

ADMINISTRATIVE MEMORANDUM NO. 19-219

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services *JG*
FROM: Maggie Barszewski, AICP, Planner *MB*
SUBJECT: First Industrial Pompano Plat Request
Plat P&Z #19-14000003/July 24, 2019 Meeting
DATE: July 10, 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 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 Industrial Pompano Plat." The agent Mike Vonder Meulen of Keith, Inc. is representing the owner of the property, FR 1200 NW Street, LLC. The subject property has never been platted. The proposed plat divides the property into 2 parcels: the larger of the two (8.348 acres) is labeled Parcel 'A' and the remainder labeled 'B' (.078 of an acre) will be dedicated for additional right-of-way along NW 15th Street. The plat totaling 8.348 acres, proposes to restrict the property to a maximum building of 200,000 square feet of industrial use. The subject property currently has a 44,328-square foot industrial building, which will be demolished. The Applicant intends to construct a 141,450-square foot industrial building with parking and loading operations on site. A Site Plan was approved for such on March 27, 2019 by the Planning and Zoning Board (Development Order #18-12000044 attached). There is also a concurrent abandonment request for the 5-foot water easement, which is reflected on this plat. This abandonment request is expected to be heard by the City Commission in September, 2019 and if approved, will be eliminated from this plat request as it proceeds through the Broward County review process.

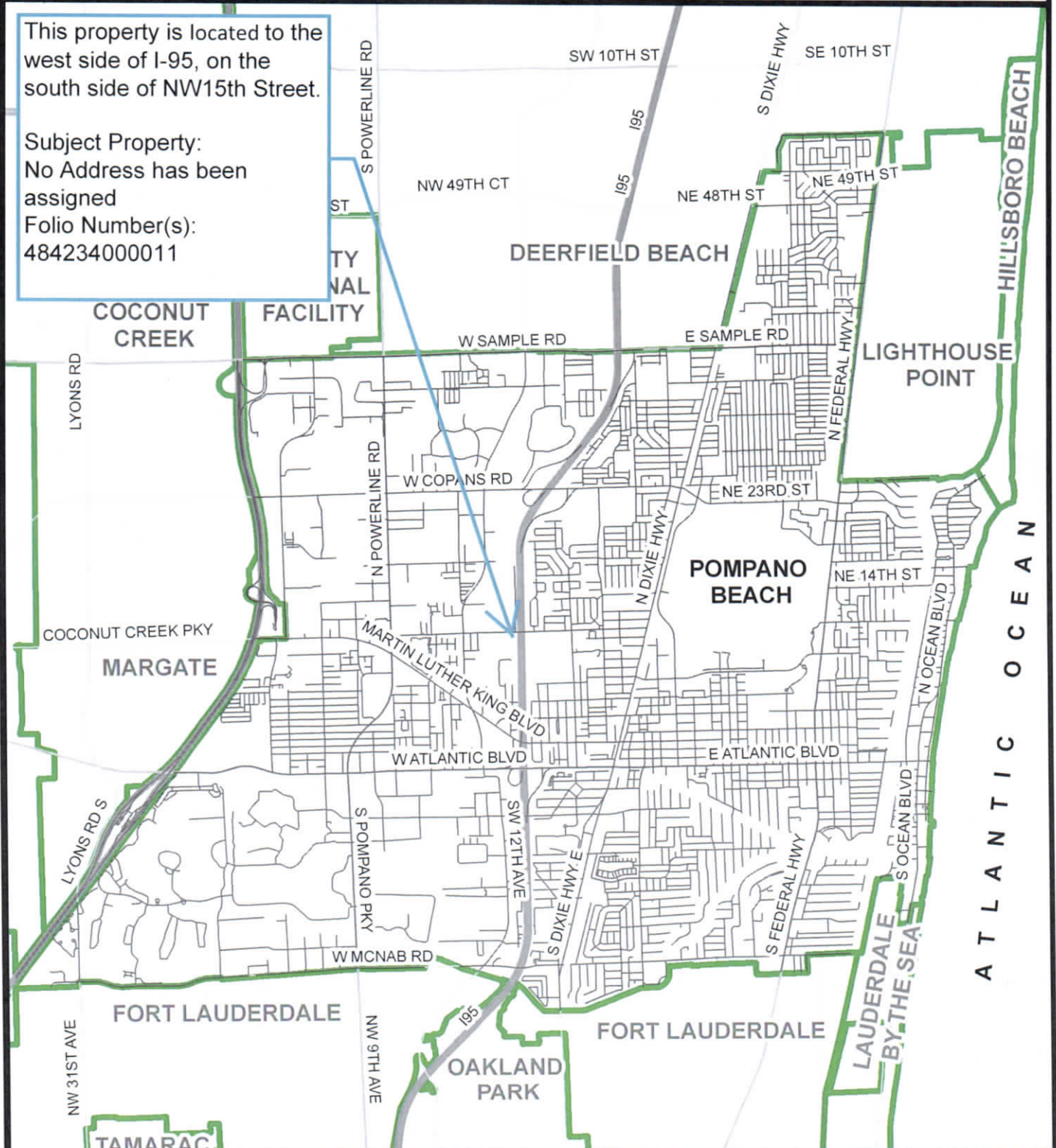
The property is located to the west of I-95 on the south side of NW 15th Street.

