



CITY OF POMPANO BEACH FLORIDA

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PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY

August 24th, 2016
Wednesday

City Commission Chambers

6:00 P.M.

MINUTES

A. Call to order by the Chairman of the Board, Mr. Fred Stacer at 6:08 P.M.

B. **ROLL CALL:**

Tobi Aycock
Joan Kovac
Trip Bechert *for Dwight Evans*
Fred Stacer
Jerry Mills
Richard Klosiewicz
Walter Syrek *for Richard Klosiewicz (Item 1 only)*
Jeff Torrey
Jennifer Gomez
Maggie Barszewski
Daniel Keester
Kerrie MacNeil
Karen Friedman
Christopher Longworth
Bonnie Miskel
Eileen Michealson
Jay Huebner
Riccardo Masciovecchio
Linda Strutt
Robert Lochrie

Also present

Dev Motwani
Sonja Yefsky
David Duckworth
Paula Cholmondeley
Craig Finnefrock
Jonathan Tavalin
James Laraway
Norma Segal
Ronald Rupp
Lucy Conenna
John Geer
Henri Crockett
Gary Civins
Robert Shelby
Lawrence Dunne
Jeff Rembaum
Tammy Good
Dick Coker
Mark Seaberg
Howard Jablon
David Nelson
Tara Patton
Max Weymss

C. MOMENT OF SILENCE

The Chairman asked the Board for a moment of silence.

D. APPROVAL OF THE MINUTES:

Approval of the minutes on the meeting of July 27th, 2016.

Ms. Aycock pointed out that on page fifteen (15), paragraph two (2), the word “approval” should say “application.”

MOTION was made by Jerry Mills and seconded by Joan Kovac to approve the meeting minutes of July 27th, 2016. All voted in favor of the motion; therefore, the motion passed.

E. INDIVIDUALS TESTIFYING PLACED UNDER OATH

City staff and members of the public testifying before the Board at the meeting were placed under oath by Kerrie MacNeil, Zoning Technician and Notary Public in the State of Florida.

F. PUBLIC HEARINGS

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. // kem

1. **MYELIN GROUP, LLC / KOI RESIDENCES AND MARINA - REZONING**
Planning and Zoning #15-13000010

Consideration of the request by **MICHAEL VONDER MEULEN** on behalf of the **MYELIN GROUP, LLC** to amend their RPUD zoning. This project consists of three Phases. This amendment application is limited to POD B only, which is a Phase II. Pursuant to Zoning Code §155.2404.K, Amendment and §155.2308.C, Modification or Amendment of Development Order, this request requires a new application to be submitted and reviewed in accordance with the full procedural requirements.

The proposed amendments of POD B are as follows:

1. Increasing maximum building height from 55 feet to 85 feet
2. Increasing maximum building stories from four or five to seven
3. Increasing the number of buildings from two to three.
4. Increasing the maximum building size from 105,000 square feet to 180,000 square feet.
5. Relocating the fitness trail along the east property line to be internalized around the proposed three buildings in POD B.

The property is located at 450 East Atlantic Boulevard, more specifically described as follows:

PARCEL A OF KOI, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 181, AT PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

AKA: 450 E Atlantic Blvd.

ZONED: RPUD (Residential Planned Unit Development)

TO: Amended RPUD (Residential Planned Unit Development)

STAFF CONTACT: Jae Eun Kim (954) 545-7778

Note: This item is on the agenda to reaffirm unsworn testimony provided in this matter at the previous hearing held on July 27th 2016.

The Chairman announced that Walter Syrek will replace Richard Klosiewicz for this item since he was present at the July 27th, 2016 Planning and Zoning Board hearing.

Jennifer Gomez introduced herself to the Board as the Assistant Development Services Director and stated that the applicant arrived late to the Planning and Zoning Board July 27th meeting and was not sworn in. The applicant is present today to reaffirm unsworn testimony from the July meeting.

Ms. Sarver asked the applicant to state his name and address for the record and inform the Board if he was sworn in at the present meeting.

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Christopher Longworth introduced himself to the Board and stated that he was sworn in at tonight's meeting. Carrie Sarver gave additional explanation for the requirement of having this item on the agenda again and having the applicant reaffirm unsworn testimony. The Assistant City Attorney stated that the applicant is only here tonight to state that his testimony was true.

The Chair asked Mr. Longworth if the testimony he provided at the last meeting was true and Mr. Longworth confirmed. Ms. MacNeil asked Mr. Longworth to state his name and address for the record. Mr. Longworth stated that his address is 1401 SW 4th Avenue Plantation, Florida. Ms. Sarver stated that the item will be going to the City Commission for approval next month. Ms. Sarver asked the developer to state what his testimony included at the last meeting. Mr. Longworth replied that his testimony was based on the plans and documents submitted to the Planning and Zoning Division and this material was presented by his consultants.

The Assistant City Attorney stated that no motion is needed.

Mr. Longworth thanked the Board for their support.

Mr. Klosiewicz returned to the dais and Mr. Syrek stepped down.

The Assistant City Attorney stated that she advised the Board that the same members be present at tonight's meeting that were present at the July meeting in case the Board members had questions. There were two alternates at the July meeting who were present tonight.

2. **GC HILLSBORO SHORES LLC / HILLSBORO SHORES- LAND
USE PLAN AMENDMENT**
Planning and Zoning #15-92000004

Consideration of the proposed LAND USE PLAN AMENDMENT request by **BONNIE MISKEL** on behalf of **GC HILLSBORO SHORES LLC** for a change in the future land use designation of a 4.2079 gross-acre property. Currently the property has a Commercial (C) Future Land Use designation. The Applicant is requesting a change in land use to High Residential (H) - Irregular 29. The subject property is located at 2507 N. Ocean Blvd and 2629 N. Riverside Drive, more specifically 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

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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 IN THE APPLICATION ON FILE AT THE DEVELOPMENT SERVICES DEPARTMENT.

AKA: 2507 N Ocean Blvd and 2629 N Riverside Drive
FROM: C (Commercial)
TO: High Residential (H) - Irregular 29
STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Note: This item was tabled per the applicant's request at the July 27th, 2016 Planning and Zoning Board hearing.

Jennifer Gomez introduced herself to the Planning and Zoning Board as the Assistant Development Services Director and stated that the applicant notified the Board earlier today that they are requesting tabling this item to next month's meeting. Staff supports this request and the applicant will be required to pay for the cost of re-advertising this item.

MOTION was made by Richard Klosiewicz and seconded by Jeff Torrey to remove the item from the table. All voted in favor of the above motion; therefore, the motion passed.

Bonnie Miskel (14 SE 4th Street Boca Raton, FL) introduced herself to the Planning and Zoning Board and stated that she is aware that they will need to pay the fee to re-advertise. Ms. Miskel stated that they have been working with the neighborhood to satisfy their concerns and they just need a little more time to reach an accord.

Eileen Michelson (800 SE 3 AV Ft. Lauderdale, FL 33316) introduced herself to the Board as a representative of the Hillsboro Shores Improvement Association which is interested in this item because the subject property is located within the Hillsboro Shores Improvement Area. Ms. Michelson asked the Board to table the item. Ms. Michelson stated that they are going through negotiations with the developer and there is a development agreement and a declaration of restrictive covenants that runs between the developer and the association which is filed against the property. Ms. Michelson stated that they are in negotiations to see if they can reach an accord to see if they can amend the document. They are close to reaching an agreement but have not reached it yet. Ms. Michelson stated that the Board of the Hillsboro Shores Improvement Association is surprised to see items 9 and 10 on the agenda and Ms. Michelson asked if these items could be moved up on the agenda.

The Chairman denied to request to move agenda items 9 and 10.

Joan Kovac asked how many times the applicant can request tabling. Fred Stacer stated that applicant can request to table once and then the Board decides if the item can be tabled after that. Mr. Stacer asked for confirmation from staff. The Assistant Development Services Director stated that after the second tabling, the item is re-advertised as a courtesy to the public.

MOTION was made by Richard Klosiewicz and seconded by Jerry Mills to table the item to the September 28th, 2016 Planning and Zoning Board hearing. All voted in favor of the above motion; therefore, the motion passed.

3. REZONING – HABITAT FOR HUMANITY OF BROWARD, INC. /
ABYSSINIAN HABITAT
Planning and Zoning #15-13000011

Consideration of the request by **JAY HUEBNER** on behalf of **HABITAT FOR HUMANITY OF BROWARD, INC.** to rezone a 9.035 net acre property from RM-12 (Multiple-Family Residence) to RPUD (Residential Planned Unit Development) in order to build 77 zero-lot-line single-family homes. The subject sites are located at the southwest corner of NW 15 Street and NW 6 Avenue. The property is legally described as follows:

PARCEL "A" **ABYSSINIAN BAPTIST CHURCH OF CHRIST**,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK
167, AT PAGE 22 OF THE PUBLIC RECORDS OF BROWARD COUNTY
FLORIDA.

