

# MEMORANDUM

## Development Services

### ADMINISTRATIVE MEMORANDUM NO. 18-004

DATE: January 10, 2018

TO: Planning and Zoning Board

VIA: David Recor, ICMA-CM, Development Services Director

Jennifer Gomez, Assistant Director of Development Services

FROM: Jean E. Dolan, Principal Planner

RE: Residential to Commercial Flex Allocation Request

January 24, 2018 P&Z hearing

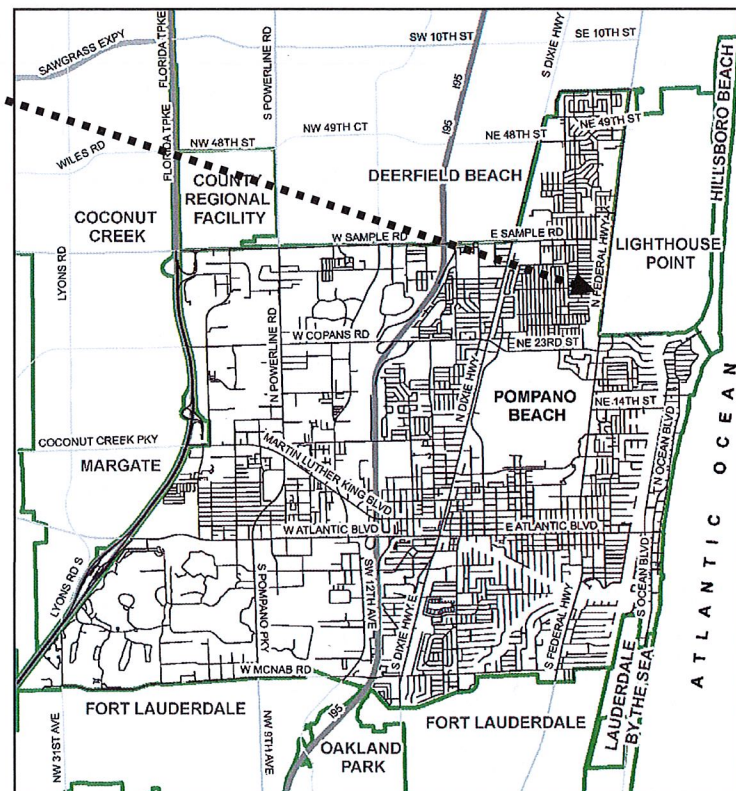
P&Z # 17-05000003

#### Request

This Commercial Flex allocation request is for a 0.7 acre subject property which contains six single-family homes located on the south side of NE 28<sup>th</sup> Court. The request is for Commercial Land Use to be approved for the property that has a Residential Low (L) Land Use designation. The site is either owned or under purchase contract by Pompano Ford Lincoln, Inc. (aka Holman Ford). The purpose of the Commercial Flex allocation request is to allow the development of a surface parking lot and eventually a parking garage to support business operations at the Ford dealership. The Pompano Ford Lincoln, Inc. design team submitted a conceptual site plan (see *Attachment I*) showing the layout of the surface parking lot and future parking garage based on eventual ownership of all 6 single-family homes.

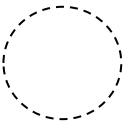
Subject Property: 1628, 1642, 1656, 1670, 1684 and 1698 NE 28 Court.

Folios: 484224130060, 484224130070, 484224130080, 484224130090, 84224130100, and 484224130110.



