



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

PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY

December 20th, 2017
Wednesday

City Commission Chambers

7:00 P.M.

MINUTES

A. Call to order by the Chairman of the Board, Mr. Fred Stacer at 7:06 P.M.

B. ROLL CALL:

Fred Stacer
Joan Kovac
Tony Hill
Dwight Evans *ABSENT*
Jerry Mills
Richard Klosiewicz
Rhonda Eaton

Also in Attendance:

Kerrie MacNeil, Planner
Tracy Lyons, Assistant City Attorney
David Recor, Development Services Director
Jennifer Gomez, Assistant Development Services Director
Jean Dolan, Principal Planner
Jae Eun Kim, Planner
Maggie Barszewski, Planner
Sarah Sinatra Gould, Contract Planner
Robert Bamonte
Steven Wherry
Tim Hernandez

Horatio Danovich
Traci Scheppske
Shane Laakso
Mike Vonder Meulen
Arturo Griego
Jeanie Schermesser
Sandy Von Staden
Mary Terwilleger
Auggie Ferrera
Mark Satchell
Stephanie Steinberg
Zachary Azarian
Jerry Myrick
Shane Hudson
Domenic Camposeo
Julie Schuler
Bernie Manzone
Elena Leichardt
Ramona Myrick
Carlos Rodriguez
Buddy Spear
Anne Siren

C. MOMENT OF SILENCE

A moment of silence was observed.

D. APPROVAL OF THE MINUTES:

Approval of the minutes of the meeting on November 15th, 2017.

MOTION was made by Jerry Mills and seconded by Richard Klosiewicz to approve the meeting minutes of November 15, 2017. All voted in favor of the motion therefore, the motion passed.

E. INDIVIDUALS TESTIFYING PLACED UNDER OATH

City staff and members of the public testifying before the Board at the meeting were placed under oath by Kerrie MacNeil, Planner and Notary Public in the State of Florida.

Agenda Modifications:

Mr. Stacer stated that the applicant for items #2 and #3 has requested a postponement.

NOTE: The discussion that ensued can be found under item #2.

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TO: Transit Oriented (TO) District and East Overlay District (EOD)
STAFF CONTACT: Jean Dolan (954)786-4045 and
Pamela Stanton (954) 786-5561

NOTE: The discussion for this rezoning can be found under agenda item #7.

MOTION was made by Joan Kovac and second by Jerry Mills to recommend approval of the rezoning PZ #17-13000006 per Alternative Motion I as described in the staff report. All voted in favor of the motion; therefore, the motion passed.

5. MOUNT VERNON PROPERTY HOLDINGS, LLC / OCEAN PARK
BEACH RESIDENCES
Planning and Zoning #16-13000001

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 35 multi-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 768 square feet of unmanned kiosk & convenience type sales and 400 square feet of a police substation. The Planned Development-Infill (PD-I) district is intended to provide the flexibility to enable high-quality, mixed-use development on relatively small sites, yet require design that ensures infill development is compatible with both surrounding existing development and available public infrastructure. 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 8937'56" EAST A DISTANCE OF 29.84 FEET; THENCE NORTH 0020'27" 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 8939'19" WEST A DISTANCE OF 29.20 FEET TO THE POINT OF BEGINNING.

AKA: 1508 N Ocean Boulevard

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

Ms. Sarah Sinatra-Gould, of Calvin Giordano and Associates, introduced herself as a contract employee hired to provide analysis of this request for Development Services staff. She stated that the applicant is requesting to rezone the subject 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 35 multi-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 768 square feet of unmanned kiosk & convenience type sales and 400 square feet of a police substation. The Planned Development-Infill (PD-I) district is intended to provide the flexibility to enable high-quality, mixed-use development on relatively small sites, yet require design that ensures infill development is compatible with both surrounding existing development and available public infrastructure.

REVIEW & SUMMARY

Review for consistency with City's Zoning Code

A. Staff has determined that the application does not achieve the General Purposes of Planned Development Zoning Districts and in particular the achievement of mixed use.

1. The master plan includes 768 square feet of space to be utilized for unmanned kiosks.
2. The plans provide for a 400 square foot office for Broward Sheriff's Office.
3. These two components do not result in mixed use for a building with 18 floors of residential.

