



City of Pompano Beach, Florida

City Commission Workshop Minutes

Agenda No. 2016-04

Date: November 12, 2015

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<p><u>APPROVAL OF AGENDA</u></p> <p>November 12, 2015 City Commission Workshop Agenda</p>			1
<p><u>DISCUSSION ITEM</u></p> <p>A Workshop to review procedures and codes associated with Flexibility and Reserve Units (City-wide). The Workshop will also provide an overview of the Atlantic Boulevard Overlay District (AOD) Land Use Plan Amendment Application and Master Plan, which is currently being prepared by the City's Development Services Department and the Community Redevelopment Agency (CRA).</p>			1-30
<p><u>ADJOURNMENT</u></p>			30

CITY OF POMPANO BEACH, FLORIDA

CITY COMMISSION WORKSHOP MINUTES

Agenda No. 2016-04

Date: November 12, 2015

Commission Meeting Room

The Mayor called the meeting to order at 9:30 a.m. and presided as the chairman.

ROLL CALL:

Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner
Commissioner

Present:

Lamar Fisher
Charlotte Burrie
Barry Dockswell
Rex Hardin
Barry Moss
Edward Phillips

and

City Manager
City Attorney
City Clerk

Dennis W. Beach
Mark E. Berman
Ascelela Hammond

INVOCATION BY:

Mayor Lamar Fisher

PLEDGE OF ALLEGIANCE LED BY: *Ascelela Hammond, City Clerk*

Names of Commrs.	M	S	Y	V	V
VOICE VOTE					
Dockswell				X	
Hardin	X			X	
Moss				X	
Phillips				X	
Burrie		X		X	
Fisher				X	

CITY COMMISSION WORKSHOP MINUTES November 12, 2015

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APPROVAL OF THE AGENDA

MOTION: To approve the City Commission Meeting Agenda of November 12, 2015.

Prior to commencement of discussion, Mayor Fisher announced that the City Manager, Dennis W. Beach, could not attend the meeting because he had to fly out of town to attend his brother-in-law's memorial services.

DISCUSSION ITEM

TIME 00:04:17

ITEM 1

A Workshop to review procedures and codes associated with Flexibility and Reserve Units (Citywide). The Workshop will also provide an overview of the Atlantic Boulevard Overlay District (AOD) Land Use Plan Amendment Application and Master Plan, which is currently being prepared by the City's Development Services Department and the Community Redevelopment Agency (CRA).

Robin B. Bird, Development Services Director, indicated that as the City has become more successful, the focus and attention has been on the Flex Units and the Land Use Plan Amendment (LUPA), which the City is currently in the process for the Transit Oriented Corridor (TOC). He mentioned that while they are separate they are related issues, and staff intends to provide information to educate the public on what things, and the tools available to the City in using Flex and Reserve Units, as well as through the LUPA process.

Additionally, Mr. Bird indicated this is a "big picture" to guide the City for the next twenty (20) to thirty (30) years. Mr. Bird emphasized that this is not about single properties. Rather, these refer to long-term solution functions, which will be done either over the area or as a code amendment to how things are done.

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 2</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Mr. Bird introduced the team that will be working on the project. Kim Briesemeister, Principal with the Community Redevelopment Agency (CRA); Robin Bird, City Development Services Department Director; Jennifer Gomez, City Planner who will be providing the project oversight for the LUPA and Karen Friedman, City Planner who will assist with code amendments, revisions and provide hands on assistance with projects. Also, included is Natasha Alfonso, and Jean Dolan who are working together on the LUPA, Kimley-Horn Associates will be providing assistance relative to traffic, as well as John McWilliams, Alley Haines and Kevin Crowder who is the Economic Development Coordinator/Director providing support relative to the LUPA.</p> <p>Mr. Bird outlined the format of the meeting, which will commence with a presentation from Kim Briesemeister, and then two other presentations during which time the Commission could take notes to ask questions afterwards.</p> <p>Kim Briesemeister, Principal, RMA, stated that one of the important parts of the discussion is due to the excitement that the City has been experiencing as it relates to what is happening in the City most recently, which is not just within the CRA districts. The City Commission makes those bigger picture decisions that make a difference in how the City is viewed as a potential city to live in, invest in, to open a business in and to develop in. Therefore, she indicated that as they go through the process it is important to keep the “big picture” and the vision in mind.</p> <p>Ms. Briesemeister stated that to keep in mind the two (2) redevelopment districts, the Commission should “not think of them as individual redevelopment areas and don’t think of the individual redevelopment areas as an isolation without the City as a whole.” As they grow the promise part, and there are hundreds and thousands of office buildings and units built, those people who work there will need somewhere to live. Hence, they desire to assist in guiding that process. She indicated the discussion today is about the “big picture vision” and where the City is going and how will it get there, which is the details of the Land Use Amendments, Zoning Amendments or Flex Units.</p>					

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DISCUSSION ITEM - CONTINUED

Finally, Ms. Briesemeister stated she is looking forward to assisting the team to go through the process. In sum, the East CRA Advisory Board has had limited discussions, which is a good forum to continue to discuss some of the things that are happening in a geographic area but, it is a lengthy process. Notwithstanding, there will be many forums and discussions. Therefore, the two advisory committees the East and West CRA are a great mechanism to air and vent those discussions. In addition, this ongoing process has great potential to make the City get to the next level, which is one of the best cities in Broward County or even in South Florida.

Mayor Fisher requested that Ms. Gomez make available her presentation on the City's website for those persons who were unable to attend the meeting.

Jennifer Gomez, Assistant Development Services Director, provided a brief overview of the presentation. She indicated that discussion of the following would take place:

- Corridor Studies and Mixed Use Nodes
- Introduction to Flex Units and how they are used
- LUPA vs. Flex Allocation
- Possible Flex Unit Text Amendments – Discuss some tweaks that could be made to the flex code if that is the direction of the Commission
- East Atlantic Land Use Plan Amendment (LUPA)

Corridor Studies

Ms. Gomez pointed out that the corridor studies was an initiative that stemmed directly from the Mayor's Stimulus Task Force in 2010. One of the task force members felt it was important to develop a vision and set specific recommendations for the corridors. After going through the process, the first three corridors completed were Dixie Highway, Federal Highway and Atlantic Boulevard, which are the completed ones to date, with A1A in progress. Nevertheless, they plan to continue to work on other corridors.

