



CITY OF POMPANO BEACH FLORIDA

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PLANNING AND ZONING BOARD/LOCAL
PLANNING AGENCY
Virtual Meeting

August 26, 2020
Wednesday
1:00 P.M.

AGENDA

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(1:33:34)

G. LAND USE PLAN AMENDMENT

5. **POMPANO PARK HOLDINGS, LLC & PPI, INC. / LIVE!**
RESORTS POMPANO LUPA
Planning and Zoning No. 20-92000005
Commission District: 5

Consideration of the LAND USE PLAN AMENDMENT submitted by **DEBBIE ORSHEFSKY** on behalf of **POMPANO PARK HOLDINGS, LLC & PPI, INC.** is requesting 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 LIVE! Resorts Pompano RAC.

ADDRESS: 777 Isle of Capri Circle
ZONED: PCD (Planned Commercial/Industrial)
STAFF: Jean Dolan (954) 786-4045

Ms. Jean Dolan, Principal Planner, presented herself to the Board and was placed under oath by Pamela McCleod, Assistant Planner and State of Florida Notary Public.

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // PM

Ms. Dolan stated that it has almost been a year since the LIVE! Resorts Pompano project was in front of the Board with their Comprehensive Plan Amendment and now wish to make a tweak to it. The team for the land use and zoning includes herself, Max Wemyss, Planner, and Joaquin Vargas with Traftech as traffic engineer on behalf of the City. On the applicant's side, the team includes Debbie Orshefsky with Holland & Knight, Michael Vonder Muelen with Keith & Associates, and John McWilliams with Kimley Horn.

Ms. Dolan showed the Board a presentation which included the property location and the request. She stated that last year the project was approved for a certain land use mix but the applicant now wants to trade off 650,000 sq. ft. of office space for 1,500,000 sq. ft. of industrial use. They have an opportunity to attract a logistics and transportation warehouse tenant and would like to take advantage the opportunity. The trade-off calculation was based on the amount of potential traffic generation. To evaluate the request, the city looked at compatibility with the surrounding area and the rest of the project. The project is compatible with its surrounding area and the master plan will ensure that the project is compatible with the rest of the project. From a traffic standpoint, the proposal would generate 9 less trips, which is about the same. The water and sewer demand will increase about 5%, but is still considered a wash. The solid waste demand is about 7 times higher with the land use change, but they received a letter from Waste Management confirming that they can accommodate the demand.

Ms. Dolan stated that the project continues to meet the same goals, objectives, and policies as the original application and is activating the definition of what a Regional Activity Center is—getting a mixture of live, work, and play uses within the same area. Ms. Dolan stated that Staff recommends approval with a condition that remains from the original application: to coordinate with the FAA and the City of Fort Lauderdale Executive Airport for any height restrictions related with the project. This is a carry-over condition. Ms. Dolan also stated that Staff's alternative motion for the Board to consider is to recommend denial.

Ms. Smith asked if they are no longer going after a large corporation for the office space. Ms. Dolan responded that they are still proposing to have office space, but 650,000sq. ft. less.

Mr. Stacer asked what the time frame was for solid waste demand. Ms. Dolan responded that she believes it is per day but she would have to double check.

Ms. Debbie Orshefsky (515 East Las Olas Blvd., Fort Lauderdale) introduced herself to the Board on behalf of the applicant. She also introduced Michael Vonder Muelen, John McWilliams, and Dodie Keith as part of their team. Mr. Vonder Muelen, Mr. McWilliams, and Ms. Keith were placed under oath by Pamela McCleod, Assistant Planner and State of Florida Notary Public.

Ms. Orshefsky thanked Staff for their presentation. She mentioned the project overall had a very positive market reaction initially, until the world changed in March. The basis of the development was linked to the entertainment uses but after March the development team had to rethink a recovery plan. The market is unpredictable. Recently, a warehouse distribution logistics organization came to the property owners with immediate needs. The tenant would generate approximately 1,200 jobs immediately. Due to COVID, there is little

demand for office space and may stay flat for a long time. This change will not only help the City of Pompano Beach and the County, but will also allow them to implement the vision of the development and the project and preserve the project's vision.

Fred pointed out that with this particular use there is a bigger reason to have the TriRail stop. Ms. Orshefsky agreed.

Mr. Miller asked since previously someone from the team mentioned issues in funding how will this change affect the TriRail stop. Ms. Orshefsky responded that they do have preliminary approval from SFRTA but they would not be building the project themselves. She stated that 75% of the funding would be federal and there will be a large amount of coordination to obtain that public funding.

Ms. Coleman asked if there will be a map shown where the correct place of the proposed industrial use will be located.

Ms. Orshefsky responded that the industrial area will be mostly on the northeast corner. As it extends to the south, this portion was originally slotted for high density residential but some of the industrial may spill onto this area. The buffers remained unchanged and along the east side is where there will be the industrial and office use. Some office space is still planned to be in the northeast corner. They contemplate the intersection of Racetrack and SW 15th Avenue to be a major entrance point for the industrial use.

Ms. Smith stated her concern is the Cypress Bend condominium area. Their residents expect residential behind them and now it could be industrial.

Ms. Orshefsky stated that they will be sensitive to this in terms of additional buffering with the site plans. She pointed out that currently they can have high-density residential (approximately 400-foot tall buildings) here and there is a 50-foot buffer and a 300-foot setback that was built into the original PCD. Typical industrial buildings are not that high versus the potential of a 400-foot tall residential building.

Mr. Miller wanted to make sure the warehouse use will be clean. Ms. Orshefsky mentioned that the user will not be a manufacturing use. They are concerned about the uses internally as the adjacent neighbors are.

Ms. Kovac asked about the truck traffic coming out from the project. Ms. Orshefsky stated a condition of the PCD is to clearly identify the major access points for truck traffic. This would be directly onto Racetrack Road with one fully signalized intersection and one and right-in right-out to serve those needs.

Ms. Aycock stated that sometime during the project the applicant was required to fill out a resource group form for the Florida Master Site File as well as an Opinion of Resource Significance. She requests that the document be re-done and doesn't believe that there was enough research done.

Mr. Stacer asked if there is anyone from the public wished to speak.

Tom Drum (2700 NE 8th Avenue, Pompano Beach) introduced himself to the Board and was placed under oath by Pamela McCleod, Assistant Planner and State of Florida Notary Public. He stated that the city was supposedly working on allowing the public ability to view the back up for projects. He asked how soon will the backup be available online. He asked if the LUPA is approved, how soon will the industrial development start.

Ms. Dolan responded that they have quite a way to go. They will need to go through the county, site plan, building design, and permitting which will take more than a year.

Mr. Drum asked if the development can be stopped through the site plan even if the LUPA is approved.

Mr. Stacer responded that each application is legally dealt with individually depending on its individual issues. Site plan issues are different than LUPA issues.

Mr. Drum stated he is worried about the people of Cypress Bend. He believes the proposal was overdeveloped but he is most worried about the amount of waste generated. He stated also remembering from a previous meeting hearing that they would be building the TriRail station and not depending on federal funding. The truck traffic is going to be phenomenal. He stated the jobs are great but he is against the LUPA until they know exactly where everything is going to go. He says from what he hears from constituents and citizens, they want facts and doesn't feel they are provided here. He disclosed that he is running for office and thanked the Board for their service.

Mr. Stacer stated he would like to leave the truck and traffic discussion for the Rezoning and asked Ms. Dolan for her opinion.

Ms. Dolan stated that Mr. Max Wemyss, Planner, can give the PD presentation and be able to go back to back to present the item more comprehensively.

Mr. Saunders interjected and clarified that this item needs to be tabled for the sake of procedure and clarity on the record.

(2:14:01)

MOTION was made by Richard Klosiewicz and seconded by Carla Coleman to table item #5 until discussion for item #6 is complete. All voted in favor.

(3:07:29)

MOTION was made by Richard Klosiewicz and seconded by Willie Miller to remove item #5 from the table. All voted in favor.

(3:08:24)

MOTION was made by Carla Coleman and seconded by Richard Klosiewicz to recommend approval of the Land Use Plan Amendment PZ #20-27000005 per Alternative Motion I, subject to the condition requested by Staff. All voted in favor.