B. Staff has determined that the application is incomplete as it does not address the following General Standards for all Planned Development Districts:

1. Justifications in regards to this rezoning application. Justification shall be specified on plans, and the method of the mitigation shall be presented for the following:
 - a. Increased height from 105 feet to 248 feet (an 136% increase over the RM-45 height limit).
 - b. Decreased pervious area from 25% to 18.5%.
 - c. Increased lot coverage from 60% to 71% (an 18% increase in lot coverage).
 - d. Pursuant to Section 155.9402, Exceptions and Variations (balconies are not allowed encroaching into required yard setbacks except for a rear setback). Setbacks of this rezoning application shall be revised to reflect a measurement from balconies to property lines.

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- e. Proposed street, interior, front, rear yard setbacks, as illustrated on Elevations (Exhibit B) and shown on the PD Table (Exhibit D) must be consistent.
- f. Identification of community benefits and amenities that will be provided to compensate for the added development flexibility afforded by the PD district.

C. The following plans were submitted with errors and/or are inconsistent with other submitted plans. All errors and inconsistencies must be corrected.

Ms. Sinatra-Gould stated that the the full list of errors and inconsistencies can be found listed in the staff report.

D. The following additional plans / documents are required:

- 1. Diagram identifying the landscape buffer required along the property line abutting residential properties on the PD-I Master Plan (Exhibit D); and
- 2. Approval of perpendicular parking spaces and site improvements proposed on NE 14 Street by the City's Engineering Division.

E. The following issues need to be resolved:

- 1. Illustrative improvements of the North Ocean Park shall obtain approval and legally established with the City. The renderings in the LAND narrative in Exhibit I are graphic representations only and no detailed plan has been provided. By including these renderings in the application, it could be construed that the improvements will be implemented. There is no plan associated with this and therefore no enforcement mechanism can be established.
- 2. The portion of on-street parking spaces along NE 16 Street, which encroaches into the subject property, shall be recorded as an easement and referenced.

F. Findings of Fact. Development Services Department Staff submits the following factual information which is relevant to this Rezoning Application:

Ms. Sinatra-Gould stated that the full list of findings of fact can be found in the staff report.

G. The following goals, objectives and policies of the City's Future Land Use Element of the Comprehensive Plan have been identified as pertinent to this rezoning:

Ms. Sinatra-Gould stated that the relevant aspects of the Comprehensive Plan as they relate to this application can be found in the staff report.

H. Staff response:

While high rise development is consistent within this corridor, the proposed east building will be 248 feet in height. The buildings to the north are 145 feet in height

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and the buildings to the south range from three to seven stories. While the proposed buildings are higher than the neighboring properties, the corridor allows for high rise development and a building of this height could be considered compatible.

In this case, the proposed planned development does not relate to the adjacent park and if approved as is, could result in a missed opportunity. The conceptual plans have “back of house” features where the building is adjacent to the park rather than activating the building, which is only setback 10 feet from the park’s property line. The fact that the site has no active open spaces, community benefits or public amenities while being 10 feet from a beachfront park demonstrates a lack of compatibility with the neighboring properties. This condition also creates a potentially unsafe environment from a CPTED (Crime Prevention Through Environmental Design) by locating back of house activities adjacent to a public space. This results in the condition where there is a lack of “eyes on the park” and essentially a wall created by the parking and amenity podium adjacent to the park. Additional egress and windows would create a more accessible feel and reduce the CPTED concerns.

The applicant revised their initial submittal on December 1, 2017 and provided a conceptual plan for North Ocean Park. The landscape narrative relating to the park indicates a butterfly garden, tree sanctuary, a rectangular lawn for gatherings, bicycle points and routes, seating, restroom facilities, outdoor showers and vending/food truck opportunities have been envisioned. However, there are no guarantees or commitments in the form of a development agreement requiring the proposed park improvements.

The revised application also removed the retail space that was originally proposed. Instead, unmanned kiosks are proposed. This is not a use, rather a feature, similar to a vending machine. Due to the removal of the commercial component, the request to rezone to PD-I is not appropriate. The only use other than residential is a 400 square foot office for the Broward Sheriff’s Office. Providing only a 400 square foot office is not meeting the intent of providing mixed use within an 18 story residential building. If it were to be determined that by removing the commercial component in this version of the application and that the PD-I is not appropriate, the applicant would be required to rezone to RPUD and be limited to a maximum of 85 feet in height. Therefore, the addition of a small office appears to be a way to achieve greater height without offering the commercial amenities expected or desired in the PD-I district.