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 4</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Continuing, the Corridor Studies identified key nodes where the intensity/density of zoning and Future Land Use designations should be modified in order to create the desired built form.</p> <p>Ms. Gomez indicated that based on the findings of the corridor studies there are key activity nodes, which requires the City to modify its zoning, land use densities, intensities, and mixes in order to promote redevelopment. So concentration is focused specifically on the key notes that will assist to guide and formulate the economic development strategy. Therefore, as illustrated on Page 2 of Exhibit A, in the center of the City, the downtown TOC District LUPA has already occurred. On the other hand, Ms. Gomez indicated that the East Atlantic LUPA currently in progress would be presented at the second half of the presentation.</p> <p>Continuing, the corridor studies recommended that the City link the two areas that is the Downtown Pompano Transit Oriented District (DPTOD) and Atlantic/Ocean</p> <p>She introduced the Land Use Map with its many classifications to include residential, industrial, and commercial. However, currently, they are only highlighting the commercial aspects, as this is the element under discussion today. She noted that there are no mixed use by right development allowed on the commercial corridors that houses commercial Land Use. Therefore, the City has two possible avenues to do either a mixed use or a standalone residential development in selected areas identified in red on the Map. The two possibilities for these areas are through the Flex Unit allocation and the LUPA.</p> <p>Ms. Gomez then provided the details on what Flex Units are, which are technically Flex and Reserve units. There is also an affordable housing pool within those, specifically set aside. She noted that for the purpose of the presentation these will be referred to as “flex units.” (Please refer to the attached Exhibit A for details).</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 5</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Continuing, Ms. Gomez introduced the Flex Map with the Receiving Areas, which she explained in details the areas to apply “flex units”. (See Exhibit A attached). She noted that the barrier island is not a receiving area so flex cannot be done east of the Intracoastal. Also, flex cannot be used to build single-family development.</p> <p>Ms. Gomez introduced the City’s Requirements for Allocating Flex Units (See Exhibit A) for details.</p> <p>Continuing,, Ms. Gomez introduced the two tools to obtain mixed use or residential on the commercial corridors, which are the Flex Allocation and the LUPA. She then provided details on the LUPA vs. Flex Unit Allocation (See Exhibit A attached).</p> <p>Ms. Gomez indicated that there is a variety of options in terms of allowing residential or mixed used development on the commercial corridors. She then introduced three options, Flex Allocation, Private Land Use Plan Amendment and City-driven Land Use Amendment based on a Vision. Details on these are provided in the attached Exhibit A.</p> <p>Continuing, Ms. Gomez introduced the Possible Flex Unit Allocation Standards that would provide the City Commission with four (4) Options, which is detailed in the attached Exhibit A. She indicated that staff recommends Option 4.</p> <p>Ms. Gomez reiterated the reason for the Corridor Studies and the Next Steps involved as detailed in the attached Exhibit A.</p> <p>Ms. Gomez reiterated that the East CRA has almost exhausted the pool of flex. Since there is no mixed use development by right in the East CRA, once this gone the City and the CRA are working together to proactively plan a vision for the desired mix of residential and commercial along East Atlantic Boulevard.</p> <p>Finally, prior to further discussion on the LUPA, Ms. Gomez described the Bert J. Harris Act, which is detailed in the attached Exhibit A.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 6</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Mayor Fisher requested that questions be entertained at this time from the Commission regarding the Flex Units.</p> <p>Comr. Dockswell commended staff for the good work on their presentation. He then commented on the slides pertaining to the Land Use Plan Amendment (LUPA) versus Flex Allocations as well as a chart regarding affordable housing requirements. He noted that there was information referring to a large city sponsored LUPA, and asked if the City received 1,000 units after completing a large regional LUPA, would there be an affordable housing requirement against all the units.</p> <p>Jean Dolan, Planning Consultant, stated when doing a LUPA, flex allocation becomes irrelevant; however, the affordable housing requirement would remain. Fifteen percent (15%) is typically set aside for affordable housing for whatever rights granted or residential units created through the LUPA process as permitted through the County. In fact, the County recently did a Regional Activity Center Amendment for the City of Fort Lauderdale, and they agreed to set aside 15% for affordable housing. Therefore, she anticipates this will be required of the City of Pompano Beach as well.</p> <p>Comr. Dockswell asked if the City received 1,000 units with a large LUPA, would 150 units needed to be reserved for affordable housing, which could then be distributed down to people who receive them on parcels.</p> <p>Ms. Dolan replied that staff would have to set some conditions regarding the 150 units so that the County has some assurance that this would take place.</p> <p>Mayor Fisher recalled past projects, specifically in Vice Mayor Burrie's district, on North Federal Highway, there were certain allocations made for affordable housing for example, the Jefferson project. There was an opportunity for the developer to purchase those affordable units and place the proceeds into an affordable housing trust fund. Therefore, he wanted to ensure the City would reserve the right. Also, there have been discussions on what the fee would be, and he thought the City did a great job in negotiating a fee much higher than what the County Commission was actually charging.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 7</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Ms. Dolan stated there would probably be quite a few options, such as linking the two TOC's together and sharing the requirements between them, especially since they have already received some affordable housing projects in the DPTOC to include proposals. Moreover, staff will come up with creative ways of sharing the requirements throughout the City, because the City does have a nice pool of affordable housing. Currently, staff has undertaken a study on affordable housing to determine market potential, market rate versus affordability, and so forth. Therefore, there is plenty of time to work on those policies through the plan amendment process.</p> <p>Vice Mayor Burrie commented on the Jefferson Project, stating that there were meetings in her office with Ms. Dolan along with the Civic Association whereby they were able to receive the monies; therefore, she thanked Ms. Dolan for her efforts on the matter.</p> <p>Comr. Phillips asked how many times the City can do a LUPA in a specific area.</p> <p>Mr. Bird stated that generally the Land Use Plan is not often amended. The plan is reviewed on a 7-year basis through an evaluation appraisal report. However, one of the reasons why they are discussing this matter is because land use is such a dictatory process of what can be used. For instance, small amendment under 100 units does not require affordable housing. Therefore, they have to concentrate on what will happen if the City does not do anything or does not get control to prevent our governing body from making a decision that is not in the best interest of the big picture.</p> <p>Comr. Phillips commented that since there is no affordable housing for 100 units or less, would the flex unit component kick in.</p> <p>Mr. Bird replied that under a Land Use Plan Amendment flex units are not considered. A LUPA simply changes what is allowed on the land based on care and capacity along with any concurrency issues imposed by the County, as well as compatibility with the Comp Plan.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 8</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Ms. Dolan stated that Flex is an invention of Broward County, which is a means of allowing some residential units on commercial property without doing a LUPA. However, if a LUPA is done then flex is not required, because the entitlements are being created by rights.</p> <p>In response to Comr. Phillips' and Mayor Fisher's comments, Ms. Gomez clarified that concerning the flex unit applications, the affordable housing would have to be addressed and the 100 unit component does not come into play. On the other hand, the 100 unit is associated with the LUPA. Therefore, if a LUPA created 80 units, affordable housing would not have to be addressed but it is required with flex, except when it involves a mixed use in the AOD or a 1-acre property.</p> <p>Comr. Dockswell asked if under Option 3, the parcel owner would be required to rezone, for instance, from a B-3 to a planned development and could ask for any number of flex units. Also, would the City measure how well they are helping to move towards the vision of the master plan to include approval rights.</p> <p>Mr. Bird stated the owner would be limited based on the land use plan. A commercial property is still limited to 46 units per acre and it is based on the amount of land.</p> <p>Comr. Dockswell asked if the 46 units per acre were carried over from the residential zoning.</p> <p>Mr. Bird replied yes. In fact, this was equated in the comprehensive plan and it is included in any allocation of flex in commercial. In fact, it is the highest density in the City's Land Use Plan, which is multi-family high with up to 46 units per acre.</p> <p>Comr. Dockswell indicated that he would be uncomfortable with the City going back to Option 3 to permit the construction of a building that includes all the densities of B-3 and RM-45 on the same parcel. Nevertheless, he understands staff is recommending Option 4.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 9</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Ms. Gomez stated that staff is recommending Option 4. In terms of intensity, she gave an example of a B-3 property with a basic intensity, which is setup by lot coverage and height. Those two things are predetermined regardless of what is being built. Therefore, if a flex allocation of residential were granted, additional density would not be given. So, it would be confined to lot coverage and height, and it would be done with residential versus commercial.</p> <p>A lengthy discussion ensued among Comr. Dockswell, Mr. Bird, Ms. Gomez, Ms. Dolan and Mayor Fisher regarding the intensity and density factors associated with Option 4 and the reasons why staff endorsed the option.</p> <p>Comr. Phillips commented there are City driven LUPAs based on a vision. Also, he noticed information concerning neighborhood compatibility heights and questioned what is the City doing to ensure the criteria fits the vision.</p> <p>Ms. Gomez stated that staff has put much thought on that issue. In fact, much of that will be covered in the second half of the presentation.</p> <p>Comr. Phillips asked if it is economical for a developer to have flex units versus a LUPA.</p> <p>Ms. Gomez stated it is cheaper to apply for a flex than a LUPA.</p> <p>Comr. Hardin asked how the City obtains flex units.</p> <p>Ms. Gomez stated that there are some instances such as with the Jefferson's Project, where a LUPA was done; however, the developer did not use all the density that was allocated to them. So, through negotiations the density was returned to the City. Also, she gave another example with a property owner who received a flex allocation and then later decided to do LUPA. As a result, the City took back those flex units. Therefore, the City cannot increase the pool from a greater land use perspective, rather it can take from existing land uses.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 10</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Mr. Bird stated that he had a presentation from the Broward County Planning Council about the 2035 Plan. Part of that discussion involved the allocation of more flex units to cities. In fact, there are some cities that have none and since they go through the County's process, their redevelopment agencies and planners are stuck. The Council is contemplating different ways to get density to cities in a fair and equal manner. Therefore, it would behoove the City to have another presentation from the Planning Council as it moves forward.</p> <p>Comr. Hardin commented on the 233 flex units reserved for the East CRA. He asked if there is a reason why additional units cannot be used in that area.</p> <p>Mr. Bird stated that when the City decided not to move forward with managing the CRA, it decided to have RMA come in and now the CRA is moving along. Moreover, it was always contemplated that a LUPA would be done in order to get control of that area. Granted, the City can change the policy. In fact, it was in the City's zoning code rewrite. There were actually 312 flex units and some still exist with 77 currently located on Parcel A. However, he said, "If they do not build or do 100% hotel there, those would go back into that pool".</p> <p>Mayor Fisher clarified that Parcel A is located around Atlantic Boulevard, Pompano Beach Boulevard and A1A. This parcel was part of the WCI development and is currently a City parking lot.</p> <p>Mr. Bird believes the City is taking the right steps concerning the LUPAs and that tool is available for other area in the City where there are not enough options such as North Federal Highway, West CRA and outside the TOC. Actually, he has seen the City used these options inappropriately, harming the downtown area and the AOD. The City took 100% and made a quick decision to build on South Federal Highway. Although, today it is a nice development it has stagnated the area by exhausting all of the flex or reserved units east of Federal Highway to the Intercostal and south of Atlantic Boulevard. Therefore, he is a little conservative regarding where they go and fro what use.</p> <p>Comr. Hardin asked if there is prohibition against using additional flex units.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 11</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Mr. Bird replied that staff could be directed to allocate more.</p> <p>Comr. Phillips commented on the following from the backup material, "Difficult for City to deny based on ambiguous standards," and asked for an example of an ambiguous standard.</p> <p>Ms. Gomez explained that she prefers to use is a subjective standard. In terms of compatibility, she believes what one commissioner would consider as a compatible development would differ from another commissioner and so forth. Because there are multiple subjectivities or interpretations of what that could be that is what staff meant as ambiguous. In sum, if Option 4 were selected, staff would have to set the objectives clearly.</p> <p>Pilar Ojea, Renaissance II Condominium, 1370 South Ocean Boulevard, Pompano Beach, FL, stated that there are studies required in order to allow flex units. Some of the studies require impacts on sanitary, potable water, drainage, solid wastes, parks, traffic, mass transit and historic and natural resources. Therefore, she asked if those requirements apply to the Barrier Island planned developments.</p> <p>Mr. Bird replied yes. In fact, that project consisting of 6 acres went through a small-scale LUPA. They were commercial, which has a higher intensity. Although city staff was against it, the property owner has a very good case whereby he was lowering the capacity of the land to residential, which passed through the Planning Council despite having to deal with hurricane evacuation issues and whether the City has a requirement to maintain waterfront and commercial activities near the beach. Therefore, because it went from commercial to residential, they were able to show a reduction in impacts on all those aspects.</p> <p>Bruce Voelkel, 2700 SE 2nd Street, Pompano Beach, FL, asked if a developer gets 233 units, does he have the right to go to the County to ask for additional units.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 12</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Ms. Gomez replied yes. If a developer goes through a flex application, he can obtain a LUPA, and then staff would have to discuss with that particular developer whether they go back to the City or to have it counted toward the allowable density.</p> <p>Mayor Fisher clarified that should the developer desire additional units to that particular project besides the 233, they can go through the LUPA process in order to get the County to grant them more units. In fact, if they go through the LUPA process and obtain the units, the 233 would return to the City.</p> <p>Comr. Hardin stated that if they received 233 units and then went to the County to get a LUPA, they would not receive more entitlements for that property, which would otherwise be allowed.</p> <p>Fred Stacer, 2501 SE 9th Street, Pompano Beach, FL, stated that it sounds like staff will not only provide a narrative but also have a list that would show how a developer is in compliance.</p> <p>Ms. Gomez replied correct. Also, she stated that staff would define what Option 4 meant and create the criteria, but it would be up to the applicant to demonstrate how they address the criteria, which would likely be a combination of narrative responses and conceptual design plans that would illustrate their points.</p> <p>Mr. Stacer asked what is going to drive it to come back before the Commission because this process is dynamic and they are going to see some changes. If you make certain changes something will potentially come up.</p> <p>Ms. Gomez stated that there is the flex process and the site plan process and explained in detail what would happen if they should deviate significantly from the original application.</p> <p>Mr. Stacer asked if she plans to get them to the Development Review Committee (DRC) for the flex process prior to going through the Site Plan approval process.</p> <p>Ms. Gomez responded that is correct.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 13</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Mr. Stacer noted that the Commission does not see the site plan approvals, so it is possible that during that dynamic process that some changes would be made. Therefore, he wonders if they had thought about it because that would be something that the Commission would like to know. Therefore, he asked what would bring this back to them?</p> <p>Mr. Bird responded that Mr. Stacer's comments are relatively good. However, there is going to be a checklist because currently the criteria are nebulous, and very political. Therefore, it sets a guideline and helps current and future Commissioners to know that they have a criterion acceptable citywide. Then, it is going to be a conceptual plan because a developer will not develop until he knows he has the flex units. Moreover, when it comes down to the design, it goes through the development review process for site plan approval. Both the allocation of flex units and the criteria will have to be provided to the developer. Therefore, there will be a check and balance originally not in place so the criteria will be noted in the resolution which will be attached to the site plan, stating why it was awarded and allowed.</p> <p>Comr. Phillips stated that during the presentation regarding Land Use Amendment, there were comments made about the component of 15% Affordable Housing, and asked how is that going to affect the flex units if the City removes the affordable housing component. He noted that he would like to understand the dynamics of that, because it seems like a useful tool for the workforce is being removed.</p> <p>Ms. Gomez clarified that she believes it is important to think about them in two different processes to include the flex, which will still require affordable housing and land use.</p> <p>Comr. Phillips replied that he understands that but questioned how the flex could become a part of affordable housing when the criteria is taken away.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 14</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Mr. Bird responded that the City took off the affordable housing component, which was only added in 2006 to the flex and reserve units. Historically, the City never had that component. A LUPA with over 100 units or more has an affordable housing component. The City has not issued a flex or reserve unit since the adoption of the affordable housing component. Also, the City removed the affordable housing component from one acre or less within the AOD.</p> <p>Comr. Phillips expressed that fortunately or perhaps unfortunately there are many infill properties that are one acre or less in the northwest area. The affordable housing component was a draw and not necessarily something that was viewed as a negative.</p> <p>Mr. Bird specified that if someone would like to build affordable housing and use flex or reserve units, they could still do that. There is no prohibition against being allowed to utilize the flex for that. The only thing is they are not making it a requirement, which is an inhibitor. In fact, the City has not granted any with the affordable housing component.</p> <p>Comr. Phillips stated if it was created in 2006 there had to be a rationale for the creation in 2006. Therefore, he asked if that had dissipated and what are the reasons for it.</p> <p>Mr. Bird clarified that situation was a “knee jerk” reaction of the former Acting Planning Director put forth. He noted that he was the Zoning Director at the time and he did not provide a positive recommendation on that. It came down to where the entire county was in disarray because the housing bubble was at its max and there was no affordable housing anywhere. This way was perceived to satisfy the Planning Council that they were doing a good thing in the right direction. Furthermore, it went through very quickly and he did not believe that it went through with the best amount of thought. At the time when they adopted it, it seemed like it was the right thing to do.</p> <p>Mayor Fisher stated that he is correct and that the Planning Council did the same thing along with the County Commission, it was a quick fix to the rising cost of real estate that nobody was able to afford anything.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 15</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Comr. Hardin commented that it might be helpful because if someone went for a LUPA with the County for 99 units, there is no affordable housing component. Moreover, the City's threshold is stricter than if someone desired to go for a LUPA with the County, even though they did make some slight changes in one acre.</p> <p>Comr. Phillips said that he appreciated the explanation but he is somehow concerned that some of the smaller projects would be lost in the process. Besides, they would be able to structure the big developments.</p> <p>Natasha Alfonso, Redevelopment Management Association (RMA) and Community Redevelopment Agency (CRA) stated that this portion of the presentation would focus specifically on the Future of the Atlantic Boulevard Overlay District (AOD), which is the eastern portion of the City. Therefore, it would include:</p> <ul style="list-style-type: none"> ➤ Vision ➤ Land Use Designation ➤ Boundaries ➤ Market Analysis - To be presented by Kevin Crowder ➤ Traffic Analysis – To be presented by Natasha Alfonso ➤ Urban Design Principles and Standards – Natasha Alfonso to present ➤ Proposed Project Timeline and Public Input Process ➤ Recommendations ➤ Questions and Answers <p><u>Vision</u></p> <p>Ms. Alfonso provided a historical background on the Vision for the east CRA and the entire area within the east began approximately 15 years ago when the City had identified the area as “slum and blight”, which needed to change. Furthermore, 15 years ago there was the realization that development had taken place everywhere but Pompano. For example, the focus was on the suburban outskirts of the City, and larger cities such as Fort Lauderdale, Miami, etc. The Commission at the time designated the area as a Community Redevelopment area, which was established in 2001.</p>				

