

CITY OF LIGHTHOUSE POINT, FLORIDA
CITY COMMISSION AGENDA ITEM REPORT
MEETING DATE – January 11, 2022

AGENDA ITEM NO. - _____

PREPARED BY – James Hickey, Consultant Planner **DIRECTOR APPROVAL** - _____
ADMINISTRATOR APPROVAL - _____

SUBJECT: First Reading of Ordinance to Rezone the Lighthouse Point Yacht Club from B-2A to YC-MU and Consideration of the proposed Final Site Plan for the Yacht Club Redevelopment

1. BACKGROUND/HISTORY

Stephanie J. Toothaker, Esq. on behalf of the owner, Lighthouse Point Yacht Club Investments LLC (Applicant), has submitted an application to request approval to rezone the Lighthouse Point Yacht Club (Yacht Club) property located at 2701 NE 42 Street from B-2A (Planned Business Center district) to YC-MU (Yacht Club Mixed-Use district). This application will change the City's official zoning map to designate the Yacht Club as YC-MU. The existing development includes a 25,673 square-foot clubhouse building, an accessory building and gym, a pool, 10 tennis courts, and 78 boat slips. The proposed Yacht Club Redevelopment Project includes a 63,103 gross square-foot yacht club clubhouse, a 3,927 square-foot tennis center, a 2,420 square-foot renovated children's activity center, along with an up to 22-unit residential development, currently proposed as 21 townhomes and 1 single-family home. The development will retain the 78 boat slips and 5 tennis courts, three of which will be constructed on the roof of the new clubhouse. The Applicant is also replacing the seawalls on the property in conjunction with approval of the redevelopment. The property is approximately 12.2 gross acres and 9.5 net acres. The site currently is zoned Planned Business District (B-2A) with an underlying future land use designation of Commercial Recreation. As described below, there is a current Land Use Plan Map Amendment which will change a portion of the site from land use designation Commercial Recreation to Irregular Residential to allow for the residential units onsite.

Currently, the Applicant has submitted several concurrent applications associated with the proposed site plan which together are required to facilitate the proposed redevelopment. The applications include:

1. Land Use Plan Map Amendment for an approximate 3.7 gross-acre portion of the Property from Commercial Recreation to Irregular (6 du/ac) Residential to allow for the residential development;
2. Comprehensive Plan text amendment to clarify the allowable uses in the Residential and Commercial Recreation land use categories, with the latter allowing for mixed-use and a maximum height; and
3. Land Development Code text amendment to create the new Yacht Club-Mixed Use (“YC-MU”) zoning district, establish regulations for the new zoning district, and amend the City’s code to permit tandem parking in the YC-MU zoning district;

Status: These three applications were previously approved by the Planning and Zoning Board and the City Commission on First Reading. Each requires a Second Reading for consideration of approval and adoption by the City Commission.

1. Approval of a Development Agreement which provides additional parameters as to how the redevelopment will occur and operate in the future; and
2. Approval of the proposed site plan.

Status: These two applications require approval by the Planning and Zoning Board and two public hearings at the City Commission. The Site Plan is being reviewed and will be approved by the City Commission as part of this Rezoning.

2. ANALYSIS

The City currently does not have a zoning district which would allow for a proposed development which contains both residential and non-residential uses. As a result, the Property Owner has submitted an application to amend the City's Land Development Code to add a zoning category to be referred to as Yacht Club-Mixed Use (YC-MU) zoning district.

If approved by the Commission, the YC-MU zoning district will allow for uses that are consistent with the Commercial Recreation and Irregular (6.0 du/ac) Residential land use categories of the City's Comprehensive Plan and will apply to any property zoned within the YC-MU district. The proposed language within the YC-MU regulations requires any development in the district to be a unified mixed-use development.

The existing zoning and current uses of adjacent properties are:

Property Address: 2701 NE 42 Street

Adjacent Property	Zoning District	Existing Use
North	RS-3 Single Family	Single Family
South	RS-5 Single Family	Single Family
East	RS-3 Single Family	Single Family
West	RS-3 Single Family	Single Family

The City's Consultant planner reviewed the rezoning application, and as part of the analysis, reviewed the proposed rezoning and its consistency with the City's Comprehensive Plan as well as the City's Land Development Code.

Comprehensive Plan

As stated earlier in this report, the existing land use of the entire property is Commercial Recreation which allows for the existing uses on site, including the club house, marina, tennis courts and accessory building and uses. The addition of residential uses to the site requires that portion of the proposed development have a land use designation that allows for residential uses. The land use plan amendment currently in process will create an Irregular (6 du/ac) Residential land use category to allow up to 21 townhomes and one single-family home. In addition, the Comprehensive Plan Text Amendment is required to amend the Permitted Uses section of the Future Land Use Plan Element to allow for mixed land uses within a Commercial Recreation land use as well as establishing a maximum height for buildings within the Commercial Recreation land use.

In addition, the proposed rezoning is consistent with the following goals, objectives and policies of the Comprehensive Plan:

Objective 1.1 Coordinate future land uses with the appropriate topography, soil conditions and the availability of facilities and services.

