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April 19, 2023

Mr. David Recor, Development Services Director
City of Pompano Beach
100 West Atlantic Boulevard
Pompano Beach, FL 33060

RE: **Right-of-Way Vacation Narrative**
1531 -1537 North Dixie Highway
Pompano Beach Townhomes

Dear Mr. Recor;

On behalf of the Pompano Beach Community Redevelopment Agency (Property Owner) and Gery Fernandez (Applicant), KEITH (Agent) is proposing to abandon a portion of the right-of-way along Dixie Highway between NW 15th Place and NW 15th Court. The property owner is proposing to develop the parcel into 10 Townhouse Units. The project design includes two two-story buildings along Dixie Highway with accessory ground floor parking and improved grading, drainage and landscape design.

Concurrent with the right-of-way vacation application the applicant is requesting an allocation of flex units and a variance application. Search of historic aerial records has shown that this property has not been developed within the last 29 years. The Dixie Highway corridor is beginning to experience redevelopment potential and there is a recognized need for workforce housing in Pompano Beach and Broward County. The proposed right-of-way vacation along with the other application will produce a reasonable development-redevelopment site which will encourage more of these types of housing developments along the Dixie Highway/Kendall Crossing Corridor. The applicant believes the project is compatible with adjacent land uses and is suitable for the development pattern of the parcel and surrounding area. A conceptual site plan has been submitted with the allocation of flex unit application. The applicant believes the conceptual site plan generally complies with the Pompano Beach Zoning Code. The conceptual site plan incorporates and reflects the right-of-way vacation application.

Below are the criteria for vacating the right-of-way.

1. The right-of-way or easement is not now, or in the foreseeable future, of any benefit to the city or its inhabitants;

RESPONSE: Dixie Highway's current right-of-way width as outlined in the Broward County Trafficways map is 80-feet, the current right-of-way width is 95-feet. This is due to the FDOT road widening project in 1994. The lot width that has been fully developed as a right-of-way has not caused any added benefit to the city or its inhabitants. All existing utilities will be protected with an easement as well as an emergency ingress/egress easement for the Pompano Beach Townhomes as required by that development's site plan approval.

2. Vacation or abandonment of the right-of-way or easement is consistent with the comprehensive plan and placed underground.

RESPONSE: The applicant believes the proposed right-of-way vacation concurrent with the applications for the flex allocation of flex units and site plan approval are consistent and compatible with the Goals, Objectives and Policies of the Pompano Beach Comprehensive Plan including:

FUTURE LAND USE ELEMENT

Goal 01.00.00 The attainment of a living environment which provides the maximum physical, economic and social well being for the City and its residents through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Objective 01.02.00 -Right-of-Way Protection and Accessibility

Protect the existing and future right-of-way from building encroachments and ensure proper accessibility with the roadway transit network.

Policy 01.02.02 Approve site plans, plats and other development approvals on the condition that the applicant will dedicate right-of-way according to the requirements of the Broward County Trafficways Plan and the City's street standards in Chapter 100 of the City Code of Ordinances.

Policy 01.02.08 The Planning, Engineering, Public Works and Zoning Departments shall identify areas in the City containing excess rights of way and establish policies on the maintenance or abandonment of excess rights of way.

Policy 01.02.09 Where appropriate, approve site plans, plats and other development on the condition the applicant will dedicate additional right-of-way for bus shelters and sidewalks connecting to mass transit facilities including community shuttle buses.

Objective 01.03.00 – Inconsistent Land Uses

Annual review and periodically update adopted land development regulations and establish procedures that encourage the elimination or reduction of uses inconsistent with the city's character and future land use plan

Policy 01.03.07 Require the provision of building height transitions and decorative structural or vegetative buffers between different density residential land uses, and residential and non-residential land uses.

Objective 01.08.00 – Community Redevelopment Areas

Amend the Land Use Plan Maps and Zoning Map to support new development and redevelopment in the Community Redevelopment Areas.

Policy 01.08.04

All streetscape design associated with the redevelopment efforts in the Northwest CRA area will be implemented consistent with the city-wide design, construction, and performance standard for street lighting, paved public roadways, sidewalks, landscaping, and bus stop shelters.

Policy 01.08.05

The City, in coordination with the NWCRA, will identify areas that have developed without the benefit of platting to establish property lines and dedicated right-of-way for access and will work with existing property owners to ensure that public street right-of-way is delineated, and public streets are constructed consistent with citywide design standards and that the Future Land Use and Zoning Map are consistent and appropriate for these areas.

Objective 01.14.00 Smart Growth Initiative

The city will promote “Smart Growth” type initiative providing for energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.

Policy 01.14.01 The city shall emphasize redevelopment and infill, which concentrates the growth and intensifies the land used consistent with the availability of existing urban service and infrastructure in order to conserve natural and man-made resources.

Policy 01.14.07 All site plans will be reviewed for Crime Prevention Through environmental Design (CPTED) design principles such as lighting street design, natural surveillance, natural access control, and territorial reinforcement. CPTED infrastructure such as security lighting, security cameras, bollards and other access control method will be required based on the specific needs of the project.

Policy 02.02.03

The city will continue to implement the land development regulations that encourages residential properties along major thoroughfares as necessary, and where feasible, to encourage higher densities which will in turn serve as a buffer between major roadways and low-density neighborhood and support public transit. The city will coordinate amendments to its future land development regulations to promote transit oriented mixed-use redevelopment.

HOUSING ELEMENT

Goal 3: To provide structural safe and affordable, uncrowded, and otherwise adequate residential shelter for all existing and anticipated future residence of the city of Pompano Beach that utilize energy efficient, sustainable design, resilient construction techniques, materials and renewable energy resources.

Objectives 03.01.00 – Housing to Accommodate Future Population

The city should provide, through the undertaking or support of public and private development efforts, sufficient housing units through the long-range planning horizon to meet the anticipated population through 2040. Provision of these units shall be based on the need for adequate and affordable housing for all segment of the existing and future population including those housing holds with very-low, low, and moderate income and those with special housing needs including homelessness.

Policy 03.01.01 The City shall continue to support Community Redevelopment Agency (CRA) and department of housing and urban Improvement (OHUI) efforts to acquire funds and administer a variety of local, State and Federal Housing Improvement and low-income subsidy programs. In addition, the city shall continue to provide information about low-cost housing opportunities to all residents especially those with very-low, low and moderate incomes as well as the homeless.

Our office and the applicant look forward to working with the City on this exciting project.

Respectfully Submitted,



John A Rinaldi,
Planner, KEITH

Cc: Gery Fernandez
Carlos Fernandez-Devila
Diego Fernandez-Devila