

ADMINISTRATIVE MEMORANDUM NO. 18-271

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Maggie Barszewski, AICP, Planner
SUBJECT: Preferred Pompano Plat Request
Plat P&Z #18-14000001/September 26, 2018 Meeting
DATE: September 13, 2018

A plat is a map, drawn to scale, showing the divisions of a piece of land. It can delineate blocks, streets, alleys and easements. Further refinement often splits blocks into individual lots, usually for the purpose of selling the described lots; this has become known as subdivision. The statutory definition of subdivision according to Chapter 177.031(18), F.S. is "the division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and re-subdivisions." Upon the filing of a plat, legal descriptions can then refer to block and lot-numbers rather than portions of sections. In order for plats to become legally valid, a local governing body must normally review and approve them.

In Broward County, such legal authority is bestowed upon the Broward County Commission as stipulated within Article 7 of the Broward County Administrative Rules Document. Section 7.2 – 'Countywide Platting Authority' states that "No plat of lands lying within Broward County, either in the incorporated or unincorporated areas, may be recorded in the Official Records prior to approval by the County Commission." Section 7.4 provides for the input of each local government within Broward County, whereby a plat application must first be approved by the local jurisdiction before final approval with the County Commission. That section states that "local Jurisdictions shall require platting at least in those circumstances where the Broward County Land Use Plan requires platting."

In this request, the applicant is requesting plat approval for the Preferred Pompano Plat. The agent, Tara-Lynn Patton, representing the owner of the property, Preferred Development Pompano, LLC, is requesting a plat approval for a subject property that includes 3 separate parcels, labeled Parcels 'A', 'B', & 'C'. The proposed plat restricts the property to a maximum building of 25,000 square feet of industrial use for parcel A, 110,000 square feet of self-storage uses on Parcel B and open space on Parcel C. The subject property consists of 2.52 acres and is currently vacant and unplatted.

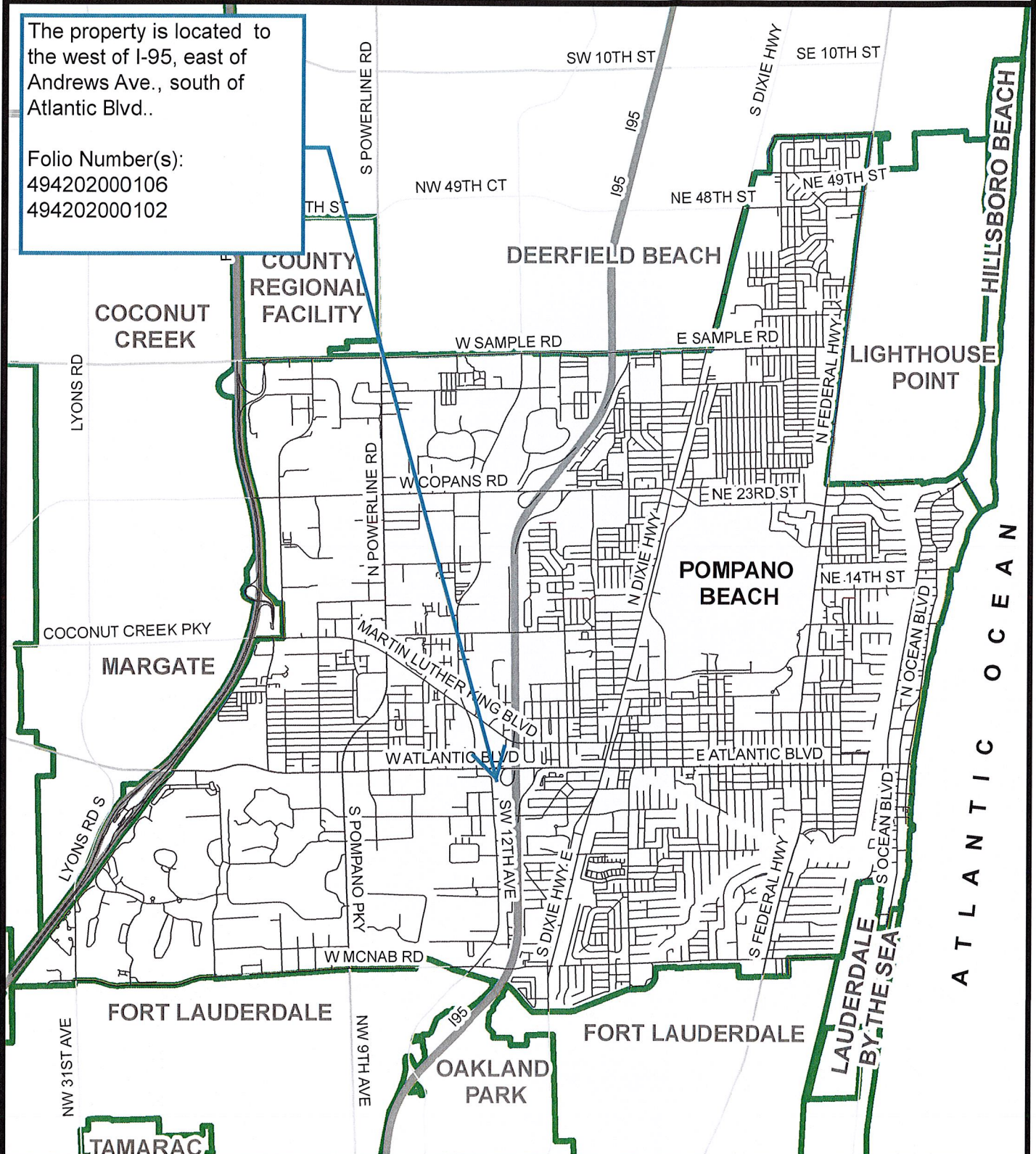
The property is generally located to the west of Interstate 95, east of Andrews Avenue and south of Atlantic Boulevard.

CITY OF POMPANO BEACH LOCATION MAP



The property is located to the west of I-95, east of Andrews Ave., south of Atlantic Blvd..