TOGETHER WITH;

ALL THAT PART OF THE NW ¼ OF THE NE ¼ OF THE NW ¼ LYING
WEST OF AND ADJACENT TO NW 6TH AVENUE, LESS THE F.E.C.
RAILROAD RIGHT OF WAY OF THE SOUTH 150 FEET AND NORTH 35
FEET WHICH HAS BEEN DEDICATED FOR ROAD RIGHT-OF-WAY OF
NW 15TH STREET, ALL IN SECTION 35, TOWNSHIP 48 SOUTH, RANGE
42 EAST, BROWARD COUNTY, FLORIDA;

AND

THE EAST 100 FEET OF THE E ½ OF THE NE ¼ OF THE NW ¼ OF THE
NW ¼, EXCEPT THE SOUTH 150 FEET FOR FLORIDA EAST COAST
RIGHT-OF-WAY AND EXCEPT THE NORTH 35 FEET THEREOF,
DEDICATED FOR STREET RIGHT-OF-WAY, IN SECTION 35,
TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY,
FLORIDA.

SAID LANDS SITUATE IN THE CITY OF POMPANO BEACH, BROWARD
COUNTY, FLORIDA

AKA: Southwest corner of NW 6th Avenue and NW 15th Street
ZONED: RM-12 (Multiple Family Residence 12)
TO: RPUD (Residential Planned Unit Development)
STAFF CONTACT: Jae Eun Kim (954) 545-7778

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Jennifer Gomez introduced herself to the Board as the Assistant Development Services Director and stated that the applicant is requesting a rezoning of a 9.035 net acre property from RM-12 (Multiple-Family Residence) to RPUD (Residential Planned Unit Development) in order to build 77 zero-lot-line single-family homes. In 2015, via Ordinance 2015-59, the subject property was rezoned from RS-4 (Single-Family Residential 4) on 7.87 acres and B-2 (Community Business) on 1.16 acres to RM-12 (Multi-Family Residential 12). The Land Use designation for the subject sites is M (Medium Residential, 10-16 DU/AC). The subject sites are located at the southwest corner of NW 15 Street and NW 6 Avenue, currently vacant, and are composed of three parcels. The intent of a Planned Development is to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency and other city goals and objectives.

The Assistant Development Services Director stated that the staff comments from the Development Review Committee meeting held on February 17, 2016 are included in the back-up.

Zoning Department staff submits the following factual information which is relevant to this rezoning request:

1. The rezoning was reviewed by DRC on January 6, 2016 and February 17, 2016.
2. The property is not platted yet and is located southwest corner of NW 6th Avenue and NW 15th Street.
3. The overall site is 9.97 gross acres (9.035 net acres).
4. The Zoning and uses of adjacent properties are:
 - North – (RS-3 and RS-4, Single Family Residence) Single Family Residential
 - South – (B-2, General Business) Railroad Track and (CF, Community Facilities) High School
 - East – (B-2, General Business) Retail/Commercial and Vacant Lot
 - West – (CF, Community Facilities) Church
5. The Land Use Designation is M (Medium Residential Designation) that allows a maximum of 10-16 DU/AC.

The purpose of the Planned Development as well as the goals, objectives and policies of the City's Land Use Element of the Comprehensive Plan are in the backup that was provided to the Board.

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.

Alternative Motion I

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. // kem

Recommend approval of the RPUD Amendment request with the following conditions that must be addressed prior to placement on the City Commission hearing agenda:

1. Demonstrate compatibility with surrounding areas, as per Code Section 155.3602.C. This should be illustrated on a plan which shows adjacent land uses and height.
2. Revise exhibits and documents to ensure there are no encroachments within neighboring property lines, including roof overhangs. As per Code Section 155.3603. B. RPUD Use Standards & 155.4202.E. Dwelling, Single-Family (Zero Lot Line), the dwelling shall be located along the designated zero lot line, but shall not extend beyond the property line. If the dwelling includes an overhang extending beyond the wall line, the wall shall be set back sufficient distance from the zero lot line to accommodate the overhang and associated roof drainage facilities.
3. Prior to placement on a City Commission agenda, submit for approval of a Developer's Agreement that details the construction and maintenance responsibilities associated with the dedicated right-of-way, open space and park.
4. Revise the following in the "Master Site Table" on the PD Plan:
 - Amend the note "additional parking stalls can be added" to ensure that any additional paving does not conflict with maximum impervious area requirements for the front yard and entire lot.
 - Provide a table listing 'Unit Allowances and Restrictions' on PD plan.
5. Following are comments of the RPUD documents and exhibits to be revised accordingly.
 - Demonstrate driveways/parking stalls for each lot are located at least 3feet from side lot lines and do not exceed 24 feet wide.
 - Ensure that no dwelling is proposed within a utility easement or obtain an easement vacation.
 - Add RS-3 under 'Zoning District' on Table 4. C, page 9, and on the PD plans.
 - Clarify 'Front Yard Encroachment' under 'Intensity and Dimension Standards.'
 - Provide a detail description of Conversion Schedule, as per Code Section 155.3602.A.2.f.
 - Correct statement # 7, page11 to cite a correct exhibit.
 - Ensure all exhibits are referred in the RPUD documents.
 - Revise exhibits and documents to prohibit covered patio or covered porch in the 25 foot front yard.

Alternative Motion II

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

Alternative Motion III

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Recommend denial as the Board finds that the request is not consistent with the following goals, objectives and policies of the Comprehensive Plan, specifically:

- 01.03.06 Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.
- 01.03.11 Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

Jay Huebner of the HSQ Group (1489 West Palmetto Park Road Boca Raton, FL 33486) introduced himself to the Board as a Planner with HSQ Group. Mr. Huebner stated that this is the largest Habitat for Humanity project in Broward County. Mr. Huebner gave a history of the property. Mr. Huebner stated that the community is in support of single-family two-story homes. Mr. Huebner stated they have an issue with the staff recommendations concerning the roof overhang. Mr. Huebner stated that the wall is situated on the lot line and the roof overhang is approximately two feet into the adjacent yard. Mr. Huebner stated that the PD Plan shows a five-foot (5') maintenance easement, and the roof will overhang into adjacent property but there is still a ten-foot (10') separation between buildings. Mr. Huebner stated that this is their only objection.

Dr. Mills asked him to clarify the lot line roof overhang issue. Mr. Huebner stated that there will be ten feet between buildings and showed Dr. Mills the exhibit on a poster board. The Chair asked if the board had any other questions and no one responded. The Chair asked staff if we have a legal problem with the zero lot line. The Assistant Development Services Director responded that staff can research the matter further and can possibly remove the condition before the item goes before the City Commission. The Chair asked Mr. Huebner if they could reconfigure the placement of the homes. Mr. Huebner stated that the PD document needs to be amended. The Chair stated that it sounds like staff and the applicant need to work this out. The Assistant Development Services Director stated that they will examine all the potential code conflicts and if there are any liberties they can take they will work with the applicant prior to City Commission.

Ms. Aycock asked if the applicant was able to resolve any of the Community Redevelopment Agency (CRA) comments. Mr. Huebner responded that they have met with the CRA several times and they are very supportive of the project and the applicant will take their comments into account.

The Chairman asked if anyone in the audience had any questions and no one answered.

The Chairman asked Staff if they are ok with making a condition regarding the applicant coming to an agreement with the Development Services Staff. The Assistant Development Services Director stated that a note could be made on Condition 2 that this condition will be reviewed and come to an agreement with the Development Services

Staff. The Chairman asked the applicant if they are ok with this suggestion and Mr. Huebner confirmed.

Ms. Kovac asked if the applicant was in agreement with the remaining Staff Conditions and Mr. Huebner confirmed.

MOTION was made by Tobi Aycok and seconded by Joan Kovac to recommend approval of the rezoning request subject to the five conditions of staff, with the note that the applicant will be required to come to an agreement with the Development Services staff regarding condition number two. All voted in favor of the above motion; therefore, the motion passed.

G. ABANDONMENT/VACATION REQUESTS

**4. RICCARDO MASCIOVECCHIO / 3502 DUNES VISTA DR
EASEMENT ABANDONMENT
Planning and Zoning #16-27000004**

Consideration of the request by **RICCARDO MASCIOVECCHIO** to abandon a 7.5-foot portion of a 12-foot utility easement located at 3502 Dunes Dr., in order to expand his existing patio and enclose it with a screen. The area to be abandoned is approximately 222 square feet. The property is legally described as follows:

THE NORTH 7.50 FEET OF THE SOUTH 12.00 FEET OF THE EAST 29.60 FEET OF THE WEST 51.70 FEET OF THAT PORTION OF PARCEL A, ACCORDING TO THE PLAT OF PALM AIRE OAKS COURSE ESTATES 3RD SECTION, AS RECORDED IN PLAT BOOK 108 AT PAGE 1 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF SAID PLAT; THENCE RUN SOUTH 89°15'14" WEST (ON A PLAT BEARING) 302.07 FEET ALONG THE NORTH BOUNDARY OF SAID PLAT; THENCE RUN SOUTH 0°44'46" EAST 245 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0°44'46" EAST 95.56 FEET TO AN INTERSECTION WITH THE SOUTH BOUNDARY OF SAID PARCEL A; THENCE RUN NORTH 89°11'34" EAST 72 FEET ALONG SAID SOUTH BOUNDARY; THENCE RUN NORTH 0°44'46" WEST 95.48 FEET; THENCE RUN SOUTH 89°15'14" WEST 72 FEET, TO THE POINT OF BEGINNING. SAID LANDS SITUATE IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

AKA: Utility easement at 3502 Dunes Vista Dr.

