



MEMORANDUM

Development Services

MEMORANDUM NO. 20 - 109

DATE: April 14, 2020

TO: Mark Berman, City Attorney

VIA: Jennifer Gomez, AICP
Assistant Development Services Director

David L. Recor, ICMA-CM,
Development Services Director

FROM: Jean E. Dolan, AICP, CFM,
Principal Planner

SUBJECT: Request for Resolution to Release Two Declaration of Restrictive Covenants for the LIVE! Resorts Pompano Regional Activity Center

Filed in P&Z #19-92000002

On June 4, 2005, the City Commission approved Resolution 2005-253 which adopted an Agreement running with the property now commonly known as the LIVE! Resorts Pompano Regional Activity Center at 1800 SW 3rd Street, Pompano Beach, FL 33069. That agreement addresses the operation of slot machines at the Casino Facility and the funding for the public facilities and services expected to be impacted by that use. That Agreement became part of a Declaration of Restrictive Covenants which was inadvertently recorded in the public records twice, once in OR Book 40077, Page 1098 and again in OR Book 45585, Page 1197.

It is the Applicant's request to change the area of the property subject to this Declaration of Restrictive Covenants to address the fact that the plan for the LIVE! Resorts Pompano property is a mixed use district anchored by residential and office uses and less of the property will be used for the Casino Facility.

The attached document entitled Release of Declaration of Restrictive Covenants, is provided for your review. This release changes the area of the subject property defined as the Casino Facility and subject to the recorded declaration (which was recorded twice).

Please review the attached release for the recorded Declarations and if it meets with your approval, please prepare a Resolution for adoption at the May 12, 2020 City Commission meeting. If you have questions, please call my office line at 4045 and I will return your call.

JED

Attachments

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