



September 29, 2021

Daniel Keester-O'Mills, AICP
Principal Planner
City of Pompano Beach
100 West Atlantic Blvd.
Pompano Beach, FL 33060

RE: Hunters Manor Rezoning (P&Z# 21-13000004)

Mr. Keester-O'Mills

We respectfully submit the following responses to the Comments, issued on July 21, 2021 for the Rezoning Application for the Hunters Manor project.

A. PLANNING

1. The proposal seeks to deviate from several typical single-family residential zoning district standards. The proposal seeks to reduce the setbacks, minimum lot size, and increase maximum lot coverage. The rezoning would also grant the applicant the ability to capture additional dwelling units by using the gross acreage as opposed to the net acreage. All these factors allow the applicant to maximize the land area, but at this time, the "Master Plan" does not appear to propose a more creative design from something that would otherwise not be permitted under the current code.

Comment Response: The proposed deviations above for the base zoning districts of RS-3 and RM-12 are the minimal needed to provide a well-integrated single family residential community. The development provides 59 single family homes that range in size from 1,739 square feet to 2,717 square feet, and three to five bedrooms, which require more land area. The deviations are needed as well to provide for efficient lot sizes between the five housing floorplans/models. The front setback reduction of five feet and the side setback reduction of two feet allow for larger homes in the development and accommodates to growing families in the City.

The deviations allow the development to address the plat, which permits up to 65 single family units, and address the CRA's need for more infill development. The economic impact is increased for the CRA by the private investment of utility infrastructure including street lighting pedestrian paths as well as providing a greater number of units than the current density. The proposed development would not be able to provide access to all the single-family lots if required to meet the City's standard for 50-foot streets. The deviations allow for the additional open space, integrated pedestrian paths, mail kiosk area, an open air pavilion, the flexibility to offer five different home models throughout the development, as well as drainage for the overall development.

2. A rezoning may only be approved by the City Commission if the Applicant: (1) provides competent substantial evidences that the proposed amendment is consistent with the comprehensive plan (155.2405 D.), and (2) compliance with the standards for the specific Planned Development (155.3602). The narrative does not address conformance with the comprehensive plan, does not

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respond to the general purpose of the PD (155.3601), nor does it explain how the proposed RPUD is compatible with the surrounding areas. Explain how the adoption of the zoning will be:

- Reducing or diminishing the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;
- Allowing greater freedom in selecting the means of providing access, open space, and design amenities;
- Allowing greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;
- Allowing more efficient use of land, with smaller networks of streets and utilities, and thereby lowering development and housing costs; and
- Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, wetlands, floodplains, and historic features.

Comment Response: The project narrative has been revised to split into two project narratives, wherein one is for Rezoning request and the other is for the Major Site Plan request. The project narrative for the Rezoning has been revised to address conformance with Section 155.3601 and 155.3602 of the City of Pompano Beach's Land Development Code.

3. The PD Plan must include all of the information in 155.3602. The conceptual plan submitted illustrates a proposed typical lot layouts, dry retention, pedestrian circulation & some site data. The narrative includes some additional details, but some development standards are missing: permitted principal & accessory uses, pervious area, phasing plan.

Comment Response: The PD Plan and project narrative have been revised to include all the information from Section 155.3602. of the City of Pompano Beach's Land Development Code.

4. The PD Plan must include all applicable uses permitted (principal & accessory) in the development. Refer to Appendix A, Consolidated use table & identify those uses that are permitted within an RPUD to select which uses will be permitted principal & accessory uses in this district.

Comment Response: The PD Plan and project narrative have been revised to include a table of all applicable uses permitted (principal and accessory) in the development.

5. Provide a Phasing Plan, that identifies the areas of the site that construction will commence (if it is not anticipated that it will be done all at once). Staff recommends that the internal circulation be included in the first phase of development along with a specific block or row of lots to be constructed first. If the Lots will not be "phased" then it is even more important that the internal roadways be completed first.

Comment Response: The proposed development will be constructed in one phase.

6. Based on discussion with staff the roadways will remain private, as they do not comply with the minimum 50 foot right-of-way, and should be maintained by the future property owners.

Comment Response: Acknowledged. The internal roads will be private and maintained by the HOA.

7. Land use for these two parcels are Residential L (Parcel "A" - south of NW 7 Street / L - Low Residential 1-5 DU/ AC) & LM (Parcel "B" - north of NW 7 Street / LM- Low-Medium Residential 5 - 10DU/AC). The size of this property is approximately 9 acres (395,524 square feet) net acres (POD A - 297,178 square feet; 6.8223 acres & POD B - 98,613 square feet; 2.2638 acres), resulting in approximately 56 units. The applicant is seeking a rezoning that would allow them to take advantage of the gross acreage, resulting in approximately 63 units (25 + 38 units (permitted by the land use)).

Comment Response: Acknowledged. The approved plat allows for 65 single family lots, while the proposed plan provides 59 dwelling units.

8. The property is platted (Hunter's Manor Community Plat) in the Broward County Records (PB: 183 Pg 32), Instrument #: 114322117, dated April 13, 2017. The plat note restricts the property to no more than 65 single-family detached houses.

Comment Response: Acknowledged.

9. A unity of control document must be submitted for the two parcels, identifying the responsibility of the private property owners & that this development site is under a unified control, given that the density of the north parcel appears to be shifting some density to the southern parcel. It is a requirement of the RFP to create a Homeowner's Association (HOA) to handle the maintenance of the common area.

Comment Response: A Unity of Control document is being prepared by the Land Use Attorney.

10. RPUD Standards:

- The lot width is proposed at 45 wide, and the front yard pervious is proposed to be increased to 61% Given the narrow lots, this will significantly reduce the amount of impervious area that may be permitted in the required front yard.
- The minimum lot areas for several parcels (mostly located within POD B) do not comply with the minimum lot area (4,500 square feet). There are several lots where the lot width is 45 feet, but the lot depth is only 90 feet (45 feet x 90 feet = 4,050 square feet).
- The proposed street side yard setback is 15 feet, however, the corner lot widths range from 45 feet wide to 70 feet wide and for the narrower lots this will be a significant setback. Staff recommends reconsidering the proposed street side setback, as the street side setback for other zoning district is not typically more than double the interior setback.
- The off-street parking requires a minimum of 3 parking spaces per unit, but one of the models "Sapole" only includes a single-car garage. Given the narrow lot size & the increased pervious front yard requirements how will this model accommodate 3 cars on-site.
- The majority of the models proposed are two-story 4 bedroom houses, yet the lot coverage is increased to 72%. Clarify the need to increase the maximum lot coverage, given the multi-level structures.
- Minimum pervious area was not provided in the RPUD Standards.

- The floor plans submitted with the site plan application (P&Z: 21-12000010) refers to "zero lotlines," but there are no references on the RPUD standards allowing zero lot lines. Remove references for zero lot lines, or amend the standards of the RPUD that would allow for this configuration.
- The density listed on the project narrative is 6.49 dwelling units per acre, but the total number of units is 63, and the property is 9.08 acres (63 units divided by 9.08 acres = 6.9 units per acre). Revise the maximum density to reflect the accurate density calculation.
- The access and circulation indicates that 20 foot access streets are the minimum requirement for all zoning districts. While the minimum width for a driveway serving a single-family home or duplex is 20 feet wide (155.5101. G 7. b.), the internal roads that are serving the single-family homes would normally require a wider width for two way access (155.5101. G. 7. a.): 24 foot wide roadway (for a 50 foot wide right-of-way). Should you wish to request a deviation from this standard roadway width, it would be a deviation that must be approved by the City Engineer.

Comment Response: The PD Plan and project narrative have both been revised to include a table that indicates updated standards. An expanded deviation table has been provided within the project narrative to show how the proposed RPUD standards differ from the base zoning districts.

11. It is strongly advised that the Applicant hold a Neighborhood Meeting (refer to 155.2302 for guidelines on holding a neighborhood meeting). This should be done prior to placement of the P&Z Agenda. Recommend to present the plan to NW CRA District & Collier City Civic Association.

Comment Response: The Applicant's Team and the Land Use Attorney had initial conversations with the CRA Director, District Commissioner, and the specific neighborhood groups. An in-person meeting will be held with neighborhood group before the P&Z hearing.

12. Understanding that on-site water retention is a requirement from Broward County, Staff recommends evaluating the dry retention on the southern parcel surrounded by single-family homes to ensure that the best CPTED principles are implemented. If the RPUD will allow the future homeowners abutting the retention area to construct fences, it may not be in the neighborhoods best interest to allow solid fences in the rear yard to avoid screening the area and allowing vagrants to congregate/camp, when the area is dry. These could be specific standards addressed in the RPUD, for accessory uses.

Comment Response: The HOA will regulate CPTED friendly fencing on private lots including those that back up to the dry detention area. The HOA will also monitor the common areas to ensure they are free from unauthorized campsites.

13. Landscape plans and master plans should generally identify the requirements and the proposal for the common area, since they will be individual single-family homes, the site plan application should include templates for each model, as opposed to a landscape plan required for each parcel.

Comment Response: The templates for each model are provided in the Lot Fit Study (LF-1 through LF-3).

14. Staff recommends that the Master Plan include additional landscaping and/or a fence maintained by the association between the new internal

roadways that abut private property. In particular the eastern property line on POD A, and the western property line on POD B, where new internal roads are proposed, but the landscape plans only indicate minimal shrubs. These property lines abut existing or future single-family homes and the Applicant should mitigate for the proposed vehicular use area.

Comment Response: The PD Plan and project narrative have been revised to indicate 5-foot-wide buffers with a shadow box fence. A six-foot-high continuous hedge along the perimeter of the vehicular use areas have been added to fulfill this requirement. There are utility lines along the west interior road, and retaining walls along east site abutting existing properties, which will have no rooms for large canopy trees.

15. Based on the adopted 2014 FEMA FIRM, a portion of Hunter's Manor is in an X zone and a portion is in a SFHA with an base flood elevation (BFE) of 11, however, the County's newly adopted 100-Year flood map shows a 12.5 BFE. Based on the County's more restrictive BFE of 12.5, the Finished Floor Elevation (FFE) would have to be at least 13.5' NAVD unless the "adjacent crown of road + 18 inches" is higher, in which case the FFE would be the adjacent crown of road plus 18".

If the Applicant intends to use the proposed perimeter road shown on the PD Master Plan as the street from which the 18" will be measured, that street must be built at an elevation that meets the City's level of service standard for crown of road (10-year, 1-day storm). Engineering should be consulted to determine the require COR elevation for new streets.

Comment Response: The FFE has been established to 12.95 NAVD (100 Year – 3 day peak stage) per the preliminary surface water management calculations.

16. Based on the lot size and lot coverage proposed in the PD documents, the engineers for the project will need to demonstrate that the on-site retention is adequate based on published, approved run-off methodologies as determined by City and/or applicable regulatory requirements.

Comment Response: The drainage calculations are included in this resubmittal which demonstrate that the on-site retention is adequate. In addition, the Site Plan revisions have allowed for additional drainage capacity.

B. ZONING

1. The proposed maximum density in the PD Rezoning document says 6.49 units per acre. At 9.08 acres, that is 58.92 units and the proposal is requesting 59 units. Revise this calculation to allow the final density to make a total of 59 units as proposed.

Comment Response: The PD Plan and project narrative have been revised to indicate the net density as 6.5 dwelling units per acre.

2. The PD document purposes 72% max lot coverage. Clarify on the chart in the document if this is per individual lot or for the whole RPUD. Please be aware the definition of lot coverage is the total

square footage of all roofed structures (both principal and accessory) and is not all impervious areas combined.

Comment Response: The PD Plan and project narrative plan have been updated to revise the maximum lot coverage to 55%.

3. Clarify what the “access and circulation” is in reference to in the PD document. The chart states the PD is proposing 20’ and that the existing zoning currently permits 20’. If this is in reference to the drive aisle widths, the current code requires a minimum of 24’ roadways (155.5101.G.7.a).

Comment Response: The PD Plan and project narrative have been revised to indicate that the access and circulation is in reference to the two-way drive aisles within the residential access streets.

4. The minimum required pervious area for each lot as a whole was not provided. The RS-3 zoning district requires a minimum pervious area of 30% and the RM-12 zoning district requires a minimum of 25% per individual lot. Include the minimum pervious amount per lot that is proposed for this rezoning.

Comment Response: The minimum pervious area for each lot is 35%, which exceeds the standards by both current zoning districts.

5. Clarify in the PD document if the proposed front yard pervious area is minimum or maximum.

Comment Response: The PD Plan has been revised to indicate that the minimum front yard pervious area is 50%.

6. Revise “individual building size minimum” in the PD document to read “minimum floor area per dwelling unit”.

Comment Response: The PD Plan has been revised to modify “individual building size minimum” as “minimum floor area per dwelling unit.”

7. The PD plan says that the minimum lot area is 4,500 SF. However, the northern parcels are shown to be 45’x90’ = 4,050. Revise the minimum lot area to meet the proposed lot areas of your site plan.

Comment Response: The PD Plan has been revised to correctly show the minimum lot area as 4,050 square feet.

8. Clarify where the calculations are coming from for the pervious area and impervious area numbers provided on the master site plan.

Comment Response: The overall (9.09-acre total site) area pervious and impervious are based on 30% of the lots (18 units) of the Merritt Model (largest footprint) and 70% of the lots (41 units) of the Parker Model (second largest footprint), plus the driveways, roadways, mail kiosk, open-air

pavilion, and sidewalks. This calculates the worst-case scenario based on the buyers' home choice options as the remaining three home models have a smaller building footprint than the Merritt and Parker Models.

