



Date: Thursday, July 7, 2022  
Time: 6:00 p.m.  
Location: City Hall Annex  
Address: 1601 NW 136 Avenue, Building A, Suite 100 – Sunrise, FL 33323

**A. Call to Order**

Ms. Storms called the meeting to order at 6:00 p.m.

**B. Pledge of Allegiance and Moment of Silence**

**C. Roll Call**

Board Members Present: Jane Storms, David Iannacone, Athea Antoine, Fitzwilliam Thompson, Vivi Assidon and Shanesa Mykoo.

Board Member(s) Absent: James TabEEK.

City Staff Present: Jim Koeth – Assistant Director/City Planner, Marianne Q. Edge – Assistant City Planner, Sylvia Miller – Assistant City Planner and Nathalie Augustin – Board Secretary/Administrative Assistant I.

**D. Open Discussion – Public Participation**

There were no members of the public present.

**E. Approval of Minutes – March 3, 2022**

Mr. Assidon motioned to approve the minutes. Seconded by Ms. Mykoo. There was no further discussion.

Roll Call

Jane Storms	Yea
David Iannacone	Yea
Athea Antoine	Yea
Fitzwilliam Thompson	Yea
Vivi Assidon	Yea
Shanesa Mykoo	Yea

## F. Old Business

There was no old business brought before the Board.

## G. New Business

<b>1. Application:</b>	<b>Sawgrass Mills Mall – HomeSense (Revised Site Plan)</b>
Application Number:	RSP-000165-2022 (87:90002)
Applicant:	Mark Lingelbach, Sunrise Mills (MLP) Limited Partnership
Property Owner:	Sunrise Mills (MLP) Limited Partnership
Use:	Commercial
Location:	12801 W. Sunrise Boulevard, Anchor B
Folio(s):	4940.2605.0080
Current Zoning:	B-3 (General Business District)
C Number:	C22145
City Commission Meeting:	August 9, 2022
Planner:	Marianne Q. Edge, AICP

Ms. Marianne Q. Edge, Assistant City Planner, summarized the Staff Report with the entire report entered into the record. Ms. Edge indicated the proposal is to occupy the remaining southwest portion of Anchor B with a commercial use called HomeSense.

Mr. Koeth clarified Staff's condition, in Staff's recommendation of approval, that Sawgrass Mills' Uniform Signage Plan must be revised and obtain City Commission approval if signage for HomeSense will not be consistent with the currently approved uniform signage plan.

Mr. Paul Janyska, Vice President of Construction at Simon Construction Group, was present and provided further information about the application.

Ms. Antoine requested further information on the concept of HomeSense. Mr. Janyska replied that HomeSense is an off-price retailer that sells home furnishing products. Mr. Janyska added that it is a retail chain owned by a parent company that also owns TJMaxx and HomeGoods. Mr. Janyska noted that the current backlog on construction materials may slow the construction process somewhat, but they hope to complete the project as soon as possible.

Mr. Assidon motioned to approve the application subject to Staff's condition of approval. Seconded by Mr. Antoine. There was no further discussion.

### Roll Call

Jane Storms	Yea
David Iannacone	Yea
Athea Antoine	Yea
Fitzwilliam Thompson	Yea
Vivi Assidon	Yea
Shanesa Mykoo	Yea

<b>2. Application:</b>	<b>Harvard Academy (Revised Site Plan)</b>
Application Number:	RSP-000162-2019 (84:11027)
Applicant:	Cynthia Perez, Harvard Academy
Property Owner:	8955 NW LLC
Use:	Day care Facility
Location:	8950 NW 50 Street
Folio(s):	4941.1712.0010 and 4941.1712.0020
Current Zoning:	B-3 (General Business District)
C Number:	C22143
City Commission Meeting:	August 9, 2022
Planner:	Marianne Q. Edge, AICP

Ms. Marianne Q. Edge, Assistant City Planner, summarized the Staff Report with the entire report entered into the record. Ms. Edge noted that the proposal is to expand the existing day care facility. Ms. Edge explained the architectural features of the proposed addition, and indicated the addition will replace the pool by adding three (3) classrooms, a teachers' lounge, a media center, an indoor gym, and eight (8) additional parking spaces.

Mr. Joseph Suarez, Business Assistant, and Ms. Kristy Perez, Manager at Harvard Academy, were present and provided further information about the application.

Ms. Mykoo requested clarification on the use. Mr. Suarez explained that Harvard Academy provides transportation to pick up children, under 5<sup>th</sup> grade, from the local elementary schools, to attend Harvard Academy's aftercare program. Mr. Suarez indicated these children are there for aftercare purposes only.

Ms. Edge clarified that Harvard Academy's concurrent special exception proposal for day care use includes teaching up to 5-year-old children, up to pre-kindergarten. Ms. Edge added Harvard Academy is not permitted to teach kindergarten through 12<sup>th</sup> grade.

Mr. Iannacone requested information on soundproof requirements. Ms. Edge replied that a variety of uses are subject to the Land Development Code requirement that the use must be located in a building with a sound transmission class (STC) rating of sixty (60). Ms. Edge added that this regulation is the same for all of the uses subject to the soundproofing requirement.

Mr. Assidon motioned to approve the application subject to Staff's condition of approval. Seconded by Mr. Thompson. There was no further discussion.

Roll Call

Jane Storms	Yea
David Iannacone	Yea
Athea Antoine	Yea
Fitzwilliam Thompson	Yea
Vivi Assidon	Yea
Shanesa Mykoo	Yea

<b>3. Application:</b>	<b>1100 Sunset Strip, LLC (Exterior Elevation Change)</b>
Application Number:	EECSP-000277-2021
Applicant:	Nicolas Brocherie, 1100 Sunset Strip, LLC
Property Owner:	1100 Sunset Strip, LLC
Use:	Commercial
Location:	1064 – 1116 Sunset Strip
Folio(s):	4941.35KM.0010 through 4941.35KM.0200
Current Zoning:	B-3 (General Business District)
C Number:	C22146
City Commission Meeting:	August 9, 2022
Planner:	Sylvia Miller, AICP

Ms. Sylvia Miller, Assistant City Planner, summarized the Staff Report with the entire report entered into the record. Ms. Miller explained the proposed architectural revisions to the façade of the existing building.

