

## BELMONT PARK ESTATE

Major Site Plan Review

### PROJECT NARRATIVE

May 5<sup>th</sup>, 2023

Revised July 14, 2022

Revised September 22, 2022

Revised December 27, 2022

Revised May 16, 2023

Revised August 10, 2023

#### I. INTRODUCTION

Urbana, on behalf of Tal Shiar Properties, LLC (Owner/Applicant), is requesting a Major Site Plan Review Application approval to allow twelve (12) units Multifamily Residential Development. The development is composed of four (4) parcels for combined total acreage of 0.96 ac (41,969 SF). The development is under Folio Numbers 4942-02-02-0039, 4942-02-02-0061, 4942-02-02-0063, and 4942-02-02-0070 and located on the southeast corner of Pompano Park Place (SW 3<sup>rd</sup> Street) and SW 4<sup>th</sup> Avenue within the City Pompano Beach. The existing Land Use Designations are Residential Medium-High 25 du/ac (MH-25) and Commercial (C), the existing Zoning Designations are Multiple-Family Residence (RM-30) and General Business (B-3), and it is within the Community Redevelopment Agency (CRA) boundaries.

#### II. REQUEST

To allow twelve (12) multifamily rental units.

#### III. ENTITLEMENT & EXISTING CONDITIONS

No past approvals or Development Orders (DOs) were found on record for these parcels. However, in addition to this application, a Minor Administrative Adjustment application (MAA) to deviate from Article 3 and 5 of the City's Code of Ordinance was submitted on December 26, 2022 and is currently under review. The property owner is aware that the approval of this request is contingent upon the approval of the MAA application first.

Currently, the site is being utilized as an approved offsite temporary parking use. On May 1, 2023, the Zoning Board of Appeal approved a Major Temporary Use Permit from the provisions of Chapter 155: Article 4 (Use Standards) and Article 5 (Development Standards) of the City of Pompano

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Beach Zoning Code, in order to temporarily utilize vacant lots (Zoning Districts: RM-30 and B-3) for off-site parking related to ongoing construction at the adjacent John Knox Village facility without complying with the applicable use and development standards as required by Code via application 23-15000005. A copy of the approved use letter has been uploaded with the August 10, 2023 submittal package.

#### IV. SURROUNDING PROPERTIES

Below are the subject parcels' adjacent parcel existing uses, future land use designations, zoning designation, and approved uses with corresponding resolutions (where applicable).

Adjacent Property	FLU	Zoning	Existing Use
North	MH	RM-30	Single Family Homes
South	ROW/LAC	ROW/LAC	Retirement Community (Grand Court Village)
East	C	B-4	Multiple Retail Uses
West	MH	ROW/RM-30	Assisted Living Facility (John Knox Village)

#### V. COMPREHENSIVE PLAN

Per the City's Comprehensive Plan Section 3. Zoning as to Permitted Uses and Densities, Subsection B. Commercial – "Each parcel of land within an area designated in a Commercial land use category by the City's Land Use Plan Map must be zoned in a zoning district which permits any one or more of the following use: Free standing multi-family residential uses on parcels of land 5 acres or less, 10 acres or less for designated redevelopment areas i.e., Urban Infill area and Community Redevelopment Areas" (CRA).

**Response:** As allowed per this Section of the Comp Plan, the property owner is proposing to use the eastern parcel of this development, currently with a Commercial (C) Land Use Designation as egress, storm area, and dumpster location only. No residential or commercial building will be built on this parcel.

#### VI. CODE OF ORDINANCE

##### ARTICLE 2 – ADMINISTRATION

##### 155.2401.C Unity of Title Agreement

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In conjunction with the submittal of an application for a development permit when it is deemed necessary for compliance with standards in this Code for the owner of adjacent lots or parcels to execute an agreement whereby such lots or parcels shall be considered an undivided parcel for zoning purposes, a "unity of title agreement" or equivalent instrument shall be required to be executed by the owner and recorded in the public records of Broward County. This agreement shall be considered to be a restriction running with the land and shall bind the heirs, successors and assigns of the owner.

