

RESOLUTION NO. 2023-_____

**CITY OF POMPANO BEACH
Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A
MAXIMUM OF 19 FLEX UNITS FOR A PROPOSED
HOUSING DEVELOPMENT ON A 4.2 ACRE PROPERTY
LOCATED AT 950 NORTH POWERLINE ROAD;
PROVIDING AN EFFECTIVE DATE**

WHEREAS, Gateway Investments, LLC (“Applicant”) requests an allocation of a maximum of 18 residential flex units to be used in conjunction with County Policy 2.16.3 which allows for six bonus units for every moderate income housing unit deed restricted for 30-years. The purpose of the request is to generate 128 total units of housing to be located on a vacant 4.2-acre property at 950 Powerline Road, legally described in Exhibit “A,” attached and incorporated in this Resolution; and

WHEREAS, the land use designation of the subject property is Commercial; and

WHEREAS, Section 154.61, City of Pompano Beach Planning Code, requires that applications for flex and redevelopment units must comply with certain requirements to construct affordable housing; and

WHEREAS, the Applicant intends to comply with the affordable housing requirements of City Code Section 154.61(E) and Broward County Policy 2.16.3 by deed restricting 19 flex units to moderate income affordable for 30-years; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed resolution and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, in accordance with Section 154.61(C)(4) of the Pompano Beach Code of Ordinances, notice has been mailed notifying residents within 500 feet of the subject property of one public hearing on this proposed Resolution; and

WHEREAS, a public hearing before the City Commission was held pursuant to the aforesaid notice at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were in fact heard; now, therefore,

WHEREAS, in order to construct the proposed project on the subject property, the city will have to allocate a maximum of 19 flex units; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach allocates a maximum of 19 residential flex units from the unified flex zone for the proposed 128 unit housing project to be constructed on the property legally described in Exhibit “A.”

SECTION 2. That the number of flex units in the unified flex zone shall be reduced by the number of units necessary for the proposed housing project, not to exceed 19 units.

SECTION 3. That the proposed housing project shall be generally consistent in regard to building placement, setbacks and buffering with the conceptual site plan as shown in Exhibit “B,” attached and incorporated in this Resolution. The conceptual and final site plan must be able to meet all code requirements with no variances. Minor revisions to the site plan that are necessary to meet the City’s Code or that do not affect the density or intensity of the site, such as (but not limited to) building dimensions, stormwater retention and access locations, will be allowed without additional public hearings.

SECTION 4. That the proposed housing project must be built in substantial conformity with the attached conceptual site plan as shown in Exhibit “B.” If the requested density cannot be

accommodated on the site based on all applicable code requirements, the density of the site must be reduced accordingly which may result in some of the flex units being returned to the flex pool of units.

SECTION 5. In order to meet the affordable housing requirement pursuant to Broward County Policy 2.16.3, a Declaration of Restrictive Covenants will be recorded committing at least 19 units to be moderate income housing for a minimum of 30-years.

SECTION 6. Failure of the applicant to obtain a principal building permit for this project as shown in Exhibit “B” within two years of the date of this resolution shall render the allocation of the flex units null and void.

SECTION 7. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2022.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

:jrm
10/19/22
L:ord/2023-25

EXHIBIT A
LEGAL DESCRIPTION

Parcel "A", HUOK, according to the plat thereof, as recorded in Plat Book 183, Pages 446 and 447, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 184,055 square feet or 4.2253 acres more or less.

EXHIBIT B
Conceptual Site Plan