

Exhibit 2

HILLSBORO SHORES

REZONING APPLICATION

LOCATED WITHIN THE CITY OF POMPANO BEACH, FL

October 9, 2017

Table of Contents

I. INTRODUCTION.....	3
A. General Purpose.....	3
B. Classification of Planned Development Zoning Districts.....	3
C. Reserved.....	3
D. Organization of Planned Development Zoning District Regulations	3
II. GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICT.....	3
A. PD Plan.....	3
Map A- Location Map	8
B. Consistency with City Plans.....	10
C. Compatibility with Surrounding Areas.....	12
Map B-Area Diagram Map and Zoning.....	12
D. Development Phasing Plan.....	13
E. Conversion Schedule.....	13
F. On-Site Public Facilities.....	13
G. Uses.....	14
H. Densities and Intensities	14
INTENSITY AND DIMENSIONAL STANDARDS.....	14
MAXIMUM RESIDENTIAL USE.....	15
MAXIMUM NON-RESIDENTIAL USE.....	15
I. Dimensional Standards.....	15
MINIMUM AND MAXIMUM SETBACKS	15
MAXIMUM BUILDING HEIGHT	16
J. Development Standards	16
K. Amendments to Approved PD Plan.....	16
III. PLANNED DEVELOPMENT – INFIL (PD-I).....	16
A. Purpose.....	16
B. Use Standards	17
C. Intensity and Dimensional Standards	17
INTENSITY AND DIMENSIONAL STANDARDS.....	17
D. Development Standards.....	17

E. Master Parking Requirements 18
F. Deviations and Justifications..... 18

Also Included:

- EXHIBIT A: MASTER PLAN**
- EXHIBIT B: CONCEPTUAL AREA DIAGRAM**
- EXHIBIT C: CONCEPTUAL UTILITIES PLAN**
- EXHIBIT D: USE AND PARKING**
- EXHIBIT E: BUILDING SECTION 1**
- EXHIBIT F: BUILDING SECTION 2**
- EXHIBIT G: SHADOW STUDY**
- EXHIBIT H: VIEW CORRIDOR**
- EXHIBIT I: BOUNDARY SURVEY**
- EXHIBIT J: PLANNING COUNCIL LETTER**

I. INTRODUCTION

A. General Purpose

The parcel(s) of land located at 2629 North Ocean Boulevard (formerly 2629 North Riverside Drive and 2507 North Ocean Boulevard) is known as Hillsboro Shores (“Subject Property”) and is owned by CG Hillsboro Shores, LLC. Hillsboro Shores is located between State Road A1A, the Intracoastal Waterway and south of the Hillsboro Inlet and north of North Riverside Drive. A survey of the Subject Property has been provided in **EXHIBIT I**. The Subject Property contains two (2) parcels of land consisting of a total of 2.49 net acres. The property is a portion of the Hillsboro Shores Section “B” plat recorded in Plat Book 22 Page 30 of the public records of Broward County. The plat was recorded in 1946 and no further amendments or replat are required. A letter from the Broward County Planning Council is included and attached as **EXHIBIT J**. The purpose of this document is to implement development standards and uses for this rezoning request from General Business (B-3) to Planned Development – Infill (PD-I) and will consist of a total of 121 residential units, no more than 5,115 SF of commercial use, marina, docks and a proposed public pedestrian promenade. If the rezoning from B-3 to PD-I rezoning designation is approved, the two (2) parcels of land would be unified into one (1) parcel and will share the same address.

B. Classification of Planned Development Zoning Districts

It is the intent of CG Hillsboro Shores, LLC to obtain approval of the rezoning from B-3 to PD-I in accordance with the procedures and requirements of *Sections 155.3601.A. General Purposes of Planned Development Zoning Districts* and *155.3602. General Standards for All Planned Development Districts* of the City of Pompano Beach’s Zoning Code.

C. Reserved

D. Organization of Planned Development Zoning District Regulations

This document for Hillsboro Shores will address and establish each of the requirements of the General Standards for all Planned Development Districts and *Section 155.3607. Planned Development – Infill (PD-I)*. The Exhibits attached to this document provide the required plans and other documentation in order to implement the zoning regulations outlined herein.

II. GENERAL STANDARDS FOR PLANNED DEVELOPMENT DISTRICT

A. PD Plan

1. Planning Objective

The purpose of the PD-I is to 1) create compatibility between the existing and adjacent uses; 2) provide the necessary open spaces and marina access; 3) create of a well-integrated mix of uses contained within the same structure; 4) allow for more efficient use of land and; 5) to design a structure consistent with the scale of the surrounding neighborhood.

Objective 1: Compatibility

The existing zoning designation of B-3 is inconsistent with the existing and surrounding neighborhood and is not compatible with the proposed use for the site. The uses surrounding the Subject Property have historically been developed as residential with high-rise condominiums immediately to the north and south of the site. The Subject Property is part of the area encompassed by the Hillsboro Shores Improvement Area (HSIA). This area and the associated neighborhoods contain a mix of varying residential densities and intensities which seek to preserve the residential character of the area. The quality of life in the neighborhood is quiet with traffic being limited to those seeking to use the local community facilities or those residents living within the area. The intent of the proposed rezoning is to provide a use that is consistent with the existing neighborhood given the residential character of the area. A portion of the site will be used to provide neighborhood commercial uses. In order to create services and residential compatibility, the zoning for this parcel requires the implementation of standards that exceed the Zoning Code requirements of the standard zoning district.