## LEGEND

### FOR LAND USE PLAN

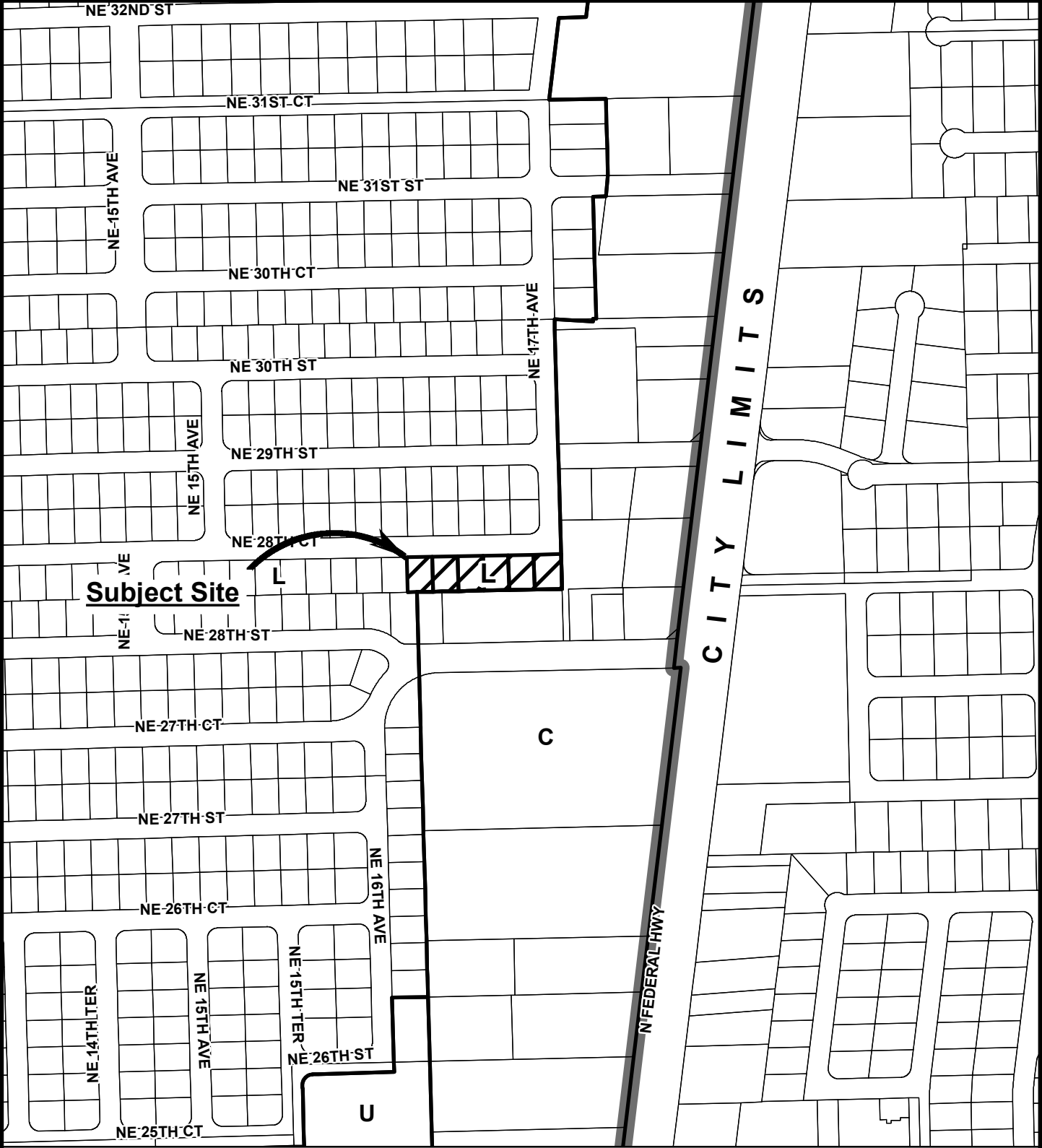
<u>Symbol</u>	<u>Classification</u>	<u>Units/ Acre</u>
	Residential	
* L	Low (1-5 DU/AC)	
LM	Low- Medium (5-10 DU/AC)	
M	Medium (10-16 DU/AC)	
MH	Medium-High 16-25 DU/AC)	
H	High (25-46 DU/AC)	
12	Irregular Density	
36	Irregular Density	
> C	Commercial	
CR	Commercial Recreation	
I	Industrial	
T	Transportation	
U	Utilities	
CF	Community Facilities	
OR	Recreation & Open Space	
W	Water	
RAC	Regional Activity Center	
LAC	Local Activity Center	
DPTOC	Downtown Pompano Transit Oriented Corridor	
	Number	
	Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998	

