, 2017  
Wednesday

City Commission Chambers

7:00 P.M.

**AGENDA**

A. Call to order by the Chairman of the Board, Mr. Fred Stacer.

**B. ROLL CALL:**

- Fred Stacer
- Tony Hill
- Dwight Evans
- Jerry Mills
- Richard Klosiewicz
- Rhonda Eaton

**C. MOMENT OF SILENCE**

**D. APPROVAL OF THE MINUTES:**

Approval of the minutes of the meeting on October 25<sup>th</sup>, 2017.

**E. INDIVIDUALS TESTIFYING PLACED UNDER OATH**

**F.      ZONING MAP AMENDMENTS (REZONING)**

**1.      1380 S OCEAN BOULEVARD FL, LLC / 1380 S OCEAN BOULEVARD  
Planning and Zoning #16-1300005**

Consideration of the request by **STEPHANIE TOOTHAKER** on behalf of **1380 S OCEAN BOULEVARD FL, LLC** to rezone the property from RM-45/HR (Multiple-Family Residence/45 High-Rise Overlay District) to PD-I (Planned Development - Infill). This property is 4.61 net acres (5.2 gross acres) and the address is 1380 S. Ocean Boulevard. The general location is the east and west sides of A1A (a.k.a. South Ocean Boulevard), approximately 500 feet north of Terra Mar Drive. The parcel is currently vacant. As part of the rezoning application, the applicant is requesting 239 residential dwelling units and 3,000 square feet of ancillary spa/personal services establishment (open to residents and guests only). The property is legally described as follows:

PARCEL "A" AND PARCEL "B" OF BF POMPANO PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 180, AT PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ALONG WITH

A PORTION OF THE EAST ONE-HALF OF SPANISH RIVER (100 FOOT RIGHT-OF-WAY) IN SECTION 6, TOWNSHIP 49 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BOUNDED AS FOLLOWS: ON THE WEST BY THE CENTERLINE OF SAID SPANISH RIVER; ON THE NORTH BY THE WESTERLY EXTENSION OF THE NORTHLINE OF PARCEL "B", BF POMPANO PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 180, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; ON THE EAST BY THE WEST LINE OF SAID PARCEL "B" AND ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID PARCEL "B".

AKA: 1380 S Ocean Boulevard

ZONED: RM-45/HR (Multiple-Family Residence 45/High-Rise Overlay District)

TO: PD-I (Planned Development - Infill)

STAFF CONTACT: Jae Eun Kim (954) 545-7778

**2.      MOUNT VERNON PROPERTY HOLDINGS, LLC / OCEAN PARK BEACH RESIDENCES  
Planning and Zoning #16-1300001**

Consideration of the request by **HOPE CALHOUN** on behalf of **MOUNT VERNON PROPERTY HOLDINGS, LLC** to rezone the property from RM-45 (Multiple-Family Residence 45) to PD-I (Planned Development - Infill). This property is 0.62 net acres (including a future ROW dedication along A1A) and 0.86 gross acres. The address is 1508 N Ocean Boulevard. The general location is the southeast corner of the intersection of A1A and NE 16 Street. The parcel is currently vacant. As part of the rezoning application, the applicant is requesting 36 multi-

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Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // ME

family dwelling units in a 22 story building. The building is made up of two 18 story towers over a three floor podium with a pool and amenity deck on level four. The project also includes 2,000 square feet of commercial uses, and of those commercial uses, 1,200 square feet is proposed for retail. The project has also offered an office or staging space for the Sea Turtle Conservation organization. The property is legally described as follows:

THE WEST 300 FEET OF LOT 20 OF THE "EAST COAST FINANCE CORPORATION'S SUBDIVISION OF GOVERNMENT LOT 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 48, RANGE 43 EAST.

LESS THE FOLLOWING:

COMMENCE AT NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29; THENCE ON AN ASSUMED BEARING, SOUTH 00°01'26" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 29, A DISTANCE OF 700.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0°01'26" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4) A DISTANCE OF 100.00 FEET; THENCE NORTH 89°37'56" EAST A DISTANCE OF 29.84 FEET; THENCE NORTH 00°20'27" WEST A DISTANCE OF 99.99 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 20, SAID LINE ALSO BEING THE EXISTING SOUTH R/W LINE OF N.E. 16TH STREET; THENCE SOUTH 89°39'19" WEST A DISTANCE OF 29.20 FEET TO THE POINT OF BEGINNING.

AKA: 1508 N Ocean Boulevard  
ZONED: RM-45 (Multiple-Family Residence 45)  
TO: PD-I (Planned Development - Infill)  
STAFF CONTACT: Jae Eun Kim (954) 545-7778

**3.      MLEF 1-2 LLC / POMPANO BEACH BUSINESS PARK**  
**Planning and Zoning #17-13000004**

Consideration of the request by **JAMES KAHN** on behalf of **MLEF 1-2 LLC** to rezone the property from B-3 (General Business) to B-4 (Heavy Business). This property is a 4.36-acre site and is located on NW 31st Avenue approximately 500 feet south of Dr. Martin Luther King Jr. Blvd. The applicant is requesting to intensify the Commercial designation from B-3 (General Commercial) to B-4 (Heavy Business) in order to develop the "Pompano Beach Business Park". The intent of the rezoning is primarily to allow the business park to include the use of "Contractor's Office". The property is legally described as follows:

PARCEL 'C' OF THE LANIER PLAT, AS RECORDED IN PLAT BOOK 180, PAGE 182 OF THE BROWARD COUNTY RECORDS.

AKA: NW 31st Avenue  
ZONED: B-3 (General Business)  
TO: B-4 (Heavy Business)  
STAFF CONTACT: Maggie Barszewski (954)786-7921

**G.      SITE PLAN REVIEWS**

**4.              MLEF 1-2 LLC / POMPANO BEACH BUSINESS PARK**  
**Planning and Zoning #17-1200029**

Consideration of the MAJOR SITE PLAN submitted by **JAMES KAHN** on behalf of **MLEF 1-2 LLC** in order to construct a warehouse storage facility with ancillary office-showroom. The project consists of three one-story buildings, loading areas, and associated landscaping and parking improvements. The applicant is concurrently requesting rezoning approval from B-3 (General Business) to B-4 (Heavy Business) to allow the warehouse storage use. The property is currently vacant. The combined building footprint will be 54,121 sq. ft. on a 190,070 sq. ft. (4.36 acres) site (28.5% lot coverage). The property is located east of NW 31st Avenue, west of Canal Parcel 240 and south of Martin Luther King Blvd. All parcels are legally defined as follows:

PARCEL 'C' OF THE LANIER PLAT, AS RECORDED IN PLAT BOOK 180, PAGE 182 OF THE BROWARD COUNTY RECORDS.

AKA: NW 31st Avenue  
ZONED: B-3 (General Business)  
STAFF CONTACT: Pamela Stanton (954) 786-5561

**5.              TOP SELF STORAGE THREE, LLC / TOP SELF STORAGE**  
**Planning and Zoning #17-1200028**

Consideration of the MAJOR SITE PLAN submitted by **FRANK PEREZ** on behalf of **TOP SELF STORAGE THREE, LLC** in order to construct nine self-storage buildings and associated site improvements on a currently vacant site. The project consists of one (1) three-story, 94,500 sq. ft., air-conditioned self-storage facility with approximately 2,000 sq. ft. of office space as well as eight (8) single-story, non-air-conditioned, drive up style self-storage buildings totaling 86,518 sq. ft. The project also consists of customer loading areas, parking and landscape improvements. The total building footprint is 118,018 sq. ft. on a 315,630 sq. ft. (7.25 acre) site (37.39% lot coverage). The property is located on the north side of Dr. Martin Luther King Jr. Blvd. between Blount Road and NW 27th Avenue, legally defined as follows:

ALL THAT PART OF THE EAST ONE-HALF (E 1/2), OF THE SOUTHWEST ONE-QUARTER (SW 1/4), OF THE SOUTHEAST ONE-QUARTER (SE 1/4), OF THE SOUTHWEST ONE-QUARTER (SW 1/4), OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF THE SAID EAST 1/2, OF THE SW 1/4, OF THE SE 1/4, OF THE SW 1/4; THENCE NORTH 89°59'26" EAST, ALONG THE NORTH LINE THEREOF, 172.68 FEET; THENCE SOUTH 00°13'16" EAST, 378.50 FEET; THENCE NORTH 89°53'28" EAST, 90.46 FEET; THENCE SOUTH 00°13'34" EAST, 250.00 FEET; THENCE

SOUTH 89°53'28" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD, 193.24 FEET; THENCE NORTH 00°12'59" WEST, 100.00 FEET; THENCE SOUTH 89°53'28" WEST, 70.00 FEET; THENCE NORTH 00°12'59" WEST, ALONG THE WEST LINE OF THE SAID E 1/2, OF THE SW 1/4, OF THE SE 1/4, OF THE SW 1/4, 528.80 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE NORTH ONE-HALF (N 1/2), OF ALL THAT PART OF THE WEST ONE-HALF (W 1/2), OF THE SOUTHEAST ONE-QUARTER (SE 1/4), OF THE SOUTHEAST ONE-QUARTER (SE 1/4), OF THE SOUTHWEST ONE-QUARTER (SW 1/4), OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, LYING NORTH OF THE RIGHT-OF-WAY OF HAMMONDVILLE ROAD.