**Response:** The property owner is proposing two (2) buildings composed of six (6) units each within three parcels that combine possess two Land Use Designations (Residential Medium High 25 du/ac (MH-25) and Commercial (C)) and two Zoning Designations (Multiple-Family Residence (RM-30) and General Business (B-3)) within the Community Redevelopment Agency (CRA) boundaries. The eastern B-3 Zoning Designation parcel will be used for egress, storm retention areas, and for the location of an enclosed dumpster, while leaving the western parcels within the RM-30 Zoning Designation for the residential buildings and parking areas. Since the Replat is not requires for this development (see below Plat Exemption), the property owner is submitting concurrent with this application a Unity of Title application to combine the three subject parcels and, as such, allow the development of this project without changing the Land Use from C to MH and the Zoning from B-3 to RM-30.

### 155.2410.2 Plat Exemption

The requirement that a Plat be approved in accordance with this section before approval of a Zoning Compliance Permit shall not apply where expressly exempted from such requirement by the Broward County Land Use Plan.

**Response:** Per the attached Plat Determination Letter (PD-21-135) received by Broward County Planning Council on December 7, 2021, a replat would not be required by Policy 2.13.1 of the Broward County Land Use Plan for the proposed development, subject to compliance with any applicable Broward County Trafficways Plan requirement. As per the criteria of Policy 2.13.1, replatting is required for the issuance of building permits when constructing a non-residential or multi-family development, unless all of the following conditions are met:

- a. The lot or parcel is smaller than 10 acres and is unrelated to any adjacent development;
- b. The lot or parcel has been specifically delineated in a recorded plat;
- c. All land within the lot or parcel which is necessary to comply with the County Trafficways Plan has been conveyed to the public by deed or easement; and
- d. The proposed development is in compliance with the applicable land development regulations.

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### 155.2407.E Site Plan Review Standards

An application for a **Major Site Plan** or Minor Site Plan shall be approved only on a finding that there is competent substantial evidence in the record that the development, as proposed:

- a. Is consistent with the land use designation in the comprehensive plan:

**Response:** Yes, the proposed Residential Medium-High 25 du/ac (MH-25) and Commercial (C) land use designations are consistent with the Comprehensive Plan. In addition, as stated above under Comprehensive Plan Section 3. Zoning as to Permitted Uses and Densities, Subsection B. Commercial, “Free standing multi-family residential uses on parcels of land 5 acres or less, 10 acres or less for designated redevelopment areas i.e., Urban Infill area and Community Redevelopment Areas” (CRA).

- b. Complies with the applicable district, use, and intensity and dimensional standards of this Code (Articles 3, 4, and 5);

**Response:** This development has been designed to meet most of the City’s Development requirements. Concurrent with this application, a Minor Administrative Adjustment (MAA) application has been submitted to reduce the south street side yard setback, the north perimeter landscape strip width, and the landscape between the vehicular use area and the building as the parcel’s shape configuration affects the ability to meet 100% these sections of the Code. However, we strongly believe these AAs variations do not affect the district’s intent as all required plant materials, sizes, and species have been provided without impact to the environment and the surrounding parcels.

- c. Complies with the applicable development standards of this Code (Article 5). While not required to comply with the Sustainable Development Standards in Part 8, Sustainable Development Standards, of Article 5, Development Standards, applications for Minor Site Plan shall be approved only on a finding that there is competent substantial evidence in the record that the proposed development is consistent with the goals and intention found in Section 155.5801, Purpose;

**Response:** This development has been designed to meet most of the City’s Development requirements. Concurrent with this application, a Minor Administrative Adjustment (MAA) application has been submitted to reduce the south street side yard setback, the north perimeter landscape strip width, and the landscape between the vehicular use area and the building as the parcel’s shape configuration affects the ability to meet 100% these sections of

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the Code. However, we strongly believe these AAs variations do not affect the district's intent as all required plant materials, sizes, and species have been provided without impact to the environment and the surrounding parcels.

- d. Complies with all other applicable standards in this Code;

**Response:** Aside from the three (3) proposed Minor Administrative Adjustments (MAA) related to Article 3 and 5, the development meets all other applicable Code Standards.

- e. Complies with all requirements or conditions of any prior applicable development orders or prior applicable approved plans on record;

**Response:** Not applicable, as there were no past approvals or development orders in the City's records.

- f. The concurrency review has been completed in accordance with Chapter 154 (Planning) of the Code of Ordinances;

**Response:** The required concurrency is being reviewed with this application.

- g. Is designed to provide safe, adequate, paved vehicular access between buildings within the development and streets as identified on the Broward County Trafficways Plan;

**Response:** Yes, the proposed site configuration has been designed to provide a safe, adequate, paved vehicular access between SW 4<sup>th</sup> Avenue and Pompano Park Place (SW 3rd Street).