It is staff’s opinion that the project is not compatible due to lack of mitigation of the site, specifically the relationship to the neighboring properties at the ground level. The rezoning to PD-I is also not appropriate since the mixed-use components outlined in the intent of the zoning district is not achieved. The primary use of residential is not supported by the auxiliary use of a 400 square foot office, which has resulted in staff’s concern that the PD-I district is not applicable. The application does not meet the requirement of compatibility with surrounding areas at this time, but could be deemed compatible if modified to address the CPTED

concerns relating to the edges of the property adjacent to the park as well providing a plan detailing commitments to specific park improvements. However, no plan detailing the commitments, either financial contributions and/or physical improvements, has been submitted, thus the application fails to demonstrate a community benefit.

I. Recommendation:

Staff finds that there is insufficient information to support this rezoning request. In addition, revisions to the application have resulted in changed conditions. Specifically, the removal of commercial has resulted in the request to rezone to a district that is no longer appropriate for this application. Staff has determined that the rezoning application is not consistent with the aforementioned pertinent Future Land Use goals, objectives, and policies, and the purpose of the Planned Development and the PD-I (Planned Development-Infill) District purposes.

Alternative Motion I

Recommend denial as the Planning and Zoning Board finds that this rezoning request needs to be revised to demonstrate consistency with the following pertinent Future Land Use goals, objectives, and policies, and the purpose of the Planned Development and Planned Development - Infill (PD-I) district.

- 01.00.00** The attainment of a living environment which provides the maximum physical, economic and social well-being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

- 01.03.05** All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

- 01.03.07** Require the provision of decorative structural or vegetative buffers between different density residential land uses, and residential and non-residential land uses unless the applicant can demonstrate by evidence that the proper buffer is provided.

- 01.03.11** Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

- 01.03.12** The following criteria may be used in evaluating rezoning requests:
 - 1. Density;
 - 2. Design;
 - 3. Distance to similar development;
 - 4. Existing adjoining uses;
 - 5. Proposed adjoining uses;
 - 6. Readiness for redevelopment of surrounding uses; and.

7. Proximity to mass transit.

11.04.05 To maintain and enhance the existing recreational facilities which provide physical or visual access to the water.

Alternative Motion II

Recommend approval of the PD-I rezoning request as the board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals, objectives, and policies, and the purpose of the Planned Development and Planned Development - Infill (PD-I) District purposes.

The following conditions must be addressed prior to placement on the City Commission hearing agenda:

- 1. The following additional plans / documents are required:**
 - a. Diagram identifying the landscape buffer required along the property line abutting residential properties on the PD-I Master Plan (Exhibit D); and
 - b. Approval of perpendicular parking spaces and site improvements proposed on NW 14 Street by the City's Engineering Division.

- 2. The following plans were submitted with errors and/or inconsistent with other submitted plans. All errors and inconsistencies must be corrected.**
 - a. Address all items described as insufficient or missing as identified by staff in the report.
 - b. Address comments provided by the City's Urban Forester.

- 3. Prior to site plan approval, address the following:**
 - a. Provide a plat determination letter from the Broward County Planning Council.
 - b. Address the right-of-way dedication along A1A. The front yard setback shall be measured from the post dedication lot line.
 - c. Describe how the existing utility easement on the property will be utilized.
 - d. Provide an active space at the rear of the property, adjacent to the park.
 - e. Applicant must comply with the Air Park Overlay (APO) District requirements for Airpark Obstructions.

- 4. Illustrated improvements of the North Ocean Park shall obtain approval and legally established with the City through a developer's agreement.**

- 5. The portion of on-street parking spaces along NE 16 Street, which encroaches into the subject property, shall be recorded as an easement and referenced.**

Mr. Stacer disclosed that he met with the property owners and Keith and Associates on the site to discuss the potential development during the fall or summer of 2016.

Mr. Hill commented that the requirements and standards applied to this item should be applied to every project. He commended the thoroughness of staff's review.

Mr. Stacer asked if the density for RM-45 is calculated by net or gross acres.

Ms. Kim stated that it is by net acres.

