



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 17-143

DATE: April 12, 2017

TO: Planning & Zoning Board

VIA: Robin M. Bird, Development Services Director *RS*
 Jennifer Gomez, Assistant Development Services Director *JG*

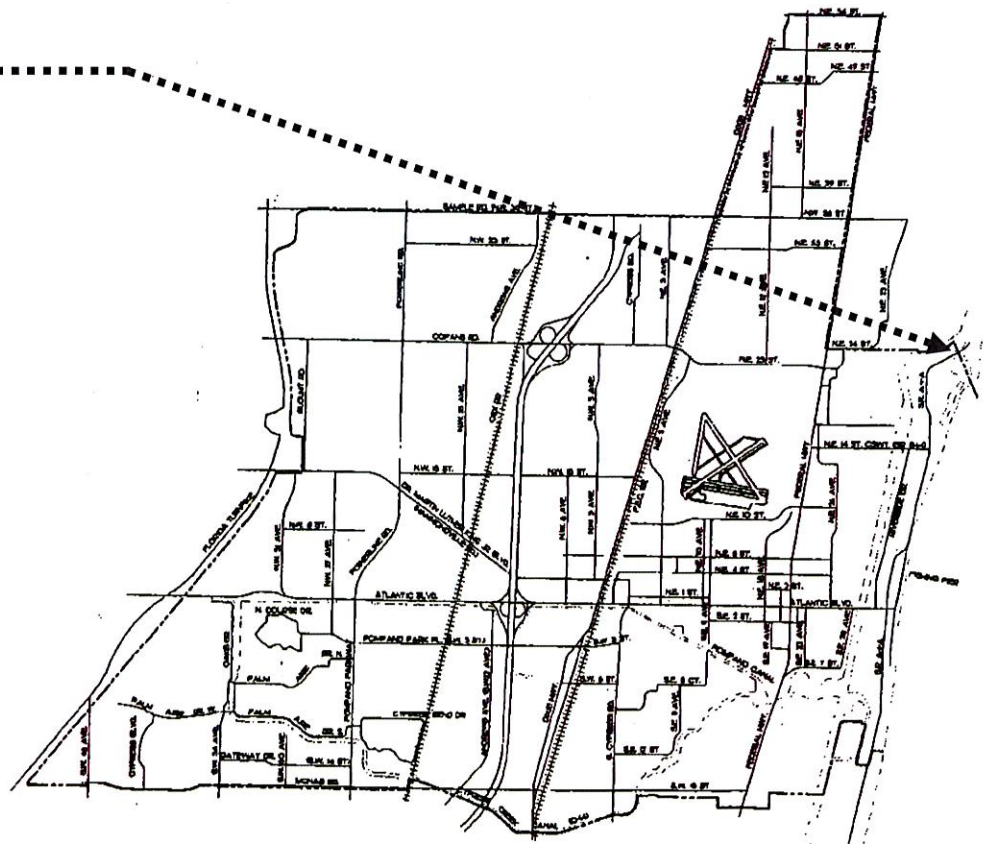
FROM: Jae Eun Kim, Planner *JK*

RE: Rezoning – From B-3(General Business) to PD-I (Planned Development-Infill)
 Location – 2629 N. Riverside Drive and 2507 N. Ocean Boulevard
 April 26, 2017 Meeting

P & Z #16-13000003

The applicant is requesting to rezone the subject properties from B-3 (General Business) to PD-I (Planned Development - Infill). The proposed project consists of two (2) parcels of land located at 2629 N. Riverside Drive and 2507 N. Ocean Blvd, and is approximately 2.49 net acres (3.43 gross acres). The properties are currently vacant, and are located to the east of the Intracoastal Waterway and northeast corner of the intersection of A1A and N. Riverside Drive. As part of the rezoning application, the applicant is requesting 121 multi-family dwelling units and 5,200 square feet of commercial uses. The Planned Development-Infill (PD-I) district is intended to provide the flexibility to enable high-quality, mixed-use development on relatively small sites, yet require design that ensures infill development is compatible with both surrounding existing development and available public infrastructure.

2629 N Riverside Drive &
 2507 N Ocean Boulevard
 Tax Folio ID: 484329051630 &
 484329051380



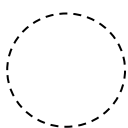
LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

| | |
|----------|--|
| | Residential |
| L | Low (1-5 DU/AC) |
| LM | Low- Medium (5-10 DU/AC) |
| M | Medium (10-16 DU/AC) |
| MH | Medium-High 16-25 DU/AC) |
| H | High (25-46 DU/AC) |
| 12 | Irregular Density |
| 36 | Irregular Density |
| * | C Commercial |
| | CR Commercial Recreation |
| | I Industrial |
| | T Transportation |
| | U Utilities |
| | CF Community Facilities |
| | OR Recreation & Open Space |
| | W Water |
| | RAC Regional Activity Center |
| | LAC Local Activity Center |
| | DPTOC Downtown Pompano Transit Oriented Corridor |

