



SM

CITY OF

POMPANO BEACH

FLORIDA

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PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY

March 25, 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:

Michael Horan
Jim Beeson
Ben Miller
Dean Bowman
Fred Stacer
Jerry Mills

Alternate Member: Jeff Torrey for George Fivek

C. APPROVAL OF THE MINUTES:

February 25, 2009

D. INDIVIDUALS TESTIFYING PLACED UNDER OATH

E. SITE PLAN REVIEWS

**1. ROYAL PALM BUSINESS CENTER, LLC.-Planning and Zoning
No. 05-1200025**

Consideration of the REVISED PLANS submitted by **ANDRE' CAPI** on behalf of **ROYAL PALM BUSINESS CENTER, LLC.** for construction of a Warehouse/storage complex on the following described property:

A portion of the South one-half of Section 34, Township 48 South, Range 42 East, more fully described as follows:

Beginning at the Southwest corner of the Northeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 34, Township 48 South, Range 42 East; thence due East along the South boundary of said Northeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 34, a distance of 258.12 feet to a point on the West right of way line of the Seaboard Railroad System, said point being 57 feet West of, as measured at right angles to the centerline of the main track of the Seaboard system Railroad; thence North 11° 40' 37" East along a line 57 feet West of and parallel with said centerline of main track, a distance of 346.02 feet to a point 10 feet more or

less, East of the centerline of a spur track; thence North 05^ 07' 17" East, along a line 10 feet more or less, East of and parallel with the centerline of said spur track, a distance of 200.71 feet; thence North 06^ 28' 17" East, a distance of 93.87 feet to a point 10 feet more or less, East of said centerline of spur track; thence North 07^ 52' 37" East, a distance of 280.31 feet to a point, said point being 107 feet West of, as measured at right angles, the centerline of main track of Seaboard System Railroad; thence North 11^ 40' 37" East, along a line 107 feet West of and parallel with the said centerline of main track a distance of 482.97 feet to a point on the South right of way of Hammondville Road; thence North 54^ 05' 53" West along said right of way line a distance of 211.22 feet to a point on the East line of Block 5, SEABOARD HIGHLANDS, according to the plat thereof as recorded in Plat Book 15, Page 30 of the public records of Broward County, Florida; thence South 0^ 31' 53" East, along said East line of Block 5, a distance of 202.02 feet to a point on a line, said line being 257 feet West of, as measured at right angles, to the centerline of said main track; thence South 11^ 40' 37" West along said line, a distance of 786.01 feet to a point; thence North 89^ 54' 07" West, a distance of 169.12 feet to a point on the West line of the East one-half of the Southeast one-quarter of the Northeast one-quarter of the Southwest one-quarter of Section 34; thence South 0^ 29' 34" East, along said West line and along the West line of the East one-half of the Northeast one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 34, a distance of 535.10 feet to the Point of Beginning, containing 7.1739 acres, more or less.

AKA: 1370 Hammondville Road ZONED: I-1

NOTE: The Board issued a DEVELOPMENT ORDER for this project on December 20, 2006.

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2. WALGREENS CORPORATION - Planning and Zoning No. 08-12000053

Consideration of the plans submitted by **HEIDI B. HENDERSON** on behalf of **WALGREENS CORPORATION** for construction of a new 14,690 square foot store and pharmacy with drive-thru pick-up and associated parking on the following described property containing 4.8 acres, more or less:

A parcel of land in the Southeast one-quarter of Section 33, Township 48 South, Range 42 East, Broward County, Florida, more particularly described as follows:

Commencing on the South line of said Section 33 at the Northwest corner of Section 3, Township 49 South, Range 42 East, said point being 1790.88 feet West of the Southeast corner of the aforesaid Section 33; thence on a true bearing, run North 89^ 33' 02" East, 50.02 feet along the South line of said Section 33 to a line forming a Southerly projection of the East right of way line of State Road No. 809 (Powerline Road); thence run North 01^ 52' 10" West, 78.68 feet along said line to the Point of Beginning; thence continue North 01^ 52' 10" West, 72.56 feet along the East right of way line of Powerline Road to a point of curvature of a curve to the right; thence continue Northerly along said East right of way line to the arc of said curve to the right having a radius of 1860.10 feet and a central angle of 01^ 30' 09", a distance of 48.78 feet; thence run North 89^ 33' 02" East, 200.00 feet; thence run South 01^ 51' 10" East, 149.70 feet to an intersection with the North right of way line of Atlantic Boulevard; thence run south 89^ 18' 15" West, 170.76 feet along said North right of way to a point of curvature of a curve to the right; thence run Northwesterly on the arc of said curve to the right having a radius of 30 feet an a central angle of 88^ 49' 35", a distance of 46.51 feet to the Point of Beginning.

Less and except that portion conveyed to the State of Florida Department of Transportation by virtue of Order of Taking recorded in Official Records Book 12392, Page 412, which was amended in Consent Final Judgment as to Parcel No. 100 recorded in Official Records Book 12958, Page 158, both being of the public records of Broward County, Florida.

AKA: 2401 W. Atlantic Boulevard

ZONED: B-3

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3. **THE HOUSE OF GOD CHURCH - Planning and Zoning No. 07-12000043**

Consideration of the plans submitted by **RICHARD DODGE** on behalf of **THE CHURCH OF GOD**, for construction of a new 14,640 square foot sanctuary with parking on the following described property, consisting of approximately 4.5 acres:

Lots 1 through 5 inclusive of Block 5, less the West 10 feet thereof, and less the North 20 feet of the West 230.24 feet thereof, and less the external for an arc with a 25 foot radius at the Northwest corner thereof of HUNTER'S MANOR, as recorded in Plat Book 19, Page 27, of the public records of Broward County, Florida.

AKA: 600 N.W. 18th Avenue

ZONED: RS-3

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4. **BANK OF AMERICA - Planning and Zoning No. 09-12000001**

Consideration of the plans submitted by **STANLEY HILL** on behalf of **BANK OF AMERICA, N.A.** for construction of a new bank (Bank of America) with a 6,776 squarer foot footprint, including drive-thru, on the following described property, consisting of approximately 1.20 acres:

A parcel of land in the West one-half of the Southwest one-quarter of the Southwest one-quarter of Section 1, Township 49 South, Range 42 East, Broward County, Florida, more particularly described as follows:

Beginning at the Southwest corner of said Section 1; thence Easterly along the South boundary of said Section 1, a distance of 35.01 feet; thence Northerly on a line parallel to and 35 feet East of the West boundary line of said Section 1, a distance of 35.01 feet to the Point of Beginning; thence continue Northerly on a line parallel to and 35.01 feet East of the West boundary line of said Section 1, a distance of 300.10 feet to a point; thence Easterly on a line parallel to and 335.11 feet North of the South boundary line of said Section 1, a distance of 200.17 feet; thence Southerly on a line parallel to and 235.10 feet East of the West boundary line of said Section 1, a distance of 300.10 feet; thence Westerly along the North right of way line of S.E. 15th Street (McNab Road) on a line 35.01 feet North of, and parallel to the South boundary line of said Section 1, a distance of 200.17 feet to the Point of Beginning.

AKA: 1400 S. Cypress Road

ZONED: B-3

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5. **CHICK-FIL-A RESTAURANT - Planning and zoning No. 08-12000034**

Consideration of the request by **CRAIG MC DONALD** on behalf of the **PAUL S. WELLENS GST NON-EXEMPT TRUST** and the **DAVID R. WELLENS**

REVOCABLE TRUST requesting approval for outdoor dining, in conjunction with the Chick-Fil-A Restaurant on the following described property, as required by Section 155.074 of Chapter 155 of the Code of Ordinances:

The North 120 feet (measured at right angles) of a portion of the South one-half of the Southeast one-quarter of the Northwest one-quarter of the Northwest one-quarter lying East of Federal Highway (U.S. Highway No. 1), subject to an ingress and egress easement over the South 10 feet thereof, and that portion of the South one-half of the Southeast one-quarter of the Northwest one-quarter of the Northwest one-quarter lying East of Federal Highway, less the North 120 feet thereof, and less the South 100 feet thereof, and less the property designated in Official Records Book 1285, Page 45, of the public records of Broward County, Florida, for street right of way and less the property identified as the COLOR TILE PLAT, as recorded in Plat Book 107, Page 38 of the public records of Broward County, Florida, all in Section 30, Township 48 South, Range 43 East, as described in full on the survey submitted with this application.

