



## Meeting Minutes City Commission

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Tuesday, December 3, 2024

7:00 PM

Commission Chambers

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### **CALL TO ORDER AND ROLL CALL**

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

#### **Present:**

Commissioner Michael Hudak  
Commissioner Bernie Parness  
Commissioner Ben Preston  
Vice Mayor Todd Drosky  
Mayor Bill Ganz

#### **Also Present:**

Interim City Manager Rodney Brimlow  
City Attorney Anthony Soroka  
City Clerk Heather Montemayor

### **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

Mayor Ganz asked that everyone keep Corporal Luis Paez, Deputy Ralph "Butch" Waller, and Deputy Ignacio "Dan" Diaz in their thoughts and prayers. Thereafter, there was a moment of silence, followed by the Pledge of Allegiance.

### **APPROVAL OF CITY COMMISSION MINUTES**

Regular City Commission Meeting Minutes - November 6, 2024  
Regular City Commission Meeting Minutes - November 19, 2024

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak to approve the meeting minutes as submitted. Voice Vote:**

**Yeas:** 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz

**Nays:** 0

### **ACKNOWLEDGEMENT OF CITY BOARD MINUTES**

Firefighter's Pension Fund Meeting Minutes - July 17, 2024  
Police Pension Fund Meeting Minutes - September 4, 2024  
Education Advisory Board Meeting Minutes - October 7, 2024  
Code Compliance Meeting Minutes - October 8, 2024  
Community Redevelopment Agency Meeting Minutes - October 8, 2024  
Hillsboro Inlet District Meeting Minutes - October 21, 2024  
Community Appearance Board Meeting Minutes - October 23, 2024

## **ACKNOWLEDGEMENT OF CITY BOARD MINUTES**

**MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to acknowledge the board minutes. Voice Vote:**

**Yeas:** 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz  
**Nays:** 0

## **APPROVAL OF CITY COMMISSION AGENDA**

*December 3, 2024*

**MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve the agenda as submitted. Voice Vote:**

**Yeas:** 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz  
**Nays:** 0

## **QUASI-JUDICIAL PUBLIC HEARINGS**

- 1. P.H. 2025-008: ORDINANCE 2024/021 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY 4.28 ACRES LOCATED AT 201, 221, 231 & 299 FEDERAL HIGHWAY, AND 226-228 NE 9TH AVENUE FROM HIGHWAY BUSINESS DISTRICT (B-2) AND RM-10 RESIDENCE, MULTIFAMILY TO PLANNED DEVELOPMENT DISTRICT (PDD) (APPLICATION 24-R-200); PROVIDING FOR A MAXIMUM OF 237 DWELLING UNITS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**
- 2. P.H. 2025-009: APPLICATION 20-P-229**  
Applicant: **CRD FEDERAL, LLC.**  
Proposal: Request to plat a 4.2-acre site to be restricted to 237 mid-rise units and be known as "Centrum Deerfield Beach" Plat.  
Location: The properties are generally described as portions of Lots 4, 8 and 9, block 3 of "DEERFIELD BEACH ESTATES SECTION A" to the plat thereof, as recorded in plat book 39, page 14, of the public records of Broward County, Florida and portion of the southwest ¼ of the southeast ¼ of the southeast ¼ of section 31, township 47 south, range 43 east, Broward County, Florida, and located at **201-299 N Federal Highway and 226-228 NE 9th Avenue.**
- 3. P.H. 2025-010: APPLICATION 21-PDD-02**  
Applicant: **CRD FEDERAL, LLC. Represented by Greenspoon Marder**  
Proposal: Major site plan application seeking approval to construct 237 mid-rise units (apartments) with an attached parking garage and associated site improvements.  
Location: The properties are generally described as portions of Lots 4, 8 and 9, block 3 of "DEERFIELD BEACH ESTATES SECTION A" to the plat thereof, as recorded in plat book 39, page 14, of the public records of Broward County, Florida and portion of the Southwest ¼ of the Southeast ¼ of the Southeast ¼ of Section 31, Township 47 south, Range 43 east, Broward County, Florida, and located at **201-299 N Federal Highway and 226-228 NE 9th Avenue.**
- 4. Resolution 2024/185 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a development agreement with the developer of the development located at 201, 221, 231 & 299 Federal Highway and 226-228 NE 9th Avenue and consisting of approximately 4.2 acres; authorizing execution of the Development Agreement; providing for an effective date.**

Anthony Soroka, City Attorney, stated that Items 1 - 4 will be discussed simultaneously, but voted on separately; thereafter, he read the title of each item into the record. Additionally, he read a statement regarding the full evidentiary hearing, as well as the City's quasi-judicial proceedings. Lastly, he asked that each commissioner disclose any ex-parte communication.

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

Commissioner Hudak stated that he's communicated with Mr. Mele twice, attended two community meetings, and has spoken to numerous residents via telephone, email, and in person on various occasions; Commissioner Preston stated that he's spoken with Mr. Mele on multiple occasions, received e-mails from numerous residents, and spoke to one of them via telephone; Commissioner Parness stated that he has spoken to Mr. Mele on one occasion; Vice Mayor Drosky stated that he's spoken to Mr. Mele several times, attended one community meeting, hosted one community meeting, and received many e-mails from the surrounding residents; and Mayor Ganz stated that he spoke to Mr. Mele on multiple occasions, attended a community meeting with multiple residents, spoke to various residents via telephone, and received various e-mails from numerous residents. All Elected Officials stated that Mr. Mele was looking for their support for the project and that the residents requested that they deny the project.

Heather Montemayor, City Clerk, advised that pursuant to Ordinance 2009/006, City of Deerfield Beach Code of Ethics, the applicant's representatives made the following campaign contributions: Alsajo, Inc. - Commissioner Ben Preston - \$500 on February 6, 2023; Suprema, Inc. - Commissioner Ben Preston - \$1,000.00 on February 8, 2023; Tag, LC - Commissioner Preston - \$500 on February 8, 2023; Arthur Salven - Commissioner Michael Hudak - \$500 in January 2023; Jane Slaven - Commissioner Hudak - \$500 in January 2023. Greenspoon Marder, LLP - Commissioner Ben Preston - \$500 on February 9, 2023; Equity Land Title, LLC - Commissioner Ben Preston - \$500 on February 9, 2023; Greenspoon Marder, LLP - Commissioner Michael Hudak - \$500 on November 21, 2022; Equity Land Title, LLC - Commissioner Michael Hudak - \$500 on November 21, 2022; Greenspoon Marder, LLP - Commissioner Bernie Parness - \$500 on January 19, 2021; Equity Land Title, LLC - Commissioner Bernie Parness - \$500 on January 19, 2021; Greenspoon Marder, LLP - Vice Mayor Todd Drosky - \$500 on December 30, 2020; and Equity Land Title, LLC - Vice Mayor Todd Drosky - \$500 on December 30, 2020.

Mayor Ganz stated that years ago he received a donation from the applicant's firm, Greenspoon Marder, LLP.

Mr. Soroka performed the oath for all wishing to speak on Items 1 - 3.

Robert Sweetapple, 792 Staghorn Court, Boca Raton, representing Ric Jorge, who resides at 203 NE 8<sup>th</sup> Terrace, requested that Commissioner Parness and Vice Mayor Drosky recuse themselves based on their previous comments. Thereafter, he briefly commented on the current zoning regulations and stated that the surrounding neighbors purchased their homes with the understanding that the zoning would remain unchanged. Lastly, Mr. Sweetapple spoke in opposition to the applicant's representatives contributing to the Elected Officials prior campaigns.

Dennis Mele, 200 E. Broward Blvd, Fort Lauderdale, representing the applicant, stated that all Elected Officials expressed their opinions during the first hearing; therefore, he spoke in opposition to Commissioner Parness and Vice Mayor Drosky recusing themselves.

In response to Mr. Soroka's question, Commissioner Parness and Vice Mayor Drosky replied that they can provide an unbiased, unprejudicial determination, and apply the facts and evidence presented into the record for the application before them this evening.

Mayor Ganz agreed; therefore, he denied Mr. Sweetapple's request.