Objective 2: Access & Open Space

The existing site is adjacent to the Intracoastal Waterway and has been previously developed in various forms such as a marina, gas station and as a standalone restaurant/bar. The more intense commercial uses on the site have prevented the ability to create pedestrian walkways and open spaces along the Intracoastal Waterway. The proposed project will consist of a single condominium structure with a ground level commercial component. In and around the site, open space and green areas have been strategically designed in order to lessen the impact of this project on the surrounding communities. Additionally, open space areas have been created along North Ocean Boulevard in order to provide a more pedestrian friendly environment. Most importantly, the exterior of the site has been configured to contain an eight (8) FT public pedestrian promenade around the Subject Property which will provide pedestrians with a much needed sidewalk within the neighborhood. Presently, there is a lack of sidewalks along North Riverside Drive and the provision of this promenade will allow local residents the ability to access the walkway. This promenade will also allow the public to have access to the docks and views of the Intracoastal Waterway. The design of the building has taken into account the surrounding high-rise condominiums and the view corridors that are shared.

Objective 3: Mix of Uses

The proposed use is consistent with the surrounding neighborhood and the promotion of quality design around the existing environment. The Hillsboro Shores neighborhood consists of a mix of single-family units to highrise residential units. Many of the units along the Barrier Island are developed at high residential densities in order to provide views of the Intercoastal Waterway and Atlantic Ocean. In Hillsboro Shores, there is a significant pocket of single family homes which are constructed in close proximity to the established residential condominiums. Together, these residential units types coexist and enjoy the quiet lifestyle established within this neighborhood. This project provides an alternative to single-family development and introduces new product and unit types into the market. As an added benefit to the proposed project, a small commercial component consisting of approximately 5,115 SF will be provided in

order to create neighborhood serving uses. Parking for vehicles and bicycles has been provided in the proposed parking garage for the public's use.

Objective 4: Efficient Use of the Property

The proposed use of the Subject Property is an efficient use of the land. The Subject Property contains more pervious and open space area than the surrounding condominium developments in the neighborhood. The height of the proposed structure has been designed not to exceed the height of either of the high rise structures existing to the north and south of the Subject Property. The design of the building has taken into account the neighboring buildings and, the tower portion of the structure has been set back in order to prevent the blockage of major view corridors. The site has been developed to encourage pedestrian connectivity and walkability where none exists within the neighborhood today. Residential uses, neighborhood serving commercial uses, the maintenance of the existing marina, the addition of two (2) additional finger piers, the provision of the required parking, open spaces and landscaping are being addressed without the request for any deviations permitted within the PD-I. Additionally, a public pedestrian promenade is being created in order to allow public access in and around the Intercoastal Waterway. This project proposes design features that will allow access to amenities that would normally be privatized. Based upon these factors, the existing B-3 zoning can alternatively accommodate a number of uses that require substantial surface parking area and other impervious areas while not guaranteeing the ability for the public to access the waterfront.

Objective 5: Community Compatibility

The proposed project is compatible with the surrounding residential character of the community. The proposed architectural design will enhance and improve the look and appearance of this area and brings forth the opportunity for redevelopment with impacts significantly less than what is approved on the Subject Property today. From a design standpoint, there has been the lack of innovation or design due to the age of the existing highrise structures in the area. The proposed design and color scheme intends to blend in with the surrounding environment while providing a more modern aesthetic to the area. The goal is to provide a structure that meets all current Codes and is able to withstand the elements and to contain sufficient, structured parking for all of its residents. The proposed public pedestrian promenade, neighborhood commercial component and other public spaces as proposed are significant contributions to the surrounding neighborhood which fill a void and create a more pedestrian friendly environment.

2. Detailed Description of the Entire PD Plan

The Hillsboro Shores project is a residential condominium consisting of 121 residential units. The significance of the proposed project is that it is a use that is consistent with the surrounding area. The building is being designed to allow for public access to the marina and the construction of an eight (8) FT public pedestrian promenade which measures ¼ of a mile around the property. Residents of the development in addition to the neighboring residents will have the opportunity to access the promenade without interference from vehicular traffic. The project will have a retail or commercial component consisting of no more than 5,115 SF of

neighborhood serving uses which are limited to uses that are complimentary and desired by the surrounding community which is shown on **EXHIBIT A**. Public parking for vehicles and bicycles has been provided in addition to pedestrian access as shown on **EXHIBIT D**. An open space area has been designed along A1A which serves as a gathering place and minimizes the structure’s impact on the streetscape as shown on **EXHIBIT B**. Trees and other lush vegetation will be used at the pedestrian level to create inviting open space areas. Units have been designed for access from the first floor in order to create a more inviting streetscape versus commencing residential units on higher levels in order to maximize views. Here, the building is designed to be more human in scale and to have greater pedestrian interaction on lower level floors. The tower is tapered and stepped back in order to protect the view corridors of neighboring buildings as referenced in **EXHIBIT H**.

a. Dimensional Standards

The Dimensional Standards are provided on **EXHIBIT A**. The Dimensional Standards are the standards proposed for this PD Plan. As a basis of comparison, **TABLE 1** is a summary of the existing zoning designation of B-3 versus the proposed PD-I zoning designation. The proposed PD-I does not request to deviate from the setbacks that are in place today.

Table 1-Comparison of Dimensional Standards

	<u>Existing B-3</u>	<u>Proposed PD-I</u>	
		<u>Below 50 FT</u>	<u>Above 50 FT*</u>
Front Yard Setback	0 FT	0 FT	0 FT
Waterway Setback	15 FT	15 FT	15 FT
Side Yard	0 FT	0 FT	13 FT 9 IN**
Street Side Setback** ***	0 FT	0 FT	0 FT

*Those portions of the a structure extending above a height of 50 FT shall be set back an additional 1 FT for each 4 FT (or major fraction thereof) the height of the portion of the structure exceeds 50 FT

**Total building height of 105 FT. Based upon the setback required ratio of 1 FT of height per every 4 FT above 50 FT, the setback above 50 FT is 13 FT 9 IN minimum.

