



SM

CITY OF

POMPANO BEACH

FLORIDA

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PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY

July 22, 2009
Wednesday

City Commission Chambers

7:00 P.M.

AGENDA

A. Call to order by the Vice Chairman of the Board, Mr. Jim Beeson.

B. ROLL CALL:

Jim Beeson
Ben Miller
Fred Stacer
Jerry Mills
Joan Kovac
Jeff Torrey

Alternate Member: Kevin Crousillat for John Moore

C. APPROVAL OF THE MINUTES:

Special Meeting of June 24, 2009
Regular Meeting of June 24, 2009

D. INDIVIDUALS TESTIFYING PLACED UNDER OATH

E. SITE PLAN REVIEWS

1. CITY OF POMPANO BEACH - Planning & Zoning No. 09-12000004

The Board considered the plans submitted by **ROB MC CAUGHAN** on behalf of the **CITY OF POMPANO BEACH** for construction of a Dog Park for large and small dogs on the following described property:

Parcel "C", POMPANO BEACH AIR PARK AND RECREATION FACILITIES PLAT, according to the plat thereof as recorded in Plat Book 149, Page 20, of the public records of Broward County, Florida, containing approximately 2.6 acres.

AKA: 1101 N. Federal Highway ZONED: PR

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2. Q.T. PI, INC. - Planning & Zoning No. 09-12000011

Consideration of the plans submitted by **GREG JONES** on behalf of **Q.T. PI, INC.** for construction of a 25,695 square foot warehouse/office building on the following described property:

A parcel of land in the Southeast one-quarter of the Southeast one-quarter of Section 4, Township 49 South, Range 42 East, more fully described as follows:

Commencing at the Southeast corner of the said Southeast one-quarter of Section 4; thence Westerly along the South line of the said Southeast one-quarter of Section 4, a distance of 1279.78 feet; thence Northerly along a line which is 30 feet East of and parallel to the West line of the Southeast one-quarter of the Southeast one-quarter of Section 4, making an angle in the Northeast quadrant of 88^ 25' 04", a distance of 254.90 feet to the Point of Beginning; thence continuing Northerly along the last mentioned course a distance of 313 feet; thence Easterly making an included angle of 89^ 56' 59" a distance of 239 feet; thence Southerly perpendicular to the last mentioned course a distance of 313 feet; thence Westerly perpendicular to the last mentioned course a distance of 238.72 feet to the Point of Beginning, containing 1.716 acres, more or less.

AKA: 1440 S.W. 28th Avenue ZONED: I-1

REQUEST FOR ADJUSTMENT OF DEVELOPMENT STANDARDS

Petitioner requests an ADJUSTMENT from the provisions of Section 155.131 (C) (1) of Chapter 155 of the Code of Ordinances in order to allow a five foot (5') wide east side (rear) perimeter landscape strip, rather than provide a ten foot (10') wide landscape strip as required by the Code (representing a 50% Adjustment).

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3. **CITY OF POMPANO BEACH - Planning & Zoning No. 09-12000016**

Consideration of the plans submitted by **PAT GALUPPI** on behalf of the **CITY OF POMPANO BEACH** for construction of a 1,700 square foot addition to an existing building for storage on the following described property which currently contains an existing 6,865 square foot restaurant and clubhouse building:

A portion of Parcel "G", POMPANO BEACH AIR PARK AND RECREATION FACILITIES PLAT, according to the plat thereof as recorded in Plat Book 149, Page 20 of the public records of Broward County, Florida.

AKA: 1103 N. Federal Highway (Galuppi's on the Green)

ZONED: PR

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4. **POMPANO CENTER OF COMMERCE, LLC-Planning and Zoning No. 07-12000038**

Consideration of the plans submitted by **MARK BUTTERS** on behalf of **POMPANO CENTER OF COMMERCE, LLC.** for the construction of four warehouse buildings on the following described property consisting of approximately 16.06 acres:

Parcel "C", POMPANO CENTER EXCHANGE PLAT according to the plat thereof as recorded in Plat Book 175, Page 170 of the public records of Broward County, Florida.

