

August 31, 2022

City of Pompano Beach  
Planning and Zoning Board  
100 West Atlantic Boulevard  
Pompano Beach, FL 33060

DEVELOPMENT REVIEW COMMITTEE  
Meeting Date: AUGUST 3, 2022

**BROWARD PARTNERSHIP FOR THE HOMELESS INC REZONING**

**Request:** Rezoning  
**P&Z#:** 22-13000009  
**Owner:** Broward County Board of County Commissioners  
**Project Location:** 1700 NW 30 Avenue  
**Folio Number:** 484228250050  
**Land Use Designation:** Industrial  
**Zoning District:** CF (Community Facility)  
**Commission District:** 4 (Beverly Perkins)  
**Agent:** John Rinaldi (954-788-3400)  
**Project Planner:** Jean Dolan (954-786-4045 /jean.dolan@copbfl.com)

**PLANNING**

Reviewer: Jean E. Dolan, AICP, CFM  
Status: Resubmittal Required

1. Based on the second conceptual site plan provided (not the narrative which doesn't mention what zoning district is proposed), the intent of this request is to change the industrial land use to commercial to enable the property to be rezoned into two different zoning districts. The rear of the lot to B-3 (to allow for the allocation of flex and bonus units for a tax credit rental housing project) while keeping the front of the lot under the existing homeless shelter in the CF zoning category so the shelter does not become nonconforming, as it would be if rezoned to B-3 along with the rear of the lot. Confirm this is the intent and how the spot zoning issue is being mitigated.

**RESPONSE:** Narrative has been revised. With the Land Use amended both zonings (CF and B-3) are consistent with the land use. There is a clear public benefit to the zoning request and supported by goals, objectives and policies in the Comprehensive Plan to provide affordable housing and reduce homelessness. As for concern of spot zoning, there are many areas within South Florida that encourage the intermixing of employment centers and residential. Providing low income and work force housing near employment centers reduces traffic and the time it takes to get to work. It is unfortunate that Pompano does not have zoning districts that allow for intermixing of residential and employment centers. This location which is adjacent to extensive center

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**could be a valuable the first step in allowing this type of intermixing in Pompano Beach. The proposed development (affordable housing) is also consistent with the existing use on the site. The homeless assistance center is a residential facility. Allowing additional residential housing opportunities on the same property is consistent and compatible.**

2. Please reconcile the inconsistencies between the narrative, the Broward Partnership's answers to Sandy Rhett's questions (attached) and the email from Dodi Keith-Lazowick from July 14, 2022 at 12:07 PM (attached). Based on this reconciliation, rewrite and resubmit the narrative.

**RESPONSE: The narrative is revised to address the comment.**

3. The criteria for approving both flex units and a rezoning is consistency with the Comprehensive Plan designation and the goals, objectives and policies (GOPs) in the plan. The following policies in the Comprehensive Plan are applicable to the project. Please confirm the project is for the homeless and will reduce the number of homeless in Pompano. Address how the inconsistencies with the other policies is being mitigated by the proposed project.

**RESPONSE: The project is not homeless housing, but affordable housing for those in jeopardy of becoming homeless and helping people to transition to very low income housing reducing the number of people using the homeless assistance center when housing is available. Locating formerly homeless can open beds within the existing facility.**

Comp Plan GOPs that support the project (if it's for the homeless):

Objective 03.01.00 - Housing to Accommodate Future Population

The City should provide, through the undertaking or support of public and private development efforts, sufficient housing units through the long range planning horizon to meet the anticipated population through 2040. Provision of these units shall be based on the need for adequate and affordable housing for all segments of the existing and future population including those households with very-low, low, and moderate income and those with special housing needs, including homelessness.

**RESPONSE: AGREED**

Policy 03.01.04

The City shall continue to cooperate with other local governments concerning providing affordable housing for very-low, low, and moderate income households and the homeless.

**RESPONSE: AGREED**

Comp Plan GOPs that do not support the project:

Policy 03.03.02

Through the review of development proposals, the City shall support public and private sector efforts to create and/or preserve affordable housing for very-low, low and moderate-income groups in areas designated for residential land use for future and current residents recognizing the need for distance separation for subsidized low income tax credit projects of no less than one-half mile. Review of such proposals shall be based on overall compatibility with already



established residential areas, the extent to which the location supports the de-concentration of poverty, and consistency with the land development code.

**RESPONSE: Amendment is not requesting to place in established residential neighborhood. This location is also located outside the distance separation requirements already established by the city.**

Objective 03.03.00 - Land for Affordable Housing

The City shall continue to provide adequate sites for very-low, low and moderate income housing and manufactured homes through the long term planning horizon in a manner that supports the goal to deconcentrate poverty.

