

is creating strategies to protect the neighborhood such as neighborhood impact mitigation strategies. These strategies include raised intersections, speed cushions, raised crosswalks, median plantings that visually narrow the road and encourage slower speeds, diverters, and other things that discourage people from taking “cut-through” routes. Ms. Hanes stated that these strategies will be discussed with the neighbors in order to receive their input on what their concerns and suggestions may be.

Mr. Stacer stated that we are looking at on the zoning side is looking at the number of entrances and exits that exist on perimeter roads versus what is on the front road. We want to discourage people from the developments to go back through your neighborhood and forces them to be funneled out onto Atlantic. Mr. Stacer noted that this is something that they have looked into already and will continue to look into.

Ms. Hanes stated that each time a development is reviewed, there will be individual traffic access studies which look at the location of their access points to ensure that they encourage traffic to stay on the main roads.

Fred Stacer closed the public hearing and asked for any board discussion.

Walter Syrek asked if the 3,700 dwelling units listed in the Administrative Memo 16-219 is a minimum or maximum. Ms. Dolan answered that this number is the maximum and this number includes what is already there. Mr. Syrek asked for the amendment language to say “maximum.” Ms. Dolan stated that she is o.k. with this suggestion.

Mr. Stacer asked if the reference to the “EATOC” should be revised. Ms. Dolan responded that they will revise and correct the name.

Trip Bechert asked Assistant City Attorney Carrie Sarver if he is prohibited from voting on the amendments if he owns property at 901 E Atlantic Boulevard. Assistant City Attorney Carrie Sarver asked for the size of the affected area and Ms. Dolan answered that it is 282 acres. Assistant City Attorney Carrie Sarver stated that this effects so many properties and that, in her legal opinion, Mr. Bechert does not have a voting conflict. Assistant City Attorney Carrie Sarver stated that it is Mr. Bechert’s decision. Mr. Bechert stated he is o.k. with this response.

MOTION was made by Joan Kovac and seconded by Richard Klosiewicz to recommend approval of the proposed text amendments to the Future Land Use Plan. All voted in favor of the above motion; therefore, the motion passed.

3. **AMP IV HIDDEN HARBOUR, LLC. / HIDDEN HARBOUR– LAND**
 USE PLAN AMENDMENT
 Planning and Zoning #15-91000001

Consideration of the proposed LAND USE PLAN AMENDMENT request by **AMP IV HIDDEN HARBOUR, LLC** for a change in the future land use designation of several parcels that in total encompass an 8.9 gross-acre (6.9 net acre) property. Currently the property has a Commercial (C), a

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

Medium High (MH) and a Low Medium (LM) Future Land Use designation. The Applicant is requesting a change in land use to Mixed Use Residential High (MUR-High 50 DU/AC). The subject property is generally located north of NE 14th Street, south of NE 17th Street on the east side of Federal Hwy., legally described as follows:

(PARCEL 1—COMPRISED OF THE FOLLOWING PARCELS DESIGNATED AS PARCELS 1A-1F)

(PARCEL 1 A)

ALL OF PARCEL "A" OF JERICO BOATS ENTERPRISES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 146, PAGE 3 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

(PARCEL 1 B)

LOTS 1 AND 2. BLOCK 2. SEA BARGE YACRT CENTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 27 OF THE PUBLIC RECORDS OF BROAD COUNTY, FLORIDA. LESS A PORTION OF LOT 1, MORE PARTICULARLY DESCRIBED ON THE SURVEY SUBMITTED WITH THE APPLICATION.

(PARCEL 1 C)

ALL OF BLOCK 3, LESS THE SOUTH 265.00 FEET THEREOF, SEA BARGE YACHT CENTER, ACCORDING TO THE PLOT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

(PARCEL 1 D)

LOTS 1, 2, 6, 7 AND 8, IN BLOCK 1 AND ALL OF TRACTS "A", "B", "C. AND "D" OF SEA BARGE YACHT CENTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
LESS THAT PORTION OF LOT 8, BLOCK 1 OF SEA BARGE YACHT CENTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IN SECTION 30, TOWNSHIP 48 SOUTH, RANGE 43 EAST, BEING MORE PARTICULARLY DESCRIBED ON THE SURVEY SUBMITTED WITH THE APPLICATION.

(PARCEL 1 E)

THAT PORTION OF THE SEA BARGE YACHT BASIN AS SHOWN ON THE PLAT OF SEA BARGE YACHT CENTER, AS RECORDED IN PLAT BOOK 38. PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY. FLORIDA, BEING MORE PARTICULARLY DESCRIBED ON THE SURVEY SUBMITTED WITH THE APPLICATION.

