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January 16th, 2024

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

Via Electronic Mail: frank.manusky@copbfl.com

RE: PZ 23-05000006 Major Site Plan (1350 NW 31 AV, Folio 484233680030)

Dear members of the Development Review Committee (DRC),

Thank you for providing us with comments at the June 21st, 2023 DRC Meeting. We would like to take the opportunity to respond to those comments issued at this time. Responses are as follows:

PLANNING

Plan Reviewer: Jean E. Dolan, AICP, CFM

Status: Review Complete pending Development Order

1. The narrative for this request is nearly correct. The only aspect that is wrong is the request for 245 flex units. You only need 35 flex units that are deed restricted to moderate income and the rest of the units will be bonus units granted under Policy 2.16.3. It would be appreciated if you'd correct your narrative and Application when you resubmit for P&Z to clarify the record.

Narrative has been corrected. We are requesting 53 flex units of the total 369 being proposed, in accordance with ordinance 2023-62.

2. One of the incentives to utilize Policy 2.16.3 is it allows 1.5 times zoning density if utilized by the Developer. This project, therefore, is eligible for 69 du/ac if the Applicant wants to take advantage of all or some of that additional density bonus.

Submittal and narrative have been corrected. The submittal has been reviewed and resubmitted to DRC with this proposal and has passed DRC review.

3. Another incentive of using Policy 2.16.3 is it allows the flex units to be granted concurrent with site plan approval at the Planning and Zoning Board which eliminates the public hearing at the City Commission level. It is recommended that the Applicant take advantage of this incentive and plan on getting the flex units concurrent with site plan approval. It is noted that the site plan has not yet been submitted for DRC review other than a PreApp.

This submittal is for Planning & Zoning Board hearing, in accordance with this incentive. The site plan has been reviewed by the DRC multiple times and has passed DRC review.

P&Z

4. The conceptual plan submitted with the flex application is difficult to decipher as the building outlines above the parking are not clear. If the Applicant agrees to postpone the flex allocation until the site plan is ready for P&Z consideration, the concern with the conceptual site plan will be eliminated. Note that the abandonment for the easement around the McDonalds site (project #23-27000001) which went to P&Z in February, 2023 needs to be completed preferably prior to site plan approval. The plat note also needs to be amended to allow for the proposed residential use prior to building permits being issued.

The major site plan and flex allocation requests are both submitted to be heard concurrently. The site plan has been cleaned up and modified to meet all DRC requirements.

5. The NW 31st Avenue Task Force, a subcommittee of the Economic Development Council (EDC), is encouraging mixed use development on the NW 31st Avenue corridor. One of the incentives the committee has put forward for consideration is to allow residential development in B-4 zoning (following B-3 regulations) on the NW 31st Avenue corridor. Staff is preparing the code amendments to implement this suggestion and it is likely those will be adopted in September or October of 2023. If the Applicant chooses to wait for those code amendments to be adopted, the rezoning could be avoided and only one hearing for the flex and site plan in front of the P&Z Board will be necessary to approve this project. Please advise if you'd like to take advantage of this future code change or if you prefer to move ahead with the rezoning (which looking at the schedule is unlikely to get to City Commission much before the NW 31st Ave Task Force text amendments).

We have modified our request to be consistent with now adopted Ordinance 2023-62, which negates the need for rezoning. Our rezoning application has been withdrawn.

6. The Applicant should upload a Declaration of Restrictive Covenants for the 35 moderate income flex units prior to P&Z which must be recorded before building permits are issued. A sample DRC will be provided for your use as a model.

Draft declaration has been provided with the P&Z Board submittal for staff review. A final will be provided for permit approval.

7. It is recommended that you present your project to the Collier City Civic Association at one of their regularly scheduled meetings prior to P&Z. Phyllis Smith is the President and can arrange to have your project included on their meeting agenda.

On January 9th, a virtual meeting was held to present the project to Ms. Phyllis Smith in request of a presentation to the Collier City Civic Association. The project is scheduled to be presented to the Collier City Civic Association on January 31st, 2024.

ZONING

Plan Reviewer: Lauren Gratzner

Review Status: Review Complete pending Development Order

1. See site plan submittal PZ 23-12000006 for all site plan comments.

Understood, thank you.

2. The County's Finding of Adequacy on the plat note expired January 2018 and shall be updated prior to building permit approval. The plat note shall also be amended to include residential.

An application for a Plat Note Amendment will be filed with both the City and County to add the residential use. This amendment will be finalized prior to the issuance of the building permit.

3. No objection to the allocation of Flex units.

Understood, thank you.

LANDSCAPE

Plan Reviewer: Wade Collum

Review Status: Review Complete pending Development Order

Comments will be rendered at time of site plan submittal. Provide landscape plans in accordance with 155.5203 for the entire site at that time.

Understood, thank you.

ENVIRONMENTAL SERVICES

Plan Reviewer: Beth Dubow

Review Status: Review Complete pending Development Order

The Environmental Services Department has no objections to the proposed flex request. The site plan submitted with this application appears to have multiple issues with regard to garbage collection.

NOTE: Additional comments may be necessary based upon revisions, additional plans and/or documents. Contact Beth Dubow at 954-545-7047 or beth.dubow@copbfl.com should you have any questions or concerns regarding this review.

Understood, thank you.

ENGINEERING DEPARTMENT

Plan Reviewer: David McGirr

Review Status: Review Complete pending Development Order

No comments.

Understood, thank you.

BSO

Plan Reviewer: BSO Deputy Patrick Noble

Review Status: Review Complete pending Development Order

*** ATTENTION IMPORTANT ***

The services of an independent, and highly experienced, qualified and certified Security Crime Prevention/ CPTED Consultant are highly recommended to achieve and maintain objective credible security review integrity, and to expedite processing.

*** DISCLAIMER ***

This safety and security review does not guarantee a crime will never occur; it is an effort to mitigate opportunities for crime and to help avoid any present and future security deficiencies, conflicts, threats, breaches, or liabilities that might occur without any review.

*** Attention important ***

As per code 155.2407.e.9., at the time of site plan submittal, the CPTED security strengthening drawing plan and separate CPTED security strengthening drawing plan narrative shall both be submitted as part of the requirements for site plan review and approval.

Understood, thank you. All CPTED comments have been addressed under the site plan application PZ 23-12000006.

UTILITIES

Plan Reviewer: Nathaniel Watson

Review Status: Review Complete pending Development Order

Comments:

1. Please note that additional comments may be forthcoming based on the site plan review process.

Understood, thank you. All Utilities comments have been addressed under the site plan application PZ 23-12000006.

2. The City of Pompano Beach Utilities Dept. has no comment at this time with regard to the requested flex allocation for the subject property.

Understood, thank you.

BUILDING DIVISION

Plan Reviewer: Todd Stricker

Review Status: Review Complete pending Development Order

5-24-23 No comments.

Understood, thank you.

FIRE DEPARTMENT

Plan Reviewer: Jim Galloway

Review Status: Review Complete pending Development Order

This P&Z application is able to meet all of the Fire Department requirements at this time for FLEX REQUEST APPROVAL ONLY. Site plan approval will be required, maintaining all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

*Additional comments may follow throughout the remainder of the permitting process. The buildings shall follow All NFPA Standards prior to receiving Fire Department approval.

Understood, thank you. All Fire comments have been addressed under the site plan application PZ 23-12000006.

CRA

Plan Reviewer: Kimberly Vazquez

Review Status: Review Complete pending Development Order

The CRA has no opposition to the request for 35 Flex

Understood, thank you.

Thank you for your consideration. Please do not hesitate to contact me with any questions.

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

P&Z