Folio Number(s):
494202000106
494202000102



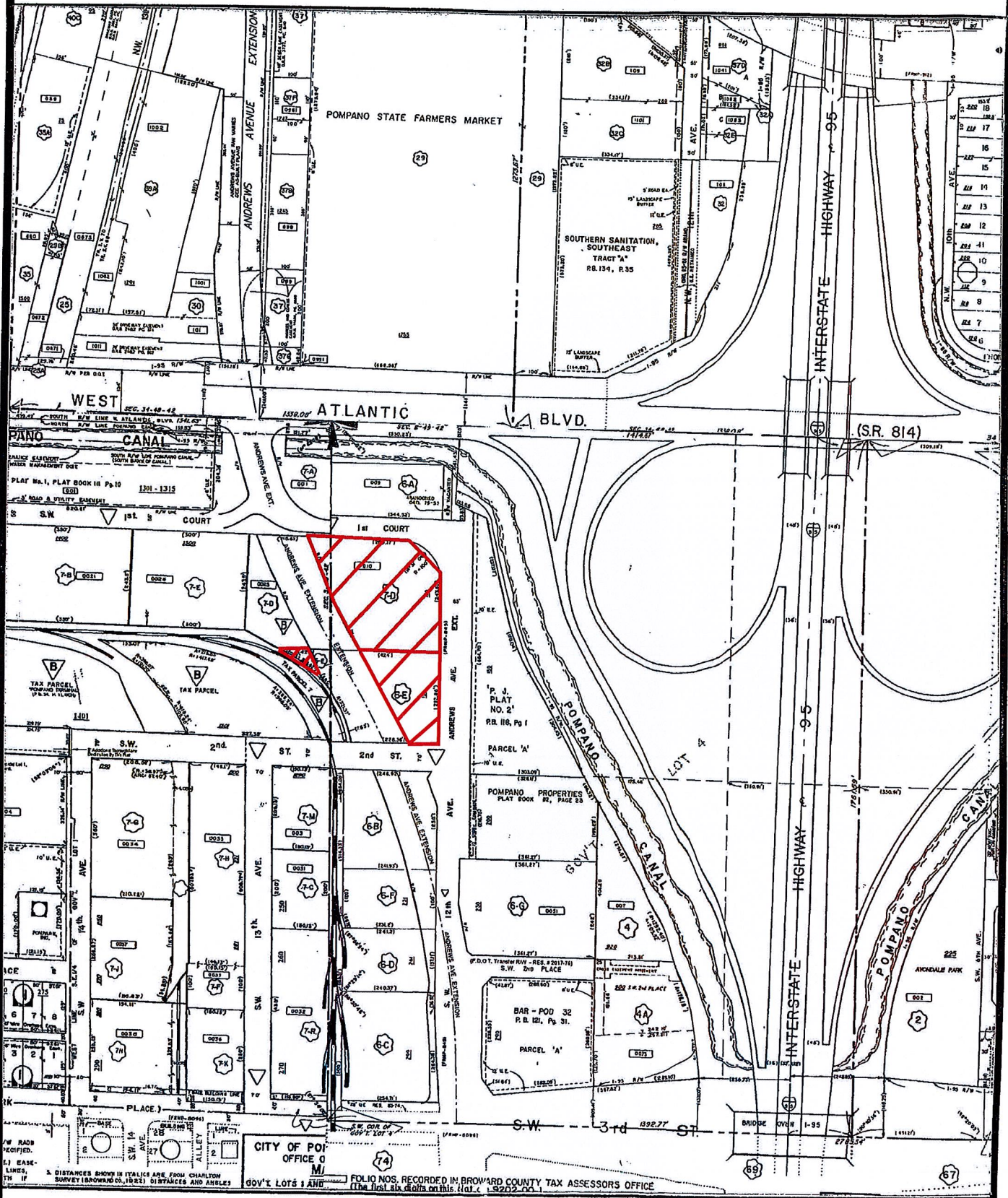
1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES



PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

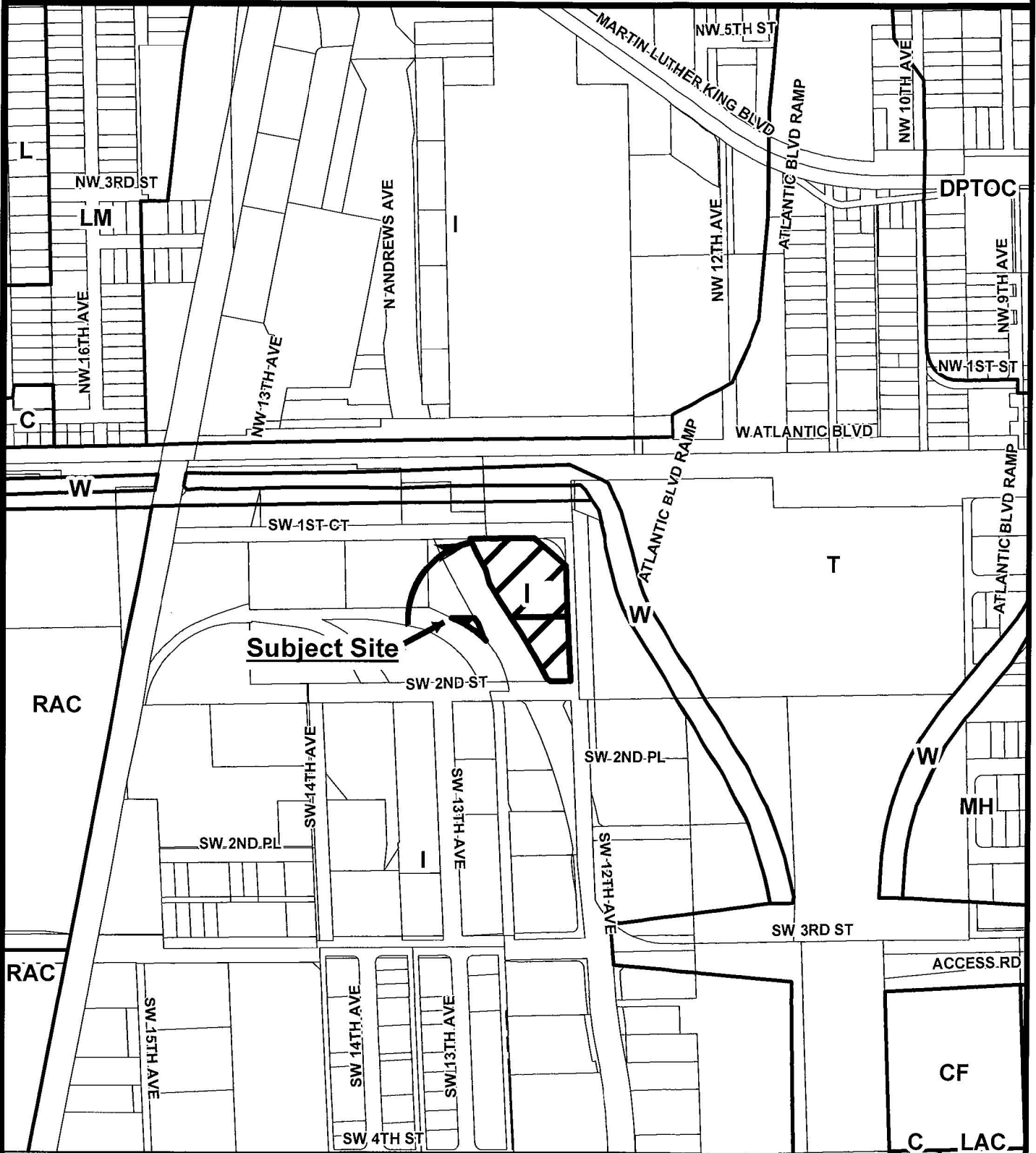
EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

