

ADMINISTRATIVE MEMORANDUM NO. 19-331

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: Hus Plat Request / Plat P&Z #18-14000011 /November 18, 2019 Meeting
DATE: November 4, 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 in the County Charter and the 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 "Hus Plat." The agent James McLaughlin, of McLaughlin Engineering, is representing the owner of the property, Hus Group, LLC. The subject property has never been platted. The proposed plat identifies 1 parcel (1.0852 acres) that is labeled Parcel 'A'. The plat proposes to restrict the property to a maximum of 41 Garden Apartment dwelling units and the applicant has submitted a conceptual site plan (see Attachment I). The subject property is currently vacant. There is a concurrent Flex request also being heard on this same P&Z agenda (P&Z 18-05000008).

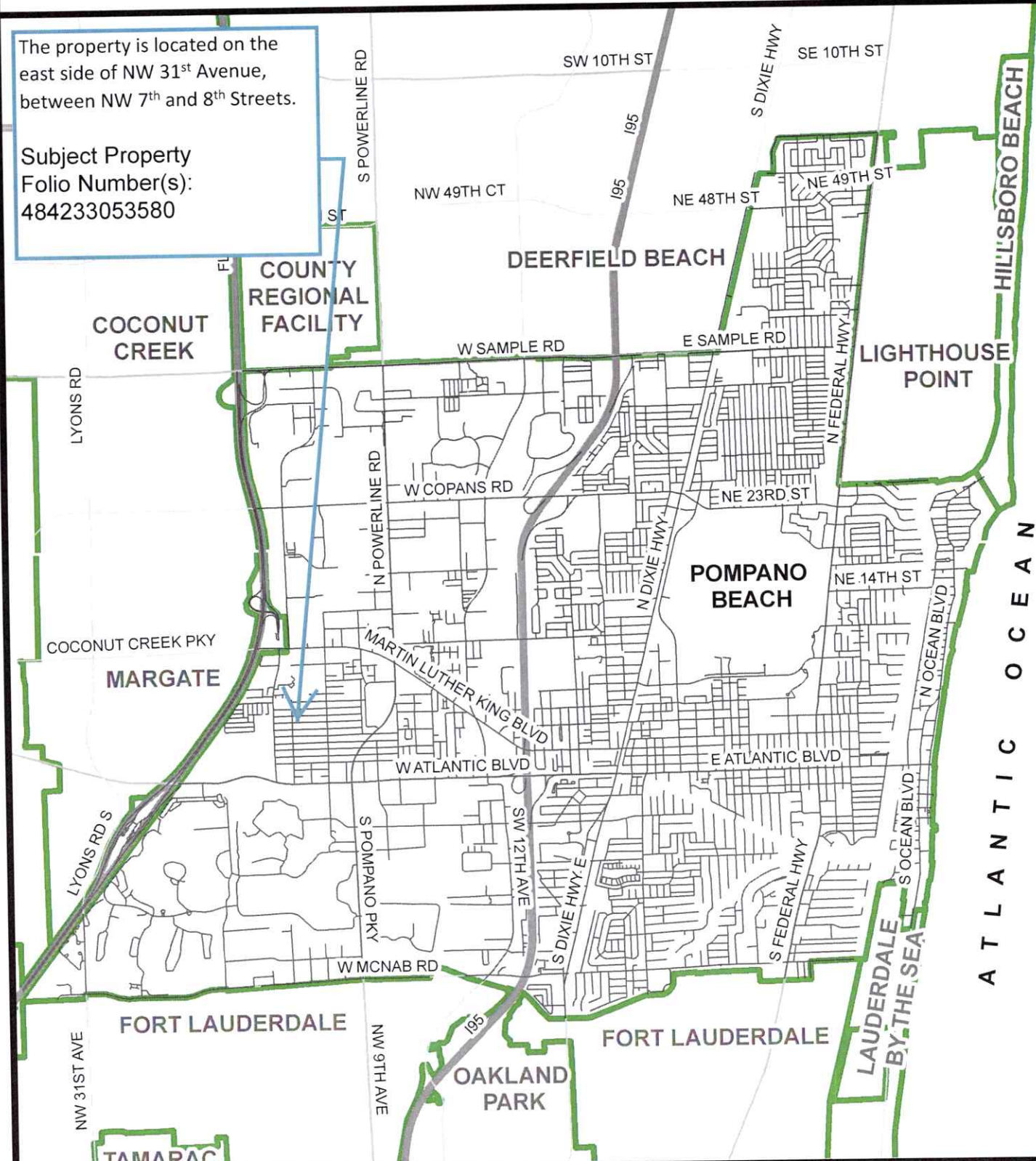
The property is located to the east side of NW 31st Avenue, between NW 7th and 8th Streets.

CITY OF POMPANO BEACH LOCATION MAP



The property is located on the east side of NW 31st Avenue, between NW 7th and 8th Streets.

Subject Property
Folio Number(s):
484233053580

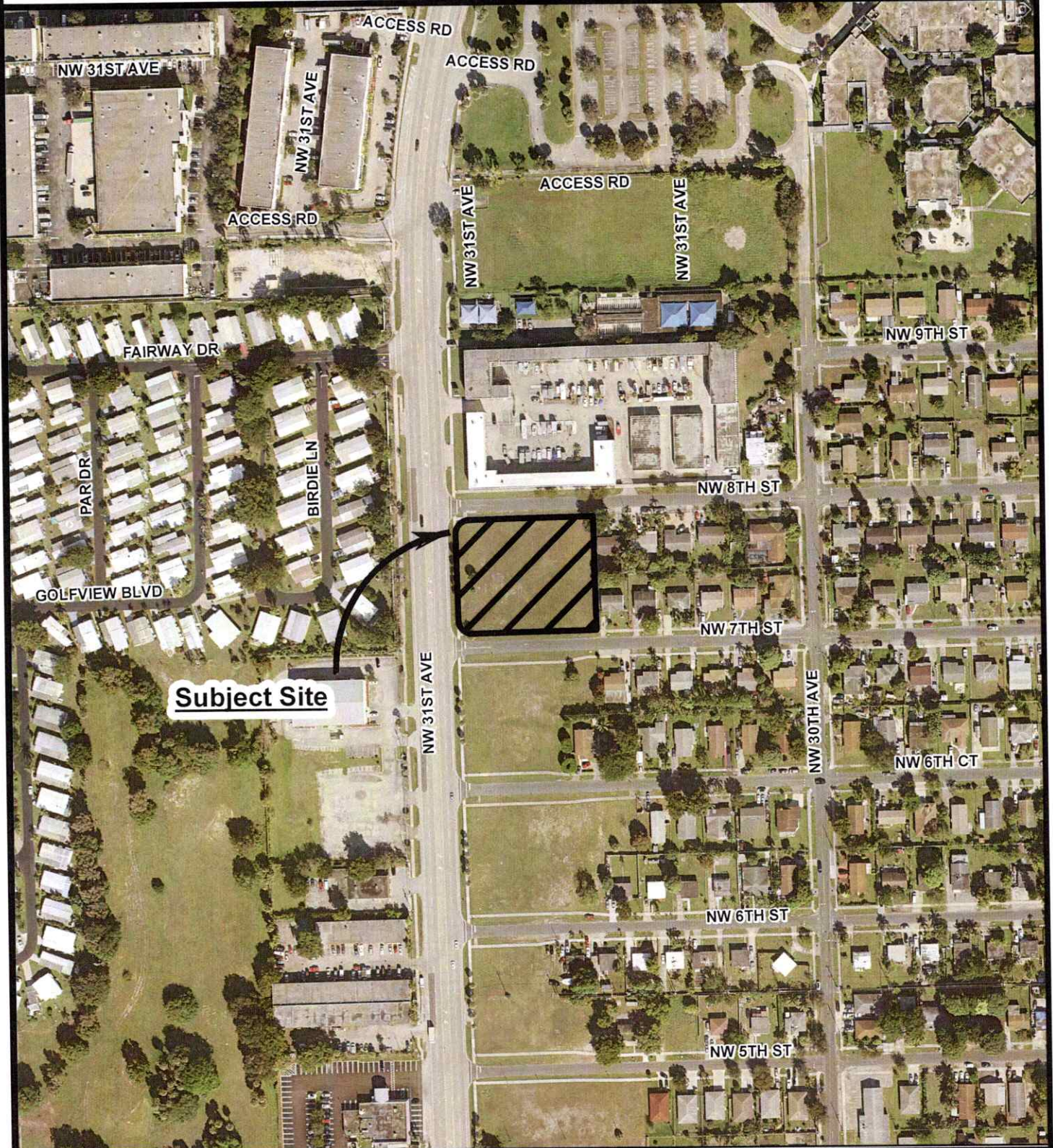


1 in = 1 miles

2

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DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP



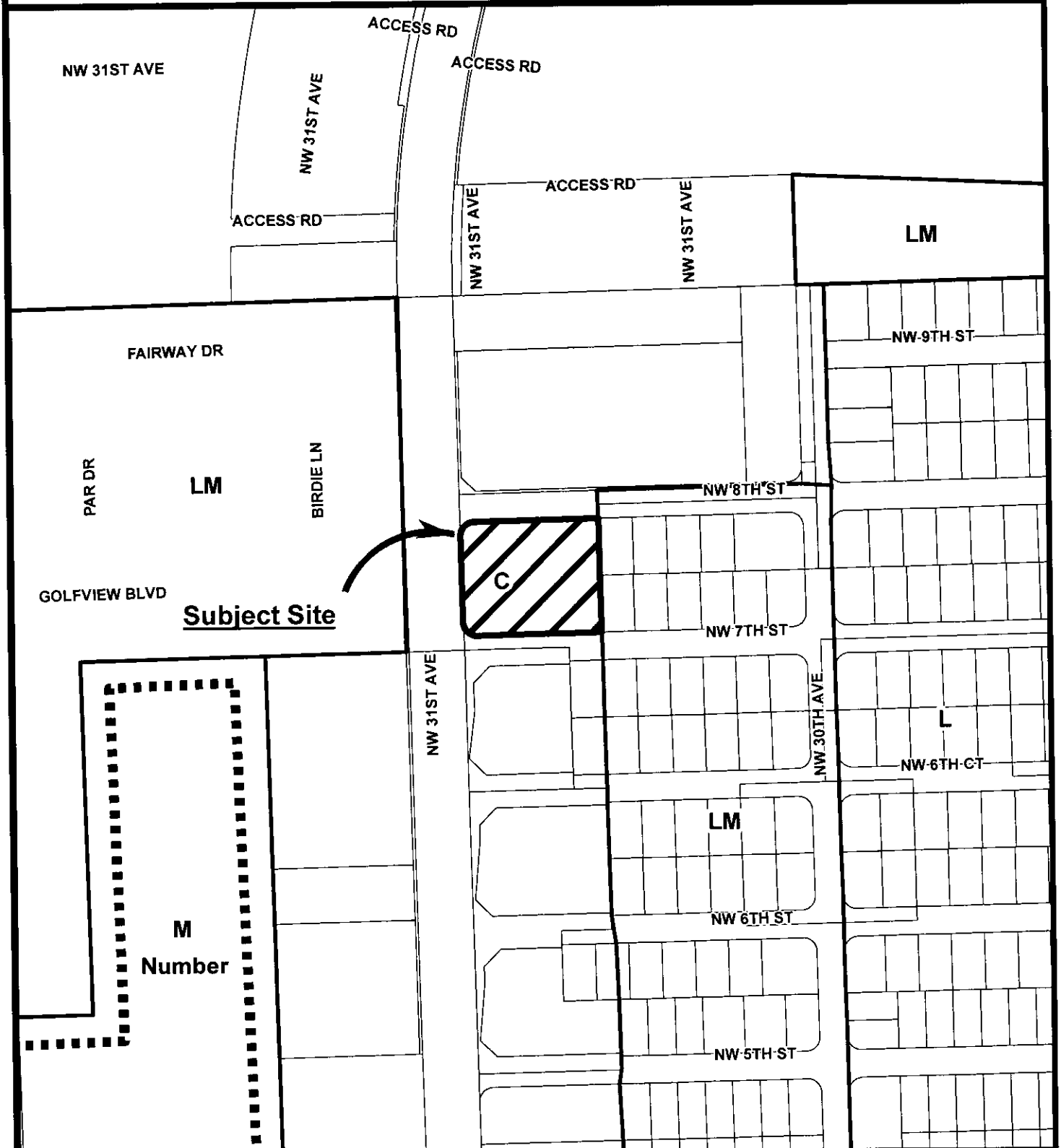
Subject Site

1 in = 250 ft

3

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DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

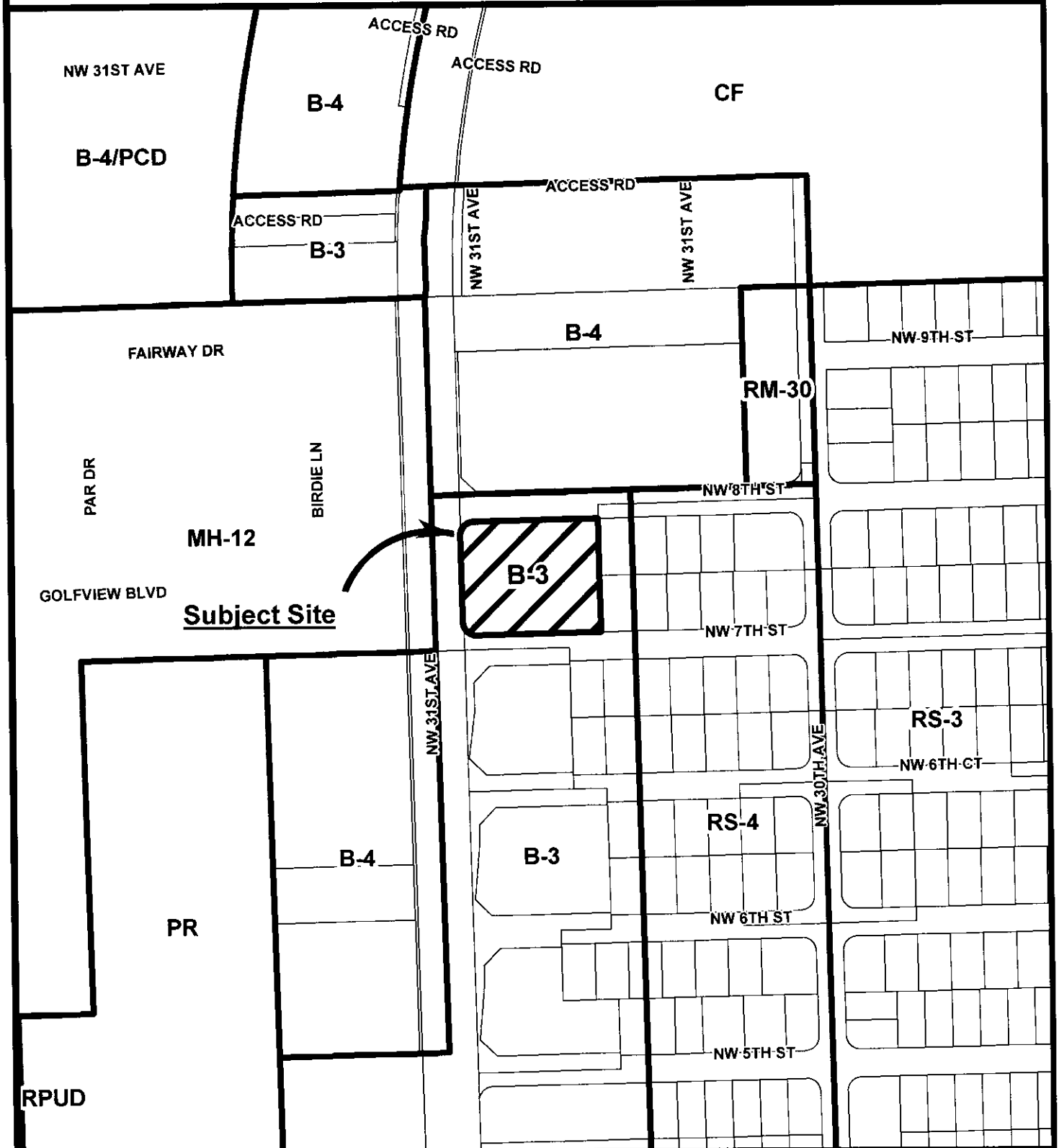


1 in = 250 ft

4

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 250 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

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

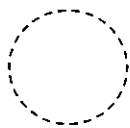
RAC Regional Activity Center

LAC Local Activity Center

DPTOC Downtown Pompano
Transit Oriented Corridor

ETOC East Transit Oriented
Corridor

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 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**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.

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 has a Commercial Land Use designation and is Zoned B-3 (General Business). The proposed Plat was reviewed by the DRC on November 21, 2018, 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. The service providers letters have been received, however three out of the four have requested easements (which will need to be conditioned prior to placement on the City Commission agenda):

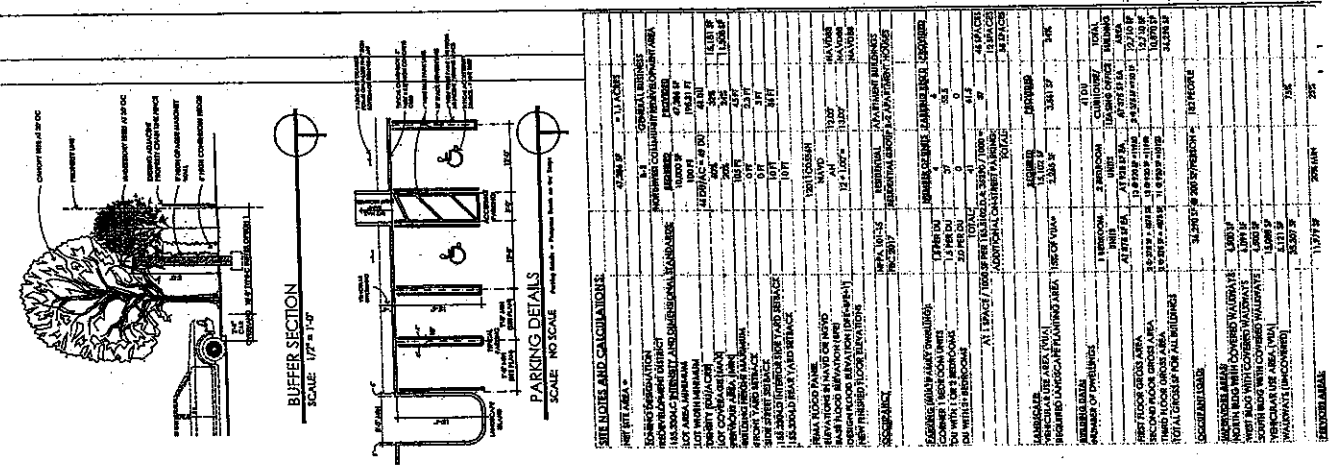
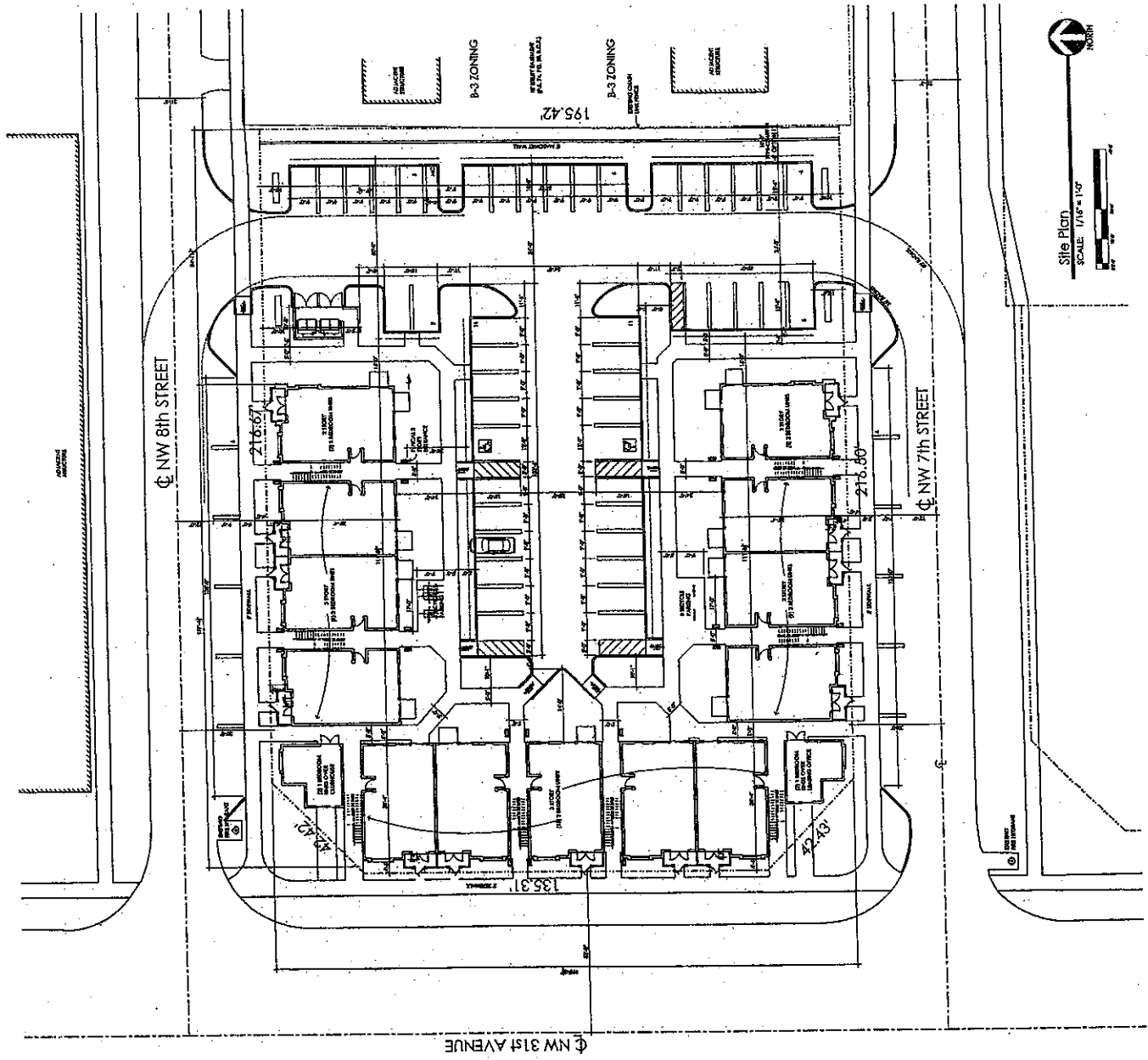
Teco Peoples Gas:	Teco Gas has no objection.
AT&T:	AT&T has no objection, but wants an easement by separate instrument prior to construction.