TOGETHER WITH:

A PORTION OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28; THENCE DUE EAST ALONG THE SOUTH LINE OF SAID SECTION 28, A DISTANCE OF 672.90 FEET; THENCE NORTH 00°13'34" EAST ALONG THE EAST LINE OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28, A DISTANCE OF 40.79 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD AND TO THE POINT OF BEGINNING; THENCE SOUTH 89°53'28" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 73.24 FEET; THENCE NORTH 00°13'34" WEST, A DISTANCE OF 250.00 FEET; THENCE SOUTH 89°53'28" WEST, ALONG A LINE 250.00 FEET NORTH OF AND PARALLEL WITH THE SAID NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD, A DISTANCE OF 90.46 FEET; THENCE NORTH 00°13'16" WEST, A DISTANCE OF 378.50 FEET; THENCE NORTH 89°59'26" EAST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28, A DISTANCE OF 163.66 FEET; THENCE SOUTH 00°13'34" EAST, ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) A DISTANCE OF 628.16 FEET TO THE POINT OF BEGINNING.

LESS THE SOUTH 3 FEET THEREOF FOR RIGHT-OF-WAY DEDICATION AS RECORDED IN OFFICIAL RECORDS BOOK 43686, PAGE 1034, BROWARD COUNTY RECORDS.

ALSO LESS:

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID PARCEL "A", "WALTON SITE" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 138, PAGE 42, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°53'32" WEST ON THE NORTH LINE OF A 3 FOOT RIGHT-OF-WAY DEDICATION FOR HAMMONDVILLE ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 43686, PAGE 1039 OF SAID PUBLIC RECORDS 106.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°53'32" WEST ON SAID RIGHT-OF-WAY DEDICATION LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF SAID HAMMONDVILLE ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 43686, PAGE 1034 OF SAID PUBLIC RECORDS FOR 40.00 FEET; THENCE NORTH 00°12'03" WEST 13.00 FEET; THENCE NORTH 89°53'32" EAST 40.00 FEET; THENCE SOUTH 00°12'03" EAST 13.00 FEET TO THE POINT OF BEGINNING.

AKA: 2855 Martin Luther King Jr. Boulevard

ZONED: B-4 (Heavy Business)

STAFF CONTACT: Kerrie MacNeil (954) 786-4662

**6. 16<sup>th</sup> STREET POMPANO BEACH, LLC / 16<sup>th</sup> STREET POMPANO  
Planning and Zoning #17-12000034**

Consideration of the MAJOR SITE PLAN submitted by **MICHAEL MCCARTHY** on behalf of **16<sup>TH</sup> STREET POMPANO BEACH, LLC** in order to construct a new warehouse building with ancillary office, along

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with associated parking and landscaping. The site is currently vacant and will be completely redeveloped. The total building footprint is 75,804 sq. ft. on a 224,098 sq. ft. (5.14 acre) site (33.8% lot coverage). The property is located at the terminus of NW 16th Street, east of N Powerline Road, legally defined as follows:

TRACT "A", OF 16TH STREET POMPANO BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 183, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.  
FORMERLY KNOWN AS: THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.

AKA: 1840 NW 16 Street  
ZONED: I-1 (General Industrial)  
STAFF CONTACT: Scott Reale (954) 786-4667

**H. OTHER BUSINESS**

**7. COMPREHENSIVE PLAN TEXT AMENDMENT: EVALUATION AND APPRAISAL REPORT (EAR)-BASED AMENDMENTS FOR THE COMPREHENSIVE PLAN**

In order to meet the statutory requirements related to periodic updates to the City's Comprehensive Plan as stated in F.S. 163.3191, staff has prepared amendments to the Coastal Zone Management Element that address the new regulations regarding flood hazards as found in F.S. 163.3178(2)(f). Staff is recommending approval of the text amendments to the Goals, Objectives, and Policies in the Coastal Zone Management Element of the Comprehensive Plan.

**8. CHAPTER 155 ZONING CODE TEXT AMENDMENTS: MEDICAL MARIJUANA**

The City's 6-month moratorium on Medical Marijuana is set to expire on January 25, 2018. Therefore, staff has prepared amendments to the City's Medical Marijuana Ordinance 2017-42, which was adopted prior to the enactment of the State Medical Marijuana regulations in F.S. 381.986. The proposed text amendments maintain the City's regulation on the location of certain medical marijuana related businesses while adopting a ban on medical marijuana dispensaries as allowed by F.S. 381.986.

**9. CHAPTER 155 ZONING CODE TEXT AMENDMENTS, PARKS AND PLAZAS**

Staff is recommending approval of the text amendments to the definition and use-specific standards for 155.4210.D: Park and Plaza.

**10.        BOARD ELECTIONS**

The board shall elect a Chairperson and Vice-Chairperson for a term of one year.

**I.        AUDIENCE TO BE HEARD**

**J.        BOARD MEMBERS DISCUSSION**

**K.        REPORTS BY STAFF**

**L.        ADJOURNMENT**