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**MEMORANDUM**

**DATE:** September 18, 2019

**TO:** Greg Harrison, City Manager *GH*

**VIA:** Earl Bosworth, Assistant City Manager *EB*

**FROM:** *CC* Chris Clemens, Economic Development Manager

**SUBJECT:** St. Elizabeth's Green Reuse Area at 801 NW 33<sup>rd</sup> Street brownfield eligibility application

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The following is a summary of the St. Elizabeth's brownfield application that you requested staff to review, more specifically the five applicable brownfield area designation criteria set forth in Section 376.80(2)(c), Florida Statutes, as follows:

Agreement to Redevelop the Brownfield Site: St. Elizabeth Gardens Apartments, Ltd. (applicant) satisfies this criteria in that it controls the subject property via a ground lease and purchase agreement with St. Elizabeth's Gardens, Inc. (owner) and has agreed to rehabilitate and redevelop it. The applicant provided a copy of the executed ground lease and purchase agreement.

Economic Productivity: The statute requires rehabilitation and redevelopment of the site results in economic productivity for the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, *the job creation requirement does NOT apply to the rehabilitation or redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas or parks.*

The applicant is proposing that *ALL of the units at the subject property will be rented to Income Eligible Households under the Low Income Housing Tax Credit Program*, and rehabilitation and redevelopment of the subject property will "provide affordable housing as defined in s. 420.0004." *Accordingly, the job creation requirement does NOT apply to the proposed project.*

Consistency with Local Comprehensive Plan and Permissible Use Under Local Land Development Regulations: The approximately seven-acre Subject Property is currently occupied by an existing 153-unit residential development that was built between 1970 and 1971. St. Elizabeth sought to rezone the Subject property and make use of flex units granted by the City in order to remedy inconsistencies between the zoning district and the land use designation for the area, as well as to bring the existing development into

compliance with the City's Zoning Code. The land use designation for the Subject Property is Low Medium (LM) which allows for 5 - 10 units per acre, therefore allowing a maximum of 70 units on this 7-acre site. As an affordable housing development, St. Elizabeth is also eligible for an affordable housing density bonus, effectively allowing a maximum density of 140 units, which is still less than the 153 units already present on the Subject Property in the existing structures. The Subject Property was rezoned from Multiple-Family Residence 12 (RM-12) to Residential Planned Unit Development (RPUD) via Ordinance #19-74 to bring the existing 1970s-era development into compliance with the current Zoning Code. During rehabilitation of the site, St. Elizabeth plans to add two more units, resulting in a total of 155 units and requiring the allocation of 15 flex units. The City granted St. Elizabeth's request for 15 flex units via Resolution #2019-212, therefore allowing the project to move forward with the planned 155 units.

Public Notice and Comment: St. Elizabeth Gardens Apartments, Ltd. satisfied this criterion by posting notice at the Subject Property, in the Sun Sentinel and in the Broward County community bulletin section of Craigslist. The applicant provided the City with pictures of the posting on the Subject Property, as well as, copies of the ads and the dates they ran. St. Elizabeth Gardens Apartments, Ltd. also hosted a public meeting on January 15<sup>th</sup> at the Somerset Charter School at 801 NE 33<sup>rd</sup> Street in Pompano Beach. Aside from Mr. Goldstein, only a reporter from the Pompano Pelican and I attended the meeting.

Reasonable Financial Assurance: The applicant has provided the City with a Statement of Sources and Uses, as well as, a letter from the COO of Atlantic Pacific Communities and a Summary of Terms of the Construction and Permanent loans closed with Wells Fargo Bank. The City's Finance Department reviewed the materials submitted and was satisfied that the provided assurances satisfied the statutory requirement.

Based on a review of the Statute and the provided information, staff finds that St. Elizabeth's has satisfied each of the Florida Statute requirements for the Brownfield area designation.