

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE ISLE OF CAPRI RACINO AT 1800 SW 3RD STREET; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON MARCH 24, 2010; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on March 24, 2010 on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan, and subsequently recommended approval to the City Commission; and

WHEREAS, said amendment proposes to change a Land Use Plan map designation of Regional Activity Center (RAC) and Commercial Recreation (CR) to Regional Activity Center (RAC) consisting of 135 acres of commercial recreation, 27 acres of commercial, 26 acres of office and 250 garden apartments and 1,050 mid-rise apartments (a total of 1,300 dwelling units on 43 acres) on approximately 224 net acres known as the Isle of Capri Racino property located at 1800 SW 3rd Street as legally described in Exhibit A; and.

WHEREAS, pursuant to Ch. 163.3187, Florida Statutes the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Element of the adopted City of Pompano Beach Comprehensive Plan; and

WHEREAS, at the public hearings, the parties having an interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

WHEREAS, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference; and

WHEREAS, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines the request is in the best interests of the City; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That the foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

SECTION 2: That duly noticed public hearing was held on March 24, 2010 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the referenced Future Land Use Map Amendment.

SECTION 3: That the City Commission hereby adopts the amendment to the City of Pompano Beach Future Land Use Map to change the land use designation from Regional Activity Center (RAC) and Commercial Recreation (CR) to Regional Activity Center (RAC) consisting of 135 acres of commercial recreation, 27 acres of commercial, 26 acres of office and 250 garden apartments and 1,050 mid-rise apartments (a total of 1,300 dwelling units on 43 acres) all on 224 net acres known as the Isle of Capri Racino Property at 1800 SW 3rd Street, as legally described in Exhibit A attached hereto and made a part hereof.

SECTION 4: That the City Clerk is directed to transmit a certified copy of this Ordinance to the Department of Community Affairs and required State Agencies for review under the Alternative Review process allowed by Ch. 163.32465(2).

SECTION 5: The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council with the City's amended Future Land Use Map for the Planning Council to recertify the City Future Land Use Map.

SECTION 6: That in the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications thereof shall not be thereby affected;

SECTION 7: That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

SECTION 8: That this Ordinance shall take effect immediately upon its passage and adoption, but the amendments shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Plan as consistent with the County Land Use Plan.

PASSED FIRST READING THIS 12th DAY OF October, 2010.

PASSED SECOND READING THIS 8th DAY OF February 2011.



LAMAR FISHER, MAYOR

ATTEST:



MARY L. CHAMBERS
CITY CLERK

Exhibit A: Legal Description

All of Tracts "A" and "B", ARVIDA POMPANO PARK, according to the plat thereof, as recorded in Plat Book 137, Page 33, of the public records of Broward County, Florida.

TOGETHER WITH:

A portion of the North one-half (N 1/2) of Section 3, Township 49 South, Range 42 East, Broward County, Florida, All more fully described as follows: Commencing at the Northwest corner of said Section 3; thence South 00°00'00" East, on the West line of said Section 3, a distance of 1805.84 feet; thence North 90°00'00" East, a distance of 55.00 feet to the Point of Beginning; thence North 45°59'33" East, on the Northwesterly boundary of said Parcel "A", a distance of 50.34 feet; thence South 88°01'37" East, on the North line of said Tract "A", being the South right-of-way line of Pompano Park Place (S.W. 3rd Street / Race Track Road), a distance of 8.79 feet; thence North 00°00'00" East, on said North line and South right-of-way line, a distance of 7.00 feet; thence South 88°01'37" East, on the said North line of Tract "A", the Easterly projection thereof and on the North line of said Tract "B", also being said South right-of-way line, a distance of 2589.86 feet; thence South 88°07'14" East, on said North line of Tract "B" and said South right- of-way line, a distance of 1087.87 feet; thence South 13°03'47" West, on the West right-of-way line of the Seaboard Coast Line Railroad (100 foot right-of-way), a distance of 2969.38 feet; thence North 86°02'56" West, on the South line of the Northeast one-quarter (NE 1/4) of said Section 3 and on the South line of the Northwest one-quarter (NW 1/4) of said Section 3, a distance of 3078.76 feet; thence North 00°00'00" East, on a line 33.00 feet East of and parallel with the said West line of Section 3, being the East right-of-way line of Powerline Road (Pompano Parkway), a distance of 2039.14 feet; thence South 45°06'41" East, on said East right-of-way line, a distance of 31.05 feet; thence North 00°00'00" East, on said East right-of-way line, being a line 55.00 feet East of and parallel with the said West line of Section 3, a distance of 746.34 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 9,746,611 square feet or 223.7514 acres more or less.