

Modera Pompano
Rezoning Justification

MCRT Investments, LLC (“Petitioner”) is proposing to develop a portion of the +/- 6.5 gross acre property located at 855-909 S Federal Highway, which is generally located on the west side of Federal Highway at SE 9th Street (“Property”) in the City of Pompano Beach (“City”), Broward County (“County”), Florida. The Property can be further identified by Broward County Property Appraiser (“BCPA”) folio # 4943 0649 0010. The Property has a future land use designation of Commercial/Commerce on both the City and County future land use maps, and is zoned General Business, B-3. The Property is currently developed with a car dealership. Petitioner is proposing to develop the northern +/- 3.88 acres of the Property with three hundred forty seven (347) residential units and +/- 10,600 square feet of commercial use (“Project”). More specifically, the Project includes the development of an 8-story mixed-use building with an 8-story garage that includes four hundred fifty seven (457) parking spaces. The residential units wrap the parking garage on all sides and the commercial and active uses are located on the ground level facing Federal Highway in order to activate the street sidewalks and connect to the surrounding blocks, which promotes walkability and use of public transit, including the bus stop located within one thousand (1,000) feet of the Property. The proposed design incorporated ground floor commercial uses, a residential lobby, amenity space for residents, administrative and leasing offices, and a central courtyard. Vehicular and loading access to the parking garage is accommodated internally, behind the west side of the commercial frontage. The Project will also include substantial new landscaping to enhance the appearance of the Property along the commercial frontage, and perimeters of the Project, paying particular attention to the buffering along the west side along the existing canal.

While the net acreage for the portion of the Property that would be acquired for the proposed development is +/- 3.88 acres, the gross acreage of this development area is +/- 5.04 acres, taking into account the area to the centerline of adjacent rights-of-ways. Petitioner is proposing to develop the Property in accordance with BrowardNext Policy 2.16.4, and providing for the corresponding number of workforce housing units within the Project. Utilizing the gross acreage for the development area of +/- 5.04 acres (as shown on the acreage exhibit provided), permitted under BrowardNext, the three hundred forty seven (347) dwelling units would provide for a gross density of sixty nine (69) dwelling units per gross acre. In order to achieve the desired density, Petitioner is proposing to rezone the Property to Planned Development – Infill (“PD-I”).

In accordance with Section 155.2404.C., Site-Specific Zoning Map Amendment Review Standards, the proposed amendment is consistent with the Future Land Use Category and applicable goals, objectives, and policies of the comprehensive plan and all other applicable City-adopted plans as follows:

- Objective 01.04.00 – Major Corridor Land Use: Support and promote the intermix of residential and commercial uses along major traffic corridors.
- 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.
- Policy 01.06.06 Require permits for new development/redevelopment to include landscape plans for native vegetation, reestablishment or creation of tree canopy, and require the removal of exotic vegetation species.
- Policy 01.07.17 – The Project complies with the height and lot coverage regulations noted in Policy 01.07.17 for parcels designated Commercial on the City’s future land use map.
- Policy 01.07.18 Continue to implement the incentives for providing affordable housing per the policies in the Broward County Land Use Plan and/or in the City’s land development regulations including the use of density bonuses, flex and redevelopment units for affordable housing and the expedited permit review process for developments primarily aimed at providing affordable housing.
- Policy 01.14.01 The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.
- Policy 01.14.02 The City will encourage and implement the use of compact building design principles which preserve more open space, contain mixed use, support multi-modal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled and sustainably sourced building materials.
- Policy 03.01.09 The City will continue to use available density bonus programs provided in the County Land Use Plan to increase the supply of affordable housing, such as allowing residential development in the County’s Commerce land use category by right under certain conditions.

Further, in accordance with Section 155.2405.D., Planned Development Review Standards, the Project complies with the standards for the proposed PD district type, as follows:

Pursuant to Section 155.3607.A., Planned Development – Infill, the purpose of the PD-I zoning district is established and intended to accommodate small-site infill development within the City's already developed areas. The PD-I district is intended to provide the flexibility to enable high-quality, mixed-use development on relatively small sites, yet require design that ensures infill development is compatible with both surrounding existing development and available public infrastructure. PD-I districts are generally appropriate in most of the Land Use Plan's land use classifications, consistent with the adopted objectives and policies for the classification. Petitioner is proposing the Project on a 3.88 acre site that is currently developed with use car sales establishment. The Project would redevelop this small site along the City's Federal Highway corridor with a new and vibrant mixed-use Project that will serve the needs of the City by providing new housing opportunities, along with community serving commercial uses on the ground level. The rezoning to the PD-I zoning districts allows for the new development, while reducing the inflexibility and uniform design that sometimes results from strict application of zoning and development standards designed for larger lots. The added flexibility allows for an efficient use of the Property to encourage active open spaces and pedestrian areas that connect to mass transit options existing in the immediate vicinity of the Property, along Federal Highway. The rezoning to the PD-I district further allows for greater freedom in providing a well-integrated mix of residential and nonresidential uses in the same development. The more efficient use of land, with greater densities and smaller internal roads and utility networks help lower development and housing costs, while providing a quality development that will provide attractive housing to individuals and families at more affordable rates, especially for those in the workforce such as teachers, police and emergency service providers that often have difficulty finding housing at affordable price points. The Project also helps preserve the site's natural features, such as the mangroves along the canal, providing for attractive passive recreation opportunities and a larger buffer for the residential uses located to the west.