

ADMINISTRATIVE MEMORANDUM NO. 19-310

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Max Wemyss, Planner
SUBJECT: 117 S. Riverside Drive Rezoning Request
P&Z #18-13000003 / October 23, 2019 P&Z Meeting
DATE: October 8, 2019

APPLICANT'S REQUEST

The Applicant, Karam Family, LLC and Royal Quality Homes of Florida, is requesting to rezone the subject property located on the west side of S. Riverside Drive abutting the Intracoastal Waterway, north of SE 2nd Street from RS-2 (Single-Family Residence 2) to RM-45 (Multiple-Family Residence 45). The site is currently developed with a 3-unit multifamily building. The subject property is 0.207 net acres. The gross acreage of the property is approximately 0.241 acres. It is located within the City's Atlantic Boulevard Overlay District and has a land use designation of Residential High (H – 46 dwelling units/acre). The Applicant is proposing to develop 7 townhomes on the subject parcel combined with the parcel to the north. The Comprehensive Plan Land Use Plan designation for this property allows for 11 residential units. This rezoning request was reviewed by the Development Review Committee (DRC) on October 3, 2018.

This property will be subject to flooding as sea level rises. New construction in this area should consider increasing finished floor elevations over the minimums required in the building code to reduce flood insurance premiums and avoid future flood damages.