***Due to the configuration of the lot, a portion of the lot is adjacent to the street side setback. The PD-I requirement for a street side setback is 0 FT. Due to the balconies in this location, the area above 50 FT will meander.

b. Modifications of Development Standards

There are no modifications requested as part of this application.

c. Provisions addressing transportation, potable water, wastewater, stormwater management and other public facilities.

The Subject Property is located within an infill area within the City of Pompano Beach. All water, wastewater and stormwater management facilities have been in place since previous development inhabited the Subject Property. Enhancements will be made to the water line in order to loop the system and the location of the infrastructure that service this development is shown on **EXHIBIT C**.

d. Provisions related to environmental protection and monitoring

There are no identified environmentally sensitive lands, wildlife habitat, wetlands and/or floodplains on the Subject Property. The dock and boat slips in place will be repaired and two (2) additional finger piers will be constructed.

e. Identification of community benefits and amenities that will be provided for added flexibility afforded by the PD plan.

There are several community-serving components that make this project unique. First, the building is set back from the A1A right-of-way in order to provide a public open space as shown on **EXHIBIT B**. This can serve as a gathering place and will be a focal point of the community. Currently, there is no gathering or meeting area within this neighborhood. Overlooking the open space will be a retail component which will encourage local residents to meet, walk and to enjoy the surroundings. In this part of the City, the area is very tranquil as it is comprised of mostly residential uses. The ocean is located to the east and the Intercoastal to the west; therefore, residents have opportunities to gather and to enjoy their surroundings. Around the entire ground level, there will be a public pedestrian promenade that will permit residents to walk around the building and along the Intercoastal. This walking path is located on private property and will be granting an easement to the public for walking and bicycling as shown on **EXHIBIT A**. Furthermore, anyone within the City will have an opportunity to lease dock space in the existing marina as shown on **EXHIBIT A**. While the docks will operate on a first come, first serve basis, the dockage will not be exclusive to the residents of the Subject Property and ample parking for the public is provided.

f. Development phasing plan

The project will be developed in one (1) phase.

g. Conversion Schedule

The only conversions would be the mix of uses that are stipulated within the PD-I and located on **EXHIBIT D**. These are the uses that are permitted and proposed for the site.

h. Any other provision deemed by the City Commission

At the City Commission's discretion, the Property Owner is open to discuss ideas and suggestions for the Subject Property.

3. General Location

The Subject Property is located between State Road A1A, the Intracoastal Waterway and south of the Hillsboro Inlet and north of North Riverside Drive. The Subject Property has the physical address of 2629 North Ocean Drive. **Map A** is aerial map of the Subject Property. The proposed development consists of two (2) parcels which will contain a single, multi-family structure. The project is proposed to be a residential condominium which is consistent with the surrounding uses and community. This area of the City is primarily residential in character. There is a City Park and City operated marina located within walking distance of the site; however, the park is not utilized due to the lack of convenient parking. On the Subject Property there will be a ¼ of a mile, eight (8) FT public pedestrian promenade that will provide access

and ample views to the waterway as shown on **EXHIBIT A**. There will also be a public gathering area located along A1A for residents to meet and gather.



Map A-Aerial Map

a. Individual Development Areas, Intensities and Densities

As shown in **Map A**, the Subject Property is an infill project and includes two (2) parcels of land. If approval of the rezoning occurs, the two (2) parcels will be unified and will become one (1) parcel proposed to contain one (1), multi-family structure. The existing zoning of the Subject Property is General Business (B-3). A comparison of the proposed development in relation to the existing B-3 zoning designation has been provided in **TABLE 1**. Most importantly, the impact and level of service under the proposed development plan is significantly less than the existing B-3 zoning.

b. Open Space

There are several opportunities for open space under the proposed development plan. The open spaces are not just for the future residents of the project, but are also areas that can be accessed by the public. First, in order to mitigate the impact of the building on the adjacent communities, the tower element of the structure has been placed to allow for greater distances and view corridors for those living directly adjacent to the project. The tower has been positioned to not conflict with existing balconies and has been set back from the habitable portions of the adjacent buildings as shown on **EXHIBIT A**. Second, as shown in **EXHIBIT B**, on the ground floor, a public pedestrian promenade is proposed for residents to enjoy. Additionally, along A1A, open space will be created on the first floor which serves as a gathering place for residents. Currently, the surrounding communities do not contain public sidewalks along the local rights-of-way. By allowing the proposed development, there is a

unique opportunity to provide the community with access to site elements that would not normally be accessed by the public.

c. All public and private streets, existing or projected transit corridors, pedestrian and bicycle paths and how they will connect with existing and planned city systems

Unfortunately, for the residents in the surrounding communities, the only pedestrian designated areas are a sidewalk located within the A1A right-of-way. The sidewalk is very narrow but does not connect to any residential street in this neighborhood. With the construction of the proposed development, the public pedestrian promenade that is being created will connect the A1A right-of-way to the eight (8) FT public pedestrian promenade which is a ¼ of a mile loop that encompasses the perimeter of the proposed project and gives residents access to the Intercoastal Waterway. This connection point will allow residents to walk on a path that is free of motorized vehicles as shown on **EXHIBIT A**.

d. Environmentally sensitive lands, wildlife habitat, wetlands and floodplains.