AKA: 1700 Block of N.W. 15th Avenue ZONED: OIP/I-1

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5. **CAPTIVA ASSOCIATES, LLC. - Planning & Zoning No. 09-12000008**

Consideration of the plans submitted by **CARLOS ORTIZ** on behalf of **CAPTIVA ASSOCIATES, LLC.** for construction of a 360 unit apartment complex on the following described property:

CAPTIVA CLUB PLAT as recorded in Plat Book 176,

AKA: 1201 S. Dixie Highway West

ZONED: RM-20

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F. PUBLIC HEARINGS

6. PUBLIC HEARING #09-25

Consideration of the request by **SHOAL CREEK PROPERTIES POMPANO, LLC.** to rezone the following described properties:

Parcel 1:

Lot 8, Block 32, POMPANO BEACH HIGHLANDS 3RD SECTION, according to the plat thereof as recorded in Plat Book 39, Page 31, of the public records of Broward County, Florida, containing 7,894.5 square feet.

FROM: RPUD (Residential Planned Unit Development)
TO: RS-3 (Single Family Residence)

Parcel 2:

All that part of the North one-half of the Northeast one-quarter of the Northwest one-quarter of Section 18, Township 48 South, Range 43 East, lying West of the West right of way line of State Road No. 5, (formerly State Road No. 4/U.S. Highway No. 1) commonly known as Federal Highway, lying South of a line parallel to and 526.67 feet South of the North line of said North one-half of the Northeast one-quarter of the Northwest one-quarter of said Section 18; together with:

That portion of the Southeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 18, Township 48 South, Range 43 East, lying West of the West right of way line of State Road No. 4, also known as Federal Highway, as now located and established, which is described as follows:

Beginning at the Northwest corner of the Southeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of Said Section 18, thence running North 89° 07' 30" East, a distance of 446.8 feet to the West boundary line of said State Road No. 4, also known as Federal Highway, as now located and established; thence South 07° 15' 30" West, along the West boundary of said highway, a distance of 150 feet to a point; thence South 89° 07' 30" West, a distance of 426.27 feet to a point on the West line of the Southeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 18; thence North 00° 36' 30" West, along the West line of the Southeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 18, a distance of 148.5 feet to the Point of Beginning; together with:

A portion of the South 99.05 feet of the North 526.67 feet of that part of the North one-half of the Northeast one-quarter of the Northwest one-quarter lying West of the right of way of Federal Highway in Section 18, Township 48 South, Range 43 East, described as follows:

Beginning at a point on the Southerly boundary of the above described property 1135.65 feet West of the Southeast corner thereof; thence North along the Westerly boundary thereof 79.05 feet to a point; thence East parallel with the Southerly boundary thereof 80 feet to a point; thence South parallel with the Westerly boundary thereof 79.05 feet to the Southerly boundary; thence West along the said Southerly boundary 80

feet to the Point of Beginning, containing 224,178.5 square feet, or 5.146 acres, more or less.

AKA: 4661 N. Federal Highway and 4610, 4620, 4700 and 4720 N.E. 18th Avenue

FROM: RPUD (Residential Planned Unit Development)

TO: RM-45 (Multi-Family Residential)

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7. **PUBLIC HEARING #09-27**

Consideration of the request by the **CITY OF POMPANO BEACH** to rezone the following described property:

Lot 7, POMPANO TOWNSITE, according to the plat thereof as recorded in Plat Book "B", Page 76, of the public records of Miami-Dade County, Florida; less the REPLAT OF POMPANO BEACH CEMETERY NEW SECTION, according to the plat thereof as recorded in Plat Book 52, Page 43 of the public records of Broward County, Florida less the East 25 feet thereof and less the West 25 feet thereof; together with:

