



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 17-302

DATE: August 10, 2017
 TO: Planning and Zoning Board
 VIA: David Recor, Acting Development Services Director 
 Jennifer Gomez, Assistant Development Services Director
 FROM: Maggie Barszewski, AICP, Planner 
 RE: Top Self Storage Plat Request
 August 23, 2017 Meeting

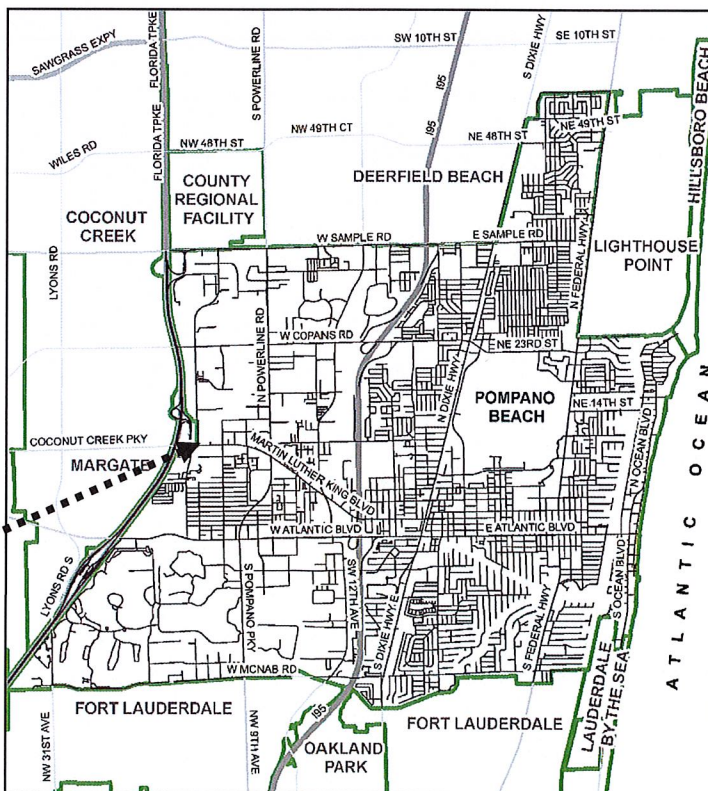
P&Z # 17-1400007

Request

This is a request for a proposed plat generally located on the north side of Dr. Martin Luther King Jr. Blvd. between Blount Road and NW 27 Avenue. The proposed plat restricts the property to a maximum building of 225,000 square feet for Warehouse/ Storage. The gross site area is 315,586 square feet, (7.244 acres) and is currently vacant. The owner of the property, Top Self Storage Three, LLC., desires to plat the property in order to develop a 181,018 sq. ft. self-storage facility (currently scheduled on the August 16, 2017 DRC Agenda for the for Site Plan review). The property is Zoned B-4 (Heavy Business) and has a Commercial Land Use designation. The Plat identifies a private roadway access (per attached deed restriction) that the applicant is petitioning to get released. Based on the Plat submitted and the proposed development on the subject property (P&Z: 17-12000028) the access is no longer needed since the rear property will be under unified ownership by the applicant. As this plat request proceeds through the County's review process, the "release" statement can be filled in prior to final recordation.

north side of Dr. Martin Luther King Jr. Blvd.
 between Blount Road and NW 27 Avenue

- Folio: 484228000358,
- 484228000356,
- 484228000350,
- 484228000362,
- 484228000357