Ms. Tracy Scheppske (301 E. Atlantic Boulevard, Pompano Beach, FL) introduced herself to the Board as the Vice President of Keith and Associates and also introduced the project team. She stated that she hopes to walk the Board through this unique project and address staff comments. She stated that this area has seen an increase in crime recently and that this could be due to the lack of pedestrian activation. She stated that this project is not requesting additional density, but rather seeks to take advantage of unique view corridors. She stated that the site has been vacant for over 13 years and that there have been several development attempts. The current owner purchased the property in 2015 and has had over 10 public meetings with neighbors.

Mr. Shane Lacso (301 E. Atlantic Boulevard, Pompano Beach, FL) presented himself to the Board as a planner with Keith and Associates. He went over the purpose of the PD-I and the site limitations, explaining that the design intent is to not block much light and that the small site is made even smaller by the required street dedications. He stated that the applicant has held twelve meetings with surrounding neighbors. He stated that the feedback from the meeting was that there is support for park improvements, support for the architecture proposed, but hesitation for a proposed cafe. He stated that they are open to different types of non-residential uses and will work with neighbors and the City to find what works for the site. They have been negotiating with BSO for them to occupy a park-facing substation that will help address the crime issues in the area. Parking will exceed the requirements. The proposed height is necessary for the kind of project proposed and the FAA has already approved the height. They are proposing landscape and public art improvements, as well as other public benefits.

Mr. Mike Vonder Meulen (301 E. Atlantic Boulevard, Pompano Beach, FL) spoke about the height being compatible with the surrounding area. He explained that the proposed PD-I would merely rearrange the allowable square footage and that the request is not even the maximum allowable. He stated that the BSO substation would be oriented towards the park, relating the building to the park. He stated that the park improvements would be finalized after working with City officials. He also stated that there will be non-residential uses on the ground floor of the building and showed a list of potential uses as listed in exhibit D of the application. He compared this proposal's non-residential square footage per dwelling unit with other recent PD-I projects and pointed out that this project would exceed those. He concluded by saying that this site is ideal for a PD-I project.

Dr. Mills expressed concern that with all of the meetings the applicant has held there still are a lot of issues with the proposal, as evidenced by the staff report and the number of people present to testify.

Ms. Kovac stated that this is almost 110 ft. taller than the tallest building anywhere near the site and expressed that she thinks this proposal is too intense. She stated that she does not believe that the proposal is compatible with what is there now. She noted that there are issues with lot coverage and pervious area.

Mr. Hill asked for clarification as to exactly why the applicant is asking for a PD-I.

Ms. Scheppske stated that the PD-I is needed to increase the height.

Mr. Hill stated he appreciated the documentation of the public meetings held by the applicant.

Ms. Scheppske stated that there is some disagreement between the uses that staff might like to see and what the neighbors would like to see. She stated that there are nine uses that they believe makes this project meet the requirements of the PD-I.

Mr. Hill agreed with Dr. Mills that there have been a lot of meetings held yet there are a lot of people who have showed up to this meeting in opposition which shows that the public is not happy.

Ms. Scheppske commented that some of the objections are not from directly impacted residents.

Mr. Hill asked if BSO has agreed to staff the proposed substation office.

Mr. Vonder Meulen stated that BSO is very interested since there is no substation on the barrier island. There is no agreement to staff the location. Rather, existing officers on patrol on the island would use it as office space.

Mr. Hill asked what support for school programs means as mentioned in the presentation.

Ms. Scheppske stated that they are looking into programs with Pompano Elementary involving public art. The applicant also has interest in supporting programs at the school.

Mr. Hill asked if the Parks and Recreation Department has accepted their proposal for improvements.

Ms. Scheppske responded that the Parks and Recreation Department asked for fresh paint and the applicant agreed to provide this. The Parks and Recreation Department doesn't currently have any plans for any additional features at the park.

Ms. Eaton asked if the units would be 6,600 square feet.

Ms. Scheppske responded that they will be 2,500 square feet per floor.

Ms. Eaton asked if there is already on-street parking there.

Ms. Scheppske responded that there is but stated that additional 90 degree angle spaces will be added to 16th Street.

Ms. Eaton pointed out that the rendering shows them as parallel.

Ms. Scheppske responded that they have been working with staff on the details.

Ms. Eaton asked about parking requirements for the commercial uses.

Mr. Lacso responded that the three parking spaces would serve the 768 square feet of commercial space.