STAFF CONTACT: Maggie Barszewski (954)786-7921

Maggie Barszewski introduced herself to the Board as a City Planner and stated that the applicant is requesting the abandonment of a 7.5-foot portion of a 12-foot utility easement located at 3502 Dunes Dr. The request is from Riccardo Masciovecchio who wishes to expand his existing patio and enclose it with a screen. The area to be

abandoned is approximately 222 square feet. The request was sent out to all the service providers. There are several companies who have not yet responded.

Given the information provided to the Board, staff recommends approval to the City Commission with the following condition:

1. This request will not be placed on a City Commission Agenda until all comments are received from each service provider, or until 60 days from the date of this recommendation, whichever occurs first.

Riccardo Masciovecchio (3502 Dunes Vista Drive Pompano Beach, FL) introduced himself to the Board and stated that he would like to expand his patio to use as a safe place for his daughter to play and the existing patio is small.

Fred Stacer asked if the property was on the other side of the canal from the golf course and Mr. Masciovecchio confirmed. Mr. Stacer asked staff for the purpose of the easement and Ms. Barszewski replied that it is for utilities and displayed the survey illustrating the proposed abandonment submitted by the applicant.

Joan Kovac asked why staff has not heard from Engineering and Zoning and she believes it to be unfair to delay the applicant for sixty days. Ms. Barszewski stated that she does not believe it will take the full sixty days. Additionally, the Zoning review is a new procedure.

The Chairman asked if anyone from the audience wished to speak on this item and no one answered.

MOTION was made by Joan Kovac and seconded by Richard Klosiewicz to approve the abandonment request subject to the staff condition. All voted in favor of the above motion; therefore, the motion passed.

H. PROPOSED PLATS

5. POMPANO BEACH CRA / HUNTER'S MANOR COMMUNITY PLAT Planning and Zoning #15-14000021

Consideration of the proposed PLAT submitted by **LINDA STRUTT** on behalf of the **POMPANO BEACH CRA**. The proposed plat is restricted to 65 Single family detached units. The site area is approximately 418,922 square feet or 9.6171 gross acres. It is generally located north of NW 6th St., west of properties fronting NW 18th Ave., south of NW 9th St. and east of NW 19th Ave., legally described as follows:

LOTS 1 THROUGH 4 AND LOTS 7 THROUGH 10, BLOCK 9, HUNTER'S MANOR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN

PLAT BOOK 19, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

LOTS 3 AND 8, TOGETHER WITH THE SOUTH 100 FEET OF LOTS 9 AND 10, ALL IN BLOCK 11, HUNTER'S MANOR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 9.6171 ACRES (418,922 SQUARE FEET), MORE OR LESS.

AKA: 11 parcels east of NW 19th Avenue, between NW 6th Street and NW 7th Street

ZONED: Single-Family Residence 3 (RS-3), Multiple-Family Residence 12 (RM-12)

STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Maggie Barszewski introduced herself to the Board as the City Planner and stated that this request is for a proposed boundary plat for a 9.6171 gross acre property. The property is generally located north of NW 6th St., west of properties fronting NW 18th Ave., south of NW 9th St. and east of NW 19th Ave. The owner of the property, the Pompano Beach Community Redevelopment Agency (CRA), desires to re-plat this portion of the Hunter's Manor Plat in order to prepare the property for development. The CRA has launched an RFP seeking a developer for the site. The CRA's intent for development is market-rate housing with a layout providing up to 65 units. A boundary plat is proposed in order to maximize flexibility for the ultimate developer. The plat would restrict the property to 65 Single family detached units.

The Development Services staff recommends **approval** of this plat with the following conditions to be met prior to the City Commission hearing:

1. Provide a Title Certificate made out to the City, less than 6 months old;
2. Amend the location map on page 2 of 3 to correct to leave out properties along NW 18th Avenue;
3. Identify and highlight O.R. Book and page numbers required to be listed by the County's DRR Report on item 3) 6) of page 10;
4. Identify and highlight section of Plat note requirement referred to in the DRR Report on item 11, of page 14 stating the following: "Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation."; and
5. Plat cover page must be signed and sealed by the surveyor and signed by all owners.

Linda Strutt of Linda Strutt Consulting Inc. (227 Goolsby Boulevard Deerfield Beach, FL) introduced herself and the representative for the CRA. Ms. Strutt stated that the

applicant is in agreement with the five conditions of staff. There were no questions from the Board nor the audience on this item.

MOTION was made by Tobi Aycock and seconded by Jerry Mills to approve the plat request with the five conditions of staff. All voted in favor of the above motion; therefore, the motion passed.

I. SITE PLAN REVIEWS

**6. WH POMPANO, LP / BROADSTONE OCEANSIDE
Planning and Zoning #16-12000030**

Consideration of the MAJOR SITE PLAN submitted by **MIKE VONDER MEULEN** on behalf of the **WH POMPANO, LP** in order to construct a new multi-level mixed-use building with a total of 211 residential units. The ground level includes office and commercial uses. A 6-story 432 space parking garage is attached to the 8-story 204 unit residential building. A 2-story townhome building with 7 units fronts A1A, and the 2-story clubhouse fronts the Spanish River. The overall property will consist of a combined 79,470 square foot building foot print on a 177,083 square foot (4.07 acre) site (44.87% lot coverage). The property is located at 1333 S. Ocean Blvd., legally defined in as follows:

PARCEL "B" OF THE OCEAN LAND POMPANO BEACH RESORT,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK
178, AT PAGE 127, OF THE PUBLIC RECORDS OF BROWARD COUNTY,
FLORIDA.

AKA: 1333 S. Ocean Blvd.

ZONED: Planned Development- Infill (PD-I)

STAFF CONTACT: Daniel T. Keester (954) 786-5541

Fred Stacer stated that he spoke to Mike Vonder Meulen at the DRC meeting on July 6th, 2016 in reference to this particular project. The conversation was centered on the distance between the buildings and the houses on Terra Mar.

Daniel Keester introduced himself to the Board as the Senior Planner and stated that he has not been sworn in and Ms. MacNeil placed Mr. Keester under oath.

Mr. Keester stated that the applicant is requesting Major Site Plan approval in order to construct a new multi-level mixed-use building with a total of 211 residential units. The ground level includes office and commercial uses. A 6-story 432 space parking garage is attached to the 8-story 204 unit residential building. A 2-story townhome building with 7 units fronts A1A, and the 2-story clubhouse fronts the Spanish River. The property is currently vacant. A Land Use Plan Amendment (LUPA) was approved in 2015 (Ord. 2015-65), changing the designation from commercial to high residential. Following the LUPA, the City Commission approved the rezoning to a Planned Development – Infill

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(PD-I) in July 2015 (Ordinance: 2015-63). The overall property will consist of a combined 79,470 square foot building foot print on a 177,083 square foot (4.07 acre) site (44.87% lot coverage). The property is located at 1333 S Ocean Blvd.

Mr. Keester stated that due to minor deviations from the master plan, the site plan was noticed above and beyond the requirements for a major site plan. A legal ad was placed in the Sun Sentinel and notices were mailed to property owners within 500 feet of the subject property.

This site plan was reviewed at DRC on July 6, 2016 and August 3, 2016, and scheduled for review by the AAC on August 25, 2016. Provided the board approves the site plan as submitted, staff recommends following conditions be placed on the development order for the Major Site Plan application:

1. For building permit approval, provide the following:
 - a. A copy of the approved Minor Deviation.
 - b. BSO approved CPTED Security Plan.
2. Applicant shall provide a copy of Broward County School District approval.
3. All proposed mechanical equipment shall be screened, as per 155.5301 A. 2. a.
4. Evidence that the project will achieve at least twelve sustainable development points.
5. Landscape & irrigation plans must meet zoning code requirements.

Mr. Keester mentioned one minor change to the conditions (additional c in the first condition). The first condition should have a "1c: An approved plat note amendment requesting a change to the NVAL line."

Robert Lochrie introduced himself to the Board and introduced his development team. Mr. Lochrie introduced the project and provided an aerial view of the property on the screens. The rezoning from B-3 to PD-I was approved by the P&Z Board and by the City Commission. Prior to this site plan was an approval for a hotel under a separate owner. Mr. Lochrie displayed a site plan on the screens and outlined the building setbacks. Mr. Lochrie stated that the maximum height in the PD-I is 150' and they are proposing eight stories (about half the height) with the six story garage. Mr. Lochrie mentioned the setbacks, the landscape buffer, and the public access and plaza with boat slips. Mr. Lochrie also spoke about the elevations of the town houses, the garage and additional fenestrations. Mr. Lochrie stated that the residents of the Claridge (to the east) have asked them to relocate the driveway to the south and they have been able to move the entrance 30 feet to the south from what was originally submitted to the City and the applicant would not be opposed to this being made a condition. Mr. Lochrie stated that he agrees with all staff conditions.

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Dr. Mills asked who would use the walkway from the street to the Intracoastal. Mr. Lochrie stated that there will be a public plaza and this recommendation came from Staff during the PD-I process. Mr. Stacer asked if the applicant took care of the last condition. Mr. Lochrie answered that they have not completely addressed this condition and there still is a portion of overlap and they will have to go back to Broward County and FDOT. Tobi Aycock asked what the intentions were for the green area between the road and the south building fronting A1A. Mr. Lochrie stated that this will be a yard and garden area for the townhouse users. Ms. Aycock asked if they are placing public art in the public plaza and Mr. Lochrie responded that they are placing the art in northwest corner. Mr. Lochrie stated that there will be three pads for public art in the front. Mr. Stacer asked if they can still construct a pathway to the beach on their other property even though they are not developing it at this time. Mr. Lochrie stated that there will be access but the physical improvements will be made when the site is developed.