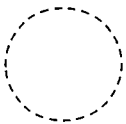


LEGEND

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

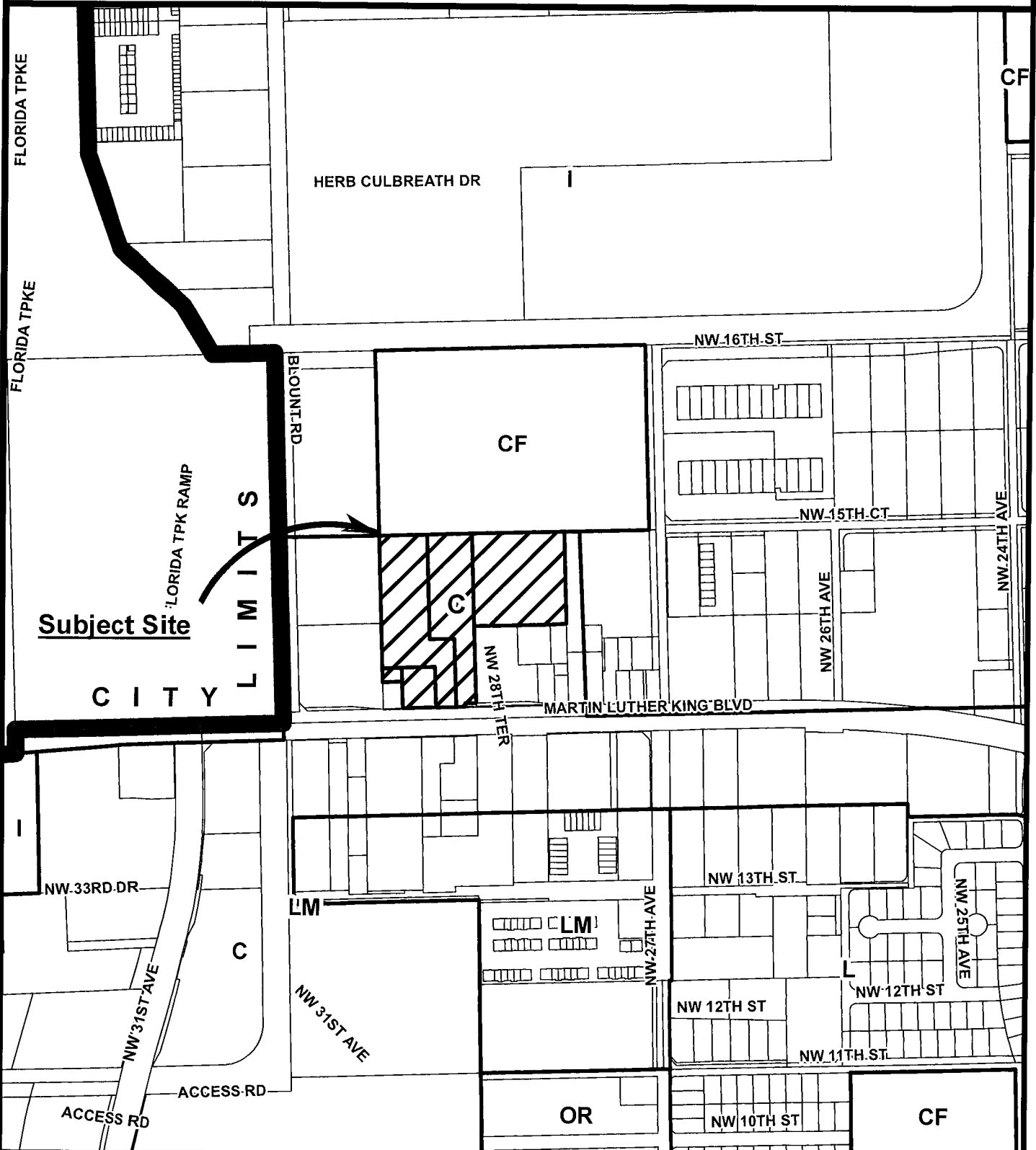
* Existing
> Proposed

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	Commercal Recreation
CF	Community Facilities
T	Transportation
PU	Public Utility