Ms. Eaton asked if they would be providing enough parking for a use like a pharmacy.

Mr. Lacso stated that they would be providing enough for a retail use.

Mr. Eaton commented that the first floor is all glass. She asked what kinds of uses would be behind the glass.

Mr. Arturo Griego (14850 NW 44th Court, Ste 202, Miami, FL) stated that the glass is supposed to allow people to look in and see the lobby, commercial use, and space for public art instead of having parking on the first floor.

Ms. Eaton asked where the spaces for the commercial uses would be located.

Mr. Griego responded that patrons would have the option to park on street or use dedicated spaces internal to the project. He spoke of the conflict between how staff would like to see the space activated versus what the community would like to see. He also spoke to the intent to create a sustainable project.

Ms. Eaton commented that the park renderings give her the notion that the park is becoming a private asset to building residents. She cautioned that the public should not have a sense that this space is not for them.

Mr. Stacer asked if the Koi project was an RPUD.

Mr. Vonder Meulen confirmed this.

Mr. Stacer commented that the comparison with other projects' non-residential square footage is a little disingenuous due to the differences of calculating by net or gross acreage.

Mr. Stacer invited the public to testify.

Ms. Jeanie Schermesser (1620 N Ocean Blvd, Pompano Beach, FL) presented herself as a resident of Tiffany Gardens North and stated that she began a petition to oppose to the rezoning. She expressed concerns regarding changing the character of the neighborhood,

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density, height, shade blocking the sun, increases to traffic, danger to pedestrians, and safety hazard when closing the gate. She requested the Board to vote no to the request.

Ms. Sandy Von Staden (3201 Beacon Street, Pompano Beach, FL) stated that she is a beach resident and previously served on the East CRA advisory committee and A1A scenic corridor board. She stated that there had been previous discussion by the City to purchase this property to expand parking for beach goers. She stated that this is not an appropriate use for the site and she asked the Board to deny this request.

Ms. Mary Terwilleger (1500 Ocean Club, Pompano Beach, FL) presented herself as a nearby resident. She stated that the small scale nature of the community is what attracted her to it. She stated that the park is currently used by locals but it will become a private park with this project. The beach access will be greatly compromised and more traffic will follow.

Mr. Auggie Ferrera (1800 Bay Drive, Pompano Beach, FL) presented himself as president of the homeowner association of Hillsboro Bay by the Sea. He stated that nearly 100% of their homeowners are opposed to this project. He stated that their proposed parking for retail doesn't make sense, that parking on NE 16th Street on Saturday and Sunday is completely full of beachgoers, and that a 400 square foot police substation is too small. He requested that the Board deny the request.

Mr. Mark Satchell (1610 N Ocean Blvd, Pompano Beach, FL) presented himself as a resident of Tiffany Gardens East. He stated that the applicant's presentation was built on ideas that were never approved, including park improvements, school benefits, and police presence. He stated that owner threatened residents that he could build whatever they want on the property if neighbors were not willing to cooperate. He stated that they met with each building individually but asked questions in such a way as to elicit answers that they wanted. Crime was cited but has not been compared to other areas or previous time periods. He commented that the street is completely filled with cars and does not understand how they will gain spaces if they will have 90 degree parking. He stated that this presentation has been going on for three years and yet is incomplete.

Ms. Stephanie Steinberg (3256 NE 15 Street, Pompano Beach, FL) presented herself as a nearby resident. She stated that she lives in the 500 foot range of the property but never received any notice about this item. She expressed her opposition to the rezoning because of the height. She stated that the traffic is very heavy and fast from that people come over the 14th Street bridge. She stated that she chose to live in Pompano Beach because it was quaint and not congested like Miami.

Mr. Stacer asked staff to address the comment that proper noticing was not done.

Ms. Kim commented that this item was on a previous Planning and Zoning Board meeting agenda, but was postponed. The item was not re-advertised for tonight's meeting since the item was postponed to a date and time certain.

Mr. Zachary Azarian (1630 N. Ocean Blvd, Pompano Beach, FL) presented himself as a resident of Tiffany Gardens West and a member of their board. He stated that they have met with the applicant team a number of times. He related nuisance and crime issues they have experienced due to the open nature of their property and stated that the development team provided them with a very expensive schematic drawing for a gate for their property. He stated that the park is a dump and that while BSO visits on occasion there is no control. He expressed his support for the project and stated that this building will help the area, increase values, and make it more exclusive. He stated that Pompano is currently in the process of redeveloping.