* Existing
> Proposed

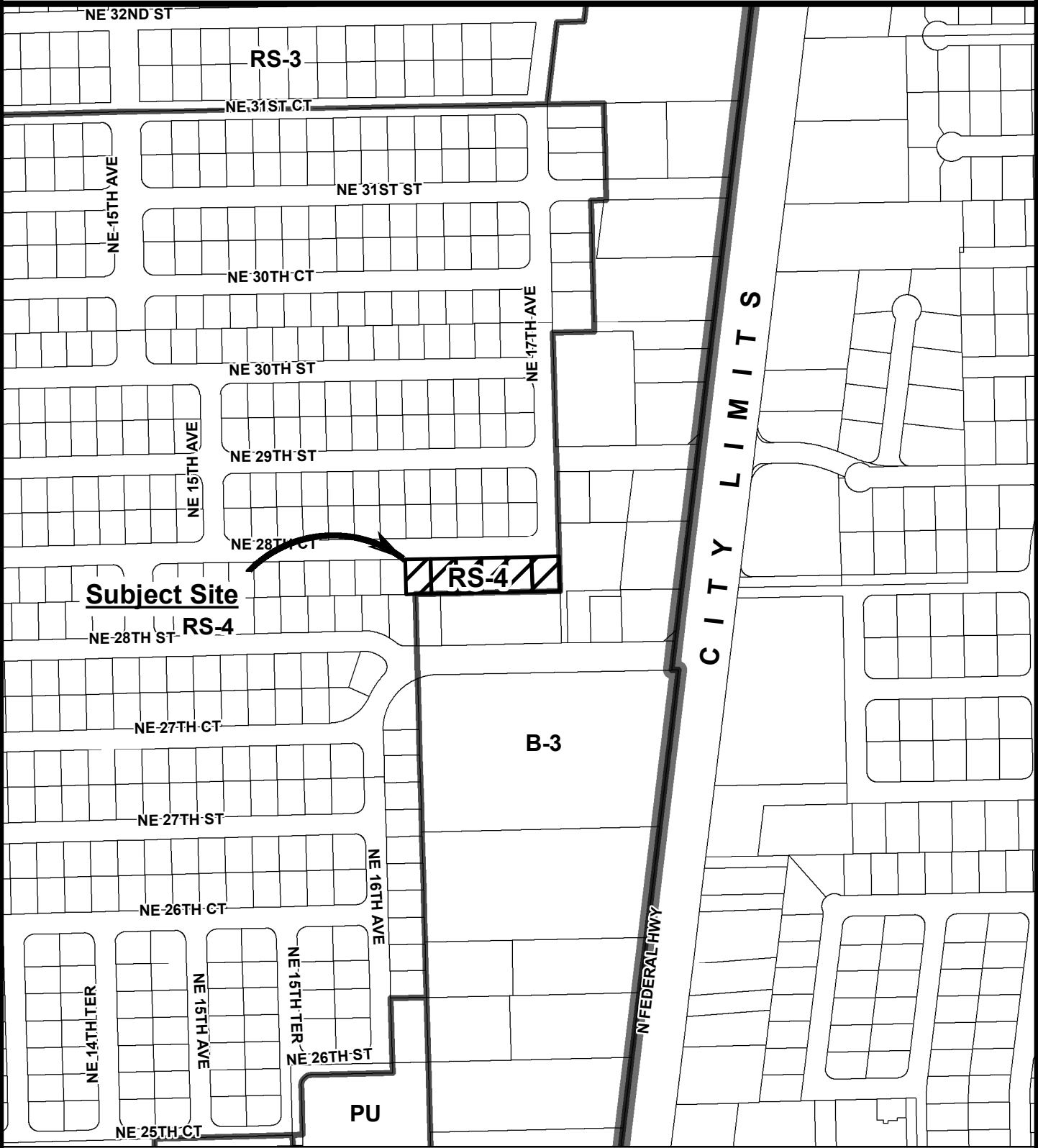
### FOR ZONING MAP

<u>Symbol</u>	<u>District</u>
RS-1	Single-Family Residence 1
RS-2	Single-Family Residence 2
RS-3	Single-Family Residence 3
* RS-4	Single-Family Residence 4
RS-L	Single-Family Residence Leisureville
RD-1	Two- Family Residence
RM-7	Multiple-Family Residence 7
RM-12	Multiple-Family Residence 12
RM-20	Multiple-Family Residence 20
RM-30	Multiple-Family Residence 30
RM-45	Multiple-Family Residence 45
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
> B-3	General Business
B-4	Heavy Business
M-1	Marina Business
CR	Commerical Recreation
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
M-2	Marina Industrial
TO	Transit Oriented
PR	Parks & Recreation
CF	Community Facilities
PU	Public Utility
T	Transportation
BP	Business Parking
LAC	Local Activity Center
RPUD	Residential Planned Unit Dev.
PCD	Planned Commercial Development
PD-TO	Planned Development - Transit Oriented
PD-I	Planned Development - Infill
RM-45 HR	Multiple-Family Residence 45 High-Rise Overlay
AOD	Atlantic Boulevard Overlay District
CRAO	Community Redevelopment Area Overlay
NCO	Neighborhood Conservation Overlay
APO	Air Park Overlay
DP	Downtown Pompano Beach Overlay

# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



# CITY OF POMPANO BEACH OFFICIAL ZONING MAP

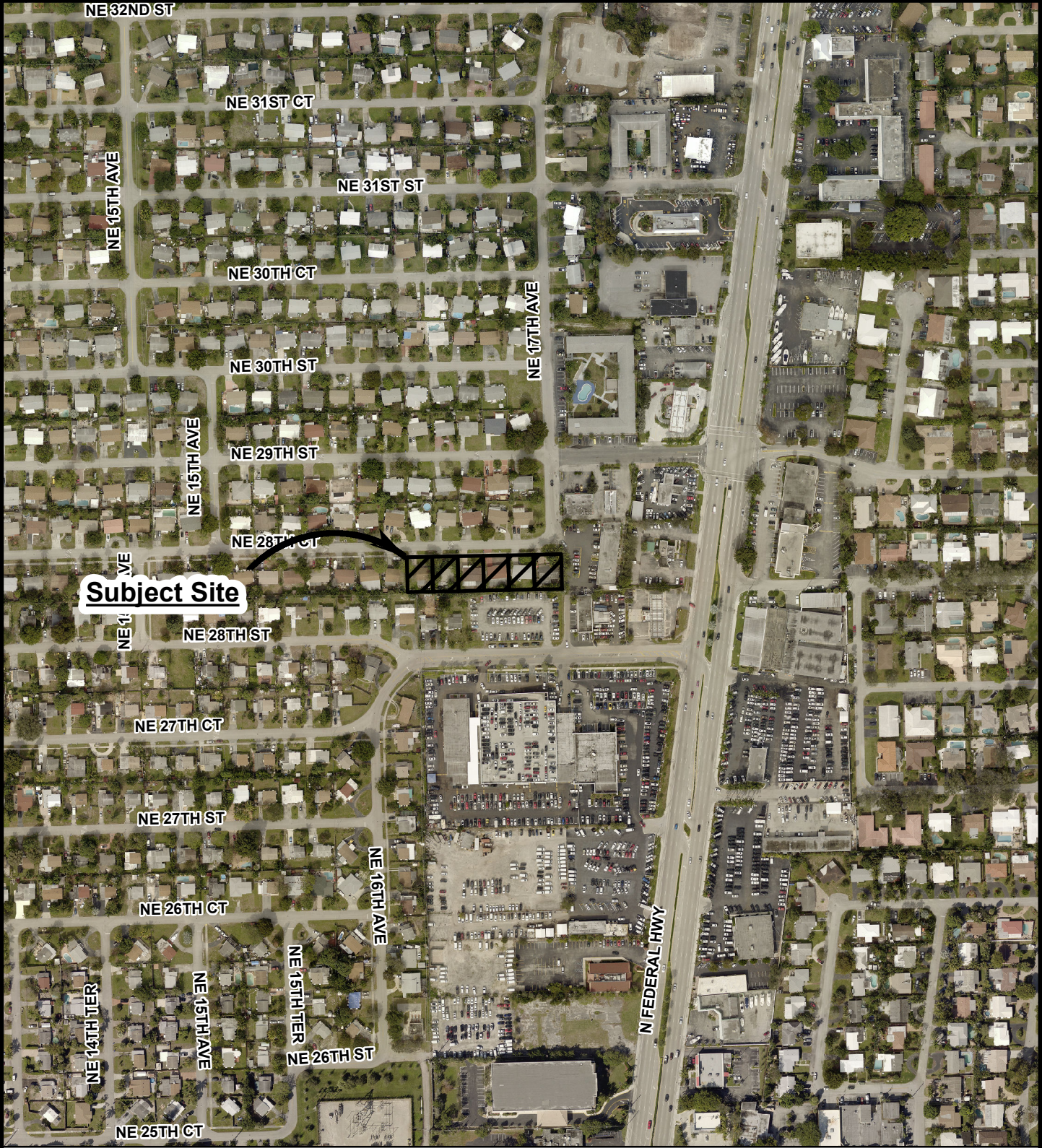


1 in = 333 ft

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES



CITY OF POMPANO BEACH  
AERIAL MAP

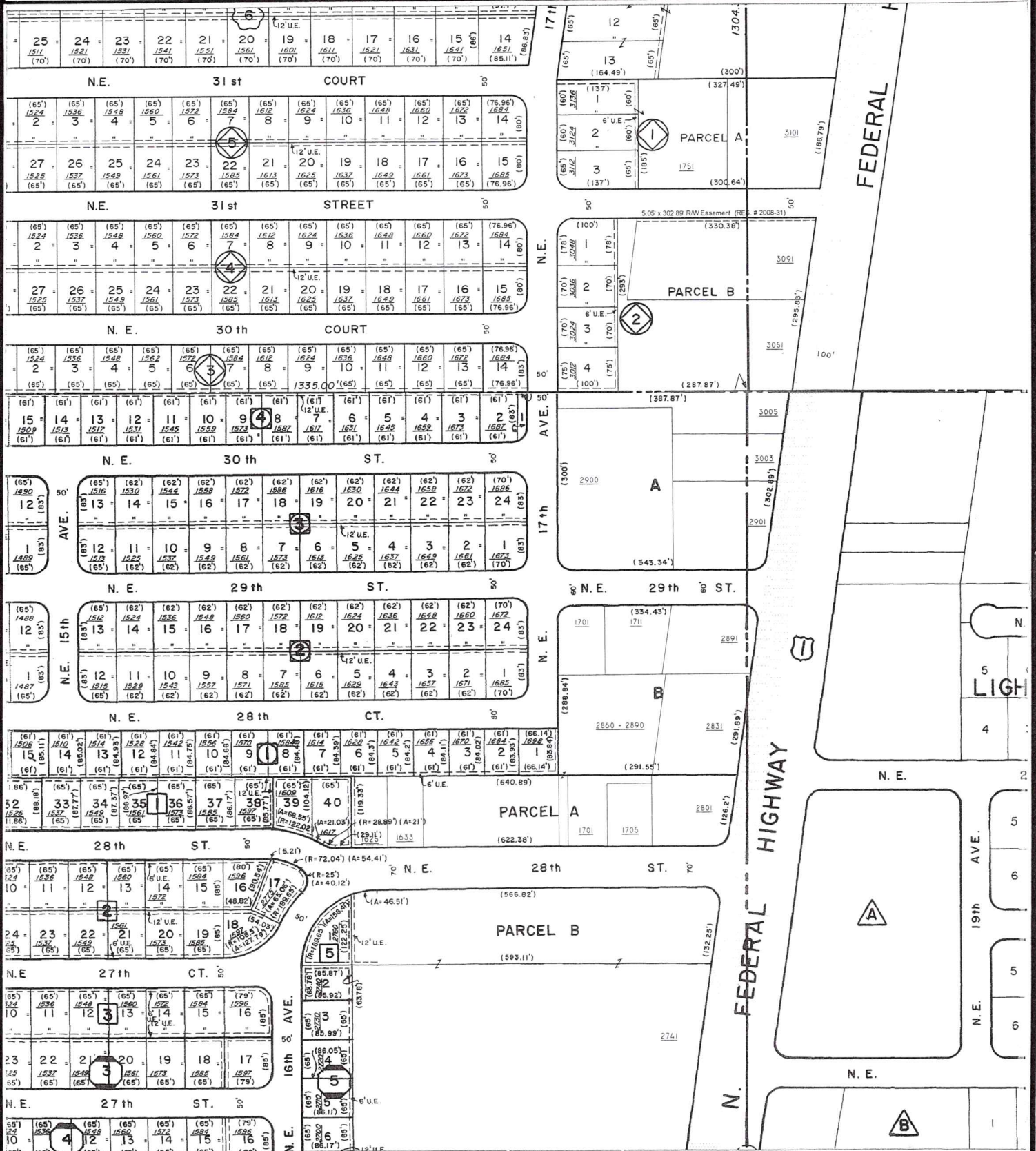


1 in = 333 ft

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES



# EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

## REVIEW & SUMMARY

**A. Development Services Department staff submits the following factual information which is relevant to this Commercial Flex Allocation request:**

1. The property is located on NE 28<sup>th</sup> Court between NE 28<sup>th</sup> Street and NE 28<sup>th</sup> Court (see addresses and folio numbers on page 1 of this report).