The REPLAT OF POMPANO BEACH CEMETERY NEW SECTION, according to the plat thereof as recorded in Plat Book 52, Page 43, of the public records of Broward County, Florida; together with:

Lot 11, POMPANO TOWNSITE, according to the plat thereof as recorded in Plat Book B, Page 76, of the public records of Miami-Dade County, Florida; less the East 25 feet thereof and less the North 20 feet thereof and less the right of way for U.S. 1 (Federal Highway); together with:

Lot 12, POMPANO TOWNSITE, according to the plat thereof as recorded in Plat Book B, Page 76, of the public records of Miami-Dade County, Florida; less the West 25 feet thereof and less the East 25 feet thereof.

AKA: 301-307 S.E. 25th Avenue

FROM: PR (Parks and Recreation)

TO: CF (Community Facilities)

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8. **PUBLIC HEARING #09-28**

Consideration of the request by **JACK GALARDI**, to rezone the following described property:

Tract "A", CIGNA FRESHNA PLAT TWO, according to the plat thereof as recorded in Plat Book 128, Page 41, of the public records of Broward County, Florida.

AKA: Parcel of land lying east of Powerline Road, west of N.W. 16th Terrace and immediately south of N.W. 33rd Street.

FROM: I-1X (Special Industrial)

TO: I-1X/PCD (Special Industrial with a Planned Commercial Development Overlay)

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9. **PUBLIC HEARING #09-29**

Consideration of the request by the **POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY** for *SPECIAL EXCEPTION* approval as required by Section 155.183 (D) (4) in accordance with the provisions of Section 155.180

(Special Exception Uses) of Chapter 155 of the Code of Ordinances in order to utilize the subject property in a B-3, General Business District, for a free-standing, multiple-family residential use up to 46 units per net acre of site area. This request will be subject to allocation of flex or reserve units by the City Commission.

The property in this Public Hearing is as follows:

Parcel "A", N.W. 27TH AVENUE PLAT, according to the plat thereof as recorded in Plat Book 178, Pages 99 through 101, of the public records of Broward County, Florida.

AKA: 140 N.W. 27th Avenue ZONED: B-3

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G. ABANDONMENT REQUESTS

10. ROYAL PALM COMMERCE PARK, LLC.

Consideration of the request by **THOMAS JOHNSTON** on behalf of **ROYAL PALM COMMERCE PARK, LLC.** to abandon that portion of the 15 foot right of way for N.W. 15th Avenue (for a length of approximately 480.10 feet), lying immediately east of Lots 2 through 11 inclusive of Block 2, SEABOARD HIGHLANDS ADDITION, according to the plat thereof as recorded in Plat Book 19, Page 13, of the public records of Broward County, Florida.

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11. ROYAL PALM COMMERCE PARK, LLC.

Consideration of the request by **THOMAS JOHNSTON** on behalf of **ROYAL PALM COMMERCE PARK, LLC.** to abandon that 17.5 foot utility easement lying immediately west of Tax Parcel 33 in Section 34, Township 48 South, Range 42 East.

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H. OTHER BUSINESS

12. CODE AMENDMENT - SECTION 155.113

Consideration of Department of Development Services Memorandum #09-263, setting forth a proposed amendment Section 155.113 (F) (1) (d) of Chapter 155 of the Code of Ordinances modifying the definition of a COMMERCIAL VEHICLE.

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13. EMINENT DOMAIN ORDINANCE

Consideration of Department of Development Services Memorandum #09-264, forwarding a proposed EMINENT DOMAIN ordinance which provides for regulations on property which is determined necessary for condemnation of right of way and provides a review process which the condemning authority may apply to establish a cure plan to limit the amount of non-conformity on the site.

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14. Election of **CHAIRMAN and **VICE CHAIRMAN** for the coming year.**

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I. AUDIENCE TO BE HEARD

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J. BOARD MEMBERS DISCUSSION

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K. REPORTS BY STAFF

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L. ADJOURNMENT

Linda R. Hora
Advisory Board Secretary
7.15.09

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.