Mr. Carlos Cardoso, Vice President of Architecture at Design Tech International Associates, Inc., was present and provided further information about the application.

Mr. Assidon asked if the business owner's would have to suspend operations during the time of renovation. Mr. Cardoso replied the business owner's will not have to suspend their operations as there will be safety plan to allow minimal interference with day-to-day functions and specific site accessibility for the public.

Mr. Iannacone asked if storefront glass frames would change. Mr. Cardoso replied the frames will be painted but not changed.

Ms. Mykoo asked if there are plans to reseal and restripe the parking lot. Mr. Cardoso replied there are future plans to reseal and restripe the parking lot and to improve landscaping.

Mr. Thompson requested information about the support beams. Mr. Cardoso replied they will be removing the roof tiles and installing an inverted truss to bring up a parapet.

Mr. Assidon asked if the existing windows would change to hurricane impact windows. Mr. Cardoso replied not at this time.

Mr. Iannacone asked if the current property owner is new. Mr. Cardoso replied that approximately during the beginning of 2020, the site was sold to a new property owner.

Ms. Storms asked Staff what site revisions trigger the requirement for landscape updates or improvements to the site. Ms. Miller replied that for this matter, the applicant's proposal is strictly to modify the look of the existing walls and roof of the building, and not to add new square footage by an addition to the existing building; therefore, no existing site features around the building are affected and no site-related changes are required. Ms. Miller added that if the application was including revisions to the site, a Revised Site Plan application would have been required, and not an Exterior Elevation Change, which could subsequently trigger the requirement to bring certain existing non-compliant features of the site to compliance.

Mr. Iannacone asked if the City of Sunrise has a site pre-inspection checklist to ensure that revisions are made solely to what is approved. Mr. Koeth added that at this time, there is no site pre-inspection checklist.



Mr. Assidon motioned to approve the application subject to Staff’s condition of approval. Seconded by Mr. Antoine. There was no further discussion.

Roll Call

Jane Storms	Yea
David Iannacone	Yea
Athea Antoine	Yea
Fitzwilliam Thompson	Yea
Vivi Assidon	Yea
Shanesa Mykoo	Yea

**H. Land Development Code Amendments**

Mr. Koeth indicated there are no Land Development Code amendments to present at this time.

**I. Development Project Update**

Mr. Koeth provided the Board with an update regarding the applications reviewed and approved by the Board at its last meeting on Thursday, March 3, 2022 and which had been brought before City Commission for action.

**J. Board Forum**

There was no discussion at this time.

**K. Adjournment**

Ms. Storms motioned to adjourn the meeting. All were in favor.

The meeting adjourned at 6:29 p.m.

Transcribed by:

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Nathalie Augustin  
Board Secretary

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Date

**NOTE TO READER:**

- If these minutes do not bear the date of approval, this indicates that they are not the final approved minutes and will become the official minutes when approved by the Board.
- Approved at the Planning and Zoning Board Meeting of: \_\_\_\_\_
- If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. F.S.S. 286.0105.
- Policy of non-discrimination on the basis of handicapped status; equal opportunity employer.
- Any person who believes he or she has a disability requiring the use of auxiliary aids and services at this meeting may call the Board Secretary, at (954) 746-3281 at least two (2) business days prior to the meeting to advise of his/her special requirements.



## **STAFF REPORT**

SUNRISE AUTO MALL – FLANIGAN'S (EXTERIOR ELEVATION CHANGE)

### **Summary**

This is an application for an Exterior Elevation Change to a restaurant known as Flanigan's, located at 14301 W. Sunrise Boulevard in the Sunrise Auto Mall, as shown on the location map. The property is zoned B-5 (Sunrise/Sawgrass Office District) and located within the Western Sunrise Area, Western Sunrise Entertainment District and Western Sunrise Automobile Node with an underlying land use designation of Industrial on the City's Future Land Use Map. The exterior elevation change requires City Commission approval as per Section 16-32 of the Land Development Code (LDC).

### **General Information**

On September 23, 1997, via Resolution No. 97-194, a Master Plan was approved for the "Sunrise Auto Mall", an automobile dealership complex. Various amendments to the were subsequently approved, including an expansion that added the subject property to the Master Plan, via Resolution No. 01-26, on February 13, 2001. On January 28, 2003, the City Commission approved a Special Exception Use, via Resolution No. 03-21, and an associated Site Plan, via Resolution No. 03-23, for a restaurant on the subject site.

### **Project Description**


The proposed exterior elevation change consists of renovations to the exterior facade of an existing restaurant building. The south (front) elevation will be modified to create an interior/exterior dining space in the southwest corner of the building by removing portions of the south and west walls, to create an opening that is to be enclosed with a natural wood and rope net railing. Access to this seating area will remain through the building's existing entrances/exits. The building's architectural design incorporates the existing stone elements on the facade with white stucco and green accents, as well as a Spanish-style barrel-tile roof. Additional green lattice structures, similar to those on the west side elevation, will be added to the north (rear) facade for additional architectural detail. No changes are proposed to the building size, site circulation, or landscaping.