Policy 1.1.8 The City of Lighthouse Point shall continue to maintain differing intensities of non-residential development based upon each site's compatibility with adjacent and surrounding land uses and the regional roadway systems, consistent with the following provisions:

USE Maximum Intensities:

Commercial Height of buildings and structures is limited to no more than fifty feet and a rear yard setback of fifteen feet.

Community Facilities Height of buildings and structures is limited to no more than fifty feet.
Recreation Height of buildings and structures are limited to no more than twenty-five feet.

Objective 1.5 Encourage the use of innovative land development regulations by periodically reviewing LDR and incorporating new land use and planning techniques as identified.

Policy 1.5.1 Consider revisions to the Land Development Code that provide for incentives for mixed use projects in the business zoning district of the City.

Land Development Code

The proposed rezoning must be consistent with the regulations of the proposed zoning district within the Land Development Code. As the corresponding Land Development Code Amendment to create the regulations for YC-MU zoning district is currently underway, the City's Consultant Planner reviewed the proposed site plan to ensure that the development will be consistent with the proposed YC-MU zoning district. As the YC-MU regulations are not currently adopted as part of the City's Land Development Code, the review for consistency is based on this proposed zoning district and not the existing B-2A zoning district. As the YC-MU has not been adopted by the City Commission, the proposed site plan is not consistent with the existing B-2A zoning district. However, if the City Commission holds a second reading and approves the Ordinance to establish the YC-MU zoning district within the Land Development Code, this rezoning application would then be consistent with the City's Code.

COMPATIBILITY OF THE PROPOSED SITE PLAN WITH THE YC-MU DISTRICT

The proposed site plan was reviewed against the language within the YC-MU zoning district to ensure its consistency with the plan. At the time that the PZB reviewed the proposed YC-MU ordinance, it was made clear to the applicant that notwithstanding the recommendation of approval, the PZB may comment or make recommendations on a site plan and that it would not automatically approve a site plan prepared pursuant to the proposed YC-MU ordinance. Further, as the YC-MU ordinance is still to be considered on first reading, should the site plan reveal issues with the YC-MU ordinance, the YC-MU ordinance could still be amended on second reading. Thus, approval of the YC-MU ordinance by the PZB and on first reading by the City Commission does not prohibit making changes to the site plan if the PZB and/or City Commission believed that such would be necessary.

Below are excerpts from the proposed regulations of the YC-MU zoning district along with the Consultant Planner's review of the proposed site plan to these requirements in *italics*.

Established Grade

Established Grade is defined below to measure the maximum height of a Building or Structure:

The maximum height of a residential building shall be no more than 38.0 feet above the crown of the adjoining public roadway. Chimneys and ornamental features, such as spires and weathervanes, shall not exceed 41.0 feet above the crown of the adjacent public roadway.

Proposed height is 38 feet from crown of road, 40.85 feet from crown of road including elevator equipment.

The maximum height of a commercial recreation building shall be no more than 54.0 feet above the crown of the adjoining public roadway. Chimneys and ornamental features, such as spires and weathervanes, and screened mechanical equipment shall not exceed 59.0 feet above the crown of the adjacent public roadway.

Proposed height is 54 feet from crown of road, 59 feet with mechanical equipment.

Minimum District Size

The minimum size is (5) net acres of contiguous land.

The proposed project is 12.2 gross acres and 9.5 net acres.

Development Agreement

All rezoning applications require a Development Agreement,

There is a proposed Development Agreement which will be considered as a separate agenda item.

Site Plan

All rezoning applications requesting the YC-MU district designation shall be accompanied by a conceptual site plan.

The site plan was approved with conditions by the Planning and Zoning Board and is being reviewed by the City Commission as part of this rezoning application.

Uses Permitted

One or more of the following in the designated residential land use areas:

One-family residences

Townhouses

AND

Yacht Club in the designated Commercial Recreation land uses areas.

The proposed development includes redeveloping the Yacht Club property with a new Yacht Club clubhouse, new tennis center, and a redeveloped children's activity center along with a proposed 22-unit residential development, consisting of 21 townhomes and 1 single-family residential unit.

1. A residential Homeowners' Association as defined in Ch.720.301. F.S. shall be created for all residential units and such association shall be required to be a member of the Yacht Club.

Per Sec 8.3.12 of the Development Agreement, the Developer agrees to form a residential Homeowners Association and the Homeowners Association is required to be a member of the Yacht Club.

2. Accessory Uses. Building and Structures to residential or Yacht Club uses shall be identified in a Development Agreement and are subject to applicable provisions of the Land Development Code of the City of Lighthouse Point unless otherwise specified in this Section or the Development Agreement.

Section 8.2.2 of the Development Agreement identifies the Principal Building Structure as the Yacht Club Clubhouse. Accessory Buildings, Accessory Structures, and Accessory Uses to the Yacht Club Clubhouse shall include the Kids' Center, Tennis Center-Bistro, and Marina.

Floor Areas

1. Residential dwelling units shall have a minimum total floor area under air conditioning of one thousand five hundred (1,500) square feet.

The proposed floor plans for the proposed townhome residential dwelling units are 3,533 and 4,633 square feet and the single-family unit is proposed to be 6,320 square feet.

2. A Yacht Club Clubhouse shall have a minimum total floor area under air conditioning of thirty thousand (30,000) square feet.

The proposed total floor for the Yacht Club Clubhouse is 32,768 square feet under air and a gross square footage of 63,103 square feet which includes some outdoor areas on the first floor as well as the roof deck with three tennis courts.