CITY OF POMPANO BEACH LOCATION MAP



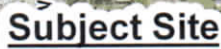
This property is located to the west side of I-95, on the south side of NW15th Street.

Subject Property:
No Address has been assigned
Folio Number(s):
484234000011

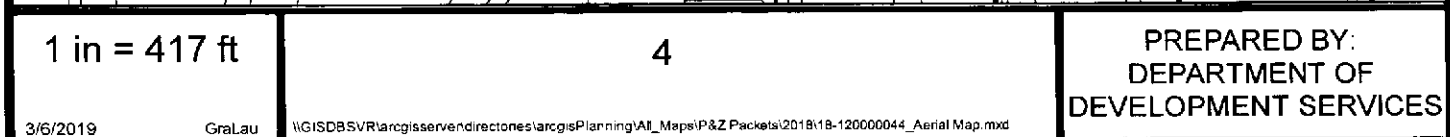


1 in = 1 miles

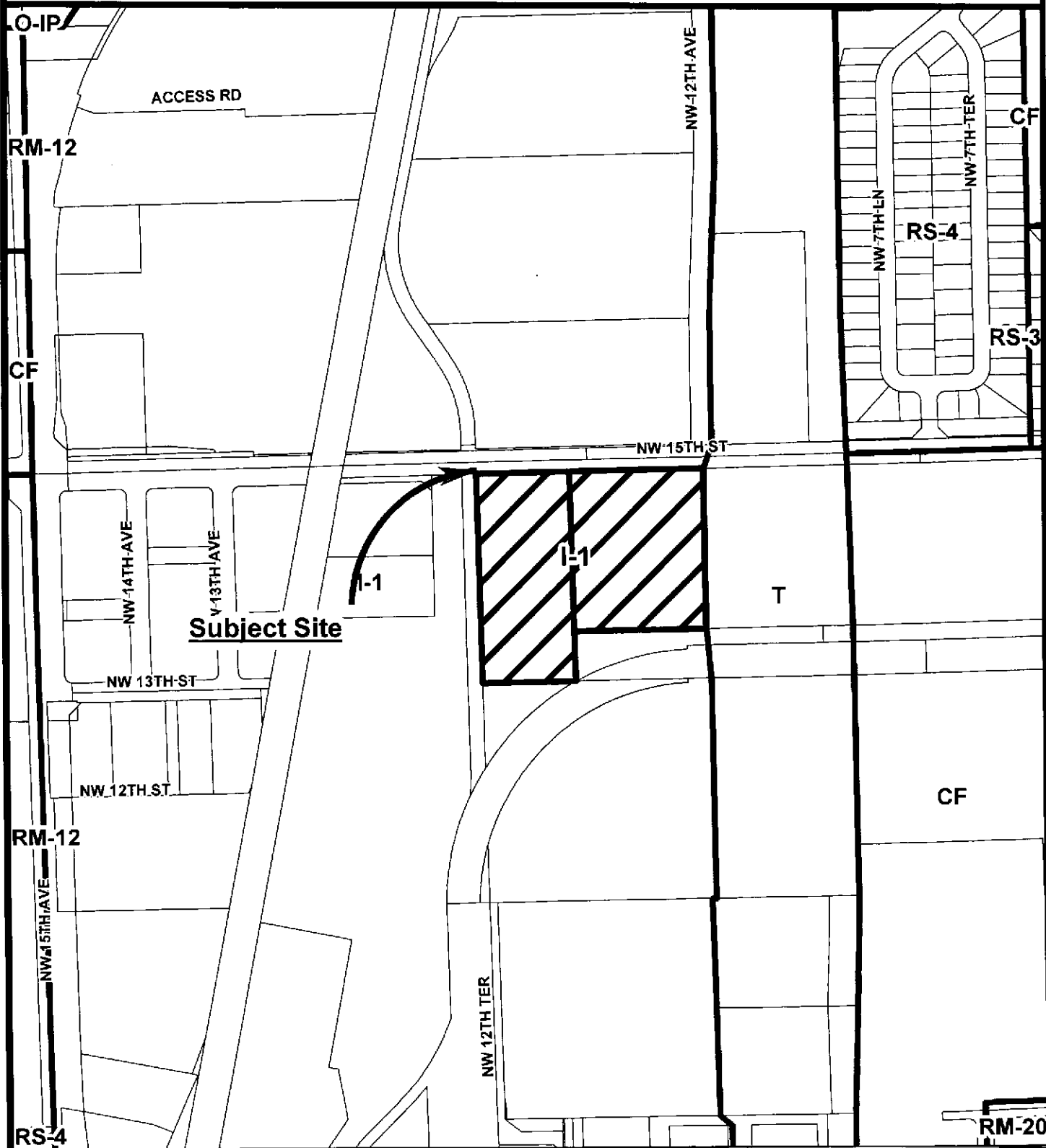
PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES



PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES



CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 417 ft

5

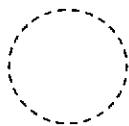
PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

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	Commerical Recreation
CF	Community Facilities
T	Transportation
PU	Public Utility

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 April 3, 2019, 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.