Mr. Jerry Myrick (1505 N Ocean Blvd, Pompano Beach, FL) presented himself as a resident of Pompano since 1954. He expressed his opposition to the project and stated that it is too much, too high, and too many units. He stated that the property owner knew what the zoning was when he purchased the land. He asked what kind of development would happen next.

Mr. Shane Hudson (3256 NE 15th Street, Pompano Beach, FL) presented himself to the Board as a resident. He stated that he moved to the neighborhood 3 years ago and checked the zoning of this property before purchasing. He stated that he also did not receive any notice of meetings with the developer.

Mr. Domenic Camposeo (3248 NE 16 Street, Pompano Beach, FL) presented himself as a resident living across the street from the proposed building. He stated that he has been a resident for 30 years and while he likes some aspect of the development he fears that it will take away some of the flavor of the community. He stated that the height and architecture is too ultra-modern for Pompano. Parking is a huge problem and he stated that he calls BSO saying that he cannot get out of his driveway because cars are blocking him on NE 16th Street. He stated that there is no way the applicant can fix this parking problem. He stated that cars do not stop at the cross walks and homeless people live in vans.

Ms. Julie Schuler (1610 N Ocean Blvd, Pompano Beach, FL) presented herself as a resident. She stated that the proposed building will not solve the issues of crime and parking.

Mr. Bernie Manzone (3232 NE 16 Street, Pompano Beach, FL) presented himself as a nearby resident. He stated that the building is in the wrong place, traffic is already a problem and this building will make it worse. This is a great building that belongs somewhere else.

Ms. Elena Leichardt (1700 NE 28 Terrace, Pompano Beach, FL) presented herself as a resident. She stated that she loves to visit the park because it is unique and comfortable. She came to this meeting with an open mind. She was impressed by the staff report that was done very thoroughly and agrees that this project has too many holes. She stated how impressed she is with the quality of the administration here at the City. She stated that she is not in favor of the project because the applicant does not seem credible and thanked the Board for their work.

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Ms. Ramona Myrick (1505 N Ocean Blvd., Pompano Beach, FL) presented herself as a resident since 1980. She stated that they have a special part of Pompano Beach at the beach and that this building does not belong. She suggested that they go back to the drawing board and design something that fits within the RM-45 zoning and compliments the community.

Mr. Stacer asked who people are who signed the petition.

Ms. Schermesser stated that many of the owners from Tiffany Gardens are not present and that they were not aware of meetings with the developer. She stated that the petition was her attempt to make people in Tiffany Gardens and the surrounding neighborhood aware of the request. Some people wanted more information and did not sign the petition but most, from her experience, are opposed to the project.

Mr. Azarian clarified that he does not represent Tiffany Gardens as a whole but rather two fellow board members from Tiffany Gardens West.

Mr. Stacer closed the public hearing.

Ms. Kovac stated that she believes that this is the wrong project for this piece of land.

Mr. Hill thanked those people who came in to speak for or against the project. He stated that as the overall beach develops there will be traffic impacts. In his judgement, this request does not meet the criteria of the PD-I and rezoning standards.

Mr. Klosiewicz asked what the maximum number of units allowed by the RM-45 zoning is.

Ms. Kim responded that it would be roughly 27 units if the calculation did not account for the required road dedications which would result in less units being allowed. The maximum height allowed would be 105 feet.

Mr. Stacer stated that there are items of staff concern that need to be addressed. He added that at the very least there needs to be continuing discussions with the community.

Ms. Scheppske clarified that they would be giving additional ROW dedications in order to accommodate the additional 90 degree parking. She stated that compatibility requires a consideration of not just existing conditions but also at what zoning and future land use allows for. She stated that there are aspects of the circulated petition that are not reflective of the request or accurate. She stated that they have an FAA letter approving the proposed height.