3. Accessory Buildings

- a. The designated residential land use area shall be permitted one (1) guardhouse not to exceed a total floor area of one thousand (1,000) square feet and twenty (20) feet in height from Established Grade pursuant to an approved site plan.

The proposed development has an entry feature proposed to be 739 square feet and a height of 18 feet.

- b. Each Accessory Building of a Yacht Club Clubhouse shall be limited to a maximum total floor area of twenty-five (25) percent of the Yacht Club Clubhouse's total floor area under air conditioning.

The Children's Activity Center total floor area is 2,423 square feet and proposed Tennis Center is 2,391 square feet which are below 25% of the Clubhouse.

- c. A Yacht Club Basin shall be permitted one (1) Accessory Building not to exceed a maximum total floor area of eight hundred (800) square feet with a maximum height of fourteen (14) feet in height from the top surface of the dock.

There is an existing accessory building in the yacht club basin that meets these requirements.

4. Accessory Structures

Each covered Accessory Structure in the designated Commercial Recreation land use area, when adjacent to a residential land use line, shall be limited to a maximum total floor area of one thousand (1,000) square feet.

The proposed development has one entry feature with a total of 739 square feet.

Setbacks.

1. The minimum setbacks for residential uses shall be as follows:

- a. One-Family Residences

1. Front (main entrance): Twenty-five (25) feet measured from the internal vehicular access drive
 2. Side: Eight (8) feet measured from the residential land use line
 3. Street Side: no requirement
 4. Rear: Twenty-five (25) feet measured from the wet face of the seawall

The proposed one-family residence setbacks are: front-25 feet; side- 12 feet on the north side, 20 feet, 6 inches on the south side; street side- N/A, rear- 25 feet 6 inches.

- b. Townhouses

1. Front (main entrance): Twenty (20) feet measured from the residential land use line
 2. Side: Eight (8) feet measured from the residential land use line; provided that if a common wall exists, the setback is zero (0) feet
 3. Street side: Twenty (20) feet measured from the internal vehicular access drive

4. Rear: Twenty-five (25) feet measured from the wet face of the seawall for waterfront Townhouses or from the residential land use line for non-waterfront Townhouses

The proposed Townhouse setbacks are: front 20 feet; side minimum of 8 feet on (Building #3); street side 20 feet to vehicular access drive (Building #6); Rear setback is 25 feet.

- c. Accessory Building

1. Front (main entrance): Eight (8) feet measured from the residential land use line
2. Side: no requirement
3. Street side: no requirement

4. Rear: Eight (8) feet measured from the residential land use line

The setbacks for the entry feature are back- 9 feet 2 inches, side- N/A, street side- N/A, Rear- 8 feet.

2. The minimum setbacks for non-residential uses shall be as follows:

- a. Yacht Club Clubhouse

1. Front (main entrance): Fifty (50) feet measured from the Commercial Recreation land use line
 2. Side: Twenty-five (25) feet measured from the Commercial Recreation land use line
 3. Street side: no requirement

4. Rear: Fifteen (15) feet measured from the Commercial Recreation land use line

The setbacks for the club house are front- 250 feet 8 inches; side- 99 feet 8 inches; street side- N/A; rear- 20 feet-11inches.

- b. Accessory Buildings

Except for the Accessory Building permitted in the Yacht Club Basin, all other Accessory Buildings of a Yacht Club Clubhouse shall be subject to the following setbacks:

1. Front (main entrance): Seven (7) feet measured from the internal vehicular
2. Circulation. Side: Sixteen (16) feet measured from the Commercial Recreation land use line
3. Street side: no requirement
4. Rear: Ten (10) feet measured from the wet face of the seawall for waterfront Accessory Buildings, or two (2) feet measured from the Commercial Recreation land use line for non-waterfront Accessory Buildings

Children's Activity Center Building setbacks are: Front-50+ feet; side - 16 feet; Rear – 10 feet.

- c. Accessory Structures

Covered Accessory Structures of a Yacht Club Clubhouse shall be subject to the minimum setbacks below. Uncovered vertical structures, uncovered horizontal structures, and mechanical equipment shall be exempt.

1. Front: Eight (8) feet measured from the Commercial Recreation land use line
2. Side: Three (3) feet measured from the Commercial Recreation land use line. There shall be no requirement for covered Accessory Structures less than twelve (12) feet in height adjacent to residential land use lines.
3. Street side: Seven (7) feet measured from the Commercial Recreation land use line
4. Rear: Fifteen (15) feet measured from the Commercial Recreation land use line

The setbacks for the covered accessory structures are: front – 8 feet; side – 3 feet; street side – 7 feet; rear – 15 feet.

Building and Structure heights.

1. Residential Buildings shall have a maximum height pursuant to the definition of Established Grade.
See analysis above under Established Grade.
2. A Yacht Club Clubhouse Building shall have a maximum height pursuant to the definition of Established Grade.
 - a. Tennis court fences shall be included in the height measurement.
 - b. Mechanical equipment shall be permitted to have a maximum height pursuant to the definition of Established Grade. Mechanical equipment shall be surrounded by screening matching the façade of the Building and shall not be in the line of sight from a 45-degree angle measured from ground level on the site. There shall be a minimum setback of ten (10) feet measured from the edge of the Building to the mechanical equipment.
See analysis above under Established Grade.
3. All Accessory Buildings and Structures shall be measured pursuant to the definition of Established Grade and shall be subordinate in height to the Yacht Club Clubhouse and residential Buildings. Fences, walls, and gates shall be regulated by Lighthouse Point Code of Ordinance, Sec 42-377
All accessory buildings are subordinate in height to Clubhouse and residential buildings.