(PARCEL 1F)

LOT 4 OF CALIBAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, AT PAGE 12 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

(PARCEL 2)

LOTS 3, 4 AND 5, BLOCK 1, OF SEA BARGE YACHT CENTER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK

38, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

(PARCEL 3)

A PORTION OF THE CARIBBEAN YACHT BASIN, CALIBAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 12, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA LYING NORTH OF AND ADJACENT TO PARCEL "A", JERICHO BOATS ENTERPRISES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 146, PAGE 3, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE FULLY DESCRIBED ON THE SURVEY SUBMITTED WITH THE APPLICATION.

(PARCEL 4)

A PORTION OF LOT 1, BLOCK 2, SEA BARGE YACHT CENTER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED ON THE SURVEY SUBMITTED WITH THE APPLICATION.

AKA: North of NE 14th Street, south of NE 17th Street on the east side of Federal Hwy.

FROM: C (Commercial), LM (Low-Medium 5-10 DU/AC), MH (Medium-high 16-25 DU/AC)

TO: Mixed Use Residential-High (MUR-High 50 DU/AC)

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

Note: This item was tabled at the January 27, 2016 meeting.

Maggie Barszewski introduced herself to the Board as a City Planner and stated that the request was tabled from the January 27, 2016 hearing.

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

Planner Maggie Barszewski continued her presentation and stated that this is a request to change the land use designation from Commercial, Low-Medium residential, and Medium-high residential to Mixed Use Residential (MUR). Planner Maggie Barszewski read off the MUR intent from her PowerPoint. The applicant is seeking a Mixed Use High 50 which permits up to 50 dwelling units per gross acre. This would allow 343 market rate residential units and a maximum of 650,000 square feet of residential and non-residential space. The maximum capacity of existing land use designations was explained through a table in the PowerPoint presentation. Planner Maggie Barszewski also explained the difference in the maximum capacity for MUR High versus the proposed development. The applicant has a voluntary restriction for 343 units and 650,000 square feet. Planner Maggie Barszewski continued her PowerPoint presentation and explained the rationale for the amendment, the surrounding uses, the impact analysis, affordable housing, and the voluntary declaration of restrictive covenants.

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 recommends the following alternative motions:

- (1) **Motion to recommend approval of the proposed Mixed Use Residential (MUR) Future Land Use Map Amendment with conditions** as the Board finds the proposed land use map change compatible with the goals, objectives and policies in the Comprehensive Plan listed above in this report.

The recommended conditions would be as follows and must be satisfied prior to City Commission placement except for number 4 (which can wait until a second reading of the proposed ordinance, should it occur).

- 1) A Drainage Letter from Pompano Beach City Utilities Department is required for this Staff's advertising for City Commission hearing.
 - 2) A revised Solid Waste Letter shall have to be submitted prior to Staff's advertising for City Commission hearing, addressing existing and potential commercial, and showing a comparison of the current solid waste generation.
 - 3) The Applicant must provide a commitment of how the affordable housing requirements will be met prior to a rezoning approval.
 - 4) The applicant shall provide staff with signed copies of the Voluntary Declaration of Restrictive Covenants prior to second reading of the City Commission.
- (2) **Motion to table** the requested Comprehensive Plan Map amendment to provide time for any issues raised by the Board, Staff, Applicant or the general public.
- (3) **Motion to recommend denial of the proposed Mixed Use Residential (MUR) of the proposed Future Land Use Map Amendment** as the Board finds it to be incompatible with the goals, objectives and policies in the Comprehensive Plan listed above in this report.

Staff recommends motion number 1.

Mr. Syrek asked if the affordable housing condition was required prior to a rezoning. Planner Maggie Barszewski confirmed and explained that Staff needs clarification on how the applicant is intending to address this requirement prior to rezoning approval. Mr. Syrek asked if this condition was brought up at the January hearing. Planner Maggie Barszewski replied that it was one of the conditions at that point in time. Mr. Syrek asked if there has been no response in the three months that have passed since the January meeting. Planner Maggie Barszewski confirmed. Mr. Syrek asked if Staff is o.k. with passing the land use plan amendment without knowing this information. Planner Maggie Barszewski stated that Staff believes this can go forward with the condition. Assistant City Attorney Carrie Sarver suggested having the Applicant speak to why they are having trouble addressing this element. Mr. Syrek responded that he would like to ask Staff why an exhibit from the applicant was provided in the Staff Report. Planner Maggie Barszewski stated that the applicant will have to address the conditions prior to the rezoning and the City Commission placement for the land use plan amendment. Mr. Syrek stated that this is not clear to him in the condition. Mr. Syrek asked if City Staff agrees with the diagram showing how the uses will distributed throughout the site on Page 7 of the staff report. Planner Maggie Barszewski confirmed. Mr. Syrek asked if this

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

diagram implies the abandonment of a public street and Planner Maggie Barszewski replied that it is not implying an abandonment.

