

pedestrian and bicycle infrastructure, but it should not be developed as a commercial district.

Ms. Kovac closed the public hearing.

Ms. Miskel provided additional details supporting their request. She stated that there are currently no commercial restrictions on the B-3 uses, and as such, many of the residents have embraced the proposal since it would be more compatible with the neighborhood. She showed their traffic impact analysis that indicates a residential use would be a significant decrease in traffic compared with a possible commercial development. All impacts would be decreased with the exception of sewage requirements. She stated that in the previous hearing, no resident made the statement that the area is currently commercial in nature. She presented the compatibility analysis to the board and stated that the zoning request is for an infill development, which would allow a moderate amount of commercial that would be contextual with the existing neighborhood.

MOTION was made by Richard Klosiewicz and seconded by Carla Coleman to recommend approval of PZ #15-92000004. All voted in favor of the motion; therefore, the motion passed.

2. **GC HILLSBORO SHORES LLC / HILLSBORO SHORES –
REZONING**
 Planning and Zoning #16-13000003

Consideration of the request by **BONNIE MISKEL** on behalf of **GC HILLSBORO SHORES LLC** to rezone the property from B-3 (General Business) to PDI (Planned Development Infill). The property is legally described as follows:

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

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // ME

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 CUSP 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. THE SITE CONTAINS 108,656 SQUARE FEET (2.4944 ACRES NET).

AKA: 2507 N Ocean Blvd and 2629 N Riverside Drive
ZONED: B-3 (General Business)
TO: PDI (Planned Development Infill)
STAFF CONTACT: Jae Eun Kim (954) 545-7778

Ms. Jennifer Gomez, Assistant Development Services Director, presented herself to the Board. She explained that this request is a companion to the land use amendment request that the Board just considered. She explained that the applicant is requesting to rezone the properties from B-3 (General Business) to PDI (Planned Development Infill). The proposed project consists of two (2) parcels of land located at 2629 N. Riverside Drive and 2507 N. Ocean Blvd, and is approximately 2.49 net acres (3.43 gross acres). The properties are currently vacant, and are located to the east of the Intracoastal Waterway and northeast corner of the intersection of A1A and N. Riverside Drive. As part of the rezoning application, the applicant is requesting 121 multi-family dwelling units and 5,200 square feet of commercial uses. 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. Ms. Gomez pointed out that the staff report contains information regarding the DRC review of this application, as well as the findings of fact and site history for these parcels. She noted that the applicable Goals, Policies, and Objectives from the Comprehensive Plan are included in the backup.

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

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Alternative Motion I

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. Clarify the following statement within the PD-I documents and plans:
 - a. Additional docks are illustrated on the PD-I plan, which conflicts with the notation provided on page 7, PD-I document.
 - b. The proposed land use designation of High Residential-Irregular (35.7 du/ac) is stated on page 10, PD-I document, whereas the Planning and Zoning Board recommended approval of Irregular (29 du/ac) via Memorandum # 16-067. Alternatively, this rezoning application must provide approval of the land use amendment of High Residential-Irregular (35.7 du/ac) prior to placement on a City Commission agenda.
 - c. Location of loading berths or service lanes to support the proposed commercial and residential uses shall be identified on PD plans.
 - d. Statements of 'On-Site Public Facilities' and 'Community Benefits and Amenities' including boat slips must be listed on PD plans.
 - e. Define the address for this rezoning application and the front lot line on plans and documents.

2. Correct the following errors within the PD-I documents and plans:
 - a. All plans in the PD-I document shall be referenced as an exhibits.
 - b. Revise the FARs to include the gross building areas under Intensity and Dimensional Standards.
 - c. Correct 'Individual Building Size, Maximum' to 'Gross Building Area, Maximum'.
 - d. Remove notations of Dimensional Standards under Development Standards on page 15 and 17, PD-I document.
 - e. Remove 'Site Plan Conditions' from the PD-I document.
 - f. Correct the area of the proposed commercial use to be 5,200 square feet in the Master Parking Requirements table (page 17, PD-I document) and PD-1 & PD-4 plans.
 - g. Add full Code Sections including titles in the PD-I document, instead of referring to 'Zoning Code' for clarifications of this rezoning application.
 - h. Provide Code Sections and detailed classifications of listed uses on the PD-4 plan.
 - i. Correct 'Public Easement' to 'Public Access Easement' on the PD-1 plan.
 - j. Identify the commercial use areas on the PD-1 plan.
 - k. Provide a statement in regards to innovative and sustainable site and landscape designs shall be offered with this rezoning in order to meet the intent of the PD-I zoning.
 - l. Provide a total building footprint to verify the lot coverage.

- m. Revise notes of the rear yard setback, which is subject to the height of the portion of the structure that exceeds 50 feet.
- 3. Provide graphics demonstrating 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.
- 4. Unified control of the development shall be provided as a part of this rezoning application. Note that this may be processed on the same agenda as the Rezoning Ordinance.
- 5. Public access easement shall be established and recorded prior to site plan approval.

