

Mr. Hill asked if the Airpark Advisory Board also reviewed this application.

Ms. West responded that she is unsure if it was presented to them but stated that it is not a required part of the process.

Mr. Hill noted that the project's Development Order extension request letter cited references to Zika and the opioid crisis. He asked how those things have any relation to the applicant constructing the building.

Mr. Lochrie responded that they are anxious to now bring this project to market. He stated that site plan approvals can be extended either through requesting the local jurisdiction or by filing paperwork through the State. Any official State of Emergency would allow projects the opportunity to extend project approvals at the state level.

Mr. Stacer added that the Development Services Director has no power over these extensions, which come from the office of the Governor.

Mr. Hill asked if the revisions to the Site Plan need to be re-approved by the Board.

Mr. Lochrie responded that minor revisions can be approved without returning to the Board.

Mr. Hill asked what the former height of the building was.

Mr. Lochrie responded that, measured from sea level, it was 302'.

**MOTION** was made by Joan Kovac and seconded by Richard Klosiewicz to approve the Airpark Obstruction Permit PZ #18-12400002 per the three (3) staff conditions as described in the staff report. Joan Kovac, Richard Klosiewicz, Rhonda Eaton, and Fred Stacer voted in favor while Tony Hill, Jocelyn Jackson, and Jerry Mills voted in opposition; therefore the motion passed.

**G. FLEXIBILITY ALLOCATION**

**2. ALOHA 1 LLC / FLEXIBILITY UNITS  
Planning and Zoning #18-05000002  
Commission District: 3**

Consideration of the FLEXIBILITY & REDEVELOPMENT UNITS REQUEST submitted by **MICHAEL VONDER MEULEN** on behalf of **ALOHA 1, LLC** for 108 Flexibility units in order to develop a 129 unit multi-family project. The applicant is proposing to deed-restrict the 3.05-acre property for affordable workforce housing. The project would consist of three four-story buildings and one five-story building along Dixie Highway with ground floor commercial square footage. The property consists of 4 separate parcels and a public right-of-way that is dependent on the approval of a concurrent abandonment request (P&Z: 18-

18000003). The Land Use designations of the four parcels are Commercial and Medium Residential (16 dwelling units per acre). The subject properties are zoned B-3 and RM-20. The parcels are legally defined as follows:

FOLIO NO. 4942-02-03-0130, 4942-02-03-0140 AND 4942-02-03-0030  
ALL OF LOTS 1, 2, 3, 4, 5, 17, 18, 19, 20, 21, 22, 23, 24, AND A PORTION OF LOT 6, BLOCK 2, AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF VACATED ALLEY AS DESCRIBED IN OFFICIAL RECORDS BOOK 5621, PAGE 419 OF SAID PUBLIC RECORDS, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 17, BLOCK 2; THENCE S89°44'52"E ALONG THE NORTH LINE OF SAID LOTS 17 THRU 24, A DISTANCE OF 364.87 FEET (364.40 FEET PER PLAT) TO THE MOST WESTERLY NORTHEAST CORNER OF SAID LOT 24 THENCE N70°45'15"E A DISTANCE OF 75.22 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 6; THENCE S89°48'10"E ALONG SAID NORTH LINE A DISTANCE OF 59.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE S36°39'30"E ALONG THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 35.86 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE WEST; THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 49°46'53" AND A RADIUS OF 15.00 FEET FOR AN ARC DISTANCE OF 13.03 FEET TO A POINT OF TANGENCY; THENCE S13°07'47"W ALONG SAID EAST LINE A DISTANCE OF 114.74 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHERLY, SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 77°13'40" AND A RADIUS OF 15.00 FEET FOR AN ARC DISTANCE OF 20.22 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING A POINT ON THE SOUTH LINE OF SAID BLOCK 2; THENCE N89°38'46"W ALONG SAID SOUTH LINE A DISTANCE OF 464.17 FEET TO A POINT OF CURVATURE OF TANGENT CURVE CONCAVE TO THE NORTHEAST; THENCE WESTERLY, NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 89°39'51" AND A RADIUS OF 15.00 FEET FOR AN ARC DISTANCE OF 23.47 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING A POINT ON THE WEST LINE OF SAID LOT 17; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 17 A DISTANCE OF 123.62 FEET TO THE POINT OF BEGINNING;

SAID LAND SITUATE WITHIN BROWARD COUNTY, FLORIDA CONTAINING 1.68 ACRES MORE OR LESS.