Eric Power, Director of Planning & Development Services, read the staff report into the record for Items 1 - 3, which is attached. Thereafter, he outlined the staff report for Item 4, whereby, the applicant has submitted a development agreement to comply with the rezoning requirements for the PDD to be considered by the City Commission, in conjunction with the rezoning application demonstrating that the applicant has provided or complied with the following: 1) a higher level of connectivity via vehicular, pedestrian, and bicycle access to surrounding land uses, areas of public activity, mass transit, and the City as a whole; 2) opportunities either regionally or on-site to provide for affordable or senior designated housing; 3) energy efficient and green building design including, but not limited to, use of reclaimed water, solar energy systems, use of green roofs and green walls, and other measures that will relieve pressure on public and private utility systems, and reduce pollution and urban heat islands; 4) a high quality of design and materials that is integrated throughout the site and will be complimentary to and enhance the surrounding neighborhood and the City as a whole; 5) the preservation and enhancement of desirable site characteristics, natural or

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

manmade, including, but not limited to, vegetation, geological features, and historical features; and 6) more useable and suitably located public open space and amenities. Lastly, he said the proposed development agreement consists of the following sections: 1) Article I: Recitals, Exhibits, and Agreement; 2) Article II: Required Improvements; 3) Article III: Green Building Elements; and 4) Article IV: Miscellaneous.

Mr. Soroka provided a brief explanation of the process and procedure for cross-examination under the City's quasi-judicial proceedings.

In response to Mr. Sweetapple's cross examination, Mr. Power provided a brief overview of his educational background and qualifications, as well as the reasoning behind the Department of Planning & Development Services sponsoring these items. Further, he stated that staff does not make formal recommendations to the Commission, and he has reviewed the City regulations, particularly the PDD Section. Mr. Power stated that the property ownership has two separate zoning districts, B-2 and RM-10, whereby, due to their differences, the applicant is requesting to rezone the properties in order to develop. Additionally, he said RM-10 would not allow commercial development. Mr. Power stated that Live Local Plans can be built under commercial/industrial zoning. Furthermore, a previous application was submitted by the applicant, but it is no longer pending, as the application was resubmitted. Thereafter, Mr. Sweetapple continued to cross-examine Mr. Power on Items 1 - 4. Mr. Power stated that the City has a traffic consultant, who reviewed the traffic study, which is current. Thereafter, cross-examination ensued regarding the traffic study.

In response Mr. Mele's cross-examination, Mr. Power provided a brief overview of another approved development, Vista Clara, which is similar in nature to the application being presented this evening.

Thereafter, Mr. Mele stated that he will address the other issues brought up by Mr. Sweetapple during his presentation.

*Commissioner Parness temporarily left the meeting at 8:41 p.m. and returned at 8:43 p.m.*

In response to Mayor Ganz's question, Mr. Power replied that the traffic study is for all four applications; however, there is an additional requirement for traffic concurrency with the plat application, which is a monetary payment to the County.

Mr. Mele provided a brief overview of his background and credentials. Thereafter, a PowerPoint presentation was displayed, outlining an aerial photograph of the property, as well as the future land use map, which consists of 48.6 residential irregular dwelling units per acre and 10 residential moderate dwelling units per acre. He stated that the Land Use Plan Amendment was unanimously approved by the Broward County Planning Council, as well as the Broward County Commission. Currently, the property is zoned B-2 in the front and RM-10 in the back. Thereafter, he displayed Section 98-61 of the City's Land Development Code (LDC), whereby, RM10 and B2 have many differences. Furthermore, photographs of previous and current applications were displayed, whereby, an application was submitted for a 277-unit PDD plan, but was disapproved in 2022; an application has been submitted for a 248-unit Live Local Plan; and the 237-unit PDD plan, which is being presented this evening. He stated that the 277-unit and 237-unit plans have the same building footprint, landscaping, access, and road improvements; however, the building heights differ, whereby, the proposed application is less dense, which was displayed. Thereafter, he displayed the public benefits and cost estimates of the PDD plans, whereby, the only applicable public benefit under the Live Local Plan would be the affordable housing contribution. Me. Mele displayed various photographs of the public improvements.

Continuing, Mr. Mele said if traffic calming devices are requested by the community and approved by the City, the applicant will pay to have them installed on NE 8<sup>th</sup> Avenue, NE 8<sup>th</sup> Terrace, and NE 9<sup>th</sup> Avenue. The total annual revenue is estimated at \$636,880 and the one-time development revenue is \$1,983,516. Thereafter, he displayed the current permitted uses for B-2, and the FDOT variance approval letter. Furthermore, due to resident concerns, a detailed traffic analysis was performed after COVID, whereby, the actual numbers were less than the projected numbers. Mr. Mele displayed a comparison of intersection traffic counts, and explained that the current study showed a significant reduction in traffic congestion than the prior study in all areas except for the evening hours on Eller Street and Federal Highway, which remained the same. Thereafter, Mr. Mele outlined the trip generations for multi-family housing and shopping center, which exhibited multi-family housing having the least number of daily trips.



**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

Lastly, Mr. Mele said all the surrounding schools are under enrolled and even as you project into the future, they remain under enrolled. Thereafter, various photographs of the proposed project were displayed, as well as the plat, which depicts a description of the property, access points, easements/right-of-way's, bus shelter, etc.

In response to Commissioner Hudak's question, Mr. Mele replied that the Level of Service (LOS) D is the standard for roadways in Broward County. Currently, Federal Highway's maximum capacity is 3,020 vehicles per hour on-way.

In response to a comment from the audience, Mr. Mele stated that the applicant performed a traffic analysis, which is required. The City hired a traffic engineer to review the applicant's traffic study, and make the necessary recommendations, which were adhered to by the applicant.

In response to Commissioner Preston's questions, Mr. Mele briefly outlined the public benefits, which are estimated at \$1.6 million. Further, he said the applicant could build under Live Local, but that process would exclude the public and it's not something the applicant wants to do; therefore, the applicant submitted a new PDD plan, as they believe it will be better than the Live Local.

In response to Mr. Sweetapple's cross-examination, Mr. Mele stated that the larger portion of the property is along Federal Highway, and is zoned B-2. Further, he is unsure how long it has been zoned B-2 and is unsure when each homeowner purchased their homes. Mr. Mele said when the applicant contracted to purchase the main property, it included all of the B-2 site, and the RM-10 lot, located on the corner of 2<sup>nd</sup> and 9<sup>th</sup>, which was previously used as a parking lot; the additional RM-10 lot was purchased separately, and will be utilized as a dog park, which is allowed under the PDD zoning. Unfortunately, he is unsure how the current RM-10 lot is being used as a parking lot, as that is not what it's zoned for. Mr. Mele stated that the land use plan for the B-2 parcel is 48.6 residential, not commercial, so the applicant is in a situation where the land use and zoning do not match. Furthermore, the regulations for the property, which is B-2 and RM-10 do not match, so a project cannot be designed for the entire property based on the two different zoning districts. Thereafter, cross-examination ensued regarding the zoning designations and traffic study.

In response to Mayor Ganz's question, Mr. Mele replied that the applicant could request to rezone the entire property to B-2 or RM-10; nonetheless, that is not the desire, nor the request. Further, he said the applicant has a land use plan designation of 48.6, and B-2 nor RM-10 is consistent with that.

Mr. Mele and Mr. Sweetapple did not cross-examine any of the below individuals. Thereafter, the following individuals spoke in opposition to the proposed applications:

**Katy Freitag, 418 SE 2<sup>nd</sup> Street, Deerfield Beach**, was sworn in.

**Ron Coddington, 501 NE 6<sup>th</sup> Avenue, Deerfield Beach**, was sworn in.

**Sarah Ritzler, 208 NE 8<sup>th</sup> Terrace, Deerfield Beach**, wished to not be sworn in.

**Alla Kartel, 410 NE 6<sup>th</sup> Avenue, Deerfield Beach**, wished to not be sworn in.

**Jeri West, 514 NE 8<sup>th</sup> Avenue, Deerfield Beach**, was sworn in.

**Jeff West, 514 NE 8<sup>th</sup> Avenue, Deerfield Beach**, wished to not be sworn in.

**Marcia Avant, 825 NE 4<sup>th</sup> Court, Deerfield Beach**, was sworn in.

**Paul Boutelle, 203 NE 9<sup>th</sup> Avenue, Deerfield Beach**, wished to not be sworn in.

**Sean Cronin, 869 NE 4<sup>th</sup> Street, Deerfield Beach**, wished to not be sworn in.

**Janet Nederlanden, 1320 SE 4<sup>th</sup> Street, Deerfield Beach**, was sworn in.

**Spencer Flory, 221 NE 8<sup>th</sup> Terrace, Deerfield Beach**, was sworn in.

*Commissioner Hudak temporarily left the meeting at 9:12 p.m. and returned at 9:14 p.m.*

**Dan Herz, 330 SE 19<sup>th</sup> Avenue, Deerfield Beach**, was sworn in. Further, he said since the project was turned down in June 2023, the developer has only set up one meeting with the neighborhood. Thereafter, he commented on previous comments that were allegedly made by Mr. Mele. Lastly, he asked why weren't serious negotiations conducted by Mr. Mele.

During cross-examination, Mr. Mele said he never stated at any meetings that this project was a done deal.

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

Mr. Sweetapple advised that he does not wish to cross-examine Mr. Herz.

In response to Commissioner Preston's question, Mr. Herz replied that there was only one meeting in 18 months.

In response to Commissioner Preston's questions, Mr. Mele stated that is untrue; thereafter, he listed the various meeting dates. Further, he said he believes there was a good faith effort in notifying and communicating with the community. Lastly, when he asked the residents for a proposal, suggestion, or counter offer, there were none.

Mayor Ganz said when he met with the residents, nothing different was proposed.

**Robert DiChristopher, 517 NE 6<sup>th</sup> Avenue, Deerfield Beach**, was sworn in. Further, he stated that e-mails were provided to Commissioner Parness, but he is unsure if they were read. Thereafter, he commented on the two zoning designations, and provided a brief history of the properties. Mr. DiChristopher said the lot that was purchased separately was not part of the Broward County application. Lastly, he spoke in opposition to the application being compatible with the neighboring community.

Mr. Mele advised that he does not wish to cross-examine Mr. DiChristopher.

In response to Mr. Sweetapple's cross-examination, Mr. DiChristopher provided a brief overview of his background and credentials and stated that he has recently familiarized himself with the City's code. Thereafter, cross-examination ensued regarding the City's code, rezoning, etc.

Mr. Mele wished to not provide a rebuttal.

Mr. Mele and Mr. Sweetapple did not cross-examine any of the below individuals. Thereafter, the following individuals spoke in opposition to the proposed applications:

**Ellyce Miller-Plotkin, 1998 NE 7<sup>th</sup> Street, Deerfield Beach**, was sworn in.

**Roger Freitag, 418 SE 2<sup>nd</sup> Street, Deerfield Beach**, was sworn in.

**Lettie Cronin, 869 NE 4<sup>th</sup> Street, Deerfield Beach**, was sworn in.

**April Bolowich, 899 NE 4<sup>th</sup> Street, Deerfield Beach**, was sworn in.

**Cindy Ritzler, 208 NE 8<sup>th</sup> Terrace, Deerfield Beach**, wished to not be sworn in.

*Commissioner Parness temporarily left the meeting at 10:00 p.m. and returned at 10:04 p.m.*

**Christina DiChristopher, 517 NE 6<sup>th</sup> Avenue, Deerfield Beach**, was sworn in. Further, she stated that residents offered multiple alternative projects to both the developer and staff. Thereafter, she commented on the lack of evidence supporting the zoning change and asked that the Commission vote against the project.

*Commissioner Hudak temporarily left the meeting at 10:06 p.m. and returned at 10:07 p.m.*

Mr. Mele advised that he does not wish to cross-examine Ms. DiChristopher.

In response to Mr. Sweetapple's cross-examination, Ms. DiChristopher replied that she has spent over 500 hours studying the City and County Codes, Comprehensive Plans, zoning maps, etc. Further, she did not receive the meeting notifications because she resides outside of the 500-foot requirement, but is within ¼ mile of the property.

Mr. Mele wished to not provide a rebuttal.

Mr. Mele and Mr. Sweetapple did not cross-examine any of the below individuals. Thereafter, the following individuals spoke in opposition to the proposed applications:

**Stefan Bolowich, 899 NE 4<sup>th</sup> Street, Deerfield Beach**, was sworn in.

**Christy Haney, 322 N. Federal Highway, Boca Raton**, was sworn in.

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

In response to Commissioner Preston's question, Ms. Hayne replied that she is unsure if crime will go up, but when more people are added to an area, more crime occurs.

Commissioner Preston disagreed, as that is an opinion.

**Ric Jorge, 203 NE 8<sup>th</sup> Terrace, Deerfield Beach**, was sworn in. Thereafter, he spoke in opposition to the proposed applications.

Mr. Mele and Mr. Sweetapple did not cross-examine Mr. Jorge.

**Michael LoBianco, 1940 Woodlake Terrace, Deerfield Beach**, was sworn in. Thereafter, he spoke in support of the proposed applications.

Mr. Mele and Mr. Sweetapple did not cross-examine Mr. LoBianco.

In response to Commissioner Parness' comment, Mr. Soroka clarified that the applications include rezoning, plat, and site plan.

**Julie Stagner, 3 Royal Palm Way, Boca Raton**, wished to not be sworn in. Thereafter, she spoke in opposition to the proposed applications.

**David Monks, 829 SE 16<sup>th</sup> Court, Deerfield Beach**, wished to not be sworn in. Thereafter, he asked that the City Attorney or another individual clarify what the Commission is voting on, so everyone is on the same page.

Mr. Mele and Mr. Sweetapple did not cross-examine any of the below individuals. Thereafter, the following individuals spoke in opposition to the proposed applications:

**Nicole Wagner, 231 NE 8<sup>th</sup> Terrace, Deerfield Beach**, was sworn in.

**Dena Landers, 4 NE 11<sup>th</sup> Way, Deerfield Beach**, was sworn in.

**Karen Shelly, 190 Durham D, Deerfield Beach**, wished to not be sworn in.

Mr. Sweetapple thanked those who spoke. He said the first threshold issue is in regard to law, whereas, the entire application is improper, as they are separate zoning requests. Thereafter, he commented on Section 98.68(b)(3), and stated that these properties, under their current zoning designations, do not impede development, as there is nothing wrong or unique about any of them and all three can be developed; therefore, there is no need for them to be rezoned to PDD. Mr. Sweetapple stated that threats, nor tax base should be considered; whereby, the first question that must be asked is what is the unique property characteristic, natural or manmade, that bodes a PDD zoning change. Thereafter, he continued expressing concerns with the rezoning request, as there are many adverse influences. Lastly, he said legally there is no basis to change the zoning to PDD, and spoke in opposition to the Live Local scare tactics, as he believes, legally, it is unachievable.

Mr. Mele did not cross-examine Mr. Sweetapple.

**Marlene Seeley, 418 NE 6<sup>th</sup> Avenue, Deerfield Beach**, was sworn in. Thereafter, she spoke in opposition to the proposed applications.

Mr. Mele and Mr. Sweetapple did not cross-examine Ms. Seeley.

**Rich Kirby, 4087 NW 4<sup>th</sup> Court, Deerfield Beach**, was sworn in. Thereafter, he stated he struggles with development, and advised that he has to end the call.

Mayor Ganz closed the public hearing.

*Vice Mayor Drosky left the meeting temporarily at 10:47 p.m. and returned at 10:50 p.m.*

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

Mr. Mele displayed an aerial of the property, and stated that the Eller building and parking lot behind it were purchased prior to filing any applications. The dog park was not included in the land use plan application because the applicant was not seeking units for that property; whereby, it was later purchased due to the neighboring residents' concerns, but if it is not warranted, it can be removed. Thereafter, he read an excerpt from the City's code, and stated that the requirements under RM-10 and B-2 have nine out of 12 differences, which has been cited in the application. Further, it was suggested that the back of the property, currently zoned RM-10, does not need to be rezoned to B-2, which is untrue, whereby, many years ago, property owners would put their commercial development on the commercial property and add parking behind it, which is no longer allowed, so it may be suggested, by staff, to be a non-conforming use. Thereafter, he commented on remarks made by the public and read an excerpt from Katherine's Bay, LLC v Fagan case, and stated that the discussions regarding traffic were irrelevant, whereas, B-2 would generate way more traffic than any of the proposed plans. Mr. Mele stated that the traffic analysis predated the Chick-Fil-A, as this proposed application was submitted prior.

Continuing, Mr. Mele said applications are fully vetted during the Development Review Committee process; therefore, water, trash generation, fire, etc. were reviewed and approved by city staff. All required parking is being added to the site, whereby, garage parking will be for residents and guests. Thereafter, he outlined the traffic flow into the property, and briefly explained how and when the traffic was counted. The distance between the proposed development and Deerfield Beach Elementary is a little more than 500 feet, so most likely parents will walk their children. Further, if desired, the applicant will pay for no through traffic signs. Lastly, Mr. Mele said there is no required contribution to the Fire Department fund; nonetheless, the applicant is making the contribution because of the possible need.

