



Legislation Text

File #: 19-0928, **Version:** 1

MOTION TO APPROVE AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS FOR PEMBROKE TOWER.

1. On March 16, 2011 City Commission approved the re-zoning (Ord 1686) of the approximately four (4) acres property known as Pembroke Tower from A-1 (Limited Agricultural Districts) to R-4 (Apartment Districts) generally located north of Pasadena Boulevard and east of University Drive.
 2. The existing Pembroke Tower building was approved in 1979 as a low income elderly housing project by Broward County.
 3. In 2011, the owner of the property sought City approval for an additional building and as part of the required rezoning, a Restrictive Covenant was included limiting the age of residents to 55 years of age or older for the existing building as well as the proposed building. The Commission approved the land use, rezoning and plat for the parcel granting an additional 100 units on the parcel.
 4. In order for the developer to receive funding from the Department of Housing and Urban Development (HUD) an age restriction is required for the property.
 5. The HUD funding that developer is applying for defines "age restricted housing" to 62 years of age or older. Although the existing Restrictive Covenant "meets" this definition, HUD does not allow for conflicting regulations on the same property.
 6. The proposed Amendment to Declaration of Restrictive Covenants will not cause any existing residents, regardless of age, to be evicted.
 7. The proposed amendment is the first step towards in the development approval sequence. The developer will be required to go through the site plan process to build an additional structure.
 8. Staff recommends approval of the amendment to the Declaration of Restrictive Covenants for the Pembroke Tower parcel restricting the age to 62 years of age or older.
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- a) **Initial Cost:** None
 - b) **Amount budgeted for this item in Account No:** Not Applicable
 - c) **Source of funding for difference, if not fully budgeted:** Not Applicable
 - d) **5 year projection of the operational cost of the project:** Not Applicable
 - e) **Detail of additional staff requirements:** Not Applicable