Number



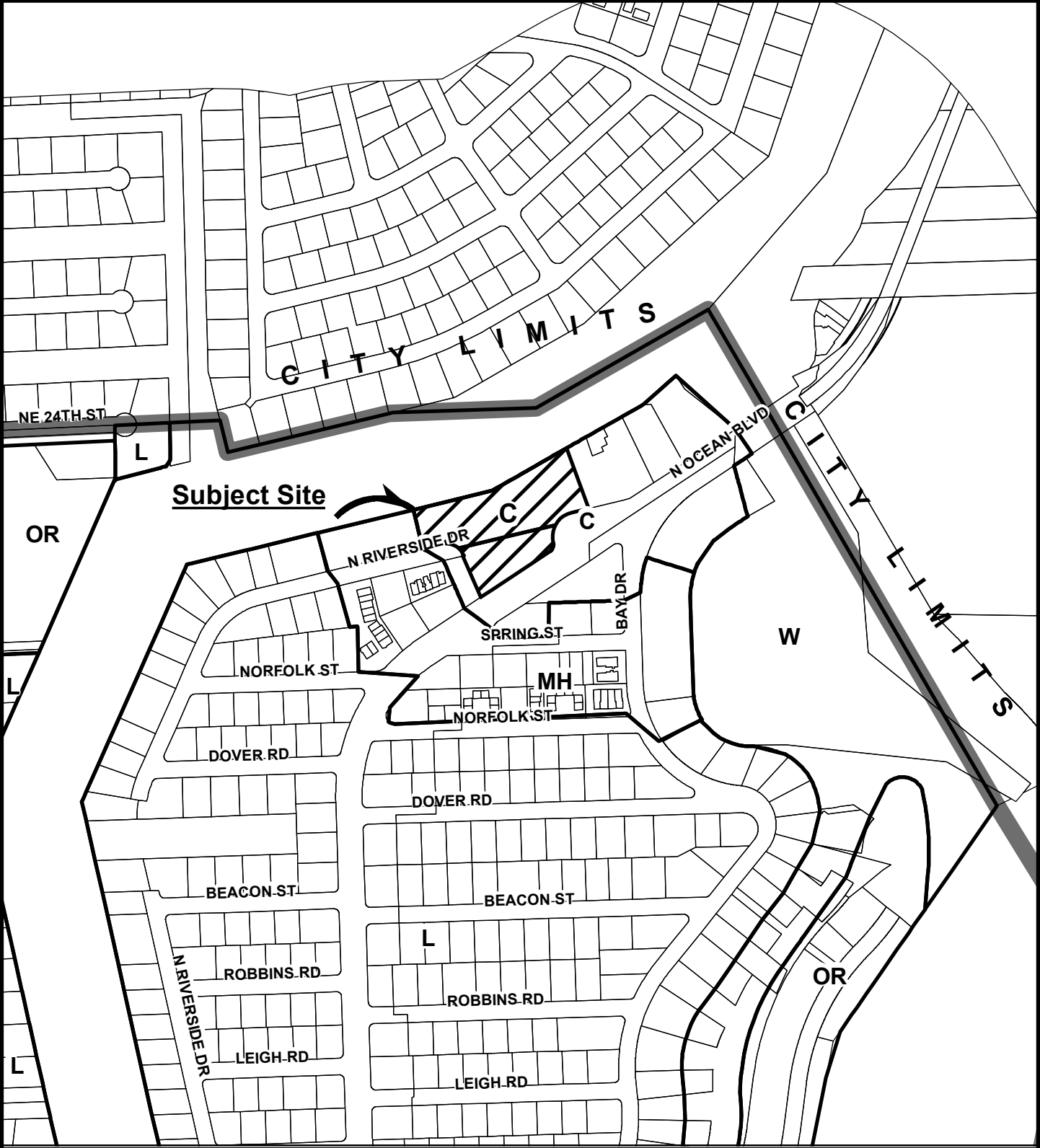
Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

| | |
|-------------|-----------------|
| * | Existing |
| > | Proposed |

FOR ZONING MAP

| <u>Symbol</u> | <u>District</u> |
|------------------|---|
| RS-1 | Single-Family Residence 1 |
| RS-2 | Single-Family Residence 2 |
| RS-3 | Single-Family Residence 3 |
| RS-4 | Single-Family Residence 4 |
| RS-L | Single-Family Residence Leisureville |
| RD-1 | Two- Family Residence |
| RM-7 | Multiple-Family Residence 7 |
| RM-12 | Multiple-Family Residence 12 |
| RM-20 | Multiple-Family Residence 20 |
| RM-30 | Multiple-Family Residence 30 |
| RM-45 | Multiple-Family Residence 45 |
| MH-12 | Mobile Home Park |
| B-1 | Limited Business |
| B-2 | Neighborhood Business |
| * B-3 | General Business |
| B-4 | Heavy Business |
| M-1 | Marina Business |
| CR | Commercal Recreation |
| I-1 | General Industrial |
| I-1X | Special Industrial |
| O-IP | Office Industrial Park |
| M-2 | Marina Industrial |
| TO | Transit Oriented |
| PR | Parks & Recreation |
| CF | Community Facilities |
| PU | Public Utility |
| T | Transportation |
| BP | Business Parking |
| LAC | Local Activity Center |
| RPUD | Residential Planned Unit Dev. |
| PCD | Planned Commercial/Industrial |
| PD-TO | Planned Development - Transit Oriented |
| > PD-I | Planned Development - Infill |
| RM-45 HR | Multiple-Family Residence 45 High-Rise Overlay |
| AOD | Atlantic Boulevard Overlay District |
| CRAO | Community Redevelopment Area Overlay |
| NCO | Neighborhood Conservation Overlay |
| APO | Air Park Overlay |
| DP | Downtown Pompano Beach Overlay |