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:	A letter from FDOT was not required since the Plat does not impact a State Road.
Teco Peoples Gas:	Teco Gas has reviewed the plat & has no objection.
AT&T:	AT&T has reviewed the plat & has no objection.
Comcast:	Comcast has not been submitted yet.
FPL:	FPL has reviewed the plat & has no objection.

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. A Comcast service provider letter must be submitted; and
2. Plat cover page must be signed and sealed by the surveyor and signed by all owners.
3. A Conceptual Site Plan shall be submitted.

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 18-12000044

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 FR 1200 NW STREET/FIRST 95 DISTRIBUTION CENTER

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 141,450 sq. ft. warehouse building (Project). The Project encompasses the property located at 1200 NW 15 Street (484234000030 and 484234000011) which is more specifically described as follows:

PARCEL 1: ALL THAT PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, LYING TO THE WEST OF THE WEST RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY NO. 95, LESS AND EXCEPT THE SOUTH 150 FEET THEREOF, ALSO LESS AND EXCEPT THE WEST 280.96 FEET THEREOF, AND ALSO LESS AND EXCEPT THE NORTH 35 FEET THEREOF.

PARCEL 2: THE WEST 280.96 FEET OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, LYING IN SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, LESS THE NORTH 35 FEET FOR A STREET (HEREINAFTER COLLECTIVELY REFERRED TO AS THE PROPERTY), BROWARD COUNTY, FLORIDA. SAID PARCEL BEING ALSO DESCRIBED AS FOLLOWS: A TRACT OF LAND SITUATED WITHIN BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY MARGIN OF 15TH STREET AND THE WESTERN RIGHT OF WAY MARGIN OF INTERSTATE 95 SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE RUN SOUTH 00°50'09" EAST FOR A DISTANCE OF 478.01 FEET TO AN IRON PIN; THENCE RUN SOUTH 88°28'49" WEST FOR A DISTANCE OF 395.11 FEET TO AN IRON PIN; THENCE RUN SOUTH 01°08'27" EAST FOR A DISTANCE OF 148.68 FEET TO AN IRON PIN; THENCE RUN SOUTH 88°43'25" WEST FOR A DISTANCE OF 279.73 FEET TO AN IRON PIN; THENCE RUN

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 18-12000044

Page 2

NORTH 01°37'29" WEST FOR A DISTANCE OF 626.19 FEET TO AN IRON PIN; THENCE RUN NORTH 88°32'29" EAST FOR A DISTANCE OF 682.68 FEET TO A POINT AND BACK TO THE TRUE POINT OF BEGINNING.

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 March 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. Provide the following final approvals:
 - a. Plat, including abandonment of 5 ft. water easement on the west of the property.
 - b. A five-foot land dedication along NW 15 Street.
 - c. Pursuant to §155.2401.C, a Unity of Title for the subject properties to be filed with the Department.
 - d. The proposed curb-cuts along NW 15 Street from Broward County, pursuant to §155.5101.G.7.d.i, [Alignment.]
2. Make the following revisions on plans:
 - a. Identify paint color for the dumpster enclosure, pursuant to §155.4302.C.3, [Screening of Commercial Containers.]
 - b. Illustrate the proposed dry retention area on plans.
 - c. A catch basin is shown on the proposed dry retention based on the Landscape Plan. Provide details of the dry retention in order for staff to verify the pervious area calculation.
 - d. Pursuant to § 155.5203.B.2.g, [Trees], trees shall be planted at least 15 feet from any light fixture mounted on a pole. If light poles are proposed within 15' radius, relocate the poles and revise plans accordingly.

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 18-12000044

Page 3

3. Identify the location of the proposed “No Right Turn Trucks” sign on plans, pursuant to §155.5101. A, [Access and Circulation, Purpose.]
4. Pursuant to §155.5509, [Utility Lines Location], all electrical secondary feeder lines and other utility lines located on the development site and/or along the public right-of-way fronting the development site shall be placed underground.
5. Provide additional documentation to verify the techniques that are used to provide 12 sustainable development points as required by §155.5802, [Sustainable Development Point Requirement.]
6. Provide a copy of the CPTED plan approved by the Broward Sheriff’s Office, pursuant to §155.2407.E.9.
7. Exterior mechanical equipment shall be screened, pursuant to § 155.5301. A. 2, [Mechanical Equipment.] A parapet wall or similar device shall be provided in the rear of the building rooftop to screen the mechanical equipment.
8. 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 March, 2019.

Fred Stacer
Chairman
Planning and Zoning Board/Local Planning Agency

Filed with the Advisory Board Secretary this ____ 10th ____ day of ____ April _____, 2019.

Pamela McCleod
Assistant Planner