

RESOLUTION NO. 2020 - _____

**CITY OF POMPANO BEACH
Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A
MAXIMUM OF FORTY ONE (41) RESIDENTIAL FLEX
UNITS FOR A PROPOSED DEVELOPMENT LOCATED ON
THE NORTHEAST CORNER OF NW 31ST AVENUE AND
NW 7TH STREET; PROVIDING AN EFFECTIVE DATE**

WHEREAS, HUS Group, LLC (“Applicant”) requests an allocation of a maximum of forty one (41) residential flex units to be located on a 1.1 acre vacant property on the northeast corner of NW 31st Avenue and NW 7th Street, legally described in Exhibit “A,” attached and incorporated in this Resolution; and

WHEREAS, the subject property has a Commercial Land Use Designations; and

WHEREAS, Section 154.61, City of Pompano Beach Planning Code, requires that applications for flex and reserve units must comply with certain requirements to construct affordable housing; and

WHEREAS, the Applicant intends to comply with the affordable housing requirements of City Code Section 154.61(E) by providing an agreement, prior to site plan approval, that prescribes the Applicant’s provision of affordable housing; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed resolution and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, in accordance with Section 154.61(C)(4) of the Pompano Beach Code of Ordinances, notice has been mailed notifying residents within 500 feet of the subject property of one public hearing on this proposed Resolution; and

WHEREAS, in order to construct the proposed project on the subject property, the city will have to allocate a maximum of 41 flex units; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach allocates a maximum of 41 residential flex units from the unified flex zone for the proposed housing project to be constructed on the property legally described in Exhibit “A.”

SECTION 2. That the number of flex units in the unified flex zone shall be reduced by the number of units necessary for the proposed housing project, not to exceed 41 units.

SECTION 3. That the proposed housing project shall be generally consistent in regard to building placement, setbacks and buffering with the attached conceptual site plan as shown in Exhibit “B,” attached and incorporated in this Resolution. Minor revisions to the site plan that are necessary to meet the City’s Code or do not affect the density or intensity of the site, such as (but not limited to) building dimensions, stormwater retention and access locations, will be allowed without additional public hearings.

SECTION 4. That the proposed housing Project must be built in substantial conformity with the attached conceptual site plan as shown in Exhibit “B” that shows a maximum density on the residentially zoned portion of the subject property. If the requested density cannot be accommodated on site based on all applicable code requirements, any flex units that will not fit on site must be returned to the flex pool.

SECTION 5. That, prior to site plan approval, the Applicant shall determine the preferred approach to meeting the affordable housing requirement, pursuant to Section 154.61(E), City Planning Code, by either: providing an agreement to provide affordable housing units; or by providing an in lieu of fee in accordance with Section 154.80, City Code.

SECTION 6. Failure of the applicant to obtain a principal building permit for its project as shown in Exhibit “B” within two years of the date of this resolution shall render the allocation of the flex units null and void.

SECTION 7. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2020.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

JES:jrm
1/23/2020
l:reso/2020-106