There are no identified environmentally sensitive lands, wildlife, wetlands or floodplains on the Subject Property.

e. On-site water and wastewater facilities and how they connect to city systems.

The Subject Property is an infill property which has contained several intense uses on the site including a gas station and a standalone restaurant/bar. Due to the prior use of the land for these purposes, the water and wastewater connections are already in place to service the proposed development. The City will require the looping of a portion of the infrastructure; however, the main lines are already established in and from the Subject Property as shown on **EXHIBIT C**.

f. On-site stormwater management facilities and how they connect to city systems

The Subject Property is an infill property which has contained several intense uses on the property including a gas station and a standalone restaurant/bar. Due to the prior use of the land for these purposes, there is existing stormwater infrastructure already in place as shown on **EXHIBIT C**.

g. All other public facilities serving the development

The public facilities are already in place to service this development. Sufficient capacity is present within the schools; and, there is a park located across the street from this proposed development. Additionally, this project is constructing a needed northbound, left turnlane at the southernmost intersection of North Riverside Drive and A1A that will help alleviate traffic back-ups at the Hillsboro Bridge as shown on **EXHIBIT A**.

4. Graphic Demonstration

a. Projects with structures greater than 35 feet in height, the shadowing on adjacent properties at the following time, two hours after sunrise, noon and two hours before sunset during the winter solstice, spring equinox, summer solstice and fall equinox

The proposed project is anticipated to be taller than 35 FT in height. A Shadow Study has been provided and attached as **EXHIBIT G** which provides the sun shadows based upon the

proposed building and its impact to neighboring buildings depending upon the time of day and time of year.

b. The impacts to view corridors of any adjacent properties of natural resources, including but not limited to beaches, shores, waterways, recreation spaces and conservation spaces

Specific attention to the various components of the proposed structure has been reviewed in order to maintain view corridors. To date, the Subject Property consists of a vacant marina and dock space which is typically accessed via a motor vehicle. In the past, various uses have been permitted which include a gas station and a standalone restaurant/bar. The impacts of these uses were negative to the surrounding community. The residential use proposed for this project will help to enhance the value of the surrounding units and reconfigure the access to the Intercoastal Waterway so that residents can enjoy the views of the waterway and be able to access the waterway on foot via the eight (8) FT public pedestrian pathway that is proposed. For reference, the uses for the proposed 5,115 SF of commercial has been provided and located within **EXHIBIT D**.

The tower of the proposed structure is recessed along A1A in order to make the ground level floor more pedestrian friendly and accessible. The tower element which is seated above the pedestal has been strategically located not to interfere with the existing views of the adjacent high-rises and positioned away from the single-family residential area to the south. The size and height of the proposed structure is consistent with the neighboring buildings and compliments the view from the waterway because, for almost a decade, the property has suffered from blight. This project is consistent with the residential character and will serve to enhance the view corridor in this portion of the City of Pompano Beach. Sections and illustrations of the height and placement of the proposed condominium structure are located within **EXHIBITS E, F & H**.

B. Consistency with City Plans

The PD-I zoning designation and proposed uses contained within the PD-I Plan are consistent with the proposed land use designation of Irregular High Residential (35.7) and consistent with the Goals, Objectives and Policies of the City of Pompano Beach Comprehensive Plan. Specifically, the land use of the Subject Property is proposed to be amended from Commercial to Irregular High Residential (35.7). The following Policies and Objectives are provided which demonstrate the project's compatibility with the goals of the City of Pompano Beach through:

Policy 01.02.01

Require new commercial and residential (of more than 10 dwelling units) development to provide their primary access to the abutting arterial roadway system with the only secondary access points to local streets so that traffic impacts to single family neighborhoods are minimized.

Goal 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 thoughtful and

planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces green gas emissions.

Policy 01.01.05

Review proposals for new development to identify the cumulative impacts of the proposed development on public services and facilities.

Policy 01.01.06

All site plan applications shall provide pedestrian facilities, such as but not limited to sidewalks and street trees (where not in conflict with underground utilities and permitted by City Engineer)

Policy 01.03.04

Consider the preservation of established single family neighborhoods in all rezonings, land use plan amendments and site plan approvals.

Policy 01.03.05

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

Policy 01.03.06

Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

Policy 01.03.11

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

Policy 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.

Objective Flood Protection 01.05.00

Require all new development to be consistent with Federal Emergency Management Administration's Flood Elevations Map.

Policy 01.06.12

Review all land use plan map amendments, rezonings and site plan applications to ensure that there are sufficient potable water resources available and that they pose no noxious impacts to the Biscayne Aquifer.