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

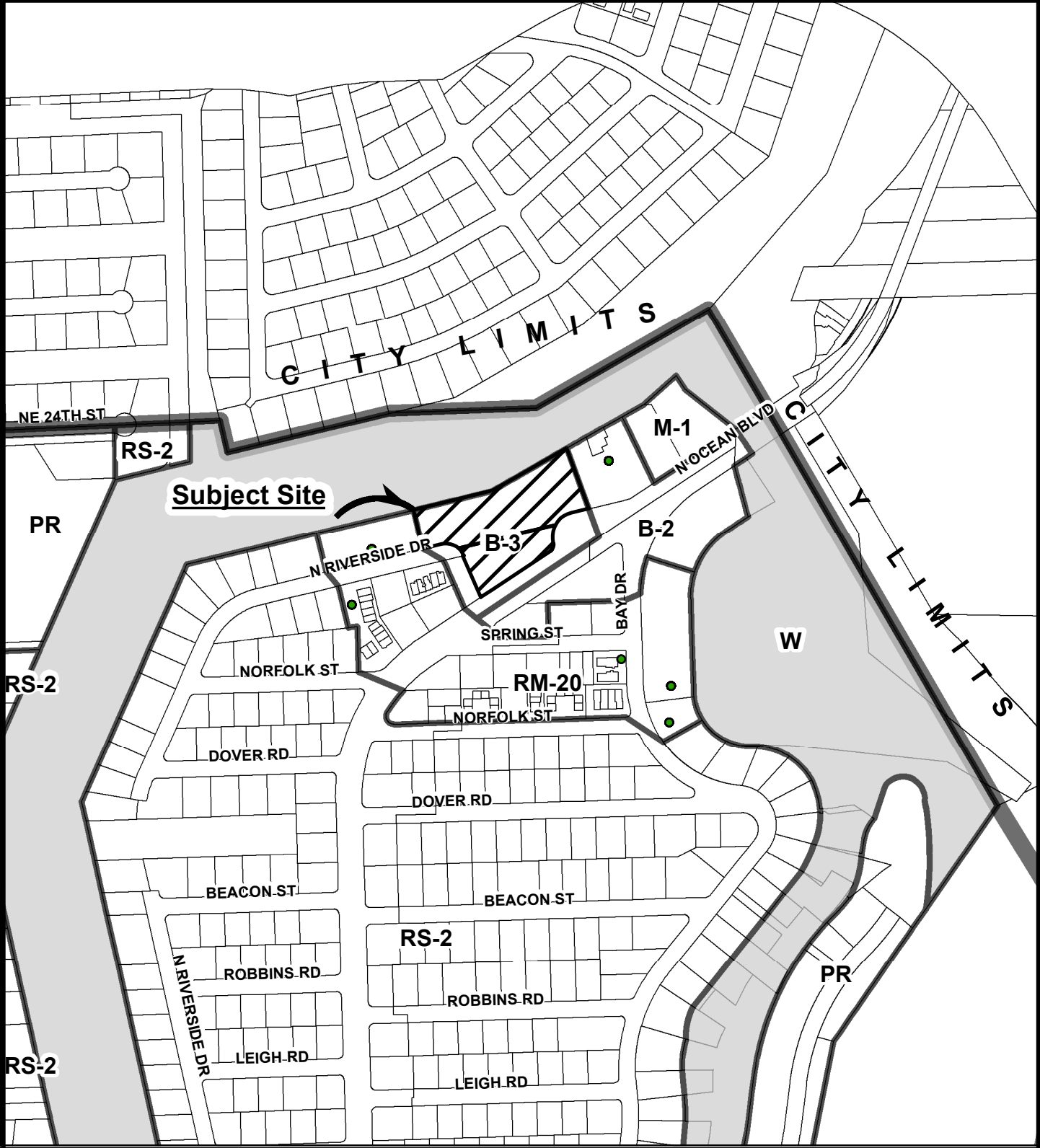


1 in = 417 ft

3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

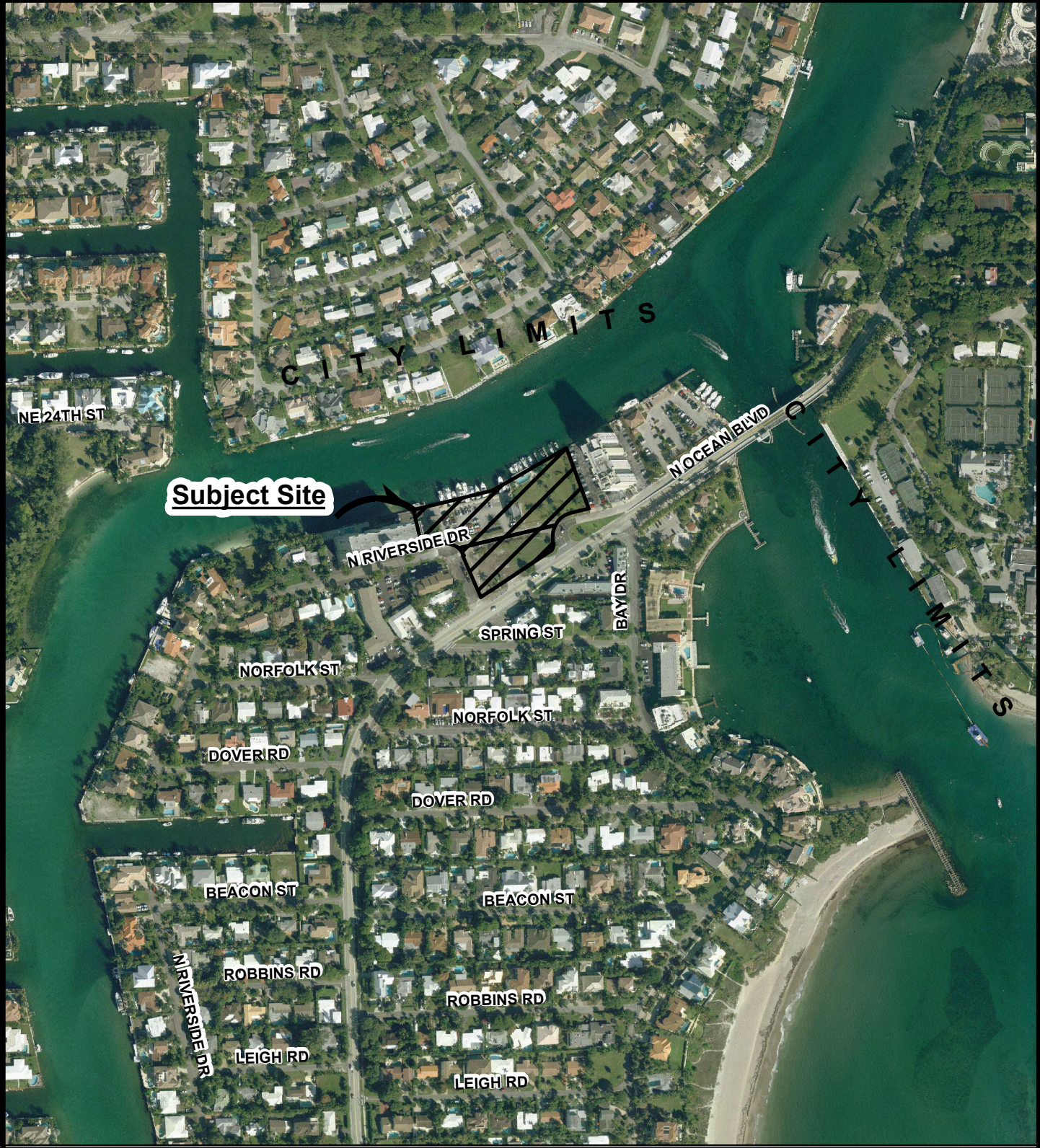
CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 417 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