FOLIO NO. 4942-02-03-0010  
LOTS 8, 9, 10, 11 AND 12, BLOCK 1, OF AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

AND  
THAT PORTION OF VACATED ROAD AS REFERENCED IN ORDINANCE FILED FEBRUARY 7, 2006 IN OFFICIAL RECORDS BOOK 41418, PAGE 410 BEING DESCRIBED AS FOLLOWS:

THAT PORTION OF PALM TERRACE RIGHT OF WAY, LYING ADJACENT TO LOT 12, BLOCK 1, AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 25, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID PORTION BEING BOUNDED BY AS FOLLOWS: ON THE NORTH BY A LINE PARALLEL WITH AND 50 FEET SOUTHERLY OF THE WESTERLY EXTENSION OF THE NORTH LINE OF THE AFOREMENTIONED LOT 12, BLOCK 1, ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF BLOCK 1, ON THE EAST BY THE WEST LINE OF THE AFOREMENTIONED LOT 12, BLOCK 1, AND ON THE WEST BY A LINE 30 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE AFOREMENTIONED LOT 12, BLOCK 1.

**AKA: 1091 South Dixie West Highway; 771 SW 11<sup>th</sup> Street; 701 SW 11<sup>th</sup> Street; and 740 SW 11 Street**

ZONED: B-3 (General Business) and RM-20 (Multiple-Family Residence 20)

STAFF CONTACT: Maggie Barszewski (954) 786-7921

Ms. Jennifer Gomez, Assistant Development Services Director, explained to the Board that staff will be offering the following unified presentation for the next three agenda items (#2, #3, and #4) since they are all related to the same project.

Ms. Gomez stated that the conceptual plans are for a 129-unit development with 4 and 5 story buildings that would be for affordable, workforce housing. The request includes 108 flex units for both the commercial and residential portions of the site. The property is currently split-zoned B-3 and RM-20, but the applicant is requesting a rezoning to RM-45 to allow for their intended density of 32 units per acre. The height of buildings, however, would be limited to 4 floors where abutting existing residential uses to be compatible. The right-of-way abandonment is requested as a part of the project because there is an existing ROW in what would be the center of the project. This ROW would be replaced with an access and utility easement. Ms. Gomez showed the Board a conceptual site plan and explained that each of the three applications must be voted on separately.

Ms. Eaton asked if the proposed abandonment would be utilized as a shared entrance to this and abutting developments.

Ms. Gomez responded that there would be a public access easement so that one could enter Captiva Cove to the south.

Mr. Michael Vonder Meulen (301 E. Atlantic Boulevard, Pompano Beach) presented himself to the Board and offered an overview presentation of the project. He stated that the Dixie Highway Corridor Study envisions this district to provide workforce housing. He explained that 11th street was never fully constructed and that the request is to vacate the entirety of it. Regarding the rezoning, he explained that the applicant's initial concept was to request B-3 zoning so that the entire project site would be consistent, but that staff had concerns given the residential zoning directly to the north. He explained how the request for 108 flex units was developed and stated that there will be ground-floor commercial space along Dixie Highway. A tot lot will be included as a part of the project as well. He pointed out the buffers and distance separation between the proposed buildings and adjacent residential properties.

Ms. Kovac asked if the units will be rental and if they will vary in size.

Mr. Vonder Meulen responded that the intention is that it will be a rental community and that it will be designed for families with 1 and 2 bedrooms.

Ms. Jackson asked what the rental price would be.

Mr. Vonder Meulen responded that it will be set by Broward County and that workforce housing is calculated each year. The deed restriction for workforce housing will be for 30 years.

Ms. Jackson asked if any units are allocated for the elderly.

Mr. Vonder Meulen responded that they have not.

Mr. Hill asked why a rezoning to B-3 wouldn't be a good idea.

Ms. Jean Dolan, Principal Planner, responded that it has an underlying residential Land Use designation, so a rezoning to commercial isn't allowed.

Mr. Hill asked why a Planned Development isn't proposed for the site.

Mr. Vonder Meulen responded that the B-3 and RM-45 zoning districts allow for what is being designed for the property. He stated that he thinks that Planned Development - Infill district is the only PD option that would be possible due to the 5 acre minimum size limit.

