

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 18-12000035

A DEVELOPMENT ORDER ISSUED BY THE PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY) OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO CHAPTER 155 OF THE CODE OF ORDINANCES; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR X-MAIL CORP

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the specific application for Development referenced above as a Major Site Plan Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to review and issue a final development order with respect to the Applicant's request to construct a new 12,641 sq. ft. office/warehouse building (Project). The Project encompasses the property located at the southwest corner of the intersection of NW 12 Avenue and Martin Luther King Jr. Boulevard (484234390010) which is more specifically described as follows:

A PARCEL OF LAND IN THE W 1/2 OF THE SE 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 34; THENCE RUN NORTH 89° 25' 18" EAST (ON AN ASSUMED BEARING) 250.01 FEET ALONG THE SOUTH LINE OF SAID SE 1/4 OF THE SE 1/4; THENCE RUN NORTH 1° 02' 10" WEST 1081.63 FEET ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SE 1/4 OF THE SE 1/4, TO AN INTERSECTION WITH A LINE 150 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE SOUTHERLY RIGHT OF WAY LINE OF HAMMONDVILLE ROAD, AND THE POINT OF THE BEGINNING; THENCE CONTINUE NORTH 1° 02' 10" WEST 186.45 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH SAID SOUTH RIGHT OF WAY LINE OF HAMMONDVILLE ROAD; THENCE RUN SOUTH 54° 35' 57" EAST 226.40 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO A POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE ON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1005.37 FEET AND A CENTRAL ANGLE OF 0° 07' 55", RUN

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SOUTHEASTERLY 2.31 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF NW 12TH AVENUE, AS DESCRIBED ON THE INSTRUMENT FILED IN OFFICIAL RECORDS BOOK 930 AT PAGE 229 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN SOUTH 1° 03' 28' EAST 180.06 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE TO A POINT OF INTERSECTION WITH THE ARC OF A CURVE RUNNING NORTHWESTLY TO THE RIGHT, A RADIAL AT SAID POINT BEARING NORTH 29° 58' 18' EAST; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1155.37 FEET AND A CENTRAL ANGLE OF 5° 25' 45', RUN NORTHWESTERLY 109.48 FEET TO A POINT OF TANGENCY ON SAID LINE 150 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL TO SAID SOUTHERLY RIGHT OF WAY LINE OF HAMMONDVILLE ROAD; THENCE RUN NORTH 54° 35' 57' WEST 115.66 FEET ALONG SAID PARALLEL LINE, TO THE POINT OF BEGINNING, LESS THE WESTERLY 8.00 FEET OF SAID PARCEL.

SAID LANDS SITUATE IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING .7491 ACRES, MORE OR LESS.

WHEREAS, the Development Review Committee has met to review this Project and has provided the Applicant with written comments; and

WHEREAS, the Application for Development Permit is not in compliance with the applicable standards and minimum requirements of this Code, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

WHEREAS, copies of the survey and final site plan are on file with the Department of Development Services, stamped with the meeting date of February 27, 2019.

IT IS THEREFORE ORDERED by the Board that the requested Major Site Plan Application for the above Project is hereby **GRANTED**, with the following conditions to which the Applicant has agreed to comply with:

1. For Zoning Compliance Permit approval, obtain the following final approvals:
 - a. Plat Note Amendment including vacation of 20 ft. Landscape Easement,
 - b. Easement agreement/release for the perimeter fence proposed within a utility easement, and
 - c. AAC review and approval of Master Sign Program, pursuant to § 155.2416.
2. Make the following revisions on plans:

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- a. Identify paint color for the dumpster enclosure, pursuant to §155.4302.C.3 [Screening of Commercial Containers].
 - b. Provide details of the gates proposed on the driveway and revise them to swing inward.
 - c. Four sides of mechanical equipment shall be screened, pursuant to §155.5301. A. Revise the plans accordingly and provide a note on the Site Plan that mechanical equipment will not be proposed on the rooftop.
 - d. 20 ft. Landscape Easement can't be vacated via a Minor Administrative Adjustment. Remove this note on the Site Plan.
 - e. Identify the proposed metal awning on the Site and Landscape Plans.
 - f. Update the site layout on the Photometric Plan to be consistent with the Site Plan.
 - g. Correct the project address on all plans as determined that the front lot line is the property line along Martin Luther King Jr. Blvd.
 - h. Provide foot-candles at the north corner of the property lines, pursuant to §155.5401.E [Minimum and Maximum Illumination Levels].
 - i. Pursuant to § 155.5401.I, wall packs on buildings used at building entrances to light unsafe areas shall be fully shielded to direct the light vertically downward and have a light output of 900 lumens or less. Provide an alternative.
 - j. Provide alternative for building façade materials in accordance with § 155.5603. G [Building Facade Materials] or obtain relief. The use of vinyl siding aluminum siding, corrugated metal siding, any other metal siding, unfinished or untreated tilt-up concrete panels, or standard single- or double-tee concrete systems as a primary exterior facade material shall be limited to those portions of rear and side building facades that are not visible from the public right-of-way or an adjacent residential, institutional, or commercial use.
3. Provide additional documentation for the following clarifications:
- a. Provide color renderings of the building facades illustrating the actual color and material.
 - b. Designated loading areas shall comply with § 155.5102. M [Loading Area Standards]. A loading berth shall be designed to provide at least 12 feet wide and 55 feet long with 14 feet clear, double striping, per §155.5102.C.4 [Markings] and § 155.5102.M.2 [Dimensional Standards for Loading Areas]. Revise the loading areas accordingly.
 - c. Pursuant to § 155.4302. B, demonstrate the requirement for screening of off-street service areas on the Site Plan. Exterior off-street service areas shall be screened from view from adjacent streets and properties by durable, sight-obscuring walls, fences, and/or dense continuous hedges that are at least six feet in height. Points of vehicular access into or from the loading or service area need not be screened, provided they are located and designed to minimize direct views into the service or loading area from adjacent streets and properties.

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4. Provide additional documentation to verify the techniques that were used to satisfy the requirement of 12 sustainable development points required by §155.5802 [Sustainable Development Point Requirement].
5. Copy of the CPTED plan approved by the Broward Sheriff's Office, pursuant to §155.2407.E.9,
6. Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forestry Division.

Be advised that pursuant to Section 155.2308(B)(1) of the Pompano Beach Code of Ordinances, this DEVELOPMENT ORDER shall expire if a Zoning Compliance Permit is not obtained within two years.

Heard before the Planning and Zoning Board/Local Planning Agency and Ordered this 27th day of February, 2019.

DocuSigned by:

Fred Stacer

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Fred Stacer

Chairman

Planning and Zoning Board/Local Planning Agency

Filed with the Advisory Board Secretary this 21 day of March, 2019.

DocuSigned by:

Pamela McCleod

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Pamela McCleod

Assistant Planner