- h. Complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance;

**Response:** No hazardous materials are proposed for this development.

- i. Complies with crime prevention security strengthening and CPTED standards for natural surveillance, natural access control, territorial reinforcement, maintenance, and activity support;

**Response:** Yes, the development landscape, lighting, signage, and other site development areas have been designed to meet the CPTED Standards.

- j. Complies with adopted Fire Codes and Standards per City Code Section 95.02;



**Response:** Yes, the City of Pompano Beach Fire Department preliminarily reviewed the proposed development and provided additional recommendations to meet this Code and, as such, this development has been designed to meet these standards.

- k. Considers and mitigates any potential adverse impacts on environmentally sensitive lands identified by the city Comprehensive Plan or Broward County Land Use Plan; and

**Response:** Not applicable, as these parcels are not considered sensitive, and no native and non-native fauna and flora are present on them.

- l. Complies with the approved Transportation Corridor Study, unless in direct conflict with another zoning code provision.

**Response:** This requirement is not applicable to this development.

### ARTICLE 3 – ZONING DISTRICTS

#### 155.3211. A Purposed: Multiple-Family Residential 30 (RM-30)

The Multiple-Family Residence 30 (RM-30) district is established and intended to accommodate primarily multifamily dwellings (including townhouse development) including community residences and recovery communities at moderately high densities. The district also accommodates single-family and two-family dwellings, zero-lot-line development, assisted living facilities, and continuing care retirement communities. Limited neighborhood-serving nonresidential uses, as well as office buildings, financial institutions, hotels/motels, and condo hotels, are allowed as Special Exceptions.

**Response:** The proposed residential development is composed of two (2) buildings of six (6) units each for a total of 12 multifamily dwelling units.

**Density** - As confirmed by the City of Pompano Beach Planning and Zoning Department, the allowable density in the RM-30 Zoning Designation is controlled by the Land Use Designation of HM-25 du/ac and not RM-30 du/ac, whereas the B-3 Zoning Designation maximum allowable density is 46 du/ac. Based on this information, the maximum density allowed in the **RM-30 Zoning Designation is 19 du/ac** (0.76 ac x 25 du = 19 du) However, as part of this development, the property owner is only proposing **12 multifamily dwelling units**. The proposed 12 units will be located within the parcels zoned RM-30 while the B-3 parcel is being utilized as egress, storm water areas, a bike rack station, and a 10' x 10' dumpster enclosure only, meaning, no residential development is proposed on this parcel. A Unity of Title is being requested along with this

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application to ensure the three parcels, although different land use and zoning, are combined under one development and under the same ownership.

#### 155.4202.D.1 Dwelling, Multifamily

Per Section 155.4202.D.1, multifamily dwelling units are allowed under the RM-30 Zoning District Designation.

**Response:** The proposed residential development is composed of 12 multifamily dwelling units.

#### 155.3211. B Use Standard

	RM-30 REQ	B-3 REQ	PROV
Min. Lot Area (SF)	MF: 8,800 SF	10,000 SF	41,969 SF (0.96 AC)
Min. Lot Width (SF)	MF: 75 SF	100'	464'
Max. Density (du/ac)	0.76 x 25 = 19 du	0.2 x 46 = 9 du	12 du
Min. Floor Area per Dwelling Unit (SF)	MF 650 SF + 100 SF per BR	-	850 SF / 2BD
Max. Lot Coverage (% of lot area)	60 % / 25,181 SF	60%	13% / 5,460 SF
Min. Pervious Area (% of lot area)	25% / 10,492 SF	20%	36% / 15,117 SF
Max. Height (Ft.)	105'	105'	23' (25'-6" top of parapet)
Min. Front Yard Setback (Ft.) (W)	25'	0'	25.8'
Min. Street Side Yard Setback (Ft.) (S)	10'	0'	7' *
Min. Interior Side Yard Setback (Ft.) (N)	10'	0'	56.8'
Min. Rear Yard Setback (Ft.) (E)	10'	30'	129'
Min. Spacing Between Principal Structures	25'	-	53.2'

\* Concurrent with this application, a Minor Administrative Adjustment (MAA) application has been submitted to allow this reduction.

#### 155.3304. A Purposed: General Business (B-3)

The General Business (B-3) district is established and intended to accommodate a diverse range of moderate-intensity retail, service, office, recreation/ entertainment, visitor accommodation, and institutional uses that serve the residents and businesses in the community at large (e.g., most retail sales and service uses, restaurants, offices, banks, restaurants, gasoline filling stations, marinas, auto and boat sales and service uses, theaters, hotels, child care facilities, vocational or trade schools, health care facilities, places of worship). It also accommodates complementary residential uses (e.g., live-work and upper-story dwellings) and moderate- to high-density multifamily development (either stand-alone or mixed with commercial development), community residences, and recovery community uses.

