

# Exhibit B: PD Document + Master Plan



## HIDDEN HARBOUR

APPLICATION FOR PLANNED DEVELOPMENT (PD-1)

JANUARY 6TH, 2020



HIDDEN HARBOUR, POMPANO BEACH, FL.

JANUARY 6TH, 2020

PREPARED FOR:

**CITY OF POMPANO BEACH**

SUBMITTED BY:

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# INTRODUCTION

## PURPOSE AND INTENT

The Hidden Harbour assemblage that forms the Planned Development (“PD”) site offers a unique opportunity to link together new residential development with historically important water-serving uses along one of the City’s most important corridors. The instant application implements the vision approved through the “Transformation Plan” portion of the City’s Transportation Corridor Study completed over the last several years.

**Relevant Development History:** The property was most recently rezoned through Ordinance 2009-29, which re-applied a Planned Commercial/Industrial Overlay (PCD) to the land. The 2009 Ordinance also re-approved a Master Plan for the development. The planned development consists of two major components: (1) a marina/boat yard/boat storage use east of NE 23 Avenue; and (2) approved retail uses along Federal Highway.

The marine portions of the development east of NE 23 Avenue have been developed. However, it has become clear to the applicant that the retail elements along Federal Highway are not the best use for the site.

Over the last several years, the City has been engaged in a detailed study of the City’s major transportation corridors, including Federal Highway. One of the concerns recognized in the study was the abundance of older commercial centers along Federal Highway, many of which are suffering from lower occupancy and fail to provide a sufficient transition from the roadway to the residential uses to the east.

Among the strategies listed in the “Transformation Plan” portion of the City’s Corridor Study is the encouragement of mixed-use development, especially in the area known as the “Hub,” located around NE 15 Street. The Study recognizes that this area is a prime location for mixed-use development that takes advantage of existing marine uses.

The instant application is directly supportive of the City’s policy reflected in the Transformation Plan.

## PROJECT SIZE AND LOCATION

The Hidden Harbour PD is 6.90 net acres and is located generally south of NE 16 Street and east of Federal Highway.

## FUTURE LAND USE AND ZONING

The Hidden Harbour PD is designated “Mixed-Use High (MUR 50)” and is currently zoned PCD-3.

# GENERAL STANDARDS FOR PLANNED DEVELOPMENT

## (PD) PLAN

### 1. PLANNING OBJECTIVE

The Hidden Harbour PD is consistent with the goals of the PD-I district in that it proposes a high-quality, mixed-use development on a relatively small site. Its use limitations and development standards will ensure that the infill development is compatible with both surrounding existing developments.

### 2. GENERAL DEVELOPMENT AREAS

The Hidden Harbour PD will be a single development area, subject to the following agreed-to restrictions:

1. The area east of NE 23 Avenue and south of the waterway will be limited to non-residential marina uses.
2. The area north of NE 16 Street will be limited to a parking lot or a private park, and shall be open to the public.
3. The remainder of the PD will be eligible for mixed use development.

TABLE I	
Land Use/Density Table	
Area 1	Marina Use (including boat storage, boat repair, and slips): 75,000 square feet and 15 wet slips
Area 2	Private Park (Open to Public) / Parking Lot
Area 3	Multi-Family Residential: 323 units  Commercial Development (including, but not limited to, boat sales, offices, showrooms, and related uses): 510,000 square feet

### 3. TYPES AND MIX OF USES

The type and mix of uses, number of residential units (by use type), nonresidential floor area (by use type), and density are depicted on **Exhibit E1: PD Master Plan** and below.

TABLE II	
Type and Mix of Uses	
Residential	Up to 323 Units Max.
Commercial	Minimum of 65,000 square feet, including a minimum of 10,000 square feet of commercial uses vertically integrated in a mixed-use building fronting on Federal Highway
Total Floor Area	Maximum of 650,000 square feet

### 4. OPEN SPACE

The PD plan proposes both active and passive open space. Active open space will include the waterfront promenade and other pedestrian areas throughout the PD. Passive open space will include buffering landscape designed to allow for a transition between publicly-accessible areas and private areas, perimeter landscape buffers and the potential park area which shall be open to the public.

### 5. NATURAL FEATURES

The PD site is urban in character, with the only natural feature of any consequence being the waterway (Caliban Canal) that divides the site north to south on the east side of NE 23 Avenue. The PD plan has been designed to encourage public pedestrian access to the waterway, both along NE 23 Avenue and along the north side of the waterway.

### 6. ACCESS, TRANSPORTATION, AND CIRCULATION

Vehicular access to the site will be from Federal Highway, NE 23 Avenue, and NE 16 Street. All parking (save some on-street spaces) for the mixed-use development will be centralized in a structure on the southern end of the site. A deceleration lane has been provided along Federal Highway for Northbound traffic turning into a private driveway. The marina parking will be located, as it does now, around the existing commercial uses building.

A drop off is provided off of NW 16th Street to provide for optional valet, Uber, Lyft or the like as a drop off and pick up area for residents living in this building. Sufficient queuing area as well as bypass space shall be provided to meet the intended use of this drop off area. At time of site plan approval, the project shall demonstrate the compliance through a queuing analysis performed by a traffic engineer. In addition, the drop off can also be used to access loading area for trash pickup and tenant move in-out onsite during off peak hours. Pre-determined times shall be established at time of site plan approval.



Loading and trash have been centrally located, as far away as possible from nearby residential uses.

The Applicant will coordinate the provision of transit amenities with Broward County Transit and has agreed to provide a water taxi stop on the site, subject to City approval.

## **7. POTABLE WATER AND WASTEWATER**

The project will be served by City of Pompano Beach existing 8" water main located within NE 23rd Avenue adjacent to the project location. Additionally an existing 12" water main is available for connection along Federal Highway adjacent to the project.

A City of Pompano Beach existing 18" gravity sewer service is available within the NE 23rd Avenue right of way adjacent to the project for wastewater connection. The location of proposed on-site potable water and wastewater will be identified on subsequent water and sewer plans.

## **8. STORMWATER MANAGEMENT**

The City of Pompano Beach is not located in a drainage or flood control district. The project will have on-site storm drainage. This may include underground piping, exfiltration trenches, catch basins, discharge wells. The existing local streets may have existing storm drainage maintained by the City. All improvements required to meet the adopted level of service will be installed by the applicant in conjunction with new development. Development within the project site will be required to meet the drainage standards of the City of Pompano Beach, Broward County Department of Planning and Environmental Protection, and the South Florida Water Management District. The amendment site will meet the adopted level of service for development within the site.

## **9. ON-SITE PUBLIC FACILITIES**

The Applicant has proposed to provide transit amenities and a potential public park space to the County and City respectively.

## **10. SUSTAINABLE DESIGN**

As a means of addressing the constant and rapid challenging change in global climate, we focused on many sustainable design components of the proposed project with a prime purpose to ensure a high quality of life for future city residents, protect natural resources, and promote sustainable development practices.

The main objective of the proposed site and building design configurations is to stimulate a vital landscape, support public health and safety, increase the development's sustainability and ultimately reducing the negative impact on the environment and boost the health and comfort of the development's end users.

In accordance with Section 155.5802 –Table 155.5802: Sustainable Development options and Points – Many Points will be achieved for the proposed development by implementing main key Green Design features.

As per 155.5802.a.3: Minimum required points=12 points  
Minimum applied/ implemented= 18 points as follows:

• Efficient Cooling: All air conditioners are Energy Star qualified.	Points =2
• Hurricane Resistant Structures: The principal building is constructed to meet increased wind loads - 150 mph load minimum.	Points =4
• Infill or Mixed Use Development: The development constitutes infill development and/or mixed use development: The development constitutes infill development and/or mixed use development.	Points =4
• Overhangs: Overhangs are present on all south windows for energy efficiency purposes.	Points =2
• Parking Structure: At least 75 percent of the development's total number of required off-street parking spaces is contained in a parking deck or garage.	Points =2
• Parking Structure, Green: At least 75 percent of the development's total number of required off-street parking spaces is contained in a parking deck or garage and at least 15 percent of the total surface area of the top of the parking structure is a green roof. Partial points should be granted.	Points =2
• Permeable Sidewalk Surfaces: Permeable or natural surfacing materials are used for all sidewalks.	Points =2
• <u>White Roof: All roof surfaces are painted white.</u>	Points =2

**TOTAL POINTS = 18**

In addition, the project shall feasibly incorporate elements in the below listed "Green building" Practices as well as sustainable design features and materials that would satisfy LEED, FGBC, NAHB rating criteria:

- Public Transportation access
- SEER 16 AC equipment or better
- ENERGY STAR rated appliances
- ENERGY STAR rated exhaust fans
- CO2 detectors in each unit
- Use non-HDFC refrigerants
- Exterior lighting to be ENERGY STAR rated or LED fixtures
- Exterior light fixtures to be Dark Sky compliant
- Interior Lighting fixtures to be ENERGY STAR rated or fitted with fluorescent bulbs with the ENERGY STAR label or LED fixtures
- ENERGY STAR Qualified ceiling fans
- Low-Flow toilets, bathtubs/ showers and faucets
- No unvented combustion appliances
- Low VOC paint, adhesives and sealants
- Green Label Plus flooring where feasible
- Drought tolerant as well as native plant material
- Roof framing at 24" O.C. or greater
- All drop soffits and Fascias to be framed with light gage framing at greater than 16" O.C.
- Using post-consumer recycled content or post-industrial recycled content where possible

*Note: The development does not intend to seek a certification but shall incorporate sustainable design principles.*

## 11. ENVIRONMENTAL & POLLUTION CONTROL

1. Contractor shall adhere to of the national pollution discharge elimination system (npdes) requirements. The contractor shall institute best management practices (bmps) to ensure compliance with the npdes program and to minimize the impact to public stormwater facilities. A notice of intent (noi) shall be filed prior to start construction activities.
2. Prior to demolition activities, contractor shall install pollution prevention control devices (i.e., Silt barriers, sediment basins, turbidity barriers around stormwater outfalls on the waterside of lakes, ponds, canals, or waterways, silt screens, etc. According to the approved swppp and as recommended by the florida department of environmental protection (dep) latest guidelines and permitting requirements.
3. Prior to demolition activities, a silt fence in accordance with the approved swppp details and latest dep standards shall be erected around the site property lines. All public inlets surrounding the site shall be protected by the installation of filter fabric into the frame and grate or other approved bmps to protect against storm runoff.
4. Pollution control installations, as approved and shown in the swppp, shall be maintained throughout demolition and construction periods until the project has been completed and approved by city engineering inspector or project engineer.
5. Contractor shall inspect the pollution control devices daily for signs of malfunction, failure, or needed repairs, and shall make remedial actions immediately upon discovery.
6. Existing stormwater inlets, catch basins, or manholes, onsite and offsite, shall be protected from sediment storm runoff from the proposed demolitions and construction activities.
7. Contractor shall immediately remove all mud, dirt, or other materials tracked or spilled onto existing roads and facilities due to demolition or construction activities from the proposed development.
8. In order to minimize the amount of sediments, mud, and dust transported onto public roadways by the construction vehicles or runoff, the contractor shall install stabilized temporary construction entrance(s) from the construction site as recommended by fdep. Each temporal construction entrance is a stabilized 6 inch thick layer of 2 to 3 inch course aggregate stone, 12" minimum width, and length to accommodate a minimum of one trucking vehicle.
  - I. The entrance shall be maintained periodically as conditions demand in a condition that will prevent tracking or flowing of sediments onto public rights-of-way. Sediment shall be trapped in cleanout areas and properly handled as onsite debris per applicable state regulations.
  - I. When necessary, vehicle wheels shall be cleaned prior to entrance onto public right-of-way.
  - III. All materials spilled, dropped, washed or tracked from vehicles onto roadways or into public storm drains must be removed by the contractor immediately.
  - IV. Trucks shall not 'cut corners' where the construction exit meets the roadways.
  - V. Sweeping of public roadways shall be done periodically as condition demand.
9. Dust generated from construction shall be minimized by daily watering of the site.
10. Contractor shall provide an erosion and sedimentation control inspector to inspect all points of discharge into nearby waterbodies to record the condition of discharge points, integrity of silt fence and pollution control devices, dust control measures, vehicular traffic and construction material storage and disposal. Written record of all inspections shall be stored by the contractor during demolition and construction periods and shall be submitted to city inspectors upon request. The inspection report shall include at a minimum the following information:
  - I. Name of inspector and his/her qualifications in erosion and sedimentation control
  - II. Date of the inspection

- 
- III. Rainfall rate
  - IV. Observations about the swpp
  - V. Actions taken by contractor for all incidents of noncompliance with permit(s)
  - VI. Certification that the facility is in compliance with the swpp and permit(s)

## CONSISTENCY WITH CITY PLANS

As noted above, the conducted a “Corridor Study” reviewing all of the City’s major corridors. Among the transformation strategies listed in the Corridor Study is the encouragement of mixed-use development, especially in the area known as the “Hub,” located around NE 15 Street. The Study recognizes that this area is a prime location for mixed-use development that takes advantage of existing marine uses. The instant application is directly supportive of the City’s policy.

The PD Plan is also consistent with the density, intensity, use, and design requirements of the County’s “Pompano Beach Hidden Harbour Activity Center” and the City’s Mixed-High (MUR-50) Comprehensive Plan Designations.

## COMPATIBILITY WITH SURROUNDING AREAS

The proposed development will exist in harmony with the surrounding sites while establishing its own identity and creating a sense of anchor for the area.

The unique site’s exposure to Caliban Canal to the South/ East, the Golf Course to the West and the Promenade to the North East provides valuable opportunities for establishing various visual and social connections including: Aqua – Marina/Canal-water, tranquil lush-Green Golf Course, urban Multi Family core with Marina Retail & Restaurant/ Café accents and a Pedestrian Promenade at the North East.

The subject site is designed to highlight and use these diverse social & visual points while balancing a compatibility of landscape, form, height, massing, scale, material, building design and context with the surrounding areas to enrich the future residents and City visitors experience and create a feel of a community with a main Hub.

The subject site is being developed in a manner that recognizes the desirability of increasing the residential use in the area in a manner that respects the existing landscape and building fabric while developing new appropriate typologies connecting/ transitioning the existing commercial centers along N. Federal Highway to the East residential sites.

Fronting N.E. 16th Street just East of NE 23rd Avenue, the mainly residential component of the subject site mirror the existing low rise adjacent property heights through a series of proposed height differences that step back the building from the Eastern most property line. The building “step back” begins with a three (3) story section on the Easternmost portion of the site, steps up to six (6) stories at no closer than 50’ from the East property line, an addition step back up to eight (8) stories at no closer than seventy-five (75’) from the East property line, which connects to the main hub of the development which then rises to a height of nine (9) stories no closer than 195’ from the East property line. This step in massing and scale responds to not only the compatibility of the surrounding area but places the bulk of the development along Federal Highway in a separate building on the West side of N.E. 23rd Avenue. This building placement achieves to create a more urban connection along this corridor while maximizing view corridors and visual exposures to both the Caliban canal to the East and the existing golf course to the West. The final portion of the mixed-use development along Federal highway connects to a nine (9) story parking garage that provides rooftop amenities for the residential portion of the development.

The amenity area will feature and shall not be limited to a recreational pool, amenity deck and lounge areas for residents of the development.

The subject site is carefully planned with intended vertical variation to respect the various existing heights of adjacent residential and commercial uses and promote an environment of complementary mixed uses while ensuring that the intended residential use of the subject site is not adversely impacted.

The PD Site is also uniquely located where a mixed-use development can be compatible with surrounding uses on the corridor. The currently undeveloped portions of the property are largely located against Federal Highway and are buffered from lower density residential uses by the existing marine uses and NE 23 Avenue. The portions of the PD Plan that are closer to smaller multi-family and single-family uses have been limited by both design and use to reduce impact on these areas.

As part of the Land Use Plan Amendment Process (City Application 15-91000001), the Applicant agreed to the following Design Guidelines. These Guidelines have been implemented in the PD plan. The Guidelines are as follows:

1. Buildings will have minimal setbacks and directly address surrounding streets in order to delineate streetwalls.
2. All new buildings abutting Federal Highway will have their primary frontage on that right of way and will include elements to create an interesting experience for pedestrian activity, including transparent glazing, architectural features or both on the first floor of a building fronting toward the street, wider sidewalks, and street furniture.
3. Buildings shall be designed and oriented to encourage pedestrian activity along Federal Highway and NE 23 Avenue.
4. At least 10,000 square feet of commercial use will be vertically integrated with multi-family uses for the portion of the Amendment Site fronting on Federal Highway
5. Pedestrian access points shall be provided across NE 15 Street, NE 16 Street, and NE 23 Avenue in a manner to encourage access to and from the development. Subject to the appropriate governmental approvals, the Applicant will integrate traffic calming solutions on NE 23 Avenue.
6. One or more physical or visual connections between Federal Highway and the waterway will be provided.
7. Short term and long-term bicycle parking will be provided.
8. Dumpsters and loading areas shall be located away from existing residential property to the greatest extent possible.
9. Subject to the appropriate governmental approvals, transit amenities, such as an enhanced bus stop, shall be provided.

The Proposed Master Plan incorporates all of the above Design Guidelines.

## DEDICATIONS / VACATIONS

No right of way vacation or significant dedication of land is anticipated by the applicant (save for the potential set aside of the park site north of NE 16th Street).

## (PD) AGREEMENT

The Applicant anticipates proposing a written PD agreement for execution at the time of rezoning.

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# PLANNED DEVELOPMENT INFILL (PD-I)

## PLANNING OBJECTIVE

The design essence of the proposed development under the Planned Development Infill (PD-I) district is being developed in a manner that uses innovative and creative design principles to provide a mix of different uses of residential and commercial components in close proximity to one another.

It also serves as a communal amenity core bridging the building blocks with the surrounding areas and providing an intimately scaled interface between the private and semi-private realms of the development.

The proposed project implements building design principles focused on promoting pedestrian/ social activities and supporting multi-modal transportation options.

## PURPOSE

The purpose of the Hidden Harbour PD is to implement the City's Mixed-Use High (MUR-50) Land Use Designation as well as the County's "Pompano Beach Hidden Harbour Activity Center" Land Use Designation.

1. Reducing or diminishing the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;

*The Hidden Harbour Planned Development represents a unique opportunity to bring together active marine uses with new mixed-use residential and commercial development in a manner that would be impossible using the City's traditional zoning districts. The development standards have been crafted to allow mixed-use development to extend across existing lot boundaries.*

2. Allowing greater freedom in selecting the means of providing access, open space, and design amenities;

*The Hidden Harbour Planned Development standards will allow the Applicant to open up water access to the public in a manner that would not be possible without the flexibility afforded to Planned Development districts. The PD standards will encourage superior pedestrian, bicycle, and transit access to the area while retaining full vehicular access across the site.*

3. Allowing greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;

*The Hidden Harbour Planned Development will fully vertically integrate residential and commercial use, including a mix of multi-family unit sizes serving single occupants to families.*

4. Allowing more efficient use of land, with smaller networks of streets and utilities, and thereby lowering development and housing costs; and



*The Hidden Harbour Planned Development is a compact 6.90 acres in size and uses only existing street infrastructure (subject to additional necessary dedications) in an infill area that has more than adequate utility capacity.*

5. Promoting quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees, wetlands, floodplains, and historic features.

*The Hidden Harbour Planned Development fully integrates and highlights the waterway that forms its central spine. The development plan has also been designed to locate more intense uses away from nearby residential development. As an infill development, the Hidden Harbour Planned Development is consistent with smart planning principles that discourage further urban expansion into existing greenfields.*

## USE STANDARDS

The permitted uses within the PD-I are outlined in the below consolidated use table.

TABLE III			
CONSOLIDATED USE TABLE			
P = PERMITTED PRINCIPAL USE S = USE ALLOWED AS A SPECIAL EXCEPTION A = PERMITTED ACCESSORY USE T = PERMITTED TEMPORARY USE			
Use Category	Use Type	Permitted	Use-Specific Standards
Household Living Uses	Dwelling, live/work	P	155.4202.A
	Dwelling, multifamily	P	155.4202.C
	Dwelling, mixed-use	P	155. 4202. G
Communication Uses	Telecommunications facility, collocated on existing structure other than telecommunications tower	P	155. 4204. C 155. 4204. D
Day Care Uses	Child Care Facility	P/A	155. 4206. B
Health Care Uses	Medical office	P	155. 4209. A
	Specialty medical facility	P	155. 4209. B
	Urgent care facility 24 hours	P	155. 4209. C

TABLE III			
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Open Space Uses	Park or plaza	P/A	155. 4210. D
Animal Care Uses	Animal grooming	P	155. 4214. A
	Pet shop	P	155. 4214. E
Boat and Marine Sales and Service Uses	Boat dry storage facility	P/A	155. 4215. B
	Boat or marine parts sales without installation	P/A	155. 4215. C
	Boat or marine parts sales with installation	P/A	155. 4215. D
	Boat or marine repair and servicing	P/A	155. 4215. E
	Boat sales or rental	P/A	155. 4215. F
	Boat towing service	P/A	155. 4215. G
	Docking facility, barge	P/A	155. 4215. H
	Docking facility, commercial fishing boat	P/A	155. 4215. I
	Docking facility, recreational boat	P/A	155. 4215. J
	Marina	P/A	155. 4215. K
	Yacht Club	P	155. 4215. L
Commercial or Membership Recreation/ Entertainment Uses	Other indoor commercial or membership recreation/ entertainment use	P/A	155. 4217. M

TABLE III			
CONSOLIDATED USE TABLE			
P = PERMITTED PRINCIPAL USE			
S = USE ALLOWED AS A SPECIAL EXCEPTION			
A = PERMITTED ACCESSORY USE			
T = PERMITTED TEMPORARY USE			
Eating and Drinking Establishments	Bar or lounge	P/A	155. 4218. A
	Brewpub	P/A	155. 4218. B
	Restaurant	P/A	155. 4218. E
	Specialty eating or drinking establishment	P/A	155. 4218. F
Office Uses	Professional office	P	155. 4220. B
Retail Sales and Service Uses - Personal Services	Bank or financial institution	P	155. 4221. C
	Personal services establishment	P	155. 4221. K
	Book or media shop	P	155. 4222. D
	Grocery or convenience store	P/A	155. 4222. F
	Drug store or pharmacy	P	155. 4222. G
	Farmers' market	P	155. 4222. H
	Beer or wine store	P	155. 4222. M
	Retail sales establishment, large	P	155. 4222. P
	Other retail sales establishment	P	155. 4222. R
Visitor Accommodation Uses	Condo hotel	P	155. 4225. A
	Bed and breakfast inn	P	155. 4225. B
	Hotel or motel	P	155. 4225. C
Typical Accessory Uses and Structures	Dock	A	155. 4303. H
	Drop-in child care	A	155. 4303. J
	Electric vehicle (EV) level 1, 2, or 3 charging station	A	155. 4303. K / 155. 4303. L
	Fence or wall	A	155. 4303. O
	Green roof	A	155. 4303. R

**TABLE III****CONSOLIDATED USE TABLE**

P = PERMITTED PRINCIPAL USE

S = USE ALLOWED AS A SPECIAL EXCEPTION

A = PERMITTED ACCESSORY USE

T = PERMITTED TEMPORARY USE

Typical Accessory Uses and Structures	Home based business	A	155. 4303. S
	Outdoor display of merchandise	A	155. 4303. U
	Outdoor seating, including side-walk cafes (as accessory to eating and drinking establishments)	A	155. 4303. V
	Parking or storage of motor vehicles, recreational vehicles, boats, airboats, or trailers	A	155. 4303. X
	Rainwater cistern or barrel	A	155. 4303. Z
	Retail sales (as accessory uses)	A	155. 4303. BB
	Small wind energy system	A	155. 4303. DD
	Solar energy collection system	A	155. 4303. EE
	Swimming pool or spa or hot tub	A	155.4303. GG
	Mechanical Equipment and similar features	A	155. 4303. JJ
	Uncovered porches, decks, patios, terraces, or walkways	A	155.4303. KK
	Lighting fixtures, projecting or freestanding	A	155.4303. MM
	Eating and drinking establishments (as an accessory use)	A	155.4303.PP
	Farmer's market (as a temporary use)	T	155. 4403. A

## CONVERSION AND FLEXIBILITY

### CIRCULATION

Proposed road and pedestrian circulation as shown on the PD-I Master Plan are conceptual and can be subject to needed modification to accommodate any changes in the size and configuration of the project design, as long as any such modification maintains a consistent level and quality of access and circulation as illustrated on the Master Plan.

### WATERWAYS AND OPEN SPACE

The subject site open space is designed with the intention of optimizing the site potential and creating an intimate loop connecting the various site components from the promenade (North/ East) to the Residential/ Commercial core retail and restaurant/ cafes in the center with the Marina (East) and the Golf Course (West) in harmonious way. Through the view corridors provided at many site axis including: Along N.E. 16 ST via the pedestrian promenade and N.E. 23 Rd Ave and through North Federal Highway via N.E. 15th ST Paseo connecting the residents & Visitors from the Golf Course (West) experience to the Caliban Canal(East)

## INTENSITY AND DIMENSIONAL STANDARDS

Site specific development standards for the project are provided below and on the PD Master Plan.

<b>TABLE IV</b>	
<b>Intensity and Dimensional Standards</b>	
i. Land area (acres)	
Gross Acres (to CL of ROW - to calc. for density)	9.60 Acres
Gross Acres (including basin for park)	6.90 Acres**
Estimated Net Acres (upland area that excludes basin)	6.21 Acres (to be confirmed via survey)**
Potential Additional Site Area (Sidewalk vacation along N.E. 16th Street)	0.067 Acres (to be confirmed via survey)
**Does not include additional site area of 0.067 to be vacated along NE 16th Street	
ii. Type and mix of land uses*	
Multi-Family Residential	323 Units max.
Commercial Development (Including but not limited to: Boat sale, showrooms and related uses)	10,000 to 510,000 SQ.FT.
Marine Use (Including: Boat storage, boat repair and slips)	10,000 to 75,000 SQ. FT./ 15 Slips
*Refer to table III for list of additional approved Type of Uses	

TABLE IV			
Intensity and Dimensional Standards			
iii. Maximum number of residential units/ Unit Square Footage Size (SF)	323 du's max		
	min	max	
	1 Bedroom (multi-family)	580 SQFT	800 SF
	2 Bedroom (multi-family)	850 SQFT	1175 SF
	3 Bedroom (multi-family)	1,180 SQFT	1,350 SF
iv. Maximum Commercial -Nonresidential floor area* (Exclusive of Garage)		510, 000 SQ.FT.	
Maximum Marina		75,000 SQ. FT., 15 Slips	
Minority/ Marina Use		Min. of 10% of total floor area	
*Min. 10,000 SQ. FT. of Commercial Use to be vertically integrated into mixed use building			
v. Minimum Lot Area		10,000 SQ. FT.	
vi. Minimum Lot Width		100 FT. FRONTAGE	
vii. Minimum Pervious (Calc. based on Net Acres)		20% (1.24 Acres)	
viii. Maximum Impervious area (Calc. based on Net Acres)		80% (4.97 Acres)	
ix.. Max. Building height		100 ft to 150 ft. Not to Exceed Airport Air Space Max. Height (See Exhibit K)	
x. Max. Individual building size			
Fronting Federal Highway (West of NE 23 <sup>rd</sup> Ave)		9 Stories Not to Exceed Airport Air Space Max. Height Limits (See Exhibit K)	
Fronting NE 16 <sup>th</sup> ST (East of NE 23 <sup>rd</sup> Ave)		3 Stories (35'-0") within first 50'-0" and no less than 10' of east property line / Adjacent to residential.	
		6 Stories no less than 50'-0" of East Property Line / Adjacent to residential.	
		8 Stories no less than 75'-0" of East Property Line / Adjacent to residential.	
		9 Stories no less than 195'-0" of East Property Line / Adjacent to residential.	
Fronting NE 23 <sup>rd</sup> Ave (South of Caliban Canal)		Existing 1 Story Dry Boat Storage Facility to remain	



**TABLE IV****Intensity and Dimensional Standards**

ix. Setbacks	Min.	Max.
North – Along N.E. 16 <sup>th</sup> St.	7'-0"	63'-0"
East– Along East Property Lines		
To existing Dry Boat Storage facility	59'-0"	61'-0"
Up to 3 Stories Residential	10'-0"	15'-0"
Up to 6 Stories Residential	50'-0"	None
Up to 8 Stories Residential	75'-0"	None
Up to 9 Stories Residential	195'-0"	None
West– Along North Federal Highway.	5'-0"	30'-0"
South		
To existing Dry Boat Storage Facility	91'-0"	95'-0"
To Parking Garage	20'-0"	20'-0"
Residential building to Face of bulkhead nose (Caliban Canal)	20'-0"	31'-0"
Face of bulkhead nose to Property line	20'-0"	57'-0"
East & West of N.E. 23Rd Ave	0'-0"	10'-0"

Note: All Buildings' porches, stoops and balconies can project up to 7'-0" into setback or up to ROW Line whichever is less

**Additional Development Standards**

Access and Circulation	As provided in Article 5: Development Standards as provided in Deviations/ Modifications Table V
Off-Street parking & loading	As provided in Master Parking Table VI
Landscaping	As provided in Article 5: Development Standards as provided in Deviations/ Modifications Table V
Tree Preservation	
Screening	
Fences and Walls	
Exterior Lighting	
Commercial and mixed-use design	As provided in Article 5: Development Standards
Sustainable Design	As provided in Section II.A.10 of PD-I Application
Signage	As provided in Chapter 156. Sign Code

## MODIFICATIONS / DEVIATIONS

The following table depicts areas that deviate from the proposed PD-I District and applicable standards.

TABLE V						
Deviations/ Modifications						
Type	Code Section	Description		Modification		Justification
Building Base Planting Standards	155.5203.e.3.a	Required shrubs shall be planted within three feet of the base of the building. If a street sidewalk is located between the base of the building and the street, required shrubs may be planted up to 15 feet from the base of the building.		Except where conflict with pedestrian sidewalks exist.		To accommodate Sidewalks abutting building.
Access, circulation, parking & loading  Driving Aisle	155.5102.I.1	Required Aisle Width Dimensions 23'		22 FT.		To accommodate proposed site design and more efficient traffic circulation in garage.
Vehicle stacking	155.5101.G.8.B	Parking lot  Entrance  driveways		Min. 30 FT. stacking distance for 500 or more off-street spaces (as measured from ROW line)		To accommodate proposed site design for vehicular access.
Dwelling, Multi-Family Parking	155.5102.D.I	For Units on 2 <sup>nd</sup> floor or higher of a building with non-residential use located on ground level: 1 space per Dwelling Unit (du)		None		Due to Urban Mixed-Use Settings parking demand shall be less.
		1-2 BD	1.5 Space	1 BD	1 Space	
		All other MF 3 BD	2 Spaces	2-3 BD	2 Spaces	
				Guest: 10% of Provided Parking		
Landscape between Vehicular Use Areas and Buildings	155.5203.D.5.A	Minimum landscaped area shall be eight feet for each story in the abutting building façade, up to 24 feet		Except where conflict with pedestrian sidewalks exist.		To accommodate Sidewalks abutting building.

<b>TABLE V</b>				
<b>Deviations/ Modifications</b>				
<b>Type</b>	<b>Code Section</b>	<b>Description</b>	<b>Modification</b>	<b>Justification</b>
Required Buffer Types and Standards	155.5203.F3	Option 1:  At Least 10' wide  A wall or semi-opaque fence at least 6 feet high  1 Tree per 30 linear feet + a continuous hedge at least 4 feet high on the exterior side of the wall or fence  1 shrub per 10 linear feet on the interior side of the wall or fence	Option 1:  At Least 10' wide  A wall or semi-opaque fence at least 6 feet high  A continuous hedge at least 4 feet high on the interior side of the wall or fence	To accommodate proposed setbacks per Table IV Intensity and Dimensional Standards
Parking deck or Garage Standards	155.5605.c.1.d	The exposed top level of a parking structure shall be covered a minimum of 60% with a shade producing structure such as, but not limited to, a vined pergola or retractable canvas shade structure.	15% Min.	No Building shall be high enough to see top of garage.
Parking deck or Garage Standards	155.5605.c.3	If the deck or garage is accessed from a street, there shall be only one point of access to the garage area from that street.	Two (2) Points of Access	More Efficient Traffic Circulation for Residents and Commercial use respectively.

## OFF-STREET PARKING REQUIREMENTS

The table below depicts parking standards for the proposed development.

Table VI		
Master Parking Plan		
Type	Required	
Dwelling, Multi-Family	1 BD	1 Space/ du
	2 BD	2 Spaces/ du
	3 BD	2 Spaces/ du
Guest parking	10% of provided parking	
Handicap Parking	As provided in Article 5-ADA: 2% of total parking	
Restaurant	1 sp/ 4 seats	
Marine Showroom	1 sp / 500 sf	
Marine Retail	1 sp/ 300 sf	
All other Uses as provided by in Table 155.5102.D.I: Minimum Number of Off-Street Parking spaces		
On street parallel parking stall size: 10'x26'		



# EXHIBIT A LOCATION MAP

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# LOCATION MAP

NTS



NORTH



# EXHIBIT B LEGAL DESCRIPTION

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## **EXHIBIT B**

### **NET LAND**

(PARCEL 1—comprised of the following parcels designated as Parcels 1A-1F)

(PARCEL 1 A)

All of Parcel "A" of JERICHO BOATS ENTERPRISES, according to the Plat thereof, recorded in Plat book 146, Page 3 of the Public Records of Broward County, Florida

(PARCEL 1 B)

Lots 1 and 2. Block 2. SEA BARGE YACRT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broad County, Florida. LESS a portion of Lot 1, more particularly described as follows: BEGIN at the Northwest corner of said Lot 1; thence run North 88°29'09" East, along the north line of said Lot 1 for a distance of 17.28 feet; thence run South 47°39'21" West. for a distance of 26.15 feet; thence run North 06°49'35" East along the west line of said Lot 1 for a distance 17.28 feet to the Point of Beginning. PLUS the South 1/2 of the vacated N.E. 15th Street, lying north of Lot 1, Block 2, SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

(PARCEL 1 C)

All of Block 3, LESS the south 265.00 feet thereof, SEA BARGE YACHT CENTER, according to the Plot thereof as recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida. Plus the South ½ of the vacated N.E. 15 Street, lying North of Block 3, SEA BARGE YACHT CENTER, according to the Plat thereof as recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

(PARCEL 1 D)

Lots 1, 2, 6, 7 and 8, in Block 1 and all of Tracts "A", "B", "C. and "D" of SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

LESS that portion of Lot 8, Block 1 of SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida, in Section 30, Township 48 South, Range 43 East, being more particularly described as follows: COMMENCING at the Southeast (SE) corner of said Lot 8; thence run South 88°29'09" West along the South line of said Lot 8, for a distance of 117.71 feet to the POINT OF BEGINNING; thence continue to run South 88°29'09" West a distance of 13.00 feet to the Southwest (SW) corner of said Lot 8; thence run North 06°49'35" East along the west line of said Lot 8, a distance of 13.00 feet; thence run South 42°20'38" East, a distance of 17.00 feet to the POINT OF BEGINNING. PLUS the north 1/2 of the vacated N.E. 15th Street. lying south of Lot 8. Block 1 of SEA BARGE YACHT CENTER. according to the Plat thereof, recorded

in Flat Book 38, Page 27 of the Public Records of Broward County, Florida. PLUS the North ½ of the vacated N.E. 15 Street, lying South of Tract "D" of SEA BARGE YACHT CENTER, according to the Plat thereof as recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

(PARCEL 1 E)

That portion of the SEA BARGE YACHT BASIN as shown on the Plat of SEA BARGE YACHT CENTER, as recorded in Plat Book 38, Page 27, of the Public Records of Broward County, Florida. described as follows:

That property lying west of the east line of the West Three Quarters (W 3/4) of the Northwest One—Quarter (NW 1/4) of the Southwest One—Quarter (SW 1/4) of Section 30, Township 48 South, Range 43 East and bounded on the south by the northerly boundary of Tract "D" of said SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida, bounded on the west by the easterly boundary of Tract "C" of said SEA BARGE YACHT CENTER and bounded on the north by the southerly boundary of Tract "B" of said SEA BARGE YACHT CENTER. Together with that portion of said Sea Barge Yacht Basin described as follows: That portion of Lots 30 and 31 of CALIBAN, according to the Plat Thereof, recorded in Plat Book 27, Page 12 of the Public Records of Broward County, Florida, as bounded on the north by the southern boundary of Tract "B", SEA BARGE YACHT CENTER, according to the Plot thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida, bounded on the west by the east line of the West Three-Quarters (W 3/4) of the Northwest One-Quarter (NW 1/4) of the Southwest One-Quarter (SW 1/4) of said Section 30, bounded on the east by a line 10.00 feet west of and parallel to the east line of said Tract "B" of said SEA BARGE YACRT CENTER.

(PARCEL 1F)

Lot 4 of CALIBAN, according to the Plat thereof as recorded in Plat Book 27, at Page 12 of the Public Records of Broward County, Florida.

(PARCEL 2)

Lots 3, 4 and 5, Block 1, of SEA BARGE YACHT CENTER, according to the Plat thereof, as recorded in Plat Book 38, Page 27, of the Public Records of Broward County, Florida.

(PARCEL 3)

A portion of the Caliban Yacht Basin, CALIBAN, according to the plat thereof as recorded in Plat Book 27, Page 12, of the Public Records of Broward County, Florida lying North of and adjacent to Parcel "A", JERICHO BOATS ENTERPRISES, according to the plat thereof as recorded in Plat Book 146, Page 3, of the Public Records of Broward County, Florida and being more fully described as follows:



BEGINNING at the Northeast corner of said Parcel "A", JERICHO BOATS ENTERPRISES; thence South 88°14'47" West on the North line of said Parcel "A" also on the South line of Caliban Yacht Basin, a distance of 327.60 feet to the Northwest corner of said Parcel "A", JERICHO BOATS ENTERPRISES; thence North 00°57'15" West, on the Northerly extension of the west line of said Parcel "A", JERICHO BOATS ENTERPRISES, a distance of 15.00 feet; thence North 88°14'47" East on a line 15.00 feet North of and parallel with the North Line of said Parcel "A", JERICHO BOATS ENTERPRISES, a distance of 327.60 feet; thence South 00°57'23" East, a distance of 15.00 feet to the POINT OF BEGINNING.

(PARCEL 4)

A portion of Lot 1, Block 2, SEA BARGE YACHT CENTER, according to the Plat thereof, as recorded in Plat Book 38, Page 27, of the Public Records of Broward County, Florida, being more particularly described as follows:

BEGIN at the Northwest corner of said Lot 1; thence run North 88°29'09" East, along the north line of said Lot 1 for a distance of 17.28 feet; thence run South 47°39'21. West, for a distance of 26.15 feet; thence run North 06°49'35" East, along the west line of said Lot 1 for a distance of 17.28 feet to the Point of Beginning.

Said lands situate in the City of Pompano Beach, Broward County, Florida and containing 300,444 square feet (6.90 net acres) more or less.



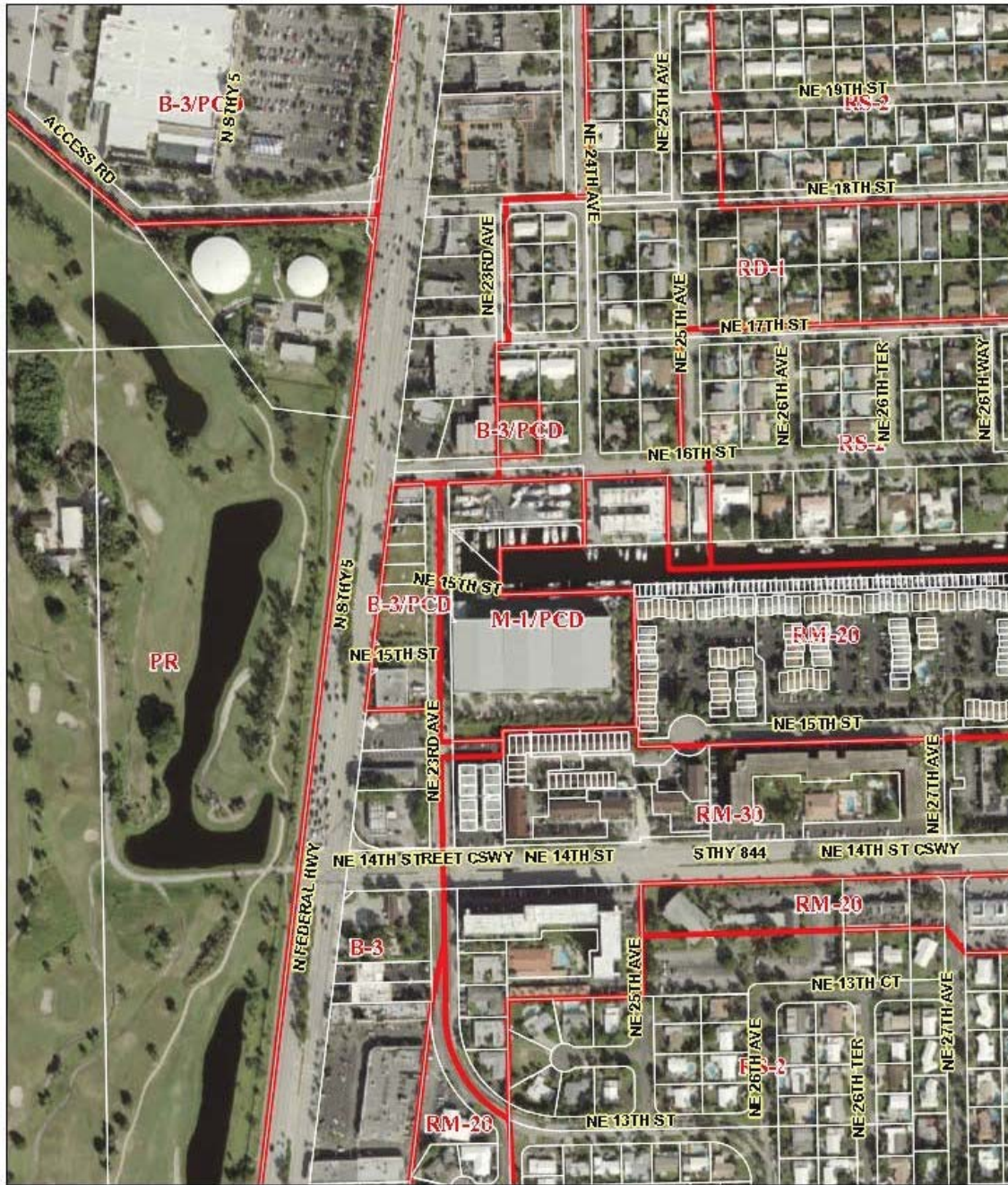
EXHIBIT C  
CURRENT ZONING

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## EXHIBIT "C"

### Current Zoning



January 30, 2019



EXHIBIT D

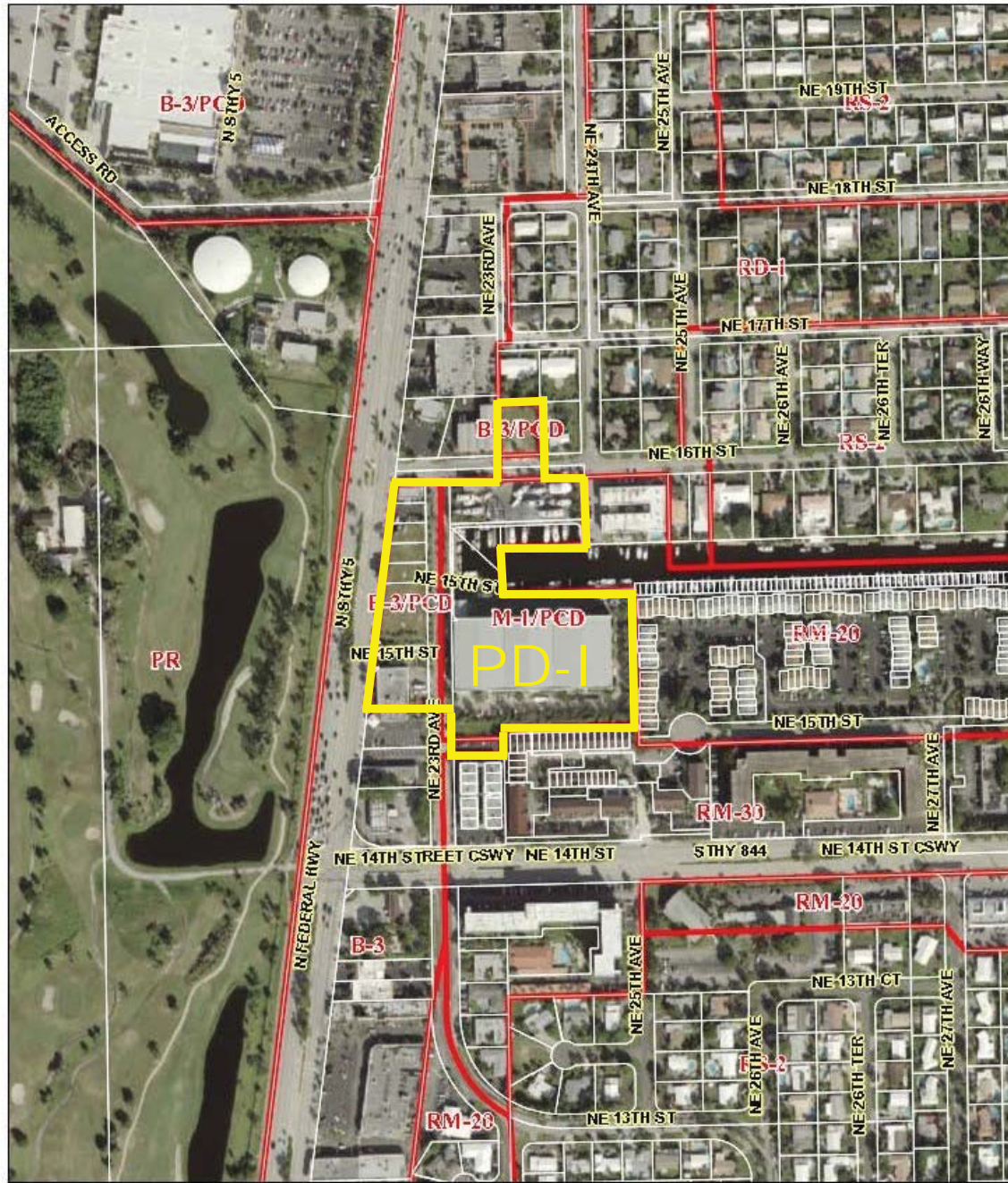
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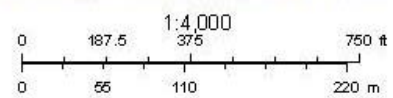
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Proposed Zoning



January 30, 2019





## EXHIBIT E1

# PD MASTER PLAN + MASTER PLAN DATA

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**LEGEND ACCESSSES**

- POTENTIAL PEDESTRIAN ACCESS POINTS TO BUILDINGS
- BICYCLE CIRCULATION
- VEHICULAR ACCESS TO SITE & GARAGE
- VIEW CORRIDORS
- ACTIVE OPEN SPACE (PRIVATE)
- ACTIVE OPEN SPACE (PUBLIC)
- PASSIVE OPEN SPACE (PRIVATE)

**LEGEND AREAS**

- EXISTING BUILDING (BOAT STORAGE FACILITY)
- UP TO 3 STORIES - ALL RESIDENTIAL
- UP TO 6 STORIES - ALL RESIDENTIAL
- UP TO 8 STORIES - GROUND FLOOR RESIDENTIAL / AMENITY & COMMERCIAL WITH RESIDENTIAL ABOVE
- UP TO 8 STORIES - GROUND FLOOR RESIDENTIAL / COMMERCIAL / LEASING WITH RESIDENTIAL ABOVE
- ROOFTOP AMENITIES ON 9TH LEVEL
- UP TO 3 STORY - GROUND FLOOR COMMERCIAL
- GARAGE
- BACK OF HOUSE / MEP / SERVICE AREAS

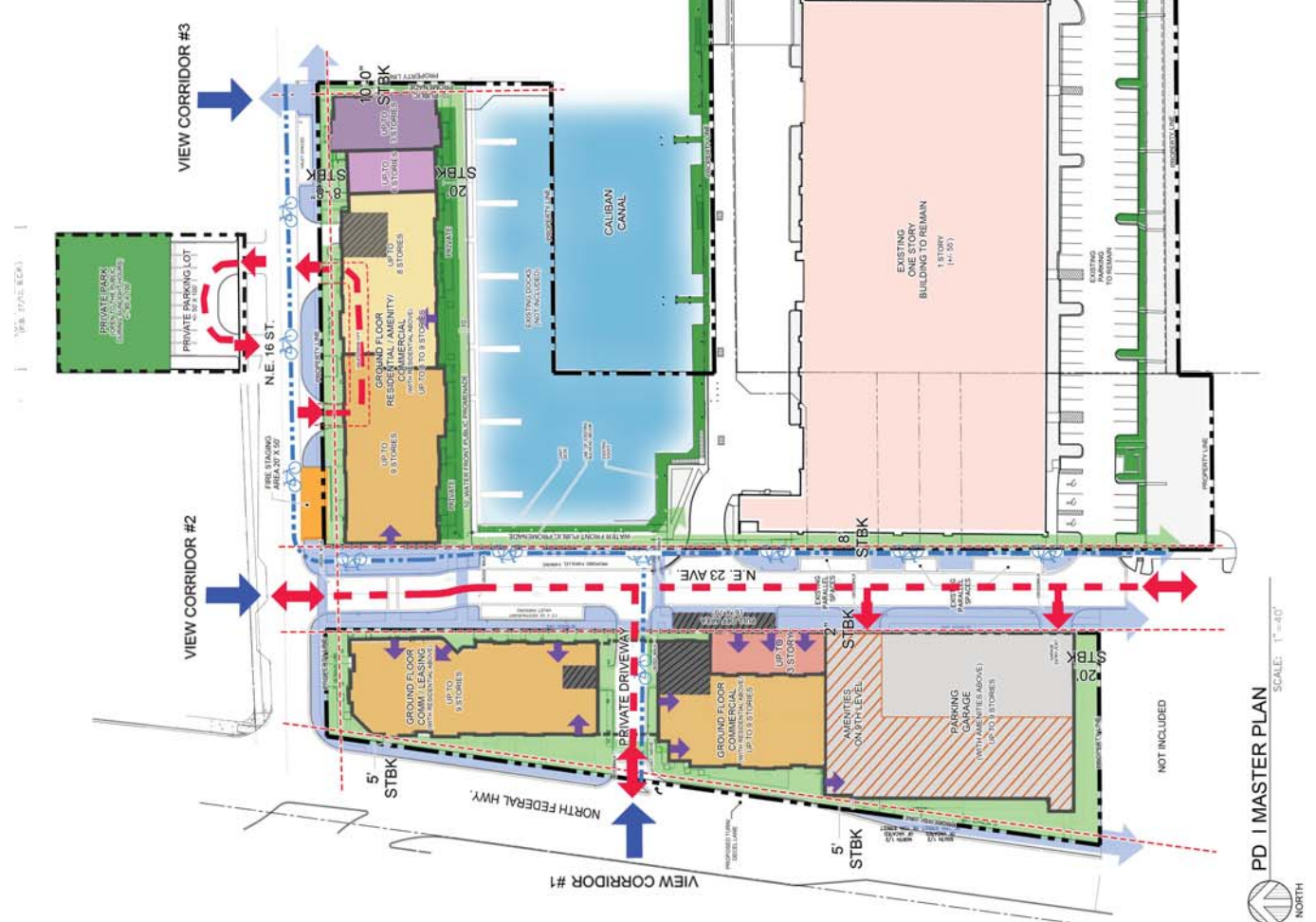
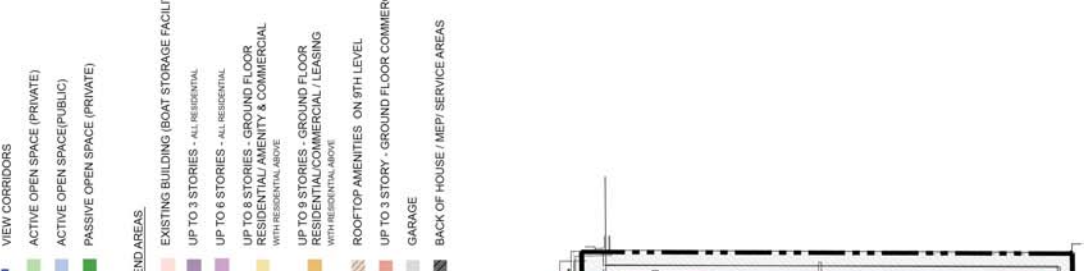






EXHIBIT E2  
SHADOW STUDIES

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PROJECT NO.	1701
SHEET TITLE	SHADOW STUDY
SHEET NUMBER	EX - E3.2

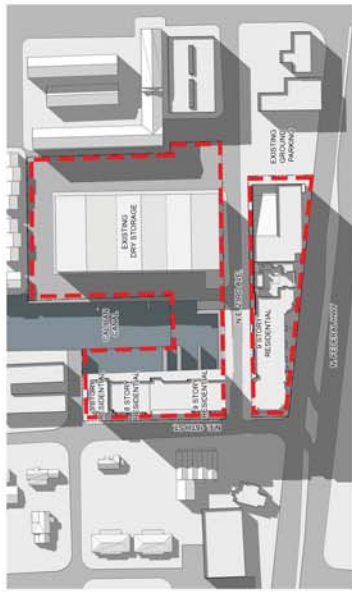
**MSA ARCHITECTS & PLANNING**  
 3014 W. BAYVIEW BLVD., SUITE 100  
 MIAMI, FLORIDA 33149  
 (305) 371-1911  
 MSA ARCHITECTS, INC.  
 A40000855

STATE OF FLORIDA  
 REGISTERED ARCHITECT  
 NO. 12345  
 EXPIRATION DATE 12/31/2018

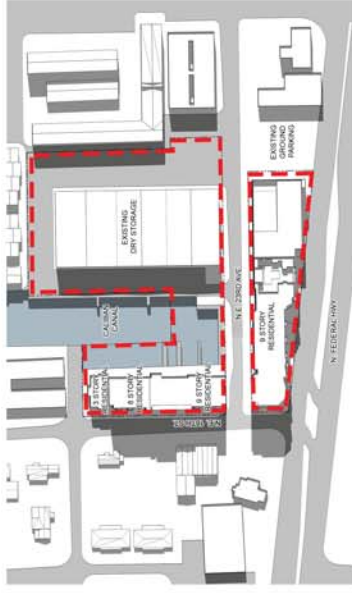
HIDDEN HARBOUR  
 LOCATED AT:  
 POMPA NO BEACH, FLORIDA

THIS SHADOW STUDY IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A CONTRACT DOCUMENT. THE ARCHITECT'S KNOWLEDGE OF THE MASS AND SCHEDULING OF THE PROJECT IS BASED ON THE INFORMATION PROVIDED BY THE ARCHITECT. THE ARCHITECT'S KNOWLEDGE OF THE MASS AND SCHEDULING OF THE PROJECT IS BASED ON THE INFORMATION PROVIDED BY THE ARCHITECT. THE ARCHITECT'S KNOWLEDGE OF THE MASS AND SCHEDULING OF THE PROJECT IS BASED ON THE INFORMATION PROVIDED BY THE ARCHITECT.

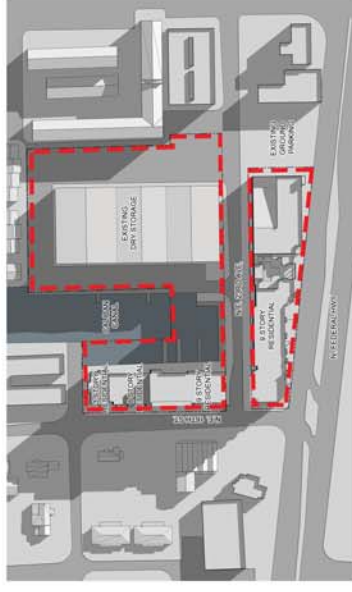
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DATE	12/1/2017
SCALE	AS SHOWN
PROJECT NO.	1701
SHEET TITLE	SHADOW STUDY
SHEET NUMBER	EX - E3.2



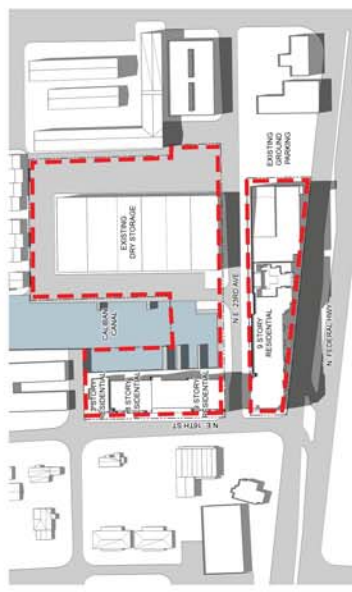
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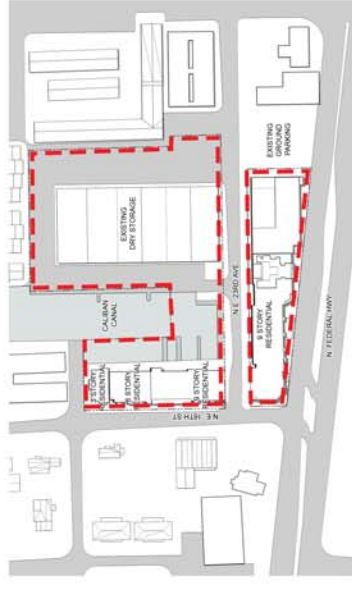
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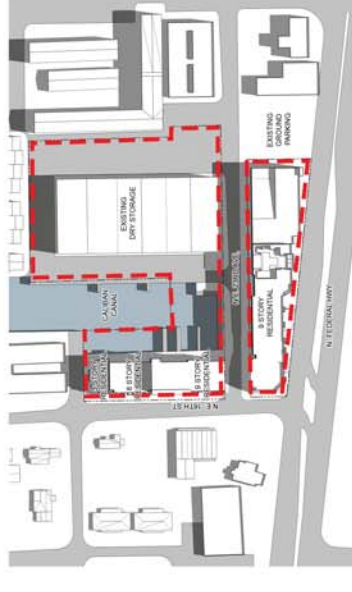
TWO HRS. BEFORE SUNSET



TWO HRS AFTER SUNRISE



NOON



TWO HRS. BEFORE SUNSET

WINTER SOLSTICE

SUMMER SOLSTICE



EXHIBIT E3  
UTILITIES MASTER PLAN

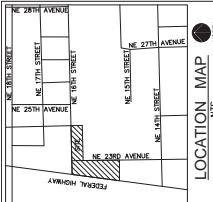
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Revisions
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APPROVED BY: [Signature]

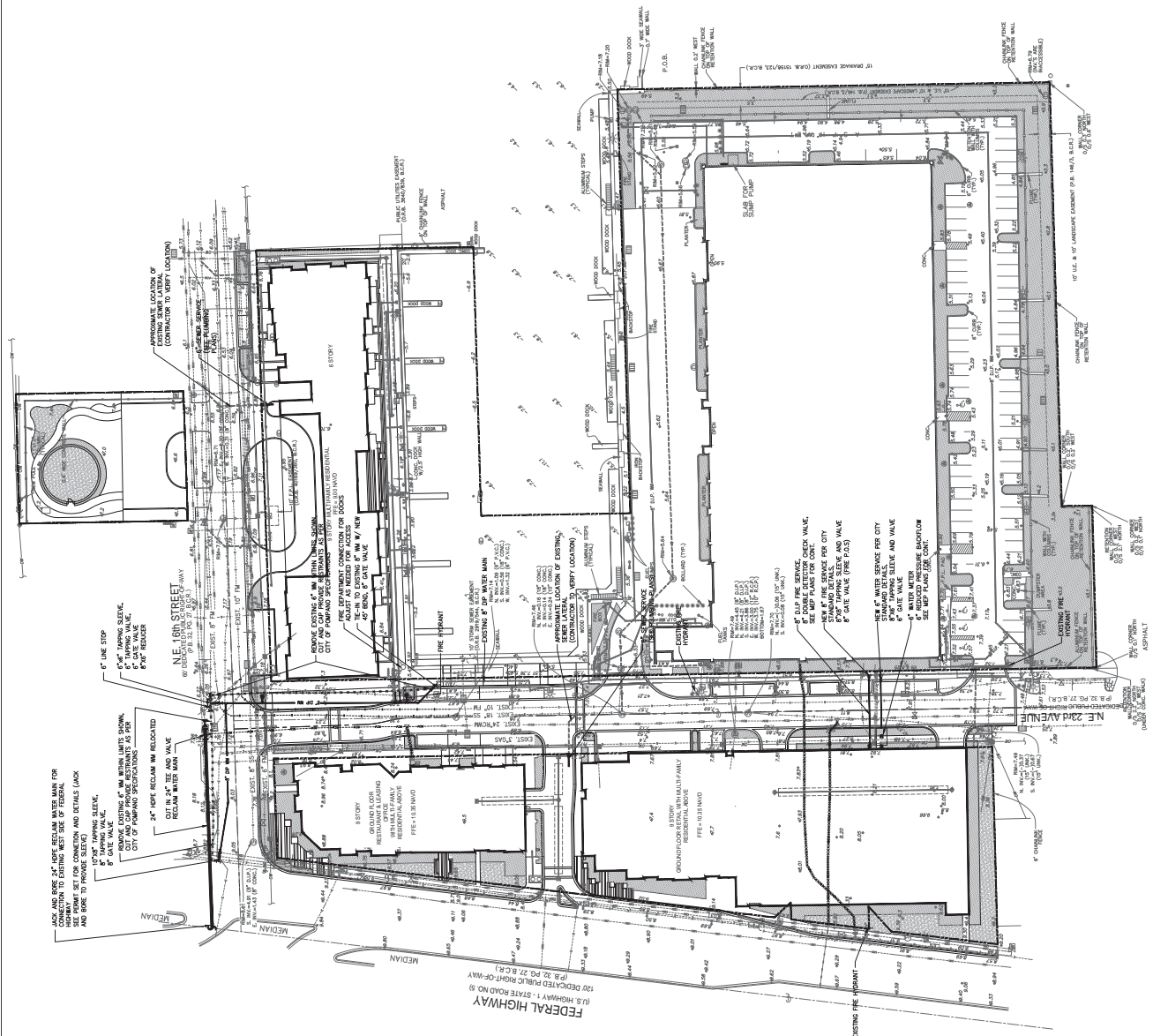
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APPROVED BY	[Signature]



WATER AND SEWER NOTES:

1. CLEARDIETS AND MANHOLES ON SANITARY LINES ARE TO BE ADJUSTED TO BE FLUSH WITH FINISHED GRADE.
2. ALL EXISTING UTILITY LINES (WATER, GAS, CABLE, ETC.) AS SHOWN ON THESE PLANS SHALL BE MAINTAINED AND NOT REMOVED OR DISRUPTED.
3. ALL EXISTING UTILITY LINES (WATER, GAS, CABLE, ETC.) AS SHOWN ON THESE PLANS SHALL BE MAINTAINED AND NOT REMOVED OR DISRUPTED.
4. ALL EXISTING UTILITY LINES (WATER, GAS, CABLE, ETC.) AS SHOWN ON THESE PLANS SHALL BE MAINTAINED AND NOT REMOVED OR DISRUPTED.
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7. ALL EXISTING UTILITY LINES (WATER, GAS, CABLE, ETC.) AS SHOWN ON THESE PLANS SHALL BE MAINTAINED AND NOT REMOVED OR DISRUPTED.
8. ALL EXISTING UTILITY LINES (WATER, GAS, CABLE, ETC.) AS SHOWN ON THESE PLANS SHALL BE MAINTAINED AND NOT REMOVED OR DISRUPTED.
9. ALL EXISTING UTILITY LINES (WATER, GAS, CABLE, ETC.) AS SHOWN ON THESE PLANS SHALL BE MAINTAINED AND NOT REMOVED OR DISRUPTED.
10. CONTRACTOR SHALL VERIFY EXISTING WATER MAIN LOCATION AND ELEVATION AND CONSTRUCTION AND/OR LOCATION.
11. PROPOSED FIRE LINES (FIRE MAINS, SERVICES, SHAMER CONNECTION LINES, ETC.) TO BE INSTALLED BY A STATE LICENSED FIRE LINE CONTRACTOR PER F.S. 333.
12. FIRE LINES TO BE INSTALLED BY A STATE LICENSED FIRE LINE CONTRACTOR PER F.S. 333.
13. CONTRACTOR SHALL VERIFY EXISTING WATER MAIN LOCATION AND ELEVATION AND CONSTRUCTION AND/OR LOCATION.
14. CONTRACTOR SHALL VERIFY EXISTING WATER MAIN LOCATION AND ELEVATION AND CONSTRUCTION AND/OR LOCATION.
15. CONTRACTOR SHALL VERIFY EXISTING WATER MAIN LOCATION AND ELEVATION AND CONSTRUCTION AND/OR LOCATION.
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19. CONTRACTOR SHALL VERIFY EXISTING WATER MAIN LOCATION AND ELEVATION AND CONSTRUCTION AND/OR LOCATION.
20. CONTRACTOR SHALL VERIFY EXISTING WATER MAIN LOCATION AND ELEVATION AND CONSTRUCTION AND/OR LOCATION.



**NPDES**  
ALL PROJECTS THAT WILL RESULT IN THE DISTURBANCE OF 10,000 SQ. YD. OR MORE OF LAND OR THE CONSTRUCTION OF A NEW OR MAJOR IMPROVEMENT TO AN EXISTING WATERWAY ARE REQUIRED TO OBTAIN A PERMIT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE PERMIT APPLICATION PROCESS IS AVAILABLE AT THE FDEP REGIONAL OFFICE. ADDITIONAL DETAILS ARE AVAILABLE AT WWW.FLORIDADEP.COM

CALL 800 HOURS BEFORE YOU DIE IN FLORIDA  
IT'S THE LAW  
811  
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

VERTICAL DATUM  
GRAPHIC SHOWING DATUM: 88  
N.A.S.D. 29  
N.A.S.D. 88  
N.A.S.D. 29 = N.A.S.D. 88 + 1.5'



**NPDES**

ALL PROJECTS THAT WILL RESULT IN THE DISTURBANCE OF 1 OR MORE ACRES OF LAND OR THE DISCHARGE OF 10,000 GALLONS OF WATER OR MORE INTO ANY WATERS OF THE STATE ARE REQUIRED TO SUBMIT A STORM WATER NOTICE OF INTENT (NOI) FORM TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, NPDES CONSTRUCTION PROGRAM, 2600 BLAIR ST., STATIONER 2510, TALLAHASSEE, FL 32399-2400. ADDITIONAL DETAILS ARE AVAILABLE AT [WWW.FDEP.STATE.FL.US/WATER/STORMWATER/NPDES](http://WWW.FDEP.STATE.FL.US/WATER/STORMWATER/NPDES)



# EXHIBIT F WATER & SEWER AVAILABILITY LETTERS

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## Utilities Administration

A. Randolph Brown, Utilities Director

City of Pompano Beach, Florida

1205 NE 5th Avenue, Pompano Beach, Florida 33060 | p: 954.545.7043 | f: 954.545.7046

April 10, 2019

Mr. Damon Ricks  
Project Coordinator  
Flynn Engineering Services, P.A.  
241 Commercial Blvd  
Lauderdale-By-The-Sea, FL 33308

**RE:** Rezoning & Site Plan Application – Water, Wastewater & Reuse Water Capacity Availability  
At 1500 N. Federal Hwy, Pompano Beach, FL 33062

Dear Mr. Ricks:

We are the provider of potable water services, wastewater collection system and reuse services for the subject site in the City of Pompano Beach.

The revised estimated demand as of April 4, 2019 by your office regarding the projection of future water, wastewater and reuse water were reviewed by our office. Our utility can accommodate the increase in demand presented in the subject estimates.

There are no known objections to the proposed development for obtaining potable water services, wastewater collection services or reuse services other than payment of hook-up or installation fees, line extensions to be paid for by the applicant in connection with the construction of the development or other such routine administrative procedure.

A study by the developer through the City of Pompano Beach may need to be conducted to assess impacts of new wastewater flows and water demands on the existing infrastructure or relocation of utility assets due to construction.

Please note that this determination does not constitute an allocation or reservation of capacity in existing infrastructure including transmission lines, distribution lines, or treatment facilities.

Sincerely,

A. Randolph Brown  
Utilities Director





Luigi Pace  
GOVERNMENT AFFAIRS  
Lpace@wm.com  
WASTE MANAGEMENT  
2380 COLLEGE AVENUE  
DAVIE, FL 33317  
954.991.5089  
954.634.6005 FAX

April 19, 2019

Mr. Damon Ricks  
Flynn Engineering Services, P.A.  
241 Commercial Blvd.  
Lauderdale By The Sea, FL 33308

RE: Hidden Harbour

Dear Mr. Ricks,

I have reviewed the updated information you sent me regarding the land use amendment for the proposed project in Pompano Beach located at 1500 N Federal Hwy. Per your letter, I wanted to inform you that Waste Management's local disposal facilities have the adequate volume space to safely accommodate the anticipated waste generated by the proposed project. In addition, Waste Management's collections operations have sufficient equipment available to provide the required services to this project during all the developmental phases from construction to final occupation by residents and tenants.

Waste Management is the authorized municipal hauler for the City of Pompano Beach, please contact us as soon as you are ready to begin construction at this site so that Waste Management can provide the containers that you will need during this project.

If you should have any additional, questions please do not hesitate in giving me a call.

Thank you,

A handwritten signature in black ink, appearing to be "Luigi Pace", written over a horizontal line.

Luigi Pace  
Government Affairs Manager



EXHIBIT G

# DECLARATION OF RESTRICTIONS

---

This instrument was prepared by:

Name: Graham Penn, Esq.

Address: Bercow Radell Fernandez & Larkin, PLLC  
200 S. Biscayne Boulevard, Suite 850  
Miami, FL 33131

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**DECLARATION OF RESTRICTIONS**

*WHEREAS*, the undersigned Owner holds the fee simple title to an assemblage of land in Pompano Beach, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the submitted attorney's opinion, and

*WHEREAS*, the Property is the Amendment Site of Pompano Beach Land Use Plan Map Amendment Application 15-91000001; and

*WHEREAS*, the Owner has sought to change the designation of the Amendment Site from "Commercial," "Low-Medium (10) Density Residential," and "Medium-High Density Residential" to "Mixed-Use High."

*NOW THEREFORE*, in order to assure the City of Pompano Beach (the "City") that the representations made by the Owner during the consideration of the Application will be abided by the Owner, its successors and assigns, freely, voluntarily, and without duress, makes the following Declaration of Restrictions covering and running with the Property:

**Development Limits.** Any future master plan or zoning action for any mixed-use development of the Property will incorporate the following restrictions:

1. The residential development of the Property shall be limited to a maximum of 323 residential units. The residential intensity and uses shall further be defined as depicted on the attached Exhibit "B."
2. The maximum floor area of Commercial development (including, but not limited to, boat sales, offices, showrooms, and related uses) shall be limited to 510,000 square feet.

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3. Marina use (including boat storage, boat repair, and slips) shall be limited to a maximum of 75,000 square feet of buildings and 15 wet slips
4. The maximum floor area on the Property will be 650,000 square feet (including all uses, residential, commercial, and marina-related buildings) and may not, in aggregate, generate more than 1,377 PM peak hour external vehicle trips.
5. Subject to City approval, the Owner shall set aside the portion of the Property north of NE 16 Street for public park purposes. The design of the park and terms of the dedication shall be determined through the rezoning process. In the event that the City does not accept the proffered dedication, the parcel shall be incorporated as parking for the proposed development.
6. Marina Uses will be retained on the south side of the waterway as depicted in the Exhibit "B". These uses shall include the existing dry storage building. Redevelopment of the parcel for other significant marine service or storage use may be approved by the City provided the proposed redevelopment complies with Comprehensive Plan Policies 10.03.02 and 10.03.03 (which are Coastal Zone Management Element policies related to maintaining marine and water-dependent uses on the waterfront). No residential development will occur on the south parcel.
7. The MUR land use category allows both vertical and horizontal mixed use. To ensure some of the property is developed as vertical mixed use, at least 10,000 square feet of commercial space will be vertically integrated with multi-family residential uses in the mixed-use development plan for the Property. The mixed-use development will meet the City's definition and thresholds in the mixed-use development (MUR) land use category.
8. The design of any redevelopment on the Property will incorporate one or more visual and/or pedestrian connections between Federal Highway and the waterway. Any such connection will be designed not to unduly interfere with existing water-based uses, such as boat storage and repair.
9. Any portion of a residential building on the Property that is located within fifty (50) feet of residential uses or zoning existing as of the date of this Declaration will be



(Space reserved for Clerk)

limited in height to three (3) stories or thirty-five (35) feet. Outside of these areas, height of any development will be subject to the relevant airport height controls.

10. The design of any redevelopment on the Property will incorporate the relevant Design Guidelines set forth in the MUR Land Use Category in Section 3.02(Q)(2) of the Pompano Beach Comprehensive Plan's Land Use Element. The following elements shall be included in any redevelopment:

- a. Buildings will have minimal setbacks and directly address surrounding streets in order to delineate streetwalls.
- b. All new buildings abutting Federal Highway will have their primary frontage on that right of way and will include elements to create an interesting experience for pedestrian activity, including transparent glazing, architectural features or both on the first floor of a building fronting toward the street, wider sidewalks, and street furniture.
- c. Buildings shall be designed and oriented to encourage pedestrian activity along Federal Highway and NE 23 Avenue.
- d. Pedestrian access points shall be provided across NE 15 Street, NE 16 Street, and NE 23 Avenue in a manner to encourage access to and from the development. Subject to the appropriate governmental approvals, the Applicant will integrate traffic calming solutions on NE 23 Avenue.
- e. Short term and long-term bicycle parking will be provided.
- f. Dumpsters and loading areas shall be located away from existing residential property to greatest extent possible.
- g. Subject to the appropriate governmental approvals, transit amenities, such as an enhanced bus stop and City water taxi stop, shall be provided.

**Hurricane Evacuation Plan.** The Owner will create a hurricane evacuation plan for the residential and marina use of the Property at the time of site plan approval.

**Airpark Issues.** The Owner will submit the required Airspace Study Checklist to the Federal Aviation Administration ("FAA") prior to construction activity and will obtain an Air Park Obstruction Permit, if required. The Owner will also provide written notification of the

(Space reserved for Clerk)

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proximity of the Airpark in any leases or deeds for residential units to ensure that eventual residents are aware of potential noise impacts.

**Local Workforce Hiring.** The Owner shall use all commercially reasonable efforts to (i) utilize the local business community as well as the local workforce in the development of the Property; (ii) recruit and retain qualified community based small businesses; (iii) hire and ensure the retention of qualified employees regardless of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status or sexual orientation, and (iv) achieve an aspirational goal of awarding at least 10% of the construction contracts (based on the total construction costs of the project) to minority businesses to the extent permitted by law. The Owner agrees to hire a consulting firm with expertise in this area to manage and assist with the development and administration of the ongoing programming, as a good a faith effort to guarantee its overall success.

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and shall be recorded, at Owner's expense, in the public records of Broward County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of the City and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the City.

**Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it.

**Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the fee simple title to all of the Property, provided that the same is also approved by the City. Any such modification or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Should this Declaration be so modified, amended, or released, the Director of the Development Services Department or the executive



(Space reserved for Clerk)

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officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her office, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

**Enforcement.** Enforcement of the covenants contained herein, shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

**Authorization for City to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the City is hereby authorized to withhold any further permits and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with and any violations issued accordingly.

**Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

**Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions that shall remain in full force and effect. However, if any material portion is invalidated, the City shall be entitled to revoke any approval predicated upon the invalidated portion

**Recordation and Effective Date.** This Declaration shall be filed of record in the public records of Broward County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Development Services Department or the executive officer of the successor of said department, or in the absence of such



(Space reserved for Clerk)

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director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

**Acceptance of Declaration.** The Owner acknowledges that acceptance of this Declaration does not obligate the City in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the City Commission retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

**Owner.** The term Owner shall include all heirs, assigns, and successors in interest.

[Execution Pages Follow]

(Space reserved for Clerk)

**ACKNOWLEDGEMENT BY LIMITED LIABILITY COMPANY**

Signed, witnessed, executed and acknowledged on this 11<sup>th</sup> day of January 2018. <sup>9</sup>

IN WITNESS WHEREOF AMP IV - Hidden Harbour, LLC has caused these presents to be signed in its name by its proper officials.

**Witnesses:**

Signature

Print Name

Signature

Print Name

**AMP IV - Hidden Harbour, LLC**

Address:

2890 NE 187 Street  
Aventura, FL 33180

By

Print Name: Andrew S. Sturner

Title: Authorized Person

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

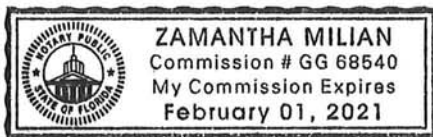
The foregoing instrument was acknowledged before me by Andrew S. Sturner of AMP IV – Hidden Harbour, LLC, a Florida Limited Liability Company. He/she is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 11<sup>th</sup> day of

January

2019

in the County and State aforesaid.



My Commission Expires:

Signature

Notary Public-State of Florida

Print Name

**JOINDER BY MORTGAGEE  
CORPORATION**

The undersigned BankUnited, N.A., as Mortgagee under that certain Amended and Restated Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing from AMP IV - Hidden Harbour, LLC dated October 11, 2012 and recorded in Official Records Book 49155, Page 1398 of the Public Records of Broward County, Florida as modified by that certain Future Advance and Mortgage Modification Agreement dated June 23, 2016, and recorded as Instrument Number 113815463 in the Public Records of Broward County, Florida, as further modified by that certain Second Future Advance and Mortgage Modification Agreement dated December 28, 2017, and recorded as Instrument Number 114803875 in the Public Records of Broward County, Florida, covering all of the property described in the Declaration of Restrictions, does hereby acknowledge that the terms of this agreement are and shall be binding upon the undersigned and its successors in title. Nothing contained herein shall be construed to render BankUnited, N.A., or its successors or assigns responsible or liable for the performance of any of the covenants or undertakings of the Declaration of Restrictions. None of the representations contained in the Declaration of Restrictions shall be deemed to have been made by the BankUnited, N.A.

IN WITNESS WHEREOF, these presents have been executed this 11 day of January, 2019.

**Witnesses:**

[Signature]  
Signature  
Gina Deusser  
Print Name  
[Signature]  
Signature  
Mindy Gabriel  
Print Name

**BankUnited, N.A.**

By: [Signature]  
Richard Thill, Senior Vice President

Address  
7765 NW 148<sup>th</sup> Street  
Miami Lakes, Florida 33016

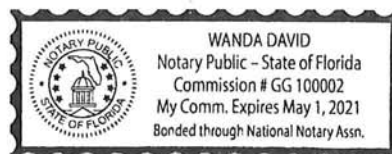
**STATE OF FLORIDA  
COUNTY OF BROWARD**

The foregoing instrument was acknowledged before me by Richard Thill, a Senior Vice President of BankUnited, N.A., on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_, as identification.

Witness my signature and official seal this 11 day of January, 2019, in the County and State aforesaid.

Notary Public-State of Florida

[Signature]  
Print Name  
My Commission Expires:





## EXHIBIT A

### NET LAND

(PARCEL 1—comprised of the following parcels designated as Parcels 1A-1F)

(PARCEL 1 A)

All of Parcel "A" of JERICHO BOATS ENTERPRISES, according to the Plat thereof, recorded in Plat book 146, Page 3 of the Public Records of Broward County, Florida

(PARCEL 1 B)

Lots 1 and 2, Block 2, SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida. LESS a portion of Lot 1, more particularly described as follows: BEGIN at the Northwest corner of said Lot 1; thence run North 88°29'09" East, along the north line of said Lot 1 for a distance of 17.28 feet; thence run South 47°39'21" West, for a distance of 26.15 feet; thence run North 06°49'35" East along the west line of said Lot 1 for a distance 17.28 feet to the Point of Beginning. PLUS the South 1/2 of the vacated N.E. 15th Street, lying north of Lot 1, Block 2, SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

(PARCEL 1 C)

All of Block 3, LESS the south 265.00 feet thereof, SEA BARGE YACHT CENTER, according to the Plot thereof as recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida. Plus the South ½ of the vacated N.E. 15 Street, lying North of Block 3, SEA BARGE YACHT CENTER, according to the Plat thereof as recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

(PARCEL 1 D)

Lots 1, 2, 6, 7 and 8, in Block 1 and all of Tracts "A", "B", "C. and "D" of SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

LESS that portion of Lot 8, Block 1 of SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida, in Section 30, Township 48 South, Range 43 East, being more particularly described as follows: COMMENCING at the Southeast (SE) corner of said Lot 8; thence run South 88°29'09" West along the South line of said Lot 8, for a distance of 117.71 feet to the POINT OF BEGINNING; thence continue to run South 88°29'09" West a distance of 13.00 feet to the Southwest (SW) corner of said Lot 8; thence run North 06°49'35" East along the west line of said Lot 8, a distance of 13.00 feet; thence run South 42°20'38" East, a distance of 17.00 feet to the POINT OF BEGINNING. PLUS the north 1/2 of the vacated N.E. 15th Street, lying south of Lot 8, Block 1 of SEA BARGE YACHT CENTER, according to the Plat thereof, recorded

in Flat Book 38, Page 27 of the Public Records of Broward County, Florida. PLUS the North  $\frac{1}{2}$  of the vacated N.E. 15 Street, lying South of Tract "D" of SEA BARGE YACHT CENTER, according to the Plat thereof as recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida.

(PARCEL 1 E)

That portion of the SEA BARGE YACHT BASIN as shown on the Plat of SEA BARGE YACHT CENTER, as recorded in Plat Book 38, Page 27, of the Public Records of Broward County, Florida, described as follows:

That property lying west of the east line of the West Three Quarters (W  $\frac{3}{4}$ ) of the Northwest One—Quarter (NW  $\frac{1}{4}$ ) of the Southwest One—Quarter (SW  $\frac{1}{4}$ ) of Section 30, Township 48 South, Range 43 East and bounded on the south by the northerly boundary of Tract "D" of said SEA BARGE YACHT CENTER, according to the Plat thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida, bounded on the west by the easterly boundary of Tract "C" of said SEA BARGE YACHT CENTER and bounded on the north by the southerly boundary of Tract "B" of said SEA BARGE YACHT CENTER. Together with that portion of said Sea Barge Yacht Basin described as follows: That portion of Lots 30 and 31 of CALIBAN, according to the Plat Thereof, recorded in Plat Book 27, Page 12 of the Public Records of Broward County, Florida, as bounded on the north by the southern boundary of Tract "B", SEA BARGE YACHT CENTER, according to the Plot thereof, recorded in Plat Book 38, Page 27 of the Public Records of Broward County, Florida, bounded on the west by the east line of the West Three-Quarters (W  $\frac{3}{4}$ ) of the Northwest One-Quarter (NW  $\frac{1}{4}$ ) of the Southwest One-Quarter (SW  $\frac{1}{4}$ ) of said Section 30, bounded on the east by a line 10.00 feet west of and parallel to the east line of said Tract "B" of said SEA BARGE YACRT CENTER.

(PARCEL 1F)

Lot 4 of CALIBAN, according to the Plat thereof as recorded in Plat Book 27, at Page 12 of the Public Records of Broward County, Florida.

(PARCEL 2)

Lots 3, 4 and 5, Block 1, of SEA BARGE YACHT CENTER, according to the Plat thereof, as recorded in Plat Book 38, Page 27, of the Public Records of Broward County, Florida.

(PARCEL 3)

A portion of the Caliban Yacht Basin, CALIBAN, according to the plat thereof as recorded in Plat Book 27, Page 12, of the Public Records of Broward County, Florida lying North of and adjacent to Parcel "A", JERICHO BOATS ENTERPRISES, according to the plat thereof as recorded in Plat Book 146, Page 3, of the Public Records of Broward County, Florida and being more fully described as follows:



BEGINNING at the Northeast corner of said Parcel "A", JERICO BOATS ENTERPRISES; thence South 88°14'47" West on the North line of said Parcel "A" also on the South line of Caliban Yacht Basin, a distance of 327.60 feet to the Northwest corner of said Parcel "A", JERICO BOATS ENTERPRISES; thence North 00°57'15" West, on the Northerly extension of the west line of said Parcel "A", JERICO BOATS ENTERPRISES, a distance of 15.00 feet; thence North 88°14'47" East on a line 15.00 feet North of and parallel with the North Line of said Parcel "A", JERICO BOATS ENTERPRISES, a distance of 327.60 feet; thence South 00°57'23" East, a distance of 15.00 feet to the POINT OF BEGINNING.

(PARCEL 4)

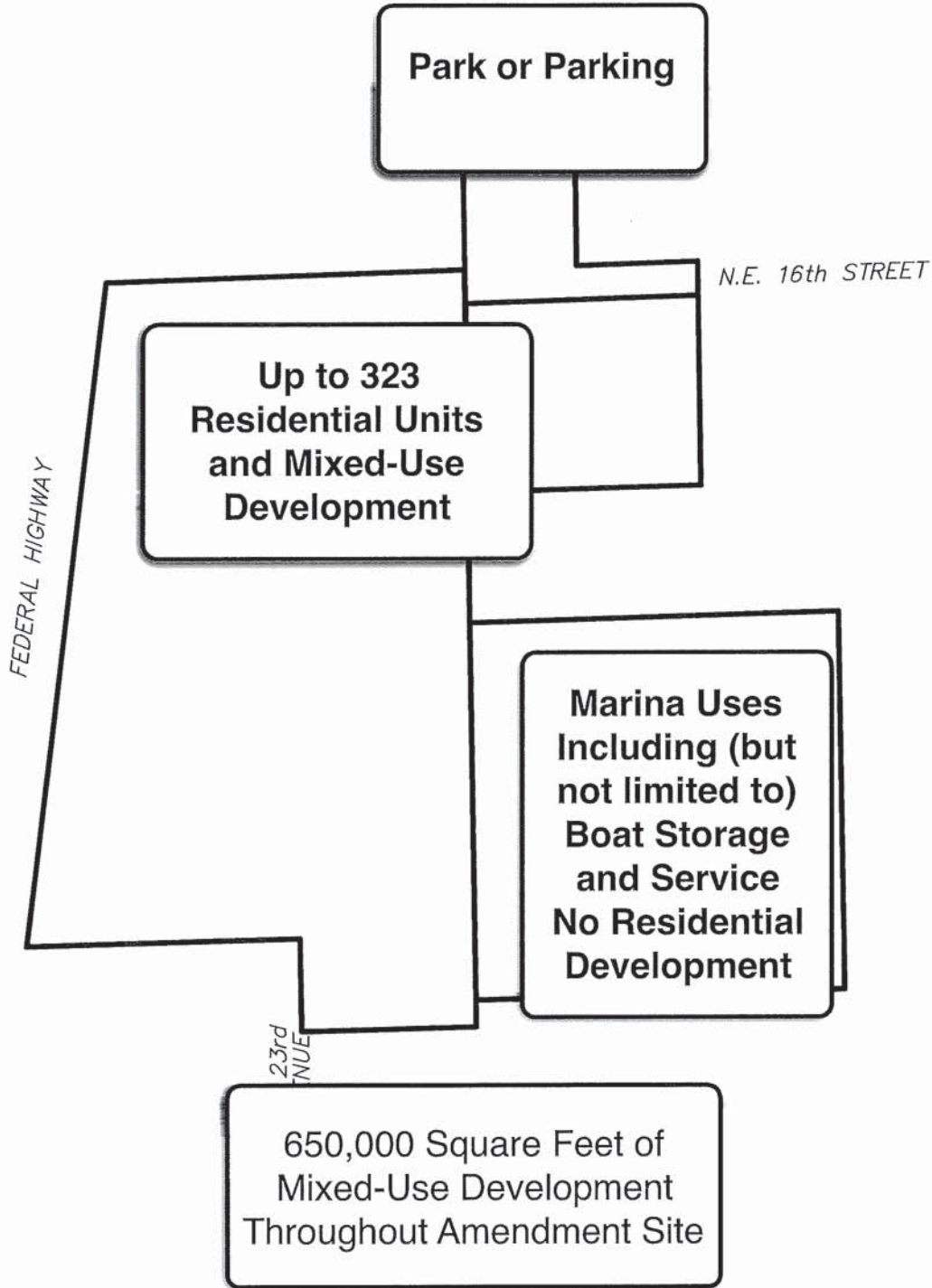
A portion of Lot 1, Block 2, SEA BARGE YACHT CENTER, according to the Plat thereof, as recorded in Plat Book 38, Page 27, of the Public Records of Broward County, Florida, being more particularly described as follows:

BEGIN at the Northwest corner of said Lot 1; thence run North 88°29'09" East, along the north line of said Lot 1 for a distance of 17.28 feet; thence run South 47°39'21. West, for a distance of 26.15 feet; thence run North 06°49'35" East, along the west line of said Lot 1 for a distance of 17.28 feet to the Point of Beginning.

Said lands situate in the City of Pompano Beach, Broward County, Florida and containing 300,444 square feet (6.90 net acres) more or less.

FUTURE LAND USE EXHIBIT  
**HIDDEN HARBOUR MARINA**  
 2315 NE 23RD AVE  
 POMPANO BEACH, BROWARD COUNTY, FLORIDA

**Exhibit B**



**REVISIONS**



**AVIROM & ASSOCIATES, INC.**  
**SURVEYING & MAPPING**  
 50 S.W. 2nd AVENUE, SUITE 102  
 BOCA RATON, FLORIDA 33432  
 TEL. (561) 392-2594, FAX (561) 394-7125  
[www.AVIROMSURVEY.com](http://www.AVIROMSURVEY.com)

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JOB #: **7184-21**  
 SCALE: **1" = 150'**  
 DATE: **10/08/2015**  
 BY:  
 CHECKED:  
 F.B. --- PG. ---  
 SHEET: **1 OF 1**

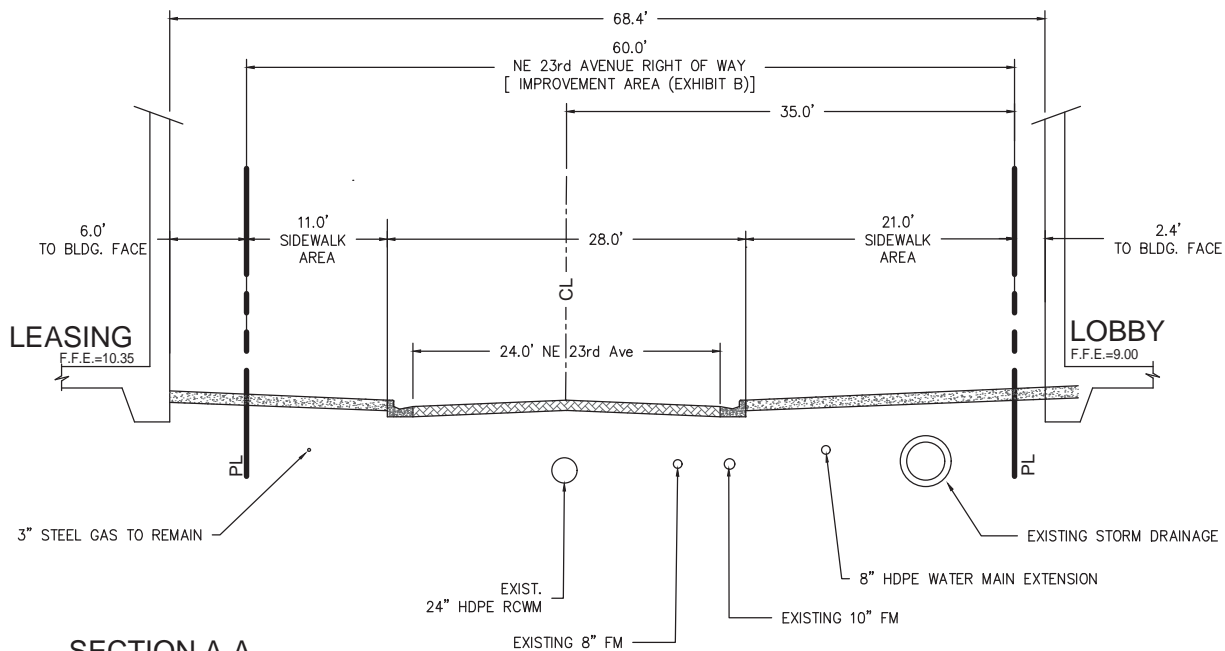




EXHIBIT H  
STREET SECTIONS

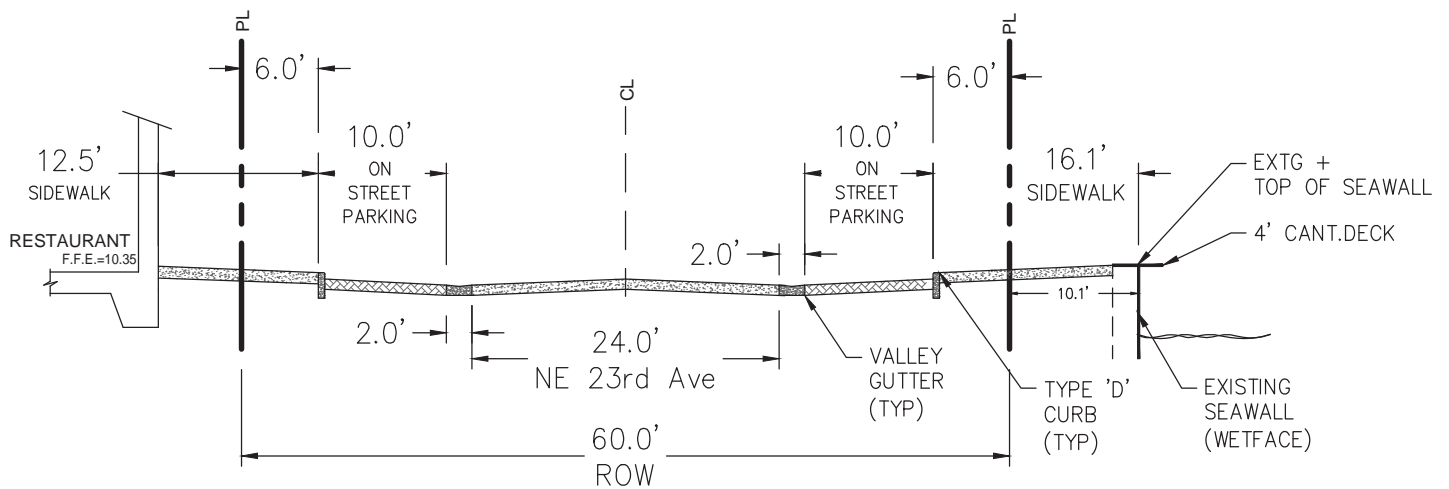
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## SECTION A-A

N.T.S.



## SECTION B-B

N.T.S.



# EXHIBIT I SCHOOL CONSISTENCY REVIEW REPORT

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The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**

**LAND USE**

**SBBC-1919-2015**

**County No: PC 18-5**

**Hidden Harbour**

**December 18, 2017**



Growth Management  
Facility Planning and Real Estate Department  
600 SE 3rd Avenue, 8th Floor  
Fort Lauderdale, Florida 33301  
Tel: (754) 321-2177 Fax: (754) 321-2179  
[www.browardschools.com](http://www.browardschools.com)



# SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION		IMPACT OF PROPOSED CHANGE			PROPERTY INFORMATION	
Date:	December 18, 2017	Units Permitted	84	Units Proposed	Existing Land Use:	Commercial/Medium
Name:	Hidden Harbour	NET CHANGE (UNITS):			Proposed Land Use:	Mixed Use High/Activity
SBBC Project Number:	SBBC-1919-2015	Students	Permitted	Proposed	Current Zoning	
County Project Number:	PC 18-5	Elem	16	66	Proposed Zoning:	
Municipality Project Number:	15-91000001	Mid	9	39	Section:	30
Owner/Developer:	AMP IV Hidden Harbour, LLC	High	10	42	Township:	48
Jurisdiction:	Pompano Beach	Total	35	147	Range:	43

## SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark* Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity
Cresthaven Elementary	705	705	696	-9	0	98.7%
Pompano Beach Elementary	615	615	507	-108	-6	82.4%
Crystal Lake Community Middle	1,622	1,622	1,253	-369	-16	77.3%
Pompano Beach Middle	1,227	1,227	1,054	-173	-7	85.9%
Deerfield Beach High	2,848	2,848	2,516	-332	-13	88.3%
Ely, Blanche High	2,786	2,786	2,127	-659	-26	76.3%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Capacity Adjusted Benchmark	Projected Enrollment				
				17/18	18/19	19/20	20/21	21/22
Cresthaven Elementary	696	-9	98.7%	702	687	712	706	701
Pompano Beach Elementary	508	-107	82.6%	502	492	483	474	465
Crystal Lake Community Middle	1,295	-327	79.8%	1,227	1,193	1,158	1,123	1,089
Pompano Beach Middle	1,073	-154	87.4%	1,094	1,119	1,154	1,187	1,143
Deerfield Beach High	2,521	-327	88.5%	2,558	2,587	2,599	2,620	2,653
Ely, Blanche High	2,198	-588	78.9%	2,148	2,167	2,186	2,206	2,225

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code.

A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

## LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	21/22	22/23	23/24	24/25	25/26
Area B - Elementary	20,237	16,495	-3,742	19,169	19,530	19,892	20,253	20,615
Area B - Middle	9,033	7,314	-1,719	7,820	7,911	8,002	8,092	8,183
Area B - High	12,673	10,326	-2,347	8,821	8,854	8,887	8,920	8,953

## CHARTER SCHOOL INFORMATION

[illegible]

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code.

A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW



# **PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN** (Years 1 - 5)

School(s)	Description of Capacity Additions
Cresthaven Elementary	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Pompano Beach Elementary	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Crystal Lake Community Middle	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Pompano Beach Middle	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Deerfield Beach High	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Ely, Blanche High	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.

# **PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN** (Years 6 - 10)

Capacity Additions for Planning Area B	
School Level	Comments
Elementary	None
Middle	None
High	None

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

## Comments

Information contained in the application indicates that the approximately 9.6-acre site is generally located at the east side of Federal Highway between NE 15th and NE 17th Street in the City of Pompano Beach. The current land use designations for the site are Commercial, Low-Medium (10) Residential, and Medium-High (25) Residential which allow 4 townhouse (all three or more bedroom) and 80 Garden Apartment (all three or more bedroom) residential units. The applicant proposes to change the land use designation to Activity Center to allow 343 garden apartment (all three or more bedroom) residential units which are anticipated to generate 112 additional students (50 elementary, 30 middle, and 30 high school) into Broward County Public Schools.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Please be advised that this application was reviewed utilizing 2016-17 school year data because the current school year (2017-18) data will not be available until updates are made utilizing the Benchmark Day Enrollment Count.

Schools serving the amendment site in the 2016-17 school year were Cresthaven and Pompano Beach Elementary, Crystal Lake and Pompano Beach Middle, and Blanche Ely and Deerfield Beach High. Based on the District's Public School Concurrency Planning Document, all of the schools are operating below the adopted LOS of 100% of their gross capacities in the 2016-17 school year. The same schools are serving the amendment site in the 2017-18 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2016-17 – 2018-19), all the schools are expected to operate below the adopted LOS of 100% of gross capacities through the 2018-19 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2017-18 – 2021-22. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. The charter school located within a two-mile radius of the subject site in the 2016-17 school year is depicted herein.

Capital Improvements scheduled in the long range section of the currently Adopted DEFP Fiscal Years 2017-18 – 2021-22 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "B" and the elementary, middle, and high schools currently serving Planning Area "B" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "B" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area.

Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

\*The first Monday following Labor Day  
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW



The School Board of Broward County, Florida  
**SCHOOL CONSISTENCY REVIEW REPORT**

PROJECT NUMBER: SBBC-1919-2015

12/18/2017

Date

Reviewed By:



Signature

Mohammed Rasheduzzaman, AICP

Name

Planner

Title

Amendment PC 18-5

 Site

POMPANO  
BEACH

NE 18 STREET

NE 16 STREET

FEDERAL HIGHWAY

NE 15 STREET

NE 23 AVENUE

NE 14 STREET



NOT TO SCALE





EXHIBIT J

# CORRIDOR VIEW DIMENSIONS

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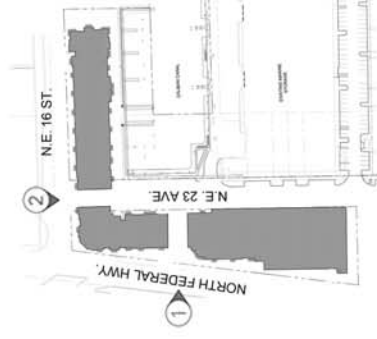
1 VIEW CORRIDOR #1 DIAGRAM



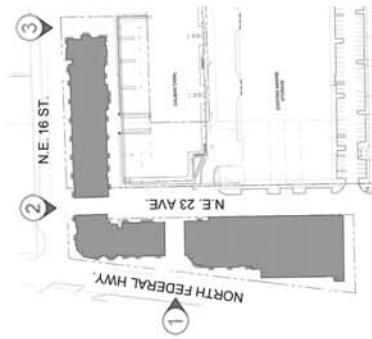
CONCEPTUAL VIEW FROM MARINA LOOKING WEST TOWARDS N.FED HWY



2 VIEW CORRIDOR #2 DIAGRAM



KEYPLAN SCALE: N.T.S.



KEYPLAN

## VIEW CORRIDORS

SCALE: N.T.S.

SHEET NUMBER:

EX-11



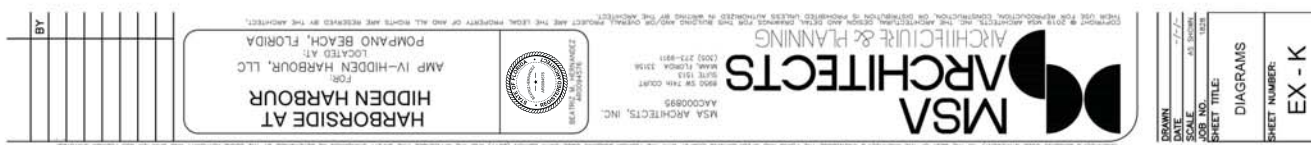




EXHIBIT K  
AIRPORT AIRSPACE HEIGHT LIMIT

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# AIRPORT AIRSPACE HEIGHT LIMIT DIAGRAM



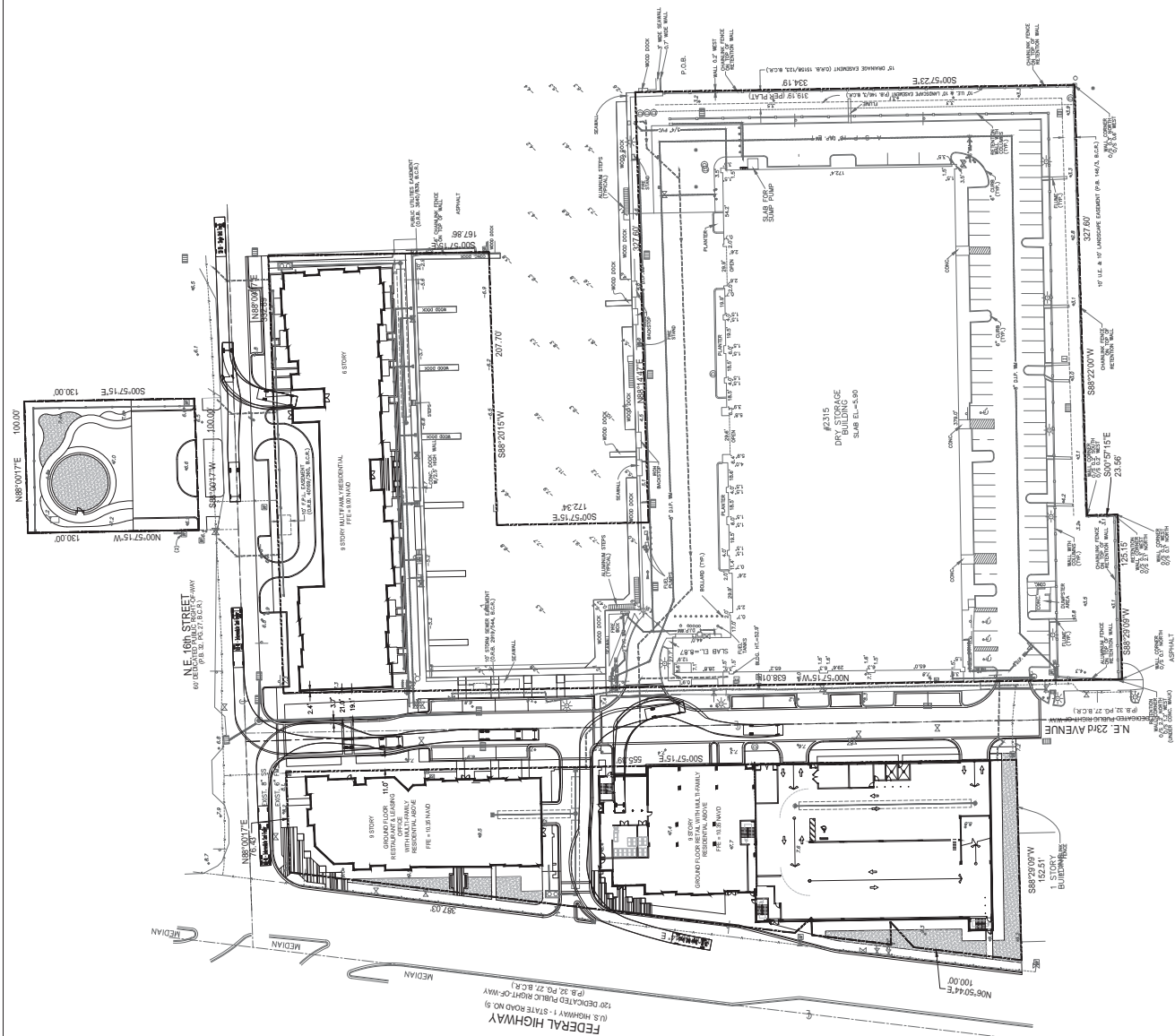
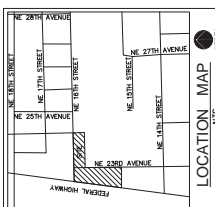
EXHIBIT L

# TRUCK TURNING RADIUS

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HIDDEN HARBOUR, POMPANO BEACH, FL.

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