

Mr. Penn commented that there is a breaking point where the project no longer makes economic sense, but that they will work to make a project that the City can be proud of. He requested a tabling to the August meeting.

Ms. Kovac asked if the application can be postponed to a date uncertain.

Mr. Saunders responded that they could, but that the applicant is seeking to avoid having to re advertise the application and the only way to avoid that is to postpone to a date certain.

Mr. Klosiewicz reiterated that he thinks that the number of units needs to be reduced.

**MOTION** was made by Joan Kovac and seconded by Richard Klosiewicz to postpone this application to the August 28, 2019 meeting. All voted in favor of the motion.

**K.      LAND USE PLAN AMENDMENT**

**11.      POMPANO PARK HOLDINGS LLC & PPI INC. /LIVE! RESORTS**  
**POMPANO**  
**Planning and Zoning No. 19-92000002**  
**Commission District: 5**

Consideration of the LAND USE PLAN AMENDMENT submitted by **DEBBIE ORSHEFSKY** on behalf of the **POMPANO PARK HOLDINGS LLC & PPI INC.** in order to change the entitlements for the 232 gross acre Regional Activity Center (RAC) land use district referred to in the City of Pompano Beach Comprehensive Plan as the Pompano Park South RAC entitlements to allow more office and residential uses and reduce commercial and commercial recreation uses. All parcels are legally defined as follows:

PARCEL 1:  
ALL OF THE FOLLOWING DESCRIBED LANDS LYING IN AND BEING A PART OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA:

THE SOUTH 1/2 OF THE NORTHWEST 1/4, EXCEPT THE WEST 33 FEET THEREOF FOR ROAD RIGHT-OF-WAY; AND THAT PART OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING WEST OF THE SEABOARD COAST LINE RAILROAD; AND GOVERNMENT LOT 5, EXCEPT THE WEST 33 FEET THEREOF FOR ROAD RIGHT-OF-WAY, AND ALSO EXCEPT ARVIDA POMPANO PARK, AS RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND THAT PART OF GOVERNMENT LOT 6 LYING SOUTH OF SAID PLAT BOOK 137, PAGE 33; AND THAT PART OF GOVERNMENT LOT 7 LYING SOUTH OF SAID PLAT BOOK 137, PAGE 33 AND WEST OF THE SEABOARD COAST LINE RAILROAD;

TOGETHER WITH A PORTION OF TRACT B, OF THE AFORESAID ARVIDA POMPANO PARK;  
SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE NORTHWEST CORNER OF THE AFOREMENTIONED SECTION 3; RUN  
THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 00 MINUTES 26 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1708.26 FEET TO THE NORTHWEST CORNER OF THE AFORESAID GOVERNMENT LOT 5;  
THENCE SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 5 AND ALONG THE WESTERLY EXTENSION OF THE CENTERLINE OF RACE TRACK ROAD AND ALONG SAID CENTERLINE, A DISTANCE OF 1328.63 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST A DISTANCE OF 53.03 FEET TO A POINT ON THE SOUTH RIGHT-OF WAY LINE OF RACE TRACK ROAD AS SHOWN ON THE AFOREMENTIONED PLAT OF ARVIDA POMPANO PARK;  
THENCE SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST ALONG SAID SOUTH OF RIGHT-OF-WAY, A DISTANCE OF 571.42 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 15678 AT PAGE 145, OF THE AFORESAID PUBLIC RECORDS;  
THENCE CONTINUE SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 689.71 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED;  
THENCE CONTINUE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES AND DISTANCES:  
SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST, A DISTANCE OF 100.00 FEET;  
SOUTH 88 DEGREES 07 MINUTES 14 SECONDS EAST, A DISTANCE OF 1087.87 FEET TO THE POINT OF THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COAST LINE RAILROAD;  
THENCE SOUTH 13 DEGREES 04 MINUTES 16 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2969.90 FEET TO A POINT OF THE SOUTH LINE OF THE AFORESAID SOUTH 1/2 OF THE NORTHEAST 1/4;  
THENCE NORTH 86 DEGREES 02 MINUTES 40 SECONDS WEST ALONG SAID SOUTH LINE AND THE SOUTH LINE OF THE AFORESAID SOUTH 1/2 OF THE NORTHWEST 1/4, A DISTANCE OF 3078.57 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF POWERLINE ROAD SAID POINT BEING 33.00 FEET BY RIGHT ANGLE MEASUREMENT EAST OF THE WEST LINE OF THE AFORESAID NORTHWEST 1/4 OF SECTION 3;  
THENCE NORTH 00 DEGREES 00 MINUTES 26 SECONDS EAST PARALLEL WITH SAID WEST LINE OF THE NORTHWEST 1/4 AND ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2039.93 FEET TO A POINT ON THE BOUNDARY ON THE AFORESAID ARVIDA POMPANO PARK;  
THENCE ALONG SAID BOUNDARY THE FOLLOWING THIRTEEN COURSES AND DISTANCES:  
SOUTH 45 DEGREES 06 MINUTES 41 SECONDS EAST A DISTANCE OF 94.55 FEET;  
NORTH 89 DEGREES 46 MINUTES 38 SECONDS EAST, A DISTANCE OF 1025.36 FEET;  
NORTH 44 DEGREES 56 MINUTES 16 SECONDS EAST, A DISTANCE OF 49.49 FEET (NORTH 44 DEGREES 48 MINUTES 39 SECONDS EAST, 49.47 FEET PER PLAT);  
NORTH 00 DEGREES 09 MINUTES 21 SECONDS WEST, A DISTANCE OF 685.69 FEET;

NORTH 88 DEGREES 01 MINUTES 37 SECONDS WEST, A DISTANCE OF 50.25 FEET;  
NORTH 00 DEGREES 09 MINUTES 21 SECONDS WEST, A DISTANCE OF 71.66 FEET (71.60 FEET PER PLAT) TO A POINT ON THE  
AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE OF RACETRACK ROAD;  
SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST ALONG SAID SOUTH  
RIGHT-OF-WAY LINE, A DISTANCE OF 220.15 FEET (220.20 FEET PER  
PLAT);  
SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST, A DISTANCE OF 71.66 FEET (71.60 FEET PER PLAT); NORTH 88 DEGREES 01 MINUTES 37  
SECONDS WEST, A DISTANCE OF 49.86 FEET;  
SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST, A DISTANCE OF 680.94 FEET (680.99 FEET PER PLAT); SOUTH 45 DEGREES 11 MINUTES 21  
SECONDS EAST, A DISTANCE OF 49.53 FEET;  
NORTH 89 DEGREES 46 MINUTES 38 SECONDS EAST, A DISTANCE OF 1241.18 FEET;  
NORTH 51 DEGREES 23 MINUTES 55 SECONDS EAST, A DISTANCE OF 43.24 FEET;  
THENCE NORTH 00 DEGREES 09 MINUTES 21 SECONDS WEST, A  
DISTANCE OF 710.57 FEET TO THE POINT OF BEGINNING.  
LESS AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF  
FLORIDA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF  
WARRANTY DEED RECORDED JULY 13, 2007 IN OFFICIAL RECORDS  
BOOK 44327, PAGE 355, OF THE PUBLIC RECORDS OF BROWARD  
COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THAT PORTION LOCATED WITHIN THE PLAT  
OF POMPANO PARK RECINO PLAT, ACCORDING TO THE PLAT THEREOF,  
RECORDED IN PLAT BOOK 181, PAGE 22, OF THE PUBLIC RECORDS OF  
BROWARD COUNTY, FLORIDA.

PARCEL 2:

PARCEL A OF POMPANO PARK RECINO PLAT, ACCORDING TO THE PLAT  
THEREOF, RECORDED IN PLAT BOOK 181, PAGE 22, OF THE PUBLIC  
RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 3:

TRACT "A" OF ARVIDA POMPANO PARK, ACCORDING TO THE PLAT  
THEREOF, RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC  
RECORDS OF BROWARD COUNTY, FLORIDA; SAID LANDS SITUATE,  
LYING AND BEING IN BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF TRACT "B" OF ARVIDA POMPANO PARK, ACCORDING TO  
THE PLAT THEREOF, RECORDED IN PLAT  
BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY,  
FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOTS 5 AND 6,  
SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42  
EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE  
ON AN ASSUMED BEARING OF SOUTH ALONG THE WEST LINE OF SAID  
SECTION 3 A DISTANCE OF 1707.69 FEET TO A POINT ON THE NORTH  
LINE OF GOVERNMENT LOTS 5 AND 6 OF SAID SECTION 3, SAID POINT  
ALSO BEING ON THE WESTERLY EXTENSION OF THE CENTERLINE OF  
RACE TRACK  
ROAD; THENCE S 88° 01' 37" E ALONG SAID NORTH LINE, AND ALONG  
SAID CENTERLINE AND THE EXTENSION THEREOF, A DISTANCE OF

1328.63 FEET; THENCE S 00° 09' 21" E A DISTANCE OF 53.00 FEET TO A POINT ON A LINE 53.00 FEET SOUTH OF AND PARALLEL WITH THE SAID NORTH LINE, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF RACE TRACK ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S 88° 01' 37" E ALONG SAID PARALLEL LINE, ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 571.42 FEET; THENCE S 00° 09' 21" E A DISTANCE OF 763.84 FEET; THENCE S 89° 46' 38" W A DISTANCE OF 585.81 FEET; THENCE N 45° 11' 21" W A DISTANCE OF 49.53 FEET; THENCE N 00° 09' 21" W A DISTANCE OF 680.99 FEET; THENCE S 88° 01' 37" E A DISTANCE OF 49.86 FEET; THENCE N 00° 09' 21" W A DISTANCE OF 71.60 FEET TO THE POINT OF BEGINNING.  
SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

**PARCEL 4:**

A PORTION OF GOVERNMENT LOT 6 OF SECTION 03, TOWNSHIP 49 SOUTH, RANGE 42 EAST; SAID PORTION ALSO BEING A PART OF TRACT "B" OF ARVIDA POMPANO PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 137, AT PAGE 33, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE AFOREMENTIONED SECTION 3; RUN THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 00 MINUTES 26 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1708.26 FEET TO THE NORTHWEST CORNER OF GOVERNMENT LOT 5 OF SAID SECTION 3; THENCE SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 5 AND ALONG THE WESTERLY EXTENSION OF THE CENTERLINE OF RACE TRACK ROAD AND ALONG SAID CENTERLINE, A DISTANCE OF 1328.63 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST A DISTANCE OF 53.04 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF RACE TRACK ROAD AS SHOWN ON THE AFORESAID PLAT OF ARVIDA POMPANO PARK; THENCE SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 571.42 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 15678, AT PAGE 145, OF THE AFOREMENTIONED PUBLIC RECORDS AND THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED; THENCE, CONTINUING SOUTH 88 DEGREES 01 MINUTES 37 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 689.71 FEET TO A POINT FOR CORNER; THENCE SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST A DISTANCE OF 710.57 FEET; THENCE SOUTH 51 DEGREES 23 MINUTES 55 SECONDS WEST A DISTANCE OF 43.24 FEET TO A POINT ON THE SOUTH LINE OF THE AFOREMENTIONED TRACT "B", ARVIDA POMPANO PARK; THENCE SOUTH 89 DEGREES 46 MINUTES 38 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 655.37 FEET TO THE SOUTHEAST CORNER OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 15678, PAGE 145; THENCE NORTH 00 DEGREES 09 MINUTES 21 SECONDS WEST ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 763.84 FEET TO THE POINT OF BEGINNING.

AKA: 777 Isle of Capri Circle, Isle of Capri Boulevard, & S. Powerline Road  
LAND USE: RAC (Regional Activity Center)

PROPOSED: RAC (Regional Activity Center)  
STAFF: Jean Dolan (954) 786-4045

Ms. Jean Dolan presented herself to the Board again and explained that this is the first step Live! Resorts Pompano project. She explained that she will be taking the lead for this land use amendment and that Max Wemyss will handle the PD portion of the project. She noted that they will also be assisted by consultants from Calvin Giordano. She explained that the land use plan amendment process has a lot of steps but stated that the County has already started the review process. She provided some context and background and explained that the current Pompano Park RAC will be rebranded as the Live! Resorts Pompano RAC. She showed the Board tables summarizing the net change in entitlements by land use and net change in utility/infrastructure impacts. She stated that staff finds the proposal to meet the goals of the Comprehensive Plan.

#### Alternative Motions

1. Motion to recommend approval of the proposed Future Land Use Element Text Amendment for the LIVE! Resort Pompano RAC as the Board finds the proposed Land Use Text change compatible with the Goals, Objectives and Policies in the Comprehensive Plan subject to the following conditions:
  - (a) The Applicant will coordinate with the FAA and City of Fort Lauderdale Executive Airport for any required aviation obstruction permitting per City Code Section 155.2422;
  - (b) The Applicant agrees to create a historic resource group for the site as requested by the Department of State, Division of Historic Resources;
  - (c) That the Applicant clearly defines the program for affordable housing for the entire 4,100 units prior to second reading by City Commission.
  - (d) That the Applicant meet any requirements resulting from the School Board analysis of the adequacy of the affected schools to serve the demands of the expanded residential program for the site.
2. Motion to table the proposed Future Land Use Element Text Amendment to allow further analysis of any issues raised by the Board, Staff, Applicant or the general public.
3. Motion to recommend denial of the proposed Future Land Use Element Text Amendment as the Board finds it to be incompatible with the Goals, Objectives and Policies in the Comprehensive Plan as provided in the staff report.

Staff recommends motion number (1).

Ms. Debbie Orshefsky thanked city staff for their assistance in developing this project. She explained that the Cordish Companies, who does large-scale mixed-use developments across the country, is partnering with the property owner to redevelop the property. She stated that the South Florida Regional Transportation Authority has recently endorsed the creation of a new Tri-Rail station at the property. She stated that they plan to return to the Board in August with a rezoning application, but explained that these basic entitlements are needed to move forward.

Mr. Stacer asked if anyone in the audience wished to speak.

Mr. Omar Williams (320 SE 11 Avenue) stated that the cost of housing in the City is no longer affordable to the working poor and complained that much development has occurred. He asked when do we take care of the people of Pompano Beach. He stated that what is happening is for big corporations and not for the people of Pompano. He stated that companies have to be stopped from coming into the City and taking advantage of what residents have done.

Mr. Charles Galvani (2801 Cypress Bend Drive) expressed concern with noise and traffic. He also stated that every year he notices that the homeless population grows, and that shelters for them should be considered when developing these large projects.

Ms. Joanne Sterner (2215 Cypress Island Drive) stated that this project will be in her backyard. She asked about the speed of this project and why more public meetings haven't been held. She stated that Cypress Bend is going to be impacted even more than Palm Aire. She stated that she would like to be postponed another month or so in order to let the public know what is happening.

Mr. Rudy Definis (Cypress Bend) stated that he is disappointed due to the lack of information on this project from Cornish. He related that at a public meeting that Cornish held, the public was not permitted to ask and detailed questions. He stated that Cypress Bend has the most to lose. He stated that a sound barrier is needed, especially since they say that this will be a 10 year project.

Ms. Maria Rivera stated that she used to work at the Isle Casino and that this is an abuse to the City's land use plan. She stated that Cordish told the community that they wished to develop a modest project, not something as large as this amendment proposes. She stated that this development could result in a community even larger than Palm Aire, and asked the Board to not allow for them to build any more units than what is currently allowed. She noted that 25 people came to also speak but were not able to stay.

Mr. Dean Sprigs stated that he is the President of the Florida Standard Breeders and Owners Association and that they race horses at Pompano Park. He stated that the powers that be have been trying for years to end racing. He stated that this will take out many families that race horses in Pompano and have for generations. He stated that the developer would like to replace the horse racing with a jai alai fronton, but that there is an open court case considering if this can be done. He stated that if the judge rules against it, all of these plans are for nothing. He asked that the Board wait to make a decision until the ruling is made.

Mr. Richard Hoy presented himself on behalf of the Florida Future Labor Leaders. He stated that their concern is for working people, and asked for more input on what will be one of the largest developments of the next decade. He stated that it is hard to weigh the full impact this late on a weeknight, and that other wanted to speak but could not be here. He expressed concern about the availability and affordability of homes in the area, asked what the infrastructure impacts will be, and asked the Board to defer the project until properly vetted.

Mr. Nucleus Shelton (7300 NW 21 Street) stated that he wanted to highlight the topic of traffic. He stated that it is disturbing that outside developers are attempting to come into the community and abuse the zoning and land use code. He stated that the development will produce more vehicle trips than what Atlantic Boulevard can handle. He commented that many people would have liked to be here and should be involved in the decision-making process.

Ms. Orshefsky responded that from a planning standpoint this amendment represents a reduction in allowable trips. She added that there will be a 600 page traffic study presented to the Board, and that all service providers have acknowledged their ability to provide service for this proposal. She stated that a buffer will be provided on the south side of the development in response to staff's and Cypress Bend resident concern. She addressed the references lawsuit, saying that it has no bearing upon the action before the Board today since it is not a land use plan related matter. She stated that this will provide for thousands of jobs for all classes and that the developer is committed to working with neighbors.

Ms. Moor asked the applicant to explain their community outreach plan.

Ms. Orshefsky responded that they have been waiting until they complete the DRC process, which will finish tomorrow. She stated that the introduction meeting was meant to introduce the community to the developer, and that they have always stated that this will be a transformational project.

Ms. Moor asked is affordable housing be incorporated.

Ms. Orshefsky responded that 15% of the units would be categorized as affordable housing. In all likelihood, the developer will provide this within the development.

Mr. Klosiewicz asked what the method of calculation is to allow for 4,000 dwelling units, asking if they are detached or townhomes.

Ms. Orshefsky responded that much of the plan is for mid or high rise multifamily, without distinction of being condo or rental. There is no single-family component, and a maximum of 4,100 units would be allowed, calculating to 18 units per acre overall.

**MOTION** was made by Darlene Smith and seconded by Tobi Aycock to recommend approval of the Land Use Plan Amendment PZ #19-92000002 per the four conditions as described in the staff report. All voted in favor of the motion.

**L.      OTHER BUSINESS**

**M.      AUDIENCE TO BE HEARD**

**N.      BOARD MEMBERS DISCUSSION**