Legislation Details (With Text)

File #:	19-683 **Version:** 2	**Name:**	
Type:	Ordinance / Quasi-Judicial	**Status:**	Passed
File created:	8/26/2019	**In control:**	City Commission
On agenda:	9/24/2019	**Final action:**	9/24/2019

Title: P.H. 2019-123: (PUBLIC HEARING 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING SOUTH OF RACE TRACK ROAD (SW 3RD ST), EAST OF S POWERLINE ROAD (SW 26TH AVE), WEST OF THE TRI-RAIL RAILROAD TRACK, AND NORTH OF N CYPRESS BEND DRIVE FROM B-3/PCI (GENERAL BUSINESS/PLANNED COMMERCIAL/ INDUSTRIAL DISTRICT), I-1/PCI (GENERAL INDUSTRIAL/PLANNED COMMERCIAL/INDUSTRIAL DISTRICT), AND CR (COMMERCIAL RECREATION) TO PCD (PLANNED COMMERCIAL/INDUSTRIAL DISTRICT); PROVIDING FOR CONFORMANCE TO AN APPROVED MASTER PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

Sponsors:

Indexes:

Code sections:

Attachments: 1. City Commission - Update from 1st Reading, 2. City Commission - Update from PZ, 3. Planning & Zoning Board Approval Memo, 4. City Attorney Ordinance Memo, 5. Ordinance 2019-276, 6. Exhibit A - Legal Description, 7. Exhibit B - PCD Document and Master Plan Exhibits, 8. Exhibit C - Conditions of Project Implementation, 9. 19-13000003_Staff Report, 10. Planning & Zoning Board Meeting Minutes (DRAFT)

Date	Ver.	Action By	Action	Result
9/24/2019	2	City Commission	ADOPTED	Pass
9/10/2019	1	City Commission	APPROVED AS AMENDED	Pass

P.H. 2019-123: (PUBLIC HEARING 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING SOUTH OF RACE TRACK ROAD (SW 3RD ST), EAST OF S POWERLINE ROAD (SW 26TH AVE), WEST OF THE TRI-RAIL RAILROAD TRACK, AND NORTH OF N CYPRESS BEND DRIVE FROM B-3/PCI (GENERAL BUSINESS/PLANNED COMMERCIAL/ INDUSTRIAL DISTRICT), I-1/PCI (GENERAL INDUSTRIAL/PLANNED COMMERCIAL/INDUSTRIAL DISTRICT), AND CR (COMMERCIAL RECREATION) TO PCD (PLANNED COMMERCIAL/INDUSTRIAL DISTRICT); PROVIDING FOR CONFORMANCE TO AN APPROVED MASTER PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(**Staff Contact:** Max Wemyss/David Recor)

Summary Explanation/Background:
The applicant is requesting to rezone the subject property from B-3/PCI, I-1/PCI and CR to PCD (Planned Commercial Development). This property is 232.05 gross acres and consists of 5 separate parcels located on

the property currently utilized as the Isle of Capris Casino. The general location of the proposed rezoning is the corner of Powerline Road and SW 3rd Street (Racetrack Road). There are existing roadways within the development that will be relocated or upgraded for the proposed development.

The site currently consists of a 45,000 SF casino with an existing horse track and accessory retail/office and horse track related uses. In 2010, a land use plan amendment for the subject property was approved to create the current entitlements for the district which is referred to in the current Future Land Use Element of the City's Comprehensive Plan as the Pompano Park South Regional Activity Center. The existing entitlements include:

Commercial Recreation:1,822,986 SF
Commercial: 764,418 SF
Office: 951,350 SF
Multi-Family Residential: 1,300 Units.

Concurrent with the PD application, the applicant is requesting a Land Use Plan Amendment to revise the proposed entitlements. This LUPA application will be presented on the same September 10th City Commission agenda. Concurrent with the proposed Land Use Plan Amendment, the proposed PCD rezoning request will include several phases and is projected to be built-out within a 10-year timeframe. The applicant is proposing the following maximums for the PCD District:

Multi-Family Units: 4,100 Units
Commercial Recreation (Includes casino and hotel rooms): 1,000,000 SF
Commercial Uses (Includes hotel rooms): 300,000 SF
General Office: 1,400,000 SF

Due to the size and scale of this development, there are many considerations that need to be determined as to how and when the infrastructure and proposed amenities will be in place as the development occurs. The applicant has identified three phases of development (Exhibit M of PCD Master Plan, Exhibit B of Ordinance). The conditions of implementation (Exhibit C of Ordinance) have been established to identify how/when certain requirements/amenities must be completed.

The Planned Commercial/Industrial (PCD) district is established and intended to encourage the use of innovative and creative design to provide a mix of employment-generating uses (office, research, shopping mall or other concentrated retail, light industrial), as well as ancillary service, retail, and institutional uses.

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 have been addressed by the applicant.

On September 10, 2019, the City Commission held the first public hearing and approved first reading of Ordinance 2019-276 to re-zone the property from B-3/PCI, I-1/PCI and CR to PCD (Planned Commercial Development) with amendments to Exhibit O1 and Exhibit U as presented by the Applicant. The applicant has made a number of changes as summarized in the attached staff memo dated September 12, 2019. Based on this submittal, City staff believes that the PCD Application is complete, all conditions have been met, and that the Application, its exhibits and the Conditions of Project Implementation meet the criteria established in Chapter 155 to approve this Planned Development.

Origin of request for this action: LIVE! Resorts Pompano
Fiscal impact and source of funding: N/A

Strategic Plan Initiative

Management Agenda: Top Priority