Objective 01.12.00

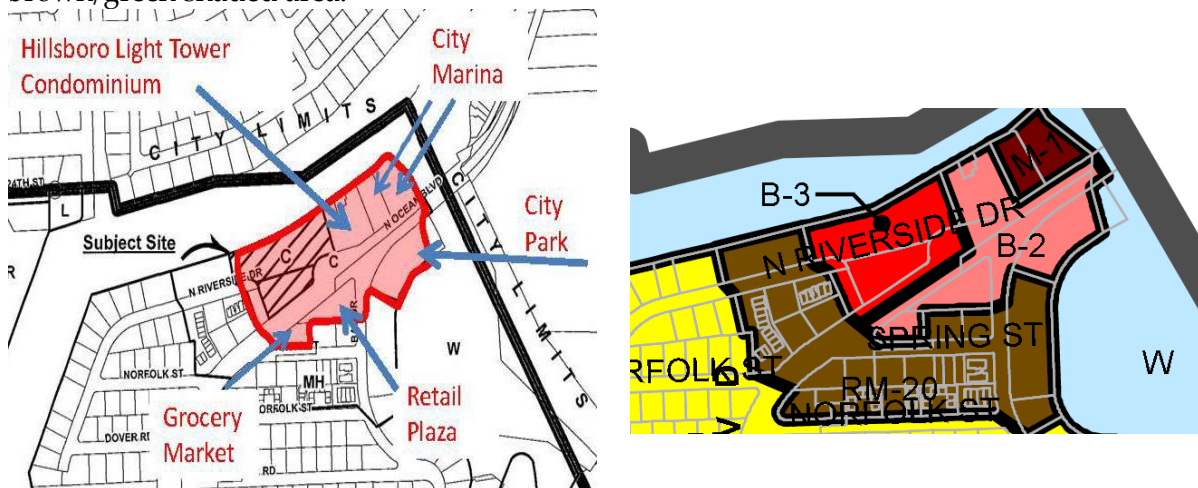
Establish criteria which encourage development areas to promote economic development, increase housing opportunities and maximize the use of existing public facilities and services.

Policy 01.16.01

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

C. Compatibility with Surrounding Areas

The Subject Property has been vacant for almost a decade. Prior to the proposed rezoning application, the parcel contained a gas station and standalone restaurant/bar use. For the adjacent and surrounding community, these uses were not compatible with the area. This portion of the City has been developed to contain a range of residential uses including multi-family and single family uses. As shown in the diagram below, the Subject Property has a commercial zoning designation; yet the uses surrounding the parcels are not commercial in nature. The neighborhood has developed as a residential enclave with highrise multi-family developed at medium to high densities and are inconsistent with the City zoning designation. On the City Zoning Map, below right, the other surrounding high rise condominiums are located within the RM-20 zoning district as shown in the dark brown/green shaded area.



Map B - Area Diagram of Uses and Zoning Map

To the immediate north and south of the Subject Property, there are high-rise condominiums. To the north there are parcels utilized for the City's fishing marina which are zoned as M-1 or

Marina Commercial. There are two (2) parcels in the vicinity that do maintain a commercial zoning designation; however, the retail plaza and the grocery market are not heavily utilized by the surrounding residential community. The character of the area is residential and the proposed size of the building (in height and mass) and density are compatible with the surrounding community. The maintenance of the commercial zoning designation serves to encourage higher volumes of traffic and impact to the surrounding community.

D. Development Phasing Plan

This project will be developed in one (1) phase.

E. Conversion Schedule

The only permitted conversions that will be permitted within this project are uses that are listed in the permitted use table located in **EXHIBIT D**. Based upon the available retail area, each of the uses are intended to serve the proposed development and to provide a use that is compatible and useful to the surrounding community. The intent of the specified list of uses is to minimize vehicle trips and to provide services that enable walkability and sufficient parking for those passerby's who also find the proposed uses in close proximity to their home or in route to their workplace.

F. On-Site Public Facilities

1. Design and Construction

There are several onsite public facilities that will provide access to the residents. The first public amenity offered as part of this project is 1) the $\frac{1}{4}$ of a mile public pedestrian promenade that encompasses the entire perimeter of the building as shown in **EXHIBIT B**. This pathway runs adjacent to the Intercoastal Waterway and provides pedestrians with views of the waterway. Residents of the proposed project in addition to members of the public will have an opportunity to lease a boat slip if desired. Residents currently residing in this area do not have a sidewalk. Pedestrians and bicyclists are forced to walk within the right-of-way. This is not only dangerous, but a discouraging to people to who would prefer to walk versus utilize a motor vehicle. The opportunity to provide this pathway will motivate pedestrians to walk within a vehicle free area. The usage of this pathway is atypical and unprecedented for condominium development within the City.

The second amenity is 2) the creation of open space along the A1A which also illustrated in **EXHIBIT B**. Today, neighbors and residents have no location to gather within this portion of the City. The only available public gathering place is across the street in the park. However, residents must cross A1A to access this area. The open space and retail area requires that the tower be set back from the right-of-way in order to provide a pedestrian environment. The retail component of this project is located adjacent to the open space and allows pedestrians access to the neighborhood retail proposed in this structure. Also accommodated for the public's use is the construction of 3) public parking. The parking is located on the first and second floors of the garage and will be reserved strictly for the public's use.

2. Dedication

This public pedestrian promenade will be an easement to be dedicated to the public for its enjoyment and use. This public easement will be recorded in the public record at the time of site plan approval.

3. Modifications to Street Standards

There is no request to modify the street standards.

G. Uses

The PD-I rezoning proposes a list of principal and accessory uses in EXHIBIT D.

H. Densities and Intensities

Development Area	Density/Intensity
Overall:	
Residential, Commercial, Open Space, Marina	121 Units
Docking Facility	

INTENSITY AND DIMENSIONAL STANDARDS	
PROJECT AREA.....	2.49 net acres
MAX DWELLING UNITS.....	122 units
PROPOSED DWELLING UNITS.....	121 units
FAR.....	545/108,656 SF=5.02 FAR
LOT AREA.....	108,656 SF
LOT WIDTH.....	406 FT
IMPERVIOUS SURFACES.....	80%
PERVIOUS AREAS.....	20%
INDIVIDUAL BUILDING SIZE, MAXIMUM (SF).....	545,000 SF
BUILDING HEIGHT, MAXIMUM (FT).....	105 FT*
FRONT SETBACK, MINIMUM (FT)(Adjacent to A1A).....	0 FT
SIDE SETBACK, MINIMUM (FT).....	13.9 FT ABOVE 50 FT
STREET SIDE SETBACK, MINIMUM (Adjacent to Riverside Drive.....	0 FT**
WATERWAY SETBACK MINIMUM (FT).....	15 FT
*Excluding non-habitable area and appurtenances permitted by <i>Section 155.9402. Exceptions and Variations</i>	
** Minimum street side setback is 0 FT since this portion of the building will contain balconies and is a part of the overall front setback.	