Comcast:	Comcast has no objection, but wants an easement by separate instrument prior to construction.
FPL:	FPL has no objection, but wants an easement by separate instrument prior to construction.

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. The applicant must show how the separate easement instrument requirements will be accommodated for ATT, Comcast and FPL;
2. The Plat cover page must be signed and sealed by the surveyor and signed by all owners; and
3. A Title Certificate must be submitted that is less than 6 months old and is made out to the City of Pompano Beach.

[illegible]

DEDICATION

STATE OF FLORIDA SS KNOW ALL MEN BY THESE PRESENTS: That the HUS GROUP, LLC, a Florida limited liability company, owner of the lands described in and shown as included in this plat, has caused said lands to be subdivided and platted as shown hereon, said plat to be known as "**HUS**", being a plat of a portion of the Southwest one-quarter (SW 1/4) of the Northwest one-quarter (NW 1/4) of Section 33, Township 48 South, Range 42 East, Broward County, Florida.

Parcel "B" - The Additional Right-of-Way Dedication shown hereon adjacent to N.W. 31st Avenue is hereby dedicated and granted in fee simple to the Florida Department of Transportation (F.D.O.T.) for the perpetual use of the public for roadway purposes.

Parcels "C" and "D" - the Additional Right-of-Way Dedications shown hereon are hereby dedicated and granted in fee simple to the City of Pompano Beach for the perpetual use of the public for roadway purposes.

The Utility Easement shown hereon is hereby dedicated to the public for Utility and Utility related purposes.

IN WITNESS WHEREOF: We hereunto set our hands and affix the corporate seal in the City of Hollywood, County of Broward, State of Florida, this ____ day of _____, 20____.

HUS GROUP, LLC, a Florida limited liability company

Officer: _____ Name printed: Erez Hus Title: Manager
Witness: _____ Name printed: _____
Witness: _____ Name printed: _____

ACKNOWLEDGMENT

STATE OF FLORIDA SS I hereby certify that on this day personally appeared before me Erez Hus, being the Manager of HUS GROUP, LLC, a Florida limited liability company, to me well known to be the person described who executed the foregoing Plat and instrument of Dedication and he acknowledged the execution thereof to be his free act and deed as such officer; and that he affixed thereto the official seal of said company and that said instrument is the act and deed of said company.

Witness my signature and official seal at the City of Hollywood, Broward County, Florida this ____ day of _____, 201____.

NOTARY PUBLIC _____

STATE OF FLORIDA Name of Notary printed _____

My Commission Expires: _____

SEAL

"HUS"
A PLAT OF A PORTION OF
THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE
NORTHWEST ONE-QUARTER (NW 1/4) OF
SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST,
CITY OF POMPAÑO BEACH,
BROWARD COUNTY, FLORIDA
AUGUST, 2018

PREPARED BY: McLAUGHLIN ENGINEERING CO. 1700 N.W. 64th STREET, SUITE 400 FORT LAUDERDALE, FLORIDA 33309 TEL. (954) 763-7611 FAX (954) 763-7615 SURVEY FILE NO. 18-2-060 McL JOB NO. V-3618

CITY OF POMPAÑO BEACH PLANNING AND ZONING BOARD

THIS IS TO CERTIFY: That the City Planning and Zoning Board of Pompano Beach, Florida, has hereby approved and accepted this plat ____ day of _____, 20____. City of Pompano Beach Planning # 18-14000011

By: _____ Fred Stacer, Chairman, this ____ day of _____, 20____.

CITY COMMISSION

STATE OF FLORIDA SS THIS IS TO CERTIFY: That this plat has been accepted and approved for record by the CITY COMMISSION OF COUNTY OF BROWARD THE CITY OF POMPAÑO BEACH, FLORIDA, in and by RESOLUTION no. _____, adopted by the said City Commission, this ____ day of _____, 20____.

No building permits shall be issued for the construction, expansion, and/or conversion of a building within this plat until such time as the developer provides this municipality with written confirmation from Broward County that all applicable impact fees have been paid or are not due.

Attest: _____ Asceleta Hammond, City Clerk, this ____ day of _____, 20____.

By: _____ Rex Hardin, Mayor, this ____ day of _____, 20____.

CITY ENGINEER'S SIGNATURE

This plat is approved and accepted for record this ____ day of _____, 20____.

