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January 17th, 2024

Planning & Zoning Board
City of Pompano Beach
100 West Atlantic Boulevard, Dept. 1510
Pompano Beach, Florida 33060

Via Electronic Mail: Maggie.Barszewski@copbfl.com; Jean.Dolan@copbfl.com

RE: Distribution of Flexibility & Redevelopment Units (1350 NW 31 AV, Folio 484233680030)

Dear members of the Planning & Zoning Board,

PlanW3st is representing AVIARA CORPORATE PARK LLC in pursuit of Flexibility & Redevelopment Unit allocation for the above-referenced property. The subject property is located within the B-3 (General Business) and B-4 (Heavy Business) Zoning Districts, and is also located within the C Commercial Land Use designation of the City's adopted Future Land Use Map.



Zoning Map Excerpt



Future Land Use Map Excerpt

In accordance with Ordinance 2023-62, the proposed project is a residential development with accessory office space along NW 31st Avenue between Dr. MLK Jr. Blvd and Atlantic Blvd. The portion of the project zoned B-4 is permitted in the same manner (intensity and dimensional standards, as well as development standards) as the portion zoned B-3, subject the allocation of residential units in accordance with the recently codified recommendations of the NW 31st Avenue Corridor Task Force recommendations. No rezoning for the B-4 portion of this site is required.

The owner is concurrently seeking a Major Site Plan approval for the project, which proposes construction of 369 apartment units with 4,627 sq. ft. of accessory office space. In accordance with code section 155.4202.A.1.b.i(A), density is permitted for this project at 69 DU/AC 9(1.5 times

the B-3 density of 46 DU/AC). The residential flex allocation request is for 53 flex units of the 369, since county policy 2.16.3 allows for 6 bonus units for every 1 moderate-income unit designated. The subject 5.35-acre property is located just east of NW 31st Avenue and south of Dr. Martin Luther King Jr. Boulevard (refer to **Exhibit "A"** included with this narrative). In accordance with Broward County Policy 2.16.3 as well as city Resolution 2022-185, the project must provide 53 moderate-income housing units to meet the intent of providing mixed income housing within the development.

We believe that we meet all review standards as specified in code section 154.61.D [REDEVELOPMENT AND FLEXIBILITY UNITS] and understand that an application for Distribution of Flexibility Units must comply with the following standards:

- (1) Consistency with applicable goals, objectives and policies of the city's Comprehensive Plan and this chapter.

The project is proposing 369 residential multi-family units with 4,627 sq. ft of accessory office space. The project is consistent with the following policies from the City's adopted Comprehensive Plan:

Policy 01.04.01 The Planning Department shall support and promote the intermix of residential and commercial uses along major traffic corridors, where mass transit is available, through the allocation of flex and redevelopment units and approval of land use plan map amendments allowing for mixed use and residential developments.

Policy 01.01.13 The City shall utilize flexibility units and redevelopment units to increase residential densities within the flex receiving area when consistent with the community character; adjacent land uses; and public school capacity both within Pompano and affected contiguous municipalities; and has undergone a compatibility review relative to potential impacts on Environmentally Sensitive Lands and County or regional parks in accordance with Policy 2.10.01 of the Broward County Land Use Plan.

Policy 01.14.01 The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.

- (2) The use of the redevelopment and flexibility units and/or the establishment of nonresidential development within a residential land use designation 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.

The project provides residential use in an area that is predominantly commercial, across from Charles Drew Elementary School. A residential project is needed in this area, as the pattern is mostly commercial and Charles Drew is currently at 70% capacity, with projections dropping to 49.3% by the 2026/2027 school year. The project is buffered by canals to the east and south and has been designed to be compatible with the commercial uses to the north. The resulting development pattern is reasonable and compatible with the vision for the future of the NW 31st Avenue corridor as described by the NW 31st

Avenue Corridor Task Force.

- (3) Applications for the use of residential flexibility or redevelopment units requires an agreement to provide affordable housing units per subsection (F) below or an in lieu of fee in accordance with § 154.80, except that infill properties which are one-acre or less are exempt from this requirement.

This project is over one acre and will be deed-restricting and designating the 53 dwelling units, in accordance with Broward County Policy 2.16.3.

We further understand that in order for an application for flexibility or redevelopment units to be eligible, the project must be consistent with section 154.61.D, which is also justified above. Thank you for your consideration. We respectfully request you grant the property 53 flexibility units.

Please do not hesitate to contact me with any questions.



Paola A. West, AICP, ISA-CA
Principal, Senior Land Planner

Exhibit "A"



Parcel Id: 484233680030

Owner: AVIARA CORPORATE PARK
LLC

Situs Address: 1350 NW 31 AVE POMPANO
BEACH FL 33069

Legal: LANIER PLAT 180-182
PARCELS B AND C

P&Z