Dev Motwani (1630 NE 5 St Fort Lauderdale, FL) introduced himself to the Board and stated that there is currently access along the eastern parcel.

Ms. MacNeil stated that all the letters received were distributed to the Board. Ms. Sarver added that the letters of support and opposition received from the residents were saved and shared with the Board members.

Sonja Yefsky introduced herself to the Board as the Vice President of the Board of Directors at Renaissance One (1360 S Ocean Blvd Apt. 1605 Pompano Beach, FL). Ms. Yefsky stated that she has spoken with Mr. Motwani several times. Ms. Yefsky's concerns are the following: a safe, temporary passageway from the western rental property to the beach. Ms. Yefsky stated that Mr. Motwani has stated that a grassy area on east property can be utilized by the renters (from the western property) until the permanent beach access is developed. Ms. Yefsky stated that Mr. Motwani acknowledged that he cannot guarantee that the renters in the west building will use this access. However; Ms. Yefsky is asking Mr. Motwani to state that this temporary passageway exists for their use in the rental agreement. Ms. Yefsky's second concern is that the applicant has agreed to move the garage area 30' south which would negatively impact their (Renaissance One) driveway. Ms. Yefsky stated that she believes that moving the entrance will create a conflict with vehicles exiting Renaissance One.

David Duckworth (341 SE 6 Terrace Pompano Beach, FL) offer support for the project and believes it will be an asset for the community.

Paula Cholmondeley (1360 S Ocean Blvd. Apt. 2506 Pompano Beach, FL) introduced herself to the Board after being sworn in by Ms. MacNeil. Ms. Cholmondeley expressed concern about moving the driveway further south would be negative for Renaissance One. Ms. Cholmondeley expressed concern over 425 more cars on A1A every day since there will be a 425 car parking garage on the proposed site and asked the Board to re-examine the density of the garage.

Craig Finnefrock (1360 S Ocean Blvd. Apt. 1105 Pompano Beach, FL) introduced himself to the Board and stated that he is concerned with the traffic 400 cars will bring. Mr. Finnefrock stated that he has an issue with renters (not condo owners) because he believe that renters come and go multiple times per day. Mr. Finnefrock stated that he has a problem with having two driveways directly across A1A from each other. Mr. Finnefrock read an objection from the board president (John Bracale) which was emailed to Mr. Motwani on August 18th, 2016. The letter stated that the president and the residents of Renaissance One is concerned with excessive traffic congestion from this new development. Mr. Finnefrock stated that he believes developing a rental property is out of character with the neighborhood which has mostly condo buildings.

Jonathan Tavalin (1360 S Ocean Blvd. Apt. 1905 Pompano Beach, FL) introduced himself to the Board and stated that he has an issue with apartment building across the street from his building. Mr. Tavalin stated that he believes someone should conduct a traffic study to see what will happen to the traffic on A1A. Mr. Tavalin added that there is an existing, paved beach access for his condo building and he believes the renters across the street will use their paved access instead of the grassy area. Mr. Tavalin added that beach amenities such as beach chairs are located adjacent to this paved walkway and he believes the renters will not respect their (Renaissance One) property.

James Laraway (1071 SE 9 Avenue Pompano Beach, FL) introduced himself to the Board after he was sworn in by Ms. MacNeil and stated he is in support of the project because it will help sustain new businesses and bring the right tenants to help support these business.

Norma Segal (1200 Hibiscus Ave unit 204 Pompano Beach, FL 33062) introduced herself to the Board as the president of the Aristocrat Condo Association and asked if the existing canal has been approved to be filled in. Mr. Keester responded that this is correct, the applicant applied for a temporary use permit to fill in that portion of the canal. Ms. Segal asked if an engineered study has been conducted to see what the outcome may be in regards to flooding (concerned that it may add to the flooding problem). Mr. Stacer asked Mr. Lochrie to speak to this when Mr. Lochrie speaks.

Ronald Rupp (1380 East Terramar Drive Pompano Beach, FL) introduced himself to the board and stated that he missed the last meeting and did not know the boat basin would be allowed to be filled in. Mr. Rupp expressed concerns about flooding as well. Mr. Rupp asked how they will fit 40' perpendicular boat slips when the Spanish River is only 118' wide. Mr. Rupp believes accommodating boats of this size will create a dangerous situation and is an accident waiting to happen. Mr. Rupp stated that earlier you could not place boats perpendicular unless you were commercial; therefore, he does not know how the residential development can do this. Mr. Rupp asked who will be operating the "public dock."

Lucy Conenna (4564 El Mar Drive #4 Lauderdale by the Sea, FL) introduced herself to the Board after she was sworn in by Ms. MacNeil and stated that she has been living at 1360 S Ocean Blvd. Apt. 2201 and she is here on father-in-law's behalf. Ms. Conenna

stated that, as a small business owner, she is in support of this project and believes that it will be beneficial to small businesses in the area.

John Geer (1300 S Ocean Blvd. Pompano Beach, FL) introduced himself to the Board as the president of the Criterion Condominium Association. Mr. Gere stated that on August 10th, they forwarded a letter in support of the project to the Board. Mr. Geer stated that they believe the developer has addressed the members of the community very well. Mr. Geer stated that there are two things that the developer has done to minimize the effect of added traffic: the installation of a deceleration lane and the minimization of the size of commercial establishment that will be located at this development. Mr. Geer stated that they believe that Mr. Motwani has worked diligently to minimize the impact of the construction. Mr. Gere stated that the Criterion is in favor of this development and asks the Board to approve the project.

Henri Crockett (3129 NW 82 TE) introduced to the Board and stated that he grew up in Pompano Beach, he is in support of the project and encourages the Board to approve the project.

Gary Civins (1360 S Ocean Blvd. Apt. 2607) introduced himself to the Board and stated that the amount of potential added traffic calls for a traffic study to be performed.

Robert Shelby (1200 Hibiscus Av Apt. 1108 Pompano Beach, FL) introduced himself to the Board and stated that he has lived at this location since 1977. Mr. Shelby asked the Board to set up a district to widen A1A to 4 lanes and also to use funds to have traffic lights on both sides. Mr. Shelby asked for A1A to be widened to four lanes using the tax money from the new development.

Lawrence Dunne (1200 Hibiscus Avenue Pompano Beach, FL) introduced himself to the Board and stated that he was concerned about evacuation with the added population. Mr. Dunne suggests extending some bridges or building another fire house.

Jeff Rembaum introduced himself to the Board and stated that he is representing the Claridge Condominium Association at 1340 S Blvd. Mr. Rembaum stated that the developer has worked to address his client's concerns. Mr. Rembaum stated that they consulted a traffic engineer (Shaun Mackenzie) who recommended shifting the driveway to the south and provided a letter from Mr. Mackenzie to the Board. Mr. Rembaum stated that his client would ask the Board to make it a condition of approval that if the driveway cannot be moved to the south, that this item return to the Planning and Zoning Board for discussion.

Tobi Ayock asked if the traffic study was done only to support Mr. Rembaum's client's cause and Mr. Rembaum replied that the study was to look at the driveway alignment overall. Shaun MacKenzie (10795 SW Civic Lane Port St. Lucie, FL) introduced himself to the Board and stated that they looked that the driveway of the proposed Broadstone project, the Claridge driveway, Renaissance, etc. Mr. Mackenzie stated that the Claridge driveway is located 45' to the north. Dr. Mills refer to the letter and stated that it read that they prefer to move the driveway another 20' south. Mr. Rembaum stated that this is

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not possible. Dr. Mills asked Mr. Mackenzie if his company is ok with the driveway where it is proposed. Mr. Mackenzie stated that this is location is a “better” location than the previous proposed location.

Sonja Yefsky (1360 S. Ocean Blvd. Pompano Beach, FL) asked if by moving to the driveway access 30’ to the south, might the developer point out how that would affect the driveway of Renaissance One. Ms. Yefsky would like to know what the negatives may be for the residents of her condominium.

Mr. Lochrie addressed Ms. Yefsky’s question by showing the aerial map on the screen and pointing to where the entrance will be, which is lining up with the north entry on the east property. Mr. Lochrie stated that the entrance will not be anywhere near the Renaissance. Mr. Lochrie stated that cars will not impede traffic when they are turning into the new development. Mr. Lochrie added that the traffic study was conducted for the land use plan amendment and rezoning (which resulted in the 211 units permitted on the site).

The Chairman asked if Mr. Lochrie would want to address the concerns about the traffic lights instead of a four-way intersection. Mr. Lochrie responded that it would not warrant the need for a traffic signal. The Chairman then asked about the evacuation issue and Mr. Lochrie responded that this, among other topics, were carefully studied during the land use plan amendment process. Mr. Lochrie added that Broward County’s analysis revealed that this project would not have an impact on hurricane evacuation. Mr. Lochrie stated that this item does not have anything to do with filling in the water but he would be happy to answer questions. The U.S. Army Corps of Engineers, the South Florida Water Management District and Broward County have already reviewed and approved this separate application. Mr. Lochrie stated that they are creating more waterway by moving their sea wall back ten feet in order to widen the canal area. Mr. Lochrie stated that this came before the Zoning Board of Appeals.

Gary Civins (1360 S Ocean Blvd. Apt. 2607) asked if the traffic study measured the amount of cars going past the prospective entrances.

Mr. Lochrie stated he has not seen the letter but the analysis that was done says that by bringing the driveway further to the south brings the driveway to almost line up with the driveway on the east side (which is a safer condition). Mr. Lochrie stated that the overall amount of traffic was evaluated and FDOT approved the driveway where it was off-set (but they will have to go back to the state).

Robert Shelby (1200 Hibiscus Avenue Apt. 1108 Pompano Beach, FL) asked the Chairman if it is possible to have the state report on the needs of A1A in the next ten years read to the audience. The Assistant City Attorney stated that this is not a legal requirement. Mr. Stacer stated that it was reviewed at the County level. Mr. Shelby asked if the Board would read the report and tell him in their own words.

Craig Finnefrock (1360 S Ocean Blvd. Apt. 1105 Pompano Beach, FL) asked if this project (which he believes generates six times the amount of traffic than a condo units) was a compatible use for this neighborhood because it is rental units and not condo units.

Johnathon Tavelin (1360 S Ocean Blvd. Pompano Beach) introduced himself and asked if the board is aware that everyone in support of the project did not live adjacent to the proposed development.

Ronald Rupp (1380 East Terramar Drive Pompano Beach, FL) introduced himself and asked if the Board could find out how they are able to place their boat docks perpendicular.

Lawrence Dunne (1200 Hibiscus Avenue Pompano Beach, FL) stated that he does not want a commercial component due to the presence of delivery trucks.

Sonja Yefsky (1360 S. Ocean Blvd. Pompano Beach, FL) stated that her concern regarding the temporary beach access was not addressed. Ms. Yefsky suggested giving the info to renters in their rental agreement and would like to know if the developer or Mr. Lochrie agrees with her suggestion.

The Chair closed the public hearing.

Dr. Mills asked Mr. Lochrie if the 204 unit residential bldg. and the townhomes will all be rental. Mr. Lochrie confirmed that all the units will be rental units. Dr. Mills asked if the vote tonight is only the west property. Mr. Lochrie confirmed that this site plan application is only for the west side. Mr. Lochrie added that the city does not regulate ownership versus rental.

The Chair asked Mr. Lochrie to address the beach access. Mr. Lochrie stated the plan is to create a walkway to the beach and at the moment there is an open grass way to the beach. The Chair asked if Mr. Motwani would consider placing this in the rental agreement. Mr. Lochrie stated that they can work this request into the rental agreement. Dr. Mills asked about the concern over the boats and Mr. Lochrie stated that this is a separate permit process and the Board is not voting on the boat docks tonight. The Chair asked Mr. Lochrie if they would have to go through the Army Corps of Engineers and Mr. Lochrie confirmed.

Tobi Aycock pointed out that the rest of the city can use the beach access as well as the access to the Intracoastal. Mr. Keester agreed that this is correct and the public is able to use whichever beach access.

Mr. Lochrie placed an aerial image on the screens and showed the existing beach access points and the proposed beach access.

MOTION was made by Joan Kovac and seconded by Tobi Aycock to approve the proposed site plan, subject to the five conditions of staff as amended. All voted in favor of the above motion; therefore, the motion passed.

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The Board took a recess.

**7. CITY OF POMPANO BEACH / PUBLIC SAFETY COMPLEX
SHELTER
Planning and Zoning #16-12000014**

Consideration of the MAJOR SITE PLAN submitted by the **TAMMY GOOD** on behalf of **CITY OF POMPANO BEACH** in order to construct an 816 square foot open air shelter for employee use. The lot coverage proposed under this application is 12.3%; this is a combined 68,632 square foot building including the new 816 square foot shelter, on a 556,196 square foot (12.76 acre) site. The property is located at the southeast corner of the intersection of S. Dixie Highway and SW 3rd Street, legally defined in as follows:

PARCEL "A", "P.B.P.F. PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 139, PAGE 18, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

AKA: 100 SW 3rd Street

ZONED: Community Facility (CF)

STAFF CONTACT: Jae Eun Kim (954) 545-7778

Daniel Keester introduced himself to the Board as a Senior Planner and stated that the applicant is requesting Major Site Plan approval in order to construct an 816 square foot open air shelter for employee use. The lot coverage proposed under this application is 12.3%; this is a combined 68,632 square foot building including the new 816 square foot shelter, on a 556,196 square foot (12.76 acre) site.

The property is located at the southeast corner of the intersection of S. Dixie Highway and SW 3rd Street or 100 SW 3rd Street.

Mr. Keester stated that this site plan was reviewed at DRC on June 15, 2016 and will be reviewed at AAC on August 25, 2016. Provided the Board approves the site plan as submitted, staff recommends approval of the Major Site Plan subject to the following conditions.

1. This plat is restricted to 55,950 square feet of the government office, and thereby the Plat note amendment is required. Obtain approval prior to permit issuance.
2. As per Code Section 155.9401.G, provide the structure height on the elevation. Structure heights must be measured from the finished grade at the front of the structure to the mean height between eaves and ridge for a gable, and shall not exceed 10 feet, as per Code Section 155.4303.NN, Gazebo.

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3. Provide a rendering or color illustration presenting the actual image of the structure including color or material schemes.
4. Revise or remove incorrect parking calculations, pursuant to Code Section 155.5102. Off-Street Parking and Loading.
5. For building permit approval, provide the following:
 - a. Evidence that the development has achieved at least twelve sustainable development points, pursuant to Table 155.5802
 - b. CPTED plan approved by the Broward Sheriff's Office

Tammy Good (Engineering Dept. City of Pompano Beach) introduced herself to the Board as the project manager. Ms. Good stated that this is an open-air shelter with a metal roof and steel columns. Ms. Good stated that she believes they already addressed some of these comments and they will be bringing some samples to the AAC meeting tomorrow. The applicant does not have any objections to staff conditions.

No one from the audience wished to speak.

MOTION was made by Trip Bechert and seconded by Richard Klosiewicz to approve the proposed site plan. All voted in favor of the proposed site plan; therefore, the motion passed.

**8. LINDIMAR MANAGEMENT, INC / LINDIMAR PHASE II
Planning and Zoning #16-12000013**

Consideration of the MAJOR SITE PLAN submitted by **HOWARD JABLON** on behalf of the **LINDIMAR MANAGEMENT, INC** in order to construct 31,648 square foot enclosure for a recycling facility, and associated site improvements including parking and landscaping. There are two existing buildings on the subject site, a total of 9,065 building foot print that are attached and currently used for an office and a storage. The lot coverage proposed under this application is 18.61% for a total of 40,713 square feet of building areas on a 218,821 square foot (5.02 acre) site. The property is located east of Powerline Road and south of NW 33rd Street, legally defined in as follows:

PARCEL "A" OF SILLS PROPERTIES PLAT NO.3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 141, PAGE 7, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH;

PARCELS A AND B, OF ROWAN PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 102, AT PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH A PORTION OF NORTHWEST 32ND STREET ADJACENT TO "ROWAN PLAT NO. 1", AS RECORDED IN PLAT BOOK 102, AT PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL "B" OF SAID "ROWAN PLAT NO. 1"; THENCE NORTH 89°28'48" WEST, ALONG THE NORTH LINE OF SAID PARCEL "B", A DISTANCE OF 108.75 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT AT WHICH A RADIAL LINE BEARS NORTH 52°36'36" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 73°44'25" A DISTANCE OF 64.35 FEET; THENCE SOUTH 89°28'48" EAST ALONG THE SOUTH LINE OF PARCEL "A" OF SAID "ROWAN PLAT NO. 1", A DISTANCE OF 109.08 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 00°49'53" WEST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

LESS THOSE DEDICATION PARCELS CONVEYED TO THE CITY OF POMPANO BEACH BY QUIT CLAIM DEED, FILED MARCH 8, 2005, IN OFFICIAL RECORDS BOOK 39193, AT PAGE 248.

AKA: 1840 NW 33 ST

ZONED: Special Industrial (I-IX)

STAFF CONTACT: Jae Eun Kim (954) 545-7778

Daniel Keester introduced himself to the Board as a Senior Planner and stated that the applicant is requesting Major Site Plan approval in order to construct a 31,648 square foot enclosure for a recycling facility, and associated site improvements including parking and landscaping. There are two existing buildings on the subject site, a total of 9,065 building foot print, that are attached and currently used for an office and a storage. The lot coverage proposed under this application is 18.61% for a total of 40,713 square feet of building areas on a 218,821 square foot (5.02 acre) site.

The property is located east of Powerline Road and south of NW 33 Street. The address is 1840 NW 33rd Street.

Mr. Keester stated that this site plan was reviewed at DRC on June 1, 2016 and at AAC on July 28, 2016. Provided the Board approves the site plan as submitted, staff recommends approval of the Major Site Plan subject to the following conditions.

1. Plat may require to be amended to reflect the proposal as well as the vacated easement and NW 32 Street, or provide a verification letter from the Broward County Planning Council.
2. Pursuant to Code Section 155.2401.C, a Unity of Title is required for all subject properties, prior to building permit approval. Unity of Title must be submitted to Planning and Zoning directly.
3. Provide additional parking stall details reflecting the proposal shown on sheet PD 4 of 4, and illustrate connection between two ADA compliant pedestrian paths.