By: _____ John Sfiropoulos, P.E., City Engineer, Florida P.E. Registration No. 59494

BROWARD COUNTY ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

This plat is approved and accepted for record this ____ day of _____, 201____.

By: _____ Director / Designee

BROWARD COUNTY HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

This plat has been reviewed for conformity with Chapter 177, Part 1, Florida Statutes.

This plat has been approved and accepted for record.

By: _____
Robert P. Legg, Jr. (date)
Professional Surveyor and Mapper
Florida Registration Number: LS4030

By: _____
Richard Tornese (date)
Director
Professional Engineer
Florida Registration Number 40263

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY: That the Broward County Planning Council approved this plat subject to its compliance with dedication of right-of-way

for trafficways this ____ day of _____, 201____. By: _____ Chairperson This plat complies with the approval of the Broward County Planning Council of the above date and is approved and accepted for record

this ____ day of _____, 201____. By: _____ Executive Director or Designee

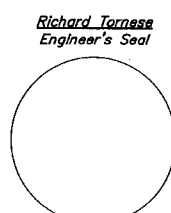
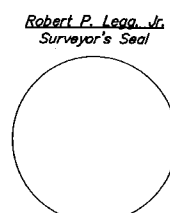
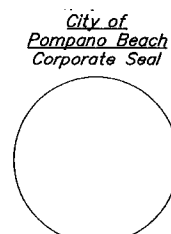
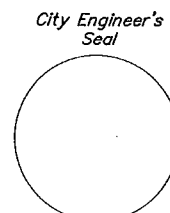
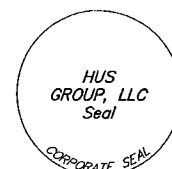
BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT - COUNTY RECORDS DIVISION - MINUTES SECTION

THIS IS TO CERTIFY: That this plat complies with the provisions of Chapter 177, FLORIDA STATUTES, and was accepted for record by the Board of County Commissioners of Broward County, Florida, this ____ day of _____, 201____.

By: _____ Mayor - County Commission

SURVEYOR'S CERTIFICATE

STATE OF FLORIDA SS I HEREBY CERTIFY: That the attached plat is a true and correct representation of the lands recently surveyed, subdivided and platted under my responsible direction and supervision, that the survey data shown complies with the applicable requirements of Chapter 177, Part 1, FLORIDA STATUTES, and further that the PERMANENT REFERENCE MONUMENTS (P.R.M.'S) were set in accordance with Section 177.091 of said Chapter 177, on this ____ day of _____, 20____. This plat conforms to all applicable sections of Chapter 5J-17.05, FLORIDA ADMINISTRATIVE CODE. This plat dated at Fort Lauderdale, Florida, this 10th day of August, 2018.



By: J. M. McLaughlin Jr.
James M. McLaughlin Jr.
Registered Land Surveyor No. 4497
State of Florida.
for McLAUGHLIN ENGINEERING COMPANY
1700 N.W. 64th STREET, SUITE 400
Fort Lauderdale, Florida 33309
Certificate of Authorization Number: LB 285

052-MP-18

SURVEYOR'S NOTES

NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of Broward County, Florida.

Bearings shown hereon refer to an assumed Datum, and reference the South line of the Northwest one-quarter of Section 33-48-42, as South 88°41'37" West, as field monument.

CITY OF POMPAÑO BEACH PLAT RESTRICTION

All facilities for the distribution of electricity, telephone and cable television shall be installed underground.

If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by 2025, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame;

and/or If construction of project water lines, sewer lines, drainage and the rock base for internal roads have not been substantially completed by 2025, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

THE FOLLOWING NOTE IS REQUIRED BY THE BROWARD COUNTY SURVEYOR PURSUANT TO CHAPTER 177.091, SUBSECTION(28), FLORIDA STATUTES:

Platted utility easements are also easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This note does not apply to private easements granted to or obtained by a particular electric, telephone, gas or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electric Safety Code as adopted by the Florida Public Service Commission.

LEGAL DESCRIPTION:

The West one-half (W 1/2) of the South two-fifths (S 2/5) of the Southeast one-quarter (SE 1/4) of the Southwest one-quarter (SW 1/4) of the Northwest one-quarter (NW 1/4) of Section 33, Township 48 South, Range 42 East, EXCEPT, the East 60.00 feet, ALSO LESS the North 25.00 feet, LESS the West 25.00 feet and the South 25.00 feet thereof, dedicated to Broward County for Public Road purposes.

Said land situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 51,252 square feet or 1.1766 acres, more or less.

