

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 17-12000018

A DEVELOPMENT ORDER ISSUED BY THE PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY) OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO CHAPTER 155 OF THE CODE OF ORDINANCES; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR OLD TOWN 2ND STREET, LLC AND CP OLD TOWN SQUARE.

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the project referenced above as a Major Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to issue a final development order for the subject project to construct a ten-story mixed use building. The project consists of 277 residential units, approximately 4,652 sq. ft. of commercial/retail space, a parking garage, on-street parking and landscaping improvements. The property is currently occupied by several structures on multiple parcels. The building footprint will be 63,423 sq. ft. on a proposed 74,139 sq. ft. (1.70 acres) site (86% lot coverage). The property is located at the intersection of NE 2nd Street and NE 1st Avenue, bordered to the north by NE 3rd Street. One parcel is located on the north side of NE 3rd Street; more specifically described in the legal description below:

FOLIO # 484235250110
LOT 7, BLOCK 2 LESS THE NORTH 10 FEET THEREOF, TOGETHER WITH THE NORTH ONE HALF (N1/2) OF THE 14 FOOT ALLEY LYING SOUTH OF AND ADJACENT TO SAID

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LOT 7 OF "SMOAKS ADDITION TO POMPARNO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF PALM/BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

FOLIO # 484235250120

LOTS 8 THROUGH 10, BLOCK 2, TOGETHER WITH THE NORTH ONE HALF (N1/2) OF THE 14 FOOT ALLEY LYING SOUTH OF AND ADJACENT TO SAID LOTS 8 THROUGH 10 OF "SMOAKS ADDITION TO POMPARNO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF PALM/BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

FOLIO # 484235250130

LOTS 11 THROUGH 13, LESS THE SOUTH 16.00 FEET FOR RIGHT -OF-WAY, BLOCK 2, TOGETHER WITH THE SOUTH ONE HALF (N1/2) OF THE 14 FOOT ALLEY LYING NORTH OF AND ADJACENT TO SAID LOTS 11 THROUGH 13 OF "SMOAKS ADDITION TO POMPARNO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF PALM/BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

FOLIO # 484235250140

LOTS 14 AND 15, BLOCK 2, TOGETHER WITH THE SOUTH ONE HALF (N1/2) OF THE 14 FOOT ALLEY LYING NORTH OF AND ADJACENT TO SAID LOTS 14 AND 15 OF "SMOAKS ADDITION TO POMPARNO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF PALM/BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

FOLIO # 484235250150

LOTS 16 AND 17, LESS THE SOUTH 16.00 FEET FOR RIGHT-OF-WAY, BLOCK 2, TOGETHER WITH THE SOUTH ONE HALF (S1/2) OF THE 14 FOOT ALLEY LYING NORTH OF AND ADJACENT TO SAID LOTS 16 AND 17 OF "SMOAKS ADDITION TO POMPARNO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF PALM/BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

FOLIO # 484235250100

LOTS 5 AND 6, BLOCK 2, TOGETHER WITH THE NORTH ONE HALF (N 1 /2) OF THE 14 FOOT ALLEY LYING SOUTH OF AND ADJACENT TO SAID LOTS 5 AND 6 OF "SMOAKS ADDITION TO POMPARNO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 10 OF THE PUBLIC RECORDS OF PALM/BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

WHEREAS, the Development Review Committee has met to review this project and has provided the applicant with written comments; and

WHEREAS, the Application for Development Permit is not in compliance with the applicable standards and minimum requirements of this Code, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

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WHEREAS, copies of the survey and final site plan are on file with the Department of Development Services, stamped with the meeting date of October 25, 2017.

The Application for Development Permit is hereby approved by the Planning and Zoning Board (Local Planning Agency) subject to the following conditions and bases therefore:

1. Be advised of the following items:
 - a. Staff acknowledges that a Master Sign Program has been proposed, and will be evaluated at a future date.
2. Make the following revisions on plans:
 - a. Overall floor plans for each level of the building depict dwelling units that are not accurately represented on sheet A-12 for typical unit types. Revise floor plans and/or sheet A-12 to provide consistency between proposed unit type square footages on all applicable sheets.
 - b. A call-out was not found for the material that is proposed for the openings at the parking garage levels on the east elevation. Openings must include a treatment or material to screen vehicular use areas and associated parking from view. The rendering of the same elevation appears to show clear openings, which does not comply with screening standards.
 - c. The Roof Plan depicts two "SCREENED MECHANICAL EQUIPMENT" locations. The elevations call-out "Translucent glass with internal lighting" at these locations, which will not adequately screen the roof top mechanical equipment, pursuant to 155.5301.2.a. Revise plans to comply.
 - d. Sheet A-13 Rendering (b) is mislabeled as the southeast corner of the building. It appears to be a view of the southwest corner of the building. Revise accordingly.
 - e. Utility connections and service boxes must be placed on secondary walls and away from corners, pursuant to §155.3501.H.1.e
 - f. Revise the site plan and/or the parking calculations to correctly identify the non-residential parking allocation(s). Currently, the calculations indicate parking for retail and restaurant areas; however restaurant area is not depicted on the plan.
 - g. Provide a breakdown of the number of parking spaces provided for each use, in compliance with §155.5102.D.5. For commercial uses, the number of off-street

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- parking spaces cannot exceed 125 percent of the minimum number of parking spaces required.
- h. Along the primary, secondary, or tertiary streets, provide building breaks every 160 feet, 30 feet in width and 10 feet in length at the ground level, pursuant to §155.3501.J.2.c, and provide dimensions and labels indicating compliance.
 - i. Colonnade columns spacing shall be proportioned such that the height of each opening is greater than its width. Revise plans to comply, pursuant to 155.3501.J.2.i.iv.
 - j. Street trees are required at 15 feet to 25 feet apart, pursuant to 155.3501.G.2.e.
 3. Provide additional documentation to verify the techniques that were used to satisfy the requirement of 18 sustainable development points required by §155.5802.
 4. For permit approval, obtain the following final approvals:
 - a. A Development Order for Major Building Design from the Architectural Appearance Committee. (§155.2408.B.1)
 - b. A Unity of Title Agreement from the City's Planning & Zoning Division which shall be recorded in the Public Records of Broward County. (§155.2401.C)
 - c. CPTED plan approved by the Broward Sheriff's Office. (§155.2407.E.9)
 - d. Building permit plans subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
 - e. Abandonment of all easements.
 - f. Platting determination letter from Broward County Planning Council.
 - g. Provide SCAD letter from Broward County School District.
 5. Provide clarification for the following:
 - a. Provide information pertaining to proposed access to the second-floor terrace that is located above the area on the north side of the building that is not adjacent to a dwelling unit. It appears that access to this terrace location has not been provided.
 - b. Provide details, notes and specifications indicating compliance with the following lighting requirements of 155.3501.I:
 - Light poles must not exceed a height of 17.5 feet above the adjacent finished grade;
 - No cobra head lights are permitted;
 - All lighting must be weather and vandal resistant; and