

100 W. Atlantic Blvd Pompano Beach, FL 33060  
Phone: 954.786.4679 Fax: 954.786.4666

**Distribution Of Flexibility & Redevelopment  
Units and Nonresidential Flexibility Application**

**DEADLINE:** Initial paper submission and fee must be received by 4:00 PM on the day of the deadline. *Electronic file submission must be uploaded into the ePlan system within 24 hours of this deadline.* Refer to the "Meeting Schedules and Deadlines" document provided on the City's website for submission deadlines. **To ensure quality submittal, DRC Meetings can only be scheduled when a complete submission has been uploaded into the ePlan system. If a complete submission is not uploaded by the deadline, the application will be rejected via email.**

**Application Review Process:**

Application Type	Step 1	Step 2	Step 3	Step 4	Step 5
<b>Distribution Of Nonresidential Flexibility and/or 'Flexibility or Redevelopment Units' Application</b>	Pre-Application Meeting with a Planner (954-786-7921)	DRC Review	Recommendation from the Development Services Director	Recommendation by the Planning & Zoning Board	Final Decision by the City Commission
<b>Single-Family or Duplex Unit Request</b>	Pre-Application Meeting with a Planner (954-786-7921)	N/A	Final Decision by the Development Services Director	N/A	N/A

**PAPER SUBMISSION:** The following paper documents are to be submitted to the Planning & Zoning Department:

<b>PAPER</b>	<input type="checkbox"/> One (1) completed application with original signatures. (pg. 3)
	<input type="checkbox"/> Proof of ownership (owner's certificate form must be completed by owner). (pg. 4)
	<input type="checkbox"/> Application Fee as established by resolution of the City Commission. See <u>Appendix C - Fee Schedule</u> in the Information section of the P&Z webpage <sup>1</sup> .

**DIGITAL SUBMISSION:** The following digital documents are to be uploaded directly to Electronic Plan Review (ePlan):

<b>ePLAN</b>	<input type="checkbox"/> Conceptual Site Plan.	<input type="checkbox"/> Narrative describing project specifics, to include a description of the proposed development and point-by-point responses of how project complies with Standards and Approval Standards. Properties over one acre must include provision of affordable housing units or in lieu of fee. Narratives must be on letterhead, dated, and with author indicated. <b>(Digital copy in PDF)</b>
	<input type="checkbox"/> Current Survey.	
	<input type="checkbox"/> Legal Description (Digital copy in WORD)	

<sup>1</sup> Not Applicable for requests for single-family or duplex units under 154.61.E.

**DRC**  
4/21/21

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Property Information			
<b>Street Address:</b> 3151-3251 Federal Highway		<b>Folio Number:</b> 484224180010	<b>Zoning District:</b> B-3
<b>Subdivision:</b> Cresthaven No. 8 See Survey	<b>Block:</b> 10	<b>Lot:</b> 1,2,3,4,5,6,7,8,9,10, 11,12,13	<b>Land Use:</b> C - Commercial
<b>Project Name:</b> Falcone Flex App (replaces 1307 S. Wabash app)			<b>Acreage:</b> +/- 6.2

<input checked="" type="checkbox"/> <b>Flexibility &amp; Redevelopment Units</b> <i>If so, indicate how many units:</i>	276	<input type="checkbox"/> <b>Nonresidential Flexibility</b> <i>If so, indicate how much flex:</i>	
<b>Applicant's interest in property (Owner, Lessee, Etc):</b>		<b>Contract Purchaser</b>	
<b>Have any previous applications been filed?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		<b>If Yes, give date of hearing and/or appeal #:</b> DRC Review Only	