PLAT RESTRICTION

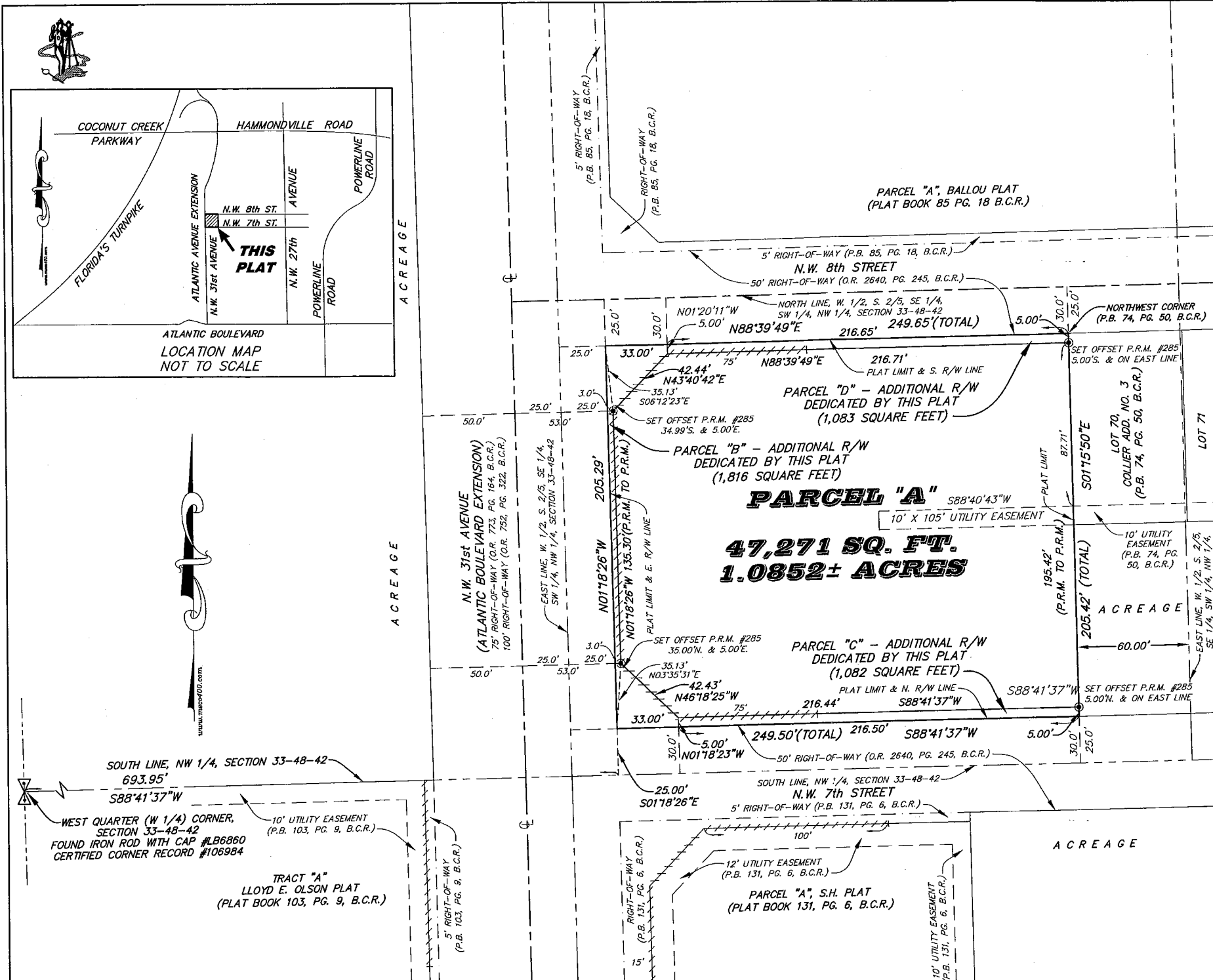
This plat is restricted to 41 Garden Apartments.

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 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.

LEGEND

- P.R.M. - indicates Permanent Reference Monument (4"x4"x24" Concrete monument w/brass disk stamped "McLaughlin Eng. Co."-L.B. 285) unless otherwise indicated
- SQ. FT. - indicates square feet
- L.B. - indicates Licensed Business Number
- P.B. PG. - indicates Plat Book & Page
- B.C.R. - indicates Broward County Records
- ⊕ - indicates centerline of Right - of - way
- O.R., PG., - indicates Official Record, Page
- - - - - indicates Non-Vehicular Access Line
- R/W - indicates Right-of-Way



"HUS"
A PLAT OF A PORTION OF
THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE
NORTHWEST ONE-QUARTER (NW 1/4) OF
SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST,
CITY OF POMPAÑO BEACH,
BROWARD COUNTY, FLORIDA
AUGUST, 2018

