



March 19, 2021

## The Backyard in Old Town Public Purpose Adjustment Narrative

The KEITH Team is pleased to submit The Backyard in Old Town Application for Public Purpose Adjustment on behalf of the Pompano Beach Community Redevelopment Agency.

### Project Background

The Backyard in Old Town is a proposed 0.972-acre mixed-use development featuring a public plaza, enclosed dumpster facilities, and improved streetscape elements including lighting, brick pavers, and seating for the public.

Site Plan Application PZ19-12000006 received a DRC Comment to submit a Public Purpose Adjustment to obtain relief from Section 1555.3501.O.4, which specifies a Minimum Pervious Area of 10% is required for each property. The attached Unity of Use Agreement (Resolution #2019-19) states that the parcels shall be developed as a unified project and should therefore act as one property when conforming to code requirements. Per the Area Calculations Exhibit (EX-101), the proposed project is providing 3.5% pervious area and seeks adjustment from the minimum 10% requirement.

The point-by-point narrative below expands in more detail the requested Public Purpose Adjustment's compliance with Section 155.2535.D.

### Consistency with Section 155.2535.D.

A Public Purpose Adjustment shall be approved only on a finding that all of the following criteria are met:

1. The proposed project addresses a public purpose, including but not limited to parks, government buildings, affordable housing, streets, public open spaces, public art, public utilities, public parking, etc.

***Response: The proposed Backyard in Old Town includes the transformation of seven parcels composed mostly of unimproved alleys and surface parking areas into a mixed-use development featuring a public plaza, enclosed dumpster facilities, and improved streetscape elements including lighting, brick pavers, and seating for the public.***

Corporate Office  
301 E. Atlantic Blvd  
Pompano Beach  
FL 33060  
954.788.3400

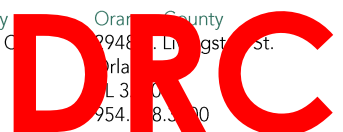
Miami-Dade County  
2160 N.W. 82 Ave  
Doral  
FL 33122  
305.667.5474

Broward County  
2312 S. Andrews Ave  
Fort Lauderdale  
FL 33316  
954.788.3400

Palm Beach County  
120 N. Federal Hwy  
Suite 208  
Lake Worth, FL 33460  
561.469.0992

St. Lucie County  
2325 S.E. Patio C  
Port St. Lucie  
FL 34952  
954.788.3400

Orange County  
2948 E. Livingston St.  
Orlando  
FL 32803  
954.788.3400



**PZ19-12000006  
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***These proposed improvements to the site will provide a positive impact to nearby streets and create new public open spaces, lending to a more hospitable pedestrian environment. These improvements will further enable events that facilitate community connections, economic development, and redevelopment in Old Town, the Pompano Beach CRA, and the Downtown Pompano Transit Oriented Corridor.***

2. There exists a practical difficulty in complying with a technical code requirement (i.e., dimensional or design standard), and relief is needed because either:

***Response: The transformation of existing surface parking areas and alleys surrounded by historic structures into a high-quality public space comes with tremendous design constraints. The constraints result in a practical difficulty complying with the maximum impervious area requirements.***

- a. There are extraordinary and exceptional conditions (such as topographic conditions, narrowness, shallowness, or the shape of the parcel of land) pertaining to the particular land or structure;

***Response: The narrow site is surrounded by existing historic buildings dating back to the 1940s that are proposed to remain. Maintaining these structures and transforming existing underutilized surface parking areas and alleys into a high-quality public space will maintain and enhance the urban fabric of Old Town Pompano Beach. Conformance with the Maximum Impervious Area Requirements is not able to be accomplished due to these constraints.***

- b. The requested Adjustment achieves the intent of the subject standard to the same or a higher degree than the subject standard; or

***Response: The proposed project is within a historic urban area and will not significantly increase the existing impervious area onsite as it is used today. The project will provide landscape planters in areas of open pavement, including the preservation of 1 trees and the introduction of numerous shrubs and groundcover plants. In doing so, the proposed Backyard in Old Town project meets the intent of the code.***

- c. There are unique project constraints (such as restrictions associated with project phasing, limited scope of work, or bond restrictions);

***Response: The scope of work is limited only to the existing underutilized surface parking areas and alleys.***

3. Because of the conditions referred to in paragraph 2., above, the application of this Code would effectively unreasonably restrict the project and/or render the project unfeasible

***Response: The proposed project would not be feasible should the minimum pervious area requirements be applied to Project Site.***



4. The extent of the Adjustment is the minimum necessary to implement the project;  
***Response: The extent of the request is the minimum necessary to implement the project (adjusting the minimum pervious area to 3.5%, rather than the minimum 10% required by code).***
5. The requested Adjustment is not inconsistent with the character of development in the surrounding area; and  
***Response: The character of the development in the area surrounding the proposed project is highly urbanized. Providing an urban plaza area complete with 1 preserved tree, the proposed project will greatly enhance this historic urbanized area while maintaining its highly urban character.***
6. On-site or off-site conditions exist which minimize any adverse impact of the Public Purpose Adjustment.  
***Response: The proposed project is designed in such a way to minimize and negate any adverse impact of the Public Purpose Adjustment. The on- and off-site conditions adjacent to the site are highly urbanized. The project as proposed does not create an adverse impact; rather, the proposed project enhances both on- and off-site conditions by providing a high-quality public space.***

The KEITH Team looks forward to discussing and presenting The Backyard in Old Town Application for Public Purpose Adjustment with the City of Pompano Beach.

Respectfully Submitted,



Michael Vonder Meulen, AICP

