



Legislation Text

File #: LN-583, Version: 2

ARCHITECTURAL APPEARANCE COMMITTEE

Meeting Date: JULY 2, 2024

GLC 22ND

Request: Building Design
P&Z# 23-12000046
Owner: GLC Pompano 1 LLC.
Project Location: 31 NE 22 Avenue
Folio Number: 484236011830
Land Use Designation: ETOC (East Transit Oriented Corridor)
Zoning District: TO-EOD (Transit Oriented - East Overlay District)
Commission District: 1 (Andrea McGee)
Agent: Thuy Turner (954-610-1633 / thuy@turnerplanningsolutions.com)
Project Planner: Pamela Stanton (954-786-5561 / pamela.stanton@copbfl.com)

Summary:

The applicant is requesting Major Building Design approval for a 67-unit mixed-use development, which includes approximately 1,792 square feet of commercial use on the ground floor, parking and amenities on a 19,575 square foot lot (approximately 0.449 acres). The project is in the TO/EOD, within the Core Sub-Area with a proposed building height of 8 stories, or 80 feet, which is the maximum allowable height for a residential or mixed-use building in the Core Sub-Area. This is a resubmittal with revisions in accordance with the requests made by the AAC at the June 4, 2024 meeting.

The project proposes to apply four Density Bonus Options to increase the allowable density by 27 units, from 40 to 67 units (a maximum allowable 150 dwelling units per acre). The proposed Density Bonus Options for the project are:

- Density Bonus Option #1: All new non-residential, multi-family residential and mixed-use construction that provide public art using one or a combination of the following strategies: 1) a fee equal to 1% of the project's construction costs or \$250,000 whichever is less; or 2) a piece of artwork valued at 1% of the project's construction costs or a maximum of \$250,000. whichever is less. The artwork shall be accessible to the public and may be displayed in public open spaces or areas along the street abutting the building. Public art shall be required to receive a recommendation by the Public Art Committee and approval from the City Commission. Funds, or an appropriate bonding instrument, shall be placed in escrow at the time of building permit and will be held until the art is approved after installation.
- Density Bonus Option #3: Development which achieves at least 28 points in accordance with [Table 155.5802 <https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl_zone/0-0-0-39612>](https://codelibrary.amlegal.com/codes/pompanobeach/latest/pompanofl_zone/0-0-0-39612), Sustainable Development Options and Points or is designated LEED Gold or Platinum.

- Density Bonus Option #6: Properties that provide structured parking to accommodate 100% of the total required parking need for the development.
- Density Bonus Option # 7: Properties that provide a minimum of 25% of residential units as small studio or 1-bedroom units. This shall be units that are 600 square feet or less.

The property is located on the northwest corner of NE 22 Ave. and north of East Atlantic Blvd.

Pursuant to Section 155.2205, Code of Ordinances, the Architectural Appearance Committee may require such changes in plans and specifications as, in its judgment may be requisite and appropriate to ensure that the exterior appearance of buildings and structures enhances the aesthetic character of the surrounding development by complying with the architectural appearance standards of this Code and approved design guidelines.

Zoning / Existing Uses

- A. Subject property (Zoning | Existing Use): Transit Oriented-East Overlay District (TO/EOD) | Vacant
- A. Surrounding Properties (Zoning District | Existing Use):
 - a. North - Transit Oriented/East Overlay District (TO/EOD) | Dentist Office
 - b. South - Transit Oriented/East Overlay District (TO/EOD) | Dentist Office
 - c. West - Transit Oriented/East Overlay District (TO/EOD) | Burger King
 - d. East - Transit Oriented/East Overlay District (TO/EOD) | Professional Office, Vacant Parcel, Multi-family Development

Staff Conditions

If approved by the Architectural Appearance Committee, staff recommends including the following conditions:

1. For Density Bonus Option #1, clarify which strategy will be provided: a piece of artwork valued at 1% of the project's construction costs or a maximum of \$250,000 whichever is less; or a fee equal to 1% of the project's construction costs or \$250,000 whichever is less;. If providing the artwork, it must be displayed in public open spaces or areas along the street abutting the building. The art must receive a recommendation by the Public Art Committee and approval from the City Commission. Funds, or an appropriate bonding instrument, must be placed in escrow at the time of building permit and will be held until the art is approved after installation.
2. For Density Bonus Option #3, the applicant has proposed to provide 28 Sustainable Development Points from Table 155.5802, and must provide evidence that indicates compliance with each of the selected Options from the Table, prior to permit approval.
3. Pursuant to Section 155.3709.K, each residential development is required to set aside a minimum of 15% of their proposed units as affordable housing or contribute in-lieu-of fees of at least \$10,000 per unit in accordance with Chapter 154. Recently, the City adopted a policy to require the use of the County's mixed income housing density bonus policies 2.16.3 or 2.16.4 for any project in the ETOC

with 7 or more units. Should the Applicant choose to provide the 15% affordable units, a Declaration of Restrictive Covenants for the affordable housing must be recorded prior to the issuance of building permits. If the Applicant chooses to buy out of the affordable requirement, the in-lieu fee will apply to every unit in the project in the amount applicable at the time of building permit per Chapter 154.80 (currently \$10,300 per unit which is escalated 3% every January 1st).

4. Standard conditions of approval and/or specifications required prior to Building Permit/Zoning Compliance Permit issuance:
 - a. Park Impact fees will be assessed upon Zoning Compliance Permit approval.
 - b. Pursuant to Section 155.5509, in all new development, all overhead utilities located on the development site and/or along the public right-of-way fronting the development site must be placed underground to the maximum extent practicable-provided that the Development Services Director can waive this requirement where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.
 - c. Plans are subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.
 - d. A copy of the CPTED plan and narrative approved by the Broward Sheriff's Office must be submitted for Zoning Compliance Permit approval.
 - e. Prior to Zoning Compliance Permit approval, a final School Capacity Availability Determination (SCAD) letter from the Broward County School Board must be provided to confirm that student capacity is available.
 - f. Landscape and Irrigation Plans must comply with all Zoning Code requirements as verified by the City's Urban Forestry Division.