Mr. Hill responded that that limit is waived all the time. He stated that to him, it makes sense to assemble several parcels and propose a Planned Development.

Mr. Vonder Meulen responded that the project as designed fits within the zoning, so a Planned Development wasn't requested.

Mr. Hill asked if the large number of flex units are being requested instead.

Mr. Vonder Meulen responded that this would be necessary even with a Planned Development.

Mr. Hill asked how many flex units the City has available.

Mr. Stacer stated that the staff report indicates there are 1,238 units available.

Ms. Gomez stated that they are not asking for any deviations, so using base zoning would enable a project that matches the code as closely as possible.

Mr. Hill noted that the end of 11th Street appears to be closed.

Ms. Gomez responded that the project planner, Maggie Barszewski, confirmed that there is a lock box currently and that it is not in use.

Mr. Hill also commented that the backup for each of the three applications is very limited. He stated that he would expect more information, especially given how much is being asked for.

Ms. Gomez responded that the conceptual site plan is what is required for a flex application, and that a site plan would not be required for a rezoning or an abandonment of right-of-way. She reiterated that the project will return to the Board for Site Plan approval.

Mr. Hill asked what is contemplated for the commercial component of the project.

Mr. Vonder Meulen responded that it would be ground-floor retail on the building on Dixie. It could be retail or restaurant space.

Ms. Jackson asked how many retail spaces will be available.

Mr. Vonder Meulen responded that he does not think it has been designed, but that it would be the entirety of the first floor minus the lobby space. The full details would be included in the Site Plan that would return to this Board.

Ms. Jackson asked how many parking spaces will be included and if that has been approved.

Mr. Vonder Meulen responded that those details will be included in the Site Plan submission, but noted that it has been parked appropriately.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

*NOTE: The following staff recommended alternative motions were included in the staff report and referenced by the Chair.*

Given the information provided to the Board, as the finders of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion.

#### Alternative Motion I

Recommend approval of the Flex Allocation request subject to the following conditions:

1. The parcel with a RM-20 zoning must be rezoned to allow a minimum of 32 units per acre;
2. The concurrent application for abandonment of the SW 11 Street ROW must be approved;
3. The conceptual and final site plan must be able to meet all code requirements with no variances. If the requested density cannot be accommodated on the site based on all applicable code requirements, any flex units that will not fit on the site must be returned to the flex pool;

4. Prior to site plan approval, the Applicant shall provide a signed agreement documenting how the affordability requirements will be met, pursuant to Section 154.61(E) Planning;
5. Any future site plan submitted for this project shall be substantially conforming to the submitted conceptual site plan with any amendments needed to comply with the zoning code and other relevant city codes;
6. In order to ensure compatibility with adjacent properties, the conceptual plan shall illustrate the following three restrictions:
  - a. A maximum density on the subject property to be 32 units per acre;
  - b. A height of four-stories for structures not adjacent to Dixie Hwy.;
  - c. A Type "B" buffer along the north, west and south sides along with increased setbacks of approximate 65 feet.;
7. During the site plan approval process, resolve issues related to ingress/egress and landscape areas.

**Alternative Motion II**

Table this application for additional information as requested by the Board.

**Alternative Motion III**

Recommend denial as the Board finds that the use of the reserve and flexibility units will not be consistent with Section 154.61(D) of the Code.

Mr. Stacer asked the applicant if they had any objections to staff's conditions.

Mr. Vonder Meulen responded that they do not.

**MOTION** was made by Jerry Mills and seconded by Richard Klosiewicz to recommend approval of the Flexibility & Redevelopment Units application PZ #18-05000002 per Alternative Motion # I as described in the staff report. All those voted in favor with the exception of Tony Hill; therefore the motion passed.

**H.**

**REZONING**

3. **ALOHA 1 LLC / SITE-SPECIFIC ZONING MAP AMENDMENT**  
**Planning and Zoning #18-13000002**  
**Commission: 3**

Consideration of the REZONING submitted by **MICHAEL VONDER MEULEN** on behalf of **ALOHA 1, LLC** to rezone the property from RM-20 (Multiple-Family Residence) to RM-45 (Multiple-Family Residence 45) in order to develop a mixed-use project with up to 129 units that is deed-restricted for affordable workforce housing. The property is currently vacant. This approximate 1.17-acre property is located west of South Dixie Highway, on the north & south sides of SW 11th Street. The