In response to Mayor Ganz's request, Mr. Mele and Mr. Sweetapple both provided a brief overview and explanation of Section 98.68(a) of the LDC.

In response to Mayor Ganz's question, Mr. Sweetapple replied that he has not studied the setback requirements for a PDD, so he cannot competently comment on them.

Mr. Power stated that the PDD requires a development agreement, and within that agreement, developers have the ability to make changes to the Code; however, if changes are not requested, then developers would follow the underlying zoning district.

Mayor Ganz stated that although it's not required, the ideal situation is to have staggered residential developments.

Mr. Power agreed, whereas, it's not required, but very consistent, known as Euclidean zoning, where you take the highest densities and place them towards commercial corridors and scale backwards, which this project does.

Mayor Ganz briefly commented on the dog park, and stated that there are many rules and regulations with implementing one.

In response to Mayor Ganz's question, Mr. Mele replied that the area (RM-10) for the dog park was not a part of the original purchase; nonetheless, it will only be for residents, but if it's not desirable, then it will be eliminated.

Commissioner Parness briefly commented on projects he's voted for or against on throughout the years, and stated that contributing to someone's campaign does not automatically get a yes vote. Further, if he believes a project will benefit the City in a positive way, then he will vote in favor of it, if he believes a project will negatively impact the City, then he will vote against it.

In response to Commissioner Hudak's question, Mr. Power replied that there have been two other PDD approvals, whereby, each application stands alone. Further, he said none of the PDD's, similar or not, do not set a precedent.

In response to Commissioner Preston's question, Mr. Mele replied that he does not believe there was a missed opportunity with the residents, as the applicant held four different meetings, which were well

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

attended in the beginning, but lagged towards the end. Further, he said some residents stated that they did not receive a notice, but he remembers them being at the meetings. Thereafter, he commented on a suggestion that was made by the residents, which was just not realistic.

Mayor Ganz said he met with the residents and tried to facilitate some sort of compromise, but was later advised by Ms. Bolowich that they were told by their attorney that it was inappropriate to negotiate at this time.

Mr. Mele stated that Commissioner Preston has always advocated that meetings with the neighbors take place, which he has always done on every project.

In response to a previous question made by Commissioner Hudak, Mr. Sweetapple said it is the City's legal determination that a unique condition, manmade or natural, consists of two differently zoned categories, which can be invoked in any further proceeding. Further, he said the fact that each PDD is individually negotiated and results in a different development order does not change the precedent of how the Code is being interpreted.

In response to Commissioner Hudak's question, Mr. Soroka replied that each application is looked at on its own merits, on the face of the documents in evidence that's presented into the record; therefore, you should make your decision today, based on the evidence and testimony that was presented before the Commission, to include the backup. Further, each application is reviewed as a standalone item.

In response Commissioner Parness' questions, Mr. Sweetapple replied that he will not answer any questions or testify in this proceeding to anything pertaining to the approval process by other agencies; whereby, this commission has heard all the evidence that has been presented, and should be knowledgeable about the process. Further, he said the issue before the Commission has not been decided by the County, nor is it their jurisdiction to decide the outcome, whereas, it is this commission's decision.

Mr. Mele said the Broward County Planning Council and Broward County Commission has already approved the land use map amendment. Further, he stated that if the plat is approved by this commission, then it will go to the County for their approval.

In response to Mayor Ganz's question, Mr. Soroka replied that the Commission has heard references to the Live Local Act by multiple parties this evening; whereby, ultimately there is not a live local plan project before the Commission this evening to vote on. What is before this commission to vote on this evening are the applications that are on the agenda that have been presented to this commission this evening.

In response to Commissioner Preston's questions, Mr. Soroka replied that ultimately the Commission's decision should be based on the applications presented this evening, not on a live local project. Further, he said he cannot prohibit anyone from talking about it, but what he can tell this commission is they cannot base their decision on a live local act plan.

Commissioner Preston said the population has grown significantly since 1970, whereas, growth is imminent and the process of approving or disapproving this project is capitalism at its best. Although he is unsure of the exact setback requests, he stated that setbacks increase the project number per acre, which increases the number of people and money to be made; nonetheless, the developer is willing to make various improvements, which many spoke against, but will appreciate it in the long run. Thereafter, he outlined various of the contributions that will be made. Commissioner Preston stated that regardless if this project is approved or disapproved, something will be built in that area, as change is inevitable. Thereafter, he briefly commented on the live local project that had been mentioned. Further, he is unsure if the community is against city growth, or just against growth in their neighborhoods; nonetheless, it is important for this commission to listen to their concerns because once the project is developed, if approved, they are the ones that have to deal with it in the long run. Lastly, he is going to consider what would be best, and the residents being here makes a difference to him.

In response to Mayor Ganz's question, Mr. Soroka replied that this commission must apply the applications before them to the LDC, criteria for a rezoning to a PDD, and whether the applications are consistent with the comprehensive plan, and ultimately make a decision on that basis.

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

In response to Commissioner Preston's question, Mr. Soroka replied that the Commission can consider the testimony and evidence presented on the record this evening, as part of the determination. Further, he reminded the Commission that the applications must be voted on separately.

Commissioner Hudak stated that he has spoken at lengths with the residents, and they all agreed that they are not opposed to development, but are in favor of reasonable development throughout the City. He stated that his obligation to this hearing is to determine if the applicant has proven the unique property characteristics that impede the development of this property. As a legal proceeding, if the applicant proves their case, he, as a commissioner has no choice but to approve the application. Further, he said no matter what decision is made, the residents of this neighborhood proved that community involvement works, whereas, if it was not for their due diligence, numerous improvements would not have been included, i.e. the building height would not have been decreased, units would not have been eliminated, a left northbound turn lane would not have been added, etc. Thereafter, he thanked the residents for their involvement in the reasonable development of the City. Commissioner Hudak stated that traffic will increase regardless of what is built in this location; nonetheless, this commission must decide if the applicant has successfully argued that this property is unique and applicable for the PDD development.

Commissioner Parness commented on a conversation he had with the school, whereby, they have a current occupancy of 90%, but five years from now, they will see a huge reduction if the population does not increase. Further, he said development will bring people into to not only fill our schools, but spend money and visit our businesses. Commissioner Parness said the applicant has done his due diligence with the project; therefore, he supports it.

Vice Mayor Drosky said he judged this project on its merits this evening, independently of the prior meetings. Regardless of the outcome this evening, it will not be the final word, whereas, whoever is not the prevailing side will most likely take it to the next step; therefore, he encouraged the parties to continue to speak, as it will be in the resident's best interest. Thereafter, he thanked Mr. Mele and Mr. Sweetapple for their professionalism, and thanked the residents for showing up and being a part of the process. Further, whatever decision is made this evening, the residents should not feel that their time was wasted, whereby, because of them the height and units were reduced, a dog park was included, the left turn lane was approved, and the installation of traffic calming devices was offered. Thereafter, he briefly outlined the Commission's role in a quasi-judicial proceeding, whereby, they act as judges, so he must ensure he's judging the case based on substantial competent evidence in the record this evening that supports the application. Vice Mayor Drosky said some of the categories that the Commission must look at is compliance with the comprehensive plan, capability, enhance economic development, whereby, he believes there is competent evidence in the record to support these categories. Vice Mayor Drosky reiterated that he believes there is substantial competent evidence this evening that supports the unique property considerations for the property, as you must look at the property in its entirety, whereby, there is no way to develop a property, which is manmade, with different zoning regulations. Lastly, he said this decision is not easy, but he is basing his decision on the facts and evidence that were presented this evening, and hopes that it can be respected.

Mayor Ganz said this commission is tasked with looking at the facts presented, whereby, many of the points made do not meet the criteria people were hoping for. Although he understands the residents traffic concerns, going from nothing to something is going to be impactful. Thereafter, he briefly commented on how traffic studies are conducted. Further, he believes there is a little bit of a difference to what is adjacent in the capability and the difference between that long highway, and how there is residential across the street and how it is layered as it should be. Mayor Ganz stated that having two different zoning designations does not meet the criteria, in his opinion, to rezone to a PDD, whereby, he believes one of the current zoning designations, RM-10 or B-2, should be chosen.

**MOTION was made by Commissioner Parness, seconded by Vice Mayor Drosky, to approve Item 1 adopted Ordinance 2024/021. Roll Call:**

**Yeas:** 3 - Commissioner Hudak, Commissioner Parness, and Vice Mayor Drosky  
**Nays:** 2 - Commissioner Preston & Mayor Ganz

**QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED**

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 2 adopted Resolution 2024/183. Roll Call:**

**Yeas:** 4 - Commissioner Hudak, Commissioner Parness, Vice Mayor Drosky, and Mayor Ganz  
**Nays:** 1 - Commissioner Preston

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 3 adopted Resolution 2024/184. Roll Call:**

**Yeas:** 3 - Commissioner Hudak, Commissioner Parness, and Vice Mayor Drosky  
**Nays:** 2 - Commissioner Preston & Mayor Ganz

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 4 adopted Resolution 2024/185. Roll Call:**

**Yeas:** 3 - Commissioner Hudak, Commissioner Parness, and Vice Mayor Drosky  
**Nays:** 2 - Commissioner Preston & Mayor Ganz

*There was a brief recess from 11:41 p.m. to 11:46 p.m.*

**PUBLIC COMMENT**

**Katy Freitag, 418 SE 2<sup>nd</sup> Street, Deerfield Beach**, commented on construction occurring on Sunday at the Chick-Fil-A site. Thereafter, she asked if something can be done with the swale parking on 2<sup>nd</sup> Avenue, commended staff for a job well done on the State of the City, and commented on various upcoming events.

*Commissioner Parness left the meeting temporarily at 11:51 p.m. and returned at 11:53 p.m.*

**Dan Herz, 330 SE 19<sup>th</sup> Avenue, Deerfield Beach**, commented on comments made at previous meetings. Thereafter, he posed various questions to Vice Mayor Drosky.

Thereafter, Mayor Ganz entertained questions/comments/concerns posed by the public.

**CONSENT - AGREEMENTS & EXPENDITURE REQUESTS**

Rodney Brimlow, Interim City Manager, requested that Item 7 be withdrawn.

Mayor Ganz opened the public hearing on items 5, 6 & 8; however, there were none to speak and the public hearing was closed.

*There was no discussion amongst the Commission.*

**MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Items 5, 6 & 8 in concert. Roll Call:**

**Yeas:** 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz  
**Nays:** 0

- 5. Resolution 2024/186 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving and authorizing execution of an amendment to the Work Authorization with Hazen and Sawyer, P.C. to provide additional professional design and engineering services related to the Water Treatment Plant Chemical Systems Replacement Project in an amount not to exceed \$57,400.00, for a total aggregate work authorization cost of \$556,570.00; providing for implementation and an effective date. (Funds from Account #401-360-36002-503099 - Other Professional Services)**

**CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED**

6. Resolution 2024/187 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Floating Frog, LLC dba MindTravel Foundation for a silent piano concert on Deerfield Beach north of the International Fishing Pier on January 4, 2025, from 4:30 pm to 6:30 pm; providing for an effective date.
7. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by 2 Extreme Marketing and Promotion, LLC for an ultimate day party to be held at the Johnny L. Tigner Community Center on February 15, 2025, from 5:00 pm to 10:00 pm; and providing for an effective date.
8. Resolution 2024/189 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Flow Beach Tennis and Zendo Consulting, LLC, for a beach tennis tournament on Deerfield Beach north of the International Fishing Pier on February 22, 2025, and February 23, 2025, from 7:00 am to 7:00 pm each day; providing for an effective date.

**DEPARTMENTAL BUSINESS**

9. Resolution 2024/190 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, amending the 2024/2025 schedule of City Commission meetings; providing for an effective date.

The Resolution was read by title only.

Mayor Ganz stated that he has a conflict with the January 28, 2025 Regular City Commission meeting, and asked that a cancellation request be added to the next agenda for commission consideration. Thereafter, he opened the public hearing; however, there were none to speak and the public hearing was closed.

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 9, adopted Resolution 2024/190. Voice Vote:**

**Yeas:** 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz  
**Nays:** 0

**COMMENTS BY ADMINISTRATION & LEGAL**

**CITY ATTORNEY** - None.

**CITY MANAGER**

Aquatic Center - Rodney Brimlow, Interim City Manager, commended staff for a job well done, whereby, 80 children have been enrolled for swimming lessons.

**COMMENTS BY MAYOR & CITY COMMISSION****VICE MAYOR DROSKY****DISTRICT 4**

Thanksgiving/Holiday Weekend - Vice Mayor Drosky hopes everyone enjoyed their holiday. Thereafter, he encouraged everyone to stay safe, as the roadway traffic has increased.

Upcoming Events - Vice Mayor Drosky said he looks forward to seeing everyone at the Ocean Way Holiday and Breakfast with Santa.

**COMMISSIONER PARNESS****DISTRICT 3**

Army Veteran - Commissioner Parness commented on his time in the army, as well as his family members.



**COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED****COMMISSIONER PRESTON****DISTRICT 2**

Joel Smith - Commissioner Preston stated that he will be inviting Mr. Smith to the next commission meeting to recognize him for his efforts with a vision program he has implemented at the schools.

Accolades - Commissioner Preston thanked BSO - Law Enforcement for their efforts with an event that was held at Highlands Village. Thereafter, he thanked various individuals for their donations.

State of the City - Commissioner Preston thanked staff for their efforts. Thereafter, he commended the Mayor for his State of the City address.

**COMMISSIONER HUDAK****DISTRICT 1**

Difficult Decisions - Commissioner Hudak said this was the most difficult commission meeting since being in office. Although he understands the residents' concerns, this commission had to look at the merits of the case. Further, he said this is not an easy position, but decisions must be made with a clear heart and mind, and he stands by his decision.

**MAYOR GANZ**

Misinformation - Mayor Ganz said there is a lot of misinformation surrounding the pier restaurant, and once the court cases conclude, he wants to have a special city commission meeting, so all the facts can be aired out. Thereafter, he clarified some of the misinformation.

**ADJOURNMENT**

There was no additional business to discuss.

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to adjourn the meeting at 12:12 a.m. Voice Vote:**

**Yeas:** 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz  
**Nays:** 0

CITY OF DEERFIELD BEACH

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BILL GANZ, MAYOR

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Heather Montemayor, CMC, City Clerk



# Development Review Committee Summary Report Development Plan Application Review

## General Information

|                                      |                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.</b>               | 24-R-200                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Project Name:</b>                 | Centrum Deerfield aka Axis<br>Deerfield Rezoning                                                                                                                                                                                                                                                                                                                                 |
| <b>Applicant:</b>                    | CRD Federal, LLC                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Agent:</b>                        | Greenspoon Marder                                                                                                                                                                                                                                                                                                                                                                |
| <b>Requested Action/Description:</b> | Rezoning application seeking approval to rezone the subject parcels from B-2, Highway Business and RM-10, Residence Multi-Family property to PDD, Planned Development District.                                                                                                                                                                                                  |
| <b>Location:</b>                     | 201-299 N Federal Highway<br>and 226-228 NE 9 <sup>th</sup> Avenue.                                                                                                                                                                                                                                                                                                              |
| <b>Legal Description:</b>            | The properties are generally described as portions of Lots 4, 8 and 9, Block 3 of "DEERFIELD BEACH ESTATES SECTION A" to the plat thereof, as recorded in plat book 39, page 14, of the public records of Broward County, Florida and portion of the Southwest ¼ of the Southeast ¼ of the Southeast ¼ of Section 31, Township 47 South, Range 43 East, Broward County, Florida, |
| <b>Size:</b>                         | 4.2 net acres (185,968 square feet)                                                                                                                                                                                                                                                                                                                                              |
| <b>Existing Zoning:</b>              | B-2 (Highway Business, RM-10 Residence Multi Family)                                                                                                                                                                                                                                                                                                                             |
| <b>Existing Land Use:</b>            | Vacant                                                                                                                                                                                                                                                                                                                                                                           |

**Future Land Use Plan Designation:** Residential Irregular and  
Residential Moderate (10 DU/AC)

**Surrounding Land Use and Zoning:**

|               | <u>Existing Land Use</u> | <u>Zoning</u>                   |
|---------------|--------------------------|---------------------------------|
| <b>North:</b> | Commercial               | B-2 (Highway Business)          |
| <b>East:</b>  | Multi-Family Residential | RM-25 (Residence, Multi-Family) |
| <b>South:</b> | Commercial               | B-2 (Highway Business)          |
| <b>West:</b>  | Multi-Family Residential | RM-10 (Residence, Multi-Family) |

**Applicable Regulations:** City of Deerfield Beach Land Development Code

**Plat Restrictions:** Proposed Plat is “restricted to 237 mid-rise units”.

## Department Comments & Requirements

### REQUEST:

The Applicant is requesting approval to rezone the subject parcels from B-2 (Highway Business) and RM-10 (Residence Multi-Family) property to PDD (Planned Development District) under the Deerfield Beach Land Development Code. Pursuant to *Section 98-68.-PDD, planned development district* of the Land Development Code, the rezoning request includes a statement of need, conceptual master plan, as well as proposed property development requirements for which the site development plan shall be in compliance.

