

Legislation Text

File #: LN-18, **Version:** 2

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: FEBRUARY 24, 2021

SONATA PLAT

Request: Plat
P&Z# 20-14000014
Owner: Paola Florida LLC, WLTG LLC & City of Pompano Beach
Project Location: NW 3 Ave, NW 8 Ct, NW 7 St & N Dixie Hwy
Folio Number: 484235000120, 484235000130, 484235110070, 484235001210, 484235001220, 484235001230, 484235001240, 484235001250, 484235001251
Land Use Designation: LM 10 Residential and C (Commercial)
Zoning District: RM-20/ B-3 (Multiple Family Residential 20 units per acre/General Business)
Commission District: 4
Agent: Michael Vonder Meulen (954) 788-3400
Project Planner: Maggie Barszewski (954-786-7921) / maggie.barszewski@copbfl.com

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. 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 by 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 "Sonata Plat." The property is located to the west of Dixie Highway, between NW 6th Street & NW 8th Court. The agent Mike Vonder Meulen of Keith, Inc. is representing the applicant Cornerstone Group and the owners of the property, Paola Florida, LLC, and the City of Pompano Beach. Portions of the subject property have been previously platted. The proposed plat, totaling

6.87 acres of currently vacant land, divides the property into 5 parcels (Parcels A through E). The Plat is restricted to 44 garden apartments units, 77 Midrise Units and 10,000 square feet of commercial use that is restricted to Parcels B and D only. Parcel E is simply the right of way dedication Parcel for NW 8th Court and NW 3rd Avenue. The subject property north of NW 8th Street on the Plat is zoned RM-20 and has a land use designation of LM 10 Residential and Commercial. The subject property south of NW 8th Street on the Plat is zoned B-3 and has a land use designation of Commercial. The Applicant intends to construct a 121 unit multi-family project with 3,467 square feet of commercial space. The project would consist of two three-story buildings and one eight-story building along Dixie Highway with ground floor commercial square footage (on the southern parcel). The main entrances for the project are located on NW 8th Street. A Site Plan was approved for this project by the Planning & Zoning Board on January 27, 2021 (see attached Development Order 20-12000028). The Applicant also received approval for 100 Flex units on October 22, 2019 (see attached Resolution No. 2020-43).

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 RM-20 (Multiple-Family Residence) and B-3 (General Commercial); and has the land use designations of LM 10 (Low Medium Residential 10 units per acre) and C (commercial). This plat was reviewed by the Development Review Committee (DRC) on October 21, 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 Plat needs two corrections prior to being placed on a City Commission agenda, which include the correction of the City Manager's name on page 1 of 5, and the identification of Parcel C on Page 5 of 5. Staff will recommend conditions for these.

Also, to clean up previous issues with this property, there is a remnant of a right-of-way that must be abandoned prior to recordation of this Plat (located in the southwestern most corner of the Plat). Staff recommends a condition that the Applicant apply for the vacation prior to City Commission approval and completion of the vacation prior to recordation. This abandonment is also a condition of the Site Plan approval.

Service providers are required to provide a letter, prior to City Commission approval. One out of the four required providers has not yet responded. That response is required prior to being placed on a City Commission agenda.

FDOT:	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 reviewed the plat & has no objection.
FPL:	FPL has not yet responded.

Recommendations/Conditions:

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

1. An FPL service provider letter shall be received;
2. The Plat cover page must be signed and sealed by the surveyor and signed by all owners;
3. The City Manager's name shall be corrected on Page 1 of 5;
4. Parcel C shall be identified on Page 5 of 5; and
5. The Applicant shall apply for the vacation of the remnant right of way found on page 5 of 5 prior to city commission approval and completion of the vacation shall be prior to recordation.