Mr. Carlos Rodriguez (1508 N Ocean Boulevard, Pompano Beach, FL) presented himself as the owner of the property. He stated that his objective is not money but rather that he is seeking to enhance the area. He commented that he analyzed what the current zoning would allow by right but found that such a development would not bring value to the

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City. He stated that he wants to develop the site based on its basic fundamentals. He stated that he thought it a good idea to have a small café next to the park for people enjoying the beach, similar to a cafe within a park located in Coconut Grove, Miami. He stated that the local residents, however, expressed concern of having outside people visit and take their parking. As a result, his engineers designed a gate to ameliorate this. He stated that parking is already a problem and not something that this project would bring, especially with only 37 new units. He stated that they are open to using the commercial use for something that the neighbors can agree with. He suggested an art gallery or something that supports education. He stated that the existing zoning would allow him to build a 105' wall. He also stated that he wanted to do a unique project with just one unit per floor. He added that their intention is to make the units affordable to people of Pompano Beach and that he hopes to develop further projects in the City. The property taxes benefit to the City will also be a great benefit.

Mr. Hill encouraged the developer to keep working with the community to resolve the issues. He requested that he not stop trying to come up with a project that works for everyone.

MOTION was made by Joan Kovac and second by Jerry Mills to recommend disapproval of the rezoning PZ #16-13000001 per Alternative Motion I as described in the staff report. All voted in favor of the motion; therefore, the motion passed.

I. SITE PLAN REVIEWS

**6. CITY OF POMPANO BEACH / POMPANO BEACH FISHING PIER BAIT AND TACKLE SHOP
Planning and Zoning #16-12000051**

Consideration of the REVISED MAJOR SITE PLAN submitted by **DEE LAMB** on behalf of **THE CITY OF POMPANO BEACH** in order to construct a bait shop on the pier structure. The pier structure was approved by the Planning and Zoning Board on December 21, 2016. The total area of the bait shop is 464 square feet. The total area of the pier proposed under this application is approximately 28,308 square feet with a total area of 5,364 square feet of shade structures and the bait shop proposed on the pier. The property is located at the northeast corner of the intersection of NE 2 Street and N. Pompano Beach Boulevard. All parcels are legally defined as follows:

ALL OF LOTS 2-5, BLOCK 7, LOT 1, BLOCK 12 AND A PORTION OF NE 2ND STREET, POMPANO BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED PLAT BOOK 2, AT PAGE 95, OF THE PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH: (ORB 31711, PG. 1093, BCR)

A PORTION OF SECTION 31, TOWNSHIP 48 SOUTH, RANGE 43 EAST, LYING EAST OF THE MEAN HIGH WATER BASE LINE OF THE ATLANTIC OCEAN, AS RECORDED IN MISCELLANEOUS PLAT BOOK 2, PAGE 49, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID BASE LINE ALSO KNOWN AS THE EROSION CONTROL LINE

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Mr. Hill asked how staff can trust Keith and Associates to impartially review PD-I applications. He pointed out that they were supporting a PD-I application tonight while staff and the other contracted consulting firm do not think it meets the required standards.

Mr. Recor stated that staff has not retained Keith and Associates to review any Planned Developments. He pointed out that Calvin and Giordano is not wholly responsible for the staff report in question but rather that Development Services staff was involved with its development as well.

Mr. Hill expressed his concern that not all staff reviews appear to have been done to the same level of thoroughness and consistency. He reiterated that he is troubled by Keith and Associates reviewing future Planned Developments for staff as it is clear based on their advocacy for outside clients that their vision for PD projects is not in line with staff's.

Mr. Recor stated that they would not be providing a recommendation absent of staff's input.

Mr. Stacer thanked City staff and the CRA staff for their hard work on the ETOC.

Mr. Stacer suggested that agenda items for future meetings be grouped together to keep with continuity.

Mr. Hill stated that the Board is interested in knowing how many self-storage units we have compared to other cities.

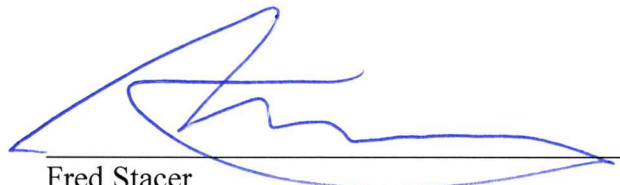
Ms. Gomez stated that she can forward information that staff has on hand to the Planning and Zoning Board and that, if given another month, further analysis can be presented.

M. REPORTS BY STAFF

There were no reports from staff.

N. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 11:50 P.M.


Fred Stacer
Chairman, Planning and Zoning Board