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**Atlantic Estates
400 East Atlantic Boulevard and Southeast 4th Terrace
Justification Statement for Major Site Plan and Major Building Design Application
Submitted: September 13, 2021**

Atlantic Estates, LLC (“Petitioner”) is the owner of a +/- 1.57 acre aggregation of two (2) parcels located in the Snug Harbor neighborhood at 400 East Atlantic Boulevard and Southeast 4th Terrace (together referred to as the “Property”), which is generally located on the south side of East Atlantic Boulevard east of South Cypress Road in the City of Pompano Beach (“City”). The Property is designated ETOC, East Transit Oriented Corridor, on the City’s Future Land Use Map and located within the TO-EOD, Transit Oriented – Atlantic Boulevard East Overlay District, zoning district. These land use and zoning designations are newly adopted districts that were created specifically to promote redevelopment within the area generally located around Atlantic Boulevard between the Intracoastal Waterway and Northeast 5th Avenue.

The Property is currently underutilized and developed as a mix of outdated office and townhomes. As such, the Property is prime for redevelopment as a mixed-use community given the new land use and zoning designation. Petitioner has submitted a Major Site Plan And Building Design Application to construct a high-end eight (8) story, mixed-use development including 204 dwelling units and 2,723 square feet of ground floor retail use fronting Atlantic Boulevard, consistent with the purpose and intent of the TO-EOD district (“Project”). As discussed herein, the application, plans, and supporting documents demonstrate compliance with the pertinent criteria and requirements of the Pompano Beach Zoning Code (“Code”), and therefore the Petitioner respectfully requests approval.

The Property borders the Koi/Envy project and a small office building to the east. To the west is a Dunkin’ drive thru, and to the south is the Pompano Canal. The Project incorporates a modern design that is compatible with the Koi/Envy project and will contribute to the trend of quality redevelopment along East Atlantic Boulevard. Retail space and leasing office are proposed at the ground level along Atlantic Boulevard to create the urban, pedestrian-friendly environment intended by the new EOD zoning regulations. Floors 1 to 5 will have residential units wrapped around the north, south, and east sides of the parking garage. Floor 6 will have residential units along the north, south, and east sides with an open-air garden courtyard deck with amenity space. Floors 7 and 8 will have residential units located along the north, south, and east facades with views from the units to the garden deck. The roof deck is proposed to provide world class rooftop pool and garden to truly create an elegant and unique way of life for the Project’s residents. Upon completion, the Project will be a premium, luxury rental development in the heart of the City.

Code Criteria Analysis

For the proposed use, the primary focus of the Code criteria analysis is compliance with the Review Standards listed in Section 155.2407(E) of the Code. Each requirement is listed below with the Petitioner's response in bold.

Sec. 155.2407(E) – Review Standards

1. Is consistent with the comprehensive plan

Petitioner is proposing a mixed-use development that includes general multi-family residential units, commercial retail areas, and parking areas, all collectively designed with a focus on preserving the aesthetics of the area and maintaining an integration between the Project and the community. As mentioned above, the Property's land use designation is ETOC, and the uses proposed for the Project are explicitly consistent with the goals, objectives, and policies of the City's comprehensive plan. The ETOC, in fact, was adopted with the fundamental purpose of encouraging mixed-use development.

With regard to affordable housing, Petitioner acknowledges the requirements relative to same and will elect at time of building permit to either provide affordable units in the Project or make the required payment in lieu.

2. Complies with the applicable district, use, and intensity and dimensional standards of this Code (Articles 3, 4, and 5).

Petitioner is proposing a mixed-use development that includes multi-family units, retail areas, and a parking garage. All of these uses are permitted in a base zoning district of TO with an overlay district of EOD. Regarding the EOD, the Project is specifically located in the Core sub-area of the EOD. Petitioner is proposing 204 residential units in the Project. Based on the permitted density for the Core sub area which is 90 units/acre, the Property is permitted up to 141 units as a base density (1.57 acres x 90 = 141.3).

