

Legislation Text

File #: LN-19, **Version:** 1

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: OCTOBER 28, 2020

FIRST INDUSTRIAL 20 ACRE PLAT

Request: Plat
P&Z# 20-14000002
Owner: FR NW 12 Terrace LLC
Project Location: 1001 & 1021 NW 12 Terrace
Folio Number: 484234340030, 484234000180, 484234340050, 484234340040, 484234000042
Land Use Designation: I-Industrial
Zoning District: I-1 (General Industrial)
Commission District: 4
Agent: Michael Vonder Meulen
Project Planner: Maggie Barszewski

Summary:

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 95 Distribution Center Phase II Plat.” The property is located to the west of I-95 and to the north of NW 10th Street right-of-way and has an address of 1001 & 1021 NW 12th Terrace. The agent Mike Vonder Meulen of Keith, Inc. is representing the owner of the

property, FR NW 12 Terrace, LLC. The subject property has never been platted. The proposed plat divides the property into 2 parcels: the smaller of the two (0.678 of an acre) is labeled Parcel 'A', with the larger labeled 'B' (18.697 acres). The plat totaling 19.375 acres, restricts the property to drainage on Parcel A and a maximum building of 500,000 square feet of industrial use on Parcel B. The subject property currently has three existing buildings totaling 37,486 square feet of industrial use which will be demolished. The Applicant intends to construct two large warehouse buildings not to exceed 500,000 square feet, surface parking, and internal loading/truck circulation operations between the two proposed buildings. A Site Plan Review Application has not yet been submitted for the site.

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 March 18, 2020, 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.

The applicant must provide access to a small billboard site that is located adjacent to the northeast corner of the subject property, therefore an access easement is being provided through a separate instrument (see Attachment

D). Staff will recommend a condition that prior to placement on a Commission agenda, this easement will be shown on the plat, but identified as a separate instrument.

Included on this Plat is the proposed dedication of a 30-foot wide right-of-way for NE 10th Street between NW 12th Avenue & I-95. The Engineering Department determined that the southern half of the NW 10th Street right of way between NW 12th Terrace and NW 12th Avenue was abandoned in 1992 so the dedication would not enhance public access for that short distance. Pages 1 and 3 of the Plat should be revised to eliminate the dedication per the direction of the City Engineer. This condition should be met prior to the item being placed on a City Commission agenda.

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:	FDOT was not required since the Plat does not impact a State Road.
TECO Peoples Gas:	TECO Gas has reviewed the plat and has no objection.
AT&T:	AT&T has reviewed the plat and has no objection.
Comcast:	Comcast has not responded.
FPL:	FPL has reviewed the plat and has no objection.

Department of Development Services Recommendation:

Development Services staff recommends approval of this Plat with six conditions to be satisfied prior to the City Commission hearing:

Staff Conditions:

1. A Comcast service provider letter shall be received;
2. Plat cover page must be signed and sealed by the surveyor and signed by all owners;
3. An access easement to the adjacent billboard property shall be shown on the face of the plat, but identified as a separate instrument;
4. The applicant shall revise pages 1 and 3 of the Plat to eliminate the dedication per the direction of the City Engineer (Attachment II);
5. A revised conceptual site plan shall be submitted that only shows the subject property; and
6. A Title Certificate made out to the City not older than 6 months shall be submitted.