**RESPONSE: Site promotes very-low housing and the location of this property is outside the city established distance separation requirements. Therefore, this proposed meets the requirement of deconcentrating poverty as implied in this objective.**

Policy 03.03.01

The City shall continue to include Land Use Plan and Zoning Code designations which allow for manufactured homes. Development proposals shall be reviewed with regard to compatibility to adjacent or surrounding uses and the extent to which the proposal will aid in the de-concentration of poverty, if applicable.

**RESPONSE: This project is not a manufactured home project. Therefore, this Policy does not apply.**

Policy 03.03.04

To promote and support affordable housing, the City shall consider locations that permit residents to walk or bike to work which will provide savings to the residents, reduce traffic, promote health, and reduce carbon emissions.

**RESPONSE: This policy exactly describes the end goal of this project. To supply affordable housing within walking and biking distance to employment centers.**

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.

**RESPONSE: Flex units are consistent with request in that are available services and land is not environmentally sensitive. This project has also received a SCAD letter from Broward County School Board.**

Policy 01.03.11

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

**RESPONSE: Adjacent land use provides job opportunities and can be compatible with adjacent uses with the established code buffers between such uses.**

Policy 01.03.08

Establish criteria to protect residential areas and other land uses that are adjacent to industrial and commercial areas from excessive, odors, traffic and parking impacts.

**RESPONSE: Adjacent uses do not produce excessive odors, traffic of parking impacts. Adjacent uses are warehousing and employment center type uses and are not heavy manufacturing facilities.**

Policy 01.03.09

**DRC**



Discourage Future Land Use Map amendments, rezonings or other methods that would place residential units into or adjoining industrial land use designations.

**RESPONSE: The key word here is discourage. There are sound planning principals and reasons to permit use at this location. The site will provide affordable housing near an employment center which is very consistent with other goals, objectives and policies of the comprehensive plan, and again, the site abuts another residential facility.**

Policy 01.23.01

To create balanced communities, encourage the expansion of neighborhood-serving retail and office uses in areas dominated by the industrial, and manufacturing sectors if appropriate to better serve the local community.

**RESPONSE: The applicant agrees that balanced communities should have neighborhood serving retail and office within industrial areas. Market demands usually dictate the location of retail and office. One way of getting more retail and office is to allow residential in the area to create the demand. Allowing residential is consistent with other goals, objectives and policies in the comprehensive plan and could help implement this policy with future developments. Providing low and moderate housing opportunities is consistent with good planning principles.**

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.

**RESPONSE: The site is located on a Broward County Trafficways. Site has transit opportunities directly in front of the site. The City operated community bus provides a direct connection to the Northeast Transit Center. BPHI is along in negotiations with Broward County mass transit to alter one of the existing bus routes to traverse Blount Road directly in front of the project. If approved the route could coincide with the completion of the project.**

Policy 01.06.01

Consider and minimize the impacts that land use amendments, rezonings or site plan approvals have on natural resources, including wetlands, and culturally, historically, archaeologically and paleontologically significant resources.

**RESPONSE: There are no wetlands or historical/ archaeological resources on this site.**

Policy 01.06.12

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

**RESPONSE: Sufficient facilities exist to serve the proposed use as provided in the land use plan amendment application. All reviewing agencies have provided letter stating that adequate facilities exist.**

Policy 10.02.12

The City shall preserve and manage wetlands in compliance with the County, State and Federal regulations.

**RESPONSE: There are no wetlands or historical/ archaeological resources on this site.**

Policy 10.03.11

Any remaining wetlands that may be found in the City will be appropriately preserved and protected to preserve their aquifer recharge functions.

**DRC**



**RESPONSE: There are no wetlands or historical/ archaeological resources on this site.** Policy 10.06.02

The City ordinances shall require mitigation of all adversely impacted wetlands.

**RESPONSE: There are no wetlands or historical/ archaeological resources on this site.**

4. The conceptual plan should be revised to show how stormwater will be managed onsite after the wetland retention area is filled and show some outdoor recreational space for the future residents. The closest city park is McNair Park in Collier City on NW 27th Avenue which is a significant distance from the proposed project site. Some onsite amenities both indoor and outdoor need to be provided.

**RESPONSE: Site is not a wetland. Drainage for the HAC will be provided on adjacent county property. Project will permit drainage in accordance with regulations which will be provided with site plan applications.**

## ZONING

Reviewer: Lauren Gratzner

Status: Resubmittal Required

1. Revise the narrative to be specific to the Rezoning application and state what the current and proposed zoning is. Criteria for rezoning requires compatibility with adjacent land uses and consistency with the land use category and goals, objectives and policies in the Comprehensive Plan. This criteria needs to be specifically addressed in the narrative.