MAXIMUM RESIDENTIAL USE

UNIT TYPE	LEVEL 1-2	LEVEL 3-4	LEVEL 5	LEVEL 6-10	TOTAL	% OF TOTAL
MF			6 UNITS	30 UNITS	36 UNITS	30%
MF			4 UNITS	20 UNITS	24 UNITS	20%
MF			2 UNITS	10 UNITS	12 UNITS	10%
MF	12 UNITS	15 UNITS	2 UNITS	10 UNITS	39 UNITS	32%
MF				10 UNITS	10 UNITS	8%
Subtotal	12 UNITS	15 UNITS	14 UNITS	80 UNITS		
TOTAL					121 UNITS	100%

LEVEL 1	LOBBY	23,947
LEVEL 1	BUILDING MANAGEMENT	20,000
LEVEL 5	FITNESS CENTER	2,100
TOTAL		46,047 SF

Note: Unit types may be altered, but shall not exceed the proposed unit total of 121 units. Any changes to the unit types shall also be reflected in the required parking calculation.

MAXIMUM NON-RESIDENTIAL USE

LOCATION	USE TYPE	SQUARE FEET
LEVEL 1	COMMERCIAL	5,115 SF
LEVEL 1	MARINA/DOCKS	25 SLIPS
TOTAL		5,115 SF

I. Dimensional Standards

MINIMUM AND MAXIMUM SETBACKS

	BELOW 50 FT	ABOVE 50 FT*
Front Yard Setback (Adjacent to A1A)	0 FT	0 FT
Waterway Setback	15 FT	15 FT
Side Yard	0 FT	13 FT 9 IN**
Street Side Setback* ** (Adj to Riverside)	0 FT	0 FT

*Total building height of 105 FT. Based upon the setback required ratio of 1 FT of height per every 4 FT above 50 FT, the setback above 50 FT is 13 FT 9 IN minimum.

**Due to the configuration of the lot a portion of the lot is adjacent to the street side setback. The PD-I requirement for a street side setback is 0 FT. Due to the balconies in this location, the area above 50 FT will meander.

MAXIMUM BUILDING HEIGHT

BUILDING HEIGHT MAXIMUM 105 FT*

*Excluding not habitable areas and other appurtenances permitted in accordance with Section 155.9402.B. Maximum Height Exceptions.

J. Development Standards

The development standards set forth in Article 5 Development Standards of the City of Pompano Beach Zoning Code will be followed as established.

K. Amendments to Approved PD Plan

Amendments to the approved PD Plan shall be considered in accordance with the standards in Section 155.2405.J. Minor Deviations from Approved PD Plan, and Section 155.2405.K. Amendment.

III. PLANNED DEVELOPMENT – INFIL (PD-I)

A. Purpose

The proposed project, under the PD-I zoning district designation, is being developed in a manner that provides a mix of uses on a small, in-fill site and is compatible with the adjacent and existing zoning designations. The purpose of this zoning district is to provide a use that maintains the character of the surrounding area while utilizing the existing infrastructure and resources in place. The intent if the rezoning of the Subject Property to the PD-I zoning designation is to provide a zoning category that allows the parcel to have its own set of development requirements that serve to limit the development. In order to do this, innovative solutions to community issues are being addressed as part of this zoning district and careful detail has been provided in order to create a design and pattern of development that can coexist with the established neighborhoods located in this portion of the City.

Further, the proposed density is consistent with the surrounding communities and the intensity is significantly less than what could be developed on the site today. The site has been previously developed as a gas station and as a restaurant/bar. The infrastructure and utilities are already in place and the way in which the project is being designed, provides this residential community with community serving amenities that do not exist today. Under a standard zoning district, the ability to create gathering places and an 8 FT public pedestrian promenade is not feasible, nor required, as part of the development requirements of the standard zoning district. The proposed PD-I is compatible with the proposed future land use amendment of High Residential Irregular (35.7 du/ac) and consistent with the pattern of development within this area of the City.

B. Use Standards

The primary use proposed within the PD-I consist of 121 multi-family residential units plus a commercial node of development to comprise no more than 5,115 SF. The existing marina will remain. Two (2) additional finger piers will be added and the existing dockage will be improved. As part of the building layout, specific amenities for the homeowners that reside in the building will include a lobby, common areas, fitness area and pool facility. The uses permitted within the proposed PD-I have been provided in **EXHIBIT D**.

C. Intensity and Dimensional Standards

INTENSITY AND DIMENSIONAL STANDARDS

PROJECT AREA.....	2.49 net acres
MAX DWELLING UNITS.....	122 units
PROPOSED DWELLING UNITS.....	121 units
FAR	545/108,656 SF=.07 FAR
LOT AREA.....	108,656 SF
LOT WIDTH.....	406 FT
IMPERVIOUS SURFACES.....	80%
PERVIOUS AREAS.....	20%
INDIVIDUAL BUILDING SIZE, MAXIMUM (SF).....	545,000 SF
BUILDING HEIGHT, MAXIMUM (FT).....	105 FT*
FRONT SETBACK, MINIMUM (FT).....	0 FT
SIDE SETBACK, MINIMUM (FT).....	13.9 FT ABOVE 50 FT
STREET SIDE SETBACK, MINIMUM.....	0 FT**
WATERWAY SETBACK MINIMUM (FT).....	15 FT

*Excluding non-habitable area and appurtenances permitted by *Section 155.9402. Exceptions and Variations*

** Minimum street side setback is 0 FT since this portion of the building will contain balconies and is a part of the overall front setback.