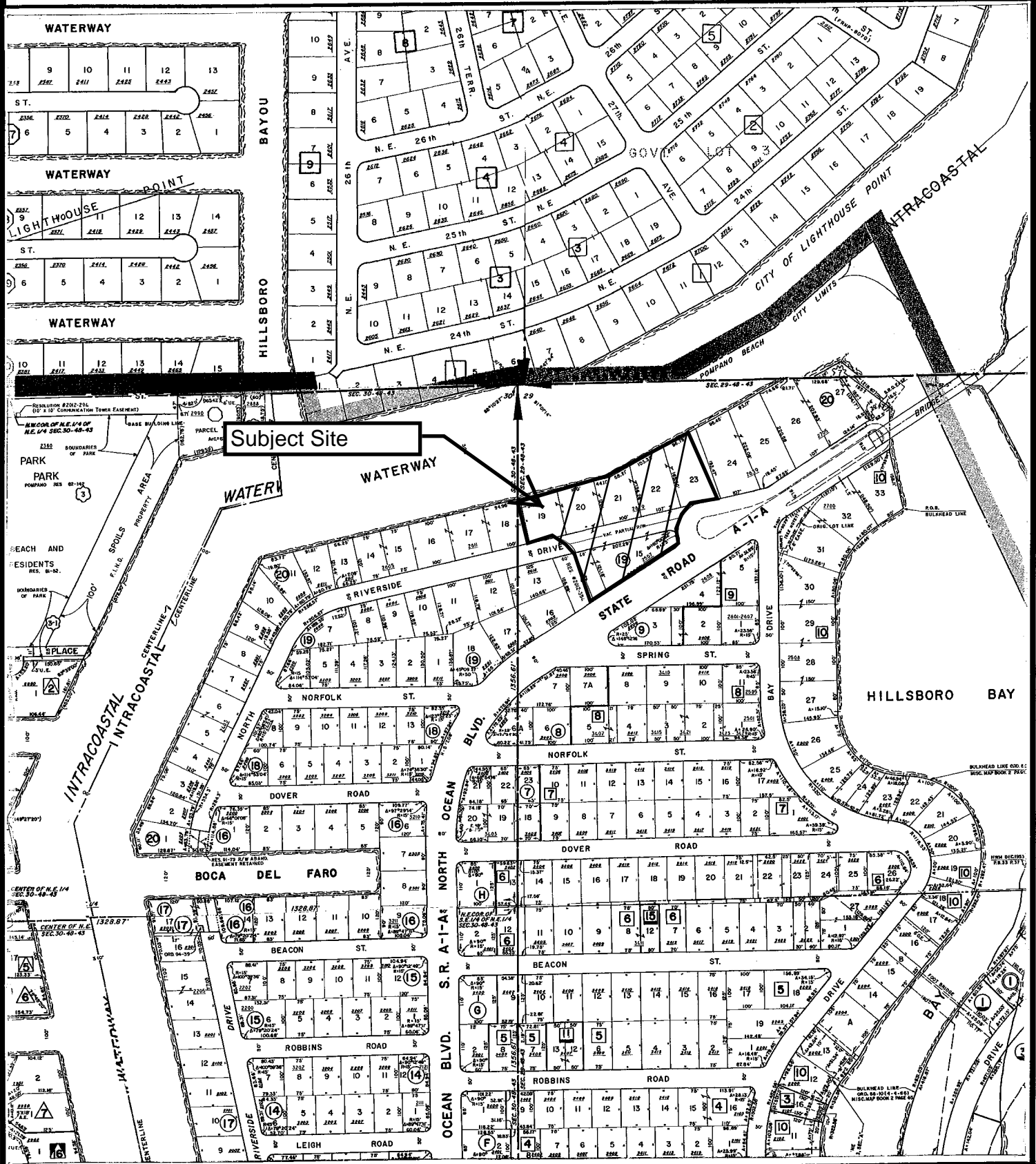
CITY OF POMPANO BEACH AERIAL MAP



1 in = 417 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

EXCERPT FROM THE CITY OF POMPAÑO BEACH PLAT MAP



Subject Site

SCALE: NTS

↑
NORTH

REVIEW & SUMMARY

- A. Pursuant to Section 155.2207(B) [Development Review Committee Report and Notice to Applicant], the Development Services Director has compiled the department comments from the Development Review Committee (DRC) meeting held on February 15th, 2017.**

Review comments from the DRC meeting on February 15th, 2017 are summarized below:

Engineering Department: No comments from the City Engineering Division on this proposed rezoning.

Fire Department:

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.

*Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.

Utilities: The Utilities department has no comment regarding the requested B-3 to PDI rezoning request. Please note that additional comments may be forth coming contingent upon submittals and review process.

Broward Sheriff Office: No Comments on this proposed rezoning.

Disclaimer: The services of an experienced, qualified and certified Security Crime Prevention/ CPTED Consultant are highly recommended. This review does not guarantee a crime will never occur; it is an effort to mitigate opportunities for crime and to help avoid any present and future security deficiencies, conflicts, or liabilities that might occur without any review.