**Staff Evaluation**

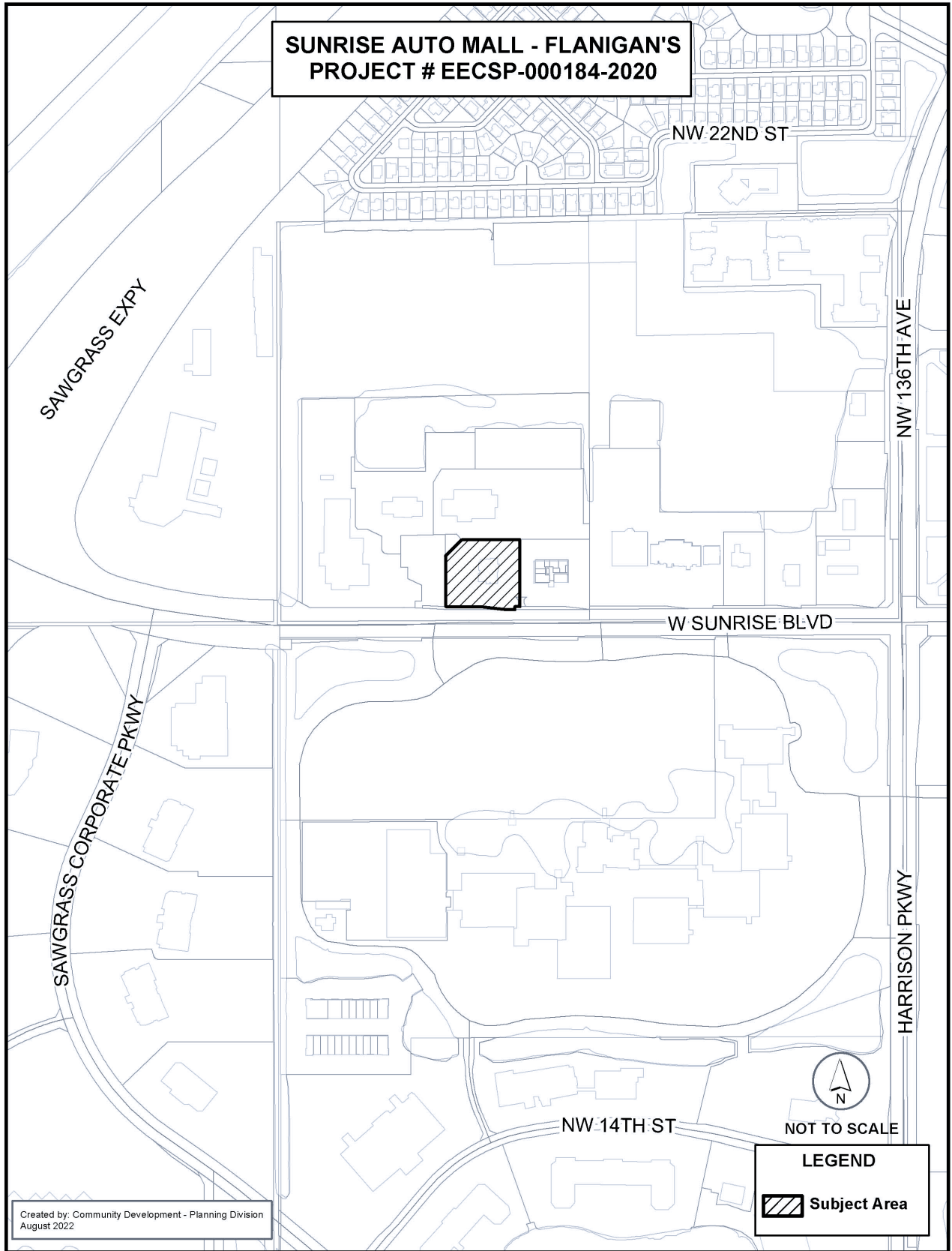
Staff has reviewed the Exterior Elevation change application and find it consistent with the Land Development Code.

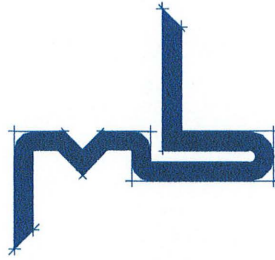
**Staff Recommendation to the Planning and Zoning Board, September 1, 2022**

This application meets all applicable Land Development Code requirements. Therefore, Staff recommends approval.

Planner: Marianne Q. Edge, AICP   
File No.: EECSP-000184-2021 (97:061101-12)

**Location Map**





City of Sunrise  
Community Development Department

JUN 21 2022

RECEIVED

**Mark Thomas Budd, Architect**

221 S. Federal Highway, Suite #4  
P.O. Box #2463, Ft. Lauderdale, Florida 33301  
954-798-6570

**LETTER OF INTENT**

**TO:** Sunrise Planning & Zoning Department  
c/o Marianne Edge & Planning Reviewers  
1607 NW 136<sup>th</sup> Avenue, Bldg. 'A'  
Sunrise, FL 33323

**DATE:** 6-22-22

**RE:** EXTERIOR ELEVATION CHANGE

The following components of the project's building elevations are being proposed as part of this staff revision approval process:

1. Change existing primary "pumpkin" color to "bright white". A "lucky green" accent color is proposed for the East aluminum entrance door, lattice work, aluminum gutters & downspouts, attic louver & decorative shutters only. The exterior elevations consist of 7,348 SF total surface area. We are proposing 333 SF of the green accent color. This will amount to 5% of the overall building's exterior surface area.  
Note that each façade shall have less than 10% of this accent color.
2. Create interior/exterior dining space in southwest corner of existing building, with one proposed opening located on the south façade of the two-story portion of the building, & the second opening located on the west façade of the two-story building. Both openings will be for viewing, but not access. Access will remain through the restaurant's primary entrances/exits.
3. Replace east entrance door with new "lucky green" aluminum storefront door.
4. All rough-sawn wood trim on the Exterior shall be natural weathered gray-brown color.

We believe this building design is consistent and harmonious with the design of the existing and approved development in this area. This existing building is of a scale which does not compete with the surrounding buildings and developed as an out parcel in which it was designed for.

The proposed color scheme enhances the existing architectural elements of the building without altering the existing architecture along with identifying with the Flanagan's corporate brand. The proposed interior/exterior dining space creates an inviting atmosphere when approaching the building.

Further, this application does not propose any changes to the landscaping, parking, and circulation of the existing site.

Submitted respectfully,



Mark Thomas Budd  
Architect



**FRONT FAÇADE / SOUTH ELEVATION**



*Image: South elevation, main entry facing Sunrise Blvd. Photo taken facing north.*



**EAST ELEVATION / SIDE ELEVATION**



*Image: East elevation of existing building. Photo taken from east parking area, facing west.*



**WEST ELEVATION / SIDE ELEVATION**



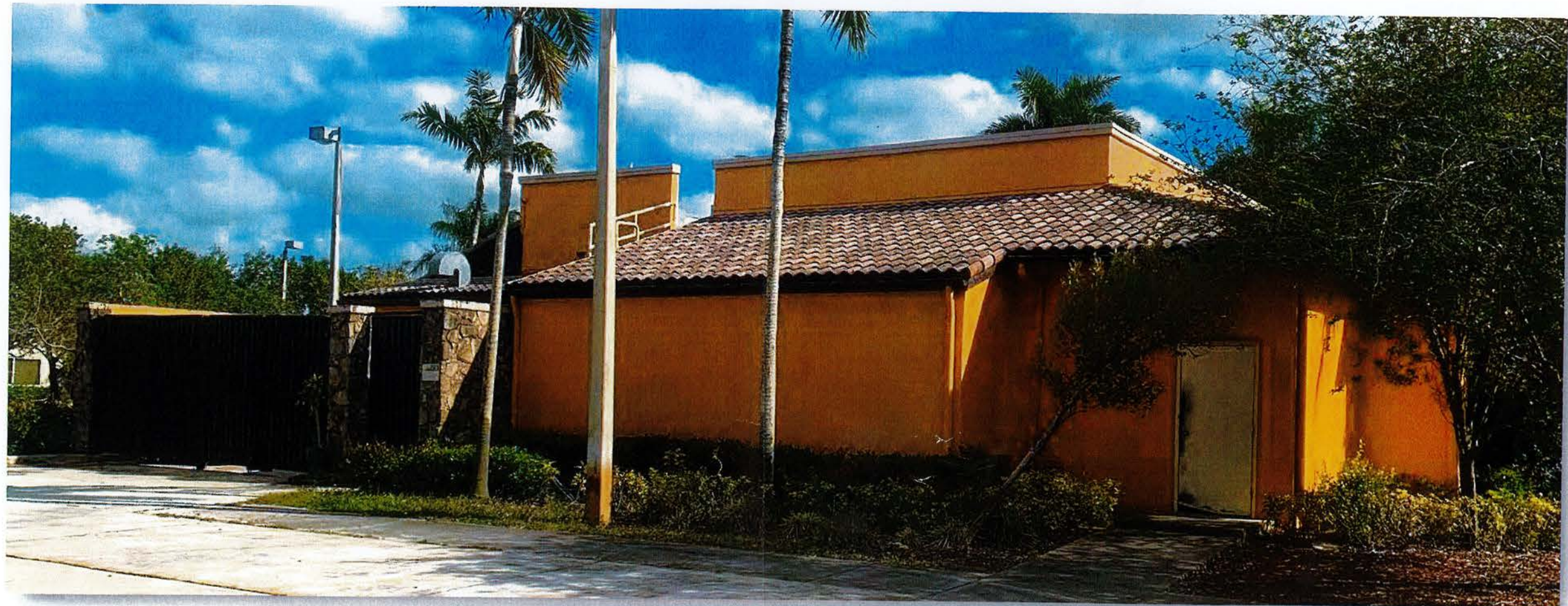
*Image: West elevation of existing building. Photo taken from west parking area, facing east.*





APPLICATION FOR EXTERIOR ELEVATION CHANGES

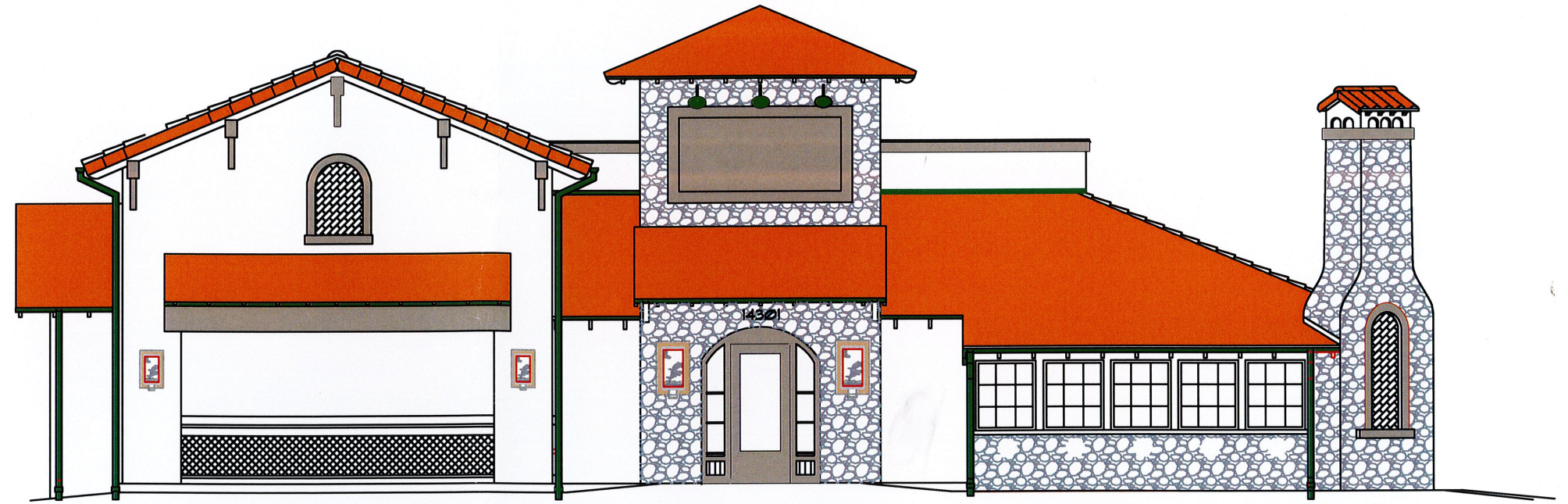
EXISTING NORTH ELEVATION



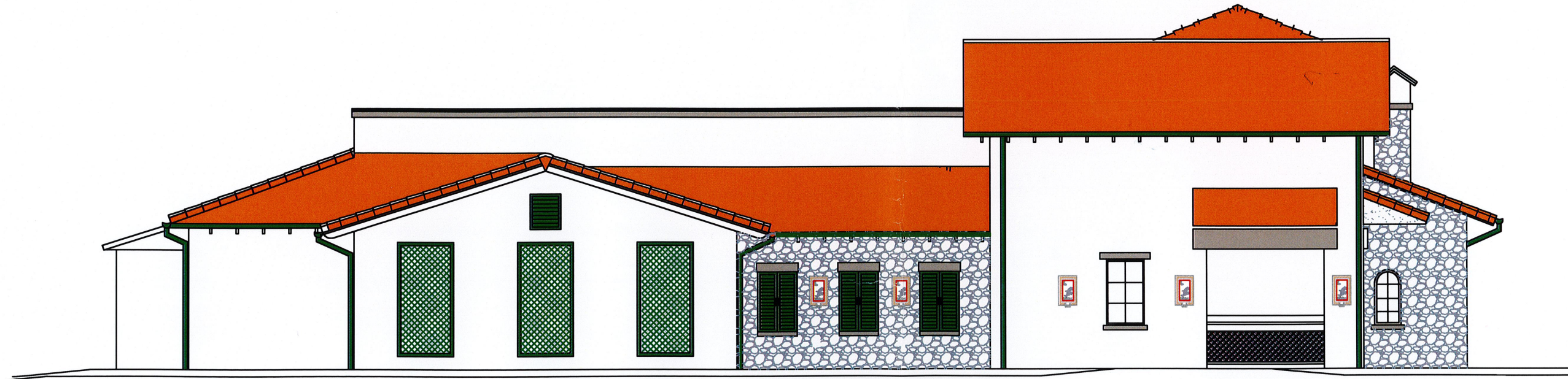
*Image: southeast corner (facing northwest) of existing building. Photo taken from edge of parking lot along Sunrise Blvd.*







REVISED FRONT / SOUTH ELEVATION



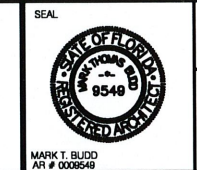
REVISED LEFT SIDE / WEST ELEVATION

REVISIONS:		
NO.	DATE	DESCRIPTION

ARCHITECT:  
**MARK THOMAS BUDD, ARCHITECT**  
 LICENSE AR 0009549  
 221 S. FEDERAL HWY  
 FORT LAUDERDALE, FLORIDA 33301  
 PHONE: 954.798-6570

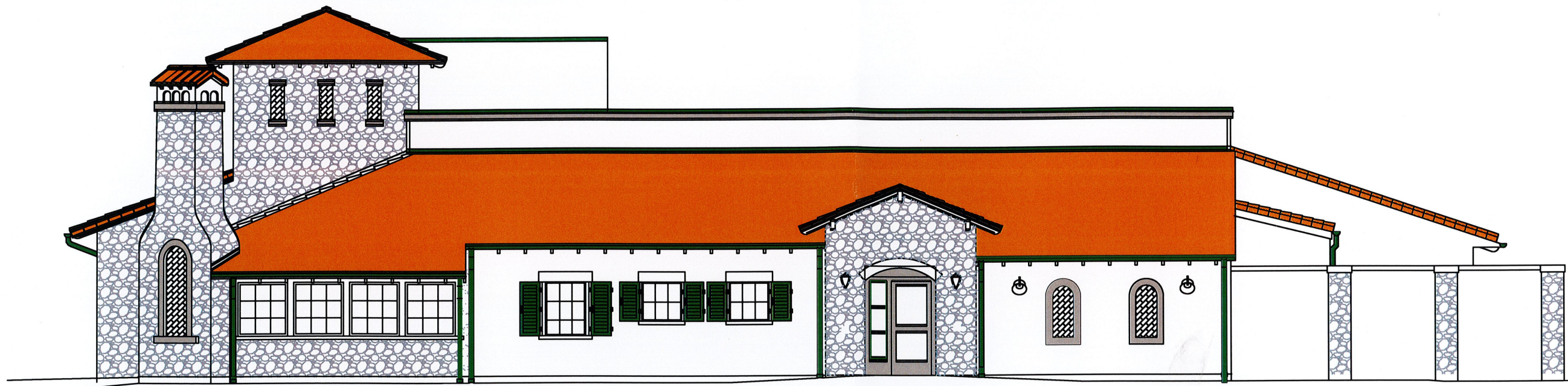
PROJECT:  
**# 85 - FLANIGAN'S RESTAURANT**  
 14301 WEST SUNRISE BLVD.  
 SUNRISE, FL 33323

DRAWING NAME:  
**REVISED EXTERIOR ELEVATIONS**

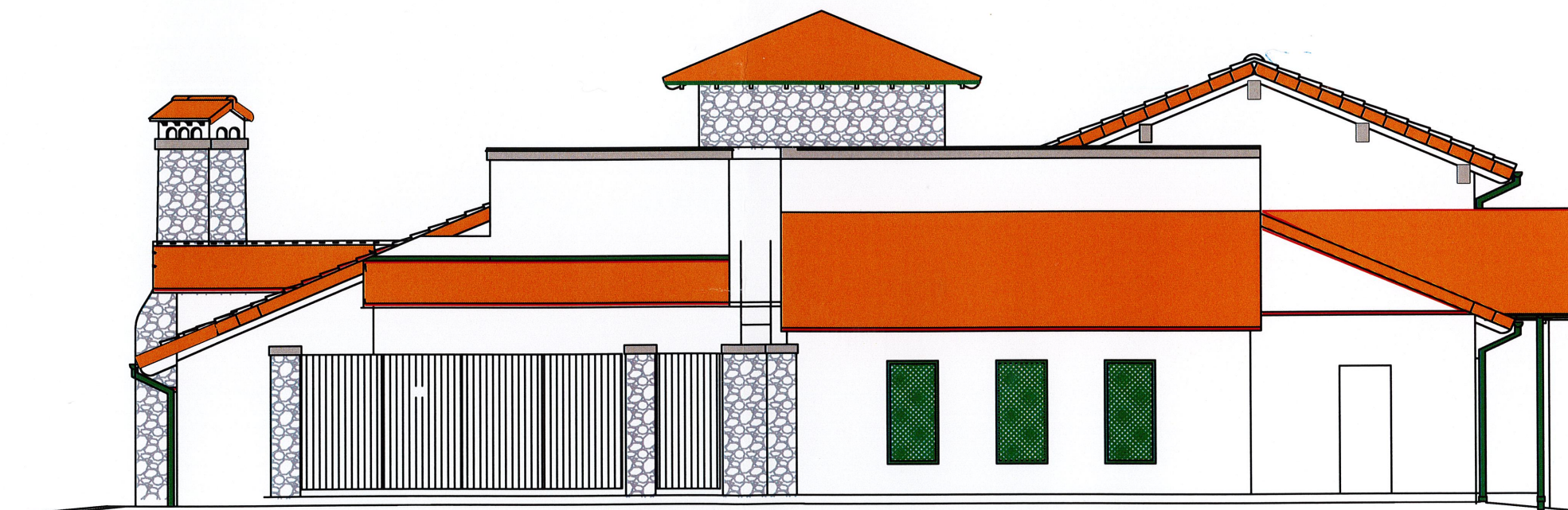


DATE:  
**05/23/22**  
 DRAWING NAME:  
**REVISED EXTERIOR ELEVATIONS**  
 DRAWING NO.  
**301**





REVISED RIGHT SIDE / EAST ELEVATION



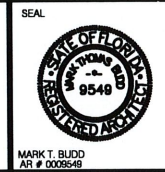
REVISED REAR / NORTH ELEVATION

REVISIONS:		
NO.	DATE	DESCRIPTION

ARCHITECT:  
**MARK THOMAS BUDD, ARCHITECT**  
 LICENSE AR 0009549  
 221 S. FEDERAL HWY  
 FORT LAUDERDALE, FLORIDA 33301  
 PHONE: 954.798-6570

PROJECT:  
**# 85 - FLANIGAN'S RESTAURANT**  
 14301 WEST SUNRISE BLVD.  
 SUNRISE, FL 33323

DRAWING NAME:  
**REVISED EXTERIOR ELEVATIONS**



DATE:  
**06/22/22**  
 DRAWING NAME:  
**REVISED EXTERIOR ELEVATIONS**  
 DRAWING NO.  
**302**



**FRONT FAÇADE / SOUTH ELEVATION**



*Image: South elevation, main entry facing Sunrise Blvd. Photo taken facing north.*



**EAST ELEVATION / SIDE ELEVATION**



*Image: East elevation of existing building. Photo taken from east parking area, facing west.*



**WEST ELEVATION / SIDE ELEVATION**



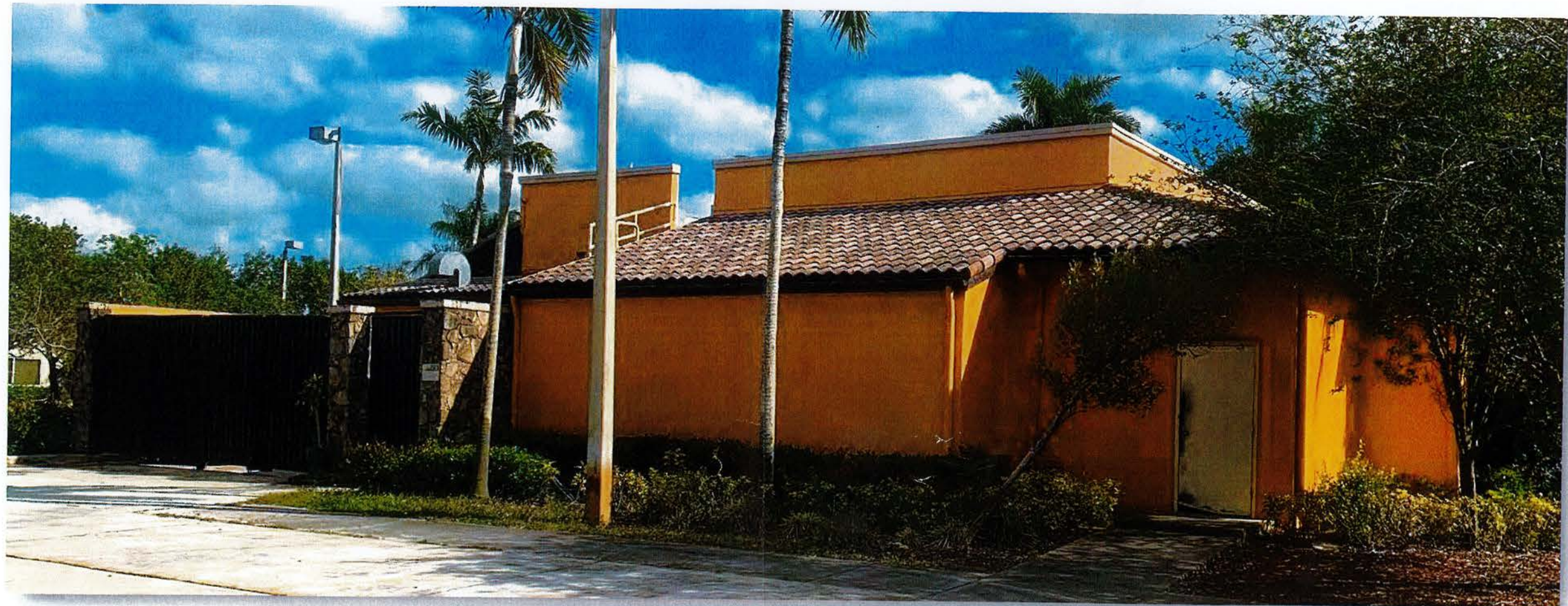
*Image: West elevation of existing building. Photo taken from west parking area, facing east.*





APPLICATION FOR EXTERIOR ELEVATION CHANGES

EXISTING NORTH ELEVATION



*Image: southeast corner (facing northwest) of existing building. Photo taken from edge of parking lot along Sunrise Blvd.*





CITY CLERK  
CITY OF SUNRISE  
2022 JUL 14 PM 3:42

SUNRISE, FLORIDA

ORDINANCE NO. 402-22-B

**AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA, PERTAINING TO THE LAND DEVELOPMENT CODE, AMENDING CHAPTER 16, "LAND DEVELOPMENT CODE," BY AMENDING ARTICLE V, "DISTRICT REGULATIONS," TO PERMIT ADDITIONAL WAIVERS FOR AFFORDABLE HOUSING BY AMENDING SECTION 16-69, "RS-3 AND RS-5 LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICTS" ; BY AMENDING SECTION 16-70, "RS-7 SINGLE-FAMILY PLANNED DEVELOPMENT DISTRICT"; BY AMENDING SECTION 16-71, "RM-10 LOW MEDIUM MULTIFAMILY RESIDENTIAL DISTRICT"; BY AMENDING SECTION 16-72, "RM-16 MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT"; BY AMENDING SECTION 16-73, "RM-25 HIGHER DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT"; AND BY AMENDING SECTION 16-79, "MASTER BUSINESS LIST"; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Sunrise is located within Broward County and Broward is one of the most cost burden Counties in the Country for housing; and

WHEREAS, the City wishes to provide for housing needs of its residents, and promote fair housing for all;

WHEREAS, the City recognizes incentives are necessary to promote the efficient location, design, and provision of affordable housing; and

WHEREAS, the City's Local Planning Agency has reviewed this Ordinance and recommended its approval to the City Commission; and

WHEREAS, the City Commission held a public hearing at which all members of the public so desiring had an opportunity to be heard; and

WHEREAS, the City Commission finds that adopting this Ordinance as set forth herein is consistent with and furthers the City's Comprehensive Plan and other applicable law relating to land use planning and development and growth management, and is



necessary for the preservation of the public health, safety and welfare of the City's residents.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. Incorporation of Recitals. The foregoing recitals are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. That section 16-69 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Section 16-69. – RS-3 and RS-5 Low Density Single-Family Residential Districts.

\*\*\*

(k) *Affordable Housing Waivers.* In order to facilitate the production of affordable housing for very low income households, low income households and/or moderate income households, the department may waive any and all requirements established by the following subsections of subsection 16-69(i) Roof design and (j) Driveway design, provided that the proposed design is compatible with the surrounding neighborhood. All waiver requests must include a justification for the need to facilitate the production of affordable housing units. Such waivers shall be given only for projects which include rental or sales restrictions and monitoring provisions that ensure that ~~all or substantially all~~ at least 75 percent of the units will be reserved for very low income households, low income households and/or moderate income households for at least fifteen (15) years. For the purpose of this subsection, the terms "very low income," "low income" and "moderate income" shall have the meaning defined as: very low income is 31 to 50 percent area median income; low income is 51 to 80 percent of area median income, and moderate income is 81 to 120 percent area median income. ~~given these terms in City of Sunrise Ordinance No. 804-X.~~

Section 3. That section 16-70 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Section 16-70. – RS-7 Single-Family Planned Development District.

\*\*\*

(o) *Affordable housing waivers.* In order to facilitate the production of affordable housing for very low income households, low income households and/or moderate



income households, the department may waive any and all requirements established by the following subsections of subsection 16-70(n) Other design standards, provided that the proposed design is compatible with the surrounding neighborhood. All waiver requests must include a justification for the need to facilitate the production of affordable housing units. Such waivers shall be given only for projects which include rental or sales restrictions and monitoring provisions that ensure that ~~all or substantially all~~ at least 75 percent of the units will be reserved for very low income households, low income households and/or moderate income households, for at least fifteen (15) years. For the purpose of this subsection, the terms "very low income," "low income" and "moderate income" shall have the meaning defined as: very low income is 31 to 50 percent area median income; low income is 51 to 80 percent of area median income, and moderate income is 81 to 120 percent area median income. ~~given these terms in City of Sunrise Ordinance No. 804-X.~~

Section 4. That section 16-71 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Section 16-71. – RM-10 Low Medium Multifamily Residential District.

\*\*\*

(l) *Application of multifamily residential standards to partially completed projects, and affordable housing, and developments that are divided by trafficways.*

(1) *Partially completed projects.* If a development has a valid building permit or certificate of occupancy for between eighty (80) percent and one hundred (100) percent of the dwelling units allowed under the originally approved site plan, then the department may approve a new, revised site plan which authorizes the balance of the originally allowed units to be developed in accordance with lesser standards than those in place at the time of the new revised site plan. The degree to which such lesser standards are approved shall be at the discretion of the department, provided that in no case shall the department approve standards that are less than those in place at the time the development received its first site plan approval. In determining whether to require the additional development to equal the current standards or whether to allow it to equal the initial standards or whether to allow it to equal standards between the two, the department shall require the highest standards that can be reasonably and practically adhered to. When a reduction from the current standards is sought under this section, it shall be the responsibility of the developer to present substantial competent evidence to support the need for a reduction.



(2) *Affordable housing waivers.* In order to facilitate the production of affordable housing for very low income households, low income households and/or moderate income households, the department may waive any and all requirements established by the following subsections of section 16-71: (d) Size of plot; (f) Pervious area; (g) Height; (i) Minimum floor area and dwelling unit width; (j) Setbacks; and (k) Design standards; subsection 16-142(b) parking space requirements; and section 16-169 minimum landscape requirements. All waiver requests must include a justification for the need to facilitate the production of affordable housing units. Such waivers shall be given only for projects which include rental or sales restrictions and monitoring provisions that ensure that ~~all or~~ substantially all at least 75 percent of the units will be reserved for very low income households, low income households and/or moderate income households for at least fifteen (15) years. For the purpose of this subsection, the terms "very low income," "low income" and "moderate income" shall have the meaning defined as: very low income is 31 to 50 percent area median income; low income is 51 to 80 percent of area median income, and moderate income is 81 to 120 percent area median income. ~~given these terms in City of Sunrise Ordinance No. 804-X.~~

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Section 5. That section 16-72 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Section 16-72. – RM-16 Medium Density Multiple-family Residential District.

\*\*\*

(l) *Application of multifamily residential standards to partially completed projects and affordable housing.*

(1) *Partially completed projects.* For projects which are more than eighty (80) percent complete, the department may approve buildings and site features which meet development standards less than those in place at the time of site plan approval. The degree to which such lesser standards are approved shall be at the discretion of the department, provided that in no case shall the department approve standards that are less than those in place at the time the project was initially developed. In determining whether to require the additional development to equal the current standards or whether to allow it to equal the initial standards or whether to allow it to equal standards between the two, the department shall require the highest standards that can be reasonably and practically adhered to. When a reduction from the current standards is sought under this section, it shall be the responsibility of the developer to present substantial competent evidence to support the need for a reduction.



*(2) Affordable housing waivers.* In order to facilitate the production of affordable housing for very low income households, low income households and/or moderate income households, the department may waive any and all requirements established by the following subsections of section 16-72: (d) Size of plot; (f) Pervious area; (g) Height; (i) Minimum floor area and dwelling unit width; (i) Setbacks; and (k) Design standards; subsection 16-142(b) parking space requirements; and section 16-169 minimum landscape requirements. All waiver requests must include a justification for the need to facilitate the production of affordable housing units. Such waivers shall be given only for projects which include rental or sales restrictions and monitoring provisions that ensure that ~~all or~~ substantially all at least 75 percent of the units will be reserved for very low income households, low income households and/or moderate income households for at least fifteen (15) years. For the purpose of this subsection, the terms "very low income," "low income" and "moderate income" shall have the meaning defined as: very low income is 31 to 50 percent area median income; low income is 51 to 80 percent of area median income, and moderate income is 81 to 120 percent area median income. ~~given these terms in City of Sunrise Ordinance No. 804-X.~~

Section 6. That section 16-73 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Section 16-73. – RM-25 Higher Density Multiple-family Residential District.

\*\*\*

*(l) Application of multifamily residential standards to partially completed projects and affordable housing.*

*(1) Partially completed projects.* For projects which are more than eighty (80) percent complete, the department may approve buildings and site features which meet development standards less than those in place at the time of site plan approval. The degree to which such lesser standards are approved shall be at the discretion of the department, provided that in no case shall the department approve standards that are less than those in place at the time the project was initially developed. In determining whether to require the additional development to equal the current standards or whether to allow it to equal the initial standards or whether to allow it to equal standards between the two, the department shall require the highest standards that can be reasonably and practically adhered to. When a reduction from the current standards is sought under this section, it shall be the responsibility of the developer to present substantial competent evidence to support the need for a reduction.



(2) *Affordable housing waivers.* In order to facilitate the production of affordable housing for very low income households, low income households and/or moderate income households, the department may waive any and all requirements established by the following subsections of section 16-73: (d) Size of plot; (f) Pervious area; (g) Height; (i) Minimum floor area and dwelling unit width; (j) Setbacks; and (k) Design standards; subsection 16-142(b) parking space requirements; and section 16-169 minimum landscape requirements. All waiver requests must include a justification for the need to facilitate the production of affordable housing units. Such waivers shall be given only for projects which include rental or sales restrictions and monitoring provisions that ensure that all or ~~substantially all~~ at least 75 percent of the units will be reserved for very low income households, low income households and/or moderate income households for at least fifteen (15) years. For the purpose of this subsection, the terms "very low income," "low income" and "moderate income" shall have the meaning defined as: very low income is 31 to 50 percent area median income; low income is 51 to 80 percent of area median income, and moderate income is 81 to 120 percent area median income. ~~given these terms in City of Sunrise Ordinance No. 804-X.~~

Section 7. That section 16-79 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Section 16-79. – Master Business List.

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(d) *Supplemental regulations to Master Business List.* The numbers below correspond to the numbers on the Master Business List:

(1) *Enclosed use:* Must be completely enclosed in a soundproof air conditioned building achieving a sound transmission class (STC) rating of sixty (60).

(2) *Residential use:* The following regulations shall apply where a plot in a business district is used for a permitted multifamily residential use. This may only occur with the city commission's allocation of residential dwelling units to the property, except in the case of affordable housing units that comply with the regulations below.

- a. Subject to special exception use approval in conformance with article III:
- b. Such residential use shall not exceed fifty (50) percent of the gross floor area of any structure.
- c. Such residential use shall conform to the district regulations as specified



below:

B-1 district: Residential uses shall conform to RM-16 district with a maximum height of two (2) stories or twenty-five (25) feet, whichever is less. Only multifamily dwellings with a maximum of seven hundred fifty (750) square feet per dwelling unit will be permitted unless deed-restricted to residents fifty-five (55) years of age or older.

B-2, B-3, district: Residential uses shall conform to the RM-25 district except that the height limitation of the commercial district shall apply. Only multifamily dwellings with a minimum of seven hundred fifty (750) square feet per dwelling unit will be permitted unless deed-restricted to residents fifty-five (55) years of age or older.

d. No residential use shall be located on the first floor or ground floor other than a lobby or foyer serving a residential use, and accessory uses such as storage areas, garages, and other similar facilities.

e. The regulations in this subsection, including subsections 16-79(d)(2)a., b, and d., shall not apply to community care facilities or to a Special Residential Facility as defined in Section IV.B.3. of the 1989 Broward County Land Use Plan, as amended.

f. To facilitate the production of affordable housing units for very low (31 to 50 percent of area median income) and low (51 to 80 percent area median income) households, residential may occur with the city commission's allocation of residential dwelling units to the property and the regulations in subsections a, b, c, d, and e shall not apply to residential projects in which all units are deed restricted for at least fifteen (15) years to affordable housing units at a level of 80 percent area median income or lower. Residential uses shall be developed in accordance with standards of the residential zoning district with a similar level of intensity.

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Section 8. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 9. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 10. Effective Date. This Ordinance shall be effective immediately upon its passage.

KAKRG0617



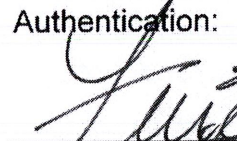
PASSED AND ADOPTED upon this first reading this 28TH DAY OF JUNE, 2022.

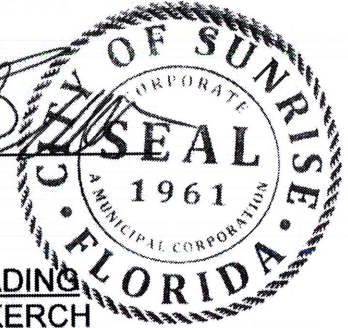
PASSED AND ADOPTED upon this second reading this 12TH DAY OF JULY, 2022.



\_\_\_\_\_  
Mayor Michael J. Ryan

Authentication:

  
\_\_\_\_\_  
Felicia M. Bravo  
City Clerk



FIRST READING

MOTION: KERCH  
SECOND: SCUOTTO


DOUGLAS: YEA  
GUZMAN: YEA  
KERCH: YEA  
SCUOTTO: YEA  
RYAN: YEA

Approved by the City Attorney  
as to Form and Legal Sufficiency

SECOND READING

MOTION: KERCH  
SECOND: SCUOTTO

DOUGLAS: YEA  
GUZMAN: ABSENT  
KERCH: YEA  
SCUOTTO: YEA  
RYAN: YEA

  
\_\_\_\_\_  
Kimberly A. Kisslan