D. Development Standards

The development standards established in the City of Pompano Beach Zoning Code will be adhered to except for the Dimensional Standards as stated within this document.

E. Master Parking Requirements

Parking Space/Unit	Parking Rate	Parking Summary	
		Required	Proposed
Residential	1.5 PS per 2 BR unit (60 units x 1.5)	90	
Residential	2.0 PS per 3 BR unit (61 units x 2.0)	<u>122</u>	
		212	236
Marina	2 + 25/3 boat slips	11	11
Commercial	4 per 1,000 SF (5,115 retail)	21	21
Handicap Spaces	301-400 = 8 spaces	8	8
Additional (Public Use + Valet)		<u>0</u>	<u>59</u>
TOTAL		252	335
Bike Rack	One bike rack for at least 4 PS Bicycles per 10 parking spaces	34	34

Note: Modifications to unit type (bedrooms) shall reflect the required parking rate for each bedroom type.

F. Deviations and Justifications

Side Street Setback: In review of **EXHIBIT A**, a portion of the front setback is adjacent to road. For the purposes of setbacks, the area in question is part of the front setback. And while the street side setback is 0 FT, the Code requires one (1) FT per every four (4) FT above 50 FT. In this location, the balconies will meander. The small area impacted is limited to 0 FT above 50 FT due to the balcony configurations.

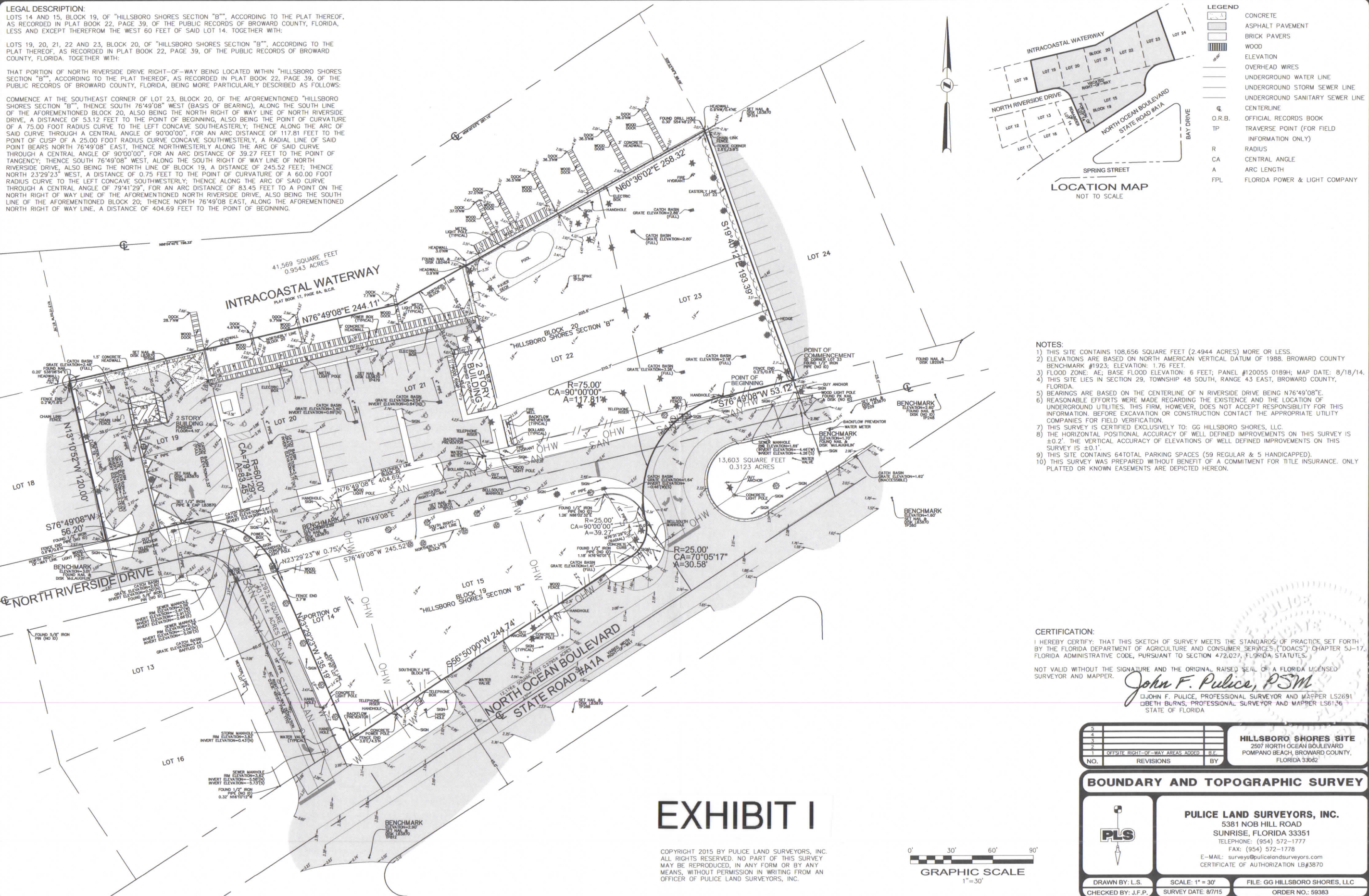
LEGAL DESCRIPTION:

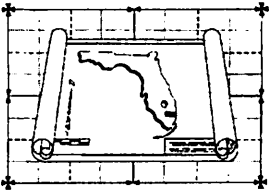
LOTS 14 AND 15, BLOCK 19, OF "HILLSBORO SHORES SECTION "B"", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THE WEST 60 FEET OF SAID LOT 14, TOGETHER WITH:

LOTS 19, 20, 21, 22 AND 23, BLOCK 20, OF "HILLSBORO SHORES SECTION "B"", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH:

THAT PORTION OF NORTH RIVERSIDE DRIVE RIGHT-OF-WAY BEING LOCATED WITHIN "HILLSBORO SHORES SECTION "B"", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 23, BLOCK 20, OF THE AFOREMENTIONED "HILLSBORO SHORES SECTION "B"", THENCE SOUTH 76°49'08" WEST (BASIS OF BEARING), ALONG THE SOUTH LINE OF THE AFOREMENTIONED BLOCK 20, ALSO BEING THE NORTH RIGHT OF WAY LINE OF NORTH RIVERSIDE DRIVE, A DISTANCE OF 53.12 FEET TO THE POINT OF BEGINNING, ALSO BEING THE POINT OF CURVATURE OF A 75.00 FOOT RADIUS CURVE TO THE LEFT CONCAVE SOUTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", FOR AN ARC DISTANCE OF 117.81 FEET TO THE POINT OF CURS OF A 25.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A RADIAL LINE OF SAID POINT BEARS NORTH 76°49'08" EAST, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", FOR AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 76°49'08" WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF NORTH RIVERSIDE DRIVE, ALSO BEING THE NORTH LINE OF BLOCK 19, A DISTANCE OF 245.52 FEET; THENCE NORTH 23°29'23" WEST, A DISTANCE OF 0.75 FEET TO THE POINT OF CURVATURE OF A 60.00 FOOT RADIUS CURVE TO THE LEFT CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°41'29", FOR AN ARC DISTANCE OF 83.45 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE AFOREMENTIONED NORTH RIVERSIDE DRIVE, ALSO BEING THE SOUTH LINE OF THE AFOREMENTIONED BLOCK 20; THENCE NORTH 76°49'08" EAST, ALONG THE AFOREMENTIONED NORTH RIGHT OF WAY LINE, A DISTANCE OF 404.69 FEET TO THE POINT OF BEGINNING.





BROWARD COUNTY PLANNING COUNCIL

115 South Andrews Avenue, Room 307 • Fort Lauderdale, Florida 33301 • Phone: 954.357.6695

March 30, 2016

Bonnie Miskel, Esq.
Dunay Miskel and Backman, LLP
14 Southeast 4 Street, Suite 36
Boca Raton, Florida 33432

Dear Ms. Miskel:

Re: Platting requirements for a parcel legally described as a portion of Lot 14 and all of Lot 15, Block 19 and Lots 19, through 23, Block 20, "Hillsboro Shores Section B," according to the Plat thereof, as recorded in Plat Book 22, Page 39, of the Public Records of Broward County, Florida, together with the adjacent vacated North Riverside Drive right-of-way. This parcel is generally located on the west side of North Ocean Boulevard, south of the Hillsboro Inlet, in the City of Pompano Beach.

This letter is in response to your correspondence regarding the Broward County Land Use Plan's platting requirements for a proposed mixed-use development on the above referenced parcel.

Planning Council staff has determined that replatting is **not** required by Section D.2, Chapter IV, of the Broward County Land Use Plan for the proposed development, subject to compliance with any applicable Broward County Trafficways Plan requirement.

As per the criteria of Section D.2, replatting is required for the issuance of building permits when constructing a non-residential or multi-family building, unless **all** of the following conditions are met:

- a. The lot or parcel is smaller than 5 acres and is unrelated to any adjacent development;
- b. The lot or parcel has been specifically delineated in a recorded plat;
- c. All land within the lot or parcel which is necessary to comply with the County Trafficways Plan has been conveyed to the public by deed or easement; and
- d. The proposed development is in compliance with the applicable land development regulations.

The subject parcel is less than 5 acres (approximately 2.5 acres) and meets the specifically delineated requirement. This platting interpretation is subject to the municipality finding that the proposed development is unrelated to any adjacent development, as noted in "a." above.

EXHIBIT J

broward.org/planningcouncil

Bonnie Miskel, Esq.

March 30, 2016

Page Two

Planning Council staff notes that when a specifically delineated parcel (i.e. Lot 15, Block 19, and Lots 19-23, Block 20) is combined with land which has been included in a plat recorded before June 4, 1953, but not specifically delineated, or with vacated rights-of-way (i.e. a portion of Lot 14, Block 19, and the vacated North Riverside Drive right-of-way), Section D.2, Chapter IV, of the Broward County Land Use Plan does not require replatting if the specifically delineated portion of the parcel constitutes the majority of the enlarged parcel; the specifically delineated portion constitutes a majority of the enlarged parcel.

Some jurisdictions may be more restrictive and require platting in more situations than the *Broward County Land Use Plan*. The City of Pompano Beach's platting requirements should be investigated.

The contents of this letter are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, permitted uses and densities, local zoning, the land development regulations of the municipality or the development review requirements of the Broward County Land Use Plan, including concurrency requirements.

If you have any additional questions regarding the Broward County Land Use Plan's platting requirements, please contact Robert Modys, Planner, at your convenience.

Respectfully,



Barbara Blake Boy
Executive Director

BBB:RECM

cc: Dennis Beach, City Manager
City of Pompano Beach

Robin Bird, Director, Development Services
City of Pompano Beach