Note: DRC submissions require a CPTED/ Security Strengthening Narrative Folder and a separate Drawing Folder for review. All mandatory compliance condition requirements must be listed and specifically addressed with details on Narrative and Drawing plans.

Building: Additional comments may follow throughout the remainder of the permitting process. At this time, the Building Division has no objections .Buildings shall comply with the 2014 Florida Building Code, HVHZ requirements, and appropriate floodplain ordinances..

1) Provide Survey, to verify all elevations applicable to the site, in addition, elevations at plans and survey must be in NAVD format and noted at plans and survey.

a. Elevations will be in accordance with City Ordinance 152.29 (C)

2) 53.14 - Erosion and sedimentation control permit To be submitted at the time of permit

3) A construction fence and permit will be required when any construction activity will occur and it shall contain all construction debris, airborne and otherwise, on the subject construction site as per City Ordinance 152.06

4) Parking spaces complying with 502 that serve a particular building or facility shall be located on the shortest accessible route from parking to an entrance complying with 206.4. FBC ACCESSIBILITY CODE

CRA:

02-08-17: This project is located within the CRA boundaries and does not affect our redevelopment plan goals and objectives. Therefore, we can offer no comments at this time.

Landscape Review:

Staff is in agreement of no deviations from 155.5203.

Provide pervious area calculations and provide a bubble plan showing these areas.

Planning and Zoning:

- Current Land Use: C (Commercial)
- Proposed Land Use: H - IRR 29 (15-94000004)
- Current zoning: B-3
- Proposed zoning: Planned Development-Infill (PD-I)

Review of and the decision on a Planned Development application shall be based on compliance with the review standards in Section 155.2404.C, Site-Specific Zoning Map Amendment Review Standards, and the standards for the proposed type of PD district in Part 6 (Planned Development Zoning Districts) of Article 3: Zoning Districts.

In determining whether to adopt or deny a proposed Site-Specific Zoning Map Amendment, the city shall find that the applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

Review for consistency with City’s Comprehensive Plan

The application submitted did not include a list of Goals, Objectives, and Policies relevant to this application which is required as competent substantial evidence that the proposed amendment is consistent with the any applicable goals, objectives, and policies of the comprehensive plan.

Staff has identified goals, objectives, and policies of the comprehensive plan relevant to this application and general comments are provided after. In order to be placed on the Planning and Zoning Board Agenda the applicant shall submit evidence that the proposed amendment is consistent with these Goals, Objectives, and Policies (GOP). The applicant may submit additional GOP’s and evidence of consistency.

Future Land Use

- Policy 01.03.10** Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.
- Policy 01.03.11** Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.
- Policy 01.03.12** The following criteria may be used in evaluating rezoning requests:
 1. Density;
 2. Design;
 3. Distance to similar development;
 4. Existing adjoining uses;
 5. Proposed adjoining uses;
 6. Readiness for redevelopment of surrounding uses; and.
 7. Proximity to mass transit.
- Policy 01.03.03** Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.
- Policy 01.03.04** Consider the preservation of established single family neighborhoods in all rezonings, land use plan amendments and site plan approvals.
- Policy 01.03.05** All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

Policy 01.03.06 Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

Policy 01.06.01 Consider the impacts that land use amendments, rezonings or site plan approvals have on natural resources and historic properties.

Section 3. Zoning as to Permitted Uses and Densities

3.02 City zoning as to permitted uses and densities shall be in compliance with the City's Land Use Plan if the following requirements are met:

A. Residential

Each parcel of land within an area which is designated in a Residential land use category by the Land Use Plan must be zoned in a zoning district which permits any one or more of the following uses, but not other uses:

3. Hotels, motels and similar lodging. The maximum number of hotel, motels or similar lodgings units permitted on any parcel designated for residential uses is double the maximum number of dwelling units designated for the parcel of land by the City's Land Use Plan Map.
4. Parks, golf courses and other outdoor recreational facilities and recreational, civic or cultural buildings ancillary to the primary outdoor recreational use of the site.
5. Community facilities designed to serve the residential area, such as schools, day care centers, churches, clinics, nursing homes, governmental administration, police and fire protection facilities, libraries and civic centers.
6. Public utilities, including water and wastewater treatment plants, pumping stations, power plant substations and transmission facilities and solid waste disposal and transfer stations.
8. Office and/or retail sales of merchandise or services, subject to the following limitations and provisions:
 - c. Regardless of a and b above, space within residential buildings in areas designated for Medium-High (25) Residential or High (50) Residential density may be used for offices and/or retail sales of merchandise or services, as long as no more than 50% of the floor area is used for said purpose.

Coastal Zone Management

Policy 10.03.00 Water dependent and water related uses will be protected and encouraged within the coastal area; this shall include retaining commercial zoning so that private residential redevelopment does not displace such uses.

Recreation and Open Space

Goal 11.00.00 Provide safe well-maintained and adequate open space and recreational facilities for all Pompano Beach residents and visitors.

Policy 11.04.05 To maintain and enhance the existing recreational facilities which provide physical or visual access to the water.

Policy 11.05.02 To recognize the contribution that private recreational facilities provide in meeting the needs of seasonal residents and tourists and cooperate with them.

Policy 11.05.03 To promote Pompano Beach as a year-round tourist destination (formerly 11.05.04).

