

ADMINISTRATIVE MEMORANDUM NO. 19-078

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: Marquis Apartments Plat Request
Plat P&Z #18-14000013/April 24, 2019 Meeting
DATE: April 9, 2019

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 a 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."

In this application, the applicant is requesting Plat approval for the Marquis Apartment Plat. The agent, Michael Vonder Meulen, of Keith, Inc., representing the owner of the property, NatJack, LLC, and the City of Pompano Beach. The subject property includes 4 parcels, two of which are owned by the City. The Plat proposes to restrict the property to a maximum of 100 Garden Apartment units. The 4.158-acre property is currently vacant with the exception of 1,820-square foot police substation building. Since this property has a Commercial Land Use designation, the applicant applied for and received approval for the 100 units through the allocation of 100 Flex units on November 14, 2017 (see attached Resolution No. 2018-47). A site plan for this property was reviewed at the Development Review Committee (DRC) on February 26, 2019, to develop this proposed 100-unit affordable housing project with five, three-story buildings. This Site Plan Application is also on this agenda. The property is currently Unplatted.

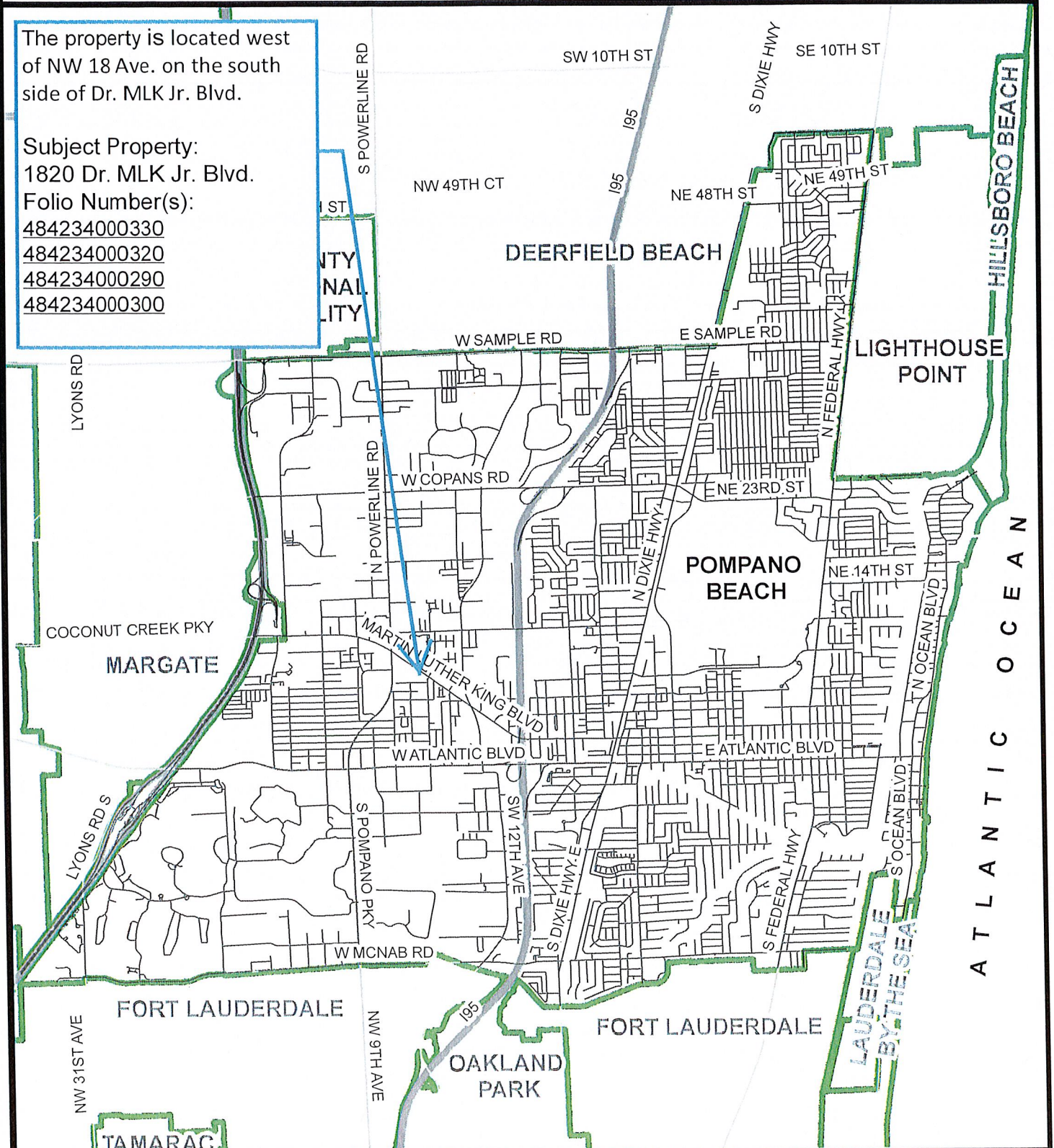
The property is located west of NW 18 Ave. on the south side of Dr. MLK Jr. Blvd.

CITY OF POMPANO BEACH LOCATION MAP



The property is located west
of NW 18 Ave. on the south
side of Dr. MLK Jr. Blvd.

Subject Property:
1820 Dr. MLK Jr. Blvd.
Folio Number(s):
484234000330
484234000320
484234000290
484234000300



1 in = 1 miles

2

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

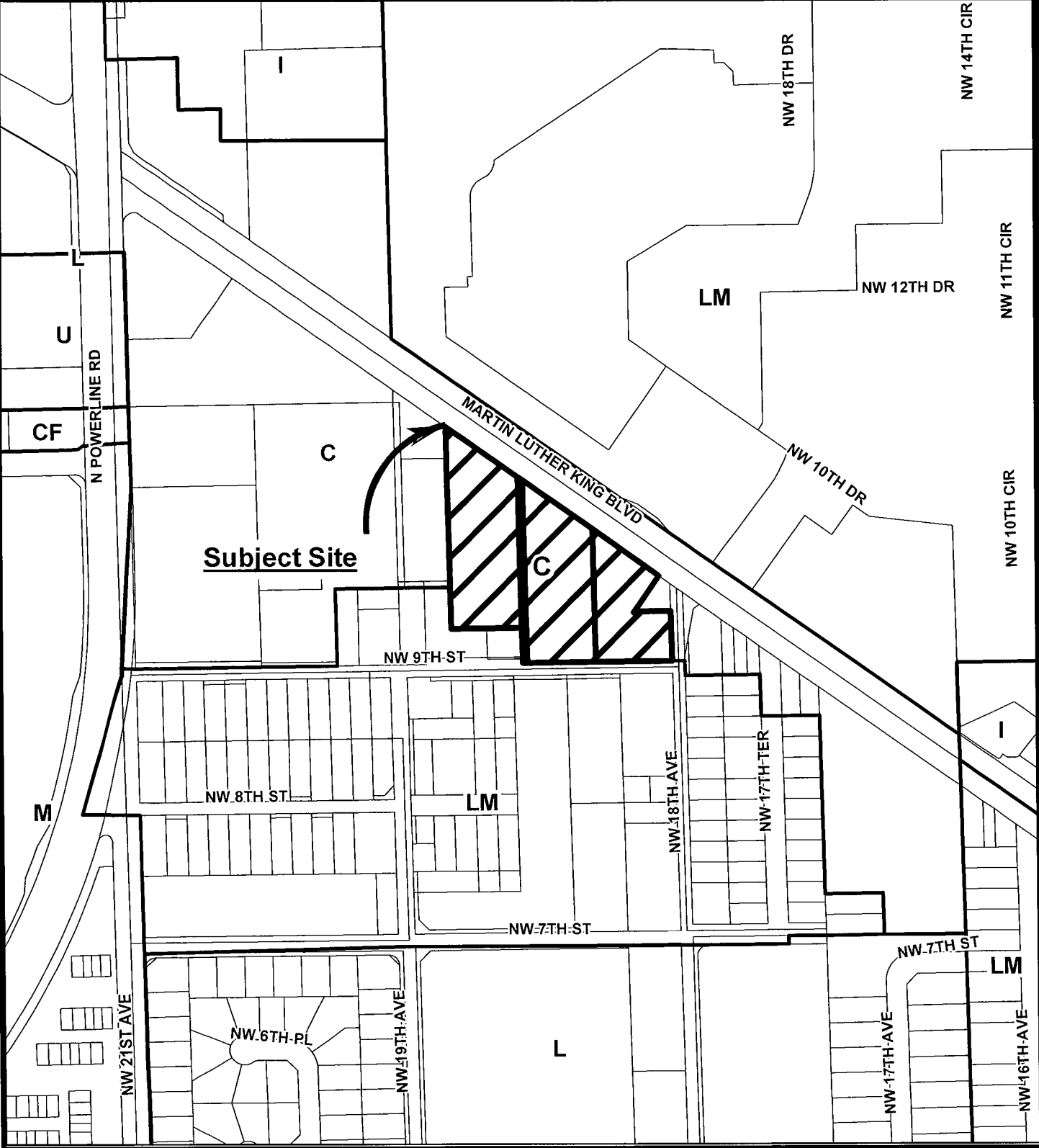
CITY OF POMPANO BEACH AERIAL MAP



1 in = 333 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

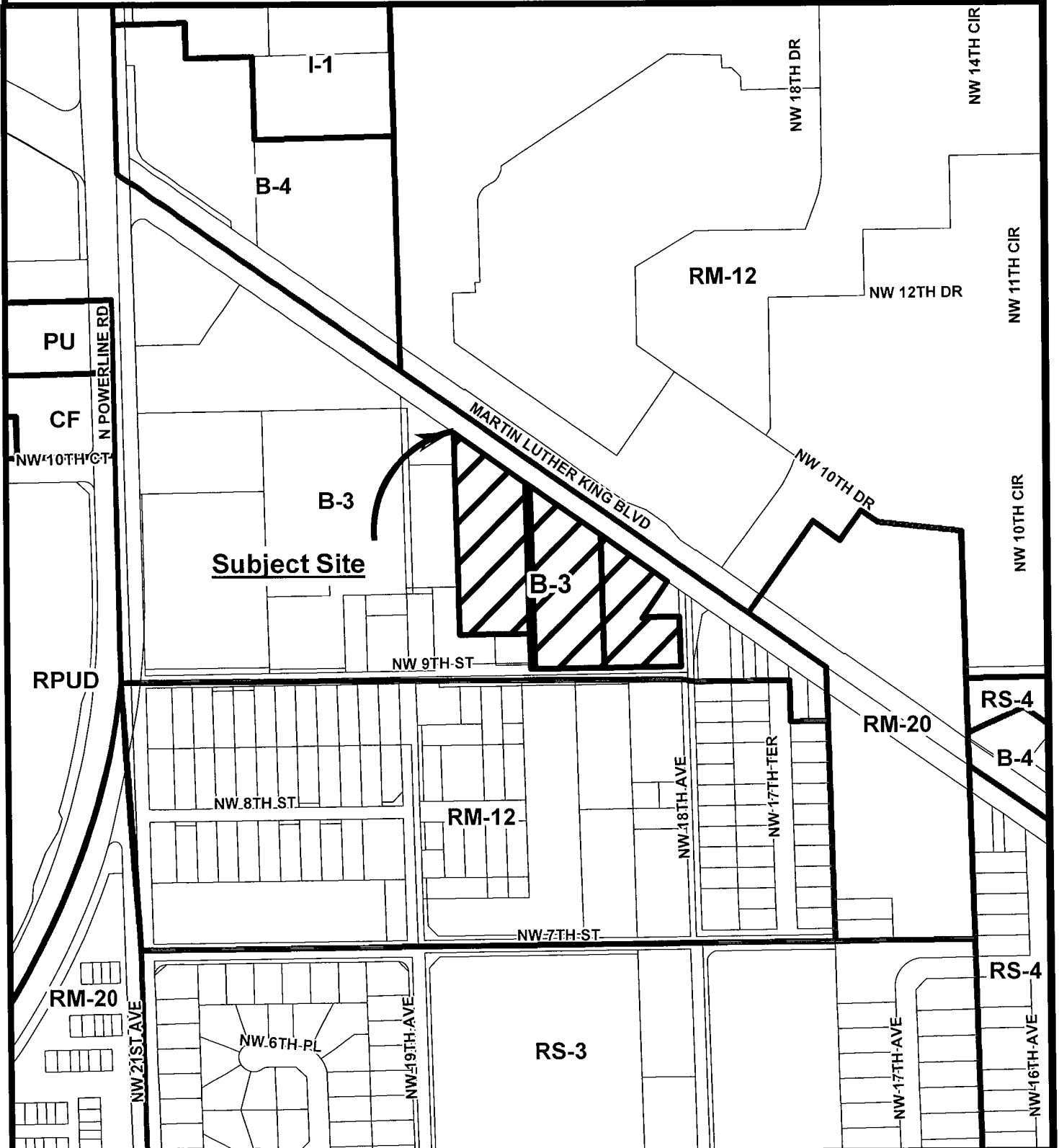
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 333 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 333 ft

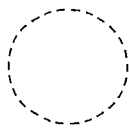
5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

LEGEND

FOR LAND USE PLAN

<u>Symbol</u>	<u>Classification Units/ Acre</u>
	Residential
L	Low (1-5 DU/AC)
LM	Low- Medium (5-10 DU/AC)
M	Medium (10-16 DU/AC)
MH	Medium-High 16-25 DU/AC)
H	High (25-46 DU/AC)
12	Irregular Density
36	Irregular Density
* C	Commercial
CR	Commercial Recreation
I	Industrial
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
LAC	Local Activity Center
DPTOC	Downtown Pompano Transit Oriented Corridor



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

<u>Symbol</u>	<u>District</u>
RS-1	Single-Family Residence 1
RS-2	Single-Family Residence 2
RS-3	Single-Family Residence 3
RS-4	Single-Family Residence 4
RS-L	Single-Family Residence Leisureville
RD-1	Two- Family Residence
RM-7	Multiple-Family Residence 7
RM-12	Multiple-Family Residence 12
RM-20	Multiple-Family Residence 20
RM-30	Multiple-Family Residence 30
RM-45	Multiple-Family Residence 45
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
* B-3	General Business
B-4	Heavy Business
M-1	Marina Business
CR	Commerical Recreation
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
M-2	Marina Industrial
TO	Transit Oriented
PR	Parks & Recreation
CF	Community Facilities
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

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 subject property is Zoned B-3 (General Business) and has a Commercial Land Use designation. The proposed Plat was reviewed by the DRC on January 16, 2019, and found to be in compliance with the City's Land Development Regulations. Parcel A is the portion of the plat that will include the residential project and Parcel B includes only the area to be dedicated to the public for road purposes.

Utility providers are required to provide a letter advising whether the proposal can be served by their respected service. All service provider comments have been submitted with the exception of Comcast (which will need to be required as a condition prior to City Commission placement). The following shows the comments from the service providers:

FDOT:	A letter from FDOT is not required since the Plat is not located along an FDOT right-of-way.
Teco Peoples Gas:	TECO will be able to service the location.
AT&T:	AT&T will be able to service the location.
Comcast:	There has been no comment submitted for Comcast as yet.
FPL:	FPL will be able to service the location.

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. All Broward County Development Review Report (DRR) requirements shall be addressed.
2. The Plat cover page must be signed and sealed by the surveyor and signed by all owners.
3. All service provider letters must be submitted stating no objection or that service can be provided.
4. A Title Certificate must be submitted that is less than 6 months old and is made out to the City of Pompano Beach.

04.18

RESOLUTION NO. 2018 - 47

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ALLOCATING A MAXIMUM OF ONE HUNDRED (100) FLEX UNITS FOR A PROPOSED RESIDENTIAL DEVELOPMENT LOCATED WEST OF NW 18 AVENUE, ON THE SOUTH SIDE OF DR. MARTIN LUTHER KING JR. BOULEVARD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed resolution and of a public hearing in the City Commission Chambers of the City of Pompano Beach, Florida; and

WHEREAS, in accordance with Section 154.61(C)(4), of the Pompano Beach Code of Ordinances, notice in accordance with said section has been mailed notifying residents within 500 feet of the subject property of one public hearing on this proposed Resolution; and

WHEREAS, The City of Pompano Beach and Natjack, LLC. requests an allocation of a maximum of one hundred one (100) residential flex units in order to construct 100 dwelling units for a residential development on property located west of NW 18 Ave., on the south side of Dr. MLK Jr. Blvd, legally described in Exhibit "A"; and

WHEREAS, the subject property has a Commercial (C) Land Use Designation; and

WHEREAS, the City of Pompano Beach Planning Code Section 154.61 requires that applications for flex and reserve units must comply with certain requirements to construct affordable housing; and

WHEREAS, the applicant intends to comply with the affordable housing requirements of Section 154.61(E), by providing an executed Declaration of Covenants regarding the provision of affordable housing prior to building permit; and

WHEREAS, in order to construct the proposed project on the subject property, the city will have to allocate a maximum of 100 flex units; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission of the City of Pompano Beach hereby allocates a maximum of 100 flex units, all of which will come from the unified flex zone for the proposed housing project to be constructed on the property which is legally described in Exhibit "A."

SECTION 2. The number of flex units in the unified flex zone shall be reduced by however many units are necessary for the project, not to exceed 100 units.

SECTION 3. The proposed project must be built in substantial conformity with the attached conceptual site plan as shown in Exhibit "B," a copy of which is attached hereto and made a part hereof..

SECTION 4. The applicant must comply with the affordable housing requirements of Section 154.61(E) of the Planning Code, which will be through the Applicant's voluntary commitment to Declaration of Covenants for affordable housing prior to Site Plan approval.

SECTION 5. The applicant shall resolve issues related to ingress/egress and landscape areas during the site plan approval process.

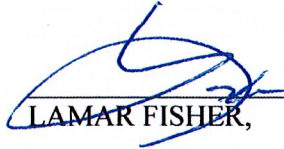
SECTION 6. Prior to building permit issuance, the applicant shall unify the property, record a Type B buffer along the west property line, and convey to the City all necessary dedications required for NW 18th Ave. and NW 9th Street.

SECTION 7. Failure of the applicant to obtain a principal building permit for its project as shown in Exhibit "B" within two years of the date of this resolution shall render the allocation of the flex units null and void.

SECTION 8. Failure of the applicant to construct the project substantially in accordance with the conceptual site plan as shown in Exhibit "B" shall render the allocation of the flex units null and void; the units may not be used for or applied to any other project or projects.

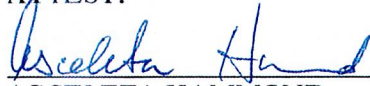
SECTION 9. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this 14th day of November, 2017.



LAMAR FISHER, MAYOR

ATTEST:



ASCELETA HAMMOND
CITY CLERK

Exhibit A

PORTIONS OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE EAST 169.3 FEET OF THE WEST 294.2 FEET OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST LYING SOUTH OF HAMMONDVILLE ROAD; LESS THE SOUTH 100 FEET THEREOF. TOGETHER WITH:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST LYING SOUTHWEST OF HAMMONDVILLE ROAD; LESS THE EAST 365.8 FEET AND THE WEST 294.2 FEET THEREOF.

TOGETHER WITH:

THE WEST 165.80 FEET OF THE EAST 365.80 FEET OF A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD.

TOGETHER WITH:

THAT PART OF THE EAST 200.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD; LESS THE EAST 15.00 FEET THEREOF , FOR ROAD PURPOSES; AND ALSO LESS THE FOLLOWING DESCRIBED PORTION THEREOF:

BEGINNING AT A POINT ON THE SAID SOUTH RIGHT-OF-WAY LINE AT A POINT 15.00 FEET WEST OF THE EAST LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTHERLY, PARALLEL TO THE SAID EAST LINE, A DISTANCE OF 65.40 FEET; THENCE WESTERLY PERPENDICULAR A DISTANCE OF 90.30 FEET; THENCE NORTHEASTERLY WITH AN INCLUDED ANGLE OF 53°31'40" TO A POINT ON THE SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

ALL OF THE DESCRIBED LAND HEREON LYING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING 181,215 SQUARE FEET (4.160 ACRES), MORE OR LESS.

[illegible]

DR. MARTIN LUTHER KING JR. BLVD.
APARTMENTS
THE CORNERSTONE GROUP
located at
1020 DR. MARTIN LUTHER KING JR. BLVD
POMPANNO BEACH, FLORIDA

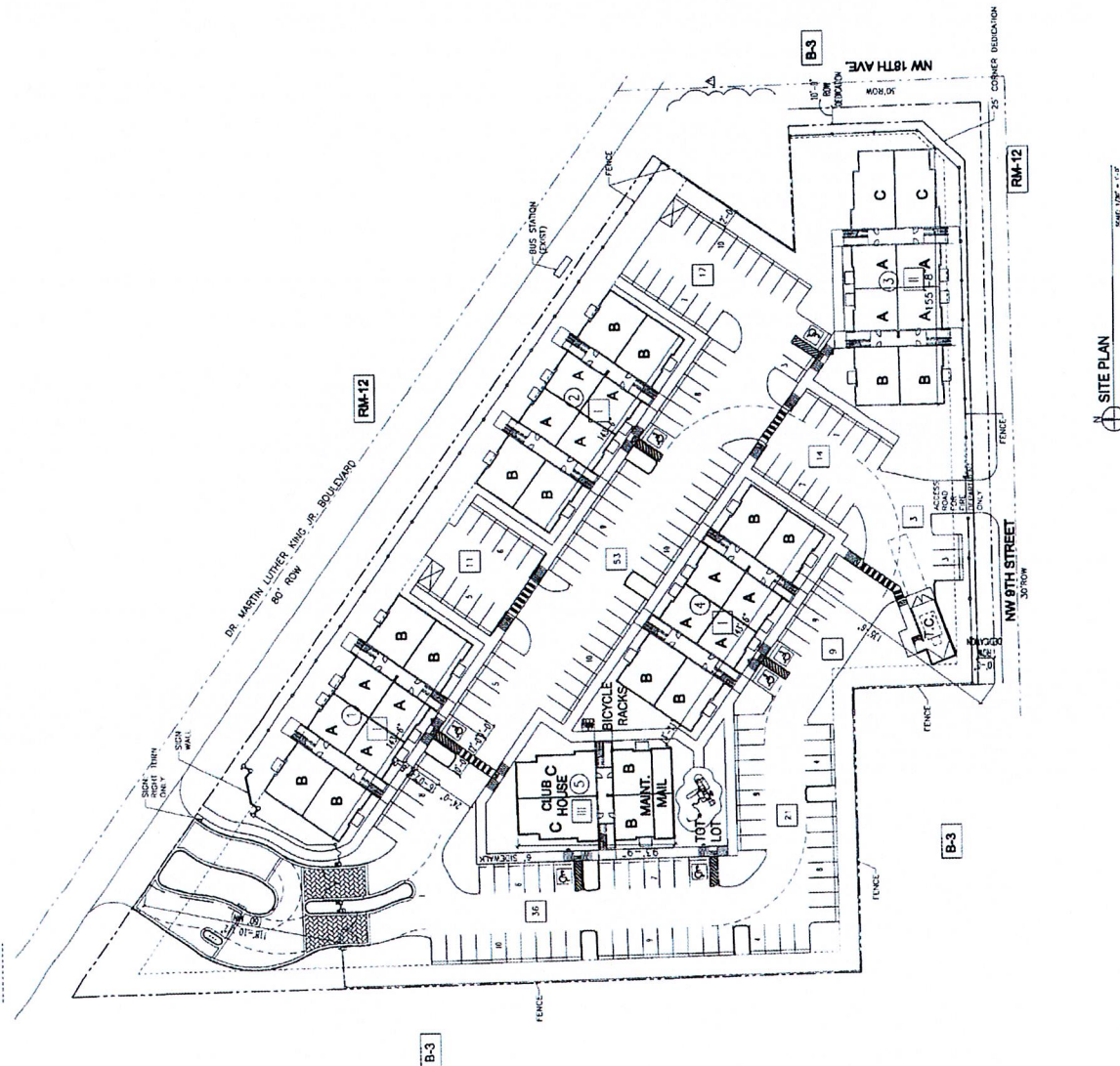
[illegible]

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DATE 08/18/17
DRAWING CM
PROJECT No. 17-427

SITE PLAN

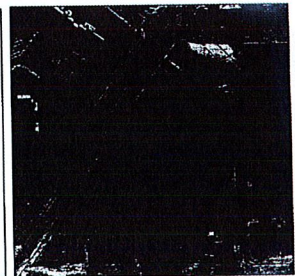
A0.03



SITE PLAN

[illegible][illegible]

SEE SITE DATA INFORMATION IN SHEET AD.02



LOCATION MAP