### BACKGROUND:

On April 6, 2021, the City Commission approved the 2<sup>nd</sup> reading of Land Use Plan Amendment Application No. #64A approving the change in land use on the subject parcels (excluding the dog park parcel) from Commercial and Residential Moderate (10 DU/AC) to Residential Irregular – 48.6.

On June 6, 2023 rezoning application 21-R-195 was heard by the City Commission and denied. Since then, the applicant has resubmitted the rezoning application. As the application was denied, a new application and application number (24-R-200) was provided. The applicant has also amended the existing plat application and site plan application, which were not heard by the City Commission, and therefore do not have new application numbers. The applicant has removed 40 residential units from the originally submitted plan.

The applicant has also submitted a Plat Application No. 20-P-229 and a Site Plan Application No. 21-PDD-02, seeking approval for the proposed development of the subject properties and is pending separate review and approval. The Applicant intends to develop the subject properties to 237 multi-family dwelling units with an attached parking garage and associated on and off-site improvements.



Applicants for rezoning to PDD district must demonstrate, through a statement of need, that there are unique property characteristics that impede the development of the properties under strict application of the Code, development is apparent and will enhance economic development strategies of the City.

The Applicant is required by Code to enter in to a Development Agreement with the City, which must be approved by City Commission as part of the rezoning. Although the Development Agreement is not within the purview of the Planning and Zoning Board, the following information from the agreement is related to the approval of the rezoning application:

Applicant agrees to the following:

- Open space improvements – development of 3 public nodes and artwork
- Improvements to Federal Highway, Eller Drive and NE 4<sup>th</sup> Street
- Survey and Engineered Plans for Eller Drive for future City improvements
- Sidewalk construction
- Undergrounding of power lines (East and West) of property
- Pet waste stations
- Traffic calming
- Voluntary contribution to the Fire Impact Fee Fund
- Dedication of Right-of-Way on NE 9<sup>th</sup> Avenue

A traffic impact analysis was submitted for the proposed development and all findings were approved by the City's traffic consultant. A more detailed explanation is found in the Site Plan Application Staff Report for application 21-PDD-02.

The applicant has made requests to deviate from the existing requirements of the current zoning for the Property under the Land Development Code through rezoning to PDD zoning, which is permitted with the approval of the rezoning application. Changes to this are:

- Increase density to 40.37 (237 du/5.87 gross acres) units per acre
- Decrease front setback (East) to 10 feet
- Decrease rear setback (West) to 13 feet
- Decrease corner side setback (North) to 22.8 feet
- Increase maximum lot coverage to 55%
- Decrease minimum landscape area to 26%
- Reduce required parking spaces to 9 x 18
- Increase in the number of allowable building signs and monument signs

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the sites.

## **PLANNING CONSIDERATIONS:**

1. Compliance with the Comprehensive Plan.

The proposed Future Land Use (FLU) Map designation identifies the site as Residential Irregular (48.6 du/ac) and Residential Moderate (10 DU/AC). The rezoning to PDD (Planned Development District) will facilitate residential uses in compliance with the proposed Deerfield Beach Comprehensive Plan FLU designation. The request provides for additional housing opportunities within the City, consistent with the GOPs of the Deerfield Beach Comprehensive Plan.

2. Finding of compatibility of a proposed development with adjacent and neighboring (500 feet) uses and zoning.

The property is proposed to be rezoned to PDD (Planned Development District) and development thereon will be subject to the development requirements proposed within the rezoning report and development agreement which will accompany the rezoning. The site plan application must comply with the requirements as set forth in the development requirements in the rezoning report.

The predominant land uses of the surrounding area, specifically within 500 feet of this property, is single family residential to the west, multi-family to the east, commercial to the south, and north. The proposed PDD zoning is compatible with the adjacent and neighboring uses and zoning.

3. Compliance with Land Development Code Section 98-68. – PDD, planned development district.

*(1) The development and redevelopment of properties is apparent;*

The applicant is proposing to redevelop the subject parcels into a 237 multi-family residential apartment complex with a parking garage and residential amenities. The applicant has submitted additional applications to accommodate the proposed rezoning, including a site plan demonstrating improvements to Federal Highway, Eller Drive and NE 4<sup>th</sup> Street, undergrounding of powerlines and public space.

*(2) The development and redevelopment of properties shall enhance the economic development strategies of the City of Deerfield Beach; and*

The existing use is vacant land. The redevelopment of the parcels into multi-family will create additional housing options for existing residents. The mix of units and the proximity of the subject site to Pioneer Grove expands opportunities for a greater range of housing and neighborhood choices to attract new residents. The proposed undergrounding improvements benefit adjacent property owners. Improvements to Eller Drive benefit the surrounding community and Deerfield Beach Elementary.

*(3) The development of properties with unique property characteristics, natural or man-made, that impede the development of these properties under the strict application of the regulations of the Land Development Code.*



The existing zoning designations for the parcels are RM-10, and B-2. Rezoning the properties to PDD will unify the zoning district and permit a density consistent with the Residential Irregular (48.6) and Residential Moderate (10 DU/AC) land use designation. The PDD proposes alternatives to the standard development regulations of the existing zoning designations, such as maximum height and setbacks, to enable the development of 237 residential units.

## **SUMMARY & REQUIREMENTS**

The purpose of the PDD district is to enable quality development for properties that due to size or characteristics of the property, other implements of zoning regulation provided in the Code would result in under-utilized or undeveloped property. Staff's review of application 24-R-200 has determined that the rezoning of the subject properties to PDD (Planned Development District) will further the goal of the City to unify the zoning of all parcels and make the zoning on the property compatible with the land use designation. Additionally, the proposed rezoning complies with the rezoning qualifications as set forth in *Section 98-68.-PDD, planned development district* of the Code.

Should the City Commission decide to approve the rezoning application, Staff recommends the following Conditions of Approval:

1. Owner / applicant shall enter into a Development Agreement, which includes the development requirements.
2. Owner / Applicant submit proof of County recertification of Land Use Plan Amendment.



# Development Review Committee Summary Report Development Plan Application Review

## General Information

|                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------|------------|------------------------|--------------|---------------------------------|--------------------------|------------------------|---------------|---------------------------------|------------|--|--------------|--|--------------------------|--|
| <b>Application No.</b>                   | 20-P-229                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Project Name:</b>                     | Centrum Deerfield aka Axis Deerfield Plat                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Applicant:</b>                        | CRD Federal, LLC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Agent:</b>                            | Pulice Land Surveyors, Inc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Requested Action/Description:</b>     | Request to plat a 4.2 acre site to be restricted to 237 mid-rise units and be known as "Centrum Deerfield Beach" Plat                                                                                                                                                                                                                                                                                                                                                                             |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Location:</b>                         | 201-299 N Federal Hwy. & 226-228 NE 9 <sup>th</sup> Ave.                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Legal Description:</b>                | The properties are generally described as portions of Lots 4, 8 and 9, Block 3 of "DEERFIELD BEACH ESTATES SECTION A" to the plat thereof, as recorded in plat book 39, page 14, of the public records of Broward County, Florida and a portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 47 South, Range 43 East, Broward County, Florida.                                             |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Size:</b>                             | 4.2 net acres (185,657 square feet)                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Existing Zoning:</b>                  | B-2 (Highway Business, RM-10 Residence Multi Family)                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Existing Use:</b>                     | Vacant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Future Land Use Plan Designation:</b> | Residential Irregular and Residential Moderate (10 DU/AC)                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Surrounding Land Use and Zoning:</b>  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>North:</b>                            | <table><tr><td><u>Existing Land Use:</u></td><td><u>Zoning:</u></td></tr><tr><td>Commercial</td><td>B-2 (Highway Business)</td></tr><tr><td><b>East:</b></td><td>RM-25 (Residence, Multi-Family)</td></tr><tr><td>Multi-Family Residential</td><td>B-2 (Highway Business)</td></tr><tr><td><b>South:</b></td><td>RM-10 (Residence, Multi-Family)</td></tr><tr><td>Commercial</td><td></td></tr><tr><td><b>West:</b></td><td></td></tr><tr><td>Multi-Family Residential</td><td></td></tr></table> | <u>Existing Land Use:</u> | <u>Zoning:</u> | Commercial | B-2 (Highway Business) | <b>East:</b> | RM-25 (Residence, Multi-Family) | Multi-Family Residential | B-2 (Highway Business) | <b>South:</b> | RM-10 (Residence, Multi-Family) | Commercial |  | <b>West:</b> |  | Multi-Family Residential |  |
| <u>Existing Land Use:</u>                | <u>Zoning:</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| Commercial                               | B-2 (Highway Business)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>East:</b>                             | RM-25 (Residence, Multi-Family)                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| Multi-Family Residential                 | B-2 (Highway Business)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>South:</b>                            | RM-10 (Residence, Multi-Family)                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| Commercial                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>West:</b>                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| Multi-Family Residential                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |
| <b>Applicable Regulations:</b>           | City of Deerfield Beach Land Development Code                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                           |                |            |                        |              |                                 |                          |                        |               |                                 |            |  |              |  |                          |  |



## Department Comments & Requirements

### **Plat Restrictions:**

Proposed Plat is "restricted to 237 mid-rise units".

### **REQUEST:**

The applicant, CRD Federal LLC, has submitted an application requesting approval to plat a 4.2 acre site to be known as the "Centrum Deerfield Beach" Plat, located at 201-299 N Federal Hwy. & 226-228 NE 9<sup>th</sup> Ave. The proposed plat includes a restrictive note to limit development to "237 mid-rise units". The proposed plat also includes 31,625 square feet Right-of-Way dedication.

The approval of this plat is part of the required building approval process. Per Broward County platting requirements, no local government may grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat, including the parcel for the permit, has been approved by the Broward County Commission and recorded in the public records. The County requires approval from the City as part of their approval process for the plat.

### **BACKGROUND:**

The applicant, CRD, Federal, LLC., has submitted an application requesting approval to plat a 4.2 acre site to be restricted to 237 mid-rise units and be known as "Centrum Deerfield Beach" Plat. located at 201-299 N. Federal Highway and 226-228 NE 9<sup>th</sup> Avenue. The proposed plat includes a restrictive note to limit development to "237 mid-rise units". The proposed plat also includes a 1,625 sq. ft. Right-of-Way dedication to the City along NE 9<sup>th</sup> Avenue.

The applicant has also submitted a Rezoning Application (24-R-200) and a Major Site Plan Application (21-PDD-02) to redevelop the site and construct a new 237 mid-rise unit (apartments) with an attached parking garage and associated site improvements.

The approval of this plat is part of the required building approval process. Per Broward County platting requirements, no local government may grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat, including the parcel for the permit, has been approved by the Broward County Commission and recorded in the public records. The County requires approval from the City as part of their approval process for the plat.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

The Planning and Zoning Board approved the application unanimously on September 1, 2022.

### **PLANNING CONSIDERATIONS:**

1. Compliance with the Comprehensive Plan: Per Section 98-9, no permit or approval for development of land shall be approved which does not comply with the goals, objectives and policies (GOPs) of the Deerfield Beach Comprehensive Plan. The Future Land Use (FLU) Map designation identifies the site as Residential Irregular –



48.6 (DU/AC) and Residential Moderate (10 DU/AC) . The proposal is consistent with the goals, objectives and policies of the Deerfield Beach Comprehensive Plan.

2. Land Development Requirements: The property is proposing to rezone the property to PDD (Planned Development District). This is a separate Application (No. 24-R-200) to be approved by the City Commission.
3. Transportation Concurrency Requirements: The plat is located within the Northeast Transportation Concurrency Management Area. Concurrency requirements for the parcel will be assessed by the County upon their review of the plat and findings of trip generation. County plat approval will be based on these finding and their recommendations must be implemented before a building permit may be issued for the parcel.

**SUMMARY:**

Staff's review of application 20-P-229 has found that the proposed plat is consistent with the goals, objectives and policies of the Future Land Use Element of the Deerfield Beach Comprehensive Plan and the Land Development Code.

**This report contains the requirements of the Deerfield Beach Development Review Committee members relative to this site development plan application. If there are any questions or issues regarding compliance with any of the requirements in this report, the respective department should be contacted directly.**



# Development Review Committee Summary Report Development Plan Application Review

## General Information

|                                          |                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No.</b>                   | 21-PDD-02                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Project Name:</b>                     | Centrum Deerfield aka Axis<br>Deerfield Site Plan                                                                                                                                                                                                                                                                                                                                |
| <b>Applicant:</b>                        | CRD Federal, LLC                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Agent:</b>                            | Greenspoon Marder                                                                                                                                                                                                                                                                                                                                                                |
| <b>Requested Action/Description:</b>     | Major site plan application seeking approval for 237 multi-family dwelling units (apartments) with an attached parking garage and associated site improvements.                                                                                                                                                                                                                  |
| <b>Location:</b>                         | 201-299 N Federal Highway<br>and 226-228 NE 9 <sup>th</sup> Avenue.                                                                                                                                                                                                                                                                                                              |
| <b>Legal Description:</b>                | The properties are generally described as portions of Lots 4, 8 and 9, block 3 of "DEERFIELD BEACH ESTATES SECTION A" to the plat thereof, as recorded in plat book 39, page 14, of the public records of Broward County, Florida and portion of the Southwest ¼ of the Southeast ¼ of the Southeast ¼ of Section 31, Township 47 south, Range 43 east, Broward County, Florida, |
| <b>Size:</b>                             | 4.2 net acres (185,968 square feet)                                                                                                                                                                                                                                                                                                                                              |
| <b>Existing Zoning:</b>                  | B-2 (Highway Business, RM-10 Residence Multi Family)                                                                                                                                                                                                                                                                                                                             |
| <b>Existing Land Use:</b>                | Vacant                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Future Land Use Plan Designation:</b> | Residential Irregular and<br>Residential Moderate (10 DU/AC)                                                                                                                                                                                                                                                                                                                     |



## Surrounding Land Use and Zoning:

|               | <u>Existing Land Use</u> |
|---------------|--------------------------|
| <b>North:</b> | Commercial               |
| <b>East:</b>  | Multi-Family Residential |
| <b>South:</b> | Commercial               |
| <b>West:</b>  | Multi-Family Residential |

| <u>Zoning</u>                   |
|---------------------------------|
| B-2 (Highway Business)          |
| RM-25 (Residence, Multi-Family) |
| B-2 (Highway Business)          |
| RM-10 (Residence, Multi-Family) |

### Applicable Regulations:

City of Deerfield Beach Land Development Code

### Plat Restrictions:

Proposed Plat is “restricted to 237 mid-rise units”.

## Department Comments & Requirements

### REQUEST:

The Applicant is requesting approval of a major site plan application for the construction of 237 multi-family dwelling units with an attached garage and associated site improvements. The applicant is proposing both on and off-site improvements. On site improvements include the removal and undergrounding of two above ground power lines, sidewalk construction and repair, three public nodes with artwork and residential amenities such as a pool, dog park, fitness center and courtyards. Offsite improvements include improvements to Eller Street and NE 4<sup>th</sup> Street, traffic calming, creation of a left turn lane on Federal Highway, as well as survey and engineered plans for Eller drive for future City improvements

### BACKGROUND:

On April 6, 2021, the City Commission approved the 2<sup>nd</sup> reading of Land Use Plan Amendment Application No. #64A approving the change in land use on the subject parcels from Residential Moderate (10 DU/AC) Commercial to Residential Irregular – 48.6

The Applicant has also submitted a Plat Application No. 20-P-229 and a Rezoning Application No. 24-R-200. These requests are reviewed concurrently with the site plan application. Approval of the site plan application is subject to approval of the rezoning application. As part of the rezoning request, the applicant is required to submit a statement of need and proposed property development requirements listing the required dimensional regulations and parking requirements that would regulate the property should the City Commission approve the rezoning. The site plan demonstrates compliance with the proposed property development requirements as detailed in the PDD report attached to the rezoning application.