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 16</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Additionally, Ms. Alfonso indicated that the plan for the CRA was adopted in 2001, and with that plan came a series of recommendations, guidelines and principles to guide the redevelopment of the area. In 2010, the plan was amended, as well as, the regulations for the current zoning Land Use which was the establishment of the AOD. The land development regulations were amended at the time to address the vision for the redevelopment.</p> <p>In 2011 they had a massing and zoning analysis for the east CRA. Also there were several presentations within the community to discuss the redevelopment of the east CRA were done. She pointed out her reason for mentioning all this is one thing that has been constant for the last 15 years is the guiding principles for the redevelopment of the area. When the commission had identified that there was “slum and blight” and they needed to attract new development to the area. The goal was to plan for streetscape improvements and to improve the pedestrian activity of that particular district in order to incentivized redevelopment.</p> <p>Moreover, that was when the changes to the land development regulations to the zoning code came about. The purpose of incentivizing redevelopment was to attract new developments to the area such as new businesses, commercial uses and to encourage market rate housing, which was a guiding principle at the time. The purpose was to hopefully increase the property values in tax base for the east CRA, and improve the overall quality of life for the neighborhoods around.</p> <p>Additionally, the vision plan that was created in 2011 was a reaction to a series of things that were happening at the time. She recalled the previous four (4) years, there has been significant effort for the redevelopment of the area has been both city and privately initiated. First was the Harbor Village improvements to the site, facade, grounds and the front where the parking was redeveloped as well as the extensive renovations to the beach. Besides, they were many projects that had site plan approvals from before that were not realized, but were current and had development rights.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 17</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Ms. Alfonso mentioned the biggest issue that they need to address was to think about how they address the new development coming into the area in terms of building mass, traffic, height and the neighborhood compatibility issue. Therefore, RMA is moving a step further in a stronger direction in terms of where they desire to take the east CRA.</p> <p><i><u>Land Use Designation – LAC vs. TOC</u></i></p> <p>In the past, the City looked at other types of Land Use designations for this particular area to include creating a Regional Activity Center (RAC). Currently, based on the analysis of the area and the direction where the City is moving, they are more confident that the designation for this Land Use amendment should be a Transit Oriented Corridor (TOC).</p> <p>Ms. Alfonso explained the differences between a Local Activity Center (LAC) and a Transit Oriented Corridor (TOC). Therefore, the City is moving towards the TOC because there is the need to integrate transit as a mode, and as an integral component to this Land Use amendment.</p> <p>In continuation, she indicated on a map the areas where they are focusing the Land Use amendment and provided the difference between an LAC vs. TOC as detailed on the attached Exhibit B.</p> <p><i><u>Market Analysis</u></i></p> <p>Kevin Crowder, representative from RMA, stated that market analysis goes beyond supply and demand analysis. The demand analysis and projection examine the existing conditions what has been the historic trends and basing that for future planning. He stated that a vision to implement change is not sufficient with supply and demand analysis. He mentioned the Delray Beach and Atlantic Avenue CRA as an example of success.</p> <p>Continuing, Mr. Crowder noted that they looked at market potential and two (2) different philosophies of market potential, where 1) Supply create its own demand and 2) Economic development is inevitable.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 18</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Therefore, people are going to open businesses, investors will invest in projects, and developers are going to build projects. He asked, “Where is that potential and what is the right piece of the potential to target for this area. He specified that what it really takes to get the supply to generate its own demand is a combination of connecting brand strength with the end users and the right product and ensuring that there is regulatory efficiency. In addition, to ensure that the regulations are conducive to the type of investment and development is being attracted, but also ensure that that processes have that predictability and certainty built into them. Also, that the community sees that certainty and knows what to expect.</p> <p>Additionally, Mr. Crowder highlighted three (3) different areas to include the EATOC Existing Residential Conditions, EATOC Office Market and EATOC Retail Market. A detailed report on these three (3) areas is listed in the attached Exhibit B.</p> <p><u>Traffic Analysis</u></p> <p>Ms. Alfonso stated that the second important component to focus on during the process is the traffic analysis. She reiterated that without an understanding of the traffic and the impact they could not guide the direction for the redevelopment of the area. Furthermore, before they could analyze the traffic they first would need to understand what the current existing entitlements are within the east.</p> <p>Additionally, the study area being considered for the amendment is approximately 284 acres, which is a total of 66 blocks. Therefore, they are conducting an in-depth parcel by parcel analysis of the current entitlement for both commercial and residential. For commercial, plans are to look at what the existing square footage is, and for residential to look at the entitlements for units. For example, how many units currently exist within the east districts and how many of those units existed and entitled are unbuilt.</p> <p>In continuation, she specified the component that they are going to consider for the residential entitlements and how many of those residential units can be entitled through the allocation of flex.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 19</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Ms. Alfonso highlighted the Existing Entitlements for commercial and residential. Attached as part of Exhibit B is a detailed description and calculation displaying the breakdown.</p> <p>In addition, she noted that Institute of Transportation Engineers (ITE) has an ITE manual where they set specific trip generation rates based on uses. A breakdown of the traffic analysis for Commercial and Residential trips and how measured in terms of rates is provided in Exhibit B attached.</p> <p>Furthermore, to manage traffic, the CRA has contracted with Kimley-Horn who is present to answer any questions. They are going to base their analysis on the southeast regional planning model and modify it based on the grid system that is in place for the study area. They are going to consider the entire street within the pattern and analyze the current existing traffic counts, based on what currently exists in the ground, to include existing commercial, residential, office etc. After which, they will compare and modify the model so that they can compare it to what the potential development of the area will be in the next 5-20 years planning horizon. Moreover, some decision would have to be made at the staff level in terms of what the initial basket will be between the 5-20 years development threshold.</p> <p>Additionally, one of the things that they will focus on is the PM peak hour traffic impact is going to be based on the down time but on the specific time when the uses are going to be most impactful for traffic. Therefore, they will provide suggestions for mitigating traffic, whether it is improving signalization at certain intersection or adding signalization in intersection that is not currently present. Also, they will be examining traffic flow as to how it disburses throughout the whole network and where it would affect specifically where they are adjacent to single family residential neighborhoods.</p> <p><u>Urban Design Principle and Standards</u></p> <p>The Urban Principle and design Standards is the third most important component to this process. The principle for urban design for this particular property will focus on the following:</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 20</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <ul style="list-style-type: none"> ➤ Vehicular Connectivity (minimize impact to surrounding neighborhoods) ➤ Understanding Transportation Alternatives in order to reduce traffic, encourage people to walk and use other modes of transportation ➤ Pedestrian Connectivity and Walkability (enhance streetscape) ➤ Public Open Space (access to the beach) ➤ Waterfront Access and Beautification ➤ Building Standards to ensure neighborhood compatibility and how do they transition from mixed use or commercial into the residential neighborhoods as it relates to building heights, setbacks and masses <p>Ms. Alfonso stated that they are trying to establish a street network connectivity plan to address vehicles, as well as pedestrians. The plan will show the location of all the existing and new streets. Then, they would establish to the plan a hierarchy of streets where some streets will focus primarily on pedestrians and some on vehicles. By establishing the hierarchy they would know what the expectations are for certain streets, and the ones that are going to need more help than others in terms of mitigating need. Nevertheless, they will establish specific criteria for those streets and the criteria that they will be focused on is the requirement of active use along the streets.</p> <p>In terms of the mode of transportation, she mentioned the Delray Beach Master Plan and noted that they have a shuttle system that transports people to and from the western and eastern part of the district. One of the things that they will be looking at is to create some alternate mode of transportation. They will tie that to the parking enterprise fund that has already been adopted. Also, she reiterated the waterfront access and explained how important it is to connect them together.</p> <p>Continuing, Ms. Alphonso recalled in 2010 the redevelopment of Atlantic Boulevard and the corridor and transforming it from a six lane to a four lane corridor, which is much more walkable. Attached as Exhibit B is a copy of the presentation that will provide visual details and a map showing neighborhood compatibility (existing building heights).</p>					

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 21</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Ms. Alphonso stated that their goal is to establish criteria the same way that they did for the TOC through a building height regulating plan to establish more of a transition between the single families. She then explained in details the criteria.</p> <p>Ms. Alfonso indicated that she would like to discuss what the character of Atlantic Boulevard is currently, in terms of building mass, height and the overall character of the corridor. Attached as part of Exhibit B is a copy of the presentation that will provide a detailed description as it relates to building mass and scale.</p> <p>Additionally, she mentioned that they would be considering establishing maximum building lengths, maximum setbacks requirements for towers so that they are not immediately adjacent to single-family homes, or even along the main street such as Atlantic Boulevard.</p> <p>Jean Dolan addressed the timeline of the process. She noted that she would emphasize the public outreach process during the 18 months process. Therefore, they would be going through 9 out of the 18 months, and they will have points of public involvement. The other months would involve review by staff, county or state. Moreover, they are redoing the master plan from 2011 and expanding it to fill the entire corridor, which is a time consuming process. They examine block by block, and parcel by parcel at the areas that are likely to be redeveloped and determine the maximum that could be built under the codes. Therefore, between November and January they would be finalizing those plans and having that information on what the first basket of rights should be for this district.</p> <p>Furthermore, they will run a traffic study on the basket of rights, which should last about 20-25 years, and the traffic study can be examined at around the next 10-15 years absorption of that to see what kind of traffic improvement should be done to mitigate the impacts of that redevelopment that will be projected. Also, they will do the Land Use Plan amendment application that examines all the other concurrency impacts that was mentioned by Ms. Gomez to include the sewer and drainage, all those things would need to address in the plan amendment application.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 22</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>As soon as the technical analysis is completed, they will look at what modifications that needs to be done to the TOC zoning district that already exists. They will coordinate a package in February and start a workshop to present a more distinctive plan. The anticipation for the outcomes of those meetings will be policy developments that will guide how everything is implemented. Attached as Exhibit B is a copy of the presentation that will provide in details the meeting dates from February 2016-July 2017</p> <p>Comr. Dockswell stated that he would like to focus on the timeline mentioned by Ms. Dolan. He asked where in the timeline is the Commission vision complete so they will know what they are looking for.</p> <p>Ms. Dolan responded that they are going to have a clear vision when they start the one and one meeting with the Commission in February. They will go through the technical analysis on the initial basket of rights presently until January. So, Ms. Alfonso's masterplan will be completed by then, and they would have an idea of what percentage of that master plan they would want to entitle in the first phase.</p> <p>Comr. Dockswell questioned how they would do business over the next 18-20 months.</p> <p>Ms. Dolan replied that is why they have to think about flex. For instance, if they have a mixed-use developer who wants to come in and do something sooner, it can be done sooner with flex. However, if they do not want to get it done sooner, then the developer would be required to do their own amendment, which would take the developers the same timeframe. She explained the reasons why it is taking them more time.</p> <p>Comr. Dockswell asked how long a small scale LUPA would take to be done by an individual parcel owner.</p> <p>Ms. Dolan replied that it takes approximately two months less because they are not required to go through a state review. However, the County would be required to do their entire review on the small-scale amendment.</p>				

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DISCUSSION ITEM - CONTINUED

Comr. Dockswell questioned if they are still looking at one year and a half even if they are done one at a time.

Ms. Dolan replied, "no matter how you slice it, it is a long process".

Comr. Dockswell commented that they are feeling pressures because free money is about to get more expensive, and people are concerned that they might be causing property owners to be missing opportunities to get a much lower interest rate.

Ms. Dolan responded that they could continue using their flex. Staff discussed that coming up with this criteria is a little more specific about what they have to do from a design standpoint. In the meantime, she suggested that they still allocate that flex, in case someone needed to get started immediately.

Comr. Dockswell asked if the partitioning of the total flex units was something strictly the City did and could modify.

Ms. Dolan replied, yes.

Comr. Dockswell enquired if Ms. Dolan is seeing a demand for flex in other parts of town comparable to what the City is starting to see in the east part of town.

Robin Bird replied that this is the only place they are finding it since they have removed the affordable housing requirement. So for the larger developer it is an anchor on how they are going to deal with it. It is not something that they could buy their way out of, they have to build it, and they have to make that a component and meet those criteria. Plus, they have to dedicate those units for 30 years. Therefore, ever since it has been removed from the AOD that is the only place the City has had requests.

In addition, Mr. Bird cautioned to be careful because once the flex units are gone they are gone. Besides, it would be a poor way of planning the area out if the City uses that as a major tool. They would like to ensure that they reserve and recapture those units once the LUPA goes through, unless they are recaptured because years past they were not able to recapture.

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 24</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Comr. Dockswell stated it seems like by February the City Commission and staff should know what they are looking for, and they should be able to have intelligent negotiations with property owners, and the Commission and developers communicating regarding what they would like to see built.</p> <p>Mr. Bird replied that he think that would be a fair statement.</p> <p>Comr. Dockswell mentioned that it seems like they are moving in a direction where they are going to have to use more than 233 flex units over the course of the next 18-20 months in the east until everything is in place.</p> <p>Mr. Bird responded that staff is unsure of that currently because of the timing. Besides, the 233 flex and that particular development have its own LUPA, which has already started a process. Moreover, that is for the east CRA, not the entire AOD. Also, it is not including any of the portions of the segment that is between the TOC and the AOD.</p> <p>Comr. Dockswell clarified that he understands that it is not ideal; however, he noted that he is just trying to figure out how they will do business over the next 18-20 months.</p> <p>In response to Comr. Dockswell comments, Mr. Bird stated that it would not change how they conduct business currently.</p> <p>Comr. Dockswell commented that the City is not currently doing it very effectively and well because its act is not together. In addition, he complained he does not have his act together because he has property owners wanting to get things done, and people objecting. Therefore, he cannot assure people that the Commission is leading in a good direction.</p> <p>Mr. Bird noted that it is a fair statement and he thinks that the Commission as a whole organizing the workshop and authorizing staff to move forward with the TOC is a step in the right direction. However, getting the act together does take time. Notwithstanding, he indicated the CRA was managing it in-house for a 10 years, afterwards a team came on board and it still took time to get things up and running. So, becoming organized is something they are constantly going to have to do, plus educating the public and getting their feedback is constant, and he does not think that will change.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 25</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Comr. Dockswell commented that when they meet in February, they would have another version of the schedule but they also need to have a charter on how they conduct business during the 18-20 months period.</p> <p>Mayor Fisher reiterated what Comr. Dockswell mentioned earlier. He noted that those projects needed to go because everyone is trying to avoid those questions. He addressed Mr. Bird and stated that they cannot do business as usual. Therefore, they have to be able to provide regulations and the vision that they want. There have always been stages of opportunity to work with the developer or the property owner to provide what the City wants that would be most beneficial from the \$12 million that was spent in the CRA on Atlantic Boulevard into the neighborhoods. So, they cannot do business as usual until February if property owners are going to move forward, they have to put in place quickly those mechanisms that the City can control and see what is best for the area. Besides, staff must be able to negotiate to able to have those standards that Comr. Dockswell is looking for. Moreover, he disagreed with Mr. Bird's statement that the City could not do business as usual because it can.</p> <p>Comr. Hardin stated that until they get to the process, they have to rely on the flex units. He questioned how they could do things differently with their flex units that they have not done in the past to achieve a better result that they desire in 24 months from now. In other words, how do they modify what they have done in the past with flex, so that 1) They could reclaim them 2) They could have more input and 3) More guarantees of what is being put in once they have been run. He mentioned Parcel A has been sitting there for a longtime. He questioned how quickly they are going to change things.</p> <p>Mr. Bird responded that he might have just received the direction. Notwithstanding, staff is looking at the current use and the limitation of what they allocated, which was 233 because that is what is remaining. If there is an opportunity for development, staff will give consideration to allocate more than the 233 to a developer in the east CRA.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 26</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Furthermore, that would be one change to be made to require the Commission's approval. He does not think it is written in stone any longer since they change the code about the allocation of that number. More or less there has been a policy that Development Services established to encourage the CRA to move forward with the proper LUPA in place. So as they are moving forward he thinks the policies can be relaxed and will change business.</p> <p>Comr. Hardin stated that his point was not to change and open up the flex units to the east CRA. However, he does not want to open up the flex units to the east CRA because they are available. He specified that flex units ought to be more of an inducement.</p> <p>Comr. Dockswell stated that he would like to provide his input on how they get to February and beyond. He mentioned that he ran for office because he was concerned about their ability to redevelop, but it seems like they have no ability to redevelop if they were to recall 8-10 years ago. He indicated he has spent the previous 8 years in trying to get the right size redevelopment moving forward in the City of Pompano Beach.</p> <p>Furthermore, some very smart people actually have the City off to a great start. However, the situation that he finds himself in is that he has constituents that are examining Miami, Fort Lauderdale and Pompano Beach and are questioning if that is the level of urbanization and congestion the City is trying to obtain. Therefore, he noted that answers should be provided. The people that keep telling him how wonderful the City is doing because of the redevelopment are not the same people that are going to tell him when they are overdoing it. Besides, he is trying to understand how he is going to discover when they are doing too much.</p> <p>Additionally, Comr. Dockswell indicated the City is trying to do right size redevelopments but needs to define what that means. There are people who will love living in a high rise and enjoying the City but there are others wanting a village feel. Moreover, he had heard a lot of talk in his constituency regarding how the CRA was going to provide the ability to have a fishing village kind of feel.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 27</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Moreover, he has been learning along the way and if he understands now where they are heading, it is for a degree of urbanization that many of his constituents do not envision, and would not care to live in. Once they get clear on what they are going to allow and how much congestion that they are going to tolerate to get the amenities that they want, he believes that some people would say it is time to move north. He just wants to be able to say with integrity and clarity, how much urbanization and density they are going to plan for and encourage it to evolve.</p> <p>As a result, people might opt to move to cities such as Boynton Beach, Vero Beach etc. Comr. Dockswell stated that by February he would be able to say where they are heading in terms of height, congestion and traffic. Also, he thinks that they might get a consensus with most people on board, while some people might say the area has become too dense for them.</p> <p>Mr. Bird stated that there are some predictability and he would like to encourage that the City control what it can because there are certain things it is not going to be able to control.</p> <p>Ms. Briesemeister stated that she thinks the way that the Commission is framing the concern is valid because currently there is no clarity so that everyone can truly understand the vision. However, she think what they heard between what was described and defined by Mr. Crowder is the inner connectivity of the amount of residential development. She posed questions such as, what happens with commercial and retail, where and how will those residents get around, and how will it all fit together.</p> <p>Continuing, she recalled questions that Ms. Alphonso asked. She stated that people are looking for answers to those questions and currently they do not have it.</p> <p>Additionally, Ms. Briesemeister stated that she would refrain from using the phrase “pull the wool over your eyes” because she does not think it is about that. She believes that they might have a very good understanding of how to move forward. She asked, could they go through that process with the public and start to show things that people know what and how it is going to feel like by February. She stated that the answer is yes, and she thinks that they can start that dialogue. She referred to the beach project as an example.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 28</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Comr. Phillips agreed with Comr. Dockswell’s comments, which were well said in terms of the neighborhoods. He noted that as he thought about it, he would like to say “me too” in terms of the City itself because that has always been part of their press and presentation that they are a family oriented city, and not necessarily a “backward city”.</p> <p>In sum, Comr. Phillips indicated that he does not think that they will be able to say how it is all going to turn out. However, as Comr. Dockswell stated the concern is perhaps they might lose the flavor of being a family oriented City. Notwithstanding, progress has come to Pompano. He noted that he has seen some presentation that he liked in terms of the TOC. He is not so certain how this is going to turn out; however, he is very pleased that Comr. Dockswell stated the same feelings that he had regarding the presentation of their city. He referred to the traffic currently being experienced in Miami.</p> <p>Finally, Comr. Phillips commented that he does not want the population in Pompano to feel like they are heading in the same direction as Miami with that kind of press. He expressed that the people desire to have a successful city and have all the amenities that go toward being successful. In terms of the over reach the City should minimize that.</p> <p>Comr. Hardin commented that they are not going to have a 100% buy-in.</p> <p>Mayor Fisher expressed that he feels very confident they will have that consensus built and he is glad to hear that February is the deadline to do that. The Commission desires to be able to accommodate everyone to include the residents as well as the development community so that they can come together and build something to make everyone proud.</p> <p>Vice Mayor Burrie stated that she is very impressed and was well educated after listening to Commissioners Dockswell and Phillips. She stated that she moved to Pompano Beach approximately 52 years ago because of how the City was at the time. Pompano is unique and she appreciates everything that has been done to keep it the way it was. She understands that there are developers that would like to do something different but “Pompano is Pompano” and the City has been a “diamond in the rough” for a while and</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 29</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>now their diamond has been polished. She is very confident that with the current team in place, they will remain Pompano. She thanked the team for organizing the workshop, which was extremely informative and she thanked Comr. Dockswell for requesting the workshop. Therefore, she believes that the Commission and the public got quite a bit of education.</p> <p>Comr. Phillips stated that just because there is the possibility to do 10 stories does not mean that they have to do 10 stories and hope that it resonates in everyone's ears.</p> <p>Fred Stacer, 2501 SE 9th Street, Pompano Beach reiterated what Comr. Dockswell mentioned regarding density and mixing the residential with the commercial. He stated that he is hoping when they conduct a complete traffic study that they will find out what would happen when there is so much residential and commercial blended in, because it was not mentioned in the presentation.</p> <p>Ms. Briesemeister responded it would be the approach the team takes and will be looking specifically at the uses and what the impact would be when they integrate.</p> <p>Tom DiGiorgio, 1801 N. Federal Highway, Pompano Beach, Chairman of Economic Development Council, applauded the department that was responsible for the presentation. He mentioned it was an excellent and informative presentation. He reiterated the timeline that Comr. Dockswell pointed out and stated how important it is not to miss this opportunity.</p> <p>Additionally, he indicated the City currently has approximately 57,000 housing units, which has decreased since 2006. He stated that it is really important that everyone is all clear on the City's vision being accomplished. Therefore, urbanization is not the vision rather; it is the walkability and the quality of life. Mr. DiGiorgio opined that the Commission should ensure they have some ability to understand the growth and recommend proactively what they desire to see as opposed to always being reactive to what is brought to them.</p>				

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<p>CITY COMMISSION WORKSHOP MINUTES November 12, 2015</p> <p>PAGE 30</p> <p><u>DISCUSSION ITEM - CONTINUED</u></p> <p>Comr. Dockswell thanked everyone for his or her effort and time and expressed his appreciation for the work.</p> <p>No formal Action was taken as this item was for discussion and informational purposes only.</p> <p><u>ADJOURNMENT</u></p> <p>There being no further business, the meeting adjourned at 12:06 p.m.</p> <p style="text-align: center;"><u>LAMAR FISHER, MAYOR</u></p> <p><u>ASCELETA HAMMOND, CITY CLERK</u></p>				

Exhibit A

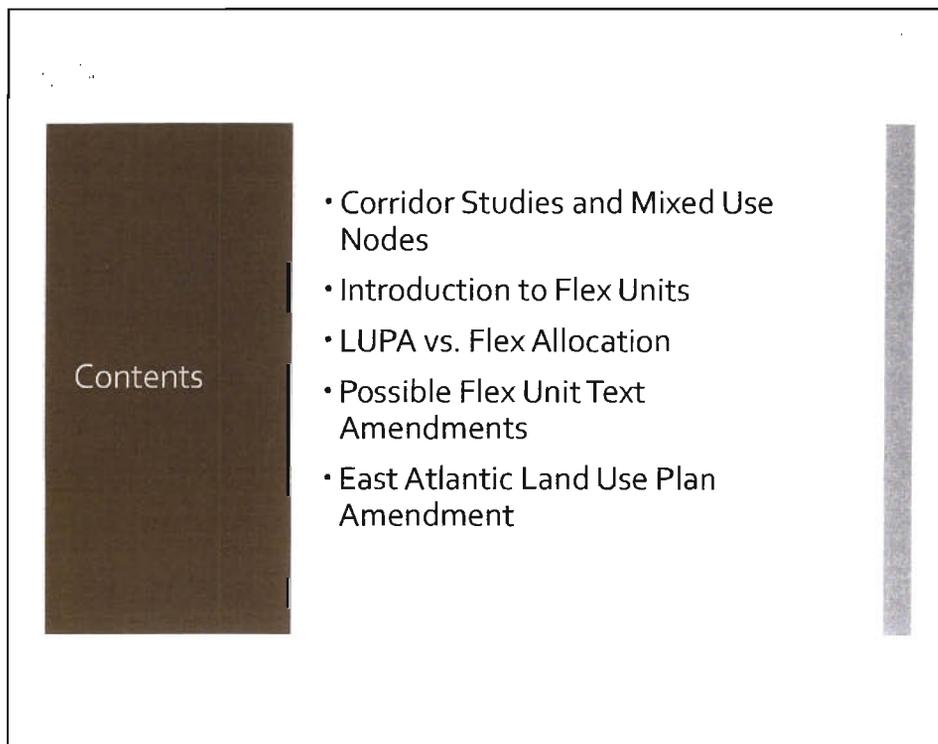


Exhibit A

What are Flex Units?

- Official term is "Flexible Units" or "Reserve Units". But commonly referred to as Flex Units.
- Are a function of Broward County Land Use Plan.
- They are allocated by the City, without amending the Future Land Use Plan Map or requesting permission through the County.
- Regulated by Chapter 154 Planning
- **Flex units allow for residential development on land with Commercial Land Use**
- Other Uses for Flex (not a focus of this presentation)
 - Flex units can increase density on land with Residential Land Use
 - Flex is also used for Commercial Uses on Industrial and Residential land uses
- The city currently has 1,427 flex units.
- A pool of units was set aside specifically for the East CRA. 233 of these units are remaining. There is a pending application for those 233 units, which if approved would leave no units left in the East CRA pool.

