

STAFF REPORT

Lauderdale – Miami Auto Auction
061-MP-88

A request to amend the note on the plat has been filed with the Planning and Redevelopment Division. This plat was approved by the County Commission on April 18, 1989, for 45,000 square feet of wholesale auto auction and ancillary uses on 44.28 acres. The property is located north of Stirling Road, between State Road 7 (US 441) and Florida's Turnpike, in the Town of Davie. The plat was recorded on May 1, 1990 (Plat Book 143, Page 36).

The current note, which was approved by the County Commission on July 10, 2001, restricts the plat as follows (O.R. Book 32635, Page 1549, B.C.R.):

This plat is restricted to 42.2 acres of wholesale auto auction and ancillary uses with building construction restricted to a maximum of 70,000 square feet. Retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

The applicant is requesting to amend the note by increasing the wholesale auto auction use by 1.6 acres and eliminating the square footage restriction for building construction on the plat. The requested note would read as follows:

This plat is restricted to 43.8 acres of wholesale auto auction use. Commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

This request was evaluated by the Reviewing Agencies.

The attached memorandum from the Broward County Planning Council indicates that the effective Land Use Plan designates the area covered by this plat for the uses permitted in the "Transit Oriented Corridor" land use category. Planning Council staff further states that this plat is subject to the recorded "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Transit Oriented Corridor" (O.R. Book 47829, Page 1938, B.C.R.). Section 2.1 of the Agreement requires the Town of Davie to monitor development activity and to enforce permitted land use densities and intensities within the Transit Oriented Corridor (TOC).

The Service Development staff of the Transit Division notes that this plat is currently serviced on State Road 7 (US 441) by BCT Routes # 15 and 18.

The Aviation Department has indicated that the property is located within 20,000 feet of the Fort Lauderdale-Hollywood International Airport. Any proposed construction or the use of construction cranes must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes Chapter 333 and/or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web page at: <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

Continued

The attached comments from the Historical Commission indicate that there is little potential for the discovery of unrecorded archaeological and/or historical cultural resources within the proposed project boundary.

The Natural Resources Planning and Management Division has reviewed this request and at this time, this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. The Environmental Review Report, coordinated by the Planning and Redevelopment Division, is attached.

The attached Resolution (No. 2014-26) from the Town of Davie indicates municipal approval of this request.

This plat with the amended note satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Land Development Code. In addition, this request represents an increase of 13 pm peak hour trips. The plat is located within the Southeast Transportation Concurrency Management District and meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Broward County Land Development Code.

Road impact fees in the amount of \$14,020 for 45,000 square feet of wholesale auto auction and ancillary uses were paid prior to plat recordation. Subsequent road impact fees, in the amount of \$68,372, were paid for an additional 25,000 square feet of wholesale auto auction use permitted by the note amendment. This plat is now located in a transportation concurrency management district and transportation concurrency fees are due in the amount of \$16,792 for the additional platted acreage, which must be paid prior to recordation of the note amendment.

Staff recommends **APPROVAL** of this request provided the applicant accomplishes the following:

- 1) Pays transportation concurrency fees in the amount of \$16,792 for the additional platted acreage prior to recordation of the agreement to amend the note; and
- 2) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **April 22, 2015**.

The note amendment must include language stating that 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.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Finally, the applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal

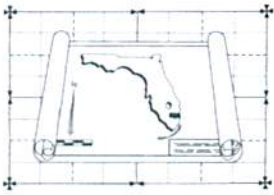
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agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SMH

Continued





BROWARD COUNTY PLANNING COUNCIL

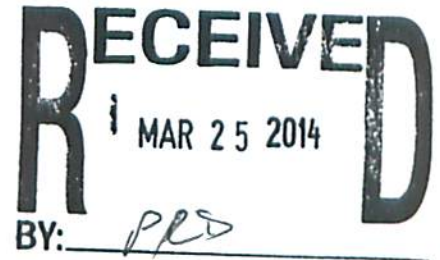
115 South Andrews Avenue, Room 307 ■ Fort Lauderdale, Florida 33301 ■ Phone: 954.357.6695

TO: Henry A. Sniezek, Director
Planning and Redevelopment Division
Broward County Environmental Protection and Growth Management Department

FROM: Barbara Blake Boy, Executive Director 

RE: Delegation Request for Lauderdale-Miami Auto Auction
(061-MP-88) Town of Davie

DATE: March 24, 2014



Planning Council staff has reviewed the proposed revision to the restrictive note on the above referenced plat. The proposal is to change the restrictive note on the plat as follows:

FROM: This plat is restricted to 42.2 acres of wholesale auto auction and ancillary uses with building construction restricted to a maximum of 70,000 square feet.

TO: This parcel is restricted to 43.80 acres of wholesale auto auction.

The Future Land Use Element of the Town of Davie Comprehensive Plan is the effective land use plan for the Town of Davie. That plan designates the area covered by this plat for the uses permitted in the "Transit Oriented Corridor" land use category. This parcel is generally located on the west side of State Road 7, between Lucky Street and Southwest 51 Street.

Regarding the proposed uses, this plat is subject to the executed "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Transit Oriented Corridor," as recorded in Official Record Book 47829, Pages 1938-1943.

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

BBB:IJC

cc: Rick Lemack, Town Administrator
Town of Davie

David Quigley, Manager, Planning and Zoning Division
Town of Davie

Return recorded document to:

Maite Azcoitia, Deputy County Attorney
Broward County Attorney's Office
115 S. Andrews Avenue, Rm 423
Ft. Lauderdale, FL 33301

Document prepared by:

Maite Azcoitia, Deputy County Attorney
Broward County Attorney's Office
115 S. Andrews Avenue, Rm 423
Ft. Lauderdale, FL 33301

INTERLOCAL AGREEMENT FOR THE
MONITORING OF DEVELOPMENT ACTIVITY AND
ENFORCEMENT OF PERMITTED LAND USES
IN TRANSIT ORIENTED CORRIDOR

This is an Interlocal Agreement, made and entered into by and between: BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

TOWN OF DAVIE, a Florida municipal corporation, created and existing under the laws of the state of Florida, hereinafter referred to as "TOWN."

WHEREAS, this Agreement is entered into pursuant to Section 163.01, Florida Statutes, also known as the "Florida Interlocal Cooperation Act of 1969"; and

WHEREAS, it is the purpose and intent of the parties to this Interlocal Agreement, to permit COUNTY and TOWN to make the most efficient use of their respective powers, resources, and capabilities by enabling them to cooperate on the basis of mutual advantage and thereby accomplish the objectives provided for herein in the manner that will best accord with the existing resources available to each of them and with the needs and developments within their respective jurisdictions; and

WHEREAS, the density and intensity of land uses permitted within each Transit Oriented Corridor is specified within the Broward County Land Use Plan; and

WHEREAS, TOWN has the Davie Transit Oriented Corridor (TOC) within its jurisdiction; and

WHEREAS, pursuant to Policy 10.04.13 of the Broward County Land Use Plan, COUNTY and TOWN wish to provide that the monitoring of development activity and the enforcement of permitted land uses within the TOC shall be the responsibility of TOWN; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, COUNTY and TOWN agree as follows:

Approved: JCC 4/5/11 #6
Subscribed by: County Attorney
[Signature] (6)
[Signature] uk.

ARTICLE 1
BACKGROUND: PURPOSE AND INTENT

- 1.1 The above recitals are true and correct and incorporated herein as if set forth in full hereunder.
- 1.2 It is the purpose and intent of this Interlocal Agreement for COUNTY and TOWN, pursuant to Section 163.01, Florida Statutes, to cooperate and provide for a means by which each governmental entity may exercise its respective powers, privileges, and authorities which they share in common and which each might exercise separately in order to further a common goal.

ARTICLE 2
MONITORING OF DEVELOPMENT ACTIVITY

- 2.1 TOWN agrees to monitor development activity and to enforce permitted land use densities and intensities within the TOC consistent with the effective land use plan as certified by the Broward County Planning Council.
- 2.2 TOWN agrees to submit quarterly reports to the Broward County Planning Council setting forth its monitoring and enforcement activities within the TOC to enable COUNTY to ensure that the density and intensity of land uses and affordability of units within the TOC are being complied with by TOWN.

ARTICLE 3
INDEMNIFICATION

TOWN is a municipal corporation as defined in Chapter 768.28, Florida Statutes, and COUNTY is a political subdivision of the State of Florida. Each agrees to be fully responsible for acts and omissions of their elected officials, agents, or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any party to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Agreement or any other contract.

ARTICLE 4
MISCELLANEOUS

- 4.1 Joint Preparation: The preparation of this Interlocal Agreement has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.
- 4.2 Entire Agreement and Modification: This Interlocal Agreement incorporates, supersedes, and includes all prior negotiations, correspondence, conversations, agreements, or understanding applicable to the matter contained herein. It is further agreed that no change, alteration, or modification in the terms and conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.
- 4.3 Records: In accordance with the Public Records Law, TOWN agrees to permit COUNTY to examine all records and grants COUNTY the right to audit any books, documents, and papers that were generated during the course of administration of the TOC. TOWN shall maintain the records, books, documents, and papers associated with this Interlocal Agreement in accordance with the Public Records Act.
- 4.4 Recordation/Filing: This Agreement shall be recorded in the public records of Broward County, in accordance with the Florida Interlocal Cooperation Act of 1969.
- 4.5 Default: In the event of any default or breach of any of the terms of this Interlocal Agreement, it is specifically acknowledged and agreed that either party shall, in addition to all other remedies which may be available in law or equity, have the right to enforce this Interlocal Agreement by specific performance, injunctive relief, prohibition, or mandamus to compel the other party to abide by the terms of this Interlocal Agreement.
- 4.6 Notices: Whenever either party desires to give notice unto the other, such notice must be in writing, sent by certified United States mail, return receipt requested, addressed to the party for whom it is intended at the place last specified; and the place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice:

FOR COUNTY:

Administrator
Broward County Planning Council
115 S. Andrews Avenue, Rm. 307
Fort Lauderdale, Florida 33301-4801

FOR CITY:

Town Administrator
Town of Davie
6591 Orange Drive
Davie, Florida 33314


- 4.7 Choice of Law; Waiver of Jury Trial: Any controversies or legal problems arising out of this transaction and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State courts of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the State of Florida. To encourage prompt and equitable resolution of any litigation that may arise hereunder, each party hereby waives any rights it may have to a trial by jury of any such litigation.
- 4.8 Conflict: In the event that this Interlocal Agreement conflicts with any other agreement pertaining to the monitoring of development activity and the enforcement of the density or intensity of permitted land uses within the TOC, TOWN and COUNTY agree that the terms and conditions contained in this Interlocal Agreement shall prevail.
- 4.9 Counterpart Originals: The parties agree that this Agreement may be executed in counterparts, and that collectively the counterparts shall be considered an original agreement and shall be deemed legally sufficient and binding upon the parties.

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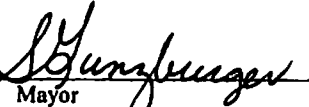
IN WITNESS WHEREOF, the parties have made and executed this Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the 5th day of April, 2011, and TOWN OF DAVIE, signing by and through its Mayor, duly authorized to execute same.

COUNTY

ATTEST:


for County Administrator and
Ex-Officio Clerk of
the Board of County
Commissioners of Broward
County, Florida


BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

By 
Mayor

5th day of April, 2011.



Approved as to form by
Office of County Attorney
Broward County, Florida
JONI ARMSTRONG COFFEY
County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By 
Maite Azcoitia
Deputy County Attorney

INTERLOCAL AGREEMENT FOR MONITORING OF DEVELOPMENT ACTIVITY AND
ENFORCEMENT OF PERMITTED LAND USES IN TRANSIT ORIENTED CORRIDOR

TOWN

WITNESSES:

TOWN OF DAVIE

Jenevia Campbell

By Judy Paul
Mayor-Commissioner

Shela Preston

16th day of February 20 11

ATTEST:

Russell Kluegel
Town Clerk

By [Signature]
Town Administrator

28th day of February 20 11

APPROVED AS TO FORM:

By [Signature]
Town Attorney

MA/lt
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Our Best.
Nothing Less.

LIBRARIES DIVISION • Historical Commission

301 Harmon (S.W. 13th) Avenue • Fort Lauderdale, Florida 33312 • 954-357-5553 • FAX 954-357-5522

March 21, 2014

Sue Henderson
Broward County Development and Environmental Regulation Division
One North University Drive, Building A
Plantation, Florida 33324

**Re: Broward County Historical Commission Review
Lauderdale-Miami Auto Auction, Plat No. 061-MP-88**

Dear Ms. Henderson:

I have had an opportunity to review materials relative to **Lauderdale-Miami Auto Auction, Plat No. 061-MP-88**.

A review of materials including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF) indicate that the proposed plat amendment contains no previously recorded archaeological or historic cultural resource sites nor is the Plat located within or adjacent to a previously identified archaeological zone. Based on this information, the Broward County Historical Commission has no objections to the proposed plat amendment.

In the event that archaeological features or artifacts are discovered during the course of the survey, the Historical Commission *shall* be notified within twenty four (24) hours of the discovery and the discovery shall be reported pursuant to Broward County Code Ordinance 92-38. . A final survey report shall be completed and submitted to the Broward County Historical Commission for review and comment.

If, in the event, any unmarked human burial remains are discovered, then work in the vicinity of the burial find is to halt immediately until a determination can be made, in accordance with Florida State Statutes, Chapter 872, by either the state archaeologist or the county medical examiner as to jurisdiction, custody, and disposition of the remains. Should this occur, this office is to be contacted immediately to facilitate the coordination of the find.

If you have any questions regarding these comments or would like additional information please contact me at the Broward County Historical Commission by telephone: (954) 357-5506, or email: mdefelice@broward.org.

Sincerely,
Matthew DeFelice, County Archaeologist

Ec: Laura Connors, Associate Director, Libraries Division
Peggy Davis, Manager, Libraries Division, Historical Commission
David Baber, Historic Preservation Coordinator, Libraries Division

ENVIRONMENTAL REVIEW AND COMMENTS REPORT TO THE PLANNING AND REDEVELOPMENT DIRECTOR

Application: Delegation Request (To amend the note to change 42.2 acres of wholesale auto auction and ancillary uses with building construction restricted to a maximum of 70,000 square feet to 43.8 acres of wholesale auto auction.)
File Number: 061-MP-88
Project Name: Lauderdale – Miami Auto Auction
Comments Due: March 14, 2014
Development Type: Industrial (43.8 Acres Wholesale Auto Auction)

The Planning and Redevelopment Division of the Broward County Environmental Protection and Growth Management Department (EPGMD) has coordinated with other Divisions in this Department along with the County Health Department to provide the following comments on the above referenced **plat/site plan**:

Surface Water Management

This plat is located in the Town of Davie and is in the Central Broward Water Control District. Surface water management plans for this plat must meet the criteria of the Water Control District. A surface water management permit must be obtained from this District prior to any construction.

Potable Water Review

This plat is served by the Town of Davie Water Treatment Plant. The treatment plant's design capacity is 7.40 MGD and the maximum daily flow is 6.50 MGD. According to the Broward County Health Department, there is sufficient available water treatment plant capacity to serve the proposed use on this plat at this point in time.

Wastewater Review

This plat is served by Davie 2 Wastewater Treatment Plant. The treatment plant's licensed capacity is 4.85 MGD and the maximum daily flow is 3.03 MGD. There is sufficient available wastewater treatment plant capacity to serve the additional 1.6 acres of auto auction use at this point in time.

Natural Resources Preservation

This plat is not located in a wellfield zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into the Broward County Code of Ordinances, Chapter 27, Article XIII.

Review of available information indicates that, at this time, there are no wetlands within the boundaries of this plat, therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, such as lake or canal excavation regulated under Article XI of the Natural Resource Protection Code, may require a license. The Applicant is encouraged to contact the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division at 954-519-1483 at the earliest time to determine if, and what type of, a license may be required prior to undertaking any surface disturbing activities.