AKA: 2250 North Federal Highway

ZONED: B-3

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F. PUBLIC HEARINGS

6. PUBLIC HEARING #09-10

Consideration of the request by **NEW COVENANT CHURCH, INC.** for *SPECIAL EXCEPTION* approval in accordance with the provisions of Section 155.183 (D) (4) of Chapter 155 of the Code of Ordinances in order to utilize the subject property in a B-3 (General Business) zoning district for a free-standing multiple-family residential use, up to 46 units per net acre of site area.

The property in this Public Hearing is as follows:

A portion of Tract "D", Block 2, NEW COVENANT CHURCH PLAT, according to the plat thereof, as recorded in Plat Book, 105, Page 38, of the public records of Broward County, Florida, being more particularly described as follows:

Begin at the Northeast corner of said Tract "D" (said point being on the arc of a curve with a radial line through said point bearing South 86° 57' 02" East); thence along the East line of said Tract "D" and Southwesterly along the arc of said curve being concave to the Northeast having a radius of 2236.82 feet, a central angle of 10° 07' 04", an arc distance of 395.00 feet to the most Easterly Southeast corner of said Tract "D"; thence continue along said East line, South 51° 22' 39" West, 30.93 feet to the most Westerly Southeast corner of said Tract "D"; thence along the South line of said Tract "D", South 89° 35' 44" West, 644.26 feet; thence North 00° 17' 09" West, 443.39 feet; thence along a North line of said Tract "D" and its Westerly prolongation South 87° 42' 53" East, 726.84 feet to the Point of Beginning, containing 6.8707 acres, more or less, together with easement areas:

Legal description of ingress and egress easement and access to utilities within ingress and egress easement from New Covenant Church to Palma Place Holdings, LLC, recorded simultaneously herewith.

A parcel of land being a portion of Tract "D", Block 2, NEW COVENANT CHURCH PLAT, according to the plat thereof as recorded in Plat Book 105, Page 38, of the public records of Broward County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Tract "D"; thence along the North line of said Tract "D" and its Westerly prolongation North 87° 42' 53" West, 726.84 feet to the Point of Beginning; thence South 00° 17'

09" East, 443.39 feet to a point on the South line of said Tract "D";

thence along said line, South 89^ 35' 44" West, 18.39 feet to a point on the arc of a non-tangent curve, (a radial line through said point bears South 58^ 15' 40" East); thence Northeasterly along the arc of said curve being concave to the Northwest, having a radius of 42.00 feet, a central angle of 32^ 01' 29", an arc distance of 23.48 feet; thence tangent to said curve, North 00^ 17' 09" West, 421.15 feet; thence North 89^ 42' 51" East, 12.00 feet to the Point of Beginning, containing 0.1232 acres, more or less, together with:

A parcel of land being a portion of Tract "C", Block 2, NEW COVENANT CHURCH PLAT, according to the plat thereof as recorded in Plat Book 105, Page 38, of the public records of Broward County, Florida, being more particularly described as follows:

Begin at the Southeast corner of said Tract "C"; thence along the South line of said Tract "C", North 87^ 42' 53" West, 497.97 feet; thence North 153.78 feet; thence North 89^ 35' 44" East 500.66 feet to a point on the East line of said Tract "C", thence along said line South 00^ 05' 54" East, 54.34 feet to a point on the arc of a tangent curve; thence continue along said East line and Southwesterly along the arc of said curve being concave to the West, having a radius of 2236.82 feet, a central angle of 03^ 08' 52", an arc distance of 122.89 feet to the Point of Beginning, containing 1.9000 acres. more or less.