On June 6, 2023 rezoning application 21-R-195 was heard by the City Commission and denied. Since then, the applicant has resubmitted the rezoning application, and amended the existing plat application and site plan application. As the application was denied, a new application and application number (24-R-200) was provided. The applicant has removed 40 residential units from the originally submitted plan. These units were removed from the middle section of the proposed 5<sup>th</sup> floor of the apartment complex. The north and south side of the apartment complex are still five stories tall and the maximum height is still 54'-6" as measured to the top of the parapet. This is the original height that was proposed on the original site plan. However, with the reduction of the forty units, the middle section of the apartment complex now has a height of 45 feet as measured to the top of the parapet. With the removal of these units, there were minor changes to the elevations and required parking spaces. Since the last submittal, the applicant has revised certain aspects of the floor plans, such as locations of stairwells, garage entrance gate and minor changes to residential apartment layouts. None of these revisions conflict with the rezoning application or the original intent of the first submittal.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the sites.

The applicant has made requests to deviate from the Land Development Code through the PDD zoning, which is permitted with the approval of the rezoning application. Changes to this are:

- Increase density to 40.37 (237 du/5.87 gross acres) units per acre
- Decrease front setback (East) to 10 feet
- Decrease rear setback (West) to 13 feet
- Decrease corner side setback (North) to 22.8 feet
- Increase maximum lot coverage to 55%
- Decrease minimum landscape area to 26%
- Reduce required parking spaces to 9 x 18
- Increase in the number of allowable building signs and monument signs

A traffic impact analysis was submitted for the proposed development and all findings were approved by the City's traffic consultant.

The Community Appearance Board approved the application unanimously on October 23, 2019.

On October 17, 2024, the Planning and Zoning Board voted to recommend approval of the rezoning application.

## **PLANNING CONSIDERATIONS:**

### **1. Compliance with the Comprehensive Plan.**

The proposed Future Land Use (FLU) Map designation identifies the site as Residential Irregular (48.6 DU/AC) and Residential Moderate (10 DU/AC). The applicant has also submitted a request to rezone the parcels to PDD (Planned Development District), which is being reviewed concurrently and will facilitate residential uses in compliance with the proposed Deerfield Beach Comprehensive Plan FLU designation. The rezoning to PDD (Planned Development District) will facilitate residential uses



in compliance with the proposed Deerfield Beach Comprehensive Plan FLU designation. The request provides for additional housing opportunities within the City, consistent with the GOPs of the Deerfield Beach Comprehensive Plan.

2. Land Development Requirements: The property is proposed to be rezoned to PDD (Planned Development District) and development thereon will be subject to the approved property development requirements for the PDD, development agreement, and site plan. The site plan demonstrates compliance with the proposed property development requirements as detailed in the PDD Rezoning Report submitted by the applicant for Rezoning Application No. 24-R-200.
3. Finding of compatibility of a proposed development with adjacent and neighboring (500 feet) uses and zoning. Per Section 98-17(15), there must be a finding of compatibility as defined in the Land Development Regulations, between adjacent and neighboring uses (500 feet) and the proposed development. By definition, compatibility is to be measured based on the following compatibility characteristics of the proposed development in relationship to the immediate surrounding area:

- (a) Permitted uses, structures and activities allowed within the zoning category;*

The proposed uses are permitted within the City PDD zoning district and the site plan is in compliance with the property development requirements as proposed in the PDD Rezoning Report.

- (b) Building location, dimensions, height and floor area;*

The proposed development will consist of one multi-family structure oriented towards Federal Highway, with an attached garage. The proposed multifamily property consists of two equal sized apartment buildings with a central garage to give an overall appearance of one structure. The elevations along the North and South of the building are higher than the center. The height along the north and south is 54'-6" as measured to the top of the parapet and the middle is 45 feet as measured from the top of the parapet. The applicant is proposing to remove two sets of powerlines which run north south and are on both the far east and far west of the property line. These power lines will be undergrounded in order to provide for landscape. Recreation is included inside the building and in two interior courtyards. There is also a resident only dog park located to the west of the building which is proposed to be separated from the two residential properties on the north and south of the dog park

- (c) Location and extent of parking, access drives and service areas;*

The parking garage is proposed in the center of the apartment complex and is only accessible from Federal Highway. A dedicated south bound turn lane is proposed as well as an extension for the left turn north bound lane on Eller



Drive. Guest parking is also located inside the garage, with the residential parking gate located to the back of the first floor of the garage, so as not to impede traffic entering the garage. To the southwest is a surface parking lot for employees, guests, drop off/pickup and delivery services. NE 4<sup>th</sup> Street is proposed to have a fire lane which will also serve as the loading of trash and refuse so as not to block traffic. The site plan demonstrates 452 parking spaces, with 434 being in the parking garage, 16 in the surface parking lot and 2 parallel spaces along Eller Drive. The proposed site requires 450 parking spaces. The City's traffic consultant reviewed the Traffic Study and concurred that internal roads and driveways are located to properly serve future residents.

*(d) Traffic generation, hours of operation, noise levels and outdoor lighting;*

The final traffic study submitted by the Applicant is dated April 2022. The applicant was not requested to submit a new traffic study, as the April 2022 traffic study reflects the original number of residential units which is more than what is currently proposed (277 - 237). Additionally, no new changes from this submittal have occurred that would impact the traffic analysis. The study estimates the proposed development will generate 1,312 daily trips, 50 AM peak hour trips (-13 in, 63 out) and 96 PM peak hour trips (68 in, 28 out). All residents and resident guests will park in the parking garage. The only entrance and exit to the garage is proposed on Federal Highway. The City's traffic consultant reviewed the traffic study and concurred that the proposed development is projected to have minimal traffic impacts to the surrounding roadways located within the area. However, in order to minimize any traffic impacts to the neighboring single family residential properties, the applicant has proposed additional off-site improvements such as a dedicated north bound left turn lane on Federal Highway and the installation of a left turn arrow for the north bound lane on Eller Drive. Additionally, there is a 16 space surface parking lot on the South-West of the property with access from Eller Drive. This parking lot is for potential new residents, employees, drop off/pick up and delivery. Two parallel parking spaces are also proposed on Eller Drive. The applicant has also proposed to install traffic calming if residents on NE 8<sup>th</sup> Avenue, NE 8<sup>th</sup> Terrace or NE 9<sup>th</sup> Avenue agree to such improvements. The residents will have one year after the issuance of the final Certificate of Occupancy to request traffic calming.

*(e) Alteration of light and air;*

The proposed uses are residential in character and as such, hours of operation, noise levels and outdoor lighting for future development are considered to be more compatible with the surrounding area than the previous land use of commercial. Minimal impacts to noise levels and outdoor lighting are expected.

- (f) Setbacks and buffers – Fences, walls, landscaping and open space treatment. To be compatible, design treatments must reflect consideration of adjoining and surrounding development and land use;*

The proposal meets the required building setbacks of the PDD Rezoning (Application No. 24-R-200). The site and landscape plans demonstrate perimeter landscape buffers to the west, providing separation to adjoining development. The proposed development will also be fenced and gated, with internal open space and recreation areas for use by residents. Particular attention has been given to those setback areas closest to single family residential properties to minimize impacts to adjacent parcels. Additional landscape buffers and architectural treatments have been proposed to soften hardscape and development impact along the western property line where the setback measures 13 feet.

- (g) Conditions, uses or activities which pose a significant risk to the safety or security to those under 18 years of age using schools, churches, parks, playgrounds or other facilities which cater to those under 18 years of age;*

The application is for residential uses and is not proposing any uses or activities which would pose a significant risk to the safety and security to those less than 18 years of age within 500 feet of this site.

- (h) Outside activities associated with the proposed use which could interfere with the peace and/or tranquility of residences or propose a significant risk to the safety or security of children in public or private schools, day care facilities, churches, parks, playgrounds and other places that cater to children under the age of 18 or places which regularly provide facilities for such children to gather; and*

The proposal provides for appropriately located spaces where outside activities may be undertaken on the subject property, including open space and recreational areas. These activities are internal to the subject property and will not pose a significant risk to adjoining uses or the safety and security of children.

- (i) Conditions, uses or activities which could pose a significant risk to the safety or security of single family residences within 500 feet of the lot upon which the use will occur.*

The proposed development is not anticipated to pose a significant risk to the safety or security of other residential uses within 500 feet of the subject property.

## **SUMMARY & REQUIREMENTS**

The purpose of the PDD district is to enable quality development for properties that due to size or characteristics of the property, other implements of zoning regulation provided in the Code would result in under-utilized or undeveloped



property. Staff's review of application 21-PDD-02 that the site plan meets the intent of *Section 98-68. - PDD, planned development district* and demonstrates compliance with the proposed property development requirements detailed in Rezoning Application No. 24-R-200.

1. Owner / applicant shall comply with the Development Agreement as provided in Rezoning Application No. 24-R-200, which includes the development requirements, and off-site improvements.