Where are the Receiving Areas?



The Receiving Areas were specifically located along the major transportation corridors in order to increase mixed use development and increase infill development.

FAQ: Why is Industrial Land included in the receiving area?

Answer: Industrial Land is allowed Commercial Flex. Commercial Flex is used for retail uses or hotels in Industrial areas.

Exhibit A

What are the City's Requirements for Allocating Flex Units?

- Required to provide affordable housing units:
 - Mixed use developments in the AOD are exempt
 - 1-acre, infill properties are exempt
- Must comply with the Comprehensive Plan
- Will produce a **reasonable development** pattern. The criteria for reasonableness shall include **compatibility** of adjacent land uses and **suitability** of the parcel for various development patterns.

RB1

Slide 7

RB1 ambiguity in code causes issues. Could be defined with additional criteria
Robin Bird, 11/2/2015

Exhibit A

	LUPA	Flex Allocation
Approvals Required	City and County	City only
Approval Mechanism	Ordinance	Resolution
Studies Required	Yes. Impacts on Sanitary Sewer, Potable Water, Drainage, Solid Waste, Parks, Traffic, Mass Transit, Historic / Natural Resources, Schools	No
Application Fee - City	\$4,940	\$1,765 + \$120 per acre
Application Fee - County	\$12,146	N/A
Public Hearings Required	8 = 1 DRC, 1 P&Z Board, 2 City Commission, 2 BCPC, 2 County Commission	3 = 1 DRC, 1 P&Z Board, 1 City Commission
Affordable Housing Requirement	Allocations of 100+ residential units require provision of affordable housing (typical is 15% of units)	Affordable Housing required unless mixed use project in AOD or if no larger than 1 acre

Mixed Use/ Residential Options on Commercial Corridors

Flex Allocation	Private Land Use Amendment	City-driven Land Use Amendment based on a Vision
Only works if there are enough units to distribute.	Individual Parcels/ Not comprehensive	Focus on comprehensive vision for redevelopment
Difficult for City to deny based on ambiguous standards.	Will not include a Master Plan	Master Plan: Clear vision and design principles
	Difficult for County and City to deny request based on the "net reduction"	Proactive vs. Reactive
	Not required to address neighborhood compatibility	Traffic - Scope of Study
		Potential public benefits:
		• Pedestrian connectivity and open space
		• Neighborhood Compatibility - heights
		• Design criteria

Exhibit A

Possible Flex Unit Allocation Standards

- Option 1: Status quo
 - Considerations: Recent revisions require DRC review and noticing similar to Rezoning. Must adhere to a conceptual plan.
- Option 2: Limit maximum allocation of flex units to 46 units.
 - Why 46 units? 46 units is the number of units allowed for 1 acre of commercial property.
 - Properties who want more than 46 units would only be able to get units through a LUPA
 - Considerations: Large projects would be required to undergo numerous public hearings and undertake studies of impacts on capital facilities.
- Option 3: Require applicants to rezone as PD or meet standards required for PD applicants.
 - Applicants would need to submit a Master Plan with the same requirements of a PD Plan
 - Considerations: Applicants would need to demonstrate the general location of site features and provide specific site development standards. Applicants would be bound to the Master Plan. PDs have a procedure for Minor Deviations.
- **Option 4: Create a mechanism for evaluation of flex units that all applications must meet.**
 - **This option would allow the Commission to evaluate all applications involving flex units for specific quality development attributes that improve the urban form.**

The Corridor Studies Next Steps:

1. Continue to identify high priority nodes and submit land use plan amendments annually.
2. Continue to complete Corridor Studies annually. Two to be completed in FY 16 (Powerline Road and another TBD)

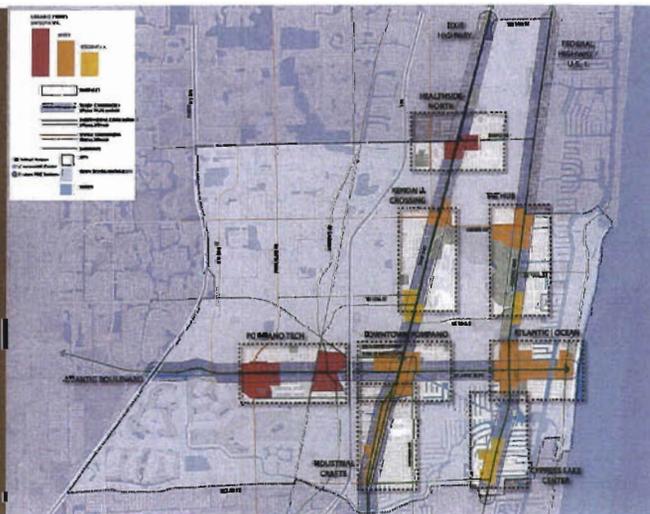


Exhibit A

Flex Units, LUPA, and the future of East Atlantic Blvd.

- East CRA has almost exhausted the pool of flex
- Because there is no mixed use development by Right in the East CRA, the City and CRA are working together to proactively plan a vision for the desired mix of residential and commercial along East Atlantic Boulevard.

Private Property Rights and Florida's "Bert J. Harris Act"

The "Bert J Harris Act" provides relief, via payment of compensation, for private property owners whose "existing use" or "vested right" in an existing use of real property is "inordinately burdened" by the a specific action of a governmental entity.

What is an "existing use" or "vested right"?

- An actual, present use or activity on the real property, including periods of inactivity...; or
- Reasonably foreseeable, non-speculative land uses which are suitable for the subject real property and compatible with adjacent land uses and which have created an existing fair market value in the property greater than the fair market value of the actual, present use or activity on the real property.

What is "inordinately burdened"?

- When an action has directly restricted or limited the use of property such that the owner is *permanently* unable to attain reasonable, investment-backed expectations for the existing use of the property as a whole, or
- If the owner is left with vested uses which are unreasonable such that the owner would permanently bear a disproportionate share of a burden imposed for the public good.

Bert J Harris Example claims:

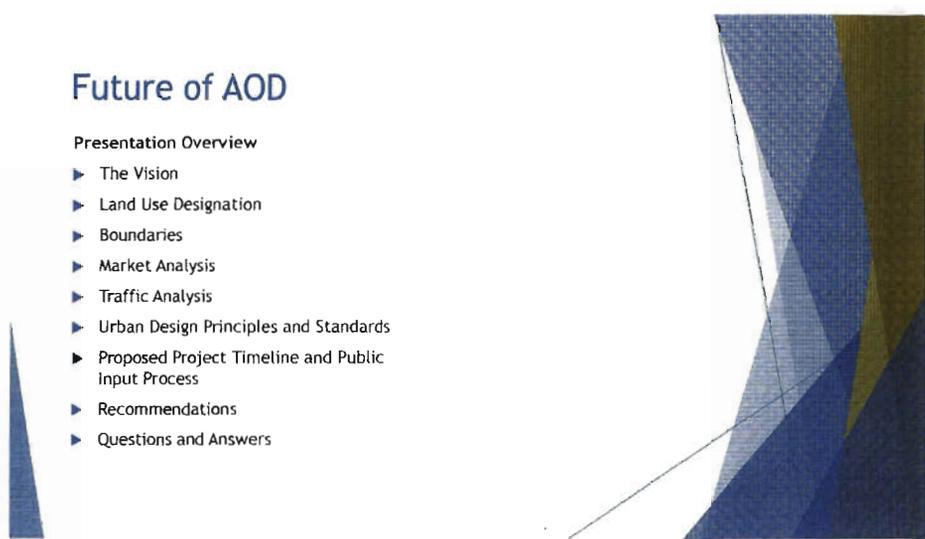
- City initiated rezoning of private property which reduces value of land.
- City revision of zoning district standards while an application is pending (i.e. reducing height or prohibiting class of uses).
- City revision of zoning district standards when city is aware land was recently purchased (i.e. reducing height or prohibiting class of uses).

Exhibit B

Future of AOD

Presentation Overview

- ▶ The Vision
- ▶ Land Use Designation
- ▶ Boundaries
- ▶ Market Analysis
- ▶ Traffic Analysis
- ▶ Urban Design Principles and Standards
- ▶ Proposed Project Timeline and Public Input Process
- ▶ Recommendations
- ▶ Questions and Answers



The Vision



Exhibit B

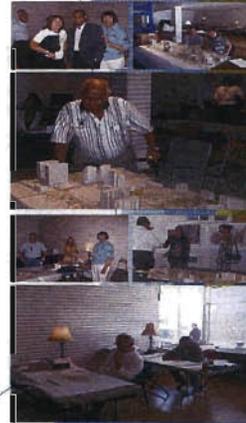
The Vision

- ▶ 2000 - Planning began
- ▶ 2001 - ECRA was established
- ▶ 2001 - ECRA Plan adopted
- ▶ 2010 - ECRA Plan was amended
- ▶ 2011 - ECRA Parking and Massing Analysis

Guiding Principles:

- Plan for streetscape improvements and improve pedestrian activity
- Revise development regulations
- Incentivize Redevelopment
 - Attract new commercial businesses, hotels etc.
 - Encourage market rate housing
- Increase property values (Tax Base)
- Improve the neighborhoods

East CRA Parking & Massing Analysis: September 26-30, 2011



2011 Vision Plan

- ▶ Harbor Village Site Improvements
- ▶ E. Atlantic Blvd. Streetscape Improvements
- ▶ Beach Improvements
- ▶ Pier Redevelopment
- ▶ Beach Library
- ▶ Projects with site plan approvals
- ▶ Addressed building heights and massing