2. The zoning and uses of adjacent properties are:

Direction	Land Use / Zoning	Existing Use
North	Residential Low / RS-4	Single-Family Homes
South	Commercial / B-3	Pompano Ford Lincoln, Inc. (Holman Ford)
East	Commercial / B-3	Strip Shopping Center
West	Residential Low/RS-4	Single-Family Homes

3. The site will be accessed from NE 28<sup>th</sup> Street (ingress and egress) and NE 17<sup>th</sup> Avenue (exit only for car carriers, no exit or entrance for test drives).
4. The Land Use Designation is L (Residential Low) and the zoning is RS-4 (Single-Family Residential).
5. The subject property is included in the Flex Receiving Area.
6. The City's Land Use Plan Implementation Requirements Section 3.02.A.8, permits land within an area designated Residential Land Use category to be used for commercial development provided no more than a total of five percent (5%) of the area designated for residential use of the Future Land Use Map may be used for commercial uses. Per the City's Flex Tracking table which was recertified in 2017, the City has 277.83 acres of Residential Land that may be allocated for Commercial Flex.
8. The Pompano Ford Lincoln design team submitted conceptual site plans (*see Attachment I*) showing the surface parking lot (Phase 1) and the ultimate footprint of the parking garage expected to be constructed after all 6 single-family homes have been purchased, vacated and demolished. The 70.25 foot setback shown on the parking garage conceptual plan between the property line adjacent to NE 28<sup>th</sup> Court and the parking structure wall would allow for an 80± foot tall building per the residential compatibility standards in Article 155.5604.C.2. The height of the structure, however, is only anticipated to be 4-stories (less than 55-feet in height).
9. The Pompano Ford Lincoln design team submitted photographs showing residential façade design elements for the parking structure that demonstrate design compatibility with adjacent residential development (*Attachment II*).
10. The request for Commercial Flex Allocation was reviewed at the October 4, 2017 Development Review Committee (DRC) Hearing. The DRC Report and responses to each of the DRC comments is provided in the Planning and Zoning Board staff report for the rezoning which is being considered concurrently with the nonresidential flex application.
11. Site Plan and Building Design approvals are required, at which point the site plan and architecture will be reviewed by various disciplines.
13. The review criteria for the Commercial Flex allocation request is consistent with applicable goals, objectives and policies of the City's Comprehensive Plan.

**B. The following goals, objectives and policies of the City's Comprehensive Plan have been identified as pertinent to this flex application:**

**Policy**

- 01.02.01 Require new commercial and residential (of more than 10 dwelling units) development to provide their primary access to the abutting arterial roadway system with only secondary access points to local streets so that traffic impacts to single family neighborhoods are minimized.

**Compatibility Statement:** Primary access to the site will continue to be from Federal Highway and NE 28<sup>th</sup> Street. The proposed rezoning conditions to B-3 will not allow any cut through commercial traffic to access NE 28<sup>th</sup> Court from the proposed connection between NE 28<sup>th</sup> Street and NE 17<sup>th</sup> Avenue. The car carriers delivering to the Pompano Ford Lincoln dealership are currently cutting through Cresthaven from NE 28<sup>th</sup> Street to get back onto Federal Highway without turning around. The connection being considered through the proposed parking structure from NE 28<sup>th</sup> Street onto NE 17<sup>th</sup> Avenue, therefore, would alleviate that existing condition.

**Policy**

- 01.02.02 Consider the preservation of established single-family and low-density neighborhoods in all re-zonings, land use plan amendments, and site approvals.

**Compatibility Statement:** The land use and zoning change will:

- (1) create a deeper commercial lot which allows for development of a reasonably efficient parking structure footprint which will not be developed to the maximum height allowed in a B-3 district (105 feet) or as high as allowed based on the setback shown on the conceptual site plan (80± feet based on the residential compatibility standards in 155.5604.C.2 and the interpretation that NE 28<sup>th</sup> Court is the rear property line with a 30-foot minimum setback in B-3 zoning). The height of the parking structure is proposed to be less than 55-feet.
- (2) create a street-edge as the separation between the commercial and residential districts rather than rear property lines (single-family backyards) thus increasing the separation between commercial and single-family residential uses.
- (3) enhance public safety by removing the requirement for the perimeter buffer between the backyards of the single-family homes and the commercial parking lot (current condition). The 10-foot strip between the backyard fences and the commercial parking lot Type C buffer wall can create a hiding place that could be used for criminal activity, trash accumulation and have maintenance issues.
- (4) provide an opportunity for a linear park-like setting facing the single-family homes on the north side of NE 28<sup>th</sup> Court (shown as 30 feet wide on the attached conceptual site plans for both the surface parking lot (Phase 1) and the ultimate parking garage) and, along with the required articulated parking structure walls with residential-looking facades, the larger commercial area can create a pleasant streetscape that enhances the single-family neighborhood.
- (5) reduce vehicles on NE 28<sup>th</sup> Court as the 6 SF homes will be removed and the commercial parking structure will have no left turn access onto NE 28<sup>th</sup> Court from the proposed connection from NE 28<sup>th</sup> Street to NE 17<sup>th</sup> Avenue. The proposed connection to NE 17<sup>th</sup> Avenue will eliminate car carrier traffic from circulating through Cresthaven to exit the dealership and return to Federal Highway.