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

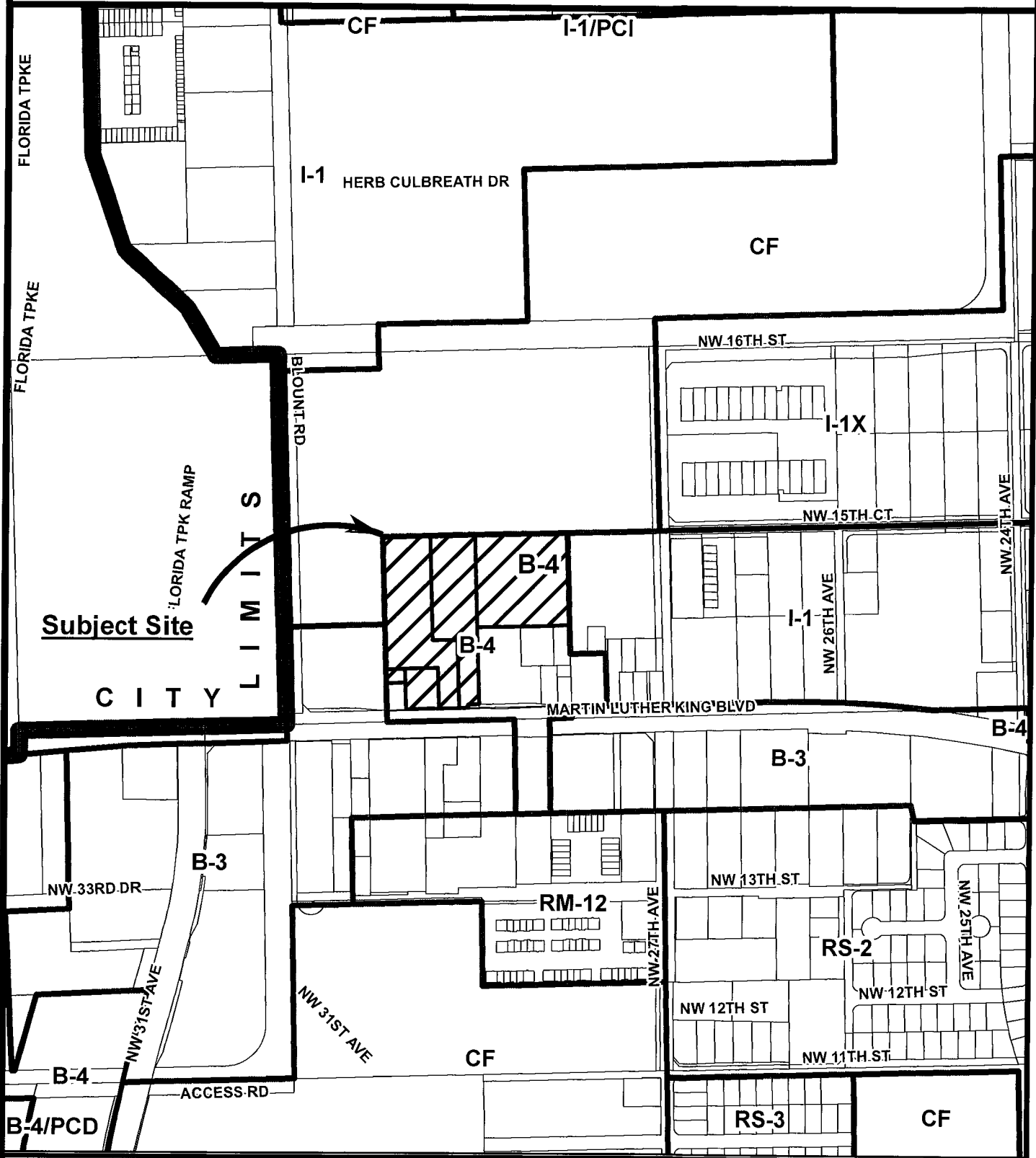


1 in = 500 ft

3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



Subject Site

CITY LIMITS

1 in = 500 ft

4

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

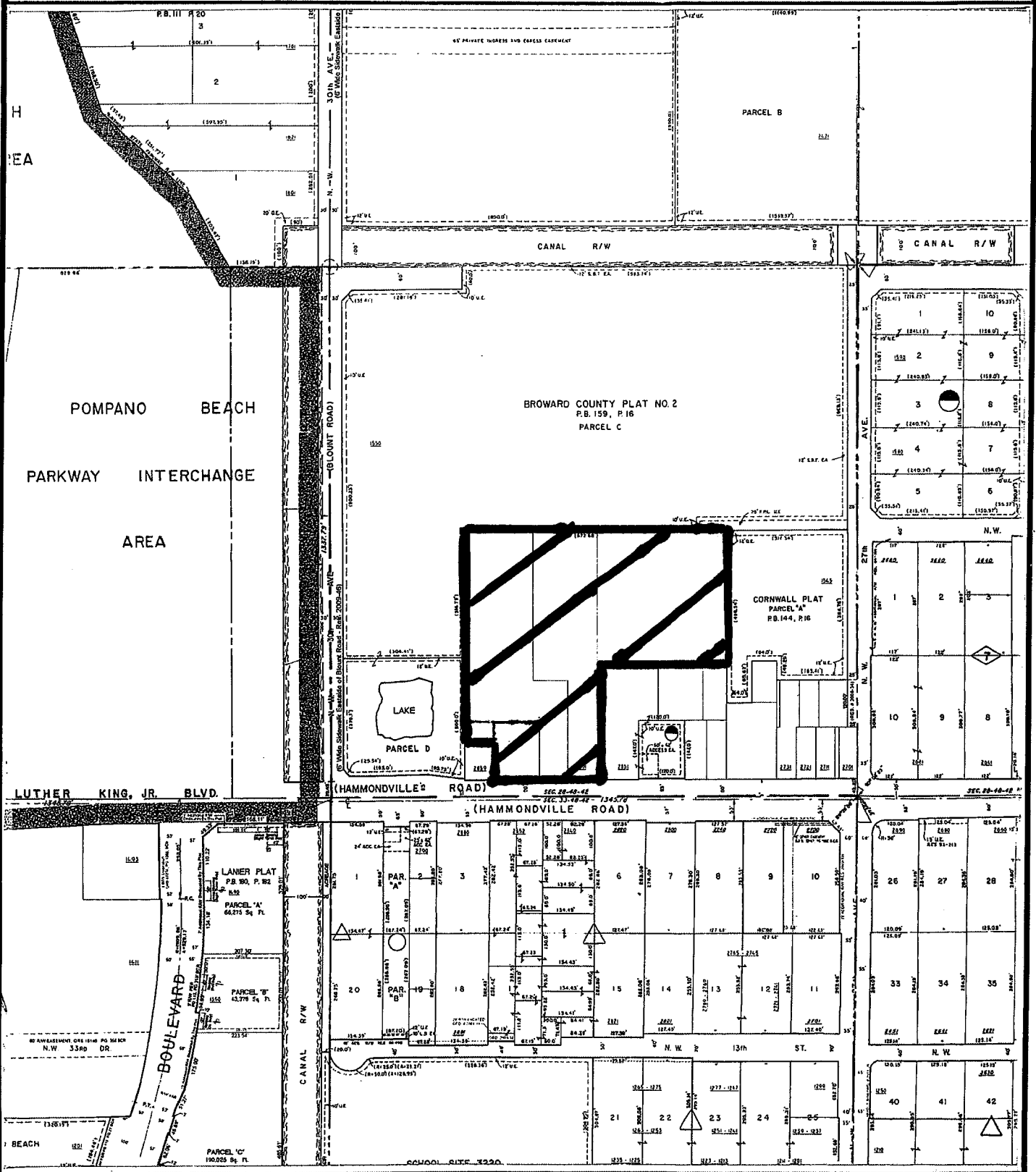


Subject Site

1 in = 500 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS



Review and Summary

Pursuant to Section 155.2410 (D) [Plat Review Standards], staff has compiled the department reports which are summarized below. This plat was reviewed at a **DRC** meeting held on **6/7/17** and found to be in compliance with Land Development regulations.

Zoning

Comments:

- 1) Must submit a Title Certification less than 6 months old & must be addressed to the City, but can include the County.
- 2) Must submit County's Development Review Report before going to P&Z.
- 3) Cover page signatures & surveyor signature must be submitted before City Commission placement.
- 4) Dr. Martin Luther King, Jr. Blvd. between NW 27 Ave. and the Fl. Turnpike must have 106 feet of Right of Way.
- 5) All dedications must be reflected on Plat.
- 6) You must fill in the information necessary for Note# 4 on page 2 of the Plat.

7) Please provide a narrative that fills in the blanks shown below:

This request is for a proposed plat generally located _____. The plat will be restricted to ___sq. ft. of ___use. The site area is approximately ___ square feet or ___ acres. The property is currently owned by ___and is __ (vacant)_ or has ___ business located on it.

7) Also explain in the narrative the information you explained to me about the previous access agreement and other details you want cleaned up that you will be changing obligations on the Plat and why.

