

RESOLUTION NO. 2022 - _____

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

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A
MAXIMUM OF TWO HUNDRED EIGHTY-FIVE (285) FLEX
UNITS FOR A PROPOSED MIXED-USE DEVELOPMENT
LOCATED AT 3151 – 3251 N. FEDERAL HIGHWAY;
PROVIDING AN EFFECTIVE DATE**

WHEREAS, 1307 South Wabash, LLC (“Applicant”) requests an allocation of a maximum of two hundred eighty-five (285) residential flex units to be located on a 6.2-acre property located on the west side of Federal Highway between NE 31st Court and NE 33rd Street, legally described in Exhibit “A,” attached and incorporated in this Resolution; and

WHEREAS, the subject property has a Commercial Land Use Designations; and

WHEREAS, Section 154.61, City of Pompano Beach Planning Code, requires that applications for flex and reserve 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) by providing an agreement, prior to site plan approval, that prescribes the Applicant’s provision of affordable housing; 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, in order to construct the proposed project on the subject property, the city will have to allocate a maximum of 285 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 285 residential flex units from the unified flex zone for the proposed 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 285 units.

SECTION 3. That the proposed housing project shall be generally consistent in regard to building placement, setbacks and buffering with the attached 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 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” that shows a maximum density on the residentially zoned portion of the subject property. If the requested density cannot be

accommodated on site based on all applicable code requirements, any flex units that will not fit on site must be returned to the flex pool.

SECTION 5. In order to meet the affordable housing requirement pursuant to Section 154.61(E), Planning, prior to Site Plan approval the Applicant shall comply with the in lieu of fee in accordance with Section 154.80, (affordable housing requirement). These fees are due at building permit.

SECTION 6. Failure of the applicant to obtain a principal building permit for its 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 _____, 2021.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm
11/15/21
l:reso/2022-43