



March 3, 2022

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 November 3, 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 Master Plan was developed in response to an RFP from the Northwest CRA to provide up to 65 units on the platted, 9.09-acre site. The team of WGI and DR Horton was able to design a plan for 59 units, but as you indicated, with smaller lots and setbacks. Even if we had not reduced the lot sizes, due to the overall configuration of the platted property limits, the design of the site for access and circulation is limited. Vehicular access to the north block has increased through the proposed design. Pedestrian connectivity is provided to Hunters Manor Park on the south, not only through the development, but also by adding the new sidewalks surrounding the property. One to two additional off-street parking spaces are provided to each residence and a community gathering area with a pavilion is included; these are not required or typical at most single-family residences. The developer has taken care to provide diversity among the residences through size, floorplan design, and a variety of architectural schemes. An increase in landscaping material where appropriate is provided and will be maintained by the HOA. A common stormwater management system addresses the need for drainage that would otherwise encumber useful areas of private lots. Management of this system is private, along with the maintenance of private residential access streets, therefore, reducing the burden on the City, as opposed to homes on a public street not within a private HOA.

2. The project Narrative describes "community benefits" and "amenities" that will be a part of this master plan: (1) a pedestrian circulation system, (2) an open-air pavilion, (3) sidewalks along public streets, and (4) increased City of Pompano Beach vehicular circulation. However, none of these items are accounted for on the "Master Plan."

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- If these are community benefits that the Applicant is committing to (as they are illustrated on the site plan that is running concurrent with this application), include them on the Master Plan. The Master Plan & PD document will be approved by the City Commission via Ordinance, whereas the site plan can be amended with conformance to the Master Plan.
- Remove the RS-3 & RM-12 references on the Master Plan sheet. These comparisons can be included in the PD document, but should be removed from the Master Plan.

Comment Response:

The Master Plan has been revised to show, in addition to the residential pods: open space/pedestrian connection to Hunters Manor Park and the connection between the north and south blocks (Pod A and Pod B), the common area (open-air pavilion), the major dry detention areas, and the vehicular network including sidewalks.

The references to RS-3 and RM-12 have been removed from the Master Plan Sheet; only the PD Plan requirements remain on the PDMP-1 sheet.

3. A rezoning may only be approved by the City Commission if the Applicant: (1) provides competent substantial evidence 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).

Comment Response: Acknowledged. Comprehensive Plan policies are discussed in the narratives, and the proposed site plan complies with the standards set forth in this specific RPUD.

4. The PD Plan must include all of the information in 155.3602. The master plan submitted has been reduced to only an outline of the property. Revise the Master Plan to include: the general location of the development areas (i.e. dwelling units, internal circulation, community areas, landscaping buffer, open space, public/private streets, etc.).

Comment Response: The Master Plan has been revised. It now shows the residential pods, the the open space/pedestrian connection to Hunters Manor Park and the connection between the north and south blocks (Pod A and Pod B), the common area (open-air pavilion), the major dry detention areas, and the vehicular network including sidewalks.

5. 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.
 - "Clotheslines" are typically permitted in residential areas, but have been omitted from this list. Confirm that this was a deliberate decision.

Comment Response: Yes, that was a deliberate decision. Clotheslines are not permitted in this RPUD.

- "Home Based Businesses" are typically permitted in residential areas, as accessory uses to a principal use. Confirm that this was a deliberate decision - please note that recent legislation from the Florida Senate has been more permissive on allowing home based businesses.

Comment Response: It is the intent that commercial uses are not permitted within this Residential PUD, however, Home base businesses that are in

compliance with Florida Statutes and the future Hunters Manor Homeowners Association may be permitted as accessory uses and have been added to the table with an "A" for Accessory.

- "Parking or Storage of Motor Vehicles, Recreational Vehicles, Boats, or Trailers in Residential Zoning Districts" is not listed as a permitted use in this RPUD. Confirm that this was a deliberate decision.

Comment Response: Yes, that was a deliberate decision. It is not the intent for the residential properties or common parking areas to be used for parking or storage of RVs, Boats, and Trailers. The future HOA will also not permit this use.

- "Parking or Storage of Commercial Vehicles in Residential Zoning Districts" is not listed as a permitted use in this RPUD. Confirm that this was a deliberate omission.

Comment Response: Yes, that was a deliberate decision. It is not the intent for the residential properties or common parking areas to be used for parking or storage commercial vehicles. The future HOA will also not permit this use.

- Rainwater Cistern, Satellite Dish, Storage Shed, Mechanical Equipment and Similar Features are not included in the list. Please confirm that this was intentional. Note that "mechanical equipment" includes air condition units & should probably be included as permitted with this RPUD.

Comment Response: The list has been amended to permit "mechanical equipment and similar features", and (if approved by the future HOA), "rainwater cistern or barrel" as accessory uses. Satellite dishes and storage sheds are not permitted in this RPUD.