8) Additional amendments may have to be made prior to Planning & Zoning Board placement resulting from the DRR from the County (including but not limited to providing an NVAL).

Engineering Department

Review Complete No Comments

CRA

This project is not within the NW CRA. As proposed, this plat approval does not conflict with the CRA goals or objectives. Therefore, the CRA offers no comments or objections at this time.

Utilities

1. Please note that additional comments may be forthcoming contingent upon future submittals and the development review process.
2. Given the submittal, the City of Pompano Beach Utilities Department has no comment with regard to the requested Plat approval for the subject properties located at 2855, 2857, 2761, 2859 & 2851 Dr. Martin Luther King Jr. Blvd.

Fire Department

This P&Z application is able to meet all of the Fire Department requirements at this time for PLAT APPROVAL ONLY. Site plan approval will be required, maintaining all proper fire department access and water supply requirements as per chapter 18 of NFPA 1 as amended from time to time.

*Additional comments may follow throughout the remainder of the permitting process. The buildings shall be in compliance with All NFPA Standards prior to receiving Fire Department approval.

BSO

Subject: CPTED and Security Strengthening

Disclaimer: The services of an experienced, qualified and certified Security Crime Prevention/CPTED Consultant are highly recommended. This review does not guarantee a crime will never occur, it is an effort to mitigate opportunities for crime and to help avoid any present and future security deficiencies, conflicts, or liability's that might occur without any review.

Note: DRC submissions require a CPTED/Security Strengthening Narrative Folder and a separate Drawing Folder for review. All mandatory compliance condition requirements must be listed and specifically addressed with details on Narrative and Drawing plans

BUILDING DIVISION

Review Complete No Comments

LANDSCAPE REVIEW

No comment

SOLID WASTE

Comments

1. Solid Waste and Recycling has no objections to the proposed plat.

NOTE: Additional comments may be necessary based upon revisions, additional plans and/or documents. Contact Beth Dubow at 954-545-7047 or beth.dubow@copbfl.com should you have any questions or concerns regarding this review.

Review and Summary cont.

Teco Peoples Gas:

Teco Gas has no objection to this Plat.

AT&T:

AT&T has no objection to this Plat.

Comcast:

Comcast has no objection to this Plat.

FPL:

FPL has no objection to the proposed Plat.

FDOT:

There is no State Road adjacent, therefore no letter is necessary.

Department of Development Services Recommendation

This plat was reviewed at a DRC meeting held on 6/7/17 and found to be in compliance with Land Development regulations. All comments from the DRC meeting have been addressed.

Development Services staff recommends **approval** of this plat with the following condition to be met prior to the City Commission hearing:

1. Plat cover page must be signed and sealed by the surveyor and signed by all owners.
2. Unity of Title shall be filed with the City, prior to release of the access easement.

M

Return recorded document to:

Broward County Highway Construction and
Engineering Division
1 North University Drive, Suite 300B
Plantation, FL 33324-2038

Document prepared by:

EMERSON ALLSWORTH
DOUMAR, ALLSWORTH, ET AL.
1177 SE THIRD AVENUE
FT LAUDERDALE, FL 33316

**DECLARATION OF RESTRICTIVE COVENANTS
FOR PRIVATE PAVED ROADWAYS AND ACCESS**

THIS DECLARATION OF RESTRICTIVE COVENANTS, made this 21 day of JULY, 2008 by TURNPIKE DISTRIBUTION CENTER IV, LLC, hereinafter referred to as "DEVELOPER."

WHEREAS, DEVELOPER, is the fee title owner of certain property in Broward County, Florida, as described in Exhibit "A" (the "Property"); and

WHEREAS, DEVELOPER, is proposing to develop the property and has applied to Broward County ("COUNTY") for approval of a PLAT AND DELEGATION REQUEST (site plan, plat, etc.) for the Property (the "Project"); and

WHEREAS, COUNTY approved the Project on AUGUST 28 (PLAT) MAY 22 (DELEGATION), 2007, subject to certain conditions; and

WHEREAS, pursuant to the Broward County Land Development Code, one of the conditions of approval is that DEVELOPER provide for the location, construction and maintenance of the private roadways within the Property, provide a permanent access easement for service and emergency vehicles and for maintenance of public and semi-public utilities and a reciprocal easement for ingress and egress to all parcels and/or lots of the Project; and

WHEREAS, in order to comply with the conditions of approval, DEVELOPER wishes to impose a permanent non-exclusive Restrictive Covenant for the location, construction and maintenance of roadways roads and access to provide for the ingress and egress of vehicles and pedestrian traffic to, from and throughout the Property on, over and upon the portion of the Property described in Exhibit "B" for service, emergency, and utility vehicles, and current and future holders of any right, title or interest in the Property, their successors and assigns; NOW, THEREFORE,

CAF#463
03/28/06

1 Approved BCC 5/20/07 #15

Submitted By Engany

RETURN TO DOCUMENT CONTROL

11/20/08
(8)

IN ORDER TO SATISFY the conditions of approval described above, DEVELOPER does hereby impose the following Restrictive Covenants upon the Property:

1. The recitals described above are true and accurate and are incorporated to these Restrictive Covenants.

2. Declaration of Restrictive Covenants for Roadways and Access.

(a) DEVELOPER, for itself and its successors and assigns, hereby declares and subjects that portion of the Property described in Exhibit "B" to a non-exclusive access covenant for ingress and egress of vehicular and pedestrian traffic throughout the Property to the public for the purpose of providing access to service and emergency vehicles, and for maintenance of public and semi-public utilities. The purpose of this covenant is to comply with the condition of Project approval to provide a permanent access easement for service and emergency vehicles and for maintenance of public and semi-public utilities.

(b) DEVELOPER, for itself and its successors and assigns, hereby declares and subjects that portion of the Property described in Exhibit "B" to a non-exclusive access covenant for ingress and egress of vehicular and pedestrian traffic throughout the Property for the benefit of the current and future holders of any right, title or interest in the Property and their successors and assigns and for the benefit of the current and future holders of any right, title or interest in the adjacent property which abut and share common access on the private roadways and their successors and assigns. The purpose of this covenant is to comply with the conditions of Project approval to provide a reciprocal easement for ingress and egress to all residents of the Project.

3. Private roadways constructed after the execution of this Declaration shall comply with all applicable construction standards contained in the "Minimum Construction Standards Applicable to Public Rights-of-Way Under Broward County Jurisdiction," adopted by Resolution No. 85-3606, set out in the Broward County Administrative Code.

4. DEVELOPER shall at all times hereafter indemnify, hold harmless and, at County Attorney's option, defend or pay for an attorney selected by County Attorney to defend COUNTY, its officers, agents, servants, and employees against any and all claims, losses, liabilities, and expenditures of any kind, including attorney fees, court costs, and expenses, resulting from, use or maintenance of the Access Roads, including, without limitation, any and all claims, demands, or causes of action of any nature whatsoever resulting from injuries or damages sustained by any person or property. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

5. The construction, maintenance, and repair of the roads and roadways contained in Exhibit "B" shall be the sole responsibility of the DEVELOPER, its successors and assigns.

6. The failure of any party to this Declaration and Agreement to abide by the covenants, conditions, and declarations herein shall constitute an event of default and may be enforced by Broward County or such other governmental entity described herein.

7. This Declaration of Restrictive Covenants may not be altered, changed, or amended except by an instrument in writing, executed by all of the owners of any right, title or interest in the Property, including any affected governmental entity, and approved in writing by Broward County.

8. This Declaration of Restrictive Covenants shall be recorded in the public records of Broward County, Florida, at DEVELOPER=s sole cost and expense and all of the provisions of this instrument shall run with the property described in Exhibit "A" and shall remain in full force and effect for perpetuity and are binding on all parties and persons acquiring any right, title, or interest in the property as described in Exhibit "A."

9. Broward County, any affected governmental entity, and the owners of any right, title or interest in the Property are the beneficiaries of these restrictive covenants and as such, may enforce these restrictive covenants by action at law or in equity against any person or persons, entity or entities, violating or attempting to violate the terms of these restrictions. Broward County and any affected governmental entity shall be entitled to specific performance of the covenants provided herein in addition to the remedies available at law or in equity.

10. Any controversies or legal problems arising out of this Declaration and Agreement and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State courts of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the State of Florida.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

DEVELOPER-CORPORATION/PARTNERSHIP

Witnesses:

Turnpike Distribution Center IV, LLC
Name of Developer (corporation/partnership)

[Signature]
(Signature)
Print name: Natasha Acker

[Signature]
(Signature)
Print name: Steven Stattner - Manager
Title: IPS Turnpike IV LLC-Managing Member
Address: 1500 San Remo Avenue
Coral Gables, Florida 33146

[Signature]
(Signature)
Print name: Stevie Clay

21 day of July, 2008

ATTEST (if corporation):

(CORPORATE SEAL)

(Secretary Signature)
Print Name of Secretary: _____

ACKNOWLEDGMENT - CORPORATION/PARTNERSHIP

STATE OF FLORIDA)
) SS.
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 21 day of July, 2008, by Steven Stattner, as manager of IPS Turnpike IV LLC - managing ~~XXX~~ member a corporation/partnership on behalf of the corporation/ partnership. He or she is: of Turnpike Distribution Center IV LLC
 personally known to me, or
 produced identification. Type of identification produced FL DRIV. LIC # 5335-780-45-109-0.

(Seal) 

NOTARY PUBLIC
[Signature]
Print name: Ivette M. Suarez

My commission expires: May 15, 2011

MORTGAGEE-CORPORATION/PARTNERSHIP

Mortgagee, being the holder of a mortgage relating to the parcel(s) described in Exhibit "A" hereby consents and joins in for the purpose of agreeing that its mortgage shall be subordinated to the foregoing Agreement.

Witnesses:

Triangle of South Florida, Inc.
Name of Mortgagee (corporation/partnership)

[Signature]
(Signature)
Print name: STUART POTMAN

By [Signature]
(Signature)
Print name: Barbara Slackman
Title: President
Address: 13130 W State Road 84
Davie, FL 33325

[Signature]
(Signature)
Print name: JANIS L. OWEN

9 day of SEPT, 2008

ATTEST (if corporation):

(CORPORATE SEAL)

(Secretary Signature)
Print Name of Secretary: _____

ACKNOWLEDGMENT - CORPORATION/PARTNERSHIP

STATE OF FLORIDA)
) SS.
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 9 day of SEPT, 2008, by BARBARA SLACKMAN as PRESIDENT of TRIANGLE OF SOUTH FLORIDA, a FLORIDA corporation/partnership, on behalf of the corporation/ partnership. He or she is:
 personally known to me, or
 produced identification. Type of identification produced _____.