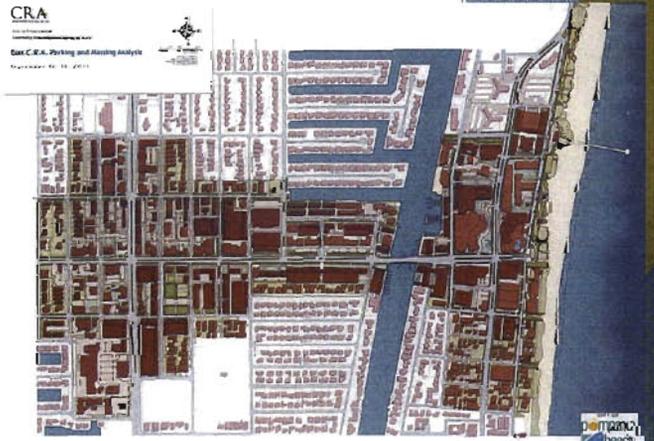


Exhibit B

Land Use Designation - LAC vs. TOC

Local Activity Center

- ▶ Future Land Use Element - Objective 1.15.00; Policies 1.15.01-1.15.12
- ▶ Nodal in Character
- ▶ Close-Knit Neighborhood
- ▶ Compact
- ▶ 5-minute walking radius establishes nodal areas
- ▶ Parks and Recreation an integral component

Transit Oriented Corridor

- ▶ Future Land Use Element - Objective 1.19.00; Policies 1.19.01-1.19.13
- ▶ Linear in Character
- ▶ ¼ mile (or more) on either side of major transit routes
- ▶ Transit Oriented Design principles
- ▶ Mixed-Use development with access to transit
- ▶ Transit the integral component

Boundaries

East Atlantic Transit Oriented Corridor



Exhibit B

Market Analysis



RMA Market Demand and Potential Analysis

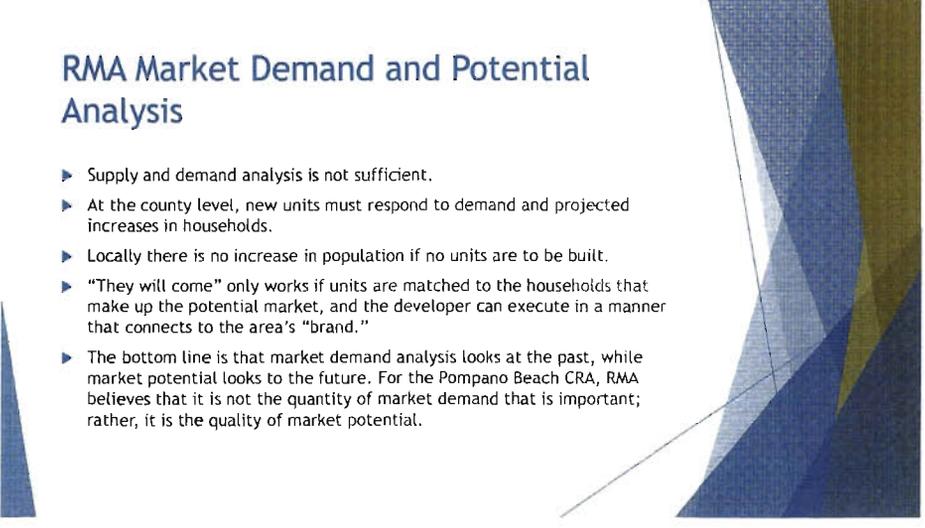
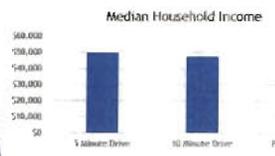
- ▶ Supply and demand analysis is not sufficient.
 - ▶ At the county level, new units must respond to demand and projected increases in households.
 - ▶ Locally there is no increase in population if no units are to be built.
 - ▶ “They will come” only works if units are matched to the households that make up the potential market, and the developer can execute in a manner that connects to the area’s “brand.”
 - ▶ The bottom line is that market demand analysis looks at the past, while market potential looks to the future. For the Pompano Beach CRA, RMA believes that it is not the quantity of market demand that is important; rather, it is the quality of market potential.
- 

Exhibit B

EATOC Existing Residential Conditions

	5 Minute Drive	10 Minute Drive	Pompano Beach
Population	33,733	124,791	102,391
Households	17,048	55,344	43,019
Median HH Income	\$ 49,598	\$ 47,248	\$ 39,847
Housing Units	23,984	71,206	56,952
Vacant	28.9%	22.3%	15.7%
Owner Occ	40.4%	44.3%	56.4%
Renter Occ	30.7%	33.5%	27.9%
Median Home Value	\$ 247,240	\$ 214,096	\$ 140,213



EATOC Office Market

- ▶ Significant space is currently available;
- ▶ Limited new construction activity;
- ▶ Primary office locations are downtown Fort Lauderdale, select I-95 interchanges, and west Broward County;
- ▶ The strongest local office market potential is at Atlantic Blvd and I-95;
- ▶ Pompano Beach rents are lower than countywide average. While attractive to users, the lower rates may be an obstacle to new office construction.
- ▶ Atlantic Blvd and US1 is a small tenant office market with limited demand.
- ▶ Some additional demand for space may be driven by new residents, but will likely be smaller infill construction.
- ▶ Responsiveness to build to suit opportunities.

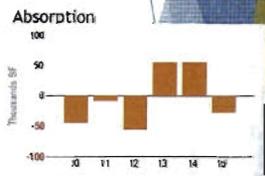
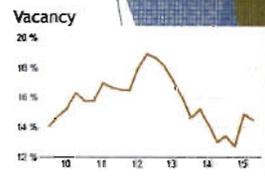
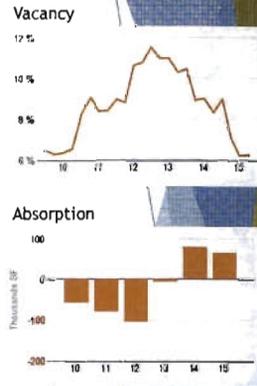


Exhibit B

EATOC Retail Market

- ▶ 2010 - 2012 saw significant negative absorption. 2014 and 2015 have seen a reversal.
- ▶ Cap rates are 5.7%, below their 5 year average of 6.5% indicating a strengthening retail environment with lower perceived risk.
- ▶ The vacancy rate of 6.3% is lower than the 5-year average of 9.2%.
- ▶ Sale prices per square foot are increasing along with rents.



Traffic Analysis

Exhibit B

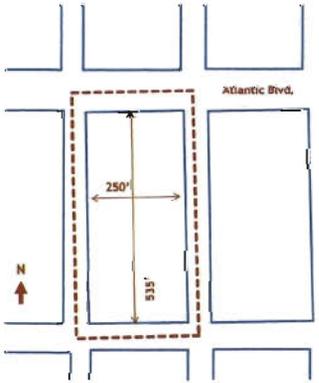
Existing Entitlements

- ▶ Commercial square footage
- ▶ Residential Units
 - ▶ By right
 - ▶ Existing and Unbuilt
 - ▶ Thru Flex



Total of 284.3 acres (66 blocks)

Existing Entitlements

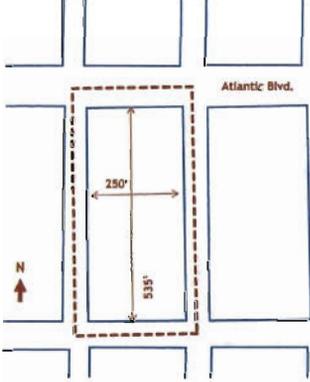


Typical Block Example

- ▶ Commercial (Based on gross land area)
 - ▶ 196,933 sf (4.52 acres)
 - ▶ 196,933 sf x 60% (lot coverage) = 118,160 sf of potential
 - ▶ 118,160 sf x 10 floors = **1,181,600 sf**
(Max height permitted in B-3 District is 105 feet)
- ▶ Residential (Based on net land area, thru flex allocation only)
 - ▶ 138,640 sf (3.18 acres)
 - ▶ 3.18 acres x 46 u/acre = **146 units**
(Max density permitted in B-3 District is 46 u/acre)

Exhibit B

Existing Entitlements



Summary: Block Example

- ▶ Commercial = **1,181,598 sf**
- ▶ Residential = **146 units**

Note: The Pompano Citi Center regional mall is approximately 972,000 square feet




Traffic - How is it measured?

**Institute of Transportation Engineers (ITE)
Common Trip Generation Rates (PM Peak Hours)**

- ▶ Commercial trips/1000 sf:
 - ▶ General Office - 1.49
 - ▶ Medical/dental office - 3.57
 - ▶ Shopping Center - 3.71
 - ▶ Quality Restaurant - 7.49
 - ▶ Supermarket - 9.48
 - ▶ Banks (no drive-thru) - 12.13
 - ▶ Fast food restaurants (no drive-thru) - 26.15
 - ▶ Convenience stores (24 hr) - 52.41
- ▶ Residential trips/unit
 - ▶ Apartments 0.62

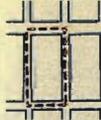
580 S Federal Hwy



- ▶ Commercial = 1,181,598 sf
 - ▶ Generates 4,218 trips (i.e. medical office) or
- ▶ Convenience Store = 5,000 sf
 - ▶ Generates 262 trips

Vs.