AKA: 901 N.W. 33rd Street

ZONED: B-3 and RM-12

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7. **PUBLIC HEARING #09-11**

Consideration of the request by **P3 GROUP, LLC.** for *SPECIAL EXCEPTION* approval to provide an outdoor storage area for industrial uses on property zoned I-1 (General Industrial) in accordance with Section 155.205 (C) (4) (Special Exception Uses) of Chapter 155 of the Code of Ordinances.

The property in this Public Hearing is as follows:

Parcel "A", KAFIN PLAT, according to the plat thereof as recorded in Plat Book 178, Pages 60 and 61 of the public records of Broward County, Florida, containing 4.749 acres, more or less.

AKA: 1651 N.W. 33rd Street

ZONED: I-1

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G. PROPOSED PLATS

8. **MILLER COMMERCIAL PLAT**

Consideration of the proposed **MILLER COMMERCIAL PLAT**, submitted by **REGINA BOBO-JACKSON**, located on the following described property:

The East 60 feet of the West 480 feet of the South 125 feet of the following described property:

The Northeast one-quarter of the Northwest one-quarter of the Northwest one-quarter of the Southeast one-quarter of the Northwest one-quarter of the Northeast one-quarter of the Northwest one-quarter of the Southeast one-quarter of Section 27, Township 48 South, Range 42 East, together with:

The West 60 feet of the East 313.9 feet of the South 125 feet of the Northwest one-quarter of the Northwest one-quarter of the Southeast

one-quarter of Section 27, Township 48 South, Range 42 East, Broward County, Florida.

AKA: Parcel of land lying immediately west of North Andrews Avenue Extension, north of N.W. 17th Place and south of N.W. 18th Street.

(1357 N.W. 17th Court)

ZONED: I-1

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9. **CORAL CADILLAC PLAT**

Consideration of the proposed **CORAL CADILLAC PLAT**, submitted by **PAUL E. BREWER**, located on the following described property:

All of Parcel "A". of WIESE SUBDIVISION NO. 1. according to the plat thereof as recorded in Plat Book 83, Page 29 of the public records of Broward County, Florida, together with:

All of Parcel "A" of CORAL REEF PLAT NO. 1, according to the plat thereof as recorded in Plat Book 101, Page 2, of the public records of Broward County, Florida, together with:

All that portion of the South 208.30 feet of the North 1,091.97 feet of the Southeast one-quarter of Section 7, Township 48 South, Range 43 East, Broward County, Florida, lying West of the Westerly right of way line of U.S. Highway No. 1, containing 8.6802 acres, more or less.

AKA: Parcel of land lying immediately north of N.E. 51st Street, immediately west of Federal Highway, immediately east of N.E. 19th Terrace, and south of S.W. 10th Street.

(5101 North Federal Highway)

ZONED: RS-3 and B-3

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H. **ABANDONMENT REQUEST**

10. **PAUL N. GARDNER COMPANY, INC., MBPFF HOLDING COMPANY, INC. AND ELIZABETH KEITH**

Consideration of the request by **PAUL N. GARDNER COMPANY, INC., MBPFF HOLDING COMPANY, INC. AND ELIZABETH KEITH** to abandon that certain 14 foot alleyway lying between Lots 1 through 10 of Block 8, CAMPBELL AND SAXON ADDITION, according to the plat thereof as recorded in Plat Book 1, Page 125, of the public records of Palm Beach County, as described in full on the survey submitted with this application.

NOTE: This matter was tabled by the Board at the January and February meetings. Applicant now seeks to table to the March meeting and Staff recommends the matter be tabled to the April meeting. All back-up material previously provided.

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I. **OTHER BUSINESS**

- 11. Consideration of **MOTION** to cancel the August meeting in accordance with past Board policy.
- 12. Consideration of **MOTION** to change the November meeting from November 25, 2009, to November 18, 2009.
- 13. Consideration of **MOTION** to change the December meeting from December 23, 2009, to December 16, 2009.

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J. **AUDIENCE TO BE HEARD**

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K. BOARD MEMBERS DISCUSSION

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L. REPORTS BY STAFF

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M. ADJOURNMENT

Linda R. Hora
Advisory Board Secretary
3.18.09

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.