

## Legislation Text

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**File #:** 19-500, **Version:** 2

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**P.H. 2019-87: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED AT 801 N.E. 33rd STREET, ST. ELIZABETH GARDENS, FROM RM-12 (MULTIPLE-FAMILY RESIDENCE) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JUNE 25, 2019**

(Staff Contact: Jennifer Gomez/David Recor)

**Summary Explanation/Background:**

The applicant is requesting to rezone the subject property from Multiple-Family Residence 12 (RM-12) to Residential Planned Unit Development - RPUD in order to bring the existing development into compliance with the City's Zoning Code. The subject property consists of one parcel of land located at 801 NE 33rd Street. The property is approximately 7 gross acres in size with a RM-12 zoning designation and has a land use designation of Low-Medium Residential. This land use allows a maximum 10 dwelling units per acre (du/acre), which is inconsistent with the existing 153-unit development currently has the density at 21.9 units per acre. The applicant additionally proposes bringing the total number of dwelling units to 155 (a density of 22.1 units per acre). The existing development is composed of low-income senior housing units owned and managed by the Archdiocese of Miami.

St. Elizabeth Gardens, built between 1970 and 1971, was under the jurisdiction of Broward County at the time of development approval. In 2000, the City annexed this area. Unfortunately, the City applied a Land Use designation and Zoning category that was comparable to the County's at that time, which was not reflective of the existing use. Within the designated RM-12 Zoning District, there are limitations on building height, dwelling unit size, and minimum number of parking spaces required, which are creating conflict with the existing development of the site. Thus, the applicant is requesting to rezone, in order to legalize all of the existing aspects of the site that are nonconforming to the current zoning code. This rezoning request is being presented concurrently with a request for the allocation of Flexibility Units.

**Origin of request for this action:** Suzanne Dockerty, ESQ., on behalf of St. Elizabeth Gardens, Inc.

**Fiscal impact and source of funding:** N/A