To obtain additional density, Petitioner is pursuing two bonus density options offered in the EOD zoning regulations. Specifically, Petitioner is incorporating the following bonus density features, with the associated bonus unit amounts indicated in parentheses:

- 1. Bonus Density Option #6: Structured Parking – the parking garage will accommodate 100% of the total required parking. (20 units/acre = 31.4 units);**
- 2. Bonus Density Option #7: 25% of residential units provided as small studio or 1 bedroom – see site plan for unit dimensions. (20 units/acre = 31.4 units).**

In addition to meeting all density and intensity requirements of the Code, the Project also complies with the height and setback requirements. The proposed structure is 8 stories in height and is designed in accordance with the "Tower" typology regulations. Petitioner

has submitted a minor administrative adjustment application in relation to the maximum building length requirement, as this features slightly exceed the maximum permitted. The Project complies with the parking and open space requirements of the Code.

3. Complies with the applicable development standards of this Code (Article 5).

Petitioner is proposing a mixed-use development that includes multi-family units, retail space, and a parking garage. The proposed Project complies with the applicable development standards of this Code.

Access, circulation, parking, and loading:

The Project's proposed access, circulation, parking, and loading comply with the standards required by the Code. The parking garage provides for all required parking with parking for the retail uses and the loading zone identified on the ground floor. Ingress/egress from the site is located on the north side towards the east property line, maintaining the cross access easement with the office building to the east. Moreover, the entry feature to the garage and cross access area were thoughtfully designed to allow for fire and solid waste vehicles to circulate on site without issue.

Landscaping and tree preservation:

Among other interesting features, the landscaping for this Project is unique. In addition to the landscaping proposed for the ground floor areas along Atlantic Boulevard and the waterway space which are sure to present drastic improvements, the Project contemplates a raised garden on the 6th Floor and resort-style landscaping on the rooftop pool deck.

Screening, fences and walls:

To the extent applicable, the Project complies with all screening, fences, and walls development standards provided in the Code.

Exterior lighting:

The Project complies with all exterior lighting development standards provided in the Code.

Environmental protection/infrastructure:

The Project complies with all environmental protection/infrastructure standards provided in the Code. With regard to solid waste, sufficient space is provided on site for

solid waste vehicles to circulate on site, with dumpsters being brought to an accessible location by property maintenance staff.

Design standards:

The Project complies with all Design standards provided in the Code. The Project was designed to encourage a vibrant, pedestrian-friendly development along Atlantic Boulevard.

Lots:

The Project complies with all Lots standards provided in the Code.

Sustainable development standards:

The Project complies with all sustainable development standards in the Code. See Site Data Table for specific information.

Performance and maintenance:

The Project complies with all Performance and Maintenance standards provided in the Code.

Sign structure design standards:

A formal sign package for the Project will be submitted to the City at a later stage in the process.

4. *Complies with all other applicable standards in this Code.*

The proposed mixed-use development complies with all other applicable standards in the Code.

5. *Complies with all requirements or conditions of any prior applicable development orders.*

N/A.

6. *Is issued a concurrency review certificate in accordance with Chapter 154 (Planning) of the Code of Ordinances.*

N/A.

7. Is designed to provide safe, adequate, paved vehicular access between buildings within the development and streets as identified on the Broward County Trafficways Plan;

The Project was designed to provide safe, adequate, paved vehicular access. The Project also complies with the Broward County Trafficways Plan with regard to roadway width as Petitioner will dedicate the required right of way dimension prior to issuance of building permits.

8. Complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance.

N/A.

9. Complies with crime prevention security strengthening and CPTED standards for natural surveillance, natural access control, territorial reinforcement, maintenance, and activity support.

The Project complies with crime prevention, security strengthening and CPTED standards for natural surveillance, natural access control, territorial reinforcement, maintenance, and activity support. Please refer to CPTED Plan and CPTED Narrative for further details.

10. Complies with the approved Transportation Corridor Study, unless in direct conflict with another zoning code provision.

The Project complies with the approved Transportation Corridor Study.

Considering the foregoing, Petitioner respectfully requests Major Site Plan and Major Building Design approval for the Project.