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4. Pursuant to Code Section 155.5203.B.2.g, illustrate the 15 foot radius from the lighting fixtures on the landscape plan. If light poles are proposed within 15 foot radius, relocate poles and revise plans to provide the minimum required clearance.
5. Remove the wall mounted lighting fixtures on the proposed building. Pursuant to Code Section 155.5401. I, wall packs on buildings may be used at entrances to a building to light unsafe areas, but not to provide general site lighting.
6. Building height measured from the finished grade to the roof deck shall not exceed 45 feet. Verify it on elevations accordingly.
7. Pursuant to Code Section 155.5603.E.3, Roof Line Variation, the north façade shall include variations in roof planes. Revise plans accordingly.
8. Landscape and irrigation plans shall obtain approval from the City's Urban Forestry.
9. For building permit approval, provide the following:
 - a. Evidence that the development has achieved at least twelve sustainable development points, pursuant to Table 155.5802
 - b. CPTED plan approved by the Broward Sheriff's Office
 - c. Provide actual color chips and material samples for inspection review.
 - d. Mechanical equipment shall be screened, pursuant to Code Section 155.5301. A.

Dick Coker (1404 S Andrews Avenue Fort Lauderdale, FL) introduced himself and his associates to the Board. Mr. Coker stated that the property received site plan approval in 2013 as well as a special exception for a metal scrap yard which has been built and has been operating for several years and now they wish to expand their operations. Ms. MacNeil placed the Architect under oath. Mr. Coker explained that the modifications to the property include construction a 31,000 square foot building. Mr Coker then explained the recycling activities that will take place within the new building. Mr. Coker stated that the comments by staff have been taken care of at the AAC and the submittal today. Mr. Coker added that they agree to comply with all of Staff's comments. Mr. Coker stated that the elevations match each other, there is an existing ten foot wall built around the entire project, and the property is kept very clean.

Ms. Kovac asked if there will be a building with a roof and the applicant confirmed.

Dr. Mills asked how the trucks back into the building.

Mark Seaberg (5580 NE 28 Ave Fort Lauderdale, FL) introduced himself to the Board as the project architect and stated that they will have 30 foot tall overhead doors and the trucks enter through the south side and exit on the east side. Dr. Mills asked where the trucks deposit the scraps and the architect answered that the trucks dump inside the building.

Carrie Sarver stated that the special exception application has been to the Zoning Board of Appeals and at this meeting they explained that everything is done inside and there will not be any dust and debris outside.

Howard Jablon (A.J. Hydro Engineering Inc.) introduced himself to the Board as the Civil Engineer for the project and stated that the trucks backup into the building, unload the material, and pull straight out. Ms. Aycock asked if they were required to place a bike lane inside of the property. Mr. Jablon stated that there is a 7 foot wide bike lane on the north side of the property. There is a seven foot wide opening in the wall. Dr. Mills asked what the purpose was of the other overhead doors. Mr. Jablon answered that vehicles pull up to a truck scale outside the building and the material is loaded onto trucks on the weigh scale. Ms. Kovac asked the color of the building and the architect answered that the color will be off-white to match the existing building. Mr. Seaberg added that the overhead doors will be galvanized metal (unfinished). Mr. Seaberg spoke about the tilt wall and the breezeway between the existing and new building.

No one in the audience wished to speak.

There were no more comments from the Board.

MOTION was made by Jerry Mills and seconded by Richard Klosiewicz to approve the proposed site plan, subject to the nine conditions of staff. All voted in favor of the above motion; therefore, the motion passed.

J. OTHER BUSINESS

9. Riverside Drive Corridor Study

Staff will present the Riverside Drive Corridor Study to the Board for recommendation to the City Commission.

Karen Friedman introduced herself to the Board and stated that City's consultant David Nelson will be giving the full presentation. Ms. Friedman stated that unlike the other Corridor Studies prepared by the Renaissance Planning Group (including the proposed SR A1A Transformation Plan) the scope of this project is not an economic development plan. Rather the Scope of Work for the project was to create a Concept Plan that proposed improvements to the roadway and abutting right of way in order to improve traffic calming, increase pedestrian safety, complement land use, and enhance the roadway's aesthetics.

The following public meetings have been held for this project:

- January 12, 2015 – Presentation to the Tourism Committee
- August 25, 2015 - "Open House" at the Emma Lou Olson Civic Center
- June 20, 2016 – Presentation to the Tourism Committee
- July 14, 2016 – East CRA Advisory Board Meeting

Ms. Friedman stated that invitations were sent to all condominiums along the barrier island for the most recent meeting on July 14th.

David Nelson of Renaissance Planning Group (121 S Orange Avenue Orlando, FL) introduced himself to the Board and presented a PowerPoint to the Board on both the

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Riverside Drive and the A1A corridor studies. The presentation covered the vision, purpose, objectives, strategies, proposed cross sections, the working vision map, key economic strategies, key improvement strategies, the CRA vision etc.

Tobi Aycock asked if Mr. Nelson could define multimodal options and Mr. Nelson responded pedestrians, bicycles, transit, water taxis etc.

Joan Kovac asked if they looked into burying utilities on A1A and possibly having developers paying into a fund for burying the utilities. Mr. Nelson agreed and stated that they spoke about this option. Mr. Klosiewicz asked if the suicide lanes would be south of Atlantic Boulevard. Mr. Nelson responded that the beach core will be more pedestrian friendly and eliminating a lane. Mr. Klosiewicz stated that he has heard people complain about elimination of suicide lanes. Mr. Nelson responded that there will be breaks in the medians at major developments. Mr. Stacer stated that they may have major problems getting rid of the suicide lanes near the fire station. Additionally, Mr. Stacer stated the single-family homeowners did not know about this.

Tara Patton (14 SE 4th Street Boca Raton, FL) introduced herself as the representative for Bonnie Miskel and stated that she represents the homeowners on A1A and they were not aware of this corridor study. Ms. Patton stated that they have not been brought into the loop and they would love to be involved in the transportation plan. Ms. Patton stated that the four meetings are not mainstream meetings that citizens attend and they were not noticed and she would like to request the item to be tabled so that the residents can have time to understand the corridor study. Ms. Patton stated that we need to involve FDOT.

Eileen Michaelson introduced herself on behalf of the Hillsboro Shores Improvement Association. Ms. Michaelson stated that she would like to speak on behalf of items number 9 and 10. Ms. Michaelson stated that there is a large number of seasonal residents who are not here during the summer. Ms. Michaelson added that the members of the Hillsboro Shores Improvement Association were not given notice of the community meeting. Ms. Michaelson stated that the residents of the single-family properties should be involved in this process and there are over 300 single-family homes in the area. Ms. Michaelson asked for the item to be tabled and for Staff to send a notice to the residents (homeowners in particular) for a meeting during a period of time when they are in town (not the summer season).

Mr. Stacer closed the public hearing.

Karen Friedman stated that there were two public meetings held outside of the tourism committee meeting: one was held last summer at the Emma Lou Olsen Civic center and there were notices sent to the condominium associations on the barrier island, and the second was held at the East CRA Advisory Board meeting where all the condo associations were contacted as well as the president and the managers. Ms. Friedman stated that they have had the documentation related to this corridor studies on the website since beginning of July 2016. Ms. Friedman stated that these corridor studies have been ongoing since 2014 and Staff has been making their best effort to ensure that the community in the barrier island is aware of the corridor studies. Mr. Klosiewicz asked if

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all of the meetings were held in the “off-season.” Ms. Friedman stated that two public hearings were held during the summer, which was not an intentional decision. Mr. Klosiewicz suggested having a meeting during the season. Mr. Klosiewicz then stated that he is unsure of what Staff would like the Board to recommend. Ms. Friedman stated that the full study is on the department website and the Board was sent emails instructing them how to access the study and this is what Staff is asking the Board to recommend. Mr. Klosiewicz stated that he recommends having the meeting when the residents are present (aka “in-season”).

Dr. Mills asked if there have been traffic studies conducted on A1A. Ms. Friedman stated that these studies are visionary and traffic studies will be conducted later (there is currently no funds allocated to these projects). Ms. Friedman stated that the studies will be conducted once they have engineering schematics. Dr. Mills stated that he has a problem with voting to support something that is visionary. Ms. Friedman stated that this is very similar to other corridor studies that this Board has previously supported (ex. Dixie Highway, Federal Highway and Atlantic Boulevard). Ms. Friedman stated that it is the intent of the corridor study to be visionary. Engineering plans are drawn up when the funding becomes available. Dr. Mills asked if anything would have to come back to the Board to receive permission. Jennifer Gomez stated that any projects would annually be placed as part of the Capital Improvement Plan and this is presented to the Board every year.

Tobi Aycock stated that this is a long-term goal and it takes time for it to happen. Ms. Aycock added that the public is still going to be involved after this point and Ms. Friedman stated that the next step for these plans would be to go to the City Commission which the public would be aware of. Ms. Friedman stated that Staff would work with the developers and explain the vision of the roadway to the developers. Renaissance Planning Group will be creating brochures for this district which will be available on our website.

Joan Kovac asked how Staff would get the word out so that residents would know you are having a meeting because it sounds like only contacting the condominiums is not enough. Ms. Friedman stated that over 60 condo buildings were contacted and there was a good showing at the open houses. Ms. Friedman stated that Staff could do a mailing prior to the City Commission hearing. Tobi Aycock suggested signage on A1A and Ms. Friedman stated this is not typically what we do for this (a mailing is preferred). Mr. Klosiewicz stated that people may still not be in town for the upcoming City Commission hearing and he believes this should be delayed until November so that more residents will be in town.