- "Screened Enclosures with Screen Roof" is listed as a permitted use in this RPUD, but the City's Zoning Code requires that 15 feet be provided as a setback to the rear lot line. The site plans provided are not to scale, but it doesn't appear that there would be 15 feet between the rear building line in most of these units, as the minimum rear yard setback is 10 feet. Evaluate the site plan to determine if any of the proposed models would be capable of providing a rear yard patio.

Comment Response: Screen enclosures with screen roof are not permitted in this RPUD.

6. The PD Plan indicates that there will be no phasing, note on the plan that all community amenities will be constructed, prior to the issuance of the Certificate of Occupancy for the first residential unit. This will be a condition on the development order for the site plan.

Comment Response: Correct, there will not be any phasing. We acknowledge that all required details will be installed/constructed prior to seeking the first CO.

7. 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: Yes, the roads (residential access streets) within the development are private and will be maintained by the future HOA.

8. 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: The unity of control will be submitted at time of building permit, after the property ownership changes from the Northwest CRA to the applicant.

9. Staff does not support the deviations of the Type B buffer. 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 revised Type B buffer now consists of a: 5' wide buffer, 6' high opaque fence with retaining wall, 1 shade tree per 30 linear feet, and 6' high continuous hedge on the interior. This equates to a deviation of only a 5' reduction in the width of the hedge. It should be noted that this Type B Buffer is applicable only on the east border of Lot 27; 168 feet in length.

The remaining buffers noted in this comment are Vehicular Use Area buffers (Perimeter Landscape Strips in the VUA). Please refer to the PD Plan for the improvements and revised clarification of these buffers. The deviation has been reduced to only a reduction of 1' in width of the buffer on one side and we exceed the width by 3' feet on the other side.

10. 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: A neighborhood meeting will be held prior to P&Z, as recommended.

B. ZONING

1. Staff does not support the proposed deviation to remove required trees in the Type B Buffer and landscape vehicular use area. Palm trees and shrubs are not acceptable substitutes for canopy trees. Removal of canopy trees may have a negative impact on the quality of the neighborhood and may diminish the value of the area

Comment Response: The revised Type B buffer now consists of a: 5' wide buffer, 6' high opaque fence with retaining wall, 1 shade tree per 30 linear feet, and 6' high continuous hedge on the interior. This equates to a deviation of only a 5' reduction in the width of the hedge. It should be noted that this Type B Buffer is applicable only on the east border of Lot 27; 168 feet in length.

2. Clarify where the Type B buffer is being proposed and why this needs a deviation.

Comment Response: The revised Type B buffer now consists of a: 5' wide buffer, 6' high opaque fence

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with retaining wall, 1 shade tree per 30 linear feet, and 6' high continuous hedge on the interior. This equates to a deviation of only a 5' reduction in the width of the hedge. It should be noted that this Type B Buffer is applicable only on the east border of Lot 27; 168 feet in length.

3. The PD Plan lists all of the permitted accessory uses. Sheds are not included on this list. Is it the intent to not permit sheds in this community? If sheds are permitted would they fit within the maximum lot coverage indicated within the PD Plan?

Comment Response: The PD Plan permitted and accessory uses have been updated, and storage sheds are intentionally not permitted in this RPUD.

4. The PD Master Plan chart indicates that a 6' opaque fence is being proposed as required. However, the PD Document does not require an opaque fence, it just says 6' fence. Clarify if opaque fencing is required or if other types of fencing is permitted in this PD.

Comment Response: The PD Document has been revised to indicate a required 6' high opaque fence on the west buffer on the north side and a 6' high opaque fence with retaining wall on the east buffer on the south side. Please refer to page 8 of the PD Document. The table on the PD Master Plan also shows this regulation.

5. Comment not addressed: The PD document purposes 55% max lot coverage. Clarify on the chart in the PD 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. It is advised to note that this will be per lot.

Comment Response: The maximum is 55% lot coverage per lot, which is called out in the table.

6. Comment not addressed: Clarify in the PD document if the proposed front yard pervious area is minimum or maximum

Comment Response: The Front yard pervious area is the minimum permitted (50%).

7. Comment not addressed: Revise "individual building size minimum" in the PD document to read "minimum floor area per dwelling unit".

Comment Response: Acknowledged, this has been revised.

C. UTILITIES

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

Comment Response: Acknowledged.

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

Comment Response: Acknowledged.

D. LANDSCAPE REVIEW

Comments will be rendered at time of site plan submittal.
Provide landscape plans in accordance with 155.5203 for the entire site.
Provide a detailed deviation table.

Comment Response: Thank you for taking the time to meet with the applicant team as plans were adjusted. Landscape plans have been resubmitted through the Major Site Plan application.

E. SOLID WASTE AND RECYCLING

REVIEW COMPLETE; NO OBJECTIONS

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.

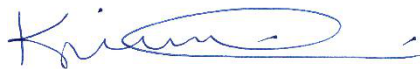
NOTE: Additional comments may be necessary based upon revisions, additional plans and/or documents. Contact Beth Dubow at 954-545-7047 or beth.dubow@copbfl.com should you have any questions or concerns regarding this review.

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