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061-MP-88 Lauderdale – Miami Auto Auction

Applicant has been informed that the proposed development contains or abuts water bodies or will be creating same. Excavation or filling of lakes or canals is regulated under Article XI of the Natural Resource Protection Code and may require an Environmental Resource License. Design criteria shall be in compliance with Section 27-337, which requires that lake slopes be a minimum of 4:1 (H:V) to a depth of two (2) feet below the average dry season low water elevation as demonstrated by water management district or county maps. Littoral areas should be constructed and designed to encourage the growth of native, aquatic vegetation to improve filtration of runoff and to increase biological productivity per South Florida Water Management District and Broward County surface water management requirements.

The Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian-pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of south Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Aquatic and Wetland Resources Section.

Review of aerial photographs indicates that the subject site contains tree canopy. Development of the site must comply with the Tree Preservation Regulations of the Town of Davie if trees are to be removed or relocated. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.

This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The Protected Natural Lands Inventory may be accessed at:

<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>.

Additional Comments Addressing Certain Environmental Protection Actions Needing to be Taken to Implement the Project

1. A Demolition Notification may be required. Contact the Pollution Prevention, Remediation and Air Quality Division at 954-519-1260 for additional information.
2. A Hazardous Material License may be required. Contact the Pollution Prevention, Remediation and Air Quality Division at 954-519-1260 for specific license requirements.
3. A Storage Tank License may be required. Contact the Pollution Prevention, Remediation and Air Quality Division at 954-519-1260 for specific license requirements.
4. Any discharges to ground or surface waters, excluding stormwater, will require review and approval from the Environmental Engineering and Licensing Section of the Environmental Licensing and Building Permitting Division prior to discharge. Any vehicle washing facility not connected to a sanitary sewer system must recycle 100% of its wash water and no discharge to the drainage system will be permitted.

Page 3
061-MP-88 Lauderdale – Miami Auto Auction

5. Future industrial uses must be approved by the Pollution Prevention, Remediation and Air Quality Division.
6. An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division at 954-519-1483 for specific license requirements.
7. The subject plat is in the vicinity of a known contaminated site and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Pollution Prevention, Remediation and Air Quality Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Pollution Prevention, Remediation and Air Quality Division must approve any dewatering activities at the subject location.
8. **Please note that the Environmental Protection and Growth Management Department's records indicate that at least one underground fuel pipeline is located within the southern boundary of this plat. Prior to conducting any subsurface work, the developer must contact Sunshine State On-Call at 1-800-432-4770 to properly mark the location of the pipeline(s) to ensure that work is not in the location of this fuel pipeline(s).**

Be advised that approval of a delegation request does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of Building Permit approval. Connections to such systems are approved by the Environmental Licensing and Building Permitting Division as a prerequisite to, and just prior to, approval of Building Permits by the appropriate Building Department for any structures that are to be built on the platted site. These comments do not indicate a waiver or approval of any license or permit that is, or may be, required for any aspect of the project.

RESOLUTION NO. R-2014-26

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING DELEGATION APPLICATION "DG 13-220 MANHEIM FLORIDA AUTO AUCTION" TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "LAUDERDALE - MIAMI AUTO AUCTION", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "Lauderdale - Miami Auto Auction", was recorded in the public records of Broward County in Plat Book 143, Page 36; and

WHEREAS, the owner desires to amend the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this amendment prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the proposed amendment to the "Lauderdale - Miami Auto Auction" (Plat Book 143, Page 36, Broward County Records) being specifically described in Exhibit "A".

SECTION 2. Any improvements required to satisfy traffic concurrency should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 5th DAY OF February, 2014.



MAYOR/COUNCILMEMBER

ATTEST:



TOWN CLERK

APPROVED THIS 5th DAY OF February, 2014.

EXHIBIT "A"

Lauderdale-Miami Auto Auction

Current Note:

This plat is restricted to 42.2 acres of wholesale auto auction and ancillary uses with building construction restricted to a maximum of 70,000 s.f. Retail uses are not permitted without the approval of the Board of County Commissioners, who shall review and address these use for increased impacts.

Proposed Note:

This plat is restricted to 43.80 acres of wholesale auto auction. Commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

Application to Amend or Revