

ADMINISTRATIVE MEMORANDUM NO. 19-260

TO: City Commission
VIA: David L. Recor, ICMA-CM, Director of Development Services *DR*
Jennifer Gomez, AICP, Assistant Development Services Director *JG*
FROM: James Hickey, AICP, Consulting Planner
SUBJECT: Updated Plans for LIVE! Resorts Pompano (August 28, 2019 Submittal)

Rezoning – From B-3/PCI (General Business Planned Industrial Overlay), I-1/PCI (General Industrial Planned Industrial Overlay) and CR (Commercial Recreation) to PCD (Planned Commercial Development)

Location – 777 Isle of Capri Circle, and parcels on Isle of Capri Boulevard, Racetrack Road, and S Powerline Road

DATE: August 30, 2019 for September 10, 2019 City Commission Meeting

P & Z #19-13000003

This memorandum summarizes the changes to the PCD application as submitted following the Planning and Zoning Board hearing.

This request for rezoning was reviewed by the Development Review Committee on July 3, 2019 and the Planning and Zoning Board on August 28, 2019. The Planning & Zoning Board recommended approval of the rezoning with conditions that are currently being addressed by the applicant.

On August 28, 2019 the applicant submitted a revised PCD application which updated many of staff's recommendations and conditions of approval. The updates include changes to the PCD application along with updates to Exhibits F, F1, L M, M1, N, O, O1, P, Q, R S3, S4 along with a new Exhibit U – Additional Height Restrictions which addressed the majority of recommendations and conditions of approval. Much of the revised PCD application included an update to the Deviations Table (Exhibit P) where 10 of the 19 deviations were updated based on staff's recommendations. A summary of changes to the documents include:

- Adding a minimum vehicle stacking within large garages of 100';
- If compact spaces are utilized, they will not exceed 25% of required parking per discernable parking area;
- Including alternate planting areas for large trees, including root barriers, structured soils, and suspended paving systems;
- Providing a minimum of 20% shade on the top level of parking garages;
- Adding language requiring garage entry areas to be more than 175' from Powerline Road, SW 3rd Street and North Cypress Bend Drive, and require that the entries do not directly face these three roadways;
- Creating an Additional Height Restrictions (Exhibit U) which identifies the location of 400' structures (maximum of 2 office and 4 residential) as well as height restrictions of 8 stories along Powerline Road and SW 3rd Street;

- Developing a density and intensity standard for the district adding requirements for both Powerline Road and SW 3rd Street and compliance with existing Pompano – Mixed-use Design Standards (Exhibits O and O1).
- As the district requires a 10' buffer for the entire site, the applicant is requesting a 10' setback as well as a height of 75' prior to an additional step back. The applicant is stating that due to the step back and buildings proposed for the site, this design is preferable to the Transit Oriented (TO) District Building Design standards.

Based on this submittal, staff provides information regarding the current PCD submittal and has separated the information by what was (1) newly added since the Planning and Zoning Board submittal, and (2) minor edits to the document that should be rectified by the second reading of the Ordinance by the City Commission.

1. INFORMATION NEWLY ADDED SINCE THE PLANNING AND ZONING BOARD MEETING

Signage – The applicant has requested a modification/deviation to allow for installation for up to two 30'x50' high-definition digital screens outside the netting and facing towards the multi-level building will be permitted for this use, as well as animated signs, flashing signs, and attention gaining devices subject to submission of signage plan at the time of site plan approval for this use.

Staff Recommendation: Staff agrees with the use of the two digital screens only and the deviation would only be needed if the sign content is visible from the right-of-way. Include the proposed high-definition screens, remove references to any other sign types, and add justification language that describes the visibility of the proposed screens for the indoor/outdoor sports field and entertainment venue. The remaining request would be reviewed through a minor deviation process in the future as needed.

2. MINOR EDITS THAT CAN BE AMENDED BETWEEN FIRST AND SECOND READING OF THE ORDINANCE

The City Commission submittal occurred prior to the August 28th Planning and Zoning hearing. Due to the overlapping timeframes, many of the minor changes identified in the Planning and Zoning Board memorandum still need to be noted. As these are minor notations that have been mutually agreed upon by the developer, City staff is recommending that these remaining issues be resolved prior to the Second Reading of the Ordinance to Re-zone this property.

Road Network, Pedestrian and Bike – Exhibit F - The applicant provided language to this exhibit regarding these facilities, however, staff is recommending that this requirement apply to all phases of development. As currently drafted, the language states just for phase one.

*Staff recommendation: Modify note on Exhibit F to be as follows: "Bicycle paths, pedestrian walkways, and roadways in **all phases** of development shall provide a cohesive network connected to Powerline Road and SW 3rd Street and do not result in dead-end conditions."*

Utilities – Exhibit G – Add language to exhibit.

Staff Recommendation: Add a note to Exhibit G as follows: "Each site plan will be reviewed to determine the point at which Pump Station #110 located on SW 3rd Street north of the site will need to be upgraded to accommodate the flows from the project."

Phasing Program and Buffer Plan – Exhibit M and M-2 – The following information should be added to either exhibit.

Staff recommendation: Revise exhibits to include the following, at a minimum:

- *Bicycle/Pedestrian Facilities – Add note to the exhibit stating, “Bicycle paths, pedestrian walkways, and roadways in **all phases** of development shall provide a cohesive network connected to Powerline Road and SW 3rd Street and do not result in dead-end conditions.”*
- *Add a note to the consolidated phasing plan referencing the off-site roadway improvement phasing set forth in Exhibit S-4.*
- *Pervious Area – Add a note to the phasing plan as follows: “As each site plan is approved, pervious area calculations for the entire PD District will be calculated and be no less than 15%.”*
- *Modify the Buffer Sequencing Plan (Exhibit M2) to include development within the “Area of Possible 400’ Max. Height Building” as demonstrated on Additional Height Restrictions (Exhibit U), requiring installation of the “Development Area B” buffer prior to the issuance of the first certificate of occupancy for any building in excess of 200 feet tall within that area north of the existing “Development Area B” boundary.*

Density and intensity Standards – Exhibit O

Staff recommendation: Modify Exhibit O to reflect maximum building heights of entertainment district, to be consistent with Additional Height Restrictions (Exhibit U) as presented to the Planning and Zoning Board, reducing the maximum permitted height from 400 feet to 200 feet.

Permitted Uses Table - Exhibit Q – Revise table to add use.

Staff Recommendation: Allow for home-based businesses as an accessory use within the PCD district.

Traffic Study and Traffic Improvements - Exhibits S through S-4 – The applicant should add the following language related to the implementation of roadway improvements.

Staff Recommendation: Add language to Exhibit S-4:

- *“The list of traffic mitigation improvements are subject to review and approval of the maintaining agencies including the City of Pompano Beach, Broward County, and the Florida Department of Transportation. If specific traffic mitigation improvements are not approved by a maintaining authority, an alternative traffic mitigation improvement will need to be provided that provides for an equivalent traffic operational benefit or comparable improvement/contribution to improvements to the overall area’s transportation network subject to City staff approval.”*

Additional Height Restrictions – Exhibit U – This Exhibit was provided to the Planning and Zoning Board on August 28 at the Public Hearing.

Staff Recommendation: Provide dimensions on Additional Height Restrictions (Exhibit U) demonstrating the distance between the 400’ height areas and the property lines.

Street Trees – The applicant provided revised language regarding a deviation from the code to allow a majority of palms along the major roadways and shade trees along minor roads. In addition, their request includes a deviation from “understory trees required”.

Staff Recommendation: Remove “understory trees required” language, replace with “Street trees required of new development”, and eliminate minor road deviation and have these trees meet City code with respect to street trees when required.