



CITY OF POMPANO BEACH FLORIDA

CITY HALL OFFICES:

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PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY

June 26, 2019
Wednesday

City Commission Chambers

6:00 P.M.

Minutes

A. Call to order by the Chairman of the Board, Mr. Fred Stacer.

B. ROLL CALL:

Fred Stacer
Joan Kovac
Molly Moor *for Richard Klosiewicz*
Carla Coleman
Darlene Smith
Anne Marie Groblewski
Wille Miller

Also in Attendance:

Erjeta Diamanti, Project Manager
Tammy Good, CIP Manager
Randy Brown, Utilities Director
Pamela McCleod, Assistant Planner
Max Wemyss, Planner
Daniel Keester-O'Mills, Principal Planner
Jennifer Gomez, Assistant Development Services Director
Jean Dolan, Principal Planner
Suzette Sibble, Assistant City Manager
Chris Brown, RMA
Robert Hartsale

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // PM

Joe Usman
Jonathan Niami
Michael Vonder Meulen
Christian Morales
Pete Ebersal
Ralph Ayelo
Madison Ayelo
Matthew Scott
Seth Yeslow
Matt Gianni
Carl Peterson
John McWilliams
Rick Dunstin
Michael Murray
Jeff Turrow
Michael Skaversky
Larry Dean
Douglass Marshall
Denita Gurer
Valerie Young
Maria Rodamer
Jospehine Hart

C. MOMENT OF SILENCE

A moment of silence was observed.

D. APPROVAL OF THE MINUTES:

Approval of the minutes of the meeting on May 22, 2019.

MOTION by Joan Kovac and second by Darlene Smith to approve the minutes of the May 22, 2019 meeting. All those voted in favor.

E. INDIVIDUALS TESTIFYING PLACED UNDER OATH

City staff and members of the public testifying before the Board at the meeting were placed under oath by Pamela McCleod, Assistant Planner and Notary Public in the State of Florida.

F. OTHER BUSINESS

NOTE: Mr. Stacer advised the audience that he does not expect the Atlantic One presentation to begin until after 8:00pm

1. CIP FY 2020-2024 PRESENTATION

Ms. Erjeta Diamonti, Project Manager, presented herself to the Board and provided a general overview of the Capital Improvement Program packet through a PowerPoint presentation. She explained generally how various projects are analyzed and ranked for construction, noting that this Board will make a recommendation to the City Commission. She listed the categories of projects and explained how funds are allocated.

Ms. Tammy Good, CIP Manager, presented herself to the Board and explained how the Engineering Department assist other city agencies in implementing their own projects. She noted the kinds of projects and highlighted several particular projects.

Ms. Coleman asked if it is anticipated that there will be any, purple pipe, or reclaimed water, expansion within Pompano Beach during the next five years.

Mr. Randy Brown, Utilities Director, presented himself to the Board. He responded that the City is currently designing a project for purple pipe north of 14th Street. The goal is to then move westward from Lighthouse Point.

Ms. Coleman asked if this includes the area between NW 14th Street and Lighthouse Point.

Mr. Brown responded that this is what is currently under design and that they anticipate the areas north of 14th Street being completed in the next 5 years.

Mr. Stacer asked if the well field project in 2022 relates to saltwater intrusion.

Mr. Brown responded that they are working on evaluating the eastern and western wells for efficiency and saltwater intrusion. He added that currently saltwater intrusion is not a problem and that Pompano is the only city in Broward County that has pushed back saltwater intrusion. He stated that some of the existing wells, however, are from the 1950s and need to be brought up to newer designs.

Ms. Kovac asked what is the future of the stormwater ocean outfall that is near her home.

Mr. Brown stated that the Broward County wastewater ocean outfall will be closed by December 2025.

Mr. Stacer asked about the list of 14 projects and inquired whether the initial master list will be completed by 2024.

Mr. Brown responded in the affirmative and added that they will then search for other new projects.

Mr. Stacer asked why there is a difference in the funding totals for the G.O. Bond projects.

Ms. Diamonti responded that the numbers are based on the category and stated that the projects were listed as projected cost.

Mr. Stacer asked why such a large increase in fire station spending is projected when the City will have mostly new fire stations soon.

Ms. Diamonti responded that Station 63 still has not been funded. Additionally, there is an annual fire assessment whereby the City sets aside \$1 million a year in order to put money away now for future fire station projects. She added that the budget is adjusted throughout the year.

Mr. Stacer asked why the communications tax revenue is zeroed out for future years.

Ms. Diamonti responded that this revenue reflects that the City of Deerfield Beach is reimbursing Pompano Beach for previous mistakes that were made.

Mr. Stacer asked when the City will start putting money away for City-owned seawall reconstruction. He commented that it will be a very expensive project and the current allocations are only for maintenance.

Ms. Good responded that new elevation requirements will be considered during any improvements.

Ms. Kovac asked what will be the height of the new Air Traffic Control Tower.

Ms. Good responded that she does not have that information and noted that the study is still a year out in the budget. She added that she does not think the height of the existing tower is the issue but rather other aspects such as its accessibility and amenities that will need to be upgraded.

Ms. Kovac asked why the funding of the A1A undergrounding project is not starting until 2022.

Ms. Diamonti responded that this project started this year and that what is in the program is the funding of its continuation.

Mr. Stacer asked if this project is partially in phase one and phase two of the G.O. bond.

Ms. Diamonti responded that she is not sure of this.

Ms. Moor asked why certain projects are not being funded.

Ms. Diamonti responded that this is just an accounting method. She explained that since the City has already received the money for these twenty five projects, listing them this way provides more flexibility to adjust the overall budget.

Mr. Stacer asked staff if the Board would be able to recommend approval subject to allowing Ms. Darlene Smith additional time to review the package.

Ms. Jennifer Gomez, Assistant Development Services Director, presented herself to the Board. She stated that the Board could either meet the following Wednesday to issue a

recommendation, or that they could make their recommendation tonight and should they have any additional questions, these could be addressed at next month's meeting.

Mr. Stacer asked if Ms. Smith could respond to submitted written questions.

Mr. James Saunders stated that staff could easily address any additional questions that the Board might have. He added that it would be helpful to set a date certain for any additional questions.

Ms. Smith agreed that next Monday would be fine with her.

Ms. Diamonti responded that there is also an upcoming workshop in July that could be informative.

MOTION was made by Joan Kovac and seconded by Carla Coleman to recommend approval of the CIP FY 2020-2024. All voted in favor of the motion.

G. FLEX

2. USMAN PALMIRE LLC FLEX
Planning and Zoning No. 19-05000002
Commission District: 5

Consideration of the FLEXIBILITY UNITS REQUEST submitted by **GHULEM USMAN** on behalf of **USMAN PALMAIRE LLC** approval for 58 Flexibility Units on a 1.3-acre property located on the southwestern corner of South Palm Aire Drive and South Powerline Road. The property has not previously been allocated residential units in the Palm Aire Stipulated Settlement Agreement. This parcel is legally defined as follows:

BEING OUT PARCEL 1 SHOWN ON THAT SURVEY BY C.C. WININGHAM CORPORATION, A/K/A WINNINGHAM & LIVELY, INC., CERTIFIED ON MAY 2, 1994 AND NUMBERED 36252-A, AS FOLLOWS:

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 49 SOUTH, RANGE 42 EAST, SAID PARCEL INCLUDING A PORTION OF TRACT A, ACCORDING TO THE REPLAT OF PALM AIRE VILLAGE 1ST SECTION, AS RECORDED IN PLAT BOOK 66, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 4; THENCE RUN SOUTH 89°11'54" WEST (ON AN ASSUMED BEARING) 67.01 FEET ALONG THE SOUTH LINE OF SAID

SOUTHWEST 1/4 OF AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF POMPANO PARKWAY (POWERLINE ROAD); THENCE RUN NORTH 00°14'01" EAST 455.07 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°14'01" EAST 421.03 ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PALM AIRE DRIVE SOUTH; THENCE RUN NORTH 89°45'49" WEST 67.50 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, ON THE ARC OF SAID CURVE TO THE LEFT; HAVING A RADIUS OF 82.50 FEET AND A CENTRAL ANGLE OF 90°, RUN SOUTHWESTERLY 129.59 FEET TO A POINT OF TANGENCY ON THE EASTERLY RIGHT-OF-WAY LINE OF PALM AIRE DRIVE SOUTH; THENCE RUN SOUTH 00°14'01" WEST 186.33 FEET ALONG SAID EASTERLY RIGHT-OF-WAY, BEING THE TANGENT EXTENDED, TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE ON THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 157.74 FEET AND A CENTRAL ANGLE OF 88°57'53", RUN SOUTHWESTERLY 244.93 FEET TO A POINT OF TANGENCY ON A LINE 455 FEET NORTH OF, AS MEASURED AT RIGHT ANGLE AND PARALLEL TO SAID SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 4; THENCE RUN NORTH 89°11'54" EAST 304.94 FEET ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION AS DESCRIBED IN OFFICIAL RECORDS BOOK 4851, PAGE 447 AND OFFICIAL RECORDS BOOK 8923, PAGE 859, IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

AKA: 1001 SW 26 Avenue

ZONED: RM-45 (Multiple-Family Residence 45)

STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Mr. Stacer disclosed that about four to six months prior he had a brief conversation with Mr. Joe Usman that this application would be coming before the Board. He stated that there was no substance discussed, however.

Mr. Daniel Keester-O'Mills, Principal Planner, presented himself to the Board. He stated that the applicant is seeking approval for 58 Flexibility Units on a 1.3-acre property located on the southwestern corner of South Palm Aire Drive and South Powerline Road. He provided a brief overview of the residential entitlements within the Palm Aire community and pointed out that this parcel is seeking flex units because all of the permitted residential

units have been allocated. The submitted staff report addresses how the application satisfies the relevant review criteria.

Given the information provided to the Board, as the findings of fact, staff provides the following alternative motions, which may be revised or modified at the Board's discretion.

Alternative Motion I

Approval of the requested 58 unit Flex Unit allocation with the following conditions of implementation:

1. The site plan ultimately approved for this site shall be generally consistent in regard to building placement, setbacks and buffering with the Conceptual Plan (Attachment 1). Minor revisions that are necessary to meet the City's Code and/or do not affect the density or intensity of the site, such as (but not limited to) building dimensions, stormwater retention and access locations, will be allowed without additional public hearings.
2. Prior to site plan approval the Applicant shall determine the preferred approach to meeting the affordable housing requirement pursuant to Section 154.61(E) Planning by either: providing an agreement to provide affordable housing units; or by providing an in lieu of fee in accordance with Section 154.80.
3. If a building permit is not issued by two years from the Resolution's approval date, then the approval of this Flex Allocation shall become null and void.

Alternative Motion II

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

Alternative Motion III

Denial of the Residential Flex Allocation. The Board finds that the allocation of the flex units is not consistent with the goals, objectives and policies of the Comprehensive Plan, that are stated on the previous page.

Ms. Coleman asked about the single-family homes located at the south of the property as described in the staff report.

Mr. Keester-O'Mills responded that the staff report will be corrected to note that to the south is commercial.

Mr. Robert Hartsale (61 NE 1 Street, Pompano Beach) presented himself to the Board as the applicant's attorney. He stated that the plating of the site plan will happen in the future for this project but noted that it will be 58 units and 6 stories in height. He stated that they have met with Commissioner Moss as well as leadership of surrounding condo communities and that they have received no objections about the project. He reiterated that there are no single-family dwellings located in the area, just commercial shops and retail centers. He stated that the proposed use is compatible with the area and that comments from DRC have been addressed. He commented that the new units will be upscale and will raise surrounding property values.

Mr. Stacer asked the applicant if they accept staff's three conditions.

Mr. Hartsale agreed that they do.

Ms. Smith asked where the 10-story building referenced in his presentation is located.

Mr. Hartsale responded that it is on the other side of the gold course.

Ms. Smith commented that she is a Palm Aire condo association president and commented that she was not invited to these meetings. She asked which associations were invited.

Mr. Joe Usman (61 NE 1 Street, Pompano Beach) responded that only the nearby associations were invited.

Ms. Smith asked if the existing trail will be preserved.

Mr. Usman responded that they wish to make the canal an asset.

Ms. Smith asked if it is normal to approve a flex unit allocation before approval of a site plan.

Mr. Keester-O'Mills responded that it is not uncommon.

Ms. Smith commented that the trail needs to be preserved and that a bench would be a benefit for walkers. She stated that there should also be a crosswalk across S. Palm Aire Drive. She asked for confirmation that the project is for condos and not for affordable housing.

Mr. Usman responded that the City requires affordable housing to be included. He commented that he would prefer to include 14 instead of the 7 required, but stated that people are opposed to the building of affordable housing in their neighborhood. He stated that he believes in providing affordable housing but that residents would rather him pay the fee in lieu in order to avoid them.

Ms. Smith stated that her concern is that there are 48 one-bedroom units and only 10 two-bedroom units. She says it sounds like it will not increase property values but will be a rental property and asked again if the project will be rental or condo.

Mr. Usman responded that they will do what the market dictates. He commented that Palm Aire is the most affordable place to purchase a home in Broward County.

Mr. Saunders commented that this conversation has gone outside the bounds of the application, but suggested that the applicant should answer Ms. Smith's question about if a rental or condo product is intended.

Mr. Usman responded that they are intending to build a condo project.

Mr. Stacer asked if anyone in the audience wished to speak.

Mr. Jonathan Niami (S. Palm Aire Drive, #205 Building 2551,) asked for clarity on why he received a notice letter.

Mr. Keester-O'Mills responded that the mailed notice is required for flex unit applications.

MOTION was made by Carla Coleman and seconded by Willie Miller to recommend approval of Flex PZ# 19-05000002 subject to the 3 conditions as described in the staff report. All voted in favor of the motion

H. MAJOR SITE PLANS

3. EXIT 69 LLC/WAREHOUSE COMPLEX Planning and Zoning No. 19-12000004 Commission District: 4

Consideration of the MAJOR SITE PLAN submitted by **MICHAEL VONDER MEULEN** on behalf of the **EXIT 69 LLC** in order to construct 3 new warehouse buildings on a site with 2 existing warehouse buildings that are to remain, with associated parking, loading and landscaping. The total footprint of the proposed buildings is 71,440 square feet and the footprint of the existing buildings is 36,438 square feet for a total of 107,878 square feet on a 390,802 sq. ft. (8.97 acre) site (a lot coverage of 27.6%). All parcels are legally defined as follows:

TRACT E OF POMPANO INDUSTRIAL PARK THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 111, PAGE 33 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ALL OF THE DESCRIBED LAND HEREON LYING IN BROWARD COUNTY, FLORIDA AND CONTAINING 391,784 SQUARE FEET (8.994 ACRES), MORE OR LESS.

AKA: 3420 NW 27 Avenue
ZONED: I-1 (General Industrial)
STAFF: Pamela Stanton (954) 786-5561

Mr. Keester-O'Mills stated that the applicant is seeking approval to construct 3 new warehouse buildings on a site with 2 existing warehouse buildings that are to remain, with associated parking, loading and landscaping. He stated that the project has undergone both DRC and AAC review.

Pursuant to §155.2304.C, [Applications Subject to Staff Recommendation,] the Development Services Director has compiled the department reports from the

Development Review Committee (DRC) meeting which are recorded on file with the Department of Development Services. The Department recommends approval of the Major Site Plan subject to the following comments and conditions:

1. Make the following revisions on the plans:
 - a. Provide directional arrows for all internal drive aisles on the Pavement, Marking and Signage plan, sheet CM-100.
2. For permit approval, obtain the following final approvals:
 - a. Revise plans to provide the required buffer or obtain waiver approval from the Director of Development Services, pursuant to Section 155.5203.F.2.e for a modification to the minimum required buffer width and required opaque wall.
 - b. Revise plans to provide the required landscape strip or obtain Minor Administrative Adjustment approval for a modification to the minimum landscaping area width between vehicular use areas and buildings, pursuant to Table 155.2421.B.1.
 - c. Obtain approval from Broward County Engineering and Broward County Traffic Engineering Division for proposed work on N Andrews Ave.
 - d. Broward Sheriff's Office approval for the submitted CPTED Plan.
3. Provide the required 2-foot right-of-way dedication on NW 27 Avenue, pursuant to Chapter 100 for Streets and Sidewalks.
4. Provide documentation that demonstrates how 12 sustainable development points will be achieved, pursuant to §155.5802.
5. All electrical secondary feeder lines (laterals) and other utility lines located on the development site and/or along the public right-of-way fronting the development site shall be placed underground, or obtain waiver approval from the Development Services Director for this requirement where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.

Mr. Stacer asked if the code requires taller trees with building at this height.

Mr. Keester-O'Mills responded that he will look in to that.

Ms. Kovac asked if the property will be walled in.

Mr. Keester-O'Mills responded that there will not be any walls around the property, but that there is some fencing.

Mr. Michael Vonder Meulen (301 E. Atlantic Boulevard, Pompano Beach) presented himself to the Board and provided a brief overview of the project. He showed photos of the site, provided details regarding the proposed site plan, and presented renderings of the proposed buildings. He stated that they have no objections with the conditions recommended by staff.

Mr. Stacer asked if the site is surrounded by industrial uses.

Mr. Vonder Meulen responded that the site is surrounded by industrial type uses, even though some of the surrounding zoning is O-IP (Office - Industrial Park). As such, they are required to provide landscape buffers.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

Mr. Keester-O'Mills gave additional information about the required heights of trees in relation to the heights of proposed buildings.

MOTION was made by Joan Kovac and seconded by Darlene Smith to recommend approval of the Major Site Plan PZ #19-12000004 subject to the 5 conditions of staff. All voted in favor of the motion

4. SVAP POMPANO CITI CENTRE II, L.P./ POMPANO CITI
CENTER RETAIL DEVELOPMENT
Planning and Zoning No. 18-12000048
Commission District: 2

Consideration of the MAJOR SITE PLAN submitted by **RYAN O. THOMAS** on behalf of the **SVAP POMPANO CITI CENTRE II, L.P.** in order to demolish the existing 15,114 square foot commercial structure and construct 10,357 sq. ft. of retail use, 3,747 sq. ft. of dental office, and 4,725 sq. ft. of restaurant, along with associated landscaping and parking areas. The total building size is 18,829 sq. ft. and the affected site area is 73,145 sq. ft. (25.7% lot coverage on 1.68 acres). All parcels are legally defined as follows:

PARCEL A

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 30, TOWNSHIP 48 SOUTH, RANGE 43 EAST, AND THE WEST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 1 ACCORDING TO THE FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP FOR ROAD (4) 5 (U.S. NO. 1), SHEET 3, STATE SECTION 8602, REVISED THROUGH 5/8/51; THENCE DUE SOUTH (ON AN ASSUMED BEARING) ALONG THE SAID WEST RIGHT OF WAY LINE 204.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE 1,019.00 FEET; THENCE DUE WEST 431.00 FEET; THENCE DUE NORTH 428.00 FEET; THENCE DUE WEST 159.00 FEET; THENCE DUE NORTH 218.00 FEET; THENCE DUE WEST 239.00 FEET; THENCE DUE NORTH 30.00 FEET; THENCE DUE WEST 202.43 FEET; THENCE DUE NORTH 304.28 FEET; THENCE NORTH 81° 43' 06" EAST ALONG A LINE 90.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 48 SOUTH, RANGE 42 EAST, 113.71 FEET; THENCE NORTH 81° 37' 00" EAST ALONG A LINE 90.00 FEET SOUTH OF AND PARALLEL TO THE NORTH

LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 30 FOR A DISTANCE OF 316.03 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 15° 10' 30" AND A RADIUS OF 710.71 FEET; THENCE CONTINUE ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 188.23 FEET TO A POINT OF TANGENCY; THENCE SOUTH 83° 12' 30" EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE 170.40 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 6° 47' 30"

AND A RADIUS OF 882.63 FEET; THENCE CONTINUE ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 104.62 FEET TO A POINT OF TANGENCY; THENCE DUE EAST ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE 145.00 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS FOLLOWS PURSUANT TO AFFIDAVIT OF SURVEYOR RECORDED IN OFFICIAL RECORDS BOOK 36674, PAGE 1779, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA:

A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 48 SOUTH, RANGE 42 EAST AND A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 30, TOWNSHIP 48 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 30 AND THE WEST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 1, ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD 5 (U. S. HIGHWAY NO. 1) SECTION NUMBER 86020-2525(3525) SHEETS 8 AND 9 OF 14, LAST REVISED DECEMBER 10, 1998; THENCE SOUTH 06° 51' 23" WEST, ALONG THE SAID WEST RIGHT OF WAY LINE 204.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 06° 51' 23" WEST, ALONG THE LAST DESCRIBED COURSE 1,019.00 FEET; THENCE NORTH 83° 08' 37" WEST, 431.00 FEET; THENCE NORTH 06° 51' 23" EAST, 428.00 FEET; THENCE NORTH 83° 08' 37" WEST, 159.00 FEET; THENCE NORTH 06° 51' 23" EAST, 218.00 FEET; THENCE NORTH 83° 08' 37" WEST, 239.00 FEET; THENCE DUE NORTH 06° 51' 23" EAST 30.00 FEET; THENCE NORTH 83° 08' 37" WEST, 202.43 FEET; THENCE NORTH 06° 51' 23" EAST, 304.28 FEET; THENCE NORTH 88° 34' 29" EAST, ALONG A LINE 90.00 FEET SOUTH OF AND PARALLEL TO THE

NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 25, 113.71 FEET; THENCE NORTH 88° 28' 23" EAST, ALONG A LINE 90.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 30, 316.03 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 15° 10' 30" AND A RADIUS OF 710.71 FEET; THENCE CONTINUE ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 188.23 FEET TO A POINT OF TANGENCY; THENCE SOUTH 76° 21' 07" EAST, ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE 170.40 FEET TO A

POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 6° 47' 30" AND A RADIUS OF 882.63 FEET; THENCE CONTINUE ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 104.62 FEET TO A POINT OF TANGENCY; THENCE SOUTH 83° 08' 37" EAST, ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE 145.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION OF SAID LAND KNOWN AS PARCEL 109 AS DESCRIBED IN THE ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 8565, PAGE 963 AND THE STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 9201, PAGE 123, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THAT PORTION OF SAID LAND CONVEYED TO BROWARD COUNTY BY THE QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 19241, PAGE 955, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THE TWO PARCELS OF LAND CONVEYED TO FAISON-POMPANO CITI CENTRE, LLC BY THE SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 36674, PAGE 1783 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1. A PORTION OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 48 SOUTH, RANGE 42 EAST AND A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 30, TOWNSHIP 48 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 30 AND THE WEST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 1, ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD 5 (U. S. HIGHWAY NO. 1) SECTION NUMBER 86020-2525(3525) SHEETS 8 AND 9 OF 14, LAST REVISED DECEMBER 10, 1998; THENCE SOUTH 06° 51' 23" WEST, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 204.06 FEET; THENCE NORTH 83° 08' 37" WEST, A DISTANCE OF 145.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 882.63 FEET, A CENTRAL ANGLE OF 6° 47' 30", FOR AN ARC DISTANCE OF 104.62 FEET TO THE POINT OF TANGENCY; THENCE NORTH 76° 21' 07" WEST, A DISTANCE OF 170.40 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 710.71 FEET, A CENTRAL ANGLE OF 15° 10' 30", FOR AN ARC DISTANCE OF 188.23 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 88° 28' 23" WEST, ALONG A LINE 90.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 30, A DISTANCE OF 271.39 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 06° 49' 53" WEST, A DISTANCE OF 327.17 FEET; THENCE NORTH 83° 08' 37" WEST, A DISTANCE OF 156.83 FEET;

THENCE NORTH 06° 51' 23" EAST, A DISTANCE OF 304.28 FEET;
THENCE NORTH 88° 34' 29" EAST, ALONG A LINE 90.00 FEET SOUTH OF
AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE
NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST
ONE-QUARTER (NE 1/4) OF THE
NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 25, A
DISTANCE OF 113.71 FEET; THENCE NORTH 88° 28' 23" EAST, ALONG A
LINE 90.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT
RIGHT ANGLES TO, THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2)
OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHWEST
ONE-QUARTER (NW 1/4) OF SAID SECTION 30, A DISTANCE OF 44.64
FEET TO THE POINT OF BEGINNING.

2. A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF
SECTION 30, TOWNSHIP 48
SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE
SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW
1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION
30 AND THE WEST RIGHT OF WAY LINE OF U. S. HIGHWAY 1,
ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP FOR STATE ROAD 5 (U.S. HIGHWAY NO. 1)
SECTION NUMBER 86020-2525(3525) SHEETS 8 AND 9 OF 14, LAST
REVISED DECEMBER 10, 1998; THENCE SOUTH 06° 51' 23" WEST,
ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 866.37 FEET TO
THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 06° 51' 23"
WEST, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 356.68
FEET; THENCE NORTH 83° 08' 37" WEST, A DISTANCE OF 431.00 FEET;
THENCE NORTH 06° 51' 23" EAST, A DISTANCE OF 428.00 FEET;
THENCE SOUTH 83° 08' 37" EAST, A DISTANCE OF 116.69 FEET; THENCE
SOUTH 06° 49' 53" WEST, A DISTANCE OF 71.46 FEET; THENCE SOUTH
83° 10' 07"
EAST, A DISTANCE OF 314.28 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THOSE PORTIONS OF SAID LAND WHICH
WERE DEDICATED TO THE PUBLIC BY THE PLAT OF POMPANO CITI
CENTRE PLAT, AS RECORDED IN PLAT BOOK 174, PAGE 45 OF THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

AKA: 2251 N. Federal Highway
ZONED: B-3/PCD (General Business/Planned Commercial/Industrial)
STAFF: Max Wemyss (954) 786-4671

Mr. Max Wemyss, Planner, presented himself to the Board. He stated that this project has been reviewed by the DRC but has yet to be reviewed by the AAC. The property is zoned B-3 and also within a Planned Commercial Development overlay.

Pursuant to §155.2304.C, Applications Subject to Staff Recommendation, the Development Services Director has compiled the department reports from the Development Review Committee (DRC) meeting which are recorded on file with the Department of Development Services. The Development Services Department

recommends approval of the Major Site Plan subject to the following comments and conditions:

Prior to Zoning Compliance Permit approval:

1. Provide the following information and updates:
 - a. Provide an 11x17 material board with paint color samples and actual material samples of all proposed colors and materials (to be approved by the AAC) for inspection purposes.
 - b. Provide a CPTED Plan approved by the Broward Sheriff's Office.
2. Building Permit plans will be subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this Site Plan.
3. Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forestry Division.

Mr. Christian Morales (6300 NW 31 Ave, Fort Lauderdale) presented himself as the project engineer. He provided an overview of the project and stated that they have no objections to the conditions. He stated that the existing building will be replaced and that the parking and landscaping will be modified.

Ms. Coleman commented that due to the multiple owners of the parcels the parking lot is dangerous to drive through. She asked if there are any plans to conduct a comprehensive study of the overall flow of traffic throughout the development.

Mr. Morales responded that they will be making improvements for this area and that there will be additional changes in the future when the old Sears building is modified.

Mr. Pete Ebersal (612 SW 4th Avenue, Fort Lauderdale) presented himself as the project architect. He stated that they are also doing the Sears building redevelopment and that they are intending on making improvements to the traffic flow along that portion of the site. He stated that he is not aware of any current efforts to comprehensively study the traffic flow of the entirety of the Pompano Citi Center. He mentioned a future development along the west side of the site that would make additional modifications.

Ms. Coleman stated that she is concerned with additional development without looking into the overall traffic flow within the parking lot.

Mr. Ebersol responded that it would be very difficult to force this kind of master planning since there are so many different owners. He stated that they are attempting to address what they can with their portion of the property.

Mr. Thomas Drum (2700 NE 8th Street, Pompano Beach) asked if this site is also a part of the ramp where the garden center is.

Mr. Ebersol responded that this application is limited to where the auto store was. He says the other portion will be addressed under a separate permit.

Mr. Drum asked which restaurants will be present.

Mr. Ebersol responded that they do not yet have a restaurant tenant. He stated that there could be six or seven bays and possibly two or three restaurants depending on how the space is divided.

Mr. Drum asked about parking availability.

Mr. Ebersol responded that they will comply with code requirements.

MOTION was made by Carla Coleman and seconded by Anne Marie Groblewski to recommend approval of the Major Site Plan PZ #18-12000048 subject to the three conditions of staff. All voted in favor of the motion.

5. ATLANTIC RESIDENCES, LLC/ATLANTIC ONE
Planning and Zoning No. 18-12000015
Commission District: 3

Consideration of the MAJOR SITE PLAN submitted by **SCOTT BACKMAN** on behalf of the **ATLANTIC RESIDENCE, LLC** approval in order to construct a new mixed-use development consisting of a combination of 5-story mixed-use buildings, 5-story multi-family buildings and 3-story townhouse and multi-family buildings, with associated structured and surface parking, landscaping and open space. The total footprint of the proposed building is 128,206 sq. ft. on a 216,612 sq. ft. (4.97 acre) site (lot coverage of 59.2%). All parcels are legally defined as follows:

Lots 1, 2, 3, 4 and 5, Block 26, PINEHURST, according to the Plat thereof, recorded in Plat Book 5, Page 13, of the Public Records of Broward County, Florida.

Lots 6 through 19, Block 26, PINEHURST, according to the Plat thereof, recorded in Plat Book 5, Page 13, of the Public Records of Broward County, Florida.

Lots 4 and 5, Block 25, PINEHURST, according to the Plat thereof, recorded in Plat Book 5, Page 13, of the Public Records of Broward County, Florida

Lot 6, Block 25, PINEHURST, according to the Plat thereof, recorded in Plat Book 5, Page 13, of the Public Records of Broward County, Florida.

Lot 9, Block 25, PINEHURST, according to the Plat thereof, recorded in Plat Book 5, Page 13, of the Public Records of Broward County, Florida.

Lots 10, 13, 14, and 17, Block 25, PINEHURST, according to the Plat thereof, recorded

in Plat Book 5, Page 13, of the Public Records of Broward County, Florida.

Lots 18 and 21, Block 25, PINEHURST, according to the Plat thereof, recorded in Plat Book 5,

Page 13, of the Public Records of Broward County, Florida.

Lots 1, 2, 3, 4, 5, 6 and 7, Block 28, PINEHURST, according to the Plat thereof, recorded in

Plat Book 5, Page 13, of the Public Records of Broward County, Florida.

AKA: 1736 E. Atlantic Boulevard

ZONED: TO-EOD (Transit Oriented-East Overlay District)

STAFF: Pamela Stanton (954) 786-5561

Mr. Wemyss explained that the major site plan contains 278 apartment units and 26 townhomes. The properties are currently used for single-family homes or are vacant. The Site Plan was reviewed by the DRC on September 20, 2018 and April 23, 2019 as well as by the AAC on June 4, 2019. He stated that this is the second project presented to the Board in the new East TOD district, and is within the Center and Edge sub-areas. He commented that many of the letters from the public have only recently been received.

The Department recommends approval of the Major Site Plan subject to the following comments and conditions:

1. Provide the following final approvals:
 - a. Broward County Traffic Engineering must approve the proposed left turn lane on northbound SE 18 Ave.
 - b. Paving and drainage plans must be approved by Broward County EPD Surface Water Management.
2. Make the following revisions on plans:
 - a. Provide the required 5-foot right-of-way dedication on E Atlantic Blvd.
 - b. Provide a left turn lane for northbound SE 18 Avenue at E Atlantic Blvd. in accordance with the findings of the City's Traffic Study review.
 - c. Address conflicts between proposed on-street parking, driveways, landscape bulb-outs, and other elements, and the existing speed humps on SE 18 Ave., SE 2 St., and SE 3 St. by shifting or removing the proposed elements in conflict, or relocating the existing speed humps.
 - d. Add marked or paver crosswalks to the intersection of SE 2 St at SW 18 Ave, allowing residents to travel to/from Parcels 1 and 2 and the amenities located in Parcel 3.

- e. Place a note on the plans that trash pick-up will occur at the main trash rooms for Parcel 1 (Buildings 1A and 1B) and Parcel 2 (Buildings 2A and 2B), not from the remote trash rooms, for the life of the project.
 - f. Revise the detail and specifications for the fence at the proposed dog park, where fences in front of buildings or along front or street sides may not exceed 4 feet in height, pursuant to §155.3501.L.2.a.
 - g. Provide lighting at all public and private open spaces and show the footcandles on the photometric plan accordingly.
- 3. Provide a 5-foot right-of-way dedication on E Atlantic Blvd. to allow for the required 55 feet from the center line of roadway to the south side of the right-of-way, in accordance with the Broward County Trafficways Plan, which depicts an overall width of 110 feet for E Atlantic Blvd at the project location.
 - 4. Submit a Unity of Title in City format, pursuant to §155.2401.C, for lot unification purposes, prior to building permit approval.
 - 5. All electrical secondary feeder lines (laterals) and other utility lines located on the development site and/or along the public right-of-way fronting the development site shall be placed underground, or obtain waiver approval from the Development Services Director for this requirement where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.
 - 6. Provide a copy of a recorded public easement for all public pedestrian areas, including walkways and public open spaces within the project site. The development and ongoing maintenance of the required streetscape improvements along the entire property will be the responsibility of the developer/property owner, pursuant to §155.3501.H.2.
 - 7. Pursuant to §155.3709.K, set aside a minimum of 15% of the proposed units as affordable housing or contribute in-lieu-of fees per Chapter 154.
 - 8. Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forester.

Mr. Wemyss added that staff is proposing a ninth condition, not included in the staff report, that has been vetted by the City Engineer:

- 9. To mitigate for potential spill-over parking along the west side of SE 17th Avenue, between SE 2nd Street and Atlantic Boulevard, developer at their own expense will design, permit, and install either curbing, landscaping, or a combination of both, as determined by the City Engineer and Urban Forestry.

Ms. Smith asked where the spillover parking area is located.

Mr. Wemyss responded that there is no specific spillover parking and that the last condition is to protect adjacent properties from potential spill-over parking occurring in the existing swale.

Mr. Stacer disclosed that he spoke last week with the applicant's attorney. The attorney had asked Mr. Stacer if he thought there were any major issues with the application, but he had not yet reviewed the project.

Mr. Matthew Scott (14 SE 4th Street, Boca Raton) presented himself to the Board as the applicant's attorney. He thanked City staff for their collaboration in the project as this is brand new zoning for the area, reflecting the City's future for the area. He stated that they agree with all nine staff conditions of approval, and noted that the AAC has approved this project unanimously with no conditions.

Mr. Scott provided the Board with a PowerPoint overview of the project. The project includes 304 residential units, parking and greenspace area, and approximately 10,000 square feet of commercial retail space. He provided the Board with an overview of the surrounding area, commenting that the area is already an organically occurring mixed-use district. He reminded the Board that the City recently initiated a long public process to explicitly rezone the area to be a mixed-use district, and that this Board unanimously approved these new zoning standards. He stated that the zoning encourages mixed-uses, ground-floor retail, and wide sidewalks and open spaces to encourage pedestrian activity. Based on these new regulations, his client purchased the property in order to explicitly follow these new standards in the submitted project. He reminded the Board that their decision regarding approval of a site plan must be based on competent, substantial evidence, and not based on popular sentiment. He explained that he is reminding the Board of this because this project represents change for the neighborhood, and that there are some residents in the neighborhood who oppose the plans.

Mr. Seth Yeslow (2201 NW Corporate Boulevard, Boca Raton) presented himself to the Board as the project architect. He stated that he has over 20 years of experience and has worked on many multi-family projects like this. He stated that the Atlantic One project is over 5 acres spread across three parcels with 304 dwelling units, 10,000 square feet of retail on Atlantic Boulevard, and 19,000 square feet of amenity space. The 304 units proposed is actually well below the 425 units that could have been permitted if they had pursued available density bonuses. He stated that 217 of the units are 1-bedroom units, which is important when considering parking demand, and that each of the townhomes have their own parking garage and driveway. He stated that the design of the project either meets or exceeds all of the zoning requirements and requires no variances. He explained that the placement, articulation, and massing of the proposed buildings was done very carefully in order to relate to the existing neighborhood. He pointed out that they broke up the design of the buildings in order to make them appear smaller, and that the design of the overall project is meant to create pedestrian activity, especially along 18th unit. He pointed out that many of the units have access directly from the sidewalk. There are multiple open green spaces throughout the project that will also create street activity, and a large oak tree on-site will be relocated in order to be a focal point of one of these spaces. He stated that the project meets all parking requirements of the zoning code, including the requirement to provide on-street parking, bicycle parking is included, a bus stop is in close proximity, and electric vehicle charging stations will be provided.

Mr. Scott presented the project engineer to address neighborhood concerns about drainage.

Mr. Matt Gianni (3410 N. Andrews Ext., Pompano Beach) presented himself to the Board as a project engineer. He stated that each parcel and all off-site areas will have its own surface water management system that is designed to improve upon the existing water management. The result will be that the drainage situation will be improved within the entire project area. He stated that areas outside the project area will not be impacted either positively or negatively by this project. Broward County Department of Surface Water Management will need to review and approve all plans per one of the conditions of approval.

Mr. Scott stated that another condition was that the project conduct a traffic study and review this with an outside traffic consultant as hired by the City.

Mr. Carl Peterson (8400 N University Drive, Tamarac) presented himself as a traffic engineer who reviewed the traffic impact analysis for this project. He stated that the conclusion of their analysis is that the traffic system in this area will continue to operate at an acceptable level of service.

Mr. Scott stated that the traffic study was conducted in late August, and that there was a question from a neighborhood resident as to how valid the results would be since there was no snowbird and school traffic. He asked Mr. Peterson to address this question.

Mr. Peterson responded that there are two primary considerations when doing traffic data collection, and one of them is whether schools are in session. He stated that they waited until the school year started before collecting traffic data, which was gathered on August 21 and 22, 2018. The other consideration relates to the seasonal residents. He explained that since they couldn't collect data during peak visitor season, they adjusted their data per formulas provided by the Florida Department of Transportation, which directed them to increase the traffic counts by 8%.

Mr. Scott asked Mr. Peterson to explain what an "acceptable level of service" means in layman's terms.

Mr. Peterson explained that level of service refers to the amount of delay at intersections for vehicles, and that the intersections in the area are expected to remain at levels of service "A" and "B" even after implementation of this project.

Mr. Scott asked Mr. Peterson to explain the impact of the proposed new turn lane to be added to 18th Avenue per the direction of the City Engineer.

Mr. Peterson responded that the intersection of 18th and Atlantic is signalized and has one north-bound lane approaching it. Due to concerns about the length of cues at the intersection by the City Engineer, a second northbound lane will be added to increase the capacity of the intersection.

Mr. Scott stated that the staff report documents how the project meets all of the review criteria and adopted this for the record. He noted that the site plan is consistent with the Comprehensive Plan by encouraging transit use and pedestrian activity; requires no relief

from code requirements; complies with the Broward County Trafficways Plan with the dedication of 5' of land to the right-of-way; complies with CPTED and life safety requirements; and complies with the Transportation Corridor Study. He highlighted several ancillary items, including how they have worked with the CRA to relocate the McNab House to a nearby park, will relocate a large live oak in order to preserve it, will build a 6' tall wall for a neighbor at the southeast corner of parcel 2, will provide curbing or landscaping along 17th Street to prevent parking, and will provide a turning lane at the intersection of 18th Avenue and Atlantic Blvd.

Mr. Saunders asked if a condition of approval was included for the relocation of the live oak tree.

Mr. Scott responded that it is not a condition but since it is located on the site plan they would be required to carry this out.

Ms. Groblewski asked if there is currently on street parking.

Mr. Scott responded that there is not.

Ms. Groblewski asked if the roadways are being widened in order to provide this new parking.

Mr. Scott responded that the street parking will actually be installed within their property bounds, and that the only place where the roadway is being widened is at the intersection where the lane is being added.

Ms. Kovac asked what amenities will be included.

Mr. Yeslow responded that there will be a pool deck and fitness center, and noted that the interior amenities would be typical but could change.

Mr. John McWilliams (600 North Pine Island Road, Plantation, FL 33324) presented himself as the City's traffic engineering consultant who worked with the City during the design of the ETOC creation process and helped create the triggers for when projects are required to provide a traffic impact analysis. He stated that the focus of the review and study is for safe and adequate access into and out of the project site. As such, the boundaries of the study area are very compact. He explained that part of the reason behind adding the turn lane at the intersection of Atlantic and SE 18th Ave is the fact that once this project is developed it would be very difficult to add that road capacity at a later date. He stated that traffic calming was also reviewed and explained that forecasting human behavior poses a challenge. As such, the best time to consider traffic calming measures will actually be after the project is built.

Mr. Stacer asked if there will be an adjustment to the traffic signal due to the lane being added.

Mr. McWilliams responded that even with no changes to timing the intersection will function better for drivers. He stated that the County ultimately has control of the signal timing.

Mr. Stacer asked if there was anything else that he feels was not accommodated.

Mr. McWilliams responded in the negative, and noted that some of the recommended conditions of approval include his comments.

Ms. Groblewski asked for more information regarding peak season factor that modified the traffic counts.

Mr. McWilliams responded that the Peak Season Category Factor is a measure developed by FDOT. He explained that FDOT collects a lot of data and releases annual reports that is broken up by different sections of the County.

Mr. Stacer asked if anyone in the audience wished to speak.

Mr. Rick Dunstin (321 SE 15th Avenue) presented himself as a nearby resident. He expressed concerns about the density and lack of parking provided. He reminded the Board that most people drive to work by themselves and that since there are not sufficient jobs in close proximity residents will continue to drive and need parking.

Mr. Michael Murray (1708 SE 2nd Street) presented himself as a nearby resident. He asked the Board to reduce the density and depth of the project because the project will negatively impact the neighborhood with the added traffic and parking demand. He commented that people won't use the bus stop and that the project is too tall next to single story homes. He stated that the entire neighborhood wants this project denied.

Mr. Jeff Turrow (310 SE 15 Avenue) presented himself as a nearby resident. He commented that the City is doing many positive things, but asked the Board if any of them would want this type of development in their neighborhood. He stated that the neighborhood is at fault for not having attended previous zoning meetings, but commented that he doesn't think that anyone who would live at this project would be riding their bike to work. He stated that there are about 200 too few parking spaces that the traffic study does not consider bridge openings and closings, and the nearby children's hospital has not been considered.

Mr. Michael Skaversky (1630 SW 5 Avenue) presented himself as a resident. He asked Mr. Scott about a comment he made about a part of this area being "blighted".

Mr. Scott clarified that around the year 2000 the City Commission decided to designate the area around the northeast corner of the property to be within the East CRA, and in order to do that there needed to be a finding that the area is blighted and in need of redevelopment.

Mr. Skaversky commented that this is one of the nicest areas in the City. He asked Mr. Scott if his law firm represents any other projects in Pompano Beach.

Mr. Scott responded in the affirmative and stated that this is irrelevant to this project.

Mr. Skaversky asked if they are seeking to develop any additional property in the area.

Mr. Stacer stated that this is irrelevant to this application.

Mr. Skaversky stated that he thinks that there will be a lot of empty buildings once constructed.

Mr. Larry Dean (330 SE 15 Avenue) presented himself as a nearby resident. He asked if the project will be able to sustain the amount of water runoff during storms.

Mr. Gianni responded that when modeling for stormwater runoff they run various scenarios to see how the site will be able to handle the water, and that they are presenting their results to demonstrate that the site will be able to handle stormwater.

Mr. Dean asked how much rain is 2.5" over a 5.5 acres site and where that water is going to go.

Mr. Gianni responded that this would equal .5" per acre. He stated that on the site today there is no underground drainage, and so all the water either goes into grass swales or is absorbed into the ground. With the project built, the water would go into a system of catch basins, underground piping, exfiltration trenches, and deep injection drainage wells. He explained that the exfiltration trenches will store water and then allow for underground storage that isn't available today and that the drainage wells will discharge water 150'-200' into the ground. Any additional water will flow into the canal as it does today.