NOTARY PUBLIC:



[Signature]
Print name: JANIS L. OWEN

CAF#463
03/28/06

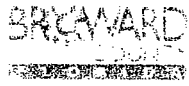


EXHIBIT A
LEGAL DESCRIPTION:

A PORTION OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF PARCEL "A", "CORNWALL PLAT" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 144, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 00°11'06" EAST ON THE WEST LINE OF SAID PARCEL "A" 313.80 FEET; THENCE SOUTH 89°58'16" WEST 336.26 FEET; THENCE SOUTH 00°12'03" EAST 298.15 FEET TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 45753, PAGE 1888, OF SAID PUBLIC RECORDS; THENCE ON THE NORTH RIGHT-OF-WAY BOUNDARY OF SAID HAMMONDVILLE ROAD THE FOLLOWING TWO COURSES AND DISTANCES: 1) SOUTH 89°53'32" WEST 40.00 FEET; 2) SOUTH 00°12'03" EAST 13.00 FEET TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SAID HAMMONDVILLE ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 43686, PAGE 1034 OF SAID PUBLIC RECORDS; THENCE SOUTH 89°53'32" WEST ON SAID RIGHT-OF-WAY LINE 226.38 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 70.00 FEET OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 28; THENCE NORTH 00°11'26" WEST ON SAID EAST LINE 97.00 FEET TO THE INTERSECTION WITH A LINE LYING 100.00 FEET NORTH OF AND PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD; THENCE SOUTH 89°53'32" WEST ON SAID PARALLEL LINE 70.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF PARCEL "D", "BROWARD COUNTY PLAT NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 159, PAGE 16 OF SAID PUBLIC RECORDS; THENCE NORTH 00°11'26" WEST ON SAID EAST LINE AND ON AN EAST LINE OF PARCEL "C" OF SAID "BROWARD COUNTY PLAT NO. 2" FOR 529.22 FEET TO A SOUTH LINE OF SAID PARCEL "C"; THENCE SOUTH 89°57'36" EAST ON SAID SOUTH LINE 672.63 FEET TO THE POINT OF BEGINNING.

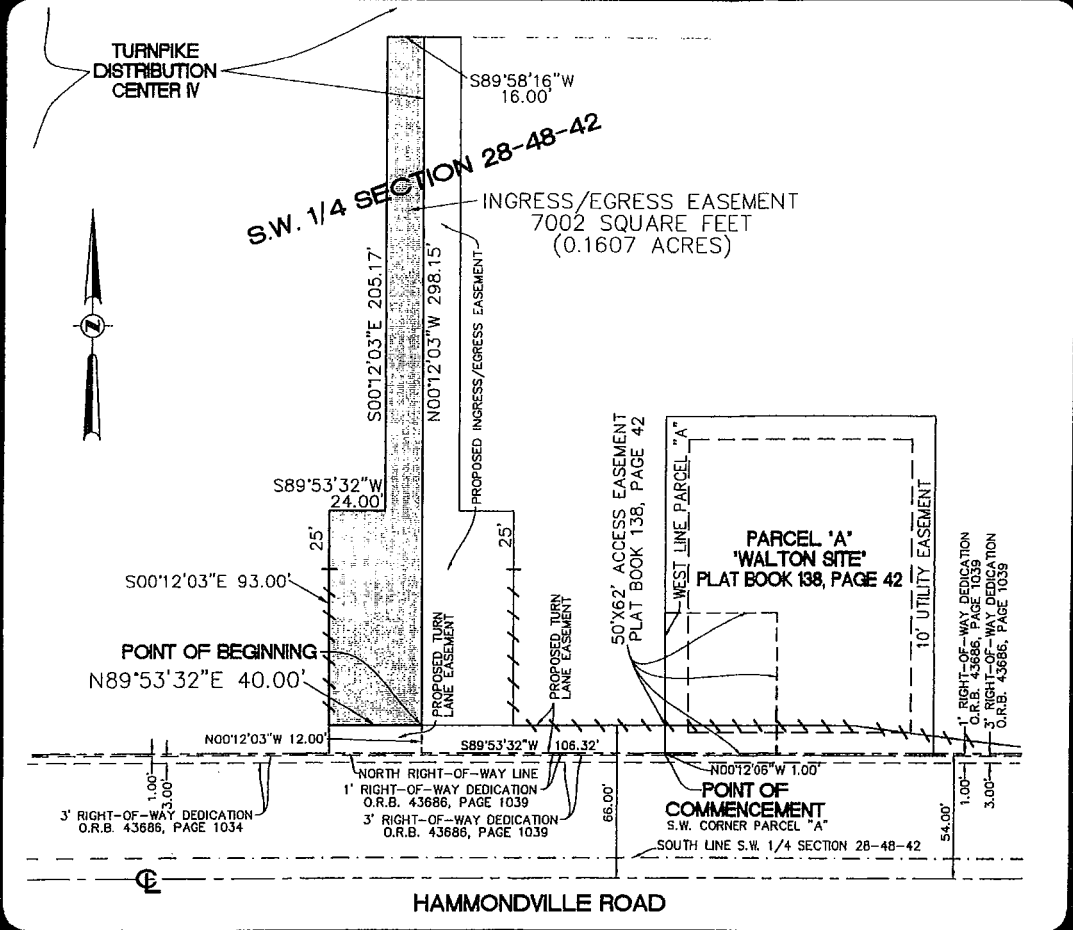
SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA CONTAINING 308,762 SQUARE FEET (7.0882 ACRES).

Exhibit "B"



SKETCH AND LEGAL DESCRIPTION
 BY
PULICE LAND SURVEYORS, INC.
 5381 NOB HILL ROAD
 SUNRISE, FLORIDA 33351
 TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
 E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870





FILE: INTEGRATED PROPERTY SERVICES
 SCALE: 1"=60'
 ORDER NO.: 51351A
 DATE: 10/15/07 REV 2/28/08 REV 9/17/08
 INGRESS/EGRESS EASEMENT
 POMPANO BEACH, BROWARD COUNTY, FLORIDA
 FOR: TURNPIKE DISTRIBUTION CENTER IV

SHEET 1 OF 2 THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2

Beth Burns

JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 STATE OF FLORIDA



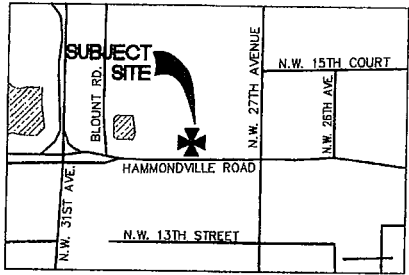
SKETCH AND LEGAL DESCRIPTION
 BY
PULICE LAND SURVEYORS, INC.
 5381 NOB HILL ROAD
 SUNRISE, FLORIDA 33351
 TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
 E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



LEGAL DESCRIPTION: INGRESS/EGRESS EASEMENT

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF PARCEL "A", "WALTON SITE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 138, PAGE 42 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 00°12'06" WEST ON THE WEST LINE OF SAID PARCEL "A" 1.00 FOOT TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF THAT 1.00 FOOT DEDICATION FOR HAMMONDVILLE ROAD AS RECORDED IN OFFICIAL RECORDS BOOK 43686, PAGE 1039 OF SAID PUBLIC RECORDS; THENCE SOUTH 89°53'32" WEST ON SAID RIGHT-OF-WAY LINE 106.32 FEET; THENCE NORTH 00°12'03" WEST 12.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°12'03" WEST 298.15 FEET; THENCE SOUTH 89°58'16" WEST 16.00 FEET; THENCE SOUTH 00°12'03" EAST 205.17 FEET; THENCE SOUTH 89°53'32" WEST 24.00 FEET; THENCE SOUTH 00°12'03" EAST 93.00 FEET; THENCE NORTH 89°53'32" EAST 40.00 FEET TO THE POINT OF BEGINNING.
 CONTAINING 7,002 SQUARE FEET (0.1607 ACRES).



VICINITY MAP
NOT TO SCALE

NOTES:

- 1) BEARINGS ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF HAMMONDVILLE ROAD BEING N89°56'58"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) DENOTES: CENTERLINE.
- 5) DENOTES: NON-VEHICULAR INGRESS/EGRESS LINE

FILE: INTEGRATED PROPERTY SERVICES
SCALE: N/A
ORDER NO.: 51351A
DATE: 10/15/07 REV 2/28/08 REV 9/17/08
INGRESS/EGRESS EASEMENT
POMPANO BEACH, BROWARD COUNTY, FLORIDA
FOR: TURNPIKE DISTRIBUTION CENTER IV

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2