Building length.

1. Townhouse Buildings shall not exceed one hundred eighteen (118) feet in length.
The proposed maximum length of townhouses is 117 feet (Buildings 2,3,4, and 5).
2. The Yacht Club Clubhouse Building shall not exceed two hundred (200) feet in length.
The proposed length of the Yacht Club Clubhouse is 184 feet.
3. All non-residential Buildings other than the Yacht Club Clubhouse Building shall not exceed one hundred twenty (120) feet in length.
The proposed length of the entry feature is 41 feet 4 inches; children's activity center 114 feet 10 inches; tennis center-112 feet.

Building separation.

1. Townhouse Buildings shall have a distance separation of between sixteen (16) feet and twenty-four (24) feet, measured in a straight line from the closest point between the Townhouse Buildings as provided in an approved Development Agreement and the final approved site plan. If a Townhouse Building is longer than ninety (90) feet in length, then the separation of the portion of the Townhouse Building over twenty-two (22) feet in height shall be a minimum distance of twenty-four (24) feet. Non-habitable features such as but not limited to walls, fences, hedges, and landscaping shall be permitted to occupy the building separation area. No overhangs or projections of any kind shall be permitted within the building separation area. Vertical safety railings shall not be considered an overhang or projection.
The building separation for the Townhouses in Buildings 1, 2 and 3 are as follows: 16 feet for the 1st and 2nd floors, 26 feet 4 inches for 3rd floor; for Buildings 4 and 5: 24 feet for 1st and 2nd floors and 34 feet 4 inches for the 3rd floor.

2. A Yacht Club Clubhouse shall have a minimum fifty (50) foot distance separation to residential Buildings, measured in a straight line from the closest point of the two (2) Buildings.
The building separations from the Clubhouse to the closest residential buildings are 61 feet 1 inch and 73 feet 7 inches.
3. All Accessory Buildings of a Yacht Club Clubhouse shall have a minimum twenty-four (24) foot distance separation to residential Buildings, measured in a straight line from the closest point of the two (2) Buildings.
The building separation from the Children's Activity Center is 24 feet; Tennis Center is 112 feet; and the Entry Feature is 44 feet 1 inch.
4. One-family residences shall have a minimum distance separation of twenty-four (24) feet from a Townhouse Building, measured in a straight line from the closest point of the two (2) Buildings.
The building separation between the townhome buildings and the one family residence is 29 feet.

Building design standards.

1. Facades: Straight front and rear facades are prohibited. The front, street side and rear facades shall vary along both the vertical and horizontal planes to create visual interest and character.
2. Roofline: The front and rear rooflines shall vary along the horizontal plane to create visual interest and character by creating varying layers.
3. Roofs: Flat roofs shall be discouraged unless it can be demonstrated through reference to best practices that the flat roof is an integral part of the architectural style proposed for the development.

Proposed development was reviewed and approved by the Community Appearance Board on August 19, 2021.

Pervious Area.

1. The minimum Pervious Area for residential uses shall be thirty (30) percent; and
2. The minimum Pervious Area for nonresidential uses shall be twenty (20) percent;
3. But in no event shall the total minimum Pervious Area in a YC-MU district be less than twenty-five (25) percent.
4. The standards and regulations contained in Lighthouse Point Code of Ordinances, Sec. 42-392, as may be amended from time to time, are applicable.

Residential pervious area: 33.6%; nonresidential: 21%; total pervious area: 26%.

Parking

No part of any required parking shall be used at any time for vehicle storage, including the use or storage of campers and other similar recreational vehicles.

1. Residential
 - a. A minimum of two (2) indoor garage spaces restricted by recorded Homeowners Association deed restrictions to vehicular use only shall be required, and one (1) supplemental space shall be required adjacent to each residential unit.
 - b. The required number of guest parking spaces shall be equal to fifteen (15) percent of the total required number of spaces. Guest spaces shall be distributed throughout the YC-MU district but shall be in addition to all other required parking for uses within the district.
 - c. No parking shall be allowed on any internal vehicular access drive.
 - d. No parking shall be allowed off site in the adjacent residential neighborhoods.

The residential development has 96 parking spaces for Townhouses (2-garage and 2-exterior per townhouse) (4x21=84), 6 parking spaces for one-family single residences (3-garage and 3-exterior) (6x1=6) and six guest parking spaces (6).

2. Non-Residential

- a. Parking shall be provided in an amount equal to the total number of required parking spaces for all individual uses as provided for in the Lighthouse Point Code of Ordinances.
- b. In lieu of subsection (2)a., a signed and sealed parking study prepared by a licensed professional acceptable to the City and paid for by the Owner of the Yacht Club portion of the Parcel of Land, may be submitted for the cumulative parking requirements provided in subsection (2)a. above, if approved by the City Engineer and the City's Planning and Zoning Board.
- c. Valet Parking provided in accordance with the Valet Parking standards set forth in these regulations may be provided to meet a maximum of forty (40) percent of the total minimum parking requirements for non-residential uses, if approved by the City Engineer and the City's Planning and Zoning Board.
- d. No parking shall be allowed on any part of any internal vehicular access drive.
- e. No parking shall be allowed off site in the adjacent residential neighborhoods.

Proposed 231 spaces to be provided including 115 spaces in the main parking area, 47 spaces in the northeast parking area, 39 valet parking spaces in the main parking area, and 30 spaces in the valet parking lot/overflow area. Parking Memorandum was provided by KBP Consulting, Inc. dated March 20, 2020, to confirm that sufficient parking spaces will meet the demand of the proposed development with the exception of special events which will require offsite parking.

Valet Parking.

Valet Parking, which may be provided as Tandem Parking, in a Valet Parking Lot shall only be permitted in the Yacht Club portion of the Parcel of Land subject to a detailed Valet Parking Agreement executed by the Owner of the Yacht Club portion of the Parcel of Land and the City on a form acceptable and approved by the City Attorney and recorded with the Broward County Records Division at the Owner's expense. The Valet Parking Agreement shall be considered a restriction running with the land and shall bind the heirs, successors, and assigns of said Owner.

Agreement to be submitted by Applicant and approved by City Staff prior to certificate of occupancy.

Landscaping.

1. General Site Landscape

- a. These regulations are to establish minimum standards for the development, installation, and maintenance of Florida-Friendly Landscaping™.
- b. All landscaped areas shall be mulched and irrigated.
- c. All landscape material shall be Florida #1 grade or better as per most current edition of Grades and Standards for Nursery Plants, by the Division of Plant Industry, Department of Agriculture and Consumer Affairs, state of Florida.
- d. Sod and approved Synthetic Turf area shall be clean and visibly free of weeds, noxious pest and diseases
- e. Synthetic Turf may be used and conform to Lighthouse Point Code of Ordinances Sec. 42-392, as may be amended from time to time. Synthetic Turf is limited to a maximum of fifteen percent (15%) of the pervious space requirement
- f. A minimum of fifty (50) percent of all proposed landscape will be "Florida Friendly" to conserve water, protect the environment, and are planted consistent with the right plan in the right place standards (drought, wind, and/or salt tolerant)
- g. A minimum of forty (40) percent of proposed Trees/Palms shall be native as approved by the City's designated landscape professional.

- h. Plants shall be grouped by hydrozone and irrigated per watering needs to conserve water as per South Florida Water Management District's guide Waterwise: South Florida Landscapes.
- i. All landscape beds except for sod and approved Synthetic Turf, decorative rock bed, and annual beds, shall be mulched with arsenic free organic mulch a minimum of three (3) inches to prevent weeds, enrich the soil, lower temperature of soil, and reduce watering needs.
- j. Trees and plant species on Florida Exotic Pest Plant Council (FLEPPC) Invasive Plant Species List, as may be amended from time to time, shall not be proposed in the landscape plan. Existing exotic material shall be removed from construction site unless approved by the City's designated landscape professional.
- k. Required buffer hedges shall be planted and maintained to form a continuous, unbroken solid visual screen, with a minimum height of two (2) feet at the time of planting and three (3) feet to be attained within one (1) year after planting.

Final landscape comments are provided with the approval of the final site plan.

2. Residential

- a. For every two thousand (2,000) square feet of Pervious Area, including fractions thereof, but excluding water bodies, a minimum of one (1) Tree and twenty (20) Shrubs, twenty (20) groundcover shall be required.
- b. All air conditioning equipment, generators, and other equipment shall be screened from view.

Final landscape comments are provided with the approval of the final site plan.

3. Non-Residential

- a. For purposes of this subsection (p)(3), the Pervious Area of the Commercial Recreation land use area will have the following:
 - i. One (1) Tree for each one thousand (1,000) square feet of Pervious Area including fractions thereof.
 - ii. All Pervious Areas shall be landscaped with a combination of shade and ornamental Trees, Shrubs, ground cover and sod.
 - iii. All air conditioning equipment, generators, and other equipment shall be screened from view.

b. Parking areas

- i. Parking lots, exclusive of lots designated for overflow Valet Parking only, shall provide one landscape island for each ten (10) parking spaces. Each landscape island shall have at least one (1) Tree and ten (10) Shrubs.
- ii. Each parking lot landscape island shall be a minimum of ten (10) feet wide, or an alternate dimension no less than five (5) feet wide that is consistent with the proposed Canopy tree species to support healthy root growth, subject to approval by the City's designated landscape professional and Planning and Zoning Board at the time of site plan approval, and sixteen (16) feet long.
- iii. Parking lots designated for overflow Valet Parking only are not required to provide internal Landscape islands.
- iv. A landscape buffer of at least four (4) feet in width shall be installed to visually separate the parking area from streets and waterways and screen vehicles.
- v. All parking areas shall be separated from landscaped areas by curb or other design feature to preclude vehicular intrusion.

Final landscape comments are provided with the approval of the final site plan.

