

EXHIBIT 2

SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PCT 19-8
(POMPANO BEACH)

RECOMMENDATIONS/ACTIONS

DATE

I. Planning Council Staff Transmittal Recommendation

September 17, 2019

Planning Council staff finds the proposed amendment is generally consistent with the policies of the BrowardNext – Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved.

As there are no outstanding policy concerns or issues, Planning Council staff does not recommend a second Planning Council public hearing be required consistent with Article 1.2 (A) of the *Administrative Rules Document: BrowardNext*.

In addition, if the Broward County Land Use Plan amendment is adopted by the County Commission, this action by the Planning Council shall be considered the “conditional” recertification of the municipal land use plan amendment which directly correlates to the referenced Broward County Land Use Plan amendment. The recertification will not be deemed effective until such time as the Planning Council Executive Director and Attorney determine that the municipality has fulfilled all application requirements for recertification of local land use plans, as outlined in the *Administrative Rules Document: BrowardNext*. The Planning Council Executive Director will issue a written letter of effectiveness to the municipality upon satisfaction of the same.

II. Planning Council Transmittal Recommendation

September 26, 2019

Approval per Planning Council staff transmittal recommendation, including not requiring a second Planning Council public hearing. (Vote of the board; Unanimous: 15-0; Blackwelder, Blattner, Breslau, Brunson, Castillo, Gomez, Graham, Hardin, Parness, Railey, Rich, Rosenof, Ryan, Williams and DiGiorgio)

III. County Commission Transmittal Recommendation

November 5, 2019

Approval per Planning Council transmittal recommendation.

IV. Summary of State of Florida Review Agency Comments

December 6, 2019

The State of Florida Review Agencies issued no comments or objections regarding the proposed amendment. The Florida Department of Transportation (FDOT) issued the following concern:

PROPOSED AMENDMENT PCT 19-8

INTRODUCTION AND APPLICANT'S RATIONALE

- | | | |
|------|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I. | <u>Municipality:</u> | Pompano Beach |
| II. | <u>County Commission District:</u> | District 4 |
| III. | <u>Site Characteristics</u> | |
| A. | Size: | Approximately 230.0 acres |
| B. | Location: | In Section 3, Township 49 South, Range 42 East; generally located on the east side of Powerline Road, between Southwest 3 Street/Race Track Road and North Cypress Bend Drive |
| C. | Existing Uses: | Racetrack, casino, stables and vacant |
| IV. | <u>Broward County Land Use Plan (BCLUP) Designations</u> | |
| A. | Current Designation: | Activity Center consisting of:
43.0 acres of residential consisting of 1,050 mid-rise apartments and 250 garden apartments
135.0 acres of commercial recreation use
27.0 acres of commercial use
26.0 acres of office uses |
| B. | Proposed Designation: | Activity Center consisting of:
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet commercial recreation use
2,000,000 square feet of office uses |
| C. | Estimated Net Effect: | Addition of 2,800 dwelling units
Addition of 1,048,650 square feet of office use
Reduction of 822,986 square feet of commercial recreation uses
Reduction of 464,478 square feet of commercial uses |

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site

- A. Existing Uses: North: Retail and warehouses
East: Warehouses
South: Multi-family residential and retail
West: Multi-family residential and golf course
- B. Planned Uses: North: Activity Center
East: Commerce
South: Irregular (16) Residential and Commerce within a Dashed-Line Area
West: Irregular (7) Residential and Commerce within a Dashed-Line Area

VI. Applicant/Petitioner

- A. Applicant: PPI, Inc. and Pompano Park Holdings, LLC
- B. Agent: Debbie Orshefsky, Esq., Holland & Knight
- C. Property Owners: PPI, Inc. and Pompano Park Holdings, LLC

VII. Recommendation of Local Governing Body:

The City of Pompano Beach recommends approval of the proposed amendment. The City anticipates adoption of the corresponding local amendment in March of 2020.

VIII. Applicant's Rationale

The applicant states: "LIVE! Resorts Pompano is an innovative redevelopment project located at the Pompano Park Racetrack/Isle Casino property which is designated as the Pompano Beach Park South Activity Center in the Broward County Land Use Plan and the City of Pompano Beach Land Use Plan. The revised activity center will encourage a live-work-play atmosphere all within the 221.65-acre (232.05 gross acre) site. The activity center is intended to encourage and provide a mix of uses including world class entertainment/retail/restaurant establishments, employment-generating office uses, hotel/hospitality uses to support both the entertainment/commercial uses and office uses and medium to high density residential with neighborhood-oriented retail to complete the live-work-play concept.

The project will be buffered on all sides with multi-purpose green/open space which provides for drainage, landscaping, nature, walking and bike trails. Also, centrally located within the LIVE! Resorts Pompano development is additional active open/green space and lake which connects the various mix of uses.

INTRODUCTION AND APPLICANT'S RATIONALE (continued)

VIII. Applicant's Rationale (continued)

The LIVE! Resorts Pompano activity center encourages multiple modes of transportation including walking, biking, city shuttles, county mass transit and potentially rail, thus reducing the need and demand for individual vehicles and the need and demand to park all individual vehicles."

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 19-8

REVIEW OF PUBLIC FACILITIES AND SERVICES

I. Potable Water/Sanitary Sewer/Solid Waste/Drainage/Parks & Open Space

Adequate potable water facility capacity and supply, sanitary sewer facility capacity, drainage and solid waste services, and park and open space acreage will be available to serve the proposed land use. See Attachment 3.

The Broward County Parks and Recreation Division recommends that a public recreational component should be included in this development to provide public parks and recreational facilities for the future residents that would live in this development. See Attachment 4. The applicant has indicated that recreational and open space areas will be incorporated into the site, including a minimum 12-acre lake, community parks, urban plazas and pedestrian and bicycle trails. In addition, each residential development will provide private recreational amenities such as swimming pools, fitness centers and passive outdoor areas. See Attachment 5.

Regarding the long-range planning horizon for potable water supply, it is noted that the City of Pompano Beach adopted its 10-year Water Supply Facilities Work Plan on March 24, 2015.

II. Transportation & Mobility

The text amendment proposes an addition of 2,800 dwelling units and 1,048,650 square feet of office uses, as well as a reduction of 822,986 square feet of commercial recreation uses and 464,478 square feet of commercial uses.

Planning Council staff's standard traffic analysis, which includes a 7% internal capture trip reduction (standard for all mixed-use designations) indicates that the proposed amendment is projected to **decrease** the net number of p.m. peak hour vehicle trips on the regional transportation network at the long-term planning horizon by approximately 1,204 p.m. peak hour trips. See Attachment 6.

Planning Council staff notes the following roadway levels of service for informational purposes only:

- **Atlantic Boulevard**, between Powerline Road and Interstate 95, is currently operating at level of service (LOS) "D," and is projected to operate at LOS "F," with or without the subject amendment.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

II. Transportation & Mobility (continued)

- **Southwest 3 Street**, between Powerline Road and Andrews Avenue, is currently operating at and projected to continue operating at a LOS “C,” with or without the subject amendment.
- **Powerline Road**, between Cypress Creek Road and Atlantic Boulevard, is currently operating at LOS “C,” and is projected to operate at LOS “F,” with or without the subject amendment.

The Broward County Transit Division (BCT) report states that current and future fixed-route county bus service, as well as community bus service, is provided to the proposed amendment site. The BCT will request ADA improvements and shelter easements along Powerline Road. In addition, the BCT staff recommends that any proposed development be designed to provide safe movement for pedestrians and bicycles, including transit connectivity to the existing sidewalk/bicycle network and bus stops. See Attachment 7.

The Broward County Planning and Development Management Division (PDMD) report recommends that the site be designed to include safe and convenient connections between the development and the surrounding transportation network. To further enhance the pedestrian and bicycle quality of service, it is recommended that the project include bicycle and pedestrian connections both inside and outside the development. Amenities such as shade trees and bicycle racks should be incorporated into the project design. The provision of electric vehicle charging stations should also be considered. See Attachment 8. The applicant has indicated that pedestrian, bicycle, nature and fitness trails will be incorporated into the site plan. See Attachment 5.

III. Public Schools

The School Board of Broward County staff report states that the proposed amendment would generate 1,586 additional students into Broward County Public Schools, consisting of 714 elementary school students, 421 middle school students and 451 high school students. Planning Council staff notes that although the intent is to develop primarily mid-rise or high-rise residential products (i.e. four (4) or more stories), the School Board staff utilized the garden apartment student generation rate to reflect the highest multi-family generation rate. The report further states that Cypress Elementary, Pompano Beach Middle and Blanche Ely High schools are all under-enrolled in the 2018-2019 school year and are anticipated to operate below the adopted level of service (LOS) of the higher of 100% of gross capacity or 110% of permanent capacity through the 2020-2021 school year. In addition, the School Board report indicates that there is one (1) charter school located within a two-mile radius of the proposed amendment site. See Attachment 9.

The School Board report indicates that there are no planned improvements for the affected elementary, middle and high schools in the currently adopted 5-year or 10-year School Board District Educational Facilities Plans. See Attachment 9.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

III. Public Schools (continued)

Based on the School District's Seven Long Range Planning Areas, the proposed amendment is located within School District Planning Area "B," which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. The residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 9.

SECTION IV
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 19-8

REVIEW OF NATURAL RESOURCES

I. Designated Protected/Regulated Areas

The Broward County Environmental Protection and Growth Management Department (EPGMD) report indicates that the proposed amendment site does not contain Natural Resource Areas, Local Areas of Particular Concern, Urban Wilderness Inventory sites, or Protected Natural Lands within its boundaries. See Attachment 10.

II. Wetlands

The EPGMD report indicates that the proposed amendment site does not contain wetlands within its boundaries. Therefore, the proposed amendment is not expected to have a negative impact on wetland resources. The report notes that any work in, on, over or under waters of Broward County will require an Environmental Resource License. See Attachment 10.

III. Sea Level Rise

The EPGMD report indicates that the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. See Attachment 10.

IV. Other Natural Resources

The EPGMD report states that the subject area contains mature tree canopy. Development of any site must comply with the Tree Preservation regulations of the City of Pompano Beach if trees are to be removed or relocated. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use designation is not expected to have a negative impact on upland resources. It is further noted that development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. See Attachment 10.

REVIEW OF NATURAL RESOURCES (continued)

V. Historical/Cultural Resources

The Broward County Planning and Development Management Division (PDMD) report states that the proposed amendment will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See Attachment 8.

SECTION V
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 19-8

OTHER PLANNING CONSIDERATIONS/INFORMATION

I. Affordable Housing

The proposed land use plan amendment is subject to Broward County Land Use Plan (BCLUP) Policy 2.16.2, as it proposes 2,800 additional residential units to be permitted by the BCLUP.

The Broward County Planning and Development Management Division (PDMD) report indicates that the City of Pompano Beach Land Development Code (LDC) provides options for meeting the affordable housing requirements by either incorporating affordable housing units into the development or by paying an “in lieu of fee” of \$2,333 per market-rate dwelling unit into the City’s Affordable Housing Trust Fund. The PDMD report also indicates that the proposed amendment site was the subject of Broward County Land Use Plan amendments PC 10-11/PCT 10-8, which established an Activity Center consisting of 1,300 dwelling units, including restricting 15% of the units to affordable housing units or pay \$750 per unit into the City’s affordable housing programs. Planning Council staff notes that this voluntary commitment was entered into prior to the City’s LDC requirements as described above. The PDMD report states that the Declaration of Restrictive Covenants memorializing the previous voluntary commitment must be amended to reflect the additional 2,800 dwelling units or the City’s LDC requirements must be applied. See Attachment 8.

The PDMD staff finds that the City’s LDC and Activity Center affordable housing programs and policies are generally consistent with BCLUP Policy 2.16.2. However, staff requested that the applicant indicate which affordable housing mitigation option will be utilized for the proposed development. See Attachment 8. The applicant has submitted written correspondence confirming that a minimum of 15% of the proposed residential units will be “affordable housing units” as defined in the BCLUP (i.e. up to 120% of Broward County’s area median income adjusted annually). See Attachment 5. The PDMD staff find the applicant’s affordable housing commitment generally consistent with BCLUP Policy 2.16.2, subject to modifying the text to reflect 15% of the proposed dwelling units as affordable. See Attachment 11. Planning Council staff notes that Attachment 1 reflects that at least 615 dwelling units will be affordable at the moderate-income level.

II. BrowardNext - Broward County Land Use Plan Policies

The proposed amendment is found to be generally consistent with the policies of BrowardNext - Broward County Land Use Plan.

OTHER PLANNING CONSIDERATIONS/INFORMATION (continued)

II. BrowardNext - Broward County Land Use Plan Policies (continued)

Planning Council staff notes that a portion of the Pompano Park South Activity Center was initially adopted as part of the original 1989 Broward County Land Use Plan inclusion plan and process and was subsequently expanded to its current boundaries in 2010. At that time, the Activity Center was evaluated and determined to be consistent and in compliance with the objective, policies and implementation criteria of the Broward County Land Use Plan regarding the Regional Activity Center (RAC) category. This proposed amendment to revise the uses within the existing Activity Center is intended to provide a more integrated live-work-play mixed-use area with entertainment, hotel, retail and office uses, and medium- to high-density residential neighborhoods. Planning Council staff notes that the adoption of BrowardNext combined and streamlined all mixed-use categories into a single Activity Center category, maintaining all permitted intensities and densities. The proposal to amend the Pompano Park South Activity Center permitted uses is consistent with BrowardNext.

III. Other Pertinent Information

The applicant has provided a summary of its public outreach efforts. See Attachment 5.

Regarding public notification, Broward County Planning Council staff sent approximately 667 courtesy notices to all property owners within the land use plan amendment boundaries, as well as within 300 feet of the boundaries.

SECTION VI
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 19-8

PLANNING ANALYSIS

The applicant is proposing to revise the uses within the existing Pompano Park South Activity Center. The revision is intended to provide a more integrated live-work-play urban mixed-use center with entertainment, including an existing racetrack and casino, hotel, retail and office uses, and medium- to high-density residential neighborhoods. The amendment proposes 4,100 dwelling units, 2,000,000 square feet of office uses, 1,000,000 square feet of commercial recreation uses and 300,000 square feet of commercial uses. This is an **addition** of 2,800 dwelling units and 1,048,650 square feet of office uses and a **reduction** of 822,986 square feet of commercial recreation uses and 464,478 square feet of commercial uses.

Planning Council staff's review indicates that the amendment is generally in compliance with the BCLUP policies concerning the Activity Center land use designation, noting that the subject area will facilitate an interconnected mix of land uses, encourage multi-modal transportation, provide integrated housing, entertainment, and employment opportunities, and promote tourism.

Planning Council staff's analysis finds that adequate **potable water plant capacity and supply, sanitary sewer, drainage, and solid waste capacity and park acreage** will be available to serve the proposed land use. See Attachment 3. The Broward County Parks and Recreation Division recommends that a public recreational component should be included in this development to provide public parks and recreational facilities for future residents. See Attachment 4. The applicant has indicated that recreational and open space areas will be incorporated into the site, including a lake, community parks, urban plazas and pedestrian and bicycle trails. In addition, each residential development will provide private recreational amenities such as swimming pools, fitness centers and passive outdoor areas. See Attachment 5.

In addition, our analysis finds that the proposed amendment is not projected to impact the operating condition of the **regional transportation network**. See Attachment 6. Further, no adverse impacts to **natural, historical or cultural resources** were identified.

Concerning impacts to **public schools**, the Broward County School Board staff report states that the proposed amendment would generate 1,586 additional students into Broward County Public Schools, consisting of 714 elementary school students, 421 middle school students and 451 high school students. Based on the School District's Seven Long Range Planning Areas, the amendment is located within School District Planning Area "B," which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. See Attachment 9.

PLANNING ANALYSIS (continued)

Regarding **affordable housing**, the proposed land use plan amendment is subject to Broward County Land Use Plan (BCLUP) Policy 2.16.2, as it proposes 2,800 additional residential units to be permitted by the BCLUP. The applicant has submitted written correspondence confirming that a minimum of 15% of the proposed residential units will be “affordable housing units” as defined in the BCLUP (i.e. up to 120% of Broward County’s area median income adjusted annually). See Attachment 5. The PDMD staff finds the applicant’s affordable housing commitment generally consistent with BCLUP Policy 2.16.2, subject to modifying the text to reflect 15% of the proposed dwelling units as affordable. See Attachment 11. Planning Council staff notes that Attachment 1 reflects that at least 615 dwelling units will be affordable at the moderate-income level.

In conclusion, Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved.

SECTION VII
AMENDMENT REPORT
PROPOSED AMENDMENT PCT 19-8

ATTACHMENTS

1. Broward County Planning Council Text Amendment
2. A. Aerial Photograph
 B. BrowardNext – Broward County Land Use Plan Future Land Use Designations
3. Broward County Planning Council Supplemental Report of August 2019
4. Broward County Parks and Recreation Division Report of June 28, 2019
5. Correspondence from Debbie M. Orshefsky, Esquire, Holland & Knight, LLP, to Deanne Von Stetina, AICP, Assistant Executive Director, Broward County Planning Council, dated August 29, 2019
6. Broward County Planning Council Traffic Analysis of June 24, 2019
7. Broward County Transit Division Report of July 3, 2019
8. Broward County Planning and Development Management Division Report of July 23, 2019
9. School Board of Broward County Consistency Review Report of August 21, 2019
10. Broward County Environmental Protection and Growth Management Department Report of July 15, 2019
11. Updated Broward County Planning and Development Management Division Report of September 6, 2019
12. Broward County Water Management Division Report of June 26, 2019

ATTACHMENT 1

BROWARD COUNTY LAND USE PLAN TEXT AMENDMENT PCT 19-8

Pompano Beach Pompano Park South Activity Center

Acreage: Approximately 230.0 acres

General Location: Located on the east side of Powerline Road, between Southwest 3 Street and North Cypress Bend Drive.

The Pompano Park South ~~Regional~~ Activity Center consisting of the Pompano Park racetrack, casino, and adjacent property. The RAC is located south of Race Track Road, between Powerline Road and the CSX Railroad, and comprises approximately 230 gross acres. The area encompassed by the RAC must be zoned in a mixed-use zoning district that limits the density and intensity of the land uses to the following:

Density and Intensity of Land Uses:*

Residential Land Uses: ~~43 acres consisting of 1,050 mid-rise apartment units, 250 garden apartment units~~ 4,100 multi-family dwelling units**

Commercial Recreation Land Uses: ~~135 acres~~ 1,000,000 square feet

Commercial Land Uses: ~~27 acres~~ 300,000 square feet

Office Land Uses: ~~26 acres~~ 2,000,000 square feet

Remarks:

*The Residential uses will consist of stand-alone residential as well as residential units as part of a mixed-use Commercial and Office development within the Commercial and Office designations. ~~Residential unit types may be re-allocated subject to a voluntary mitigation agreement with the Broward County School Board in the event of inadequate student capacity, and provided that the total number of residential units shall remain at 1,300.~~

~~Acreage for non residential land uses will be assigned on a gross acreage basis to all lands included within the development parcel needed to comply with on-site land development requirements, such as, but not limited to, building footprint, setbacks, parking, outdoor pedestrian circulation, landscaping, drainage, etc.~~ Within mixed use projects, acreage square footages shall be assigned according to the proportion of floor area associated with each use (e.g. if 50 percent of the floor area is used for A, then 50 percent of the gross acreage square footage of the development parcel will be assigned to A).

**At least 615 (15%) of the multi-family dwelling units will be affordable at the "moderate-income" (i.e. up to 120% of the median income) level.

NOTES: Underlined words are proposed additions. ~~Strike through~~ words are proposed deletions.

ATTACHMENT 2.A.
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
AERIAL PHOTOGRAPH
AMENDMENT PCT 19-8



ATTACHMENT 2.B.

BROWARDNEXT - BROWARD COUNTY LAND USE PLAN

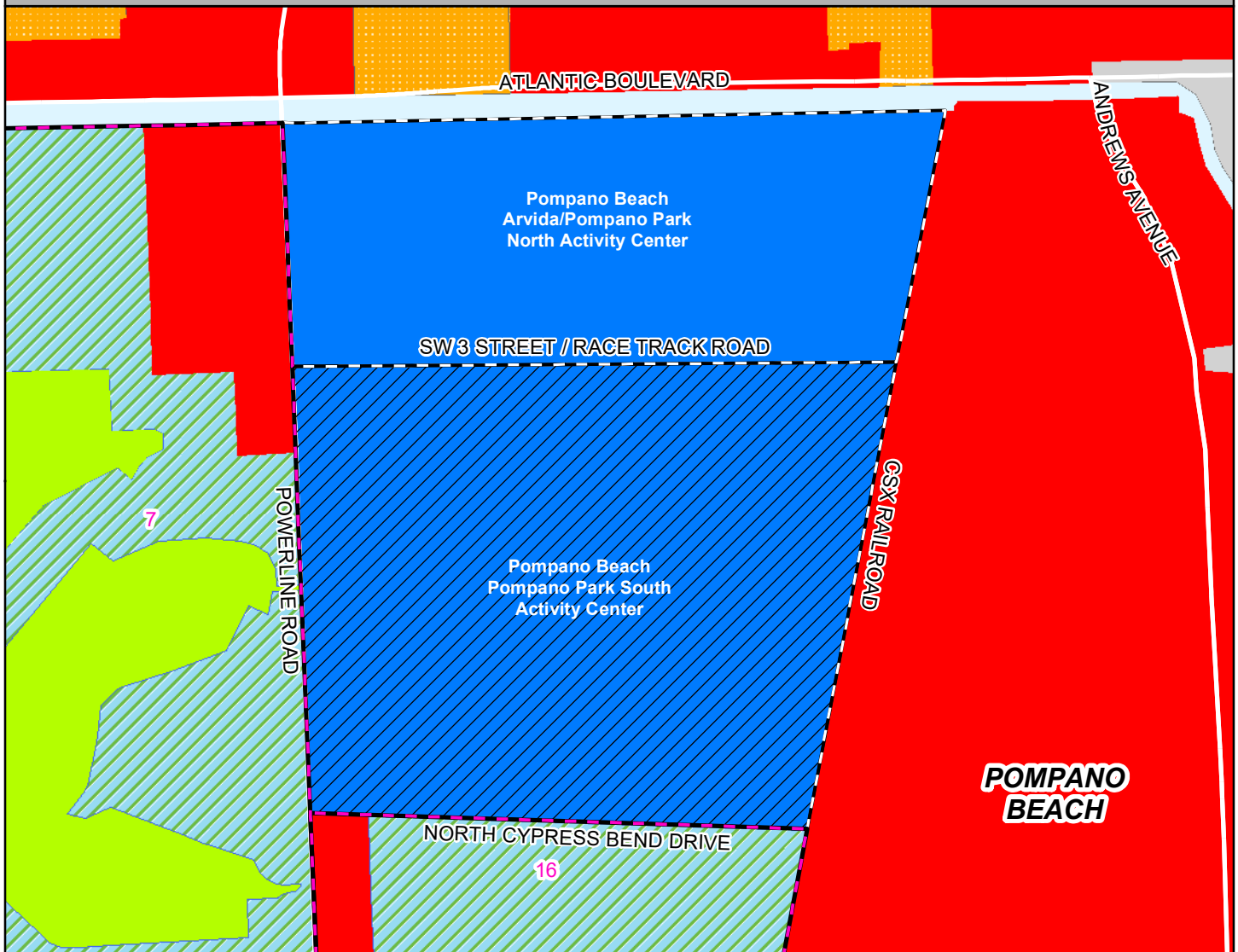
FUTURE LAND USE DESIGNATIONS

AMENDMENT PCT 19-8

Current Land Use: Activity Center

Proposed Land Use: Activity Center - Addition of 2,800 dwelling units and 1,048,650 square feet of office use. Reduction of 822,986 square feet of commercial recreation uses and 464,478 square feet of commercial uses.

Gross Acres: Approximately 230 acres



Site



Dashed-Line Area



Low-Medium (10) Residential



Irregular Residential



Activity Center



Commerce



Commercial Recreation



Transportation



Water / Primary Drainage



ATTACHMENT 3

BROWARD COUNTY PLANNING COUNCIL SUPPLEMENTAL REPORT PUBLIC SERVICES AND FACILITIES

BROWARD COUNTY LAND USE PLAN AMENDMENT NUMBER PCT 19-8

Prepared: August 2019

POTABLE WATER

The proposed amendment site will be served by the Pompano Beach Water Treatment Plants, which have a current combined capacity of 50 million gallons per day (mgd). The current and committed demand on the treatment plants is 15.06 mgd, with 34.94 mgd available. The wellfield serving the amendment site has a permitted withdrawal of 17.75 mgd, with 2.69 mgd available for water withdrawal, which expires on September 14, 2025. The amendment will result in a net increase in demand of 1.06 mgd. Planning Council staff utilized a level of service of 0.1 gallons per day (gpd) per square foot for commercial and commercial recreation uses, 0.2 gpd per square foot for office uses and 350 gpd per dwelling unit for residential uses. Sufficient potable water supply and treatment capacity will be available to serve the proposed amendment site.

SANITARY SEWER

The proposed amendment site will be served by the Broward County North Regional Wastewater Treatment Plant, which has a current capacity of 95 mgd. The City of Pompano Beach has an allocated capacity of 17 mgd. The current and committed demand on Pompano Beach's portion of the treatment plant is 14.7 mgd, with 2.3 mgd available. The amendment will result in a net increase in demand of 0.92 mgd. Planning Council staff utilized a level of service of 0.1 gpd per square foot for commercial and commercial recreation uses, 0.2 gpd per square foot for office uses and 300 gpd per dwelling unit for residential uses. Sufficient sanitary sewer capacity will be available to serve the proposed amendment site.

SOLID WASTE

The proposed amendment site will be served by Waste Management for solid waste disposal service. Waste Management collects and transports the City's solid waste to the Monarch Hill landfill, which has a capacity of 10,000 tons per day (tpd) and a demand of 3,500 tpd, with 6,500 tpd available. The amendment will result in a net decrease in demand of 2.16 tpd. Planning Council staff utilized a level of service of 5 pounds (lbs.) per 100 square feet per day for commercial and commercial recreation uses, 1 lb. per 100 square feet per day for office uses and 7.8 lbs. per capita (2.27 persons per household) per day for residential uses. Sufficient solid waste capacity will be available to serve the proposed amendment site.

DRAINAGE

The proposed amendment site is located within the jurisdiction of the Broward County Environmental Protection and Growth Management Department (EPGMD). A surface water management permit from EPGMD may be required prior to any construction.

PARKS AND OPEN SPACE

The City of Pompano Beach has 621.7 acres in its parks and open space inventory. The projected 2045 population (139,760) requires approximately 419.28 acres to meet the community parks acreage requirement of 3 acres per one thousand persons population. The proposed land use amendment will result in an increase of 19.07 acres on the projected demand for local parks. The City of Pompano Beach continues to meet the community parks acreage requirement of the Broward County Land Use Plan of 3 acres per one thousand persons population. The applicant has submitted additional information regarding public open space and plazas within the proposed amendment site. See Attachment 5.

ATTACHMENT 4



PARKS AND RECREATION DIVISION • Administrative Offices
950 N.W. 38th St. • Oakland Park, FL 33309-5982 • 954-357-8100 • TTY 954-537-2844 • FAX 954-357-5991


*Winner of the National Gold Medal Award for Excellence in Park and Recreation Management
Accredited by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA)*

MEMORANDUM

June 28, 2019

To: Barbara Blake Boy, Executive Director
Broward County Planning Council



Thru:  Dan West, Director
Parks and Recreation Division

From: John R. Fiore, Planner
Parks and Recreation Division 

Re: **Land Use Plan Amendment Comments**
September 26, 2019 Meeting

The Broward County Parks and Recreation Division has reviewed the proposed amendment to the Broward County Land Use Plan scheduled for the Planning Council's first public hearing at their August 2019 meeting. Our comment is as follows:

PCT 19-8 No objections. However, regional park impact fees will be required at the time of platting, for the 4,100 residential dwelling units which would be permitted with this proposed land use amendment. Based on information submitted with the application, the residential component of this development will have a buildout population of approximately 9,307 people on a portion of the 230 acre in this proposed development. This development would rank 328th out of the 891 cities in the State of Florida, and would be bigger than 63% of all the cities in Florida. Based on the requirement of 3 acres per 1,000 people local level parks this development would require 27.92 acres of local park land. While the City of Pompano Beach has adequate park acreage, a public recreational component should be included in this development to provide public parks and recreational facilities for the future 9,307 residents that would live in this development.

If you or your staff has any questions about our comments, please call Parks and Recreation Division Director Dan West 954-357-8106.

c. Linda Thompson, Manager, Planning & Development Section, Parks and Recreation Division

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
Broward.org/Parks • Facebook.com/BrowardCountyParks • Twitter.com/BrowardParks • YouTube.com/BrowardCountyParks

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Debbie M. Orshefsky
954-468-7871
debbie.orshefsky@hklaw.com

August 29, 2019

VIA EMAIL



Deanne D. Von Stetina, AICP
Assistant Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

Re: Proposed Amendment PCT 19-8, Live! Resorts- Pompano Park South Activity Center

Dear Deanne:

Below is the supplemental information requested in connection with the Planning Council's review of the above-referenced Proposed Amendment:

1. Affordable Housing: the Applicant agrees that a minimum of 15% of the proposed residential units will be "affordable housing units" as defined in the Broward County Land Use Plan (i.e. income restricted to individuals earning between 80%-120% of Broward County's area median income adjusted annually.)

2. Public Outreach Efforts: Community Meetings were held and the proposed land use plan amendment and concurrent rezoning presented as follows:

April 30, 2019: held at the Herb Skolnick Center in Palm Aire, 300+ people attended a presentation by the developer, The Cordish Company, of its vision for the redevelopment of the 230+ acres comprising the amendment area.

August 21, 2019: held at the Cypress Bend Community Center (directly south of the amendment area), 80-100 people representing all 8 associations within the Cypress Bend Community attended a presentation regarding the proposed land use plan amendment and concurrent rezoning.

August 27, 2019: held at the Herb Skolnick Center in Palm Aire, 30-40 people representing the 22 associations within Palm Aire attended a presentation regarding the proposed land use plan amendment and concurrent rezoning.

August 29, 2019

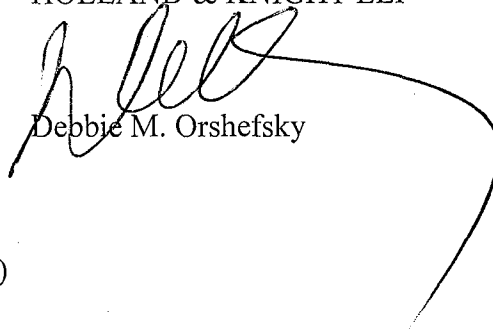
Page 2

3. Recreational Amenities and Open Space: Attached is Exhibit L from the pending rezoning of the amendment area to Planned Commercial District ("PCD") which describes the planned recreational amenities and open space.

If you require any additional information to complete your review please advise.

Sincerely yours,

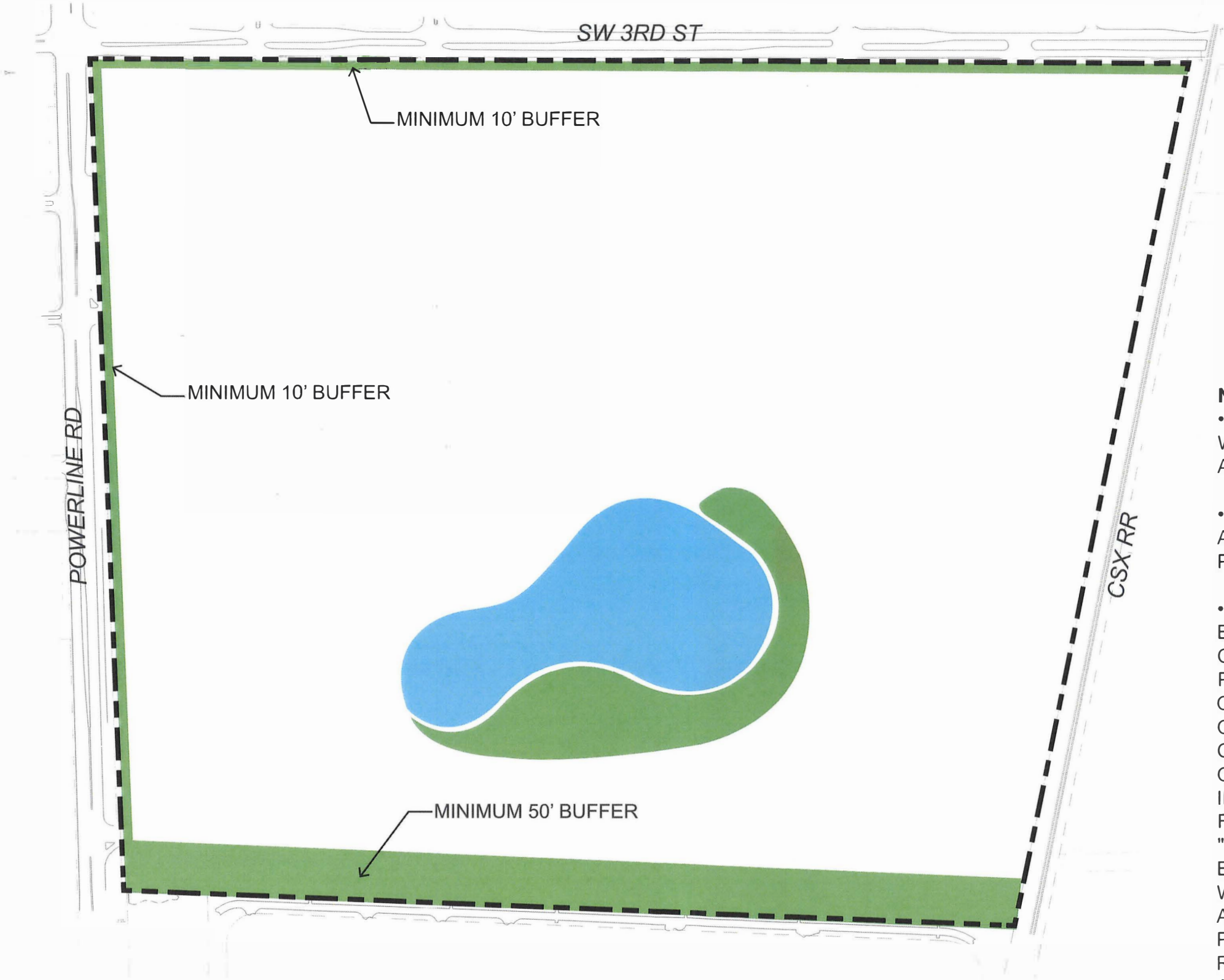
HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "Debbie M. Orshefsky", is written over the typed name. The signature is stylized with a large, sweeping loop at the end.

Debbie M. Orshefsky

cc: Mr. Abraham Rosenthal (via email)
Mr. David Recor (via email)
Ms. Jean Dolan (via email)
Mr. Michael Vonder Meulen (via email)

EXHIBIT L



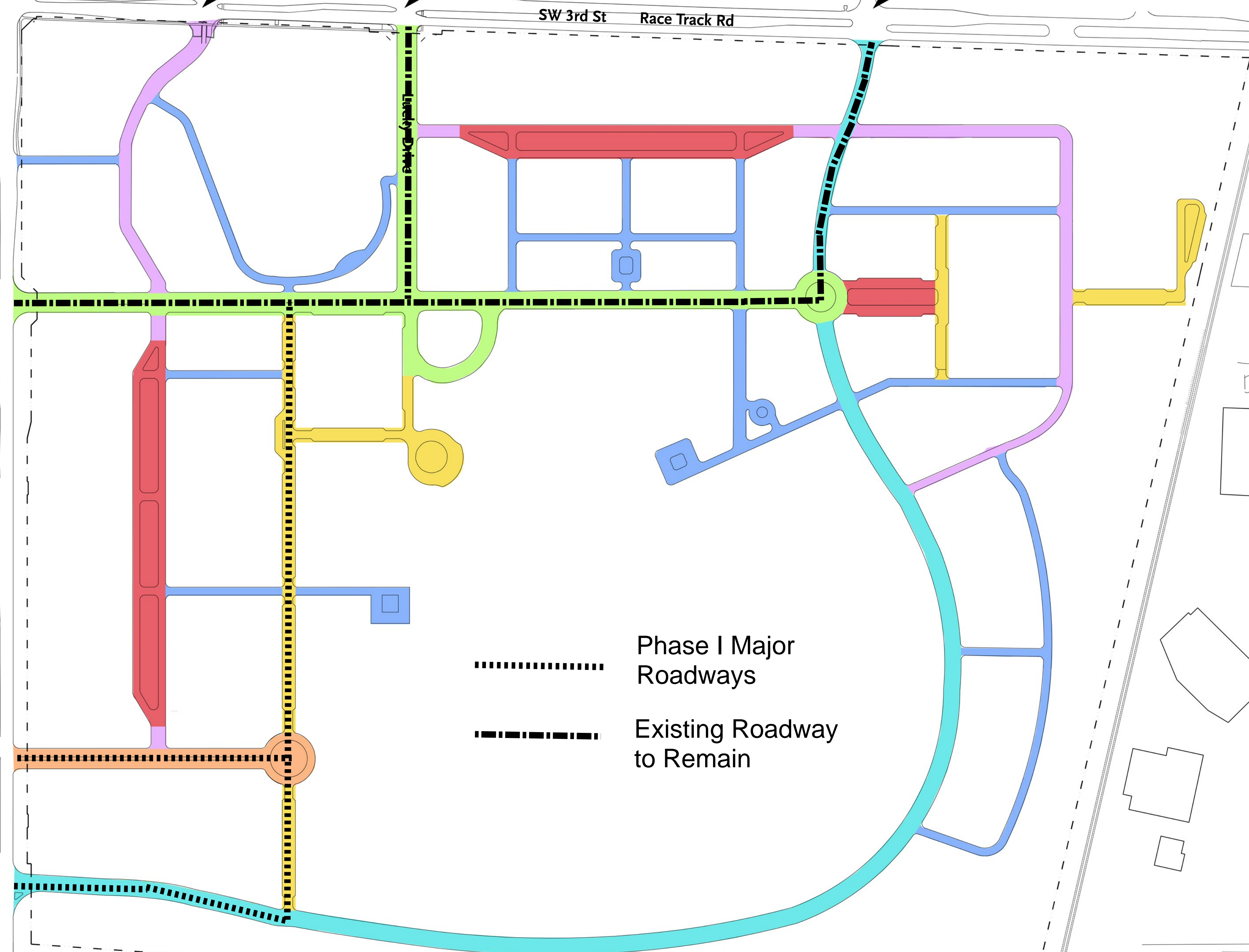
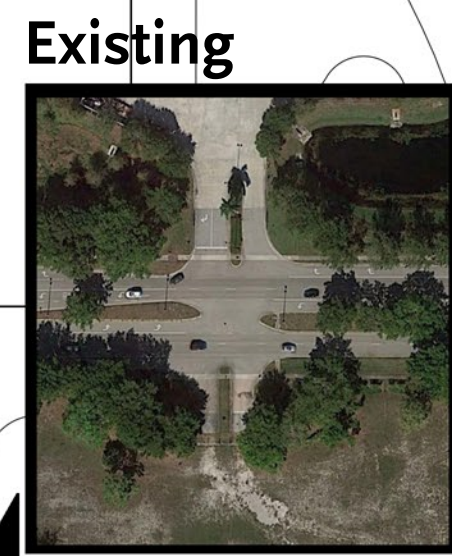
- LEGEND**
- OPEN GREEN SPACE
 - CHRYSTAL LAKE

- NOTE:**
- OPEN SPACE AREAS INCLUDES WATER BODIES, DRIVEWAYS, NATURE AND FITNESS TRAILS
 - DEVELOPABLE AREAS WILL INCLUDE ADDITIONAL GREEN SPACE AND PLAZAS
 - INCORPORATE INTO EACH SITE PLAN ELEMENTS THAT WILL PROVIDE THE CONTEMPLATED COMMUNITY-WIDE PARK AREAS, URBAN PLAZAS AND OPEN SPACES PROVIDING A VARIETY OF RECREATIONAL OPPORTUNITIES COMBINED WITH A ROBUST NETWORK OF GREEN SPACES, TRAILS, BIKE INFRASTRUCTURE AND WATER FEATURES (INCLUDING A 12-15 ACRE "CRYSTAL LAGOON"). IN ADDITION, EACH RESIDENTIAL DEVELOPMENT WILL INCLUDE PRIVATE RECREATIONAL AMENITIES, SUCH AS SWIMMING POOLS, FITNESS CENTERS, MEETING ROOMS AND PASSIVE OUTDOOR AREAS.

OPEN SPACE



POMPANO PARK
Street Diagram and Street Types
 scale: 1:200



..... Phase I Major Roadways
 - - - - - Existing Roadway to Remain



T1



T2



T3



T4



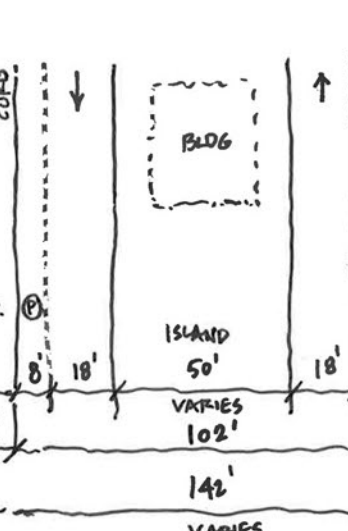
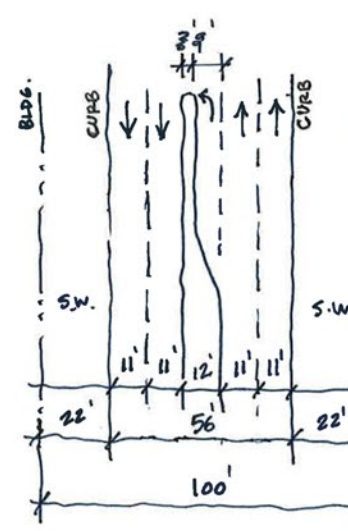
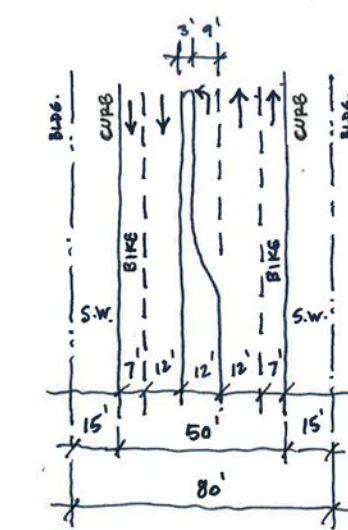
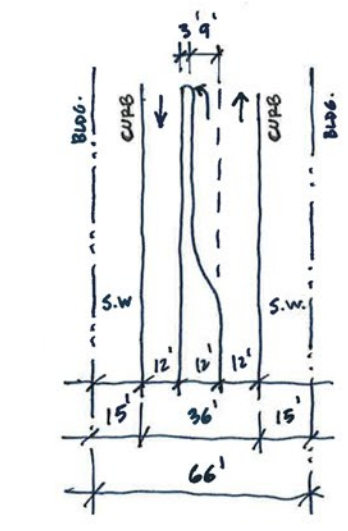
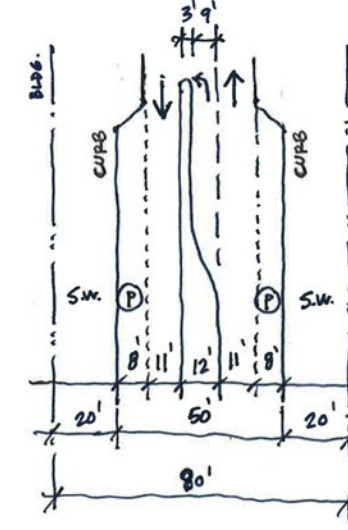
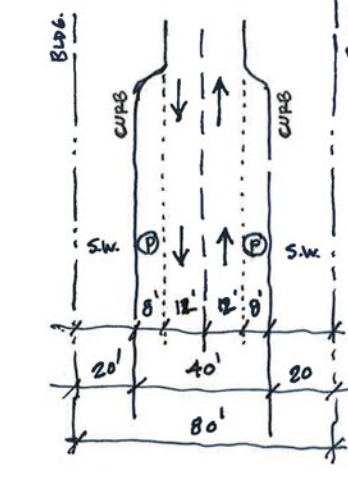
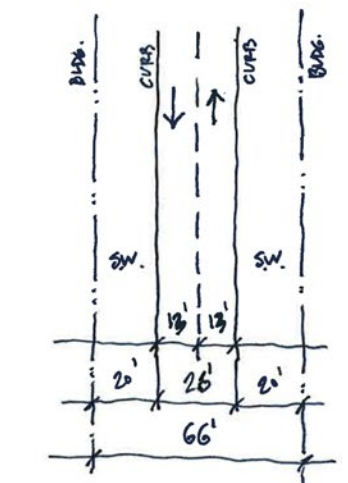
T5



T6



T7



Note: 10-20 foot wide area along roadways will accommodate landscape, and pedestrian walkways.

ATTACHMENT 6

TRAFFIC ANALYSIS

PCT 19-8

Prepared: June 24, 2019

INTRODUCTORY INFORMATION

Jurisdiction: City of Pompano Beach

Size: Approximately 230.0 acres

TRIPS ANALYSIS

Potential Trips - Current Land Use Designation

Current Designation: Activity Center

Potential Development: 1,050 mid-rise apartments
250 garden apartments
1,822,986 square feet of commercial recreation uses
951,350 square feet of office uses
764,478 square feet of commercial uses

Trip Generation Rates: "ITE* Equation (221) Multifamily Housing (Mid-Rise)"**
"ITE Equation (220) Multifamily Housing (Low-Rise)"
"ITE Equation (435) Multipurpose Recreational Facility"
"ITE Equation (710) General Office Building"
"ITE Equation (820) Shopping Center"

Total Trips: $430 + 156 + 6,069 + 1,256 + 2,993 = 10,904$ peak hour trips***

Potential Trips - Proposed Land Use Designation

Proposed Designation: Activity Center

Potential Development: 4,100 multi-family dwelling units
1,000,000 square feet of commercial recreation uses
2,000,000 square feet of office uses
300,000 square feet of commercial uses

Potential Trips - Proposed Land Use Designation (continued)

Trip Generation Rates:	"ITE Equation (220) Multifamily Housing (Low-Rise)" "ITE Equation (435) Multipurpose Recreational Facility" "ITE Equation (710) General Office Building" "ITE Equation (820) Shopping Center"
Total Trips:	2,555 + 3,329 + 2,641 + 1,175 = 9,700 peak hour trips***

Net P.M. Peak Hour Trips **- 1,204 peak hour trips**

PLANNING COMMENTS

The proposed amendment is projected to **decrease** traffic on the regional roadway network by approximately 1,204 p.m. peak hour trips at the long-range planning horizon.

*Institute of Transportation Engineers (ITE) traffic generation equations from "Trip Generation - Tenth Edition," the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.

**The ITE "Trip Generation - Tenth Edition" defines Multifamily Housing (Low-Rise) as apartments, townhouses and condominiums located within the same building with at least three (3) other dwelling units and that have one (1) or (2) levels. Multifamily Housing (Mid-Rise) is defined as apartments, townhouses and condominiums located within the same building with at least three (3) other dwelling units and that have between three (3) and ten (10) levels.

***Reflects an internal capture rate of 7% consistent with the ITE guidelines.

ATTACHMENT 7



Transportation Department

TRANSIT DIVISION- Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

VIA EMAIL

July 3, 2019

Deanne D. Von Stetina, AICP
Assistant Executive Director
Broward County Planning Council
115 South Andrews Ave, Room 307
Fort Lauderdale, FL 33301



RE: Land Use Plan Amendment PCT 19-8

Dear Ms. Von Stetina:

Broward County Transit (BCT) has reviewed your correspondence dated June 24, 2019, regarding the proposed Land Use Plan Amendment (LUPA) PCT 19-8 in the City of Pompano Beach for current and planned transit service. The current transit service provided within a quarter mile of the amendment site is limited to BCT fixed route 14 and the City of Pompano Beach Community Shuttle Red route. Please refer to the following table for detailed information:

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
14	Weekday Saturday Sunday	5:00a – 11:57p 5:36a – 11:05p 7:40a – 8:09p	20 minutes 45 minutes 45 minutes
Pompano Beach Community Shuttle Red Route (BCT 705)	Weekday	9:00a – 4:57p	65 - 78 minutes

Future fixed route bus improvements, including shorter headways and increased span of service on weekdays and weekends, are specified for BCT Route 14 in the Broward County Transit Development Plan (TDP), BCT Mobility Advancement Plan (MAP), and/or Broward MPO 2040 Long Range Transportation Plan (LRTP).

BCT can accommodate additional transit demand, as described in the Mass Transit Analysis, with planned fixed route bus service to the amendment site.



Transportation Department

TRANSIT DIVISION- Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

BCT will request ADA improvements and shelter easements for bus stops 1112, 1113, and 4058 located along Powerline Road / SR 814. This request will be made separately as part of the future development or plat review process.

BCT has no objections to this LUPA but recommends that any proposed development on the amendment site be designed to provide safe movement for pedestrians and bicycles including transit connectivity between the existing sidewalk / bicycle network and bus stops.

Please feel free to call me at 954-357-6543 or email me at luortiz@broward.org if you require any additional information or clarification on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "LRS", is written over a light blue circular stamp.

Luis R. Ortiz Sánchez
Service Planner
Service and Capital Planning

Broward County Board of County Commissioners

Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
www.broward.org

ATTACHMENT 8



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

DATE: July 23, 2019

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council



FROM: Darby Delsalle, AICP, Assistant Director
Planning and Development Management Division

A blue ink handwritten signature, likely of Darby Delsalle, is written over the "FROM:" line.

SUBJECT: Broward County Land Use Plan
Review of Proposed Amendment – Pompano Beach PCT 19-8

The Broward County Planning and Development Management Division (PDMD) staff has reviewed proposed amendment PCT 19-8. The subject site is located in Pompano Beach involving approximately 230.0 acres. The amendment proposes:

Current Designations: *Activity Center consisting of:*
43.0 acres of residential consisting of 1,050 mid-rise apartments and 250 garden apartments
135.0 acres of commercial recreation use
27.0 acres of commercial use
26.0 acres of office uses

Proposed Designation: *Activity Center consisting of:*
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet of commercial recreation use
2,000,000 square feet of office uses

Estimated Net Effect: Addition of 2,800 dwelling units
Addition of 1,048,650 square feet of office use
Reduction of 822,986 square feet of commercial recreation uses
Reduction of 464,478 square feet of commercial uses

Item 7 – Analysis of Natural and Historic Resources

- A. The County's archaeological consultant determined, based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.
- B. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources:
1. Historic resource number 8BD2206, the "Old Pompano Beach Race Track" was previously recorded adjacent to the subject property; however, the site was previously demolished and therefore will not

be impacted by the proposed development. No additional resources are known to exist within the subject property.

2. The subject property is located within the City of Pompano Beach, outside jurisdiction of the Broward County historic preservation ordinance (B.C. Ord. 2014-32). The property owner / agent is advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations.

Contact: Maggie Barszewski
Historic Preservation
Development Services Department
City of Pompano Beach
100 West Atlantic Boulevard, #3
Pompano Beach, Florida 33060
Maggie.barszewski@copbfl.com
Tel.: (954) 786-7921

3. If unmarked burials are discovered, then, pursuant to Florida State Statutes, Chapter 872.05, "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."

Contact: Broward County Medical Examiner
5301 S.W. 31st Avenue
Fort Lauderdale, Florida 33312
Telephone: (954) 357-5200
Fax: (954) 327-6580
Email: Med_Exam_Trauma@broward.org
Website: <http://www.broward.org/MedicalExaminer>

Item 8 - Affordable Housing

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 2.16.2 and Article 5 of the BrowardNEXT Administrative Rules Document. Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. A total of 1,300 residential units are currently permitted under the existing Land Use Plan and this request represents an increase of 2,800 dwelling units; therefore, Policy 2.16.2 applies to this project. Additionally, since the proposed project will be adding dwelling units to an existing Activity Center, LUP Policy 2.4.6 also applies.

According to the applicant, the City of Pompano Beach Land Development Code (Chapter 154.80, Policy 2.26.2(a)) provides options for meeting the affordable housing requirements by either incorporating affordable housing units into the development or paying into the Affordable Housing Trust Fund, as follows:

- A. *In lieu of providing affordable housing units on-site or off-site [...] pursuant to a land use plan amendment, a property owner may elect to contribute a fee in lieu of to be deposited into the city's Local Affordable Housing Trust Fund.*

- B. *The fee to be paid to the city shall be \$2,333 per market-rate unit.*
- C. *The fee shall be paid to the city at the time of building permit.*
- D. *The fee shall be reviewed a minimum of once every three years. The fee may be adjusted by the City Commission to reflect updated housing sales costs, development costs, land values and other considerations.*

However, the subject site is located within the Pompano Beach Pompano Park South Activity Center (Activity Center), which was established by BCLUP Amendments PC 10-11 (map) and PCT 10-8 (text), adopted by the County Commission on September 28, 2010. The Activity Center is subject to voluntary commitments in a recorded Declaration of Restrictive Covenants (DRC) (INSTR # 112471518), as follows:

- Provide 15% of the **1,300 units** as affordable housing, or make a contribution of \$750 per unit to the City of Pompano Beach housing assistance of similar qualifying program chosen by the City; and
- Provide landscaping and sidewalks along Powerline Road and at the corner of Race Track Road and Powerline Road.

It should be noted that Policy 2.4.6 of the BCLUP states that “for proposed **new or revised** Activity Centers, Broward County shall, to address new proposed dwelling units and impacts, coordinate and cooperate in assisting municipalities to identify existing and proposed policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing to serve such areas.” This option would require amending the existing DRC for the Activity Center to reflect the 2,800 additional dwelling units. Otherwise, staff understands that Chapter 154.80, Policy 2.26.2(a) is the alternative applicable instrument.

PDMD staff finds the applicant’s proposed affordable housing commitment to be generally consistent with Broward County Land Use Plan Policy 2.16.2, since the City has adopted affordable housing requirements in both its land development code and as part of the Activity Center designation. However, since the application does not indicate which affordable housing mitigation option will be applied, PDMD staff recommends that this information be provided prior to the first Planning Council public hearing. In either case, the applicant’s voluntary commitment must be subject to a legally enforceable agreement, approved by the Broward County Attorney’s Office, and recorded in the Broward County Public Records.

Item 11 – Redevelopment Analysis

The amendment site is not located within a Community Redevelopment Area.

Item 12 – Intergovernmental Coordination

The proposed amendment site is not adjacent to or in close proximity to any Broward County Municipal Services District (unincorporated area) lands or County-owned facilities/property.

Complete Streets

Broward County strongly supports Complete Streets and the expansion of bicycle, pedestrian and greenway networks. Primary access to the site is currently provided from Powerline Road on the west and SW 3rd Street/Race Track Road on the north. Sidewalks serve the two primary access points. The site is directly served by Broward County Transit route 14. The site is indirectly served by Broward County Transit route 42, which serves Atlantic Boulevard, approximately 1,750 ft. north of the proposed amendment site.

The applicant states that a live-work-play development is envisioned. To facilitate this vision, it is recommended that site be designed to include safe and convenient connections between the development and the surrounding transportation network. For the convenience of those who wish to reduce their carbon

footprint, consider providing electric vehicle charging stations. To further enhance pedestrian and bicycle quality of service, it is recommended that the project include bicycle and pedestrian connections both inside and outside the development. Amenities such as bicycle racks and shade trees should be incorporated into the project's design.

cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department
Ralph Stone, Director, Housing Finance and Community Redevelopment Division
Josie P. Sesodia, AICP, Director, Planning and Development Management Division
Sara Forelle, AICP, Planning Section Supervisor, Planning and Development Management Division
Susanne Carrano, Senior Planner, Planning and Development Management Division
Heather Cunniff, AICP, Senior Planner, Planning and Development Management Division
Richard Ferrer, Historic Preservation Officer, Planning and Development Management Division
Nicholas Sofoul, AICP, Senior Planner, Planning and Development Management Division

JS/slf/hec

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

LAND USE
SBBC-859-2010
County No: PCT 19-8
LIVE ! Resorts Pompano

August 21, 2019



Growth Management
Facility Planning and Real Estate Department
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301
Tel: (754) 321-2177 Fax: (754) 321-2179
www.browardschools.com

ATTACHMENT 9

SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE	PROPERTY INFORMATION
Date: August 21, 2019	Units Permitted 1,300 Units Proposed 4,100	Existing Land Use: Activity Center
Name: LIVE ! Resorts Pompano	NET CHANGE (UNITS): 2,800	Proposed Land Use: Activity Center
SBBC Project Number: SBBC-859-2010	Students Permitted Proposed NET CHANGE	Current Zoning 8-3 and I-1/PCI
County Project Number: PCT 19-8	Elem 77 791 714	Proposed Zoning: PCD
Municipality Project Number:	Mid 42 463 421	Section: 03
Owner/Developer: Pompano Park JV Holdings LLC	High 53 504 451	Township: 49
Jurisdiction: Pompano Beach	Total 172 1,758 1,586	Range: 42

SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS* Capacity	Benchmark** Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of LOS*** Capacity
Cypress Elementary	909	960	758	-202	-11	79.0%
Pompano Beach Middle	1,227	1,227	1,106	-121	-5	90.1%
Ely, Blanche High	2,786	3,065	2,063	-1,002	-40	67.3%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% LOS Capacity Adjusted Benchmark	Projected Enrollment				
				19/20	20/21	21/22	22/23	23/24
Cypress Elementary	766	-194	79.8%	758	762	758	760	758
Pompano Beach Middle	1,118	-109	91.1%	1,133	1,125	1,111	1,097	1,081
Ely, Blanche High	2,094	-971	68.3%	2,047	2,005	2,043	2,031	2,099

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code.

A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

* This number already represents the higher of 100% gross capacity or 110% permanent capacity. ** The first Monday following Labor Day. *** Greater than 100% represents above the adopted Level Of Service (LOS)

INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	23/24	24/25	25/26	26/27	27/28
Area B - Elementary	20,187	16,141	-4,046	19,169	19,530	19,892	20,253	20,615
Area B - Middle	7,580	6,844	-736	7,820	7,911	8,002	8,092	8,183
Area B - High	12,673	10,378	-2,295	8,821	8,854	8,887	8,920	8,953

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2018-19 Contract Permanent Capacity	2018-19 Benchmark** Enrollment	Over/(Under)	Projected Enrollment		
				19/20	20/21	21/22
Innovation Charter School	580	474	-106	474	474	474

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code.

A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

**The first Monday following Labor Day

INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN
(Years 1 - 5)

School(s)	Description of Capacity Additions
Cypress Elementary	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.
Pompano Beach Middle	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.
Ely, Blanche High	There are no classroom additions scheduled in the ADEFP that will increase the reflected FISH capacity.

PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN
(Years 6 - 10)

Capacity Additions for Planning Area B	
School Level	Comments
Elementary	None
Middle	None
High	None

INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Comments

Information contained in the application indicates that the approximately 221-acre site is located on the east side of Powerline Road between SW 3rd Street and North Cypress Bend Drive in the City of Pompano Beach. The current land use designation for the site is Activity Center, which allows 250 garden apartment (all 3 or more bedroom) and 1,050 mid-rise (all 2 or more bedroom) units. The applicant proposes to allow a total of 4,100 garden apartment (all 3 or more bedroom) units with no change in land use designation, which are anticipated to generate 1,586 additional students (714 elementary, 421 middle and 451 high) into Broward County Public Schools.

Please be advised that this application was reviewed utilizing 2018-19 school year data because the current school year (2019-20) data will not be available until updates are made utilizing the Benchmark Day Enrollment Count.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Five-Year Adopted District Educational Facilities Plan (DEFP) FY 2018-19 - 2022-23. However, the statistical data regarding the level of service standard (LOS) status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2018-19 school year were Cypress Elementary, Pompano Beach Middle, and Blanche Ely High. The same schools are serving the site in the 2019-20 school year. Based on the District's Public School Concurrency Planning Document, all of the schools are operating below the adopted LOS of the higher of 100% gross capacities or 110% permanent capacities in the 2018-19 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2018-19 – 2020-21), all the schools are expected to operate below the adopted LOS of the higher of 100% gross capacities or 110% permanent capacities through the 2020-21 school year. It should be noted that the permanent school capacity or Florida Inventory of School Housing (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP FY 2018-19 – 2022-23. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the site in the 2018-19 school year is depicted herein.

Capital Improvements scheduled in the long-range section of the currently Five-Year Adopted DEFP FY 2018-19 – 2022-23 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "B", the elementary, middle, and high schools currently serving Planning Area "B", and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein.


Therefore, Planning Area "B" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. Please be advised that if approved, the residential units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT
PROJECT NUMBER: SBBC-859-2010

August 21, 2019

Date

Reviewed By:



Signature

Mohammed Rasheduzzaman, AICP

Name

Planner

Title

ATTACHMENT 10

EP&GMD COMMENTS

PCT 19-8

Page 1

ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT REVIEW AND COMMENTS ON PROPOSED BROWARD COUNTY LAND USE PLAN MAP AMENDMENT

For: Broward County Planning Council

Applicant: PPI, Inc. and Pompano Park Holdings, LLC



Amendment No.: PCT 19 – 8

Jurisdiction: Pompano Beach **Size:** Approximately 230 acres

Existing Use: Race track, casino, restaurants, stables, and vacant

Current Land Use Designation: Activity Center consisting of:
43.0 acres of residential consisting of 1,050 mid-rise
apartments and 250 garden apartments
135.0 acres of commercial recreation use
27.0 acres of commercial use
26.0 acres of office uses

Proposed Land Use Designation: Activity Center consisting of:
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet of commercial recreation use
2,000,000 square feet of office uses

Location: In Section 3, Township 49 South, Range 42 East; generally located on the
east side of Powerline Road, between Southwest 3 Street/Race Track Road
and North Cypress Bend Drive

Note: Findings and Recommendations do not constitute waivers from any federal, state or local law.

ANALYSIS AND FINDINGS:

ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION

Wetlands - [CP Policies 7.5.9, 7.5.11, 13.8.1, 13.8.2, 13.8.3, 13.8.5, 13.8.6, 13.9.3, 13.9.4, 13.9.6, 13.10.1, 13.10.3, 13.10.4; BCLUP Policies 2.22.1, 2.22.2]

There are no wetlands within the footprint of the proposed project. Any work in, on, over or under waters of Broward County (i.e., lake filling, excavation or reconfiguration, canal bank reshaping, boat ramps, culverts, etc.) will require an Environmental Resource License.

Upland Resources (including Tree Preservation and Greenways) - [CP Policies 13.6.11, 13.6.13, 13.6.14; BCLUP Policies 2.20.17]

Review of aerial photographs indicates that the subject site contains mature tree canopy. Development of the site must comply with the tree preservation regulations of the City of Pompano Beach. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

Air Quality - [CP Policy 13.1.15, BCLUP Policy 2.25.1]

The preliminary traffic analysis indicates that the proposed amendment would result in a **decrease by 1,204 PM peak hour trips** per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a **minimal impact on air quality**.

Based on the Broward County Roadway Capacity and Level of Service Analysis 2017 and 2040, the current level of service rating on all roadways is currently degraded and the long-term traffic impact on the level of service rating will continue to decline in 20 years.

The Air Quality Program recommends pro-active long-term planning methods that will result in the prevention of any further deterioration of our air quality and quality of life. The Air Quality Program recommends that the plan for development includes air quality measures or provisions that will support alternative methods of transportation. These measures include promoting the use of transit, promoting the use of ridesharing, promoting the use of alternative fuel vehicles (AFV) where appropriate and AFV infrastructure, bikeways and bike storage facilities, and the use of pedestrian friendly designs which will include native tree shaded areas.

There are **twenty air permitted facilities** located within half a mile of the proposed amendment

EP&GMD COMMENTS

PCT 19-8

Page 3

site. Only one air permitted facility has had an air quality complaint. After inspection, there was no observed violation. (MO 7/2/19)

Contaminated Sites - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies]

The list of known contaminated sites (from EPGMD's GIS Database of Contaminated Locations in Broward County) has been reviewed. **Twenty-four** listed contaminated sites were found within one-quarter mile of the proposed amendment location. If there are any proposed dewatering locations, the applicant must submit a pre-approval from Broward County's Environmental Engineering and Permitting Division.

See attached map and database for further information as it relates to the land use amendment site. (MO 07/03/2019)

Solid Waste - [CP Policies 6.1.2, 6.1.3, 6.2.6, 6.2.7, 13.2.7; BCLUP Policies 2.26.1, 2.26.2, 2.26.3, 2.11.5, 3.4.2, 3.4.3, 2.11.8]

There is one active solid waste facility located within one mile of the amendment site. See attached map and database for further information as it relates to the land use amendment site. (MO 07/03/2019)

ENVIRONMENTAL AND CONSUMER PROTECTION DIVISION

Wellfield Protection - [CP Policies 4.2.10, 4.4.13, 6.2.6, 6.2.7, 7.5.2, 7.5.3, 7.5.4, 13.2.2, 13.3.3, WM3.6, WM3.18; BCLUP Policies 2.26.1, 2.26.2, 2.26.3, 2.11.5]

The proposed amendment site is not currently within a wellfield zone of influence. No special restrictions apply under Broward County's Wellfield Protection regulations. (CB 07/15/2019)

SARA TITLE III (Community Right to Know) - [CP Policy 13.2.7, WM3.18;]; BCLUP Policies 6.2.6]

The list of known SARA Title III Facilities in Broward County has been reviewed. There are five (5) SARA Title III Facilities on or adjacent to the proposed amendment site. These are: 1) Associated Grocers of Florida - 1141 SW 12TH AVE Pompano Beach 33069 2) Florida Linen Services - 1407 SW 8TH ST Pompano Beach 33069, 3) Southern Specialties - 1430 SW 6TH CT Pompano Beach 33069, 4) Sun City Produce - 2230 SW 2ND ST Pompano Beach 33069 and 5) Verizon - MCI South FL Major Switch - 599 SW 16TH TER Pompano Beach 33069. (CB 07/15/2019)

Hazardous Material Facilities - [CP Policies 13.2.1, 13.2.6, 13.2.7, WM3.18; BCLUP Policies 6.2.6]

The list of known hazardous material facilities and storage tank facilities (from ECPD's GIS Database of hazardous material facilities in Broward County) has been reviewed. There are forty-three (43) hazardous material/storage tank facilities on, adjacent to, or within ¼ mile of the amendment site (5 of which are SARA Title III facilities). Of the 43 facilities, eleven (11) are storage tank facilities, twenty-four (24) are hazardous material facilities, and eight (8) are

facilities that have both hazardous materials and storage tanks. (CB 07/15/2019)

ENVIRONMENTAL PLANNING & COMMUNITY RESILIENCE DIVISION:

Specially Designated Areas - [CP policies 13.6.1, 13.6.4, 13.6.6, 13.6.7, 13.6.9, 13.6.10, 13.7.2, 13.7.5; BCLUP Policies 2.23.1, 2.23.2, 2.23.3, 3.3.9, 3.3.10]

County specially designated areas, e.g. Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, Urban Wilderness Inventory sites, do not exist within the boundaries of the proposed amendment site.

Protected Natural Lands – The project site is not included in the Protected Natural Lands Inventory and not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The Inventory provides information regarding the ownership and management for each of the Protected Natural Lands and may be accessed at:

<http://www.broward.org/NaturalResources/LandStewardship/Pages/NaturalLands.aspx>

Marine and Riverine Resources - [CP Policies 7.5.10, 13.2.3, 13.5.3, 13.7.6, 13.7.8; BCLUP Policies 3.3.4, 2.11.6, 2.27.1, 2.27.2, 2.27.3, 2.11.7, 3.3.12, 2.27.4, 2.24.2] The proposed land use designation is not expected to have an impact on marine or riverine resources. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

Priority Planning Areas for Sea Level Rise – [CP Policies 19.2.2, 19.3.7, 19.3.12, 19.3.13; BCLUP Policies 2.21.1, 2.21.2, 2.21.3, 2.21.5]

The Priority Planning Areas for Sea Level Rise Map identifies areas that are at increased risk of flooding due to, or exacerbated by, sea level rise by the year 2060. In review of land use plan amendments, the County requires the applicant to demonstrate that the project will not increase saltwater intrusion or areawide flooding, not adversely affect groundwater quality or environmentally sensitive lands, and that subsequent development will be served by adequate stormwater management and drainage facilities.

The County also strongly discourages those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. The County will take into consideration sea level rise and flood protection mitigation strategies and requirements included within the city's local comprehensive plans and/or development regulations, or improvements committed to by the applicant which would mitigate or enhance flood protection and adaptation from rising sea levels.

While the County encourages applicants to consider these and other impacts from climate change

EP&GMD COMMENTS

PCT 19-8

Page 5

during the site planning process, the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. Therefore, Policy 2.21.1 and portions of policy 2.21.5 do not apply to the review of this project.

NatureScape Program – [CP Policies 4.4.8, 13.3.5, 13.3.7, 19.4.11; BCLUP 2.20.14] –

NatureScape is about creating Florida-friendly landscapes that conserve water, protect water quality, and create wildlife habitat. Development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. Information regarding Naturescape can be accessed at:

<http://www.broward.org/NatureScape/Pages/Default.aspx>

Surface Water Management - [CP Policies 7.4.2, 7.4.3, 7.5.2, 7.5.9, 13.2.4, 13.3.12; BCLUP Policies 2.24.1, 2.24.2, 2.21.5]

The proposed amendment site is located within the jurisdiction of South Florida Water Management District. Development within the site will be required to meet the drainage standards of Broward County and the South Florida Water Management District. Successful compliance with the criteria established should result in reducing the potential danger from flooding and maintaining the quality of surface waters. A surface water management permit may be required.

Tracts within the proposed amendment site are located within the Federal Emergency Management Agency (FEMA) flood insurance zones AE with a NAVD 88 elevation of 10, and 9 feet (waterbodies on site), and zone AH with a NAVD 88 of 11,10,9,8, and 7 feet, and zone X .

Water Recharge - [CP Policies 7.4.3, 7.5.2, 7.5.3, 7.5.4, 7.5.7, 7.5.9, 7.5.11, 7.5.12, 13.3.12, 13.3.13; BCLUP Policies 2.26.1]

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in no net change in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be insignificant.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

See attached Water Recharge Questionnaire.

BROWARD COUNTY PLANNING COUNCIL

**WETLAND RESOURCE QUESTIONNAIRE
as completed by the
ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT**

I. Introductory Information

- A. Amendment No.:*** PCT 19-8
- B. Municipality:*** Pompano Beach
- C. Project Name:*** Pompano Beach Pompano Park South Activity Center

II. Site Characteristics

- A. Size:*** Approximately 230 acres
- B. Location:*** Pompano Beach
- C. Existing Use:*** Race track, casino, restaurants, stables, and vacant

III. Broward County Land Use Plan Designation

- A. Current Designation:*** Activity Center consisting of:
43.0 acres of residential consisting of 1,050 mid-rise apartments
and 250 garden apartments
135.0 acres of commercial recreation use
27.0 acres of commercial use
26.0 acres of office uses
- B. Proposed Designation:*** Activity Center consisting of:
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet of commercial recreation use
2,000,000 square feet of office uses

Wetland Resource Questionnaire

PCT 19-8

IV. Wetland Review

- A. Are wetlands present on subject property? No***
- B. Describe extent (i.e. percent) of wetlands present on subject property.***
- C. Describe the characteristics and quality of wetlands present on subject property.***
- D. Is the property under review for an Environmental Resource License?***
- E. Has the applicant demonstrated that should the proposed Land Use designation be approved, the proposed project will be consistent with the requirements of Article XI, Chapter 27 of the Broward County Code of Ordinances? Unknown, see comments below.***

V. Comments:

There are no wetlands within the footprint of the proposed project. Any work in, on, over or under waters of Broward County (i.e., lake filling, excavation or reconfiguration, canal bank reshaping, boat ramps, culverts, etc.) will require an Environmental Resource License.

Completed by: Linda Sunderland, NRS
Natural Resources Manager

BROWARD COUNTY PLANNING COUNCIL

WATER RECHARGE QUESTIONNAIRE

as completed by

ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT

I. Introductory Information

- A. Amendment No.:*** PCT 19-8
- B. Municipality:*** Pompano Beach
- C. Applicant:*** PPI, Inc. and Pompano Park Holdings, LLC

II. Site Characteristics

- A. Size:*** Approximately 230 acres
- B. Location:*** Pompano Beach
- C. Existing Use:*** Race track, casino, restaurants, stables and vacant

III. Broward County Land Use Plan Designation

Current Land Use Designation: Activity Center consisting of:
43.0 acres of residential consisting of 1,050 mid-rise
apartments and 250 garden apartments
135.0 acres of commercial recreation use
27.0 acres of commercial use
26.0 acres of office uses

Proposed Land Use Designation: Activity Center consisting of:
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet of commercial recreation use
2,000,000 square feet of office uses

IV. Water Recharge Review

A. Describe the general impacts of the current land use designation on water recharge:

The current land use designation is Activity Center.

A typical value for an impervious area produced by this type of development is approximately 77 percent.

B. Describe the general impacts of the proposed land use designation on water recharge:

The current land use designation is Activity Center.

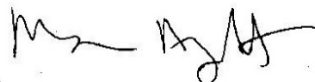
A typical value for an impervious area produced by this type of development is approximately 77 percent.

V. Impact of Change in Land Use Designation

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in no net change in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be insignificant.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

VI. Comments



By: _____

Date 7/1/2019

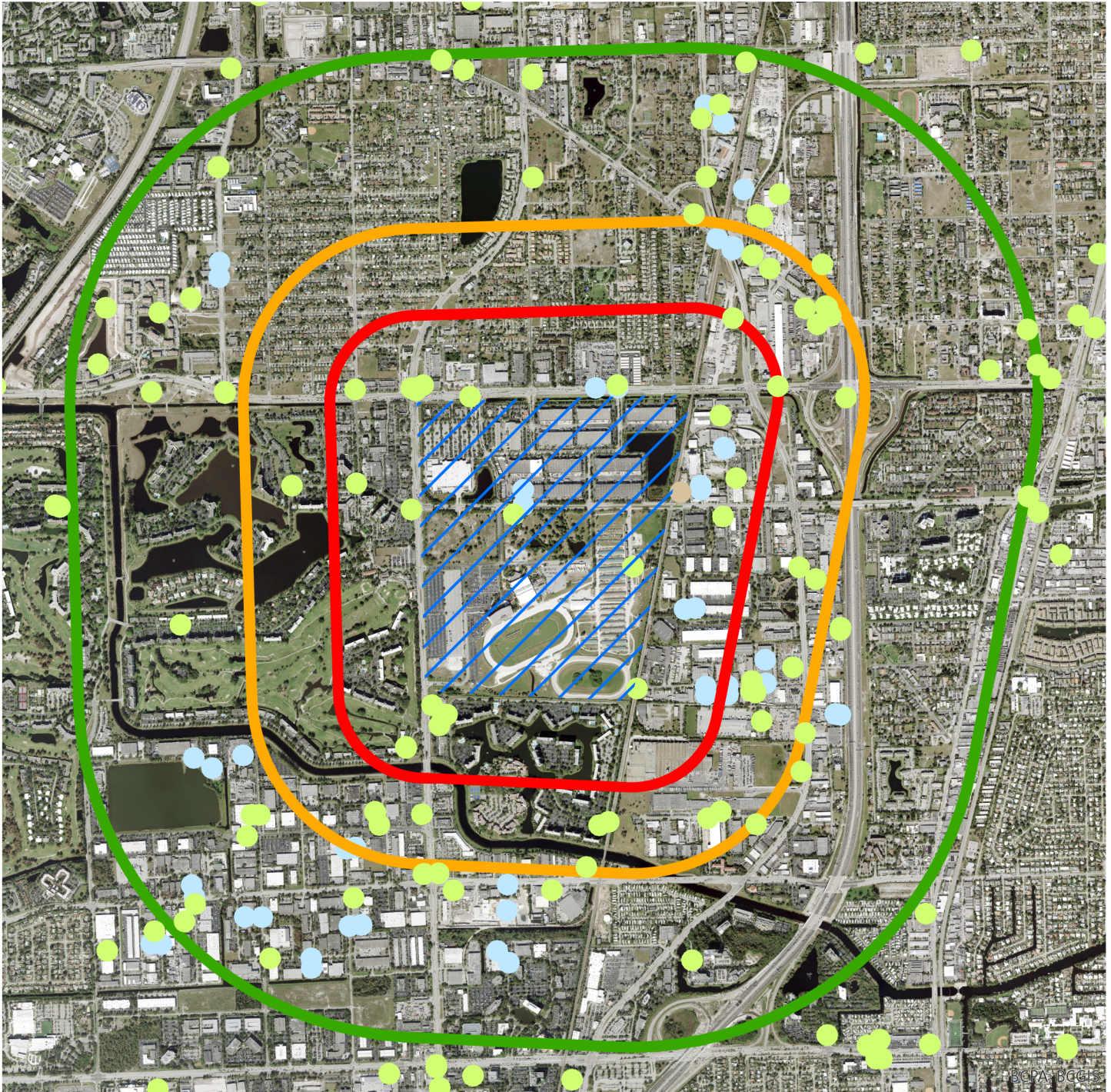
Maena Angelotti

Environmental Planning and Community Resilience Division

Contaminated Sites								
Site Number	Facility Name	Street Address	City	Zip Code	Pollutant	Facility Type	DEP Facility Number	Active
SF-0066	CYPRESS BEND III #9	2112 S CYPRESS BEND DR	Pompano Beach	33069	Diesel	Emergency Generator	069602541	Y
NF-2749	Murphy USA, #6825	2320 W ATLANTIC BLVD	Pompano Beach	33069	Gasoline	Gas Station	069805488	N
NF-1871B	SHELL	2491 W ATLANTIC BLVD	Pompano Beach	33069	Petroleum	Gas Station	068502506	N
NF-2062	TriRail Derailment Spill	SW 8 Street and TriRail Tracks	Pompano Beach	33069	Diesel	Roadside Spill	069814963	Y
NF-2509	CYPRESS BEND CONDOMINIUM	2200 S CYPRESS BEND DR	Pompano Beach	33069	Diesel	Emergency Generator	069800623	N
SF-1861	LOU BACHRODT CHEVROLET IN	1801 W ATLANTIC BLVD	Pompano Beach	33069	Petroleum		068627754	N
SF-1871A	SHELL	2491 W ATLANTIC BLVD	Pompano Beach	33069	Petroleum	Gas Station	068502506	N
NF-2878	Fuchs Lubricants Company	250 SW 14TH AVE	Pompano Beach	33069	Petroleum	Warehouse	069045886	N
SF-1835A	POMPANO HARNESS TRACK	1800 SW 3RD ST	Pompano Beach	33069	Gasoline; Petroleum		068502498	Y
NF-1835B	POMPANO HARNESS TRACK	1800 SW 3RD ST	Pompano Beach	33069	Herbicides	Park		Y
NF-1835C	POMPANO HARNESS TRACK	1800 SW 3RD ST	Pompano Beach	33069	Arsenic	Fuel Facility		Y
SF-1835D	POMPANO HARNESS TRACK	1800 SW 3RD ST	Pompano Beach	33069	Gasoline	Other	068502498	N
NF-2104	FIRST UNION OPERATION CEN	1410 SW 3RD ST	Pompano Beach	33069	Gasoline	Retail	069046681	Y
SF-1835E	Duke Realty Parcel	1702 W ATLANTIC BLVD	Pompano Beach	33069	Petroleum	Park	068502498	Y
NF-1871C	SHELL	2491 W ATLANTIC BLVD	Pompano Beach	33069	Chlorinated; Solvents	Other	068502506	Y
NF-3347B	PALM AIRE HOTEL & COUNTRY	2601 N PALM AIRE DR	Pompano Beach	33069	Diesel	Other	069401232	N
NF-3648	DANTZLER LUMBER ETAL	1500 SW 1ST CT	Pompano Beach	33069	Arsenic	Wood Preserving		Y
SF-1274	WAYMORE CORP/ATLANTIC K	2701 W ATLANTIC BLVD	Pompano Beach	33069	Diesel; Gasoline	Gas Station	068945523	Y
OT-3565	MERI CLEANERS	914 S POMPANO PKY	Pompano Beach	33069	Chlorinated	Dry Cleaner	069501811	Y
SF-1176	SUNSHINE CITGO #30010	301 S POMPANO PKY	Pompano Beach	33069	Petroleum	Gas Station	068501725	Y
NF-3347A	PALM AIRE HOTEL & COUNTRY	2601 N PALM AIRE DR	Pompano Beach	33069				N
SF-1037	AMOCO STATION #10599	2511 W ATLANTIC BLVD	Pompano Beach	33069	Petroleum	Gas Station	068502406	Y
SF-0821	THE COURT AT PALM AIRE	2701 N COURSE DR	Pompano Beach	33069	Diesel	Emergency Generator	069700139	Y
SF-0065	CYPRESS BEND III	2205 S CYPRESS BEND DR	Pompano Beach	33069	Diesel	Emergency Generator	069602540	N

Active Solid Waste Facilities

Facility	Street Address	City	Zip Code	Nature of Facility	Status Description
Panzarella MRF LLC	1601 SW 3rd Street	Pompano Beach	33069	Waste Processing Facility	Active



Legend

-  Proposed Site
-  Contaminated Sites
-  Half Mile Buffer
-  One Mile Buffer
-  Quarter Mile Buffer
-  Solid Waste Facilities
-  Air State Permitted Facilities

0 0.25 0.5 1 Miles

Generated for location purposes only. Marker size is a visual aid and neither represents exact location nor area of designated facility.

Prepared by: MOSPINA- July 2019
Environmental Engineering and Permitting Division

ATTACHMENT 11



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

DATE: September 6, 2019

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council



FROM: Josie P. Sesodia, AICP, Director
Planning and Development Management Division

J. Sesodia

SUBJECT: Broward County Land Use Plan
Updated Review of Proposed Amendment Affordable Housing Analysis – Pompano Beach PCT 19-8

The Broward County Planning and Development Management Division (PDMD) staff has reviewed proposed amendment PCT 19-8. The subject site is located in Pompano Beach involving approximately 230.0 acres. The amendment proposes:

Current Designations: Activity Center consisting of:
43.0 acres of residential consisting of 1,050 mid-rise apartments and 250 garden apartments
135.0 acres of commercial recreation use
27.0 acres of commercial use
26.0 acres of office uses

Proposed Designation: Activity Center consisting of:
4,100 multi-family dwelling units
300,000 square feet of commercial uses
1,000,000 square feet of commercial recreation use
2,000,000 square feet of office uses

Estimated Net Effect: Addition of 2,800 dwelling units
Addition of 1,048,650 square feet of office use
Reduction of 822,986 square feet of commercial recreation uses
Reduction of 464,478 square feet of commercial uses

Item 8 - Affordable Housing

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 2.16.2 and Article 5 of the BrowardNEXT Administrative Rules Document. Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. A total of 1,300 residential units are currently permitted under the existing Land Use Plan and this request represents an increase of 2,800 dwelling units; therefore, Policy 2.16.2 applies to this project. Additionally, since the proposed project will be adding dwelling units to an existing Activity Center, LUP Policy 2.4.6 also applies.

According to the applicant, the City of Pompano Beach Land Development Code [Chapter 154.80, Policy 2.26.2(a)] provides options for meeting the affordable housing requirements by either incorporating affordable housing units into the development or paying into the Affordable Housing Trust Fund, as follows:

- A. *In lieu of providing affordable housing units on-site or off-site [...] pursuant to a land use plan amendment, a property owner may elect to contribute a fee in lieu of to be deposited into the city's Local Affordable Housing Trust Fund.*
- B. *The fee to be paid to the city shall be \$2,333 per market-rate unit.*
- C. *The fee shall be paid to the city at the time of building permit.*
- D. *The fee shall be reviewed a minimum of once every three years. The fee may be adjusted by the City Commission to reflect updated housing sales costs, development costs, land values and other considerations.*

However, the subject site is located within the Pompano Beach Pompano Park South Activity Center (Activity Center), which was established by BCLUP Amendments PC 10-11 (map) and PCT 10-8 (text), adopted by the County Commission on September 28, 2010. The Activity Center is subject to voluntary commitments in a recorded Declaration of Restrictive Covenants (DRC) (INSTR # 112471518), as follows:

- Provide 15% of the **1,300 units** as affordable housing, or make a contribution of \$750 per unit to the City of Pompano Beach housing assistance of similar qualifying program chosen by the City; and
- Provide landscaping and sidewalks along Powerline Road and at the corner of Race Track Road and Powerline Road.

Policy 2.4.6 of the BCLUP states that “for proposed **new or revised** Activity Centers, Broward County shall, to address **new proposed dwelling units and impacts**, coordinate and cooperate in assisting municipalities to identify existing and proposed policies, methods and programs to achieve and/or maintain a sufficient supply of affordable housing to serve such areas.”

The initial review comments provided by PDMD staff, dated July 23, 2019, recommended that the applicant specify the type of affordable housing mitigation to be applied, prior to the first Planning Council public hearing. In a written response, dated August 29, 2019, the applicant agreed to designate at least 15% of the proposed residential units as affordable, workforce housing units. Planning Council staff stated that this affordable housing commitment will be included in the BCLUP amendment text, Permitted Uses Section for the Pompano Beach Pompano Park South Activity Center. Based on the inclusion of this condition, staff finds this request is consistent with BCLUP Policy 2.4.6 regarding Activity Center requirements.

PDMD staff also finds the applicant's proposed affordable housing commitment to be generally consistent with Broward County Land Use Plan Policy 2.16.2, since the City has adopted affordable housing requirements in both its land development code and as part of the Activity Center designation.

Staff recommends approval of this request, subject to modifying the existing Permitted Uses text for the Pompano Beach Pompano Park South Activity Center, to reflect the change in the number of dwelling units and add appropriate language for the affordable housing commitment. Staff also recommends amending recorded DRC (INSTR # 112471518) to remove the residential component.

cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department
Ralph Stone, Director, Housing Finance and Community Redevelopment Division
Darby Delsalle, AICP, Assistant Director, Planning and Development Management Division

Barbara Blake-Boy, Broward County Planning Council

PCT 19-8

Page 3

September 6, 2019

Sara Forelle, AICP, Planning Section Supervisor, Planning and Development Management Division

Susanne Carrano, Senior Planner, Planning and Development Management Division

Heather Cunniff, AICP, Senior Planner, Planning and Development Management Division

JS/slf/hec

ATTACHMENT 12



Public Works Department – Water and Wastewater Services

WATER MANAGEMENT DIVISION

2555 West Copans Road • Pompano Beach Florida 33069 • PHONE: 954-831-0751 • FAX: 954 831-3285

MEMORANDUM



June 26, 2019

TO: Barbara Blake Boy
Executive Director Broward County Planning Council

FROM: Joe Heilman
Broward County Water Management Division

SUBJECT: LAND USE PLAN AMENDMENT
PC 19-8

I have reviewed the information in the package for the referenced Land Use Plan Amendment. The drainage information in the package is essentially correct.

• PC 19-8

Our office has no objections or comments to this amendment.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Heilman", written over a light blue horizontal line.

Joe Heilman
Construction Project Manager
Broward County Water Management Division
2555 W. Copans Road, Pompano Beach, FL 33069
Office:(954)-831-0764
E-mail: JHeilman@Broward.org