Mr. Dean asked the Board if the City's wastewater system is capable of sustaining additional growth.

Mr. Wemyss responded that there is capacity. He explained that the Utilities Department provides an annual report for the flow through pipes and that the project has gone through a certificate of currency process.

Mr. Stacer added that the County would not allow the City to permit additional development if they did not know how much capacity was in the system.

Mr. Dean asked if the on-street parking will in fact be located on the project property.

Mr. Yeslow responded that the street will remain as it is except for where the turn lane is to be added. He added that there will be a travel lane, a parking lane, a 5' landscape strip, and then a minimum 5' wide sidewalk with parts wider where there are spaces between street trees.

Mr. Douglass Marshall (1629 SE 2nd Street) presented himself as a nearby resident. He stated that there is already a lot of cut through traffic along through SE 2nd and that this

project will only add to that. He stated that these additional cars will not be able to get out at 18th Ave. He stated that this is an overly aggressive project for the neighborhood and asked the Board to modify the project.

Ms. Denita Gurer (35 SE 19th Avenue) presented herself as a nearby resident. She explained that the wall that was discussed is for her property and that the applicant has agreed to build it and install taller landscaping in order to address her safety concerns for her young daughter. She stated that she met with BSO Officer Patrick Noble who agrees with her that additional curbing or landscaping should be added to the front of her property. She requested that this condition be added to an approval.

Ms. Valerie Young (1628 SE 1 Street) presented herself as a nearby resident. She asked how traffic impacts would be mitigated. She also expressed concerned about parking on 17th Ave., how the project will take up some of the street, and how security will be impacted in the neighborhood. She suggested that the project be moved to McNab Park instead of the proposed location.

Mr. Stacer asked what she means by the project “taking up” part of the street.

Ms. Young responded that parking will be added and decrease the area on a side of the road.

Ms. Maria Rodamer (SE 13 Avenue) presented herself as a resident speaking on behalf of her neighbors. She stated that this project should happen in Boca Raton and not in Pompano Beach. She stated that it is unfair because property values will go down and that buildings will be empty.

Mr. Stacer asked if the applicant wished to address any issues mentioned by the public.

Mr. Scott stated that they are not decreasing the size of any roadways but are installing parallel parking along the sides of the roadways. He stated that he understands concerns about the density proposed, but noted that the project has been modified based on community feedback and pointed out that there are already apartment buildings and commercial uses in the immediate area. He stated that they have spent countless hours to orient the project towards Atlantic Boulevard and to lessen the intensity to the south. The dog park was proposed in its current location to soften the impact and is in excess of code requirements. He reiterated that they understand the concerns, but that this project is explicitly permitted by the new zoning district.

Mr. Stacer asked how many public meetings were held.

Mr. Scott responded that the code does not require any community outreach meetings, but that they chose to meet with neighbors at the Emma Lou Olsen Civic Center.

Mr. Stacer asked if they have met with individual neighbors.

Mr. Scott responded that he has met with 15 neighbors over the phone and was cursed at.

Ms. Moor asked if they have incorporated any feedback from the community.

Mr. Scott responded that they did, specifying that it lead to their voluntary agreement to install curbing along 3 homes on 17th across from the property. He stated that they also met with City leadership to discuss improvements, including whether there was an ability to close roads to cut through traffic. He stated that his client would have no objections, but that this is not something that an applicant can do, so the City agreed to look at possible improvements to the area. He stated that he also incorporated changes per interactions with Ms. Gruer.

Mr. Stacer asked Mr. Scott if they agreed to build a wall for this neighbor.

Mr. Scott responded that they have agreed to install a 6' wall with landscaping. They also agreed to install a curb along the front of her property, but stated that the City Engineer has some concerns and would ultimately need to approve this.

Ms. Coleman asked for clarification that if curbing could not be installed then landscaping will be installed in its place.

Mr. Scott responded in the affirmative.

Ms. Gruer stated that they are agreeable to either a curb or landscaping in order to prevent people parking.

Mr. Miller asked if any other houses are to be taken down in the community.

Mr. Scott responded that the McNab house will be relocated and that there is one existing home next to Ms. Gruer's that is proposed to be demolished. There is also a home along the north side of the property within the CRA that would also be demolished.

Mr. Miller asked what the impacts will be to the four homes directly to the south of the project and what feedback they received from them.

Mr. Scott responded that they are duplexes and that he spoke with one resident who related their support, but has not received feedback from anyone else there.

Mr. Saunders noted that the Board has the capacity to request that BSO escort anyone who is shouting outside of the building in order to preserve the decorum of the hearing.

Mr. Stacer asked what happens to the valuation done as a consequence of the relocation of the live oak tree.

Mr. Scott responded that they have extensively discussed the tree appraisal process with the Urban Forester and explained that they will be doing a combination of tree plantings on-site as well as a cash payment to the City.

Mr. Stacer asked if the City is interested in moving other trees to McNab Park.

Ms. Scott responded that there are several other trees being relocated, including mango trees, to McNab Park assuming that the CRA approves of this agreement.

Ms. Coleman asked if this is the first big project under this zoning district that has come to the Board.

Mr. Wemyss responded that there have been two other projects, one with 44 units and another with around 300 units.

Ms. Coleman commented that this is the first such project with such close relation to single-family homes, and that is why this change is so hard. Therefore, there is a struggle between this new vision that the City has and the nature of existing neighborhoods. She stated that this might be the first but will not be the last.

Mr. Stacer noted that the ETOC zoning was adopted after an extensive process, including field visits.

Mr. Miller commented that there will be growth and development within the City due to young people moving here. He stated that it is important to build this kind of development to attract young people, and that the City and this Board is going to have to make some tough decisions dealing with these changes.

Ms. Groblewski asked if there has been a capacity and demand assessment done for this type of development.

Mr. Stacer responded that they might not have the data but stated that this application meets the Comprehensive Plan.

MOTION was made by Willie Miller and seconded by Darlene Smith to recommend approval of the Major Site Plan PZ #18-12000015 subject to the 9 conditions of staff. All those voted in favor with the exception of Ms. Moor and Ms. Groblewski; therefore, the motion passed.

I. LAND USE PLAN AMENDMENT

**6. CITY OF POMPANO BEACH/OCEANSIDE LOT
Planning and Zoning No. 19-92000001
Commission District: 1**

Consideration of the LAND USE PLAN AMENDMENT submitted by **JEAN DOLAN** on behalf of the **CITY OF POMPANO BEACH** in order to change the Land Use designation of 4.2 acres from OR (Open Space Recreation) and CF (Community Facilities) to C (Commercial). The 4.2 acres of Open Space would permit a maximum building size of 182,952 square feet. The total site area is approximately 6.2 acres, the portion of property not a part of this request has a Land Use designation of

CF and houses a Library and Fire Station. All parcels are legally defined as follows:

A PORTION OF PARCEL "A", OCEANSIDE FIRE STATION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 179, PAGE 178-179 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 01°03'29" WEST, ALONG THE WEST LINE OF SAID PARCEL "A", ALSO BEING THE EAST RIGHT OF WAY LINE OF NORTH RIVERSIDE DRIVE, 316.38 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST (A RADIAL BEARING FROM SAID POINT BEARS NORTH 89°08'22" EAST); THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 985.42 FEET, A CENTRAL ANGLE OF 10°19'39", AN ARC DISTANCE OF 177.62 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTH (A RADIAL BEARING FROM SAID POINT BEARS SOUTH 28°02'33" EAST); THENCE, DEPARTING SAID WEST LINE, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 29.33 FEET, A CENTRAL ANGLE OF 38°22'56", AN ARC DISTANCE OF 19.65 FEET; THENCE SOUTH 79°39'37" EAST, 24.11 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTH; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 15.67 FEET, A CENTRAL ANGLE OF 11°37'35", AN ARC DISTANCE OF 3.18 FEET; THENCE NORTH 88°42'49" EAST, 119.64 FEET; THENCE NORTH 63°08'56" EAST, 0.88 FEET; THENCE SOUTH 78°05'42" EAST, 69.41 FEET; THENCE SOUTH 09°06'45" WEST, 11.94 FEET; THENCE SOUTH 01°14'34" EAST, 81.58 FEET; THENCE NORTH 88°43'01" EAST, 164.56 FEET; THENCE SOUTH 81°41'59" EAST, 40.51 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL "A", ALSO BEING THE WEST RIGHT OF WAY LINE OF STATE ROAD A-1-A; THENCE ALONG THE EAST LINE OF SAID PARCEL "A" THE FOLLOWING SIX (6) COURSES; (1) SOUTH 09°06'51" WEST, 12.27 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE EAST; (2) ALONG THE ARC OF SAID CURVE LEFT HAVING A RADIUS OF 2904.79 FEET, A CENTRAL ANGLE OF 02°47'15", AN ARC DISTANCE OF 141.32 FEET; (3) NORTH 84°27'44" WEST, 8.00 FEET TO A POINT ON A CURVE

CONCAVE TO THE EAST (A (3) NORTH 84°27'44" WEST, 8.00 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST (A RADIAL BEARING FROM SAID POINT BEARS SOUTH 83°40'24" EAST); (4) ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2912.79 FEET, A CENTRAL ANGLE OF 00°47'13", AN ARC DISTANCE OF 40.00 FEET; (5) SOUTH 84°27'44" EAST, 8.00 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE EAST (A RADIAL BEARING FROM SAID POINT BEARS SOUTH 84°27'44" EAST); (6) ALONG THE ARC OF SAID CURVE TO THE TO THE RIGHT, HAVING A RADIUS OF 2904.79 FEET, A CENTRAL ANGLE OF 00°23'40", AN ARC DISTANCE OF 20.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE ALONG THE SOUTH LINE OF SAID PARCEL "A" THE FOLLOWING FIVE (5) COURSES; (1) SOUTH 89°02'43" WEST, 117.29 FEET; (2) SOUTH 00°53'27" EAST, 116.00 FEET; (3) SOUTH 89°02'43" WEST, 100.00 FEET; (4) SOUTH 01°18'42" EAST, 50.00 FEET; (5) SOUTH 89°02'43" WEST, 145.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 129,931 SQUARE FEET (2.983 ACRES), MORE OR LESS.