4. Street Trees

- a. Areas contiguous to an internal vehicular access drive shall provide street Trees on either side of the access drive staggered apart, either directly across from each other or offset, as aesthetics or field conditions require.
- b. Street Trees shall be Canopy trees that are a minimum of fourteen (14) feet in height, a minimum 2 ½" caliper, with a clear trunk of at least five (5) feet, and a minimum six (6) foot spread at the time of planting, subject to approval of the City's designated landscape professional at the time of site plan approval.
- c. Sidewalk vertical clearance shall be a minimum eight (8) feet or fifteen (15) feet over vehicular access drive.

Final landscape comments are provided with the approval of the final site plan.

Marina at the Yacht Club

1. The following are permitted uses for the Marina at the Yacht Club:
 - a. Boat mooring at a dock or slip, limited to a maximum capacity of seventy-eight (78) vessels restricted to use by members in good standing of a Yacht Club or Transient Boats, a Boat Club, and a charter boat
 - b. Transient fueling, Boat Detailing, Transient pump out, provisioning and minor repair and maintenance
 - c. Liveaboard vessels, only if pump out stations are available
 - d. One charter boat, not to carry more than six (6) passengers while moored or underway
 - e. Boat rental restricted to use by a Boat Club for vessels less than thirty-two (32) feet in length with no more than five (5) vessels berthed in up to a maximum of five of the seventy-eight (78) slips assigned to the Marina. No more than one vessel shall be permitted in each slip
 - f. Boat Dock or Boat Slip rental to Transient Boats
2. The following are prohibited uses for the Marina at the Yacht Club:
 - a. Boat retail dealerships
 - b. Boat shows
 - c. Commercial recreational businesses, other than one permitted charter boat
 - d. Fish cleaning other than at designated fish cleaning stations
 - e. Anchorage mooring
 - f. Conducting a business from a vessel in the Marina not specifically approved as a permitted use
 - g. Leasing slips or docks to members of the general public who are not members of a Yacht Club, except for leasing slips or docks to Transient Boat
 - h. Any use not specifically permitted in this Section or the Development Agreement shall be prohibited.

Applicant has agreed to these permitted uses.

Additional Regulations

1. All Marinas shall provide fire protection consistent with the requirements of the National Fire Protection Association.
2. Liveaboard vessels are only permitted in the Yacht Club Basin.
3. Outdoor storage or display of materials or goods is prohibited.
4. Any subject not covered or addressed in this Section shall be regulated by the applicable City Code.

Applicant has agreed to these additional regulations.

Sketch and Legal Survey

The City's Consultant planner had the Sketch and Legal description reviewed by a licensed surveyor who affirms the area shown is an accurate depiction and description of the proposed area for rezoning.

3. SITE PLAN CONDITIONAL APPROVAL

As part of its consideration of the rezoning to the YC-MU zoning district, the City Commission will be approving the site plan. At its October 5, 2021, meeting, the Planning and Zoning Board reviewed the site plan and approved it subject to several conditions. The Mayor appealed that approval to the City Commission since the YC-MU zoning district was not approved; however, under the YC-MU zoning district, approval of a site plan is required as part of the rezoning.

Below is the list of conditions of approval identified by the Planning and Zoning Board for the Lighthouse Point Yacht Club Site Plan from the October 5, 2021, meeting. The eleven (11) conditions of approval are listed below, as well as the Consultant Planner's summary of each condition in italics.

1. City-retained traffic consultant review and approve Applicant's proposal for the entrance, including whether boom should be installed

Based on this condition, the City retained a traffic engineer to review the comments received by the City engineer and the Applicant's traffic consultant and provide recommendations on how to proceed with the proposed entry.

- a. Review of documents provided by City Engineer and Applicant's Traffic Consultant*

The City's traffic engineer agrees with the Applicant that the use of the boom/gates will not create a safety issue if proper stacking is provided.

- b. Review potential location of gates/booms focusing on queuing and location of devices*

The City's traffic engineer states adequate reservoir capacity should exist for vehicles entering and exiting the site. Per the City Code, the reservoir area must be 12 feet wide by 22 feet long. The entrance has sufficient capacity, width, and length to meet this requirement. However, the egress/exit area does not have the required 22 feet length. Even if the egress boom is moved to the property line to the south, there is only approximately 17.5 feet in length between the property line and the southernmost driveway of Building 1. A reconfiguration of the southernmost driveway or a redesign of the exit would be necessary to meet this requirement.

- c. Examine the Safety of the egress of the property considering proposed driveways of Building 1*

Based on review of the Institute for Traffic Engineers Manual, the greatest impact to this area would be during special events. During special events, the City's traffic engineer recommends no left turns or u-turns be allowed in the front entry area during these events. This restriction would leave the exit area open for egress from the site and not create conflicts of turning vehicles into the egress lane.

- d. Determine if radius of the u-turn is sufficient for vehicles*

Based on the auto turn analysis of the site plan submitted on March 5, 2021, the u-turn for passenger vehicles cannot be done without going over the curb of the raised island. This exhibit needs to be updated with the latest design to ensure passenger vehicles can safely make this turn without going over ground features.

- e. Provide input regarding safety concerns on exit roadway if Building 1 is moved further south*

The movement south of Building 1 can only be accommodated if the driveways provide a minimum of 22-foot length for the outbound reservoir area as discussed in b. above.

The City's traffic engineer's memorandum is provided as Attachment F to this Agenda form.

2. All DRC comments addressed

As this project has moved through the review process, there have been several changes to the Development Agreement, and other documents which necessitate changes to the proposed Site Plan as the proposed plans do not reflect all aspects and details of the Site Plan. They include:

1. *Amend all plans and renderings which describe the "guardhouse" to "entry feature".*
2. *Provide clarification on the Site Plan showing whether the minimum or maximum square footage of buildings is established in the YC-MU documents*
3. *Update phasing plan to show the updates identified at the PZ meeting including providing safety rails to the portions of the dock to be used for accessible access during construction. Make changes to the phasing plan to reduce the plan to two phases of construction.*
4. *Address any changes proposed in the Development Agreement that impacts Site Plan.*
5. *Finalize any landscape and irrigation comments which have been given conditional approval.*

3. Traffic calming along NE 27 Terrace as determined by City-retained traffic consultant

The City's traffic engineer completed an analysis of NE 27 Terrace which is provided as an attachment to this Agenda Form. The memorandum includes possible traffic calming solutions to reduce speeding on the roadway. These include reducing the travel lanes close to NE 39 Street, construction of a raised median at the intersection of NE 27 Terrace and NE 39 Street, installation of an electronic speed sign, and the implementation of speed tables/humps. In addition, resurfacing and restriping the roadway, installation of a southbound speed limit sign and the removal of the existing nonconforming signs are also recommended.

4. Fire Marshal approval of Phasing Plan

The Phasing Plan has gone through some updates through the DRC process. As the phasing plan has been amended since the last DRC review meeting, the City's Planning Consultant wants to ensure the Fire Marshal reviews the final Phasing Plan submitted as part of the final site plan. The Fire Marshall will review the final phasing plan at time of building permit review.

5. Phasing Plan reflect guard rails, including along docks, for public safety purposes

For Phase of construction, the newly constructed boat docks on the west side of the property will serve as an accessible access to the marina as well as the children's center/gym and pool area. As this will be an accessible route for all entering the site, additional safety features such as railings or fencing will be required to provide a safe and accessible route. The Applicant provided this information on the revised Phasing plan and it must stay in place until access can be provided to all areas in service during construction until the interior sidewalks are complete.

6. The exterior wall and required landscaping along NE 42 Street be installed during the first phase of project, as phase was described during the meeting

There was some discussion on this item at the October 5, 2021, Planning and Zoning Board meeting and the Board added this condition so that the wall and landscaping would be installed at the beginning of the project, thereby providing maximum buffering to noise and construction debris at the onset of the project. The Development Agreement provides this will be completed in the initial

ten (10) months of construction. The Phasing Narrative that is attached to the Development Agreement must be updated to include both the construction of the wall and the landscaping.

7. Applicant shall make good faith effort to interface with some social media site to advise the neighborhood of major construction events in a timely manner

There was some discussion by members of the Planning and Zoning Board as the Applicant wanted to utilize the Yacht Club website for information; however, the Planning and Zoning Board recommended something on a social media platform. There was also discussion on what “major construction” would entail. Planning and Zoning Board members stated anything that would increase the noise or additional truck traffic in the area would constitute major construction.

8. A representative of the property owner shall be positioned at the entrance to the site at all times that construction activity is occurring on the property

The Applicant stated that he will have a representative onsite through the construction process, who will direct construction traffic as well as members and guests of the Yacht Club during the duration of the construction. This issue is important as a critical part of the Phasing Plan and to lessen impact of large construction vehicles with pedestrian and vehicular traffic to the open portions of the site. The revised Phasing plan narrative attached to the Development Agreement states this person will be onsite during all phases of construction.

9. Review of the left side [west] townhome buildings to create a better aesthetic view from the west canal to the townhomes

There has been a lot of discussion on the building separation of the townhomes and their design on the proposed site plan. On the east side of the project, there is a building separation of 24 feet between all buildings. However, on the west side, there is only 16 feet between the three proposed townhomes. This building separation of 16 feet is a minimum within the draft regulations for the YC-MU zoning district, however, the overall impact of the 16-foot separation versus the 24 feet was not made clear until the technical review of the site plan at this stage.

PZ discussed this issue at the October 5, 2021, meeting as to the proposed design of the west side creating a “wall effect” with the new proposed townhomes and the renovated children’s center. And although the Applicant is reducing the overall length of the existing accessory building on the west side to provide additional open area, Board members Bill Gallo, Kenton Hajdic, Fred MacLean, and Susan Motley all voiced their concerns with the amount of potential development and density of development on the west side. Board member Gallo also stated that if there were less development on the west side, the exit area could be improved. Ms. Motley stated that the west side should be similar in design and layout to the east side. In addition, Ms. Motley suggested reducing the 40+ feet of landscape area on the southern portion of the parcel to increase the building separation on the west side. This redesign would need to incorporate recommendations by the City’s traffic engineer who discusses this area in the attached memorandum and is summarized under condition #1 of the Planning and Zoning Board recommendations.