NORTH

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

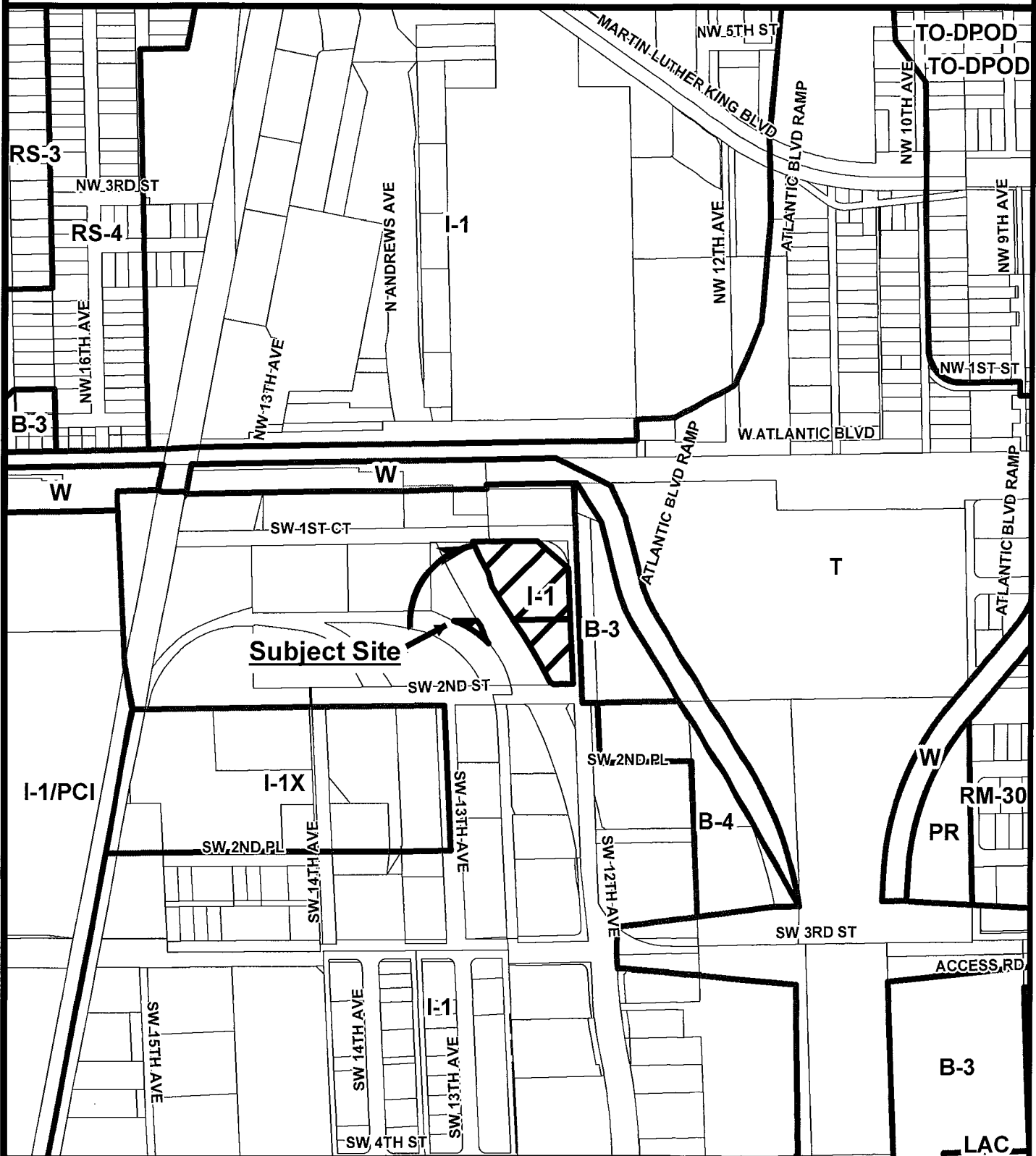


1 in = 500 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 500 ft

6

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

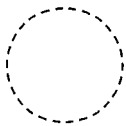
LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

	Gross Residential Density
	Residential
E	Estate
L	Low
LM	Low- Medium
M	Medium
MH	Medium-High
H	High
C	Commercial
CR	Commercial Recreation
*	I Industrial
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
	Boundaries
	City of Pompano Beach

13 Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

*	Existing
>	Proposed

FOR ZONING MAP

Symbol District

RS-1	One-Family Residence
RS-2	One-Family Residence
RS-3	One-Family Residence
RS-4	One-Family Residence
RD-1	Two- Family Residence
RM-12	Multi-Family Residence
RM-20	Multi-Family Residence
RM-30	Multi-Family Residence
RM-45	Multi-Family Residence
RM-45/HR	Overlay
RPUD	Residential Planned Unit Dev.
AOD	Atlantic Boulevard Overlay District
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
B-3	General Business
B-4	Heavy Business
RO	Residence Office
M-1	Marina Business
M-2	Marina Industrial
*	I-1 General Industrial
	I-1X Special Industrial
	O-IP Office Industrial Park
BP	Business Parking
BSC	Planned Shopping Center
PCI	Planned Commercial / Industrial Overlay
PR	Parks & Recreation
CR	Commerical Recreation
CF	Community Facilities
T	Transportation
PU	Public Utility

Section 155.2410. PLAT**A. Purpose**

The purpose of this section is to provide a review procedure to conform to the Broward County Land Use Plan's requirement that local governments require compliance with the county's platting requirements and to ensure subdivisions of land within the city:

1. Provide for the orderly growth and development of the city;
2. Coordinate proposed streets with existing and planned streets in the city's street system, and with other public facilities;
3. Provide rights-of-way for streets and utility easements;
4. Avoid congestion and overcrowding of streets;
5. Ensure there is adequate access to development;
6. Ensure there are adequate utility facilities to serve development;
7. Ensure there is adequate open space and recreation facilities to serve development; and
8. Ensure there is proper recordation of land ownership or property owner association records, where applicable.

...

D. Plat Review Standards

An application for a Plat shall be approved only on a finding that the proposed subdivision or development on the lots proposed to be platted meets all of the following standards:

1. The development complies with the applicable standards in [Part 7](#) (Lots) of [Article 5](#): Development Standards;
2. The development complies with all other applicable standards in this Code;
3. The development complies with all requirements or conditions of any applicable development orders (e.g., Planned Development);
4. Any land within the platted lot(s) that is necessary to comply with the Broward County Trafficways Plan has been conveyed to public by deed or grant of easement;
5. The development complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance; and
6. All facilities for the distribution of electricity, telephone, cable television, and similar utilities, shall be placed underground.

Staff Analysis

The property is Zoned I-1 (General Industrial) and has an Industrial Land Use designation. This plat was reviewed by the Development Review Committee (DRC) on March 7, 2018, and found to be in compliance with the City's Land Development Regulations. The Broward County Development Review Report (DRR) recommendations are all required to be on the plat prior to placement on the City Commission agenda. Such recommendations are listed on Attachment I, included with this report.

Service providers are required to provide a letter, prior to City Commission approval. There are no objections to the proposed plat from the following entities:

FDOT:	A letter from FDOT is not required since the plat is not located along an FDOT right-of-way.
Teco Peoples Gas:	Teco Gas has reviewed the plat & has no objection.
AT&T:	AT&T has reviewed the plat & has no objection.
Comcast:	Comcast has reviewed the plat & has no objection.
FPL:	FPL has reviewed the plat & has no objection.

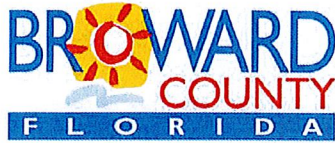
Department of Development Services Recommendation

Development Services staff recommends **approval** of this Plat with the following conditions to be satisfied prior to the City Commission hearing:

1. Plat cover page must be signed and sealed by the surveyor and signed by all owners.
2. Applicant must submit a Title Certificate dated within the last 6 months.
3. The Broward County Development Review Report recommendations listed on Attachment I of this report are all required to be on the plat.
4. Section 155.5101.I.1.b. requires a sidewalk to be constructed along SW 12th Avenue adjacent to this plat, to connect to a walkway to the northernmost-building entrance. It shall be installed prior to Certificate of Occupancy.

Attachment I

Broward County Development Review Report



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

1 North University Drive, Suite 102A • Plantation, Florida 33324 • 954-357-6666 • FAX 954-357-6521 • 954-519-1412

Tara Patton, AICP
Planning and Entitlements, LLC
10805 Gleneagles Road
Boynton Beach, Florida 33436

SUBJECT: **REVISED** Development Review
Report & Notification of Readiness

PLAT NAME: Preferred Pompano Plat

PLAT NO: 015-MP-18

TRANSMITTAL DATE: August 10, 2018

WRITTEN AUTHORIZATION
MUST BE RECEIVED BY: March 16, 2019

TRAFFICWAYS EXPIRATION: April 28, 2019

Dear Mr. Patton:

As per the requirements Section 5-189(d)(7) of the Broward County Land Development Code, we have completed the REVISED Development Review Report for the above referenced application prepared pursuant to your combine Letter of Objections and Project Update Sheet revising the plat uses to 25,000 square feet of industrial use on Parcel A, 110,000 square feet of self-storage on Parcel B and open space on Parcel C. Also, the agent address was corrected and the new owner was updated as per request. A copy of the revised Development Review Report is attached.

Specifically, the Right of Way Requirement (Staff Recommendation 4) was revised from the dedication of the corner chord to an easement which should be recorded as a separate instrument. Please note that your other requests for the removal from the Development Review Report, the sidewalk and elimination of additional openings obligations were not considered as those requirements shall remain to ensure consistency with the Broward County Land Development Code.

Please review the attached report carefully. Pursuant to Section 5-181(i) of the Land Development Code, a "written authorization to proceed," scheduling the application for the next available County Commission plat meeting, must be submitted to the Planning and Development Management Director on or before the above-referenced date. **If the "written authorization to proceed" is not received on or before the above referenced date, the application for plat approval shall be deemed withdrawn. Once the "written authorization to proceed" is submitted, it is your responsibility to ensure that it is received by this office.**

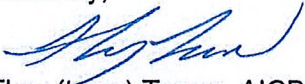
Tara Patton
August 10, 2018
Page 2

If there are any objections to the Development Review Report, they must be specified in the "written authorization to proceed." **However, if the letter to proceed contains any objections not previously raised in the "Letter of Objections," staff may recommend deferral of the plat at the County Commission meeting. If any new objections are raised after the submission of the letter to proceed, staff will recommend deferral of the plat at the County Commission meeting.**

Please be reminded that the "written authorization to proceed" will not be accepted without a receipt from the Highway Construction and Engineering Division documenting that the plat mylar has been accepted by that Division. For Highway Construction and Engineering Division submittal requirements, see Section 5-189(c) of the Land Development Code.

If you have any questions, please contact Howard Clarke at 954-357-5760 or hoclarke@broward.org.

Sincerely,



Tuy (Twee) Turner, AICP, Planning Section Supervisor
Planning and Development Management Division

Attachment

cc: Review Agencies
Mayor/Planning Director – Pompano Beach

Preferred Development Pompano, LLC
13865 West Dixie Highway,
North Miami, FL 33161

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Development Management Division
DEVELOPMENT REVIEW REPORT

PROJECT DESCRIPTION

Name:	Preferred Pompano Plat	Number:	015-MP-18
Applicant:	Robert E. Dooley Trust	Comm. Dist.:	4
Agent:	Tara Patton, AICP	Sec/Twp/Rng:	2 & 3-49-42
Location:	East Side of Andrews Avenue Extension, Between Atlantic Boulevard and Southwest 2 Avenue	Platted Area:	2.52 Acres
City:	Pompano Beach	Gross Area:	N/A
Replat:	N/A		

LAND USE

Existing Use:	49,221 Sq. ft. Industrial	Effective Plan:	Pompano Beach
Proposed Use:	25,000 Sq. Ft. Industrial Use on Parcel A, 110,000 Sq. Ft. of Self-Storage on Parcel B and Open Space on Parcel C	Plan Designation:	Industrial. See attached comments from the Planning Council.
Adjacent Uses:		Adjacent Plan Designations:	
North:	Vacant	North:	Industrial
South:	Industrial	South:	Industrial
East:	Office	East:	Industrial
West:	Industrial	West:	Industrial
Existing Zoning:	IR	Proposed Zoning:	IR

RECOMMENDATION (See Attached Conditions)

DEFERRAL: Until the plat mylar is submitted to the Highway Construction and Engineering Division.
DEFERRAL: Unit a revised Adjacent Right of Way Report is submitted to the Highway Construction and Engineering Division. See Staff Recommendation No. 13)A

Meeting Date:

Action Deadline:

Deferral Dates:

Prepared: HWC

Reviewed:

Approved:

SERVICES

Wastewater Plant: BCUD 4 (03/18)		Potable Water Plant: Pompano Beach (02/18)	
Design Capacity:	95.0000 MGD	Design Capacity:	50.000 MGD
12-Mo. Avg. Flow:	68.7400 MGD	Peak Flow:	20.060 MGD
Est. Project Flow:	0.0135 MGD	Est. Project Flow:	0.014 MGD

Comments: Sufficient capacity exists at this time. Comments: Sufficient capacity exists at this time.

SCHOOLS

Dwelling Units	Impact Fee
N/A	N/A

Local:

Regional:

PARKS

Land Dedication	Impact Fee	Admin. Fee
N/A	N/A	N/A
N/A	N/A	N/A

TRANSPORTATION

Concurrency Zone: Northeast	Trips/Peak Hr	Transit Concurrency Fee	Road/Admin. Fee
Res. Uses:	N/A	N/A	N/A
Non-Res. Uses:	47	*	N/A
Total:	47	*	N/A

* See Staff Comment No. 3 and 4

See Finding No. 1

See Staff Recommendation No. 19

PREFERRED POMPANO PLAT
015-MP-18

STAFF COMMENTS

- 1) Staff findings and recommendations pertaining to this plat are based on the use being 25,000 square feet of industrial use Parcel A, 110,000 square feet of self-storage on Parcel B and open space on Parcel C. This property is being platted because the plat boundaries are not specifically delineated on a recorded plat.

It is noted that the industrial square footage on this plat may consist of either industrial uses, industrial/office uses, and/or industrial/showroom uses, upon satisfaction of appropriate transportation concurrency fees. *Industrial uses may have a maximum thirty percent (30%) ancillary office use, calculated by the use in a single tenant building or on a bay-by-bay basis in buildings with more than one (1) tenant. Industrial/office uses may have a maximum fifty percent (50%) ancillary office use, calculated by the use in a single tenant building or on a bay-by-bay basis in buildings with more than one (1) tenant. Industrial/showroom uses may have a maximum thirty percent (30%) ancillary commercial or office use, calculated by the use in a single tenant building or on a bay-by-bay basis in buildings with more than one (1) tenant.*

- 2) Trafficways approval is valid for 10 months. Approval was received on June 28, 2018.
- 3) This plat is located within a Transportation Concurrency Management Area. In accordance with Land Development Code amendments adopted April 26, 2005, transportation concurrency fees will be assessed and paid in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval. These fees shall be based on the gross square footage of any building(s) as defined in the ordinance, including canopies and overhangs.
- 4) At the time of plat application, a 49,221 square feet industrial use existed on this site, which the applicant stated will be demolished. In accordance with the credit provisions of Section 5-182(a)(4) of the Land Development Code, this structure may be eligible for credit towards transportation concurrency fees, provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. **No credit will be granted for demolition occurring more than eighteen (18) months prior to the review of construction plans submitted for County environmental review approval.**
- 5) This plat is not located in a Wellfield Zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.
- 6) This plat is located in the City of Pompano Beach and is in a dependent water control district under the jurisdiction of the Water and Environment Licensing

Section of the Environmental engineering and Permitting Division. Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances and the criteria of the Water Control District No. 3. The surface water management licensing requirements of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division must be met prior to any construction.

- 7) The Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division has advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding or altering either a gravity sanitary sewer, a sanitary force main or a pump station, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management. Wastewater receiving lift stations and force mains are critical components of the conveyance system. As part of the licensing process, adequate capacity will need to be demonstrated for the receiving off-site sanitary sewer conveyance system. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. For additional information, contact the Water and Environmental Licensing Section at 954-519-1483.
- 8) Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Water and Environmental Licensing Section at 954-519-1483 to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.
- 9) The Water and Environmental Licensing Section encourages that all invasive exotic vegetation including Melaleuca, Brazilian-pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species be removed during the development process, and advises that a management plan may be necessary to control re-invasion of same. In addition, landscape materials should not include any plants considered to be invasive of South Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division.

- 10) This site is not included in the Protected Natural Lands Inventory; however, it is adjacent to the Hillsboro Pineland Natural Area, which is included in the Protected Natural Lands Inventory. The applicant is advised that this plat must not proposed any development that may have a negative impact upon the continued preservation of the Natural Land. 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, which provides information regarding the ownership and management of each of the Protected Natural Lands, may be accessed at the following website:
<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>
- 11) Review of aerial photographs indicates that the subject site contains tree canopy. Development of the must comply with the Tree Preservation Regulations of the City of Pompano Beach if trees are to be removed or relocated. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.
- 12) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
- 13) Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.
- 14) The subject plat is in the vicinity of a known contaminated sites and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Environmental Assessment and Remediation must approve any dewatering activities at this site.
- 15) Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit approval. Approval to connect to such systems is approved by the Environmental Engineering and Permitting Division as a prerequisite to, and just prior to, approval of building permits by

the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

- 16) This property is within 20,000 feet of the Fort Lauderdale Executive Airport and Pompano Beach Municipal Airport. Any proposed construction on this property or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>. For additional information, contact the Broward County Aviation Department at 954-359-6170.
- 17) Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting archaeologist indicates that the proposed development will not have an adverse effect on any known historical or archeological resources or areas of archeological or paleontological sensitivity. The archeologist notes that on structure (8BD4970) was previously recorded near the subject property but has since been destroyed and will not be affected by the proposed development. The archaeologist further notes that this property is located in the City of Pompano Beach and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact the City of Pompano Beach's Development Services Department at 954-786-7921 or to seek project review for compliance with the municipal historic preservation regulations.

In the event any unmarked human burial remains are discovered, pursuant to Florida Statute 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. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

- 18) This site is served by BC Transit Route 60 eastbound on Southwest 3 Street and southbound on Andrews Avenue and BC Transit Route 42 on Atlantic Boulevard (SR 814).
- 19) The recommendations of the Highway Construction and Engineering Division and the Transit Division for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.
- 20) The attached comments regarding this plat's compliance with the effective Land Use Plan have been received from the Broward County Planning Council.
- 21) The applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any

way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

- 22) Specific questions regarding any of the above comments may be directed to each review agency contact person. A complete list of agency contact information can be accessed on the Planning and Development Management Division's web page at:
www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

CONCURRENCY REVIEW

- 1) This plat is located within the Northeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Land Development Code.
- 2) This plat satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

STAFF RECOMMENDATIONS

NON-VEHICULAR ACCESS LINE REQUIREMENTS

It is the express intent of this non-vehicular access line to eliminate all proposed openings and existing driveways not specifically delineated in the following recommendations:

For Parcels A and B:

- 1) Along the ultimate right-of-way for Andrews Avenue. Said non-access line will include corner chord(s) and extend along SW 2nd Street for a minimum of 70 feet and SW 1st Court for a minimum of 100 feet.

For Parcels C:

- 2) Along the ultimate right-of-way for Andrews Avenue.

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 3) Right-of-way for a corner chord based on a 30-foot radius at the intersection of Andrews Avenue and SW 2nd Street.

RIGHT-OF-WAY REQUIREMENTS (Separate Document)

- 4) Right-of-way for a corner chord based on a 30-foot radius at the intersection of

Andrews Avenue and SW 1st Court. This easement shall be reviewed and recorded prior to plat recordation and the O.R. Book and Page shall be noted on the plat prior to recordation.

TRAFFICWAYS IMPROVEMENTS (Secure and Construct)

- 5) The removal of all existing driveways in locations not consistent with approved openings in the non-vehicular access line and the construction of curb, gutter, and sidewalk in these openings when necessary to complete the required improvement.

SIDEWALK REQUIREMENTS (Secure and Construct)

- 6) Along Andrews venue adjacent to this plat.

PAVEMENT MARKINGS AND SIGNS (Secure and Construct)

- 7) Construction of the required improvements shall include installation of signs and thermoplastic pavement markings. Pavement markings and signs shall be designed, fabricated, and installed in accordance with Traffic Engineering Division standards. The security amount for pavement markings and signs will be based on the approved construction plans or the approved engineer's cost estimate as outlined below. Design and installation of the required markers and/or signs are subject to approval by Florida Department of Transportation for projects located on a FDOT jurisdictional roadway.

IMPROVEMENT AGREEMENT AND SECURITY REQUIREMENTS

- 8) Section 5-184(d)(2) of the Broward County Land Development Code requires a recordable agreement for the required improvements. The owner of this plat shall enter into the standard Installation of Required Improvements Agreement (CAF#450) and submit it to the Highway Construction and Engineering Division for review and approval prior to recordation of the plat. The completion date for all required improvements listed as Exhibit "B" shall indicate completion prior to the issuance of Certificates of Occupancy. Alternate phasing schedules must receive prior approval from the Highway Construction and Engineering Division. The use of a non-standard agreement will require independent approval by the County Commission.
- 9) The Installation of Required Improvements Agreement shall be secured by letter of credit, cash, lien, or other security acceptable to the County. Security instruments for all required improvements shall be submitted prior to NVAL Amendment Agreement recordation and/or commencement of construction. Security amounts shall be based upon the one of the following:
 - A) Approved construction plans. When security is based on approved construction plans, the security will be calculated at one-hundred (100%) percent of the cost of the improvements. Requirements for submitting construction plans are outlined below.

- B) Engineer's cost estimate. When security is based on an engineer's cost estimate, the security will be calculated at one-hundred twenty-five (125%) percent of the cost of the improvements. Engineer's cost estimate(s) must be submitted for review by the Highway Construction and Engineering Division. Use of approved cost estimate forms is required. Payment of the applicable review fee is required pursuant to Chapter 38.8 of the Broward County Administrative Code.
- C) All forms are available on the Highway Construction and Engineering Division's web page at:
<http://bcegov2.broward.org/bcengineering/Plats/PlatsForms.aspx>.

IMPROVEMENT PLAN SUBMITTAL REQUIREMENTS

- 10) The construction plans for the required improvements (including pavement marking and signing plans) shall be submitted to the Highway Construction and Engineering Division for review, and must be approved prior to the commencement of construction. Construction shall be subject to inspection and approval by the County. Pavement marking and signing shall be provided for all of the Improvements and shall be subject to review, field inspections and final approval by the Traffic Engineering Division. Security for pavement markings and signing shall not be released without a field inspection and final approval by the Traffic Engineering Division of all materials, installations and locations.

FLORIDA STATUTES CHAPTER 177 REQUIREMENTS

The following comments note the corrections necessary for the plat mylar to comply with the requirements of Florida Statutes Chapter 177. If additional clarification is necessary, please contact Jason Espinosa at (954) 577-4593 or via email at JESPINOSA@BROWARD.ORG.

Please note that additional changes made to the plat mylar beyond this list of corrections may necessitate additional review time; delay recordation; and result in additional review fees.

All resubmittals shall include a paper copy of the plat with changes from the original plat review application highlighted.

Complete the following corrections to the plat mylar to comply with the requirements of Florida Statutes Chapter 177 as outlined below:

11) SURVEY DATA

- A) The legal description in the title opinion or certificate must match the legal description on the plat. The plat drawing must follow the legal description.

1. Remove the references to Parcels in the description. Use a "TOGETHER WITH" or "ALSO" format to consolidate the parcels that comprise the plat.
 2. Revise the description and the plat drawing to use the same meridian on all calls that contain a bearing.
 3. Include the radius distance in the call for the 18 degree curve.
 4. Include the direction of concavity in the call for the curve which is the southerly boundary of PARCEL C.
 5. Explain the references to Parcels 1 & 2 on the plat drawing. Review and revise as necessary.
- B) Complete the labels for the chord bearings on the curves on the easterly line of PARCEL A.
- C) Revise the bearings on the plat boundary to run all in a clockwise or counterclockwise direction.
- D) Show radial bearings where lines intersect non-tangent curves. To eliminate ambiguity, clarify that the radial bearings are either from the point on the curve to the radius point of the curve or from the radius point to the point on the curve.
- E) P.R.M.s shall be shown at every change of direction on the plat boundary.
- F) Two land ties to two independent land corners or one land corner and one other recorded corner shall be shown. Show found monumentation at both corners.
- G) Complete Plat Note #5 as it pertains to the Basis of Bearings. Depict said line with its monumentation and tie to the plat boundary.
- H) Full dimensioning and square footage shall be shown on all dedicated right-of-way, if applicable.
- I) The platting surveyor must submit Certified Corner Records for section corners used in preparation of the plat to both the State and Broward County. County staff will confirm submittal to the State prior to plat recordation. For section corners which have Certified Corner Records on file, the surveyor must submit an affidavit confirming that the Section corner was found to be substantially as described in the most recently available certified corner record. Standard affidavit forms are available from the following website:
<http://www.broward.org/Publicworks/BCEngineering/Pages/PlatSectionForms.aspx>

- J) The surveyor must submit digital plat information after all corrections are completed and Highway Construction and Engineering Division staff requests digital information.

12) RIGHT-OF-WAY DELINEATION AND DEDICATION LANGUAGE

- A) Address any easements, rights-of-way, or specific purpose parcels to be created by this plat in the Dedication language.
- B) Mortgagees shall clearly join in the dedications on the plat, if applicable.
- C) Proposed right-of-way shall be clearly labeled and dedicated by the plat.
- D) Depict the entire right-of-way width of Andrews Avenue Extension, S.W. 1st Court, S.W. 2nd Street and S.W. 12th Avenue adjacent to the plat. Label the right-of-way shown with all recorded instruments which establish public rights-of-way adjacent to this plat.
- E) Obtain and provide copy of the latest FDOT Right-of-Way map for Andrews Avenue Extension adjacent to the plat.
- F) Show the geometry for the Centerline of Construction for Andrews Avenue Extension.
- G) Show bearing – distance dimensions from the Centerline of Construction to plat corners abutting the right-of-way for Andrews Avenue Extension.
- H) All proposed easements shall be clearly labeled and dimensioned. Utility easements should be granted to the public (or to the City/Town – but not to any specific utility company). Utility easements created by the plat should NOT be located within any road right-of-way.
- I) Confirm the status of the easements referred to in the documents recorded in O.R.B. 48475, PG. 1145, and O.R.B. 48487, PG. 1598, B.C.R. and revise as necessary.

13) TITLE CERTIFICATION AND DEDICATION SIGNATURE BLOCKS

- A) Plat review service charge form, review fee, and one copy of the plat with all changes from the original plat review application highlighted. The original plat mylar shall be submitted to the Highway Construction and Engineering Division accompanied by an original title certificate or an attorney's opinion of title which shall:
 - 1) be based upon a legal description that matches the plat.
 - 2) be based upon a search of the public records within forty-five (45) days of submittal.

- 3) contain the names of all owners of record.
- 4) contain the names of all mortgage holders of record and if there are no mortgages, it shall so state.
- 5) contain a listing of all easements and rights-of-way of record lying within the plat boundaries.
- 6) contain a listing of all easements and rights-of-way which abut the plat boundaries and are necessary for legal access to the plat, and if there are none it shall so state.

The Adjacent Right-of-Way report is incomplete. It does not document the full Right-of-Ways adjacent to the plat. This report is to be a search of the adjacent Right-of-Way to determine its full width and the instruments that created it. A missing reference includes, but is not necessarily limited to O.R.B. 48963, PG. 284, B.C.R.

Review and revise the report prior to submittal of the plat mylar.

The title must be updated for the review of any agreements and for the recordation process. Standard format for "Title Certificates," "Opinions of Title," the "Adjacent Right-of-Way Report," and a "Guide to Search Limits of Easements and Right-of-Way" may be obtained by contacting the Highway Construction and Engineering Division or by visiting the Division's web site:

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

- B) The Dedication on the original mylar must be executed by all recorded owners with original signatures. For property owned by an individual (or by individuals), the plat must be executed in the presence of two witnesses for each signature. Property owned by corporations must be executed by at least one of the following officers: the President, Vice President, or Chief Executive Officer together with either (i) two witnesses or (ii) the Corporate Seal. A plat which has been executed by any officer other than the President, Vice President, or Chief Executive Officer must also provide documentation authorizing the individual(s) who executed the plat. The officers executing a plat must be verified through the Florida Department of State, or by the applicant providing corporate documentation. Persons executing plats owned by a partnership or a trust must provide documentation clearly demonstrating their authority to execute on behalf of the partnership or trust.
 - D) Acknowledgments and seals are required for each signature.
- 14) DRAFTING AND MISCELLANEOUS DATA
- A) Address any undefined abbreviations or symbols used on the plat or added during revision. Remove any abbreviations and symbols from the

Legend that do not appear on the plat. Add any missing abbreviations and symbols to the Legend that appear on the plat or are added during revisions.

- B) Show "PLAT LIMIT" labels on the plat drawing.
- C) Show the parts of the underlying Government Lot 4, Section 2-49-42, Government Lot 1, Section 3-49-42 and POMPANO TERMINAL, P.B. 54, PG. 11, B.C.R. not within this plat as a PORTION of those parcels.
- D) The Show the Planning and Development Management Division file number **015-MP-18** must be shown inside the border in the lower right hand corner on each page.
- E) The plat borders must be 1/2-inch on three sides with a 3-inch margin on the left side.
- F) The plat original must be drawn with black permanent drawing ink; or nonadhered scaled print on a stable base film.
- G) The sheet size must be 24 inches by 36 inches.

15) SIGNATURE BLOCKS

- A) The Surveyor's Certification must be signed and the plat sealed by professional surveyor and mapper, and state that the plat was prepared under his or her direction and supervision, and complies with all of the survey requirements of Florida Statutes Chapter 177.
- B) Space for the County Administrator's signature is no longer required on plats in Broward County. Revise the signature block for the Broward County Finance and Administrative Services Department, County Records Division – Minutes Section signature block as necessary.
- C) Remove the signature block for the Broward County Finance and Administrative Services Department, County Records Division – Recording Section, based on the above comment.
- D) The plat shall include proper dates for signatures.
- E) The original plat mylar shall be submitted to the Highway Construction and Engineering Division accompanied by a copy of the City of Pompano Beach conditions of approval. (Agenda Report or Resolution listing all of the conditions of municipal plat approval.)

16) HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION INTERNAL PROCEDURES

The following items are required for plat recordation but are completed by County staff:

- A) Planning Council Executive Director Signature.
- B) Completion of POSSE Inputs; Impact Fee and Security reports printed.
- C) County Surveyor sign-off.
- D) P.R.M.s verified.
- E) Development Order, Planning and Development Management Director Signature.
- F) Highway Construction and Engineering Director Signature.
- G) City/District scanned copy of mylar, as required.

GENERAL RECOMMENDATIONS

- 17) Distance and measurement recommendations contained in this report were based on the best information available at the time of review. County staff may approve minor adjustments based on verified field conditions or details provided in approved construction plans.
- 18) All construction must include all necessary transitions to existing pavement, the lengths of which shall be determined by the design speed of the roadway. All designs, construction, studies, etc., shall conform to the applicable sections of the following:
 - A) United States Department of Transportation: "Manual on Uniform Traffic Control Devices" (MUTCD).
 - B) State of Florida Department of Transportation:
 - 1) "Roadway and Traffic Design Standards."
 - 2) "Standard Specifications."
 - 3) "FDOT Transit Facilities Guidelines."
 - C) Broward County: "Minimum Construction Standards for Roadways Under Broward County Jurisdiction" (Exhibit 25A of Section 25.1, Broward County Administrative Code).

In addition, all designs for construction shall be certified by a Professional Engineer, registered in the State of Florida, that they meet the standards included above.

- 19) Applicant must pay transportation concurrency fees during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code.
- 20) This plat will not be recorded until all real estate taxes (including taxes for the current year and any delinquent taxes) for the property being platted have been paid as required by Florida Statutes Chapter 197.192. The applicant shall request a current tax letter be forwarded from the Revenue Collection Division to HCED Plat Section.
- 21) Place a note on the face of the plat, preceding the designated municipal official's signature, reading:

No building permits shall be issued for the construction, expansion, and/or conversion of a building within this plat until such time as the developer provides this municipality with written confirmation from Broward County that all applicable concurrency/impact fees have been paid or are not due.

- 22) Place a note on the face of the plat reading:
 - A) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by ____, **2023**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or
 - B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by ____, **2023**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

23) Place a note on the face of the plat reading:

This plat is restricted to 25,000 square feet of industrial use Parcel A, 110,000 square feet of self-storage on Parcel B and open space on Parcel C. Industrial uses may have up to 30%-50% ancillary office or up to 30% ancillary commercial/office use per bay or single tenant building upon satisfaction of transportation concurrency fees. No freestanding office, freestanding banks or bank drive-thru facilities are permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

Any structure within this plat must comply with Section 2B.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

24) If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.



Commission District No. 4
Municipality: Pompano Beach
S/T/R: 02 & 03/49/42



015-MP-18
Preferred
Pompano Plat

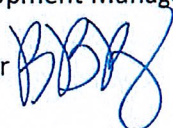


0 125 250 500 Feet

Prepared by: Planning and Development Management Division
Date Flown: January 2018



TO: Josie P. Sesodia, AICP, Director
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director 

RE: Preferred Pompano Plat
(015-MP-18) City of Pompano Beach

DATE: July 31, 2018

This memorandum updates our previous comments regarding the referenced plat dated May 1, 2018.

The City of Pompano Beach Future Land Use Element is the effective land use plan for the City of Pompano Beach. That plan designates the area covered by this plat for the uses permitted in the "Industrial" land use category. This plat is generally located along both sides of Andrews Avenue, between Southwest 2 Street and Atlantic Boulevard.

The proposed industrial use on Parcel A, self-storage use on Parcel B, and open space use on Parcel C are in compliance with the permitted uses of the effective land use plan.

The effective land use plan shows the following land uses surrounding the plat:

North: Industrial
South: Industrial
East: Industrial
West: Industrial

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

BBB:DBT

cc: Greg P. Harrison, City Manager
City of Pompano Beach

David Recor, Director, Development Services
City of Pompano Beach