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 request is not consistent with the following goals, objectives and policies of the Comprehensive Plan, specifically:

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.

Future Land Use

01.03.03 Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.

01.03.10 Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.

01.06.01 Consider the impacts that land use amendments, rezonings or site plan approvals have on natural resources and historic properties.

Coastal Zone Management

10.03.00 Water dependent and water related uses will be protected and encouraged within the coastal area; this shall include retaining commercial zoning so that private residential redevelopment does not displace such uses.

Recreation and Open Space

11.00.00 Provide safe well-maintained and adequate open space and recreational facilities for all Pompano Beach residents and visitors.

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

11.05.03 To promote Pompano Beach as a year-round tourist destination.

11.05.02 To recognize the contribution that private recreational facilities provide in meeting the needs of seasonal residents and tourists and cooperate with them.

Dr. Mills asked what staff's recommendation is.

Ms. Gomez stated that staff, as always, has provided three alternative motions for the Board to consider, the first of which is for approval.

Ms. Kovac asked the applicant if they are in agreement with complying with staff's recommended conditions of approval.

Ms. Bonnie Miskel (14 SE 14 Street) presented herself to the board as the attorney for the applicant. She agreed that they are accepting of staff's conditions, and noted that they have already complied with a number of them. She stated that the zoning should be compatible with the residential land use designation if it is approved, and that this rezoning request satisfies this. She explained that the current zoning is B-3 and what is being proposed is a PD-I zoning district, which allows small-scale mixed-use on small sites. The number of units proposed in the PD-I is 121 and the applicant is asking for no variances for this project. She stated that the site plan is undergoing site plan review currently. Ms. Miskel explained that neighboring residents asked for a larger setback than is required from the shared property lines and as such, the building will be set back at least 50 feet from the side property lines. She noted that the plan will include ample open space as a part of the design and to encourage public access, and the marina will be available to all residents and not just those who live in the development. The 5100 square feet of retail is oriented toward N Ocean Boulevard along with the structured parking. The parking exceeds the parking requirements in an effort to not negatively affect the area with parking.

Dr. Mills asked what the difference is between the previous presentation and the current one in regards to the number of units in the project.

Ms. Miskel stated that the zoning will be maxing out at 121 units, though the land use will max at 122.

Dr. Mills asked to clarify that this presentation is the same project as the previous presentation, and also asked if there will be retail.

Ms. Miskel stated that typically one doesn't speak about buildings for a land use amendment request, but she did so to demonstrate that the ultimate project will be compatible with the LUPA request. She confirmed that there will be retail along N Ocean Boulevard.

Ms. Coleman asked if the retail will be wrapped around the entire garage.

Mr. Matt Carr (2915 Biscayne Boulevard, Miami, FL) stated that the retail will be wrapped around a portion of the ground floor at the intersection of N Riverside Drive and N Ocean Boulevard. The rest of the ground floor liner will be for the lobby and access points.

Public Hearing:

Ms. Eileen Michaelson (800 SE 3rd Avenue, Fort Lauderdale) presented herself as the attorney on behalf of the Hillsboro Shores Improvement Association and stated that they wholeheartedly recommend the approval of the land use amendment and the rezoning. She stated that the association is in unanimous support of the project. She commended Mr. Pearl and Ms. Miskel in their work to make sure the community's concerns are addressed. She pointed out that there was some redesign done in response to the concerns of the association regarding accessibility to the retail portion.

Mr. John Dorenda (2639 N Riverside Drive, #901, Pompano Beach, FL) presented himself as a neighborhood resident and stated that he agrees that the area should not be commercial. He expressed his concern, however, about the proposed density of 121 units on Riverside Drive. He feels that the traffic impact on the community will be negative with how many units are proposed coupled with how many boat slips would be in the marina.

Mr. Patrick Jovanov (411 NE 18 Avenue, Pompano Beach, FL) presented himself as a community resident. He stated that the site used to be a gas station that he remembers from his youth. He stated that he has reservations about the public promenade since this will be a private development.

Ms. Kovac closed the public hearing.

MOTION was made by Jerry Mills and seconded by Richard Klosiewicz to recommend approval of PZ #16-13000003 subject to the five (5) conditions of staff. All voted in favor of the motion; therefore, the motion passed.

**3. 1380 S OCEAN BOULEVARD FL, LLC / 1380 S OCEAN BOULEVARD
 Planning and Zoning #16-13000005**

Consideration of the request by **STEPHANIE J. TOOTHAKER** on behalf of the **1380 S OCEAN BOULEVARD FL, LLC** to rezone the property from RM-45/HR (Multiple-Family Residence 45/High-Rise Overlay District) to PCD (Planned Commercial/Industrial District). The property is legally described as follows: