

From: [Max Wemyss](#)
To: [Alison Fournier](#)
Cc: [Greg Harrison](#); [David Recor](#); [Brian Donovan](#); [Suzette Sibble](#); [Nguyen Tran](#); [Daniel Keester](#); [Pamela Stanton](#); [Martha Lawson](#)
Subject: RE: Questions about potential Text Amendment
Date: Tuesday, February 21, 2023 9:56:00 AM
Attachments: [Text amendment and map revisions.pdf](#)
[155.3708.K.3.pdf](#)
[Zone B Levels 7-10.pdf](#)

Good morning Commissioner Fournier,

I apologize as this response took a bit of time to coordinate. Please see the questions below in red and our responses in black. Let us know if any clarification is necessary but I have tried to provide both complete and concise answers.

Q1: Which side of the Zone B building is considered the "front building line"? Is it the North, Primary St?

Background: The applicant is proposing to amend 155.3708.K.3.a.iii to read as: The portion of a building located above 60 feet in height shall not exceed 80% of pedestal area and **OR** shall be setback a minimum of 20 feet from the front building line.

A building line the line of the façade that runs parallel to a lot line. Since the subject development (Zone B) is a full block development with four street frontages all of the elevations contain a front building line. A front building line is the proposed minimum setback of a façade from a street facing lot line. Within the Transit Oriented Overlay Districts buildings along both a front and a streetside property line are treated the same way regarding building design features such as setback, building length, and active use requirements.

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155.3708.K.3

Additional Design Standards for Historic Core and Historic Transition Areas

All new or improved structures, site improvements, and appurtenances in the Historic Core and Historic Transition Areas (as depicted on the Use Regulating Plan) must comply with the design standards in this section.

a. Massing Restrictions for Historic Transition Area

In order to limit the impacts of massing on the Historic Core Area, the following massing restrictions are required for buildings within the Historic Transition Area:

- i. The maximum height of the pedestal of a building shall not exceed 60 feet.*
- ii. The pedestal area shall not exceed 90% of the lot area .*
- iii. The portion of a building located above 60 feet in height shall not exceed 80% of pedestal area and shall be setback a minimum of 20 feet from the front building line.*

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Chapter 155, Article 9, Part 5 Terms and Uses Defined

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Building Line

A line used to determine permitted locations of fences, walls, and hedges in the TO District. It is a line running parallel to a lot line, which is the same distance from the lot line as the closest portion of a

building on the site.

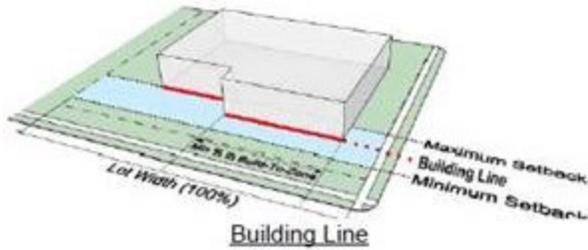


Figure: Building Line

Q2: What is the calculation of the sq footage for levels 7-10 of Zone B?

31,000 square feet per floor for levels 6-10, as the “tower” begins with level 6. The permitted maximum size of a residential floorplate within a tower is 32,500 square feet. The total proposed for levels 6-10 is 155,000 square feet cumulative.

Q3: Why would we change the code from feet to stories? When reading our code, it seems more common to use feet than stories. Does our code have an explicit maximum height for a story? Which part of the proposed design is enabled by this change?

The Zoning Code typically uses “feet” as a measurement, instead of stories; however, there are instances in the Zoning Code where stories have been used. A specific measurement (like feet and inches) are used for the overall building height, so that all buildings are measured in the same way. Individual stories can vary, neither the zoning code nor the building code has a maximum height allowed for an individual story (the building code does have a minimum height for a single story).

A set dimension measured from finished grade that requires a change to the buildings design at a specific height creates a difficulty in providing an expectation to developers of what can be developed. We require that the ground floor of a non-residential or mixed-use building be a minimum of 12’ feet clear and although we do not want to encourage minimal heights for upper floors the Zoning Code does not provide a minimum height beyond the building code requirement for upper floors. If the City or a developer anticipated providing 6 floors within the 60 feet that may become impossible due to the raising of the finished floor requirements, the 12’ ground floor height, required fire/trash circulation within a garage, or other design requirement.

Additionally, the podium of the building typically conceals a garage. Typically a taller building requires more parking. It is not uncommon for a parking garage to reach 6 floors, especially if the perimeter of the garage is lined with commercial or residential units or if any public parking is provided. Yet if that 6th floor reaches 61 feet the podium/garage would have to be cut to 5 floors. For this reason, it is clearest what can be developed if the podium is permitted to 6 floors regardless of height.

What is enabled by this change is the certainty to develop a 6 story building without reducing floorplate size.

Relevant Comprehensive Plan Policy for consideration:

Comp Plan Policy 01.05.09

The City will amend the Zoning Code as necessary to ensure that properties proposing to build with a sustainable finished floor elevation that accommodates the necessary freeboard to accommodate adopted sea level rise projections will not be penalized in relation to maximum building height.

Q4: Are there any technical differences in the code between the "historic core" and "historical transition" areas besides the section on massing restrictions that is the subject of this amendment?

Yes, there are some unique code requirements for each of these areas. In addition to the amended sub-section, there are the following sections under the heading "Additional Design Standards for Historic Core and Historic Transition Areas:

- b. Site Plan Characteristics
- c. Architectural Character
- d. Materials
- e. Canopies, awnings, and Overhangs

A pdf including all of the standards of this section is attached. [Here is a direct link to code.](#)

Q5: Please comment about whether this is the accurate way to think about calculations described in section iii.

Currently, if a hypothetical proposed building is 225' x 225', any level above the 6th must have an area less than 40,500ft² AND be setback 20' from the side that is designated as the front. With the proposed amendment, a developer could do either, so, levels above the 6th could simply be setback 20' from the front and have an area of 46,125 (14% more area on every level)? Alternatively, levels above the 6th could have an area of 40,500ft², but absolutely no setback on any side, i.e. the area reduction could be anywhere, including the middle?

Current:

$225 \times 225 = 50,625$ square feet for each level of podium

Above the 6th floor, 80% is required = 40,500 square feet for each level of tower

AND Above the 6th floor, 20 ft stepback is required = (All of the building lines face a street frontage. 20' back from each frontage.) $185 \times 185 = 34,225$ square feet for each level of tower (this would be the maximum ***HOWEVER*** there is a more restrictive standard explained below)

With the proposed amendment a developer would likely provide the 80% reduction and not create a setback from the building line of the podium. A frequent complaint of developers is the column alignment that is required to support a 20' setback for upper stories. A more frequently preferred layout (by developers) is one with units lining an amenity deck. The applicant has submitted the attached plan (Zone B Levels 7-10) which is exactly as I have described.

HOWEVER, since the Historic Transition Area was established prior to the Transit Oriented District and the Downtown Pompano Overlay District other standards have since been created that may be more restrictive than either of these standards. For example, we now have a requirement for a

maximum floorplate size of **32,500** sf for the tower portion (above the 5th floor) of residential/mixed use buildings. In this application, it is clear that the intent is to remove the requirement to setback the upper stories as there is no objection to the more restrictive floorplate size requirement from the applicant. Removing this “AND” clause will have the result of making this standard more aligned with the building design/configuration requirements of the TO/DPOD.

Q6: What was the intent behind the mass restrictions in the historic transition area?

The language for the massing standards currently (since 2013) reads as: *“In order to limit the impacts of massing on the Historic Core Area, the following massing restrictions are required for buildings within the Historic Transition Area...”*

Here is the Purpose Statement of the Historic Transition as originally incorporated in the CRA Overlay pre-2013. This statement was struck and incorporated into the purpose statement of the DPOD in 2013.

The Historic Downtown Transition Area Overlay district is a CRAO district established and intended to create a pedestrian-oriented, mixed-use environment in the periphery of the Old Pompano Downtown area that will be a destination for residents from throughout the community. Specifically, it is intended to promote cohesive development and redevelopment that will create a safe, attractive and pedestrian oriented area (through the use of incentives and parking and landscaping standards), emphasize the recapture and preservation of some of the existing elements of the area and its historic development pattern, be compatible with development in the adjacent Historic Core Overlay district, and introduce residential uses while providing additional height for new development.

Q7: If the border on the maps is moved such that mixed use is allowed on these parcels, please confirm whether or not these are possible uses for the commercial space: bar, nightclub, lounge, funeral home, laundromat, day labor service, arcade, dry cleaner, drug store, grocery store...

The applicant is proposing to reclassify Zone B and the block north of Zone B from RM (Residential, Multi-Family) to MUR (Mixed-Use Residential), following the boundary of the Historic Transition Area. All of the listed uses would be permitted in that use category.

Regards,



Hours of Operation: Mon – Thurs, 7am – 6pm

From: Alison Fournier <Alison.Fournier@copbfl.com>

Sent: Friday, February 10, 2023 2:13 PM

To: David Recor <David.Recor@copbfl.com>; Martha Lawson <Martha.Lawson@copbfl.com>; Greg Harrison <Greg.Harrison@copbfl.com>; Brian Donovan <Brian.Donovan@copbfl.com>; Daniel Keester <Daniel.Keester@copbfl.com>; Pamela Stanton <Pamela.Stanton@copbfl.com>; Max Wemyss <Max.Wemyss@copbfl.com>

Subject: Questions about potential Text Amendment

In lieu of meeting, attached are my preliminary questions about the proposed text amendment and map revisions. I appreciate your time to help me better understand this. If anything I asked is unclear, please let me know.

Alison Fournier

To: Development Services
From: Commissioner Alison Fournier
Re: Zone B & D Text Amendment and Revised Maps

Q1: Which side of the Zone B building is considered the "front building line"? Is it the North, Primary St?

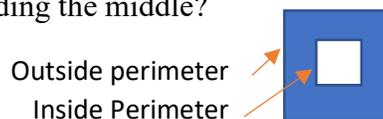
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155.3708. DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT

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K. Additional DPOD Standards

In addition to the Regulating Plans, the following standards apply to properties within the DPOD.

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3. Additional Design Standards for Historic Core and Historic Transition Areas

All new or improved structures, site improvements, and appurtenances in the Historic Core and Historic Transition Areas (as depicted on the Use Regulating Plan) must comply with the design standards in this section.

a. Massing Restrictions for Historic Transition Area

In order to limit the impacts of massing on the Historic Core Area, the following massing restrictions are required for buildings within the Historic Transition Area:

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- iii. The portion of a building located above 60 feet in height shall not exceed 80% of pedestal area and shall be setback a minimum of 20 feet from the front building line.

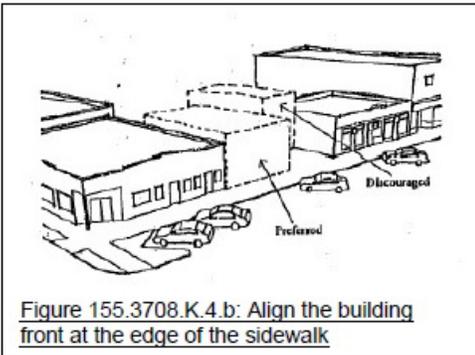


Figure 155.3708.K.4.b: Align the building front at the edge of the sidewalk

b. Site Plan Characteristics

Most structures contribute to a strong "building wall" framing the public space of the street because they align at the front property line and are usually built out to the full width of the lot. Gaps between lots, if they occur, provide pedestrian access to an alley or through the block. These site plan characteristics of building to sidewalk should be preserved and maintained. Within the Historic Core and Historic Transition Areas the buildings fronts should be aligned at the sidewalk line, where feasible. (See [Figure 155.3708.K.4.b](#))

c. Architectural Character

i. Within the Historic Core Area the buildings are small in scale, two stories or less, and characteristic of various architectural styles including beaux arts, commercial mission and Mediterranean revival, art moderne, art deco, mid-century modern, and vernacular. While it is important that new buildings and alterations be

compatible with the historic context, it is not necessary that they imitate older historic styles. New infill development in the Historic Core Area shall reinforce traditional development patterns and maintain the mass, scale, form, and ordering elements of the neighboring context.

ii. The Historic Transition Area is intended to create a pedestrian-oriented, mixed-use environment in the periphery of the Historic Core Area and introduce residential uses while providing additional height for new development. The Historic Transition Area is not subject to maintaining the mass, scale and form of the neighboring context. New infill development in the Historic Transition Area shall reinforce traditional development patterns and maintain the ordering elements of the neighboring context.

iii. In the Historic Core and Historic Transition Areas, the first floor height of all newly constructed buildings containing retail uses shall be at least 12 feet.

iv. In the Historic Core and Historic Transition Areas, new interpretations of traditional building styles, drawing upon the fundamental similarities among the older buildings, are encouraged. This will allow infill to be viewed as a product of its own time, yet still compatible with its historic neighbors and a balance of old and new.

v. In the Historic Core and Historic Transition Areas, new buildings shall incorporate a base, middle, and a cap. Traditionally building facades were composed of these three basic elements. Maintaining this compositional system will help reinforce the visual continuity of the Historic Downtown Core Area. (See [Figure 155.3708.K.4.c.v](#).) The three basic elements that compose a traditional building: (1) base, (2) middle, and (3) cap. Interpreting this traditional composition in new buildings will help reinforce visual continuity of a block.

vi. In the Historic Core and Historic Transition Areas, new buildings shall maintain the alignment of horizontal facade elements of the block. Canopies, window headers, windowsills, moldings, cornices, parapets, signage cornices, and storefront sills are among the elements of a facade that may be aligned.

vii. In the Historic Core and Historic Transition Areas, floor to floor heights should be similar to those seen historically. Windows in new construction should be similarly proportioned and of similar height and rhythm as those seen traditionally along the street.

viii. In the Historic Core and Historic Transition Areas, roofs may be parapet, or sloped to a maximum pitch of 4 in 12.

ix. In the Historic Core Area only, the established building scale shall be maintained and primary facades shall be in scale and aligned with surrounding historic buildings.

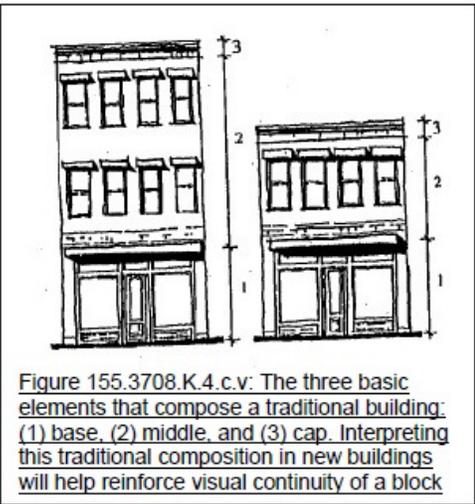


Figure 155.3708.K.4.c.v: The three basic elements that compose a traditional building: (1) base, (2) middle, and (3) cap. Interpreting this traditional composition in new buildings will help reinforce visual continuity of a block

x. In the Historic Core Area only, larger buildings shall be divided into modules scaled to buildings seen historically. The height and width of each module should be similar to the traditional height and width of the historical buildings of the surrounding context.

d. Materials

The following standards shall apply to both the Historic Core and Historic Transition Areas:

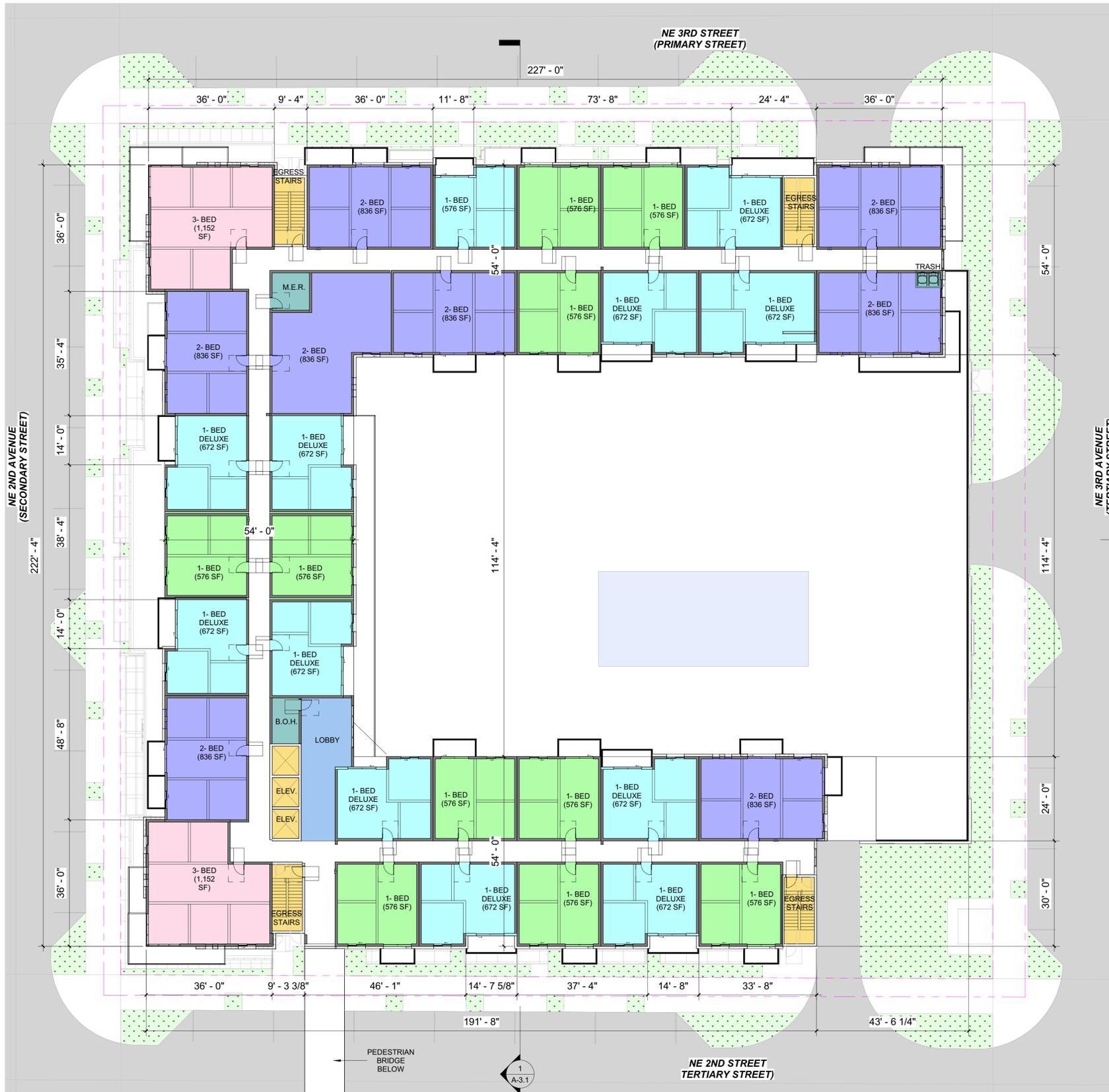
- i. Exterior building materials shall conform to the limited material palette used within the district, primarily stucco on concrete masonry, or brick. Use of foam moldings, faux-finishes, large expanses of featureless materials, highly reflective materials is inappropriate.
- ii. New materials shall be environmentally sustainable and relate to those used historically through scale, texture, finish, and detailing.
- iii. Stucco on concrete or terra cotta masonry was the traditional material and is preferred for new construction. This includes brick and natural stone finishes. Appropriate stucco finishes include dash, float, glacier, or California finish (as defined in the Plaster/Stucco Manual, 5th Edition, Portland Cement Association). Use of foam stucco moldings for spray applied veneer finishes is not appropriate.
- iv. Wood and metal were used for door, storefront, and window frames and should be used in new construction.
- v. If new materials are used, they shall appear similar in character to those used historically through detailing. Detailing should provide continuity through combined use of scale, proportion, texture or color.
- vi. Durability of new materials must be demonstrated for the hot-humid climate of Pompano Beach.
- vii. Non-corrosive metals, such as coated or anodized aluminum, or molybdenum stainless steel are appropriate.
- viii. Exterior wood shall be protected from the weather, or shall have a stained or painted finish.
- ix. Roofing materials shall be standing seam or batten metal, flat concrete tile, traditional barrel tile, or flat asphalt shingle, similar to those seen historically.

e. Canopies, Awnings, and Overhangs

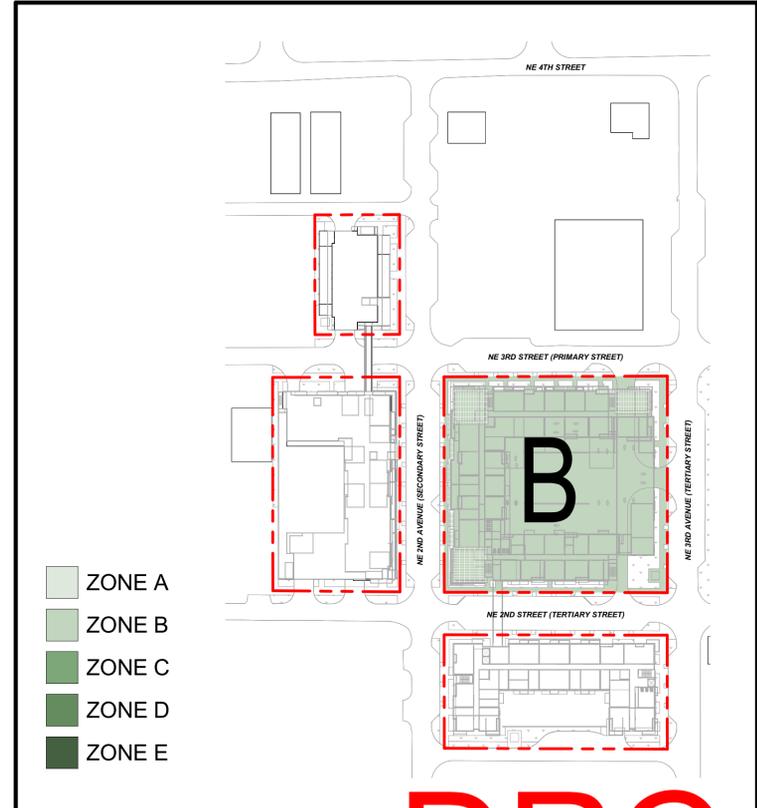
The following standards shall apply to both the Historic Core and Historic Transition Areas:

- i. Canopies and awnings shall provide shade and rain protection over the sidewalk area, similar to those seen historically.
- ii. Canopies, awnings, or overhangs shall be demonstrated to achieve 40 percent shaded coverage of the ground floor building facade below the canopy between the hours 9:00 a.m. and 5:00 p.m. year-round.
- iii. Canopies, awnings, or overhangs shall reflect historical placement patterns and follow the length of the building along the street front.
- iv. Canopies, awnings, or overhangs shall be integrated into the design of the building to provide protection from rain to pedestrians within the sidewalk area.
- v. Canopies, awnings, or overhangs shall accentuate the character defining feature of a window or storefront.
- vi. Fabric awnings shall be simple shed types. Odd shaped, bullnose, and bubble awnings, and internally illuminated glowing awnings are inappropriate.
- vii. Illumination of canopies and overhangs should complement the canopy and not be a primary design feature, and should increase the safety of the environment by illuminating the pedestrian sidewalk area. Illumination under an awning to illuminate the pedestrian sidewalk area is acceptable; however, fixtures that shine through an awning and make it glow are not.
- f. Within the Historic Core Area only, the area between street trees may be paved with semi-permeable or permeable pavers.

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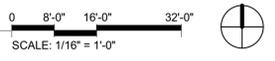


PLAN LEGEND	
[Yellow Box]	EFFICIENCY STUDIO
[Light Green Box]	1- BEDROOM
[Light Blue Box]	1- BEDROOM DELUXE
[Purple Box]	2- BEDROOM
[Pink Box]	3- BEDROOM
[Brown Box]	AMENITY
[Teal Box]	BOH
[Yellow Box]	CIRCULATION
[Red Box]	RETAIL
[Grey Box]	VEHICULAR CIRCULATION & PARKING
[Green Dotted Box]	LANDSCAPE



- [Light Green Box] ZONE A
- [Medium Green Box] ZONE B
- [Dark Green Box] ZONE C
- [Very Dark Green Box] ZONE D
- [Darkest Green Box] ZONE E

1 LEVEL 7 - ZONE B
A-1.10 SCALE: 1/16" = 1'-0"



SCHEMATIC
2022-024
12/12/2022

OLD TOWN TOWERS
POMPANO BEACH, 33060

LEVELS 7-10 - ZONE B



Digitally signed by Daniel Adache
DN: c=US, o=ADACHE GROUP ARCHITECTS, ou=Qualifier=A01410D0000, email=adache@adachegroup.com, cn=Daniel Adache
Date: 2022.12.12 14:25:13 -0500

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12/18/2023
adache architects