Staff's Comments: In order to provide the required competent substantial evidence, the applicant needs to address consistency with applicable goals, objectives, and policies. The following comments are provided to assist the applicant with addressing prospective issues. *More comments may be issued after the requested information is provided.*

- The PD-I document stresses the setback of the tower (pages 2 – 3) as a means of exceeding development standards. However the PD Master Plan does not advise the height of the pedestal and the height at which the tower begins. Further other building components, such as balconies, need to be addressed.
- The PD-I document states the most unique element of this site design is the walkway that connects to the sidewalk within the public right-of-way. During the LUPA process the applicant indicated that the walkway would be accessible by the Public. However it is unclear if the applicant intends to provide a public access easement along the walkway. Additionally Section F. Dedications does not list the walkway as an area to be dedicated. Public dedication or easement is required in order to ensure that physical access and visual access to the intercoastal waterway is provided.
- While the Exhibit D in the PD-I document lists various boat and marina related uses are permitted in the proposed PD-I, the Master Plan does not provide details as to how these uses will be provided. During the LUPA process the applicant indicated that the Marina use would be maintained and a portion would be available to the public. The PD Master Plan should provide evidence that Marina uses will be provided and which slips will be available to the public.

Review for consistency with City's Zoning Code

Required Documents / Information Not Provided

Staff has determined that the application was incomplete as the following were not provided or demonstrated. **Staff is unable to complete the review for consistency with the City's Zoning Code.** In order to be placed on the Planning and Zoning Board Agenda the applicant shall submit the listed information:

1. Detailed description of how this application meets the General Purpose of Planned Development Zoning Districts (§155.3601.A).
2. Provisions related to environmental protection and monitoring (§155.3602.A.2.d)
3. Identification of community benefits and amenities that will be provided to compensate for the added development flexibility afforded by the PD district (§155.3602.A.2.e)
4. Plan identifying the general location of the following (§155.3602.A.3):
 - Individual development areas, identified by land use(s) and/or development density or intensity;
 - open space (whether designated for active or passive recreation), including amount, and type of;
 - all public and private streets, existing or projected transit corridors, and pedestrian and bicycle pathways, and how they will connect with existing and planned city systems;
 - environmentally sensitive lands, wildlife habitat, wetlands, and floodplains;
 - on-site stormwater management facilities, and how they will connect to city systems;
 - on-site public facilities serving the development, including but not limited to parks, schools, and facilities for fire protection, police protection, EMS, stormwater management, and solid waste management;
5. Graphics demonstrating the shadowing on adjacent properties at the following times: two hours after sunrise, noon, and two hours before sunset during the winter solstice, spring equinox, summer solstice, and fall equinox. (§155.3602.A.4.a)
6. Graphics demonstrating the impacts to view corridors of any adjacent properties of natural resources, including but not limited to, beaches, shores, waterways, recreation spaces and conservation spaces. (§155.3602.A.4.b)
7. Information addressing On-Site Public Facilities (§155.3602.F)
 - Design and Construction
 - Dedication
 - Modifications to Street Standards
8. Detailed description of how this application meets the Purpose of the PD-I district (§155.3607.A)

Staff's Comments: The following comments are provided to assist the applicant with addressing existing and prospective issues. *More comments may be issued after the required information is provided.*

- The Applicant's Purpose & Intent states the project is intended to provide a high quality residential use within a residential setting. This purpose appears to be more consistent with the RPUD District, versus the PD-I District. Additionally the subject site is almost 4.21 gross acres. The size of property appears to be more consistent with the RPUD District, versus the PD-I District. The PD-I district is intended to provide the flexibility to enable high-quality, mixed-use development on relatively small sites. In addition to providing a detailed description of how this application meets the Purpose of the PD-I District, the applicant should address why this site and design is more consistent with the PD-I District versus the RPUD District.
- The applicant needs to provide information regarding community benefits and amenities. Staff recommends that following community benefits be considered by the applicant: public parking spaces in the garage, additional sustainable design elements, and ground floor public amenities.

Errors and Inconsistencies

Staff has determined that the following errors, inconsistency, or additional information shall be provided, corrected and addressed in order to be placed on the Planning and Zoning Board Agenda the applicant shall correct all errors and inconsistencies

Document

1. Master Plan

- a. The Introduction: Purpose & Intent states *the B-3 District is the most intense Zoning Designation within the City*. This should be corrected to *B-3 District is the most intense Zoning Designation on the Barrier Island*.
- b. The General Standards for Planned Development: A. PD Plan states that *B-3 Zoned properties have no setback requirement on the front and side*. However Free-Standing Residential Buildings in the B-3 District do have a minimum 10 ft interior side setback. Additionally all development in the B-3 District have a minimum setback for those portions of a structure extending above a height of 50 feet. Those structures shall be set back an additional 1 ft for each 4 ft (or major fraction thereof) the height of the portion of the structure exceeds 50 ft.
- c. Because the applicant's PD Plan does not provide the maximum height of the pedestal, Staff can not verify if the information about the tower setback exceeding that required by B-3 is correct.
- d. Correct 'PD-I Master Plan' on the first page to 'Planned Development-Infill (PD-I) Zoning Document'.
- e. Correct the future land use designation to be consistent with the proposal submitted for LUPA (PZ 15-9400004) in the PD-I document.
- f. Illustrate setbacks described on page 2 (PD-I zoning document) on a separate plan for verification. Staff is unable to identify the proposed setbacks on the Master Plan.
- g. Delete the numbering indication of uses permitted on the property under III. B. Use Standards in the PD-I document.
- h. Remove the statement of PD Agreement in the PD-I document.
- i. 60% lot coverage stated in the proposal of LUPA conflicts with the PD-I zoning document. Please explain.
- j. Refer all plans in the PD-I document as an exhibit.
- k. Add page numbers or ranges for each exhibit for clarification.
- l. Exhibit E's table contains some errors.
 - Revise 'Variance' to 'variation' under Intensity and Density Standards.
 - The setback information in the "Requirements based upon existing zoning" are incorrect. Per comment 3 above there are required interior setbacks from residential buildings and there are upper story step backs required for buildings taller than 50 feet.
 - Note #2 is incorrect. The Code allows up to 15% of the pervious area to be covered with mulch or other types of non-living pervious materials. This includes materials such as mulch or decorative rock beds. This does not include pavers or other deck or walkway materials as part of the calculation. This note must be deleted.

