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January 27, 2022

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

RE: PZ 21-12000041 – 208 North Federal Highway – “Soleste Pompano Beach”  
Justification Statement for Major Site Plan Application

Dear Pamela:

Estate Investments Group, LLC (“Applicant”) is pleased to submit this Major Site Plan Application (“Application”) to construct a designer mixed-use project (the “Project”) in the heart of the City Pompano Beach, Florida (the “City”). Applicant is the contract purchaser of a collection of 8 contiguous parcels within the City specifically located 1 block north of Atlantic Boulevard on the east side of North Federal Highway totaling approximately 1.95 net acres and 3.38 gross acres (the “Property”). As discussed herein, the Application, plans, and supporting documents demonstrate compliance with the pertinent criteria and requirements of the City Zoning Code (the “Code”), and therefore Applicant respectfully requests approval.

Description of Project

Applicant has extensive experience designing, developing, constructing, and managing mixed-use multifamily projects. The Property, located in the City’s burgeoning Transit-Oriented East Overlay District which was specifically created to encourage higher density mixed use redevelopment, fits squarely in Applicant’s area of expertise. The Property has a base zoning designation of Transit-Oriented and an overlay zoning designation of East Overlay District. The Future Land Use Designation is ETOC (East Transit Oriented Corridor). These land use and zoning designations make the Property suitable for development as a mixed-use project under the land use and zoning designation.

The Property is currently vacant. Applicant seeks to develop the Property with a modern 8-story mixed-use project including 253 multifamily residential units, 4,000 square feet of street facing retail/commercial space, and an above ground pool located on the 6<sup>th</sup> level along with other coveted amenities for residents. The site plan and architecture for the Project were designed with the dual focus of creating an inviting, energetic pedestrian experience at the ground level and crafting a functional yet luxurious and beautiful building for residents.

367 parking spaces are proposed within a parking garage, which amount substantially exceeds the approximately 270 spaces required by Code. 7 parallel parking spaces are shown on North Federal



22<sup>nd</sup> Avenue. Similar to other projects developed by Applicant in other areas of South Florida, Applicant proposes providing a portion of the parking with tandem parking spaces which will be assigned to specific residential units and managed and facilitated by building management.

To develop the Project, Applicant is seeking approval of a major site plan application and bonus density using two of the bonus density options provided in the EOD zoning regulations. The bonus density options Applicant aims to utilize are (1) the 100% structured parking option and (2) the 25% small unit option. Specifically, Applicant proposes providing 100% of the required parking in a parking garage. Additionally, at least 25% of the residential units in the Project are 600 square feet or less.

Applicant has worked extensively with its consultants to prepare the plans for this Project to ensure it meets Code to the greatest extent possible and contributes meaningfully to the City's vision for the area. Towards that end, Applicant welcomes City staff's feedback and comments in relation to this submittal.

#### 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 Applicant's response in bold.

#### Sec. 155.2407(E) – Review Standards

##### *1. Is consistent with the comprehensive plan*

**The Applicant 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 expressly 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, the Applicant acknowledges this requirement and will elect at time of securing a building permit to either provide affordable units in the Project or make the required payment in lieu thereof.**

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

**The Applicant is proposing a mixed-use development that includes multi-family units, retail areas, and a parking garage. Each such use is 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. The proposed Project is to contain 253**

residential units. Based on the 90 units/acre permitted density for the Core sub area, the base density of the site permits up to 176 units (1.956 acres x 90 = 176.04).

To obtain additional density, the Applicant is pursuing two density options offered in the EOD zoning regulations. Specifically, Applicant 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 = 39 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 = 39 units).**

The Project aims to comply with the height, setback, landscaping, and open space requirements. The proposed structure is 8 stories and 80 feet in height and designed according to the “Tower” typology regulations. With regard to the floor plate size limitation and building length limitation, Applicant will request an administrative adjustment to allow for the floor plate and building length to exceed the maximum by 10%. Applicant is also seeking relief in relation to the maximum lot width as the Property has an abnormally large width for this area. For the proposed tandem parking, Applicant will request approval by City staff of an alternative or valet parking agreement.

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

The Applicant 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 including the mixed-use multifamily design standards, requirements for screening parking garages, and fenestration and other architectural design standards.

*Access, circulation, parking, and loading:*

The Project’s proposed access, circulation, parking, and loading areas comply with the standards required by the Code. The parking garage provides for all required parking including for the retail uses and incorporates a loading zone identified on the ground floor. Ingress/egress from the site is located on the north side of the property along NE 4<sup>th</sup> Street and on the east side of the property along NE 22<sup>nd</sup> Avenue. Moreover, access to the garage was 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 North Federal Highway, NE 4<sup>th</sup> Street and NE 22<sup>nd</sup> Avenue, the Project contemplates resort style landscaping with outdoor gathering areas and a pool on the 6<sup>th</sup> Floor.**

*Screening, fences and walls:*

**To the extent applicable, the Project complies with all screening, fencing, and wall development standards provided in the Code.**

*Exterior lighting:*

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

*Environmental protection/infrastructure:*

**The Project complies with all environmental protection/infrastructure standards 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 Federal Highway.**

*Lots:*

**As stated above, the Applicant is seeking relief to allow a lot width over the maximum allowable width of 350'. The existing lot width is 449' along North Federal Highway. The Applicant is not reconfiguring the existing lot dimensions, but rather working within the restraints of the existing platted property.**

*Sustainable development standards:*

<b>All air conditioners for the Project will be energy star qualified.</b>	<b>2 points</b>
<b>The primary structure will be constructed to meet 150 mph wind loads.</b>	<b>4 points</b>
<b>The project will qualify as infill/mixed use development.</b>	<b>4 points</b>
<b>Parking structure to contain over 75% of the Project's required parking.</b>	<b>2 points</b>

**The roof of the Project will be white.** 2 points  
**Electric Car Chargers will be provided in the parking garage.** 3 points  
**NGBS Certification, Silver** 3 points

**TOTAL: 20 points.**

*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.**

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

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

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

**N/A.**

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

**N/A.**

*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.**

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

**N/A.**

*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 for further details.**

*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.**

Thank you for reviewing this Application. Please contact me if you require additional information. On behalf of the Applicant, we look forward to working through the site plan review process with you and your team.

Sincerely,

DUNAY, MISKEL & BACKMAN, LLP



*/s/ Matthew H. Scott*

Matthew H. Scott, Esq.