- (6) reduce the need for commercial parking on the swale along NE 28<sup>th</sup> Street for vehicles associated with the existing commercial use and will remove loading and unloading of car-carrier trucks in the right-of-way of NE 28<sup>th</sup> Street which is the current practice.

**Policy**

- 01.03.06 Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

**Compatibility Statement:** See response to Policy 1.02.02 above.

**Policy**

- 01.03.07 Require the provision of decorative structural or vegetative buffers between different density residential land uses, and residential and non-residential land uses unless the applicant can demonstrate by evidence that the proper buffer is provided.

**Compatibility Statement:** The buffers between the proposed parking structure and the single-family homes to remain adjacent to the parking structure to the south and west will be heavily landscaped and provided at the maximum width that will still allow for a relatively efficient footprint for the proposed parking structure (shown as 32± feet on the attached conceptual site plans for the surface lot and parking structure).

**Policy**

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

**Compatibility Statement:** See response to Policy 1.02.02 above.

**Policy**

- 01.03.12 The following criteria may be used in evaluating rezoning requests:
1. Density;
  2. Design;
  3. Distance to similar development;
  4. Existing adjoining uses;
  5. Proposed adjoining uses;
  6. Readiness for redevelopment of surrounding uses; and
  7. Proximity to mass transit.

**Compatibility Statement:** The proposed rezoning will reduce density by removing the 6 single-family homes on the south side of NE 28<sup>th</sup> Court. This will allow the adjacent B-3 property the depth to design a reasonably efficient parking structure footprint while still providing more than the Type C perimeter buffer required by Code between the remaining single-family homes to the south and west and the parking structure (Type C buffer is defined in 155.5203.F as minimum of 10-feet with an 8-foot wall or 25 feet with a 4-foot berm and a 4-foot wall or fence on top of the berm). The B-3

zoning district is immediately adjacent to the RS-4 zoning district being proposed for change. Pompano Ford Lincoln has been in this location in the Cresthaven Neighborhood since 1964 so the B-3 and RS-4 uses have been co-existing and adjoining for the past 53 years. Both the Cresthaven residential neighborhood and Pompano Ford Lincoln are not expected to be redeveloped. Pompano Ford Lincoln is seeking to expand their inventory and reduce their business-related overflow parking along NE 28<sup>th</sup> Street by providing this much needed additional parking.

**C. Recommendation:**

Given the information provided to the Board, as the findings of fact, staff provides the following alternative motions, which may be revised or modified at the Board's discretion.

**Alternative Motion I**

**Approval of the Commercial Flex allocation with the following conditions of implementation:**

1. The design team shall obtain the B-3 rezoning and subsequently, site plan and building design approvals.
2. The site plan ultimately approved for this site shall be generally consistent in regard to setbacks and buffering with the Conceptual Plan (Attachment 1) for both the Phase 1 surface parking lot and the ultimate parking structure. It must be noted that the parking space layout shown on the Conceptual Site Plans may need to be revised as required to meet the City's code requirements and such revisions will not affect the flex approval.
3. The parking structure façade design facing south and west (at a minimum) will create the impression that the structure is a multifamily residential building. The parking structure design will be required meet the City's adopted design standards for parking structures.
4. The Commercial Flex Allocation shall be limited to the B-3 uses noted in the Declaration of Restrictive Covenants recorded as a condition of approval of the B-3 rezoning.

**Alternative Motion II**

**Table this application for additional information as requested by the Board.**

**Alternative Motion III**

**Denial of the Commercial Flex Allocation.** The Board finds that the allocation of the Commercial Flex is not consistent with the goals, objectives and policies of the Comprehensive Plan, specifically:

**POLICY 01.02.02** Consider the preservation of established single-family and low-density neighborhoods in all re-zonings, land use plan amendments, and site approvals.

**POLICY 01.03.04** Consider the preservation of established single family neighborhoods in all rezonings, land use plan amendments and site plan approvals.

**POLICY 01.03.06** Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

**POLICY 01.03.11** Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.



**POLICY 01.03.12** The following criteria may be used in evaluating rezoning requests:

1. Density;
2. Design;
3. Distance to similar development;
4. Existing adjoining uses;
5. Proposed adjoining uses;
6. Readiness for redevelopment of surrounding uses; and.
7. Proximity to mass transit.