Mr. Stacer stated that the single family homeowners make up a large population on the barrier island he believes we should make another pass at the community meeting when people are in town (maybe October). Mr. Stacer stated that it sounds like the condos were covered but he thinks the single family homeowners should be noticed.

Trip Bechert asked what exactly Staff is recommending to the City Commission from the Planning and Zoning Board. Karen Friedman stated that Staff is seeking a

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recommendation of both corridor studies to the City Commission. Ms. Friedman stated that Staff needs a tool to show developers what the City's vision is for the area and we do not have this important tool right now. Mr. Klosiewicz stated that he believes the term "we" includes people who are not present.

Carrie Sarver explained the boards motion options.

Ms. Gomez stated that if the Board wishes to deny the Riverside Drive corridor study, Staff would like more time instead of a negative recommendation. Ms. Gomez stated that staff can explore the options of effective advertising before the City Commission meeting. Mr. Klosiewicz asked what would be a good time frame for this to be accomplished. Ms. Gomez stated that if he is talking about another meeting, she would have to look into it. Mr. Klosiewicz asked for an appropriate period of time to table the item for. Ms. Gomez recommended, prior to going to City Commission, Staff could provide additional notification of the agenda item and the Board could recommend that the item move forward. Mr. Stacer asked for an explanation of the motion. The Assistant Development Services Director clarified that Staff's preference was to provide additional notification to the community prior to the item being placed on the City Commission agenda. Mr. Stacer stated that he would like to make a motion that Staff send out notices to people "in-season" for another community meeting. Ms. Sarver stated that she is not clear on the motion. Ms. Sarver asked if the Board was making a recommendation to approve or not. Ms. Gomez explained the options for motions again. Mr. Klosiewicz stated that he would like to item to return to the Planning and Zoning Board after Staff has conducted additional outreach.

Ms. Michaelson asked for clarification on what the outreach will be: a notice directing people to the City website or a meeting with residents. Mr. Stacer stated that the Board is asking Staff to satisfy the Board's request.

Ms. MacNeil asked if the motion is to table and Mr. Stacer confirmed. Ms. Sarver explained that it is up to Staff to use their best judgement on what kind of public outreach to conduct.

Dr. Mills stated that he seconded the motion under the impression that Staff will have another meeting with the community. Ms. Gomez stated that staff understands that the Board is interested in another public meeting.

MOTION was made by Richard Klosiewicz and seconded by Jerry Mills to table the item so that Staff can conduct additional public outreach. All voted in favor of the above motion with the exception of Tobi Aycock, Trip Bechert and Joan Kovac; therefore, the motion was approved.

10. A1A Corridor Study

Staff will present the A1A Corridor Study to the Board for recommendation to the City Commission.

The presentation and discussion on this item was heard in conjunction with item nine (9).

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Ms. Friedman introduced herself to the Board and stated that the Scope of Work for the project was to create a comprehensive Transformation Plan. The Plan includes an overall vision and strategy for the entire corridor, as well as specific visions and strategies for the various “sub-districts” along the corridor.

The following public meetings have been held for this project:

- January 12, 2015 – Presentation to the Tourism Committee
- August 25, 2015 - “Open House” at the Emma Lou Olson Civic Center
- June 20, 2016 – Presentation to the Tourism Committee
- July 14, 2016 – East CRA Advisory Board Meeting

Ms. Friedman stated that, similar to the Riverside Drive Corridor Study, mailings were sent to the condominiums on the barrier island for the most recent meeting.

MOTION was made by Joan Kovac and seconded by Trip Bechert to recommend approval of the corridor study, with the condition that a noticed community meeting is held for the people who were not previously included prior to the item going to the City Commission. All voted in favor of the above motion, with the exception of Richard Klosiewicz; therefore, the motion passed.

The Chairman asked for a motion to reconsider the motion made for agenda item number nine (9) so that the motion is identical agenda item number ten (10). Ms. Sarver explained the current status of item number nine and the choices the Board members have.

Ms. Patton asked the Chairman to reconsider item number ten (10).

The Chair stated that there is a motion on the floor and a second. Ms. Sarver stated that the Chairman cannot make the motion unless he passed his gavel. Mr. Stacer passed the gavel to Trip Bechert.

MOTION was made by Fred Stacer to reconsider item 9; however, no one seconded the motion. Motion failed to pass.

11. Chapter 155 Sustainable Development Standards Manual

Staff will present the proposed Sustainable Development Standards Manual and text amendments to Chapter 155.

Karen Friedman introduced herself to the Board and stated that items 11 and 12 are related as they both concern sustainable development standards.

Mr. Friedman stated that over the past year Staff from several divisions, including Planning and Zoning, Urban Forestry, Building Inspections, and Utilities formed a Sustainability Working Group. The outcome of the Sustainability Working Group is a

proposed Sustainable Development Standards Manual and text amendments to the Zoning Code (the proposed text amendments are a separate item on tonight's agenda.).

The intent of the Sustainable Development Standards Manual is to supplement the information found in the Zoning Code. It provides additional information about the sustainable design options listed in the Zoning Code, including benefits and preferred locations within the City. Images of the sustainable design options are included and help convey the practicality and applicability of implementing the design options. The goal of the Manual is to assist property owners and developers in selecting and implementing the optimal sustainable design options for their projects. This manual will also help elected officials, staff members, and other stakeholders determine and prioritize sustainable design in City projects.

It is not the intent of the Manual, however, to provide the wealth of scientific or other technical information about sustainability and best practices. It is also not the intent of the Manual to be an all-inclusive list of sustainable design methods. Applicants are encouraged to propose other sustainable design options, especially those that may relate better to their development.

The Manual organization is based on the five sustainability goals of the City, as determined by the Sustainability Working Group:

1. Stormwater Management and Flood Protection
2. Renewable Energy and Energy Conservation
3. Water Conservation
4. Certified Green Development
5. Active Design

The Sustainability Working Group reviewed the following documents and plans in order to determine the City's sustainability goals: Strategic Plan, Complete Streets Manual, Parks Master Plan, Comprehensive Plan, Stormwater Master Plan, Broward County Climate Change Action Plan Report, and the Broward County Resiliency Report "Working Towards Resilient Coastal Communities: Pompano Beach (2014)".

The Manual provides an explanation as to the method for assigning points to the design options, including category prioritization and addressing multiple categories. Additional considerations, as listed in the Manual, are the impact on improving citywide sustainability, improving resiliency, improving public health, and if it is a place making mechanism. Also included is information on granting points to unlisted options.

Next, the Manual breaks down the five sustainability categories into 36 design options. Within each of the five categories basic information is provided including the goal and expected outcomes followed by the design options, including images and preferred locations.

The following section is the overall recommended list of preferred locations for the design options, based on certain project types or locations. This information is provided

to assist property owners and developers in selecting design options. Below is the list of locations and project types:

- Residential Development
- Shopping Centers
- Office Buildings
- Institutional Uses
- Industrial and Warehouse Developments
- Oceanfront and Waterfront Development
- Transit Oriented Development

Finally, the Manual's Appendix includes specific requirements for certain design options, in order to be eligible to receive points. Also included in the Appendix are the preferred standards for LID, based on Orange County Florida. Applicants may also refer to industry accepted technical manuals or best management practices for LID.

The Manual also adopts several documents by reference. A copy of the documents are included.

Comments from the City's Redevelopment Agency are also included for your reference.

Ms. Friedman stated that staff is requesting the Board formally show its support of the proposed Sustainable Development Standards Manual.

There were no questions from the Board.

Tara Patton (10805 Glen Eagles Rd) introduced herself to the Board and stated that she has not had much time to absorb these proposed changes. Ms. Patton stated that she does not have a problem with the manual, she just needs more time to understand it and requested the item to be tabled.

Karen Friedman stated that Staff has been advising developers for the past several months and Staff has been giving them drafts when asked. Ms. Friedman stated that Staff has been working on this for a year and a half.

Ms. Aycock stated that this manual has been brought up at Architectural Appearance Committee meetings and she does not believe the board should reject based on one person.

The Chairman closed the public hearing.

MOTION was made by Jerry Mills and seconded by Richard Klosiewicz to recommend approval of the proposed Sustainable Development Standards Manual. All voted in favor of the above motion; therefore, the motion passed.

12. Chapter 155 Sustainable Development Point Requirement

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. // kem

Staff will present the proposed text amendments to Chapter 155 regarding the Sustainable Development Standards.

Karen Friedman introduced herself to the Board and stated that the site plans that have been coming before this Board for years have had requirements for a certain number of sustainable development points. Ms. Friedman stated that the Sustainable Development Standards section of the code was first adopted by the City in 2012 in conjunction with the adopting of the revised Zoning Code. The Sustainable Development Standards mandates projects to obtain a certain number of "Sustainable Development Points." Mr. Friedman stated that there are some flaws in this section. The first part of the re-write of this section was an analysis of the existing points table which revealed an undervaluation of certain sustainability priorities for the City. Additionally, applicants were awarded points even when what they were doing was already required by the Florida Building Code. Thirdly, some of the sustainable options, such as Grey Water Reuse, are not permitted in Pompano Beach. Lastly, some of the options were out of date.

