



Staff Report

File #: LN-19

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: OCTOBER 28, 2020

FIRST INDUSTRIAL 20 ACRE PLAT

Request: Plat
P&Z# 20-14000002
Owner: FR NW 12 Terrace LLC
Project Location: 1001 & 1021 NW 12 Terrace
Folio Number: 484234340030, 484234000180, 484234340050, 484234340040, 484234000042
Land Use Designation: I (Industrial)
Zoning District: I-1 (General Industrial)
Commission District: 4
Agent: Michael Vonder Meulen
Project Planner: Maggie Barszewski

Summary:

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 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.”

The applicant is requesting plat approval for the entitled “First 95 Distribution Center Phase II Plat.” The property is located to the west of I-95 and to the north of NW 10th Street right-of-way and has an address of 1001 & 1021 NW 12th Terrace. The agent Mike Vonder Meulen of Keith, Inc. is representing the owner of the

property, FR NW 12 Terrace, LLC. The subject property has never been platted. The proposed plat divides the property into 2 parcels: the smaller of the two (0.678 of an acre) is labeled Parcel 'A', with the larger labeled 'B' (18.697 acres). The plat totaling 19.375 acres, restricts the property to drainage on Parcel A and a maximum building of 500,000 square feet of industrial use on Parcel B. The subject property currently has three existing buildings totaling 37,486 square feet of industrial use which will be demolished. The Applicant intends to construct two large warehouse buildings not to exceed 500,000 square feet, surface parking, and internal loading/truck circulation operations between the two proposed buildings. A Site Plan Review Application has not yet been submitted for the site.

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 18, 2020, and found to be in compliance with the City's Land Development Regulations. The Broward County Development Review Report (DRR) recommendations have been addressed on the plat.

The applicant must provide access to a small billboard site that is located adjacent to the northeast corner of the subject property, therefore an access easement is being provided through a separate instrument (see Attachment

D). Staff will recommend a condition that prior to placement on a Commission agenda, this easement will be shown on the plat, but identified as a separate instrument.

Included on this Plat is the proposed dedication of a 30-foot wide right-of-way for NE 10th Street between NW 12th Avenue & I-95. The Engineering Department determined that the southern half of the NW 10th Street right of way between NW 12th Terrace and NW 12th Avenue was abandoned in 1992 so the dedication would not enhance public access for that short distance. Pages 1 and 3 of the Plat should be revised to eliminate the dedication per the direction of the City Engineer. This condition should be met prior to the item being placed on a City Commission agenda.

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:	FDOT was not required since the Plat does not impact a State Road.
TECO Peoples Gas:	TECO Gas has reviewed the plat and has no objection.
AT&T:	AT&T has reviewed the plat and has no objection.
Comcast:	Comcast has not responded.
FPL:	FPL has reviewed the plat and has no objection.

Department of Development Services Recommendation:

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

Staff Conditions:

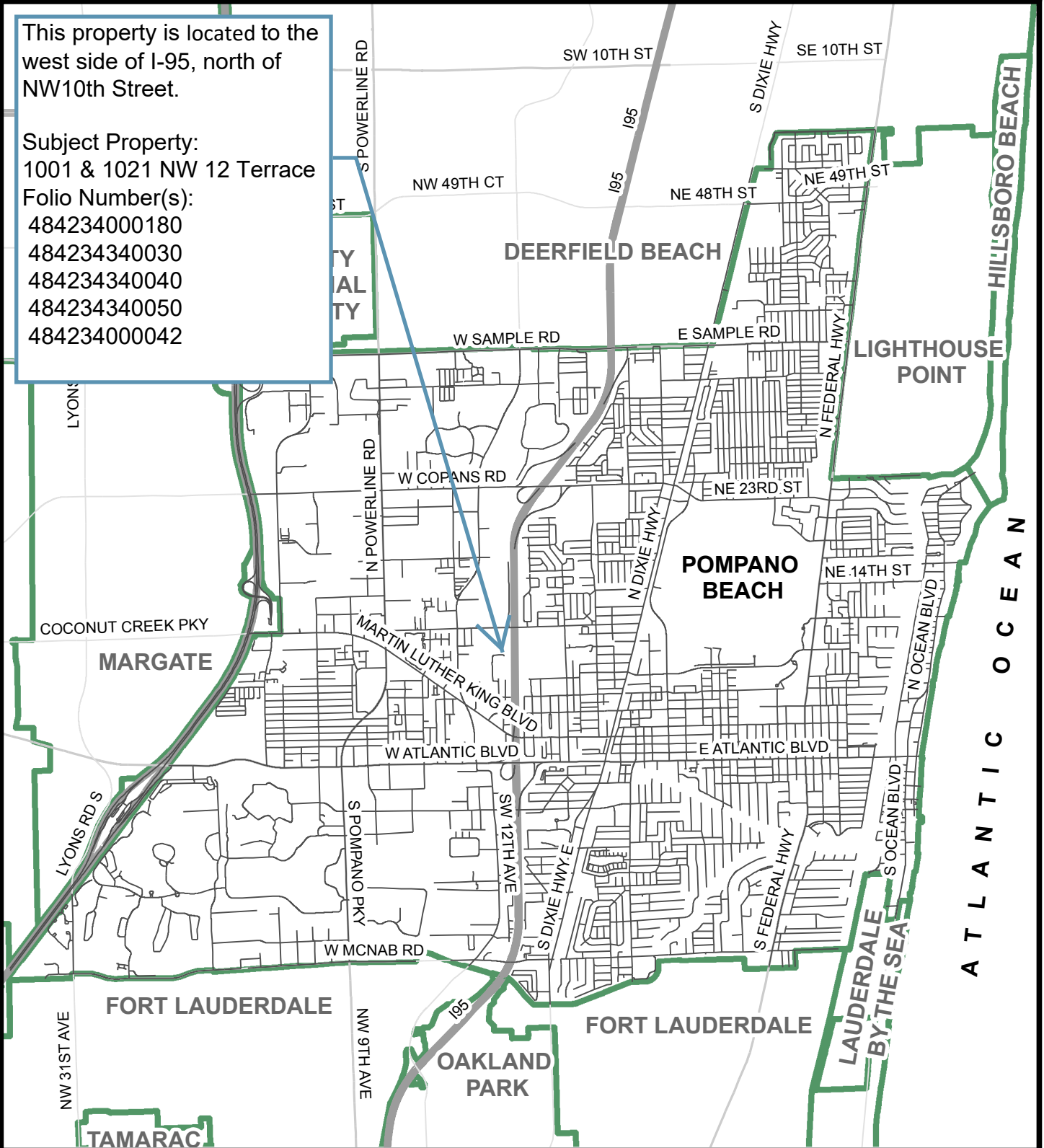
1. A Comcast service provider letter shall be received;
2. Plat cover page must be signed and sealed by the surveyor and signed by all owners;
3. An access easement to the adjacent billboard property shall be shown on the face of the plat, but identified as a separate instrument;
4. The applicant shall revise pages 1 and 3 of the Plat to eliminate the dedication per the direction of the City Engineer (Attachment II);
5. A revised conceptual site plan shall be submitted that only shows the subject property; and
6. A Title Certificate made out to the City not older than 6 months shall be submitted.

CITY OF POMPANO BEACH LOCATION MAP



This property is located to the west side of I-95, north of NW10th Street.

Subject Property:
1001 & 1021 NW 12 Terrace
Folio Number(s):
484234000180
484234340030
484234340040
484234340050
484234000042



1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP



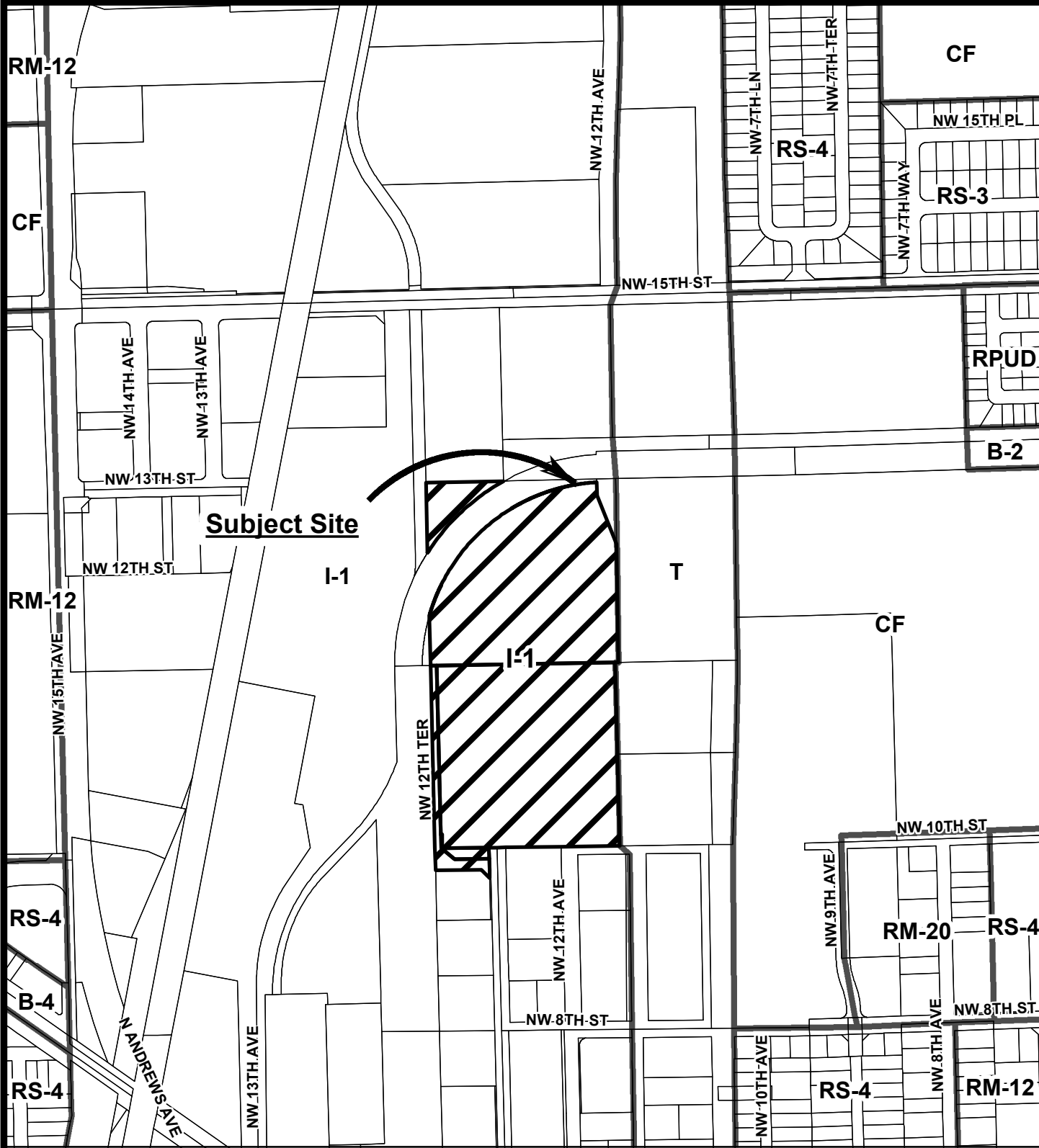
Subject Site

I-1

1 in = 500 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP

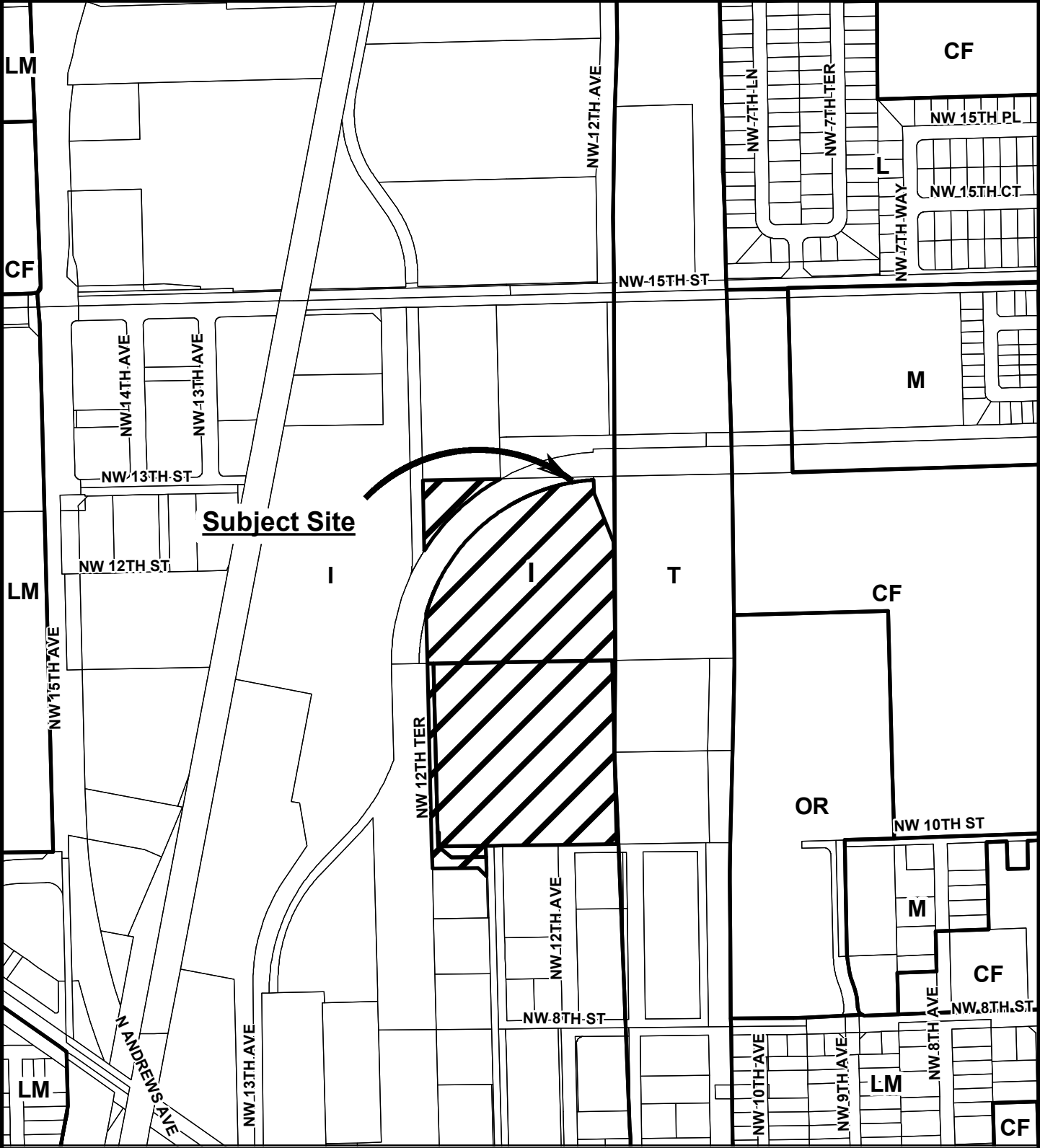


1 in = 500 ft

4

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



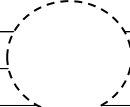
Subject Site

1 in = 500 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

LEGEND

FOR LAND USE PLAN		FOR ZONING MAP	
Symbol	Classification Units/ Acre	Symbol	District
		RS-1	Single-Family Residence 1
L	Low (1-5 DU/AC)	RS-2	Single-Family Residence 2
LM	Low- Medium (5-10 DU/AC)	RS-3	Single-Family Residence 3
M	Medium (10-16 DU/AC)	RS-4	Single-Family Residence 4
MH	Medium-High 16-25 DU/AC)	RS-L	Single-Family Residence Leisureville
H	High (25-46 DU/AC)		
12	Irregular Density	RD-1	Two- Family Residence
36	Irregular Density		
		RM-7	Multiple-Family Residence 7
C	Commercial	RM-12	Multiple-Family Residence 12
CR	Commercial Recreation	RM-20	Multiple-Family Residence 20
		RM-30	Multiple-Family Residence 30
*	I	RM-45	Multiple-Family Residence 45
	Industrial	MH-12	Mobile Home Park
T	Transportation		
		B-1	Limited Business
U	Utilities	B-2	Neighborhood Business
		B-3	General Business
CF	Community Facilities	B-4	Heavy Business
		M-1	Marina Business
OR	Recreation & Open Space	CR	Commerical Recreation
W	Water	*	I-1
			General Industrial
			I-1X
			Special Industrial
RAC	Regional Activity Center	O-IP	Office Industrial Park
		M-2	Marina Industrial
LAC	Local Activity Center		
		TO	Transit Oriented
DPTOC	Downtown Pompano	PR	Parks & Recreation
	Transit Oriented Corridor	CF	Community Facilities
	Number	PU	Public Utility
		T	Transportation
		BP	Business Parking
		LAC	Local Activity Center
		RPUD	Residential Planned Unit Dev.
		PCD	Planned Commercial Development
		PD-TO	Planned Development - Transit Oriented
		PD-I	Planned Development - Infill
		RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
		AOD	Atlantic Boulevard Overlay District
		CRAO	Community Redevelopment Area Overlay
		NCO	Neighborhood Conservation Overlay
		APO	Air Park Overlay
		DP	Downtown Pompano Beach Overlay

Attachment I

Access Easement for Billboard Parcel

LEGAL DESCRIPTION:

PORTIONS OF PARCELS "A" AND "B", BUDGET PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 173, PAGE 56, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND A PORTION OF THE NORTHEAST ONE-QUARTER (N.E. ¼) OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, SAID PORTIONS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY MOST NORTHEAST CORNER OF PARCEL "A", OF SAID BUDGET PLAT; THENCE SOUTH 00°50'24" WEST, ALONG THE EAST LINE OF SAID PARCEL "A", 107.92 FEET; THENCE, DEPARTING SAID EAST LINE, SOUTH 68°23'38" WEST, 46.36 FEET TO THE POINT OF BEGINNING OF A 20.00 FOOT WIDE ACCESS EASEMENT, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; THENCE, CONTINUING, SOUTH 68°23'38" WEST, ALONG A RADIAL LINE 24.67 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 186.00 FEET, A CENTRAL ANGLE OF 20°45'58" AND AN ARC DISTANCE OF 67.41 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°50'24" EAST, 1056.80 FEET; THENCE SOUTH 89°12'51" WEST, 133.00 FEET; THENCE SOUTH 00°47'09" EAST, 71.99 FEET TO A POINT OF TERMINUS OF SAID CENTERLINE ON THE NORTH 30-FOOT RIGHT OF WAY LINE OF NORTHWEST 10th STREET.

EASEMENT LINES TO BE LENGTHENED OR SHORTENED TO MAINTAIN A CONTINUOUS 20.00 FOOT WIDE EASEMENT.

SAID LANDS LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 27,079 SQUARE FEET (0.622 ACRES) MORE OR LESS.

SURVEY NOTES:

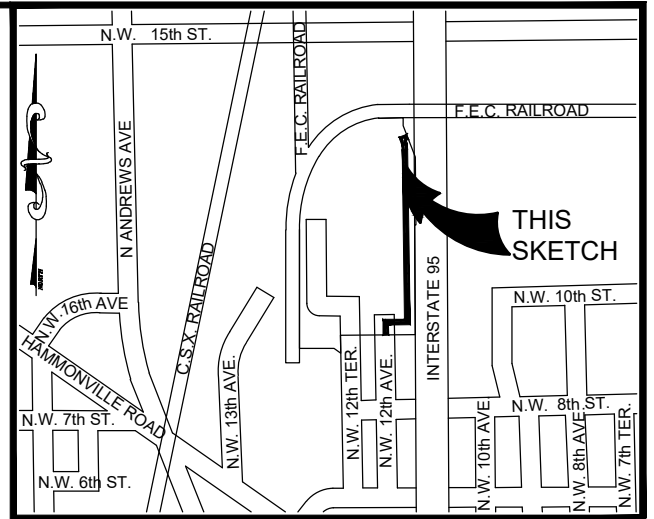
1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH AND DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY.
6. FEATURES AND LINE WORK SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN HORIZONTAL DATUM OF 1983 WITH THE 2011 ADJUSTMENT APPLIED (NAD 83/11), TRANSVERSE MERCATOR, FLORIDA EAST ZONE.
7. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 00°50'24" EAST ALONG THE WEST LINE OF PARCEL "A", BUDGET PLAT, AS RECORDED IN PLAT BOOK 173, ON PAGE 56, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
8. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
9. THE INTENDED DISPLAY SCALE FOR THIS SKETCH IS 1"=100' OR SMALLER.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JUNE 23, 2020 MEETS THE STANDARDS OF PRACTICE (RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE), PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.

MICHAEL M. MOSSEY
 PROFESSIONAL SURVEYOR AND MAPPER
 REGISTRATION No. 5660
 STATE OF FLORIDA



LOCATION MAP:
 NOT TO SCALE

SKETCH & DESCRIPTION

20' ACCESS EASEMENT
 PORTIONS OF PARCELS "A" & "B", BUDGET
 PLAT, P.B. 173, PG. 56, B.C.R. AND A PORTION
 OF THE NORTHEAST NE-QUARTER (N.E. ¼) OF
 SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42
 EAST

CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



301 EAST ATLANTIC BOULEVARD
 POMPANO BEACH, FLORIDA 33060-6643
 (954) 788-3400 FAX (954) 788-3500
 EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 1 OF 3

DRAWING NO. 10607.04 SKETCH & DESCRIPTION.dwg

DATE 6/23/20

SCALE 1" = 100'

FIELD BK. N/A

DWNG. BY DDB

CHK. BY MMM

DATE	REVISIONS

POINT OF COMMENCEMENT
 EASTERLY MOST N.E.
 CORNER PARCEL "A"
 P.B. 173, PG. 56, B.C.R.

POINT OF BEGINNING

$R=186.00'$
 $\Delta=20^{\circ}45'58''$
 $L=67.41'$

PARCEL "A"
 BUDGET PLAT
 P.B. 173, PG. 56,
 B.C.R.

WEST LINE PARCEL "A"
 P.B. 173, PG. 56, B.C.R.

36' INGRESS/EGRESS/DRAINAGE/UTILITY
 EASEMENT PER P.B. 173, PG. 56, B.C.R.

PARCEL "C"
 BUDGET PLAT
 P.B. 173, PG. 56, B.C.R.

$S00^{\circ}50'24"E$ 1056.80'
 (TOTAL)

PARCEL "B"
 BUDGET PLAT
 P.B. 173, PG. 56,
 B.C.R.

10' UTILITY EASEMENT PER
 P.B. 173, PG. 56, B.C.R.
 LIMITED ACCESS LINE PER F.D.O.T.
 RIGHT OF WAY MAP SECTION 86070-2524

INTERSTATE 95

340' RIGHT OF WAY PER F.D.O.T.
 RIGHT OF WAY MAP SECTION
 86070-2524, SHEET 12 OF 15,
 LAST REVISED 11-16-17

SURVEY BASLINE PER F.D.O.T. RIGHT
 OF WAY MAP SECTION 86070-2524

F.E.C. RAILWAY SPUR
 RAILWAY RIGHT OF WAY PER
 D.B. 451, PG. 365, B.C.R.

(BEARING BASIS)
 $N01^{\circ}00'47"W$ 391.90'

$S68^{\circ}23'38"W$
 RADIAL
 46.36'

$S00^{\circ}50'24"E$
 107.92'

$S68^{\circ}23'38"W$ 24.67'
 190'

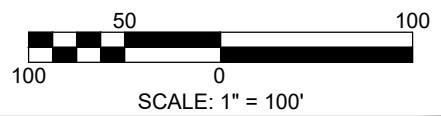
1120+00 1121+00 1122+00 1123+00 1124+00 1125+00 1126+00 1127+

MATCH LINE "A" SEE SHEET 3

SEE SHEET 3 MATCH LINE "A"

LEGEND:

- | | | | |
|----------|--------------------------------------|----------|---------------|
| B.C.R. | BROWARD COUNTY RECORDS | R | RADIUS |
| D.B. | DEED BOOK | Δ | CENTRAL ANGLE |
| F.D.O.T. | FLORIDA DEPARTMENT OF TRANSPORTATION | L | ARC LENGTH |
| F.E.C. | FLORIDA EAST COAST | | |
| P.B. | PLAT BOOK | | |
| PG. | PAGE | | |



SKETCH & DESCRIPTION

20' ACCESS EASEMENT
 PORTIONS OF PARCELS "A" & "B", BUDGET
 PLAT, P.B. 173, PG. 56, B.C.R. AND A PORTION
 OF THE NORTHEAST NE-QUARTER (N.E. 1/4) OF
 SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42
 EAST

CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA



301 EAST ATLANTIC BOULEVARD
 POMPANO BEACH, FLORIDA 33060-6643
 (954) 788-3400 FAX (954) 788-3500
 EMAIL: mail@KEITHteam.com LB NO. 6860

SHEET 2 OF 3

DRAWING NO. 10607.04 SKETCH & DESCRIPTION.dwg

DATE 6/23/20
 SCALE 1"=100'
 FIELD BK. N/A
 DWNG. BY DDB
 CHK. BY MMM

DATE	REVISIONS

Attachment II

From: [John Sfiropoulos](#)
To: [Maggie Barszewski](#)
Cc: [Michael Vonder Meulen <MVonderMeulen@keithteam.com>](#) ([MVonderMeulen@keithteam.com](#))
Subject: RE: First 95 Dist. Center Phase II Plat
Date: Wednesday, October 14, 2020 7:46:55 AM
Attachments: [image001.png](#)

Good Morning Maggie,

Please let this email serve as confirmation of my recommendation for elimination of Right of Way dedication. Since the southern half of the NW 10th Street Right of Way between NW 12th Terrace and NW 12th Avenue was abandoned in 1992, this proposed dedication will not enhance public access for that short distance and serve no future public benefit that I can see. Therefore, this dedication can be eliminated.

My apologies for the confusion.

Thank you,
John