- The table must include the maximum height of the pedestal and the required step backs.
 - The table must include the maximum floor area of the pedestal (either as a percentage of the pedestal or as a square feet or both)
- m. Exhibit G contains several errors.
- The first three deviations are not required as they are not applicable to the proposed development.
 - The information provided in the Justification for the modification of 155.5203.D.5 does not address why the required standard is not achievable on this property and how the site will compensate for the requested modification.
 - The Proposed Deviation for 155.9401 needs to specify the requested increased percentage. Further, per comment 5.c) above, the code allows only mulch and similar materials in the 15% calculation. The proposed deviation for 155.9401 must therefore also specify if the requested deviation also includes other materials. The information provided in the Justification does not address why the required standard is not achievable on this property and how the site will compensate for the requested modification.
- n. Add in a Table of Contents
- o. Include the recent survey as a part of Exhibit B.

Plan

1. Sheet PD-3
 - a. Errors in Exhibit E and G are listed above in Master Plan comments #m and #n.
 - b. Total Site Area needs to be added to Exhibit E
 - c. Requested Variations should be presented in both total number and in percentage change
 - d. Statement of the Sustainable Development Option on sheet PD-3 of does not comply with Code Section 155.5802. Revise it accordingly. Innovative and sustainable site and landscape designs shall be offered with this rezoning in order to meet the intent of the PD-I zoning.
2. All deviations must be illustrated on plans with adequate justifications. Note that site elements that are not justified with this rezoning must comply with the Chapter 155: Zoning Code.
3. Provide plans illustrating layers of each floor for better visual understanding including the distance from the building outline to nearby property lines.
4. Provide a diagram of plan depicting pervious and landscaping areas.
5. Define the address for this rezoning application on plans and documents.
6. Remove +/- on plans and documents.

B. Findings of Fact. Development Services Department Staff submits the following factual information which is relevant to this Rezoning Application:

1. The rezoning was reviewed by the DRC on February 15, 2016.
2. The property is platted as “Hillsboro Shores Section “B”” (Book 22 Page 39, recorded in 1978).
3. The overall site is 2.4944 net acres net / 3.4256 gross acres gross.
4. The Zoning and uses of adjacent properties are:

| Property | Adjacent Property | Zoning District | Existing Use |
|---------------------|-------------------|-----------------|-----------------------------|
| From B-3 to PD-I | East | B-2 | Condo |
| | West | RM-20 | Condo/ Townhouse/ Apartment |
| | North | | Intracoastal Waterway |
| | South | B-2 | retail |

5. The PD application requests a maximum 105 feet in height.
6. The height of neighboring buildings are:

| Direction | Building / Height |
|---------------|---|
| East neighbor | Hillsboro Light Towers Condo / 14 Stories |
| West neighbor | Waters Edge Condo / 11 stories |
| | Marina View Condo / 3 Stories |
| | Belle Isle Apartments / 1 Story |

7. The proposed project is in the process to change the Land Use designation from a Commercial (C) to High Residential (H) – Irregular 29 (29 units per acre) Designation.
8. Page 3 of the PD-1 document states the following, “The purpose of this document is to implement development standards and uses for this rezoning request from General Business (B-3) to Planned Development – Infill (PD-I) and will consist of a total of 122 residential units, no more than 5,200 SF of commercial use, existing marina, docks and a proposed public promenade for pedestrians. If the rezoning from B-3 to PD-I rezoning designation is approved, the two (2) parcels of land would be unified into one (1) parcel and share the same address.”
9. Site History:
 - a. On December 11, 2007, via Ordinance 2008-12, the property was rezoned from B-2 (Community Business) to B-3 (General Business)
 - b. On October 9, 2012, via Ordinance 2013-01, certain portion of the right-of-way for Riverside Drive lying near its connection to north Ocean Blvd was abandoned.
 - c. On October 18, 2016, the property obtain approval of Land Use Plan Amendment (C, Commercial to H, High Residential-Irregular) from Planning and Zoning Board (Memorandum # 16-067)
10. The review criteria for a Planned Development Rezoning Application are compliance of the proposed zoning reclassification and the PD Plan with the review standards in:
 - **Section 155.2404.C, Site-Specific Zoning Map Amendment Review Standards**
 1. The applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
 - a. Is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans;
 - **The standards for the proposed type of PD district in Part 6 (Planned Development Zoning Districts) of Article 3: Zoning Districts.**

The Planned Development (PD) districts are established and intended 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 by:

1. Reducing or diminishing the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;
2. Allowing greater freedom in selecting the means of providing access, open space, and design amenities;
3. 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;
4. Allowing more efficient use of land, with smaller networks of streets and utilities, and thereby lowering development and housing costs; and
5. 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.

The Planned Development - Infill (PD-I) district is established and intended to accommodate small-site infill development within the city's already developed areas. The PD-I district is intended to provide the flexibility to enable high-quality, mixed-use development on relatively small sites, yet require design that ensures infill development is compatible with both surrounding existing development and available public infrastructure. PD-I districts are generally appropriate in most of the Land Use Plan's land use classifications, consistent with the adopted objectives and policies for the classification.

C. The following goals, objectives and policies of the City's Future Land Use Element of the Comprehensive Plan have been identified as pertinent to this rezoning:

01.00.00 The attainment of a living environment which provides the maximum physical, economic and social well being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Future Land Use

01.03.03 Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.

01.03.04 Consider the preservation of established single family neighborhoods in all rezonings, land use plan amendments and site plan approvals.

01.03.05 All Land Use Plan Map amendments and rezonings shall provide for the orderly transition of varying residential land use designations.

01.03.06 Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

01.03.10 Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.

01.03.11 Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

01.03.12 The following criteria may be used in evaluating rezoning requests:

1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and.
7. Proximity to mass transit.

01.06.01 Consider the impacts that land use amendments, rezonings or site plan approvals have on natural resources and historic properties.

Section 3. Zoning as to Permitted Uses and Densities

3.02 City zoning as to permitted uses and densities shall be in compliance with the City's Land Use Plan if the following requirements are met:

A. Residential

Each parcel of land within an area which is designated in a Residential land use category by the Land Use Plan must be zoned in a zoning district which permits any one or more of the following uses, but not other uses:

3. Hotels, motels and similar lodging. The maximum number of hotel, motels or similar lodgings units permitted on any parcel designated for residential uses is double the maximum number of dwelling units designated for the parcel of land by the City's Land Use Plan Map.

4. Parks, golf courses and other outdoor recreational facilities and recreational, civic or cultural buildings ancillary to the primary outdoor recreational use of the site.

5. Community facilities designed to serve the residential area, such as schools, day care centers, churches, clinics, nursing homes, governmental administration, police and fire protection facilities, libraries and civic centers.
6. Public utilities, including water and wastewater treatment plants, pumping stations, power plant substations and transmission facilities and solid waste disposal and transfer stations.
8. Office and/or retail sales of merchandise or services, subject to the following limitations and provisions:
 - c. Regardless of a and b above, space within residential buildings in areas designated for Medium-High (25) Residential or High (50) Residential density may be used for offices and/or retail sales of merchandise or services, as long as no more than 50% of the floor area is used for said purpose.

Coastal Zone Management

10.03.00 Water dependent and water related uses will be protected and encouraged within the coastal area; this shall include retaining commercial zoning so that private residential redevelopment does not displace such uses.

Recreation and Open Space

11.00.00 Provide safe well-maintained and adequate open space and recreational facilities for all Pompano Beach residents and visitors.

11.04.05 To maintain and enhance the existing recreational facilities which provide physical or visual access to the water.

11.05.03 To promote Pompano Beach as a year-round tourist destination.

11.05.02 To recognize the contribution that private recreational facilities provide in meeting the needs of seasonal residents and tourists and cooperate with them.

D. Recommendation:

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

Recommend approval of the PD-I rezoning request as the board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals, objectives, and policies, and the purpose of the Planned Development and Planned Development - Infill (PD-I) District purposes.

The following conditions must be addressed prior to placement on the City Commission hearing agenda:

- 1. Clarify the following statement within the PD-I documents and plans:**
 - a. Additional docks are illustrated on the PD-I plan, which conflicts with the notation provided on page 7, PD-I document.
 - b. The proposed land use designation of High Residential-Irregular (35.7 du/ac) is stated on page 10, PD-I document, whereas the Planning and Zoning Board recommended approval of Irregular (29 du/ac) via Memorandum # 16-067. Or this rezoning application must provide approval of the land use amendment of High Residential-Irregular (35.7 du/ac) prior to placement on a City Commission agenda.
 - c. Location of loading berths or service lanes to support the proposed commercial and residential uses shall be identified on PD plans.
 - d. Statements of 'On-Site Public Facilities' and 'Community Benefits and Amenities' including boat slips must be listed on PD plans.
 - e. Define the address for this rezoning application and the front lot line on plans and documents.
- 2. Correct the following errors within the PD-I documents and plans:**
 - a. All plans in the PD-I document shall be referenced as an exhibits.
 - b. Revise the FARs to include the gross building areas under Intensity and Dimensional Standards.
 - c. Correct 'Individual Building Size, Maximum' to 'Gross Building Area, Maximum'.
 - d. Remove notations of Dimensional Standards under Development Standards on page 15 and 17, PD-I document.
 - e. Remove 'Site Plan Conditions' from the PD-I document.
 - f. Correct the area of the proposed commercial use to be 5,200 square feet in the Master Parking Requirements table (page 17, PD-I document) and PD-1 & PD-4 plans.
 - g. Add full Code Sections including titles in the PD-I document, instead of referring to 'Zoning Code' for clarifications of this rezoning application.
 - h. Provide Code Sections and detailed classifications of listed uses on the PD-4 plan.
 - i. Correct 'Public Easement' to 'Public Access Easement' on the PD-1 plan.
 - j. Identify the commercial use areas on the PD-1 plan.
 - k. Provide a statement in regards to innovative and sustainable site and landscape designs shall be offered with this rezoning in order to meet the intent of the PD-I zoning.
 - l. Provide a total building footprint to verify the lot coverage.
 - m. Revise notes of the rear yard setback, which is subject to the height of the portion of the structure that exceeds 50 feet.
- 3. Provide graphics demonstrating the impacts to view corridors of any adjacent properties of natural resources, including but not limited to, beaches, shores, waterways, recreation spaces and conservation spaces.**
- 4. Unified control of the development shall be provided as a part of this rezoning application. Note that this may be processed on the same agenda as the Rezoning Ordinance.**
- 5. Public access easement shall be established and recorded prior to site plan approval.**

Alternative Motion II

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

Alternative Motion III

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

01.00.00 The attainment of a living environment which provides the maximum physical, economic and social well being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Future Land Use

01.03.03 Encourage property owners to rezone the subject properties when initiating the development and/or redevelopment proposals to be consistent with the designations of the Land Use Plan Map.

01.03.10 Support and promote hotels, motels and other tourist accommodations in designated residential, commercial and commercial recreation land use designations.

01.06.01 Consider the impacts that land use amendments, rezonings or site plan approvals have on natural resources and historic properties.

Coastal Zone Management

10.03.00 Water dependent and water related uses will be protected and encouraged within the coastal area; this shall include retaining commercial zoning so that private residential redevelopment does not displace such uses.

Recreation and Open Space

11.00.00 Provide safe well-maintained and adequate open space and recreational facilities for all Pompano Beach residents and visitors.

11.04.05 To maintain and enhance the existing recreational facilities which provide physical or visual access to the water.

11.05.03 To promote Pompano Beach as a year-round tourist destination.

11.05.02 To recognize the contribution that private recreational facilities provide in meeting the needs of seasonal residents and tourists and cooperate with them.