- ▶ Residential = 146 units
 - ▶ Generates 91 trips



Typical Block Example

Exhibit B

Urban Design Principles

- Vehicular Connectivity (minimize impact to surrounding neighborhoods)
- Transportation alternatives (reduce traffic)
- Pedestrian connectivity and walkability (enhance streetscapes)
- Public Open Space
- Waterfront access and beautification
- Building standards to ensure compatibility with existing residential neighborhoods in terms of height and mass



Urban Design Standards Vehicular Connectivity

Street Network Connectivity Regulation (Section 10.06.01 TOC)

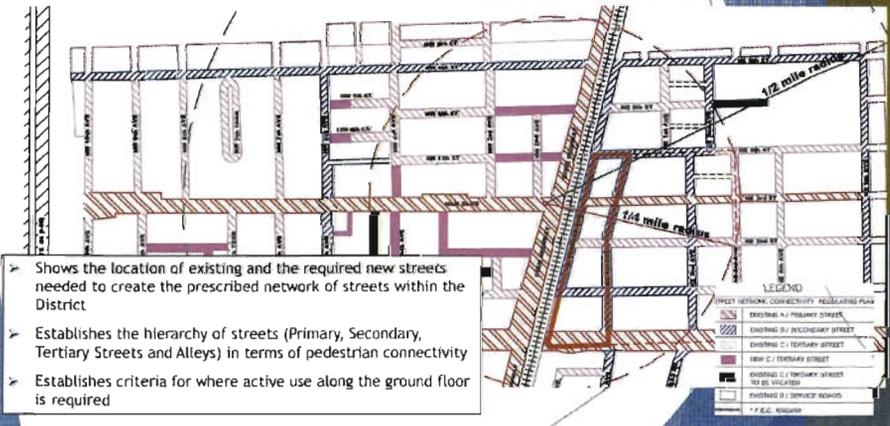


Exhibit B

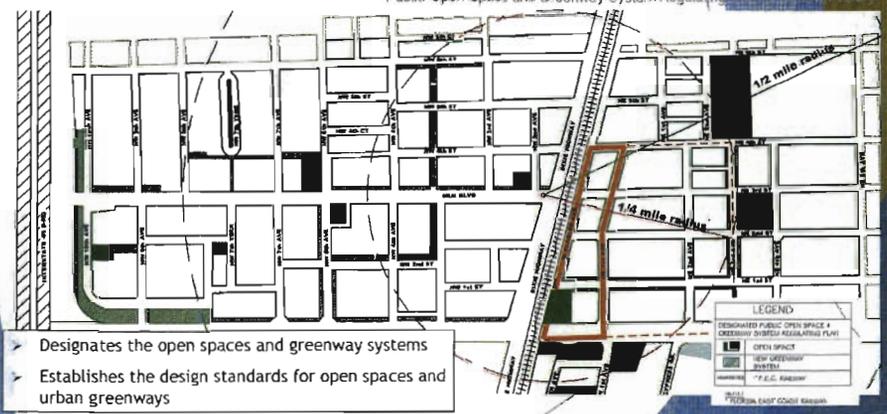
Urban Design Standards Modes of Transportation

- Parking Enterprise Fund Adopted
- Establish a Shuttle Service from Downtown to Beach with specific routes within each district



Urban Design Standards Pedestrian Connectivity and Open Space

Public Open Space and Greenway System Regulations - TOC 1



- Designates the open spaces and greenway systems
- Establishes the design standards for open spaces and urban greenways

Exhibit B

Urban Design Standards

Pedestrian Connectivity

NE 24th Avenue
Existing Street Conditions
(View to North)

E. Atlantic Boulevard
Streetscape Enhancements

Urban Design Standards

Waterfront Access and Beautification

Library and Park

Hawthorn's

Meditation's

Exhibit B

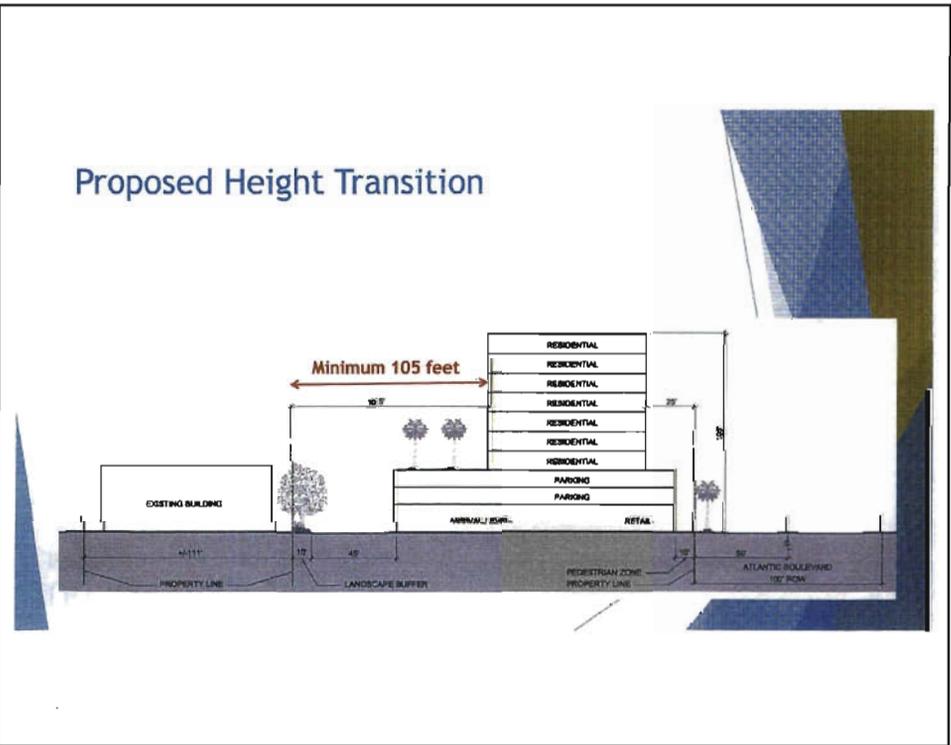
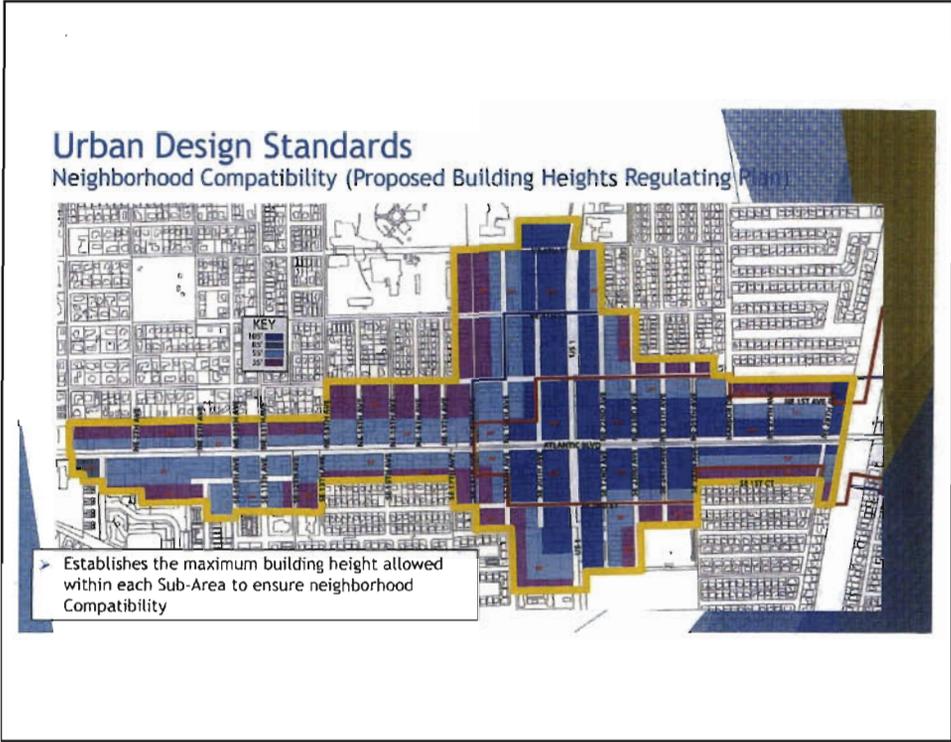


Exhibit B



Exhibit B

Urban Design Standards

Neighborhood Compatibility (Building Mass and Scale)

- Maximum Building Length
- Maximum Tower Footprint Size
- Setbacks from the Street
- Setbacks from adjacent property

The slide contains several visual elements: a 3D architectural rendering of a building massing with setbacks indicated by dashed lines and circles; a 2D floor plan diagram with annotations for setbacks and building length; a 2D section diagram showing building height and setbacks; a 2D site plan diagram with setbacks and building footprints; and four photographs of various building styles, including modern multi-story buildings and traditional-style buildings with red roofs and shutters.

Proposed Project Timeline and Public Input Process

This slide is mostly blank, featuring a decorative background on the right side consisting of overlapping geometric shapes in shades of blue and green. The title is positioned in the upper left area.

Exhibit B

Proposed Project Timeline and Public Input Process

September-October 2015

- Boundaries for EATOC Land Use Designation
- Parcel Analysis (Existing entitlements, built entitlements and remaining entitlements)
- Market Analysis
- Potential Phase 1 EATOC basket-of-rights

November 2015 - January 2016

- **November 12, 2015 - Commission/Stakeholder Kick-off Meeting**
- 2011 Master Plan and parcel analysis update
- Traffic study of existing conditions plus Phase 1 EATOC basket of rights
- Begin text amendments for TO Zoning District and new EATOC Zoning District

February 2016

- One-on-One Commissioner meetings
- Stakeholder Interviews
- Stakeholder Workshop
- East CRA Advisory Committee
- Economic Development Council
- Revisions based on outreach input
- LUPA (text and map) Application, including concurrency analysis
- Submit LUPA for initial DRC review

KEY
Text in Red: Public Meetings/Workshops
Text in Blue: Public Hearings
* Dates are subject to change

March, 2016

- DRC Hearing and review comments for LUPA and Zoning Code Amendment
- Address DRC comments
- Schedule and prepare for public hearings

April, 2016

- PBZ Hearing for LUPA and Zoning Code Amendment

May, 2016

- Agenda package for City Commission
- City Commission First Reading and County transmittal for LUPA
- City Commission First Reading Zoning Code amendment and Rezoning

June, 2016

- Submit to BCPC for County LUPA review

KEY
Text in Red: Public Meetings/Workshops
Text in Blue: Public Hearings
* Dates are subject to change

Exhibit B

July - August, 2016

- Receive County Staff Comments
- Address County staff comments on LUPA

September, 2016

- BCPC Hearing

November, 2016

- Broward County Commission (BCC) First Reading and Transmittal to State

December, 2016 - January, 2017

- State Review
- Address comments from State Review

February, 2017

- BCPC Second Reading

April, 2017

- BCC Second Reading and Adoption

KEY
Text in Red: Public Meetings/Workshops
Text in Blue: Public Hearings
* Dates are subject to change

May, 2017

- City Commission second reading of LUPA and adoption
- City Commission second reading of Zoning Code Amendment and rezoning adoption

June, 2017

- Submit to State for compliance review
- Submit to BCPC for Recertification

July, 2017

- BCPC Recertification

July, 2017

- LUPA and Rezoning become effective.

KEY
Text in Red: Public Meetings/Workshops
Text in Blue: Public Hearings
* Dates are subject to change

Exhibit B