Therefore, in order to revise the table in a manner which includes desired sustainability design options and assigns points in a way that reflects the City's sustainability priorities, over the past year Staff from several divisions, including Planning and Zoning, Urban Forestry, Building Inspections, and Utilities formed a Sustainability Working Group. The outcome of the Sustainability Working Group is a proposed Sustainable Development Standards Manual and text amendments to the Zoning Code which include a revised points table and the five sustainability priorities. There are thirty-six design options listed in the table.

Ms. Friedman stated that the proposed text amendments revise the applicability table to make it clearer, address the projects coming in for minor site plan, reiterate the requirement for those projects going into a TO zoning district to obtain additional points, require ten additional points for Planned Development rezoning, and flex unit allocations will have an additional requirement. Ms. Friedman stated that there is a lot of emphasis on LID (low-impact development design), as well as emphasis on greenhouse gas reduction, giving more points to applicant undertaking LEED certification or other green building certification programs, and giving points to various options related to recreation. Staff is recommending striking the sustainability bonuses table because most of the bonuses were not related to the options listed. Ms. Friedman stated that listed in the backup are the goals, objectives and policies from the Comprehensive Plan that Staff believes support the proposed changes.

Dr. Klosiewicz asked for an explanation of the reduction in landscaping and Ms. Friedman stated that this is a current bonus that will be stricken (all bonuses will be stricken). Ms. Friedman stated that they are recommending the landscaping bonus to be deleted.

Mr. Stacer asked if there was any thought about granting points for connecting to the reclaimed water system. Ms. Friedman stated that if someone has access, they are already required to hook up to the Oasis system. Those who make the investment to create access to Oasis, will be rewarded.

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Mr. Stacer asked if the pervious pavement included grass block and pervious concrete. Ms. Friedman stated that the manual describes the pervious pavement. Ms. Friedman stated that it seems to be more successful in the parking spaces versus the drive aisle.

Mr. Stacer asked for an explanation of energy star rated roofing and white roofing. Ms. Friedman stated that Energy Star is a rating system from the U.S. Department of Energy that rates certain products, an entire home, etc. The manual states that this may include a white roof.

Mr. Stacer asked Karen about the insulated impact glass on the south elevation. Ms. Friedman stated that they had to choose thirty-six design options that they believe they can expect consistent results. Ms. Friedman stated that if someone wanted to eliminate windows on their south side (which does not face a right-of-way) and they can demonstrate that this can be more energy efficient, they would be eligible for the optional points. Mr. Stacer asked about heat reducing pavement and Ms. Friedman stated that heat reducing pavement is listed in the table.

MOTION was made by Joan Kovac and seconded by Richard Klosiewicz to recommend approval of the proposed Sustainable Development Point Requirement. All voted in favor of the above motion; therefore, the motion passed.

13. Chapter 155 Text Amendments, Apartment Hotels

Staff will present the proposed text amendments to Chapter 155 in order to ensure that this use is truly a hotel use.

Ms. Friedman introduced herself to the Board as the Principal Planner and stated that Staff believes that there is some ambiguity in the code regarding the definition of an apartment hotel. Our comprehensive plan is more flexible when it comes to hotel development as opposed to residential development. For example, we allow hotel development in our industrial and commercial districts. We also double the density for hotels when they are in a residential district. Staff wishes to provide clarity in the Zoning Code.

Ms. Friedman stated that in order to draft regulations that address the concerns of the Broward County Planning Council and ensure that apartment hotels are indeed a *hotel* use, Staff analyzed zoning regulations utilized by other cities within Florida, as well as California and Nevada. The information is provided in the attached table. The results of the analysis are that cities tend to regulate five primary standards:

1. Limitation on the length of the owners stay
2. Design of the lobby
3. Requirements for a Management company (including uniform key service and reservations)
4. Restrictions on separate telephone and utility service
5. Requirement for maid services

Staff is also recommending that the parking requirement be increased from 1 space to 1.25 spaces per unit to accommodate guest parking.

Joan Kovac stated that these amendments make things very clear and she is in support of the amendment.

Dr. Mills asked about the letter from the CRA asking to have a meeting. Ms. Friedman stated that the meeting was held and there are two memos from the CRA. The second memo confirms that the meeting was held and that they were able to support the item.

Tara Patton introduced herself to the Board and stated that she needs more time to review and understand the item. Ms. Patton asked about reaching out to the community in order to receive input. Carrie Saver clarified that there will be two readings at the City Commission that will be publicly noticed and advertised.

Ms. Friedman stated that there has been interest shown in this use and Staff has communicated with the potential apartment hotel developers. Ms. Friedman stated that the cities analyzed were local.

MOTION was made by Joan Kovac and seconded by Richard Klosiewicz to recommend approval. All voted in favor of the above motion; therefore, the motion passed.

Ms. Sarver stated that she is not in favor of one side or the other but just reminding everyone that if there is an interested party that wants notice, the department can give you that courtesy and give you that notice. Ms. Patton stated that she is a planner and not an attorney.

14. Chapter 155 Text Amendments, Off-Site Parking in the DPOD

Staff will present the proposed text amendments to Chapter 155 related to off-site parking in the DPOD.

Note: This item was tabled at the April 27th, 2016 Planning and Zoning Board hearing.

MOTION was made by Jerry Mills and seconded by Richard Klosiewicz to remove the item from the table. All voted in favor of the above motion; therefore, the motion was approved.

Karen Friedman introduced herself to the Board and stated that:

On April 13, 2016 the City's CRA submitted a memo to the Development Services Department requesting a text amendment to the Off-Site Parking within the Downtown Pompano Overlay District. Accordingly, Development Services Department prepared the text amendment for the April 27, 2016 Planning and Zoning Board hearing.

On April 27, 2016 the City's CRA submitted a memo to the Planning & Zoning Board requesting the previously requested text amendment be tabled. The item was therefore tabled and has remain tabled since that time.

On July 27, 2016 the City's CRA submitted a memo to the Development Services Department regarding proposed revisions to off-site parking standards and provided revised amendments.

A Staff member of the CRA is here this evening who can speak to the CRA's request.

Max Wemyss of the Pompano Beach CRA (902 E Palm Avenue Boca Raton, FL) introduced himself to the Board.

Joan Kovac asked about the proposed language of the text amendment. Mr. Weymss stated that the off-site parking was modified to say except as otherwise and this allows us to say what we are looking to modify. Within the DPOD, non-residential and residential developments can have 100 percent off-site parking. The properties within the DPOD have to be owned or leased by the CRA or the City.

Mr. Stacer asked if the Staff and the CRA are together on this issue.

Karen Friedman stated that there are no conflicts with the zoning code. Ms. Sarver asked if Staff is in support of this item or if they do not take a position. Ms. Friedman stated that they do not believe there is a conflict with the code.

Trip Bechert asked if Staff is in support and staff stated that they have no objections.

Carrie Sarver asked if everyone can make the agreements but the agreement can only be on a parcel owned by the city or CRA in the DPOD. Mr. Wemyss confirmed.

Dr. Mills stated that he is concerned that off-site parking would be a hindrance to handicapped people. Dr. Mills asked how the CRA feels about this. Mr. Wemyss replied that the parking will still have to be ADA compliant. Ms. Friedman stated that the Zoning Code does not regulate the ADA parking. Mr. Stacer explained that the CRA does not want to place a limit on the amount of off-site parking provided. Ms. Friedman stated that the ADA restrictions would supersede the Zoning Code.

The Chairman opened the discussion to the public.

Tara Patton introduced herself to the Board and asked if you are in the DPOD and I want to build a condo or shopping center and have a parking lot off-site, it could only be with a CRA or City owned property. Mr. Wemyss stated that the off-site parking would need to be with a CRA or City owned property. Ms. Patton asked what they would do if the parking in a City or CRA owned parking garage filled up. Mr. Wemyss responded that all of these agreements would be managed through a lease agreement and the spots would be allocated per each agreement.

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Ms. Sarver asked if the CRA attorney has looked at this proposal. Ms. Sarver asked if the attorney is in support of these amendments and Mr. Wemyss confirmed the CRA attorney is in support of the proposed changes.

Tara Patton asked if the Board could table the item to allow for more time.

MOTION was made by Joan Kovac and seconded by Tobi Aycock to recommend approval. All voted in favor of the above motion; therefore, the motion passed.

K. AUDIENCE TO BE HEARD

No one in the audience wished to speak.

L. BOARD MEMBERS DISCUSSION

Ms. Aycock asked for the Board to be notified of the community outreach meeting so they can attend.

Ms. Aycock stated that the City of Boca Raton is now allowing residential developments in their industrial areas which she thinks is interesting.

Mr. Stacer asked if the two sustainability issues could be sent to the Economic Development Committee.

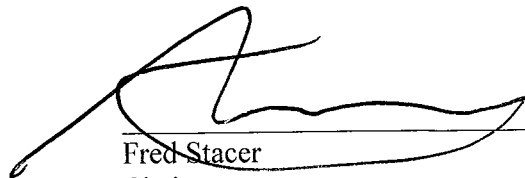
M. REPORTS BY STAFF

Kerrie MacNeil introduced Carla Coleman as the new alternate Planning and Zoning Board member.

N. ADJOURNMENT

MOTION was made by Richard Klosiewicz to adjourn at 10:35 P.M.

Approved at the meeting held on September 28, 2016.

A handwritten signature in black ink, appearing to read 'Fred Stacer', is written over a horizontal line.

Fred Stacer
Chairman
Planning and Zoning Board/Local Planning Agency