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**Response:** The Comprehensive Plan Section 3.B Commercial, the General Business (B-3) Zoning District Designation allows for complementary residential uses and, as such, the property owner is proposing to use the eastern parcel which possesses a B-3 Zoning Designation for the Belmont Park Estate Residential Development egress, storm area, and dumpster location only. No residential or commercial buildings are proposed on this parcel.

#### ARTICLE 4 – USE Standard

##### 155.4302.3. Required Setbacks, Maximum Height and other dimensional standards for Accessory Uses and Structures.

Unless otherwise provided for in Section 155.4303 (Standards for Specific Accessory Uses and Structures), accessory uses and structures shall comply with the zoning district's minimum setback standards, maximum height limitations, and all other dimensional standards applicable for a principal dwelling unit structure.

**Response:** A 6' high concrete wall dumpster enclosure of 10' x 10' is proposed on the NE corner of the property and setback of 10' from both property lines as required per Sec. 155.3211.

#### ARTICLE 5 – DEVELOPMENT STANDARDS

##### 155.5102.D.1: Minimum Number of Off-Street Parking Spaces

Per this section of the Code, 1.5 parking space (PS) is required for every multifamily dwelling unit with 1 or 2 bedrooms. Since the residential development is proposing 12 multifamily dwelling units of 2 bedroom each, the total required number of parking spaces is 18 PS and the provided is 23 PS. Out of the 23 PS, a total of 2 PS have been assigned as ADA PS with the required 5' ramp as requested by the City of Pompano Beach Fire Department. Please refer to the below table for a more detailed breakdown of the uses, required and provided parking spaces.

USE	CODE REQ	REQUIRED	PROVIDED
Multifamily Dwelling (Based on 12 du)	1.5 PS/DU w/1&2 BD	18 PS	
Guest	N/A	0 PS	
Handicapped (included in total)	N/A	(1 PS)	(2 PS)
<b>Total Required PS</b>		<b>18 PS</b>	
<b>Total Provided PS</b>			<b>23 PS</b>

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## 155.5601 Multifamily Residential Design Standards

All multifamily development subject to this section shall comply with the following standards:

### 1. Building Orientation and Configuration

#### a. Multi-Building Development

Multifamily residential developments with more than one building shall be configured so that primary building entrances are oriented towards external streets, internal streets, or open space areas (like courtyards). Buildings may be oriented towards off-street parking lots only in cases where no other practical alternative exists.

**Response:** A minimum 50' distance from the Fire Truck location to each unit door is required by the Fire Department. Therefore, each unit's main access door has been relocated to the rear of the parcel, facing the parking space instead to meet this requirement. However, the building façade facing Pompano Park Place have be designed to look like the front façade to meet this requirement.

#### b. Building Configuration

- i. Multifamily residential developments with six or fewer dwelling units shall be configured through massing, door placement, centralized parking location, and use of exterior materials to give each building the appearance of a large, single-family home.

**Response:** There are two (2) two-story buildings composed of six (6) units each, whereas each building has been design to look like one large family residential building.

- ii. Ground-floor dwelling units shall be accessed via internal corridors or from individual exterior porches or stoops served by a sidewalk or other designated walkway.

**Response:** The ground floor units are proposed to be accessed via a sidewalk.

### 2. Maximum Building Size

- a. Individual structure footprints shall not exceed a maximum of 20,000 square feet.
- b. The maximum length of any multifamily residential structure shall be 180 linear feet, regardless of the number of units.

**Response:** The proposed individual building footprints is 2,730 SF each. The length of the proposed structure is 122 linear feet without the stairs.

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### 3. Building Facades

- a. Facades of multifamily residential development facing a public street shall incorporate wall offsets, in the form of projections or recesses in the facade plane, spaced no more than 30 feet apart.

**Response:** The proposed buildings shall meet the facade requirements for projections and recesses for the elevations that face a public street.

- b. Wall offsets shall have a minimum depth of two feet.