# Attachment I

## Conceptual Plans







## Attachment II

### Examples of Residential Façade Elements on Parking Garages



## WINTER GARDEN, FL



+ Storefronts  
- ~~vertical~~ for savings/savings



POMPANO BEACH, FL





SARASOTA, FL





## ST. PETERSBURG, FL



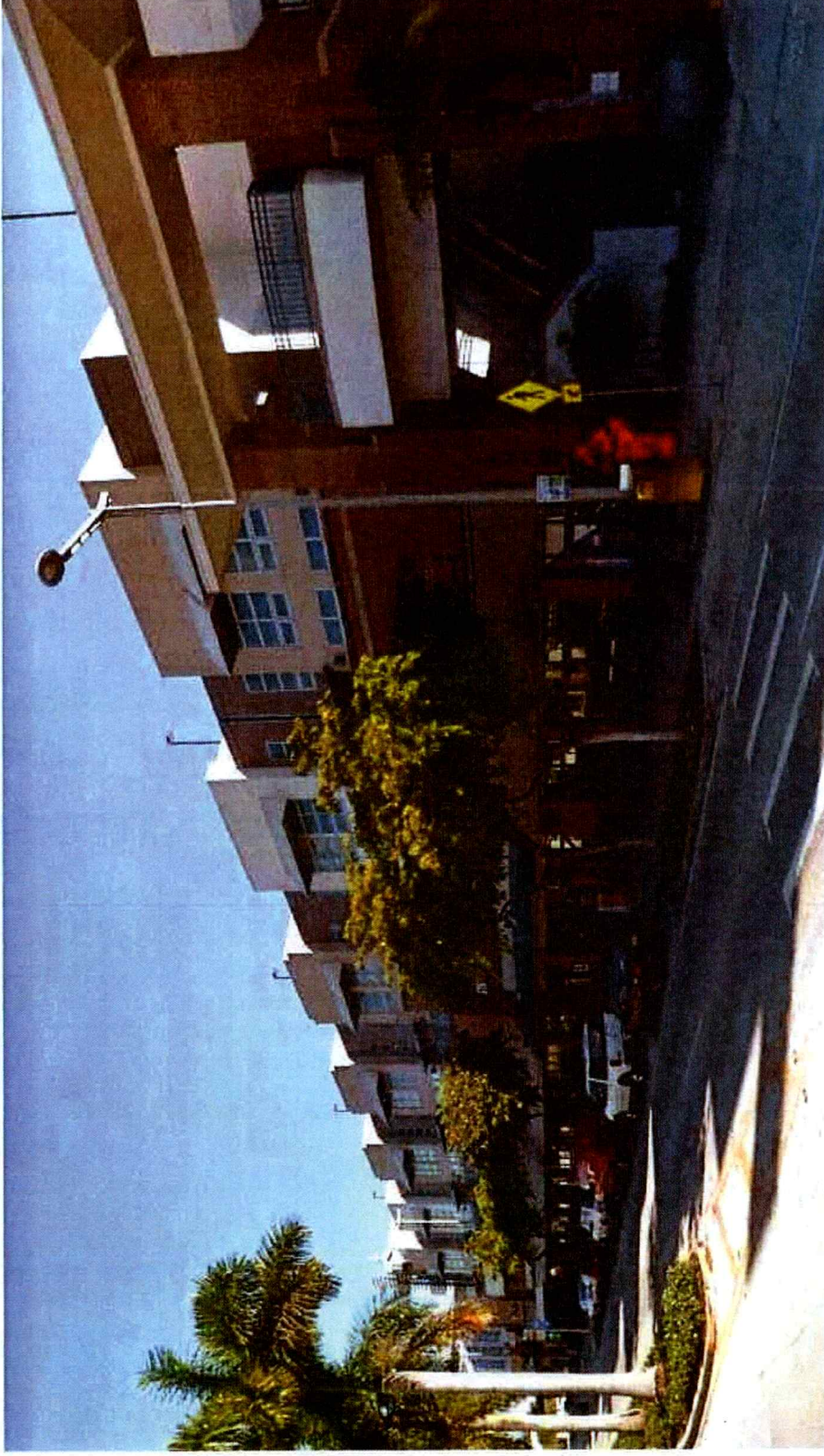
+ facade articulation

+ materials

+ appears as habitable space



MIAMI, FL





CHARLESTON, SC