AKA: 109 N. Ocean Boulevard

LAND USE: OR (Open Space Recreation) and CF (Community Facilities)

PROPOSED: C (Commercial)

STAFF: Jean Dolan (954) 786-4045

Ms. Anne Marie Groblewski disclosed that she lives very near the subject property but that she will base her vote solely on the information presented in this hearing.

Mr. Keester-O'Mills explained that the proposal is to change the land use designation from a combination of OR (Open Space Recreation) and CF (Community Facilities) to C (Commercial). Retail would be limited to 50,000 square feet (a reduction from what is currently allowed) and total hotel rooms to 300 (an increase in what is currently allowed). The nearby pier property has already been changed to a C (Commercial) designation. There appears to be adequate infrastructure capacity to serve the projected increase in demand. Staff has provided the following alternative motions:

(1) Motion to recommend approval of the proposed Future Land Use Map Amendment as the Board finds the proposed Land Use Map change compatible with the Goals, Objectives and Policies in the Comprehensive Plan.

(2) Motion to table the proposed Future Land Use Map Amendment to allow further analysis of any issues raised by the Board, Staff, Applicant or the general public.

(3) Motion to recommend denial of the proposed Future Land Use Map Amendment as the Board finds it to be incompatible with the Goals, Objectives and Policies in the Comprehensive Plan as provided in the staff report.

Staff recommends alternative motion number (1).

Ms. Jean Dolan explained that she will act as the applicant on behalf of the City of Pompano Beach and provided a presentation regarding the project. She explained that both City and County land use plan amendments are being sought and that a portion of the parcel is proposed to be changed. She clarified that the City is seeking to amend its own land use plan and will also request that the County make a change to its own land use plan and noted that the County must change its land use plan first before the City can make any changes that would entitle more development rights to the parcel. She explained that the City is seeking to build a 750-space parking garage, 50,000 square feet of retail, and 300 hotel rooms. The City is hoping to attract a developer to undertake this project, similar to how the pier project has been undertaken. She stated that the PR land use designation does permit retail development and parking on the property, but that the proposed hotel needs the Commercial land use category to proceed. She stated that the goal is to have a grocery store in addition to a new hotel on the site and noted that the City will seek to work with the County so as to utilize any transportation impact fees within the project itself. She stated that they are intending to have first reader at City Commission in July, submit to the County in August, have County Commission first reading in January, and then both the City and County submittals will jointly go to the State. There will then be a projected second reading at the County in April and then hopefully it will be effective in about one year from now. She explained that the timeline for the developer selection, design, and construction is separate, but that the intention is to have the new garage open by December of 2021.

Ms. Kovac commented that she spoke with a parking attendant who informed her that the current parking garage is nearly full during the weekends, and it is wise to be pursuing this new garage now.

Ms. Moor asked if there will be a community center included in the project.

Mr. Chris Brown, RMA Project Manager, introduced himself to the Board. He responded that it has been removed from general consideration because it is unfunded.

Ms. Groblewski asked if a developer will be required to develop a grocery store and hotel once the land use designation is changed.

Mr. Brown responded that they will need approval from the East CRA Advisory Board and from this Board. He stated that staff is recommending that a grocery store be included, similar to how there used to be a grocery store in the area.

Mr. Stacer added that the developers will include their concepts in their proposals to the City.

Ms. Suzette Sibble, Assistant City Manager, presented herself to the Board. She stated that the City is still in the first step of the project and that they envision a lot of detailed discussions and community input which might result in the project evolving. She added that the proposed venue space within the Fishing Village should be able to provide some community meeting space.

Ms. Moor asked if the current land use designation allows for a grocery store and retail.

Ms. Dolan confirmed that they are.

Ms. Moor expressed concerns with using City property for hotels and that it could be a disincentive to private property owners from developing hotel projects of their own.

Ms. Coleman asked if the RFP included the desire to see a hotel and grocery store for the property.

Ms. Sibble confirmed this.

Mr. Ralph Ayelo (133 N. Pompano Beach Boulevard) presented himself as a nearby resident. He stated that his condo building does not provide adequate parking since it was built in the 60s and so they rely on this surface parking lot. He commented that this lot allows overnight parking and asked if this will be included in any redevelopment.

Mr. Brown responded that the existing 279 surface spaces will be replaced with the garage. He stated that there are currently two types of residential parking permits, one that allows overnight parking and one that is only for daytime, and that this might be ended or modified. He stated that there is another style of parking that permits monthly parking, and that this will be continued.

Mr. Ayelo asked if there will still be 279 garage spaces available for this program or if this number will be reduced.

Mr. Brown responded that the City leases 123 spaces to the Sands Hotel which would probably continue in the garage. There are another 50 to 75 spaces rented to the public on a monthly basis that would still be honored.

Ms. Madison Ayelo (133 N. Pompano Beach Boulevard) presented herself as a nearby resident. She asked if this new parking garage will also be run by Denison Parking.

Ms. Sibble responded that the management would be subject to discussion with the future developer of the site.

Ms. Ayelo commented that many people in the area use this parking lot since their buildings does not provide enough parking. She stated that the cost is only \$50 a month

for the surface lot, but the cost is \$150 a month in the new garage. She expressed concern that the increased cost of parking will not be affordable to many residents.

Ms. Sibble responded that the City contracts with Denison to manage the existing garage and that the price is higher because it is a high-demand area. She stated that they are aware that many residents like to purchase these monthly passes and that they will be mindful of this as the project moves forward. She commented that much of the parking fees go to pay off the cost of the infrastructure since it is so new, but that they are committed to pursuing allowances for residents once things are stable enough.

Ms. Ayelo asked how the City specifically would work with residents.

Ms. Sibble responded that any changes to the parking ordinance would require hearings at the City Commission. She stated that potentially as more visitors come to the City, this could shift some of the cost burden away from residents.

Ms. Ayelo commented that the date on the public notice had a typo.

Ms. Dolan acknowledged that the notice said 2017 instead of 2019, but that people understood that it was a typo.

Mr. Saunders confirmed that the mailed notice should be considered valid even though there was a typo because there are other factors that would lead one to understand that the meeting date is in 2019 and not 2017.

Mr. Miller asked if this is the only hotel being proposed for the area.

Ms. Dolan responded that there is a Hilton hotel under construction next to the parking garage.

MOTION was made by Joan Kovac and seconded by Carla Coleman to recommend approval of the Land Use Plan Amendment PZ #19-92000001. All those voted in favor with the exception of Molly Moor; therefore the motion passed.

H. OTHER BUSINESS

7. Self-Storage Report

Mr. Daniel Keester-O'Mills explained that the City's contractor that has been researching this topic is located in Colorado and will be joining this discussion via phone.

Ms. Jo Beth White (via phone call) presented herself to the Board. She stated that the self-storage industry is very fluid and stated that the industry generally defines markets not by city but by 1-3 mile radius. She commented that it's difficult to assess the tax impact of these facilities and whether they are the highest and best use of land. She stated that there are a large number of these facilities coming online, but noted that they rarely sit vacant for long if they do fail as other operators tend to cannibalize each other. The

largest failure comes with a glut in supply which brings lower rates, even though users do enjoy better prices.

Ms. Keester-O'Mills provided a PowerPoint overview of the information included in the submitted report. He stated that the nationwide number of self-storage facilities in 2008 was about 45,000, averaging out to about 5.4 square feet per capita. There were approximately 2,600 in the state of Florida, averaging out to 6.29 square feet per capita and there are currently 28 facilities in the city of Pompano Beach averaging out to 20.9 square feet per capita. The reasons for people using these facilities range from not having enough storage area in their homes or offices. The analysis shows that the typical traits of users are that they are single adult renters with a median age of 34 and an income of less than \$50,000 per year. By comparison, Pompano Beach has 40% renters with a median age of 42. The analysis also shows that warehousing as a whole is also a low job creator. Therefore, the recommendation is for a moratorium on new facilities or to amend the zoning code to only allow in certain zones to require distance separation from existing facilities, and to limit the size and height of facilities. One option is to make this a Special Exception use, as currently the code allows self-storage by right within B-4, I-1, I-1X, O-IP and PCD districts. He provided the Board with possible recommendations:

1. Accept the findings of the report and recommend to the City Commission that the City enter into a moratorium, and direct staff to amend the permitted uses for self-storage as permitted by Special Exception in B-4, I-1 and O-IP. Continue to keep it as a permitted use by right, in the I-1X zoning district, but adding use-specific standards to address active ground level uses.
2. Accept the findings of this report and recommend to the City Commission that staff evaluate the appropriate distance separation to impose on self-storage facilities.
3. Accept the findings of this report, but take no action as the findings suggest that the market in Pompano Beach is oversaturated and will not be viable for businesses to construct additional self-storage facilities.

Staff recommends motion #1, above.

Ms. Smith commented that she lives in a condo and has a storage unit. She stated that there are a lot of condos which might lead to these statistics. She asked if their capacity is known.

Ms. White responded that the information she gathered was that the capacity is between 90% to 97% occupied. She commented that the rates drop when there is an oversupply of facilities, and commented that condo dwellers and renters do use self-storage a lot.

Mr. Keester-O'Mills reminded the Board that there are 5 new projects that are either approved or currently under review.

Mr. Miller commented that he has a self-storage unit himself and stated that it might be taken into consideration that Florida is a condo state.

Ms. White suggested that it would make sense to restrict the zoning districts where these facilities are permitted but stated that she doesn't necessarily support a moratorium since the movement of renters will create absorption of storage.

Ms. Coleman commented that she also has a storage unit. She stated that the numbers don't lie and that the City has recently seen a very large number of approved and pending self-storage facilities. She noted that the report shows that all of Broward County appear to be over-built, and stated that she would support a moratorium since this land could be used for better purposes.

Ms. Kovac stated that she would also support a moratorium, and expressed her concern that this use does not create many jobs. She stated that the City should also impose higher design standards for these facilities.

Mr. Stacer commented that it is important to him that the City sees development that creates employment. He agreed with Ms. Coleman concerning the statistics and how much more Pompano has compared with national averages. He stated that it seems that the city is supporting other communities' storage needs.

Ms. White commented that the old zoning code may have been more lax than that of other cities which could be the reason why there are so many more storage units in Pompano.

Mr. Stacer stated that Pompano Beach has a much higher amount of industrially zoned land than other local cities. He stated that he would like to see the analysis from an economic standpoint if the City is using too much industrial land for self-storage, since this has a direct impact on keeping the ad valorem tax low.

Mr. Miller stated that he agrees with Ms. Coleman concerning a moratorium.

Ms. White commented that there are things the City could require for the ground floor in order to create more active uses.

Ms. Coleman suggested adopting alternative motion I, potentially for two years, so that the aspects that have been discussed can be more fully investigated.

Mr. Miller asked if this will affect the current applications in the pipeline moving forward.

Ms. Coleman responded that it would not.

Mr. Stacer stated that he believes that two years would be too long of a timeframe.

Mr. Saunders cautioned the Board that the rationale for a moratorium would need to be based on the study and that a two year timeframe might be difficult to justify.

Ms. Kovac asked if a time limit is required.

Mr. Saunders responded that it would be.

Mr. Stacer reiterated that the City has to have a clear nexus if it wants to amend permitted uses in the zoning code.

Mr. Keester-O'Mills stated that there would be an opportunity for the Board to declare zoning in progress should a text amendment be prepared.

Ms. Josephine Hart (101 Plaza Real South, Boca Raton) presented herself to the Board and stated that she is a client of the consultant. She stated that she has been involved in the self-storage industry as an owner, developer and a consultant and wanted to clarify some of the points that have been discussed tonight as she thinks they have been oversimplified. She stated that new facilities all tend to be climate controlled and pointed out that women tend to make the decision to use self-storage and want to be able to use facilities that are safe and secure. She stated that she is involved in a pending storage facility in the City that will have a mix of uses and will be well landscaped. She recommends sending the study back to staff for further review.

Ms. Smith agreed with the safety concerns discussed.

Ms. Coleman stated that she still thinks that there has been severe overbuilding within the City and that this needs to be dealt with in some way.

Mr. Stacer stated that the time frame is important and wants a comparison with other cities. He reiterated that there needs to be a clear nexus established but also commented that he doesn't like taking away property rights from land owners.

Ms. Coleman says she is comfortable not taking away any property rights while working through a decision with this use.

Mr. Stacer asked if this can be figured out in a year or less.

Mr. Keester-O'Mills says that staff can provide the requested information over the next few months.

Mr. Groblewski agreed that analyzing the amount by the type of land use would be valuable.

Mr. Keester-O'Mills responded that he doesn't think that comparing the amount of self-storage to the overall amount of industrial land in the City won't show such a large amount.

Ms. Gomez stated that it does seem clear that there is a very large amount of self-storage in the City. She explained that a Special Exception approval allows staff to look at neighborhood needs and to examine each application individually. She suggested focusing on what regulations the City might want to put in place. Either the Board could propose an immediate moratorium or staff could come back with additional information without having imposed a moratorium.

Ms. Coleman suggested imposing a one year moratorium because there is a lot of data but still additional questions that need to be answered.

MOTION by Carla Coleman and second by Molly Moor to accept the findings of the report and recommend to the City Commission that the City enter into a moratorium on new self-storage approvals for a period not to exceed one year while staff present additional information, including but not limited to the categories where present and planned facilities exist, how the use relates to the industrially zoned property in the City, and to consider possible amendments to the Code. All voted in favor.

8. Amendments to Comprehensive Plan Intensity Policy 01.07.20

MOTION by Carla Coleman and second Fred Stacer to hear agenda Item 8 out of order. All voted in favor.

Ms. Jean Dolan, Principal Planner, presented herself to the Board and explained that the proposed change would change intensity standards for non-residential land uses categories. The proposed changes include modifications to the height limits for the Local and Regional Activity Centers due to proposed redevelopments to the Isle Casino and to John Knox Village. The new height limits would be determined by the zoning.

Ms. Coleman asked if this policy change would encourage others to do land use plan amendments to ask for the RAC or LAC land use categories.

Ms. Dolan responded in the negative because a land use plan amendment is very expensive and can take up to 18 months.

Ms. Moor asked if this will apply to the property in agenda item #6.

Ms. Dolan responded that it will not because that item's property has a commercial land use designation which will not be changed.

Mr. Stacer asked if anyone in the audience wished to speak.

MOTION was made by Darlene Smith and seconded by Joan Kovac to recommend approval to amend the Comprehensive Plan Intensity Policy 01.07.20. All voted in favor of the motion.

9. Chapter 155, Appendix C, Fee Schedule Amendment

MOTION by Carla Coleman and second Darlene Smith to hear agenda Item 9 out of order. All voted in favor.

Ms. Dolan explained that this proposed amendment would codify the current practice of using outside assistance to assist staff with workload.

Ms. Coleman asked how the City chooses contractors so as to avoid conflicts of interest.

Ms. Gomez responded that the majority of these contracts have been with Calvin Giordano and that advanced discussions were had before each case to avoid conflicts of interest or even the appearance of conflicts. The City has other existing contracts with engineering firms that can be engaged if needed.

Ms. Coleman asked if staff would oppose putting something in writing to avoid conflicts of interest.

Ms. Gomez responded that such language would have to be reviewed closely to avoid any unintended consequences, but that staff is certainly concerned with avoiding conflicts of interest. She stated that they will explore this comment further.

Mr. Stacer asked if anyone from the audience wished to speak. There were none

MOTION was made by Carla Coleman and seconded by Ann Marie Groblewski to recommend approval of the proposed amendments to Chapter 155: Fee Schedule. All voted in favor of the motion.

I. AUDIENCE TO BE HEARD

There was no one in the audience who wished to speak.

J. BOARD MEMBERS DISCUSSION

Ms. Kovac commented that it is an exciting time to be in Pompano Beach with all of the development taking place currently.

Mr. Stacer commented on the large amount of building permit activity and that the next month's meeting will be even longer than this meeting due to several large projects that will be on the agenda.

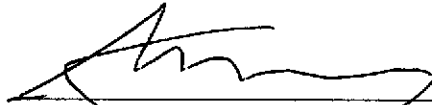
K. REPORTS BY STAFF

10. Comprehensive Plan – Future Land Use Element: Monthly Reporting Requirement

Ms. Gomez informed the Board that there is a community workshop scheduled for the Comprehensive Plan update on June 29th at the Larkins Center.

L. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 11:36 p.m.

A handwritten signature in black ink, appearing to read 'Fred Stacer', is written over a horizontal line.

Fred Stacer, Chair
Planning and Zoning Board