9. Clarify what R.A.S. stands for. Various plans including the model houses state there is a 40' R.A.S. Include this in the legends on the site plans and any other page it appears on.

Comment Response: The PD Plan and project narrative haven been revised to clarify that RAS stands for residential access street, which is included in the legend.

10. Provide a phasing plan.

Comment Response: The Hunters Manor RPUD will be developed as one phase.

11. Clarify in the PD document who is responsible for the internal roadways. During previous meetings it was determined that the roadways will be private and not maintained by the City.

Comment Response: The PD Plan has been revised to clarify that the internal roadways are maintained by the HOA.

12. The proposed driveway widths of 16' only account for one parking space. The minimum parking spacesize is 9'x18'. The PD document requires a minimum of three parking spaces per unit, while standard code requirements for single-family homes only require two parking spaces per unit. For the proposed homes with a one car garage, only two cars can fit on the lot. Clarify where additional parking will be provided to meet the standards written in the PD document.

Comment Response: The driveways have been widened to 20'x20' to allow for two parking spaces and additional the garage can accommodate one car in the Sapole Model and two cars in the remaining four models.

13. The Planned Development Master Plan says there will be two driveways per unit under the "Off-Street Parking" section. Clarify where the two driveways will be located. The proposed typical lot layouts only show one driveway per unit.

Comment Response: The language on the Site Plan has been revised to indicate the off-street parking is meant for parking spaces within a driveway.

14. Provide the RPUD standards chart on the PD Master Site Plan itself for reference.

Comment Response: The PD Plan has been revised to provide the RPUD standards chart.

15. Provide the A/C unit locations on the typical lot layout. The A/C units shall be at least 3' from the property line and screening with either a fence or bushes 6 inches above the unit. A note stating "mechanical equipment screening will be maintained 6 inches above the equipment" must be added to the typical plans.

Comment Response: The typical lot layouts located in the Lot Fit Study (Sheets LF-1 through LF-3) have been revised to indicate the location of the A/C units, which have been relocated to the back of the houses.

16. Clarify if the mailbox kiosk will be used for both the north and south neighborhoods. Will the residences of the south neighborhood have to cross NW 7th street to get their mail?

Comment Response: The location of the mail kiosk has been revised to be situated on the north side of Pod A. The mail kiosk will be used by both the north and south neighborhoods. The residences of the north neighborhood will have to cross NW 7th Street to get their mail.

17. Provide a VUA buffer on the west property line of the northern property and the east property line of the southern property with significant landscaping. Identify the width of the proposed landscape area on the site plan.

Comment Response: A six-foot-high continuous hedge along the perimeter of the vehicular use areas have been added to fulfill this requirement. There are utility lines along the west interior road, and retaining walls along east site abutting existing properties, which will have no rooms for large canopy trees.

C. FIRE DEPARTMENT

1. This P & Z application is able to meet all of the Fire Department requirements at this time for REZONING ONLY. Site plan approval will be required, maintaining all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

Comment Response: Acknowledged.

D. UTILITIES

1. Please note that additional comments may be forthcoming contingent upon future submittals to the PAM and/or DRC review process.

Comment Response: Acknowledged.

2. The City of Pompano Beach Utilities Department has no comment at this time with regard to the requested Rezoning approval.

Comment Response: Acknowledged.

E. LANDSCAPE REVIEW

1. Comments will be rendered at time of site plan submittal.

Comment Response: Acknowledged.

2. Provide landscape plans in accordance with 155.5203 for the entire site.

Comment Response: Landscape Plans have been revised to be in accordance with 155.5203 for the entire subject site.

F. SOLID WASTE AND RECYCLING

NOTE: As stated in the Pompano Beach Code of Ordinances, Chapter 96, including Section 96.12(D)(1), all construction and demolition debris removal is the responsibility of the owner. All solid waste generated within the geographic boundaries of Pompano Beach shall be collected by the franchise collector (Waste Management at the time of this writing) and disposed of as directed by the city disposal agreement. All materials shall be generated from the property on which the materials are placed for removal. Information regarding container size and hauling costs may be found in Chapter 96, Section 96.13.

Comment Response: Acknowledged.

NOTE: Additional comments may be necessary based upon revisions, additional plans and/or documents. Contact Beth Dubow at 954-545-7047 or beth.dubow@copbfl.com should you have any questions or concerns regarding this review.

Comment Response: Acknowledged.

I appreciate your assistance on this project. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

WGI



Kristen Nowicki, AICP
Senior Project Manager