Graham Penn (200 S. Biscayne Blvd. Miami, FL) introduced himself to the Board on the applicant's behalf and stated that he was not aware that they had to address the affordable housing requirement prior to the land use plan amendment being placed on the City Commission agenda but they will address the requirement prior to Commission. Mr. Penn stated that the package is now more protective of their residential neighbors, it integrates vertical mixed use on the Federal tracts, it is more in line with the City's design guidelines, and it will ensure the continued viability of a marina use. Mr. Penn stated that the boat storage or replacement marina uses will be present under this plan. Mr. Penn gave a PowerPoint presentation and stated that the applicant has no objection to Staff's conditions.

Mr. Stacer asked the Board if they have any questions for the applicant and no one responded. Mr. Stacer asked if the applicant knew the height of the boat storage today. Mr. Penn responded that it is between 50 and 60 feet. Mr. Stacer asked for the underlying zoning designation and the applicant responded that it is PCD. Mr. Stacer asked what it was before that. Director Robin Bird stated that it was originally M-1, B-2 and B-3. Stacer asked what is today's height restriction and Director Robin Bird responded that it is 105 feet (except for any air park restrictions, 75' – 105').

Mr. Stacer invited the audience to speak. Michael Horan (1039 Hillsboro Mile Hillsboro Beach, FL) introduced himself to the Board and stated that he owns two units in 2400 NE 16 ST. Mr. Horan stated that he was present at the January meeting. Mr. Horan asked what will happen to NE 15th street. Director Robin Bird stated that this street has been abandoned and it is a driveway that will be used for their project. Mr. Horan stated that he disagrees with this because the street was originally intended to give people access to the marina. Robin stated that this was a platted street, it has been abandoned and it was part of the Master Plan as a parking lot and a driveway. Mr. Horan stated that he thinks the owner will sell the property in pieces. Mr. Horan stated that he does not think the community can hold 343 units. Mr. Horan stated that code compliance informed him that they have not resolved any code issues since January. Mr. Horan expressed that this amendment will not protect the neighbors. Mr. Horan asked the Board to recommend denial of the Land Use Plan Amendment.

Mr. Stacer asked Staff if they could build anything other than what is in the master Plan and Director Robin Bird stated that they cannot. However, we do not control ownership. Mr. Stacer asked if they can sell a portion of the land and Director Robin Bird said he is correct. Director Robin Bird stated that a new master plan may be proposed.

Vincent Cavarra (2301 NE 14 ST Causeway Pompano Beach, FL) introduced himself to the Board and stated that NE 15th Street is still actively being used by residents. Mr. Cavarra asked if the applicant's PowerPoint stated "close 23rd Avenue." Mr. Cavarra stated that this is the only entrance to our building and he wants to know how this would affect him. Mr. Stacer stated that they would have to provide access somehow but that is not part of this agenda item. Director Robin Bird stated that this is an abandonment

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

process and it is not proposed at this point in time. Director Robin Bird stated that this is a possibility that the applicant is considering.

Mr. Stacer closed the public hearing.

Joan Kovac asked Staff if Exhibit C will go to the City Commission and Planner Maggie Barszewski responded that it will go to the City Commission.

Mr. Syrek asked if the diagram of the proposed height limits shows that anything that can be built in the green area is limited to three stories in height. Mr. Penn responded that any new development would be restricted to that maximum height limit (it preserves the existing building). Mr. Syrek asked if this piece of land (green) is restricted to no residential development and Mr. Penn agreed. Mr. Penn stated that a structure erected in this area would be limited to a marine use. Mr. Syrek asked if the small piece of land north of 16th Street will have a ten story building on it. Mr. Penn stated that this is not designed to show any buildings, just height limits. Mr. Syrek asked if these height limitations were included in the declaration of restrictive covenants and Mr. Penn confirmed.

Assistant City Attorney Carrie Sarver asked if the Restrictive Covenants have been given to the City Attorney's office to review and Mr. Penn answered that it has and Mr. Berman made some comments.

Mr. Syrek asked a question of clarification on the covenant and Mr. Penn provided clarification.

Mr. Stacer asked Staff if there was an impact fee for the increase on water/sewer and Planner Maggie Barszewski confirmed. Mr. Stacer commented that he would be looking, at time of rezoning, for a more restrictive height next to the townhomes.

MOTION was made by Walter Syrek and seconded by Richard Klosiewicz to recommend approval of the Future Land Use Map Amendment subject to the four (4) conditions including the amended condition number three (3) which should read: "The Applicant must provide a commitment of how the affordable housing requirements will be met." All voted in favor of the above motion; therefore, the motion passed.

G. PROPOSED PLATS

4. HABITAT FOR HUMANITY OF BROWARD, INC. / HABITAT COLLIER
Planning and Zoning #15-14000020

Consideration of the proposed PLAT, submitted by **DONNA WEST** on behalf of the **HABITAT FOR HUMANITY OF BROWARD, INC.** The proposed plat is restricted to four (4) single family detached units on a site area of approximately 27,266 square feet or .63 acres. The proposed

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