



CITY MANAGER'S OFFICE

Greg Harrison, City Manager

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September 25, 2019

Barbara Blake Boy, Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Dear Ms. Blake Boy:

RE: Downtown Pompano Transit Oriented Corridor Land Use Plan Text Amendment

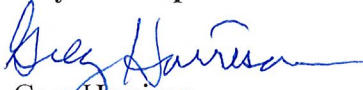
The City of Pompano Beach is pleased to transmit this request for a County Land Use Plan Text Amendment for the proposed change to the entitlements for the Downtown Pompano Beach Transit Oriented Corridor (DPTOC). On September 24, 2019, the City Commission unanimously approved this text amendment on first reading per the attached ordinance. The City is requesting concurrent transmittal of the City and County amendments to DEO and the associated State agencies for review.

The City of Pompano Beach Local Planning Agency (Planning and Zoning Board) recommended approval of this proposed amendment at their hearing on August 28, 2019. Public notice of both the P&Z and City Commission hearings were published in accordance with Chapter 163 and all addresses within a 500-foot radius of the project boundaries were mailed notice of the P&Z Board hearing. It is estimated that the City will adopt these amendments after the County Commission's approval on second reading.

Should you need any additional information or have any questions, please do not hesitate to contact Jean Dolan at 954.786.4045 or via email at jean.dolan@copbfl.com.

Sincerely,

City of Pompano Beach


Greg Harrison
City Manager

4. Any future site plan submitted for this project shall be substantially conforming to the submitted conceptual site plan with any amendments needed to comply with the zoning code and other relevant city codes;
5. In order to ensure compatibility with adjacent properties, the conceptual plan shall illustrate the following two restrictions:
 - a) An increased setback of no less than 80 feet from the residential property to the south.
 - b) A Type “B” buffer along the southern property line, where the property abuts the residential community.
6. If a building permit is not issued by two years from the Resolution’s approval date, then the approval of this Flex Allocation shall become null and void.

MOTION was made by Joan Kovac and seconded by Carla Coleman to recommend approval of the Flex PZ #19-05000004 per the 6 conditions of staff. All voted in favor of the motion.

(1:27:35)

I. LAND USE PLAN AMENDMENT

**6. CITY OF POMPANO BEACH/DOWNTOWN POMPANO
TRANSIT ORIENTED CORRIDOR
Planning and Zoning No. 19-92000003
Commission Districts: 2, 3 & 4**

Consideration of the **LAND USE PLAN AMENDMENT** submitted by **JEAN DOLAN** on behalf of the **CITY OF POMPANO BEACH** in order to amend the Land Use Entitlements for “Downtown Pompano Beach Transit Oriented Corridor (DPTOC)” to increase the number of residential units to 3,368 (an increase of 2,000 dwelling units), increase the number of hotel rooms to 420 (an increase of 120 rooms), and decrease the amount of permitted commercial to 4,051,220 sf (a decrease of 336,000 sf). All parcels are legally defined as follows:

A PARCEL OF LAND BEING A PORTION OF SECTIONS 34 AND 35, TOWNSHIP 48 SOUTH, RANGE 42 EAST AND ALSO BEING A PORTION OF SECTIONS 1 AND 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST, SITUATE, LYING AND BEING WITHIN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35, TOWNSHIP 48 SOUTH, RANGE 42 EAST;
THENCE NORTH 01°25’33” WEST, ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SECTION 35, SAID EAST LINE BEING COINCIDENT WITH THE CENTERLINE OF N.E. 5th AVENUE, A DISTANCE OF 1977.36 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION

35, SAID NORTH LINE BEING COINCIDENT WITH THE CENTERLINE OF N.E. 6th STREET;
THENCE SOUTH 88°12'52" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 1920.44 FEET TO A POINT ON THE CENTERLINE OF CONSTRUCTION OF NORTH DIXIE HIGHWAY (STATE ROAD 811), BROWARD COUNTY, AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86170-2508;
THENCE NORTH 13°59'07" EAST, ALONG SAID CENTERLINE OF CONSTRUCTION, A DISTANCE OF 168.72 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE NORTHWEST ONE-QUARTER (N.W. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35;
THENCE SOUTH 88°08'56" WEST ALONG SAID NORTH LINE, A DISTANCE OF 788.89 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST ONE-QUARTER (N.W. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35; SAID WEST LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 3rd AVENUE;
THENCE SOUTH 88°09'11" WEST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35, (SAID NORTH LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 6th COURT) A DISTANCE OF 666.45 FEET TO A POINT ON THE WEST LINE OF THE EAST ONE-HALF (E. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35; SAID WEST LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 4th AVENUE;
THENCE NORTH 01°26'41" WEST, ALONG SAID WEST LINE, A DISTANCE OF 10.94 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 8, BLOCK 1, PINEWOOD HEIGHTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;
THENCE SOUTH 88°05'11" WEST, ALONG SAID EASTERLY EXTENSION, ALONG THE NORTH LINE OF LOTS 8 AND 13, OF SAID BLOCK 1, AND ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 13, A DISTANCE OF 250.85 FEET TO A POINT ON THE CENTERLINE OF N.W. 5th AVENUE;
THENCE NORTH 01°27'04" WEST, ALONG SAID CENTERLINE OF N.W. 5th AVENUE, A DISTANCE OF 3.71 FEET TO POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 10, BLOCK 2, PINEWOOD HEIGHTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;
THENCE SOUTH 88°13'12" WEST, ALONG SAID EASTERLY EXTENSION, ALONG THE NORTH LINE OF LOTS 10 AND 15, OF SAID BLOCK 2, AND ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 15, A DISTANCE OF 249.00 FEET TO A POINT ON THE CENTERLINE OF N.W. 6th AVENUE;
THENCE SOUTH 01°27'01" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 175.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35, SAID NORTH LINE BEING COINCIDENT WITH THE CENTERLINE OF N.W. 6th STREET;

THENCE SOUTH 88°13'12" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 1499.42 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;
THENCE SOUTH 89°19'42" WEST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF (S. 1/2) OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 34, A DISTANCE OF 270.46 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 95 (STATE ROAD 9), BROWARD COUNTY, AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86070-2413;
THE FOLLOWING SIX (6) COURSES BEING COINCIDENT WITH SAID EASTERLY RIGHT OF WAY LINE OF INTERSTATE 95;
THENCE SOUTH 03°31'58" EAST, A DISTANCE OF 421.66 FEET TO A POINT ON THE SOUTH LINE OF LOT 9, SCOTTS PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 38 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;
THENCE NORTH 89°23'49" EAST, ALONG SAID SOUTH LINE OF LOT 9, A DISTANCE OF 69.34 FEET TO A POINT ON A LINE 185.98 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;
THENCE SOUTH 01°28'42" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 490.00 FEET TO A POINT ON THE CENTERLINE OF HAMMONDVILLE ROAD;
THENCE NORTH 89°23'48" EAST, ALONG SAID CENTERLINE OF HAMMONDVILLE ROAD, A DISTANCE OF 3.48 FEET, TO A POINT ON A LINE 182.50 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;
THENCE SOUTH 01°28'42" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 624.19 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHEAST;
THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 93°17'42" AND A RADIUS OF 145.23 FEET FOR AN ARC DISTANCE OF 236.47 FEET TO A POINT OF TANGENCY AND TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WEST ATLANTIC BOULEVARD (STATE ROAD 814), BROWARD COUNTY, AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 86130-2520;
THE FOLLOWING SIX (6) COURSES BEING COINCIDENT WITH THE SAID NORTHERLY RIGHT OF WAY LINE OF WEST ATLANTIC BOULEVARD;
THENCE NORTH 89°01'24" EAST, ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 236.77 FEET; SAID TANGENT LINE BEING 219.76 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;
THENCE SOUTH 00°59'16" EAST, A DISTANCE OF 20.00 FEET TO A POINT ON A LINE 199.76 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;
THENCE NORTH 89°01'24" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 129.96 FEET;
THENCE SOUTH 89°52'02" EAST, A DISTANCE OF 309.87 FEET;
THENCE SOUTH 00°58'36" EAST, A DISTANCE OF 90.00 FEET TO A POINT ON A LINE 101.35 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;

THENCE NORTH 89°01'24" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 245.01 FEET;
THENCE SOUTH 01°27'52" EAST, A DISTANCE OF 100.44 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;
THENCE NORTH 89°01'24" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 153.78 FEET TO THE NORTH ONE-QUARTER CORNER (N. 1/4) OF SAID SECTION 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST;
THENCE CONTINUE NORTH 89°01'24" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1623.79 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SAID SECTION 35;
THENCE NORTH 89°00'03" EAST, ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35, A DISTANCE OF 236.24 FEET TO A POINT ON THE BASELINE OF SURVEY OF SOUTH DIXIE HIGHWAY (STATE ROAD 811), AS SHOWN IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF ATLANTIC BOULEVARD (STATE ROAD 814) SECTION 86130-2512;
THENCE SOUTH 13°57'49" WEST, ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 830.89 FEET TO A POINT ON THE CENTERLINE OF S.W. 2nd STREET;
THENCE NORTH 88°24'00" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 1161.32 FEET TO A POINT ON THE CENTERLINE OF SOUTH CYPRESS ROAD;
THE FOLLOWING TWO (2) COURSES BEING COINCIDENT WITH SAID CENTERLINE OF SOUTH CYPRESS ROAD;
THENCE NORTH 00°37'59" EAST, A DISTANCE OF 349.83 FEET;
THENCE NORTH 18°17'16" EAST, A DISTANCE OF 467.06 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) OF SAID SECTION 35;
THENCE NORTH 89°00'03" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1317.02 FEET TO THE POINT OF BEGINNING.
SAID LANDS SITUATE WITHIN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA CONTAINING 269.06 ACRES, MORE OR LESS.

GENERALLY LOCATED: East of I-95, North of Atlantic Boulevard,
West of NE 5th Avenue and South of NW 6th Street
ZONED: Downtown Pompano Beach Transit Oriented Corridor (DPTOC)
STAFF: Daniel Keester (954) 786-5541

NOTE: In the interest of those members of the public present at the meeting, Mr. Stacer requested a motion to hear this item immediately after the conclusion of agenda item #1.

MOTION by Joan Kovac and second by Darlene Smith to hear this item out of order. All those voted in favor.

Ms. Jean Dolan, Principal Planner, presented herself to the Board. She explained that downtown has seen a number of residential unit built since this land use designation was created that that the intent of this amendment is to allow for additional residential entitlements. She gave a Powerpoint presentation and explained that the proposal is to change the text of both the City Comprehensive Plan and the County Comprehensive Plan to grant additional entitlements. She stated that the original creation of the District did not

create any additional entitlements but rather spread them out over the entire district. She stated that an additional 2,000 residential units and 120 hotel rooms are proposed to be entitled and 336,000 square feet of commercial space would be removed. She showed the Board the net change impact analysis to make sure that services and utilities would not be overburdened. She stated that the City is trying to encourage transit usage by increasing creating a transit oriented district. This also helps with hurricane evacuations because these units are not on the beach and the hotel units could be used by those evacuating flood zones. She explained that Broward County requires that 15% of new residential entitlements be affordable housing or that a fee is paid into a trust fund. She stated that the City is in the process of seeking a master developer to create an "Innovation District" between 95, MLK, Dixie, and Atlantic. She stated that this will help the City move this area towards being a real transit-oriented corridor.

Given the information provided to the Board, as the finder of fact, staff provides the following alternative motions, which may be revised or modified at the Board's discretion:

- (1) **Motion to recommend approval of the proposed Future Land Use Map Amendment** as the Board finds the proposed Land Use Map change compatible with the Goals, Objectives and Policies in the Comprehensive Plan.
- (2) **Motion to table** the proposed Future Land Use Map Amendment to allow further analysis of any issues raised by the Board, Staff, Applicant or the general public.
- (3) **Motion to recommend denial of the proposed Future Land Use Map Amendment** as the Board finds it to be incompatible with the Goals, Objectives and Policies in the Comprehensive Plan as provided in the staff report.

Staff recommends **MOTION (1)**.

Ms. Kovac asked for clarification that any currently designated historic properties will continue to be protected.

Ms. Dolan confirmed this.

Mr. Miller asked what obligations property owners of historic properties have to update their properties.

Ms. Dolan responded that there are actually very few properties in this area that are registered as historic, since there is an extensive process with the state and the national designations. She stated that the City only has the authority to act on structures that are physically unsafe or in disrepair, not those that otherwise just look old or outdated.

Mr. Miller commented that there will be challenges in redeveloping this area while being sensitive to the economic situations of current property owners.

Ms. Dolan commented that the vacant property, much of which is owned by the CRA, is what will be developed first. Developers will want to buy an entire block in order to maximize the development potential inherent in the zoning code.

Mr. Miller commented that while he personally is in support of redevelopment, many people believe that the City is trying to force their way in to this area after neglecting it for many decades. The CRA will need to do a better job of working with people who live in the area now.

Ms. Dolan commented that the area north of MLK will remain single-family.

Ms. Aycock suggested that maybe the CRA could implement something like a matching grant for facade improvements.

Mr. Nguyen Tran, CRA Director, says that this is in place. He stated that the Coleman Park area will remain a single family area and that there is currently very little single-family homes in this Innovation District area. He stated that they are very sensitive to displacement, and that they are seeking to build where this won't happen. He added that the CRA is interested in spending funds for incentives in this area.

Mr. Miller mentioned several past CRA projects in the area.