**Response:** The proposed design has a wall offset depth of 3 feet.

- c. In addition to wall offsets, front facades shall provide a minimum of three of the following design features for each residential unit fronting onto a public street.
  - i. A recessed entrance;
  - ii. A covered porch ;
  - iii. Pillars, posts, or columns adjacent to the doorway;
  - iv. One or more bay windows projecting at least twelve inches from the facade plane;
  - v. Eaves projecting at least six inches from the facade plane;
  - vi. Raised corniced parapets over the entrance door;
  - vii. Multiple windows with a minimum four-inch-wide trim; or;
  - viii. Integrated planters that incorporate landscaped areas or places for sitting.

**Response:** The proposed buildings' design has a (i) recessed entrance, (iii) pillars, posts, or columns adjacent to the doorway, and (vii) multiple windows with a minimum four-inch-wide-trim.

### 4. Architectural Variability

Repetitive "look-alike" multi-building developments shall be prohibited. Multi-building developments subject to these standards shall ensure that each structure is distinguished from others through the use of two or more of the following features:

- a. A variation in structure length of 30 percent or more;
- b. A variation in the structure footprint size of 30 percent or more;
- c. A distinct variation in color and use of materials;
- d. A variation in the type of dwelling unit contained in the structure that results in a significantly different scale and mass (e.g., garden apartments vs. townhomes);

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- e. A variation in structure height by at least ten percent; or
- f. A variation in roof form.

**Response:** The proposed buildings design incorporates (c) A distinct variation in color and use of materials and (e) A variation in structure height by at least ten percent.

5. Roofs

- a. Sloped roofs on principal buildings shall include two or more different sloping roof planes, each with a minimum pitch between 3:12 and 12:12.
- b. Flat roofs on principal buildings shall be concealed by parapet walls that extend at least three feet above the roof level and have three dimensional cornice treatments that project at least eight inches outward from the parapet facade plane.
- c. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.
- d. All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the rear elevations or otherwise be configured, to the maximum extent practicable, to have a minimal visual impact as seen from the street.

**Response:** The proposed buildings have been designed with a flat roof design.

6. Materials

- a. Materials changes shall occur along a horizontal line or where two forms meet. It is acceptable, however, that change of materials occur as accents around windows, doors, cornices, at corners, or as a repetitive pattern.
- b. Where two or more materials are proposed to be combined on a facade, the heavier and more massive elements shall be located below the lighter elements (i.e., brick shall be located below stucco). It is acceptable to provide the heavier material as a detail on the corner of a building or along cornices or windows.

**Response:** The proposed buildings design includes material changes on all 4 facades.

7. Location of Off-Street Parking

- a. No more than two single-loaded bays of off-street surface parking may be located between a multifamily building and the street it faces unless the parking bays are screened from view from the street by another building. Interior structures within a multi-building development served by a central, private driveway are exempted from this requirement.



**Response:** Not applicable, as the residential development is proposing a private driveway. However, the proposed standard and ADA parking spaces are proposed on the back of the development in front of each residential unit.

- b. Guest and overflow parking associated with a townhouse unit within a multifamily residential development shall be located to the side or rear of the building containing the townhouse unit, to the maximum extent practicable.

**Response:** N/A.

- c. Off-street surface parking located beside a building shall not occupy more than 25 percent of the parcel's street frontage. Associated driving areas shall be included as part of such off-street surface parking.

**Response:** Not applicable, as the residential development is proposing a private driveway. However, the proposed standard and ADA parking spaces are proposed on the back of the development in front of each residential unit.

#### 8. Outdoor Activity Areas

- a. Ground-level outdoor activity areas, porches, decks, vending areas, and other similar site attributes shall be screened from adjacent single-family dwellings with a type B perimeter buffer in accordance with Section 155.5203.F, Perimeter Buffers.

**Response:** Not applicable.

- b. Upper-story balconies serving individual dwelling units located within 100 feet of a single-family dwelling shall be oriented or configured to prevent direct views into the dwelling's rear yard.

**Response:** A minimum 50' distance from the Fire Truck location to each unit door is required by the Fire Department. Therefore, each unit's main access door has been relocated to the rear of the parcel, facing the parking space to meet this requirement. Therefore, the second-floor balconies are now facing the single-family dwelling north of the property line and the distance is less than 100 feet. However, the intent of this section is to "prevent direct views into the dwelling's rear yard," and we believe this has been accomplished by by providing a continues hedged, a minimum of 10' canopy trees, and a minimum of 22' palm trees along the north buffer and 14 – 22 feet height trees and palms in front of the balconies as foundation planting. We believe this prevents the view from the second-floor balconies to the north single family homes rear yard.

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