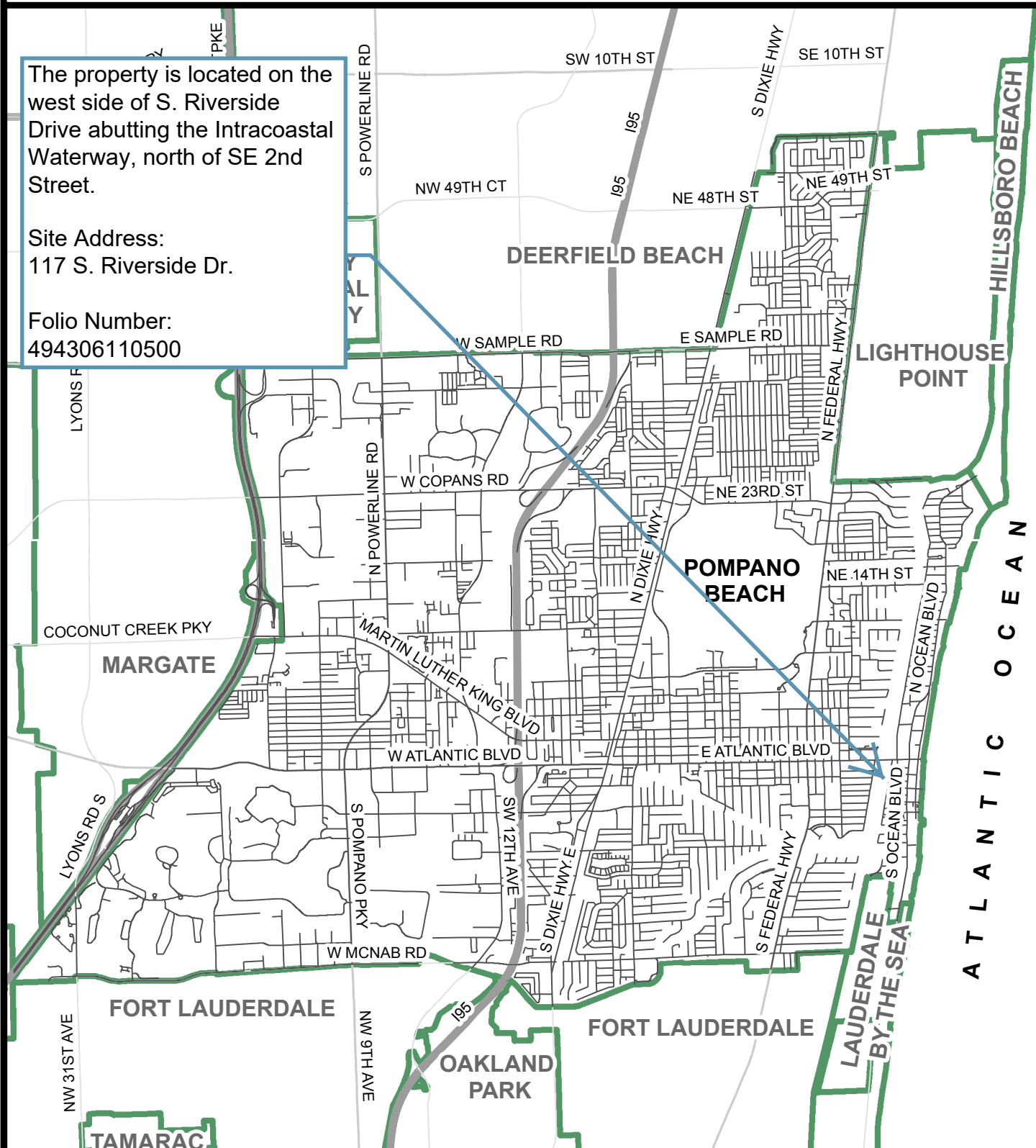
CITY OF POMPANO BEACH LOCATION MAP



The property is located on the west side of S. Riverside Drive abutting the Intracoastal Waterway, north of SE 2nd Street.

Site Address:
117 S. Riverside Dr.

Folio Number:
494306110500



1 in = 1 miles

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CITY OF POMPANO BEACH
AERIAL MAP

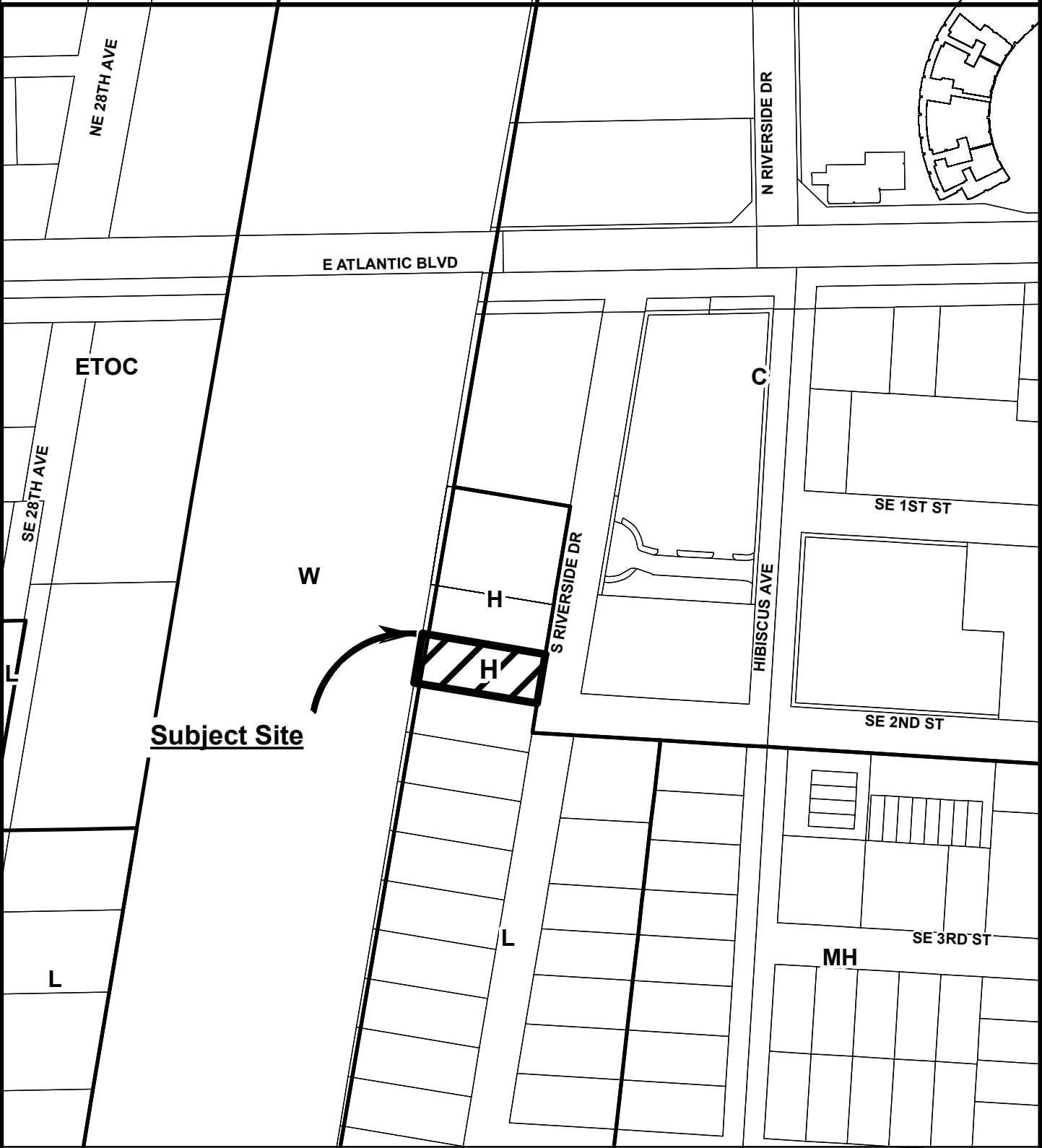


Subject Site

1 in = 167 ft

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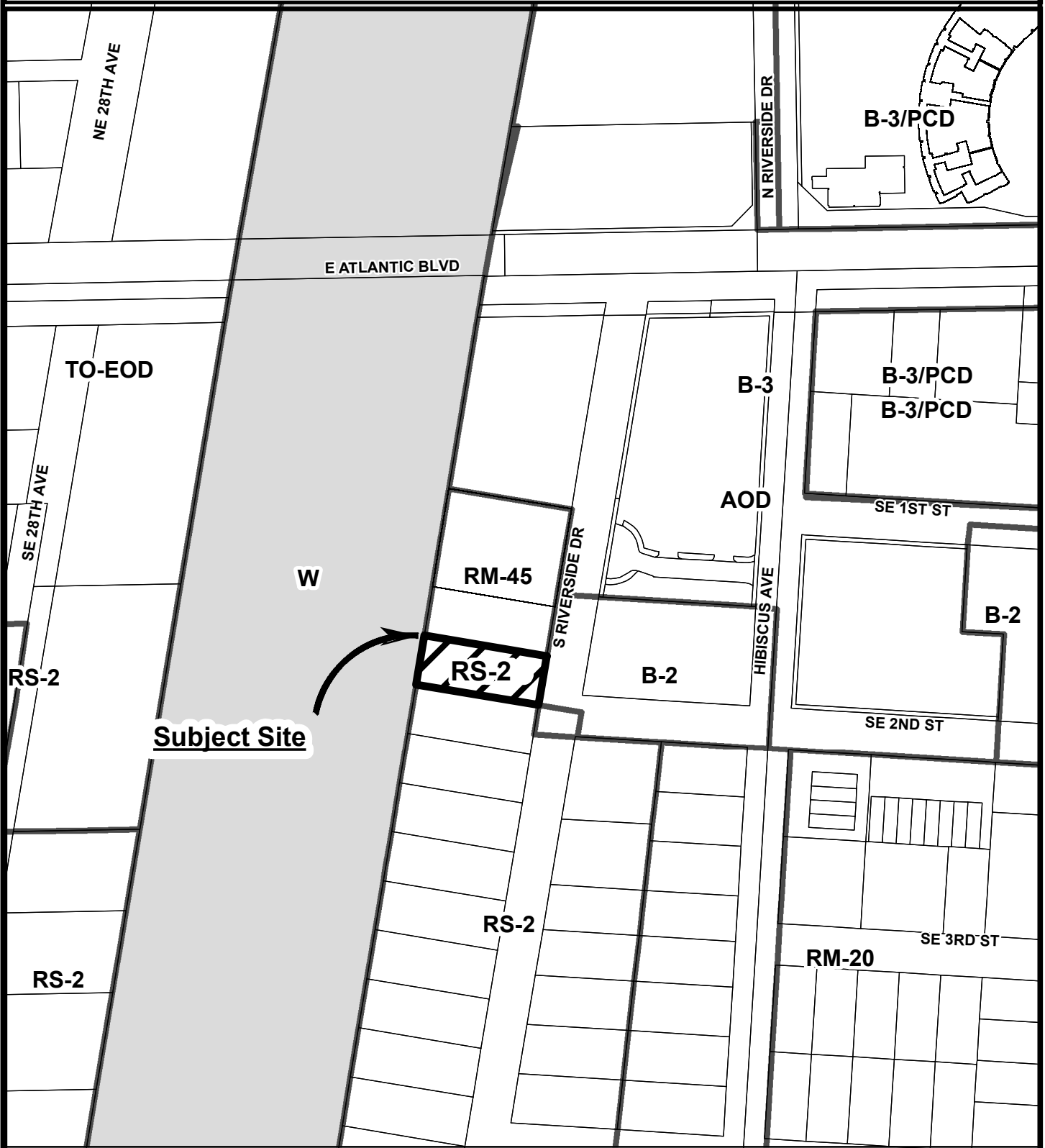
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 167 ft

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



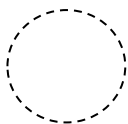
1 in = 167 ft

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LEGEND

FOR LAND USE PLAN

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



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

*	Existing
>	Proposed

FOR ZONING MAP

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

SITE-SPECIFIC ZONING MAP AMENDMENT (REZONING) REVIEW STANDARDS

In determining whether to adopt or deny a proposed Zoning Map Amendment, the City shall weigh the relevance of information submitted by the applicant and consider the extent to which the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives and policies of the Comprehensive Plan. Accordingly, the review criteria for a Site Specific Rezoning Application is as follows:

Section 155.2404.C, Site-Specific Zoning Map Amendment Review Standards

1. The applicant has provided, as part of the record of the public hearing on the application, competent substantial evidence that the proposed amendment:
 - a. Is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

A. The following policies of the City's Comprehensive Plan Land Use Element have been identified as pertinent to this rezoning:

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

Policy 01.03.02 Require residential densities of zoning districts to be consistent with the densities on the Future Land Use Map.

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

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

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

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

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

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

1. The rezoning was reviewed by the DRC on October 3, 2018.
2. The property is located on the west side of S. Riverside Drive abutting the Intracoastal Waterway, north of SE 2nd Street.

3. The subject property to be rezoned is approximately 0.207 net acres.
4. The property is platted.
5. The property owner will execute a unity of title for Lots 6 and 7 of the Pompano Beach Park Plat prior to the submission for any building permit.
6. The existing zoning and uses of adjacent properties are as follows:

Direction	Zoning/ Land Use Designation	Use
North	RM-45 / H	Single-Family Home (part of proposed redevelopment)
East	B-2 / C	Multi-Family (22 Units)
South	RS-2 / L	Vacant Property
West	W	Intracoastal Waterway

7. The Land Use Designation is High (H) Residential.

C. Analysis

In the review criteria it states that the applicant must provide competent substantial evidence that the proposed amendment is consistent with the Future Land Use Category and any applicable goals, objectives, and policies of the comprehensive plan and all other applicable city-adopted plans.

There are one goal and five policies of the Future Land Use Element listed in Section 'A' of this report as being relevant in the consideration of this rezoning request. The goal promotes attractive and thoughtful development. This goal is to be implemented through the five policies that require: rezonings consistent with the land use plan; minimal negative impacts to existing residential and compatibility with adjacent properties; intensity compatibility with both adjacent properties and Land Use Designations; and the orderly transition of varying uses.

As noted in the letter from Lochrie & Chakas dated August 21, 2019, the property is the only parcel located within the Atlantic Boulevard Overlay District (AOD) that has a single-family zoning designation. The AOD encourages moderate- to high-intensity, compact, mixed-use, and pedestrian-oriented development and redevelopment that improves walkability within the district, provides a critical mass of housing within walking distance of the commercial core, and provides convenient access to transit routes and facilities. Auto-oriented uses, such as single-family development, are discouraged.

The developer has initiated the process of site plan approval for seven (7) townhouse units located on the subject property and the parcel to the north, which is already zoned RM-45. Because the subject property is located just north of existing single-family residential development, any new multi-family residential development must fully comply with residential compatibility standards in Zoning Code section §155.5604. Additionally, a Type A perimeter buffer is required between new multi-family and land zoned RS-2 which is intended to function as an intermittent visual obstruction from the ground to a height of at least 20 feet, and creates the impression of spatial separation without eliminating visual contact between uses.

It is Staff's opinion that this rezoning request would result in a zoning designation that is consistent with the City's comprehensive plan, the County's comprehensive plan, and the proposed project. The RM-45 rezoning would be compatible with the properties immediately adjacent to the subject property. The townhouse development proposed as a result of this rezoning would be an effective transition between the RS-2 single-family properties to the south and the AOD mixed-use development to the north and east of the subject property. Staff is therefore of the opinion that there is a reasonable basis to support this request.

Department Recommendation

Given the information provided to the Board, as the finder of fact, the Development Services Department provides the following recommendation, and alternative motions, which may be revised or modified at the Board's discretion.

Alternative Motion I

Recommend approval of the rezoning request as the Board finds the rezoning application is consistent with the aforementioned pertinent Future Land Use goals and policies.

Alternative Motion II

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

Alternative Motion III

Recommend denial as the Board finds that the request is not consistent with the Future Land Use Goals and Policies listed in Section 'A' of this report.

Staff recommends alternative motion number I.