Mr. Tran responded that these were positive changes because of the newer homes that were provided. He stated that their relocation projects aim to provide upgraded housing and to keep residents in Pompano Beach. He added that they hear from parents that their children tend to not return after college because the housing options aren't available. He stated that having additional residents can support a number of things, including grocery stores and a possible train station.

Mr. Miller stated that his biggest concern is letting community members know that they are not being left behind. He agreed that the City should provide options for young people to return home.

Mr. Tom Drum (2700 NE 8 Street) presented himself to the Board again. He complained that these are too many dwelling units and that the City cannot handle the development.

Ms. Alberta Stevens (325 NW 4 Street) stated that what was missing from the presentation is an acknowledgement of the homeless in the area. She stated that the City needs to consider this and provide more programs for these individuals.

Ms. Sharon Stevenson (NE 8 Street) asked if the district is proposed to be expanded.

Ms. Dolan responded that there is no map change proposed.

Ms. Stevenson asked if the 2,000 additional units are also allowed east of Dixie Highway.

Ms. Dolan responded that they would be allowed anywhere in the district.

Ms. Stevenson stated that Old Pompano could be impacted by this.

Ms. Dolan responded that the zoning code imposes additional design and density controls for Old Pompano.

Ms. Stevenson stated that the Old Pompano residents are concerned about preserving their community.

Ms. Dolan explained that the zoning controls the manner in which units can be developed. She offered to provide a more detailed explanation at City Hall.

Ms. Elle Wagman (NE 11 Avenue) stated that there are already multi-family buildings being built in the neighborhood. She stated that residents like their single-family neighborhood and that it is being destroyed by cut-through traffic. She stated that the City has promised solutions to the traffic impacts.

Mr. Stacer asking if there could be another neighborhood outreach session on this topic. He also mentioned recalling some sort of vehicle turning restriction related to the Avery Place project.

Ms. Jennifer Gomez, Assistant Development Services Director, stated that staff can check on any traffic diversion that was supposed to take place for Avery Place.

Mr. Klosiewicz stated that he recalls a sign was supposed to be installed to prohibit right-hand turns.

Ms. Coleman stated that the extent to how successful newer, more intense development can be in proximity to historic neighborhoods will be in how well the traffic can be managed. She stated that managing the traffic impacts is the responsibility of the City. She asked how these project by project issues can be memorialized to be sure that they are dealt with.

Ms. Dolan responded that this is handled by the inclusion of conditions on Development Orders.

Mr. Tran added that there is a street network regulating plan that requires developers to recreate the street network where it doesn't exist currently.

Mr. Miller commented that Miami has Camillus House in response to their homeless population. He asked if Pompano has considered some sort of facility for this area.

Mr. Tran responded that the City has hired a homeless coordinator. He stated that the solution isn't to build more housing for the homeless but rather it is how to get them off the street through other programs.

Mr. Miller commented that a lot of the homeless have mental illness but that there aren't facilities to assist them. He reiterated his support for the redevelopment concept, but stressed that this issue with the current population needs to be focused on.

Ms. Coleman asked how the number of 2,000 units was established.

Ms. Dolan responded that it is in response to an economic study that was conducted. She stated that the current amount of entitlements could generate up to 30,000 jobs, and so there is a need to provide more housing.

MOTION was made by Joan Kovac and seconded by Darlene Smith to recommend approval of the Rezoning PZ #19-92000003 per the 1 condition of staff. All those voted in favor of the motion with the exception of Willie Miller; therefore, the motion passed.

J. OTHER BUSINESS

7. Temporary Use Permit Text Amendment

Mr. Max Wemyss, Planner, explained that the proposal is to allow public, either City or CRA, projects that need Temporary Use Permits to be classified as Minor Temporary Permits in order to streamline the process of projects already authorized by the City Commission.

MOTION was made by Carla Coleman and seconded by Richard Klosewicz to recommend approval of the Text Amendment as described in the staff report. All voted in favor of the motion.

K. AUDIENCE TO BE HEARD

There was no one in the audience who wished to speak.

L. BOARD MEMBERS DISCUSSION

Ms. Coleman asked for a status report at the next meeting on the self-storage facilities report.

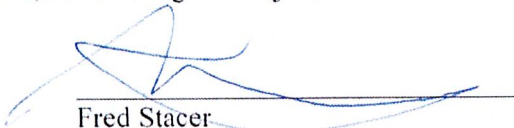
Mr. Stacer commented that the mixed-use regulations should make it to the City Commission later this year.

M. REPORTS BY STAFF

8. Comprehensive Plan – Future Land Use Element: Monthly Reporting Requirement

N. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 11:57 p.m.


Fred Stacer
Chair