

June 7, 2017

City of Pompano Beach
Maggie Barszewski, AICP
Planning and Zoning Division
100 West Atlantic Boulevard
Pompano Beach, Florida 33060

Dear Ms. Barszewski,

The applicant, Florida Waves Project LLC, is seeking to modify the plat restriction note and non-vehicular access line on the Andrews Premier Business Park plat recorded at Plat Book 183 Page 2.

The plat restriction note on the recorded plat was recorded in December 21, 2016. The City of Pompano Beach approved the plat on May 17, 2016. The recorded plat note provides for 140,000 square feet of industrial use. The note needs to be increased to permit development on the vacant site. The site was purchased April 19, 2017 by the applicant. The applicant wishes to develop an outdoor recreational use at the site.

The existing and proposed plat restriction note language is provided below:

Existing Plat Note: This plat is restricted to 140,000 square feet of industrial use. 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 free standing office uses 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 IV, D.1.f., Development Review Requirements of the Broward County Land Use Plan, regarding hazards to air navigation.

Proposed Plat Note: This plat is restricted to Outdoor Recreation use with ancillary office and commercial uses upon satisfaction of transportation concurrency fees. No free standing office uses 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 IV, D.1.f., Development Review Requirements of the Broward County Land Use Plan, regarding hazards to air navigation.

The following narrative further describes the proposed request:

The site is located at 1698 North Andrews Avenue (folio # 484227510010). The site which is the subject of this plat note amendment request includes a portion of the southwest ¼ of the northwest ¼ of the southeast ¼ of Section 27, Township 48 south, Range 42 east of the Andrews Premier Business Park plat, 6.1390 acres.

The site is currently vacant. The previous property owner platted "the property in 2016 in order to more easily sell it"¹. The applicant, Florida Waves Project LLC, purchased the property on April 19, 2017 with the intent of developing an outdoor recreation park with ancillary office and commercial uses. The applicant expects to submit a site plan in the near future for construction of a surf simulator/training facility with accessory office, retail and eating establishment uses. The current zoning designation, Office Industrial Park (O-IP) allows outdoor commercial or membership recreation/entertainment, office, eating establishments and accessory retail as permitted uses.

An established non-vehicular access line (NVAL) will be amended to allow access to the site. Broward County staff has been consulted, and guidance provided, regarding the NVAL amendment.

The County may require that the new plat restriction note indicate the square footage of all uses. This square footage will be provided in a letter or plan signed and sealed by an architect, surveyor or engineer to the City and County prior to the issuance of a development permit.

Once the County Commission has approved this request, a plat note amendment agreement will be recorded which will render the plat restriction note change effective. A copy of the recorded Agreement will be provided to the City as soon as it becomes available.

Sincerely,



Heidi Siegel, AICP
Authorized Agent

Enclosures

CC: Coke Pozo, Florida Waves Project LLC

¹ City of Pompano Beach Administrative Memorandum No. 16128

Maggie Barszewski

From: Kristen Nowicki <Knowicki@ksfla.com>
Sent: Wednesday, December 06, 2017 3:03 PM
To: Maggie Barszewski
Cc: Heidi Siegel
Subject: Wave Garden NVAL Modification
Attachments: NVAL Existing Wave Garden 12-06-17 .pdf; NVAL Proposed Wave Garden 12-06-17 .pdf

Maggie,

As discussed, here are the sketches and legal descriptions for the existing and proposed NVALs on Andrews Ave for the Wave Garden project.

Let me know when you get the Resolution from the City Attorney to move the item onto the City Commission agenda.

Thank you!
Kristen



Kristen Nowicki, AICP

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[Broward Section of APA-Florida](#) 2017-2019 Board Member