**RESPONSE: The narrative has been revised to address concerns.**

2. Rezoning this property from CF to B-3 (as indicated on the Flex narrative) will render the use of this property as a Shelter as nonconforming. The shelter will not be permitted to expand in any way in the future, per Code section 155.7202. If a nonconforming use ceases to operate or is discontinued for a period of six consecutive months or longer, or for 18 months during any three-year period, it shall not be reestablished and shall only be replaced with a conforming use (155.7204.A).

**RESPONSE: The Homeless Assistance Center will remain zoned CF. This has been revised in narrative. The zoning non-conformity will be addressed through a unity of control document. The two buildings will be located on one site plan. The two uses on the site operate independently, however, the two site are interdependent based on the site plan. Accesses are shared as well as other components of the zoning code. This item will be further addressed at the time of site plan approval for the future phase.**

3. The revised site plan submitted appears to propose to split the lot and only rezone half of it. Note that each portion of the lot shall conform to all requirements of the proposed or existing zoning district. Clarify in the narrative what the proposal is.

**RESPONSE: Narrative revised. The Homeless Assistance Center will remain unchanged. The zoning non-conformity will be addressed through a unity of control document. The two buildings will be located on one site plan. The two uses on the site operate independently, however, the two site are interdependent based on the site plan. Accesses are shared as well as other components of the zoning code. This item will be further addressed at the time of site plan approval for the future phase.**



4. The proposed site plan shall meet all Code requirements at time of site plan submittal.

**RESPONSE: Acknowledged.**

## ENGINEERING

Reviewer: Dave McGirr

Status: Review Complete. No comments.

No comments 7-6-22

## ENVIRONMENTAL SERVICES

Reviewer: Beth Dubow

Status: Review Complete. Pending Development Order

The Environmental Services Department has no objections to the proposed rezoning application. The conceptual site plan submitted with this application appears to have possible conflicts with regard to garbage truck access to the dumpsters. It will be more thoroughly reviewed when the site plan is submitted for approval.

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.

**RESPONSE: Site plan submittal will provide acceptable location and access.**

## LANDSCAPE

Reviewer: Wade Collum

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 site.

## FIRE

Reviewer: James Galloway

Status: Resubmittal Required

1. Provide location of proposed building.  
Please refer to NFPA 1 chapter 18 for fire apparatus access to sides of structure.

**RESPONSE: Site plan submittal will address concerns.**

2. All fire apparatus access lanes minimum 20ft wide.

**RESPONSE: Site plan submittal will address concerns.**

3. Provide location of proposed structure. Fire apparatus do not travel under buildings.

**RESPONSE: Understood, concept site plan modified to identify access.**

4. Approved turn-arounds will be required

**RESPONSE: Site plan submittal will address concerns. Concept plan modified to show**



**circulation.**

## **BUILDING**

Reviewer: James DeMars

Status: Review complete. No comments

7-12-22 REZONING - no comments

## **UTILITIES**

Reviewer: Nathaniel Watson

Status: Review complete. Pending Development Order.

1. Please note that additional comments may be forthcoming contingent upon future submittals.

**RESPONSE: Understood**

2. The City of Pompano Beach Utilities Dept. has no comment at this time for the requested Rezoning approval.

**RESPONSE: No comment**

3. Broward County Water & Wastewater service area.

**RESPONSE: Review has been by County.**

## **CRA**

Reviewer: Kimberly Vazquez

Status: Review complete. Pending Development Order.

The area is zoned Industrial.

The CRA supports and promotes mixed use including 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. This site does not meet this objective. The residential apartments proposed are in the middle of a heavy Industrial area where there are no services available nearby or within walking distance, and there are no mass transit options. This is not compatible with surrounding or adjacent uses.

**RESPONSE: The applicant respectfully disagrees. The site is located on a Broward County Trafficways. The site has transit opportunities directly in front of the site. The City operated community bus provides a direct connection to the Northeast Transit Center. BPHI is along in negotiations with Broward County mass transit to alter one of the existing bus routes to traverse Blount Road directly in front of the project. If approved the route could coincide with the completion of the project. This policy exactly describes the end goal of this project. To supply affordable housing within walking and biking distance to employment centers. The surrounding uses in the area are more warehousing and employment center uses than heavy manufacturing. This city has established buffer required between the proposed residential uses and surrounding warehouse/employment center uses. The site will comply with those compatibility buffer requirements.**

**DRC**