Applicant	Landowner (Owner of Record)
<b>Business Name (if applicable):</b> Falcone & Associates, LLC	<b>Business Name (if applicable):</b> 1307 South Wabash LLC
<b>Print Name and Title:</b> Jimmy Hancock, Vice President	<b>Print Name and Title:</b> Greg Berkowitz, Manager
<b>Signature:</b>	<b>Signature:</b> 
<b>Date:</b>	<b>Date:</b> 3-10-21
<b>Street Address:</b> One Town Center Rd, Suite 600	<b>Street Address:</b> 125 N. Halsted Street, Suite 203
<b>Mailing Address City/ State/ Zip:</b> Boca Raton, FL 33486	<b>Mailing Address City/ State/ Zip:</b> Chicago, Illinois 60661
<b>Phone Number:</b> 561-961-1000	<b>Phone Number:</b> 321-876-9300
<b>Email:</b> jimmy.hancock@encorefunds.com	<b>Email:</b> gbpropertymanagement@yahoo.com
<b>Email of Plan agent (if different):</b> Matthew Scott - mscott@dmbblaw.com	

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**OWNER'S CERTIFICATE**

This is to certify that I am the owner of the subject lands described in this application and that I have authorized the filing of the aforesaid application.

By signing below, I acknowledge that development applications must have a determination by the governing municipality of approved, approved with conditions, or denied within 120 days from a complete submittal for projects that do not require final action through a quasi-judicial hearing or a public meeting and within 180 days from a complete submittal for projects that do require final action through a quasi-judicial hearing or a public meeting per FL Stat § 166.033 and the Pompano Beach Code Section 155.2303.F.3. It is the responsibility of the applicant to receive all final Development Orders and receive this determination within the allotted timeframe. If the applicant fails to resubmit an application within 30 calendar days after being first notified of deficiencies of the submittal, the application shall be considered withdrawn and a \$100 non-refundable administrative fee will apply (155.2303.F.2.b). Additionally, if all required approvals are not received within the allotted timeframe the application will automatically be denied unless both the City and the applicant agree to an extension of time (155.2303.I).

**Owner's Name:** 1307 South Wabash LLC  
(Print or Type)

**Address:** 125 N. Halsted Street, Suite 203  
Chicago, IL 60661  
(Zip Code)

**Phone:** gbpropertymanagement@yahoo.com

**Email address:** gbpropertymanagement@yahoo.com

\_\_\_\_\_  
(Signature of Owner or Authorized Official)

**SWORN AND SUBSCRIBED** before me this 10 day of March, 2021 by means of  
☒ physical presence or ☐ online notarization.

**NOTARY PUBLIC, STATE OF FLORIDA** Illinois  
(Name of Notary Public: Print, stamp, or Type as Commissioned.)



☒ Personally know to me, or  
☐ Produced identification: \_\_\_\_\_

(Type of Identification Produced)

**DRC**

## **154.61 REDEVELOPMENT AND FLEXIBILITY UNITS**

### **154.62 DISTRIBUTION OF NONRESIDENTIAL FLEXIBILITY**

*(Below is a summary of City Code of Ordinance Section 154.61 and 154.62. For the complete language, please refer to the City Code.)*

#### **STANDARDS**

An application for Distribution of Flexibility Units, Economic Development Units and Nonresidential Flexibility must comply with the following standards:

1. The property must be located within the city's Flexibility Zone and flexibility, redevelopment units and/or nonresidential flexibility (based on 5% rule) must be available.
2. To be eligible for the allocation of flexibility and redevelopment units the applicant must agree to provide affordable housing units on the application site of any one type or combination of types or pay an in lieu of fee as specified in Code Section 154.80. The following types of development are exempt from the affordable housing requirements:
  - Infill properties that are one acre or less are exempt

#### **APPROVAL STANDARDS**

An application for flexibility or redevelopment units or nonresidential flexibility shall be approved upon applicant establishing by competent and substantial evidence, the following:

1. The proposed development is consistent with applicable goals, objectives and policies of the City's Comprehensive Plan.
2. The use of the flexibility and redevelopment units and/or nonresidential flexibility will produce a reasonable development pattern. The criteria for reasonableness shall include compatibility of adjacent land uses and suitability of the parcel for various development patterns.

**DRC**