It is clear from the proposed site plan that far more buildings are proposed for the west side of the site versus the east side. This fact is evident in that there are greater building separations proposed for the east side (24 feet) versus the west side (16 feet). In addition, the existing accessory building on the west side of the property will be reduced in length but the majority of the building will remain creating four structures along the west side of the property. In contrast, the east side is proposed to have three structures, one of these a single-family residence on the east side. The new parking

area will be located on the northeast side and therefore will reduce the massing of buildings on the east side. Residents facing the east side will still have a view of the clubhouse, but that will be 160+ feet from the eastern property line. Based on the site plan calculations, structures will occupy approximately 78% of the west frontage while buildings will only occupy 68% of the east frontage.

WEST	Feet	Percent	EAST	Feet	Percent
Building Length	434	78%	Building Length	352	68%
Open Space	121	22%	Open Space	169	32%
Total	555	100%	Total	521	100%

The required building separation for townhomes in Lighthouse Point in the current Land Development Regulations set for the in Sec. 42-361 is 10 feet for 3-story townhomes with a maximum length of 90 feet. The City's planning consultant researched other municipal codes regarding building separation. In the Deerfield Beach, Coral Springs, and Pompano Beach, the required building separation is a minimum of 20 feet as shown in the chart below. Only Fort Lauderdale has a building separation that is comparable to the current Lighthouse Point Code as shown below.

Municipality	Section	Separation
Deerfield Beach	98-47 RM-10	25' or 1/2 the height of building, whichever is greater
Coral Springs	250147 - Townhouse subdivision developments.	20' or 1/2 the combined height of both buildings, whichever is greater
Pompano Beach	155.3208 Multiple-Family Residence & (RM-7)	25' minimum
Fort Lauderdale	Sec. 47-18.28. - Single family dwelling, attached; Rowhouse.	10' minimum and 20' maximum

The 16-foot building separation provided on the west side of the development is the same width as the single-family homes within the City (RS-3 and RS-5 have 8-foot side yard setbacks). However, the proposed townhomes are almost double the length of existing single-family structures and at 38 feet, are higher than the allowable height of single-family structures. Additional air and light between buildings would lessen the wall effect on the west parcel line. Compared to other municipal codes, a 38-foot structure would result in a minimum of a 20-foot building separation in every municipality identified except for Fort Lauderdale.

- Accommodate in the final design more separation of the townhouse buildings along the west side of the property, through a shift southward of the buildings on the west side of the property

This condition is related to condition #9 where the buildings are relocated to the south. As part of the traffic engineer's review of the project, the relocation of the townhomes to the south will create a safety issue with the egress/exit of the property as the townhomes are currently designed. For safe egress from the site, there must be 20 feet of length the last driveway and the exit to the property to provide the appropriate stacking reservoir and safe usage of this area. Moving the building south with its current configuration will only lessen the required reservoir length. However, if there was a redesign of this building and there were fewer driveways, or driveways located further north than the current design, this change would reduce conflicts at the exit to the property. For example, one driveway shared by three or fewer units, would greatly reduce any conflicts with the exit and allow for the proper egress from the property.

- Approval of Land Use Amendment, Comprehensive Plan Text Amendment, YC-MU zoning district text amendment, rezoning of the property to YC-MU and the Development Agreement.

The Site Plan requires the approval of other land development actions in order for it to be approved. Before the City Commission considers the Site Plan, they must approve the following:

- *Land Use Amendment to change 3.7 acres of the area from Community Facilities to Irregular (6 du/acre) Residential.*
(Requires one public hearing by the City Commission for adoption of amendment and per state requirements, adoption required before 2/27/22).
- *Comprehensive Plan Text Amendment – Required to allow for permitted uses of Commercial Recreation and Irregular Residential Land Uses*
(Requires second reading and approval by City Commission to adopt and incorporate into the City's Comprehensive Plan)
- *Land Development Code Text Amendment – As part of this process, the YC-MU zoning district was drafted to allow for the uses proposed by the Applicant. This language is not currently adopted into the City Code. (Requires second reading by the City Commission to adopt and make part of City Code)*
- *Rezoning – The City must also amend the City's zoning map to change the Yacht Club Parcel from its existing zoning designation Planned Business (B2-A) to the Yacht Club Mixed-use (YC-MU) zoning district to allow for the mix of uses (residential and yacht club) within the development.*
(Requires two readings by the City Commission for Adoption)
- *Development Agreement – The Development Agreement provides additional details on the construction of the development.*
(Requires two readings by the City Commission for Adoption)

4. ATTACHMENTS

- A. Rezoning Application and Justification Statement
- B. Ordinance No. 2022-0983 to Rezone property including Sketch and Legal Description
- C. Site Plan application and materials reviewed by Planning and Zoning Board
- D. Letter from City Engineer
- E. Memorandum from City's Traffic Consultant regarding egress of vehicles
- F. Ordinance No. 2020-0980 Proposed Land Development Code Text for Yacht Club – Mixed Use (YC-MU) Zoning District
- G. Ordinance 2019-0972 for Land Use Plan Map Amendment and application
- H. Ordinance No. 2020-0977 Land Use Plan Text Amendment and attachments

5. FINANCIAL IMPACT

The Applicant has been paying the City's costs of processing its applications. The Applicant has provided payment for all costs associated with the site plan (Development Review Committee) process. The City will receive building permit fees to review the site plan when submitted for review.

6. ACTION OPTIONS/RECOMMENDATION

The City Commission is requested to consider the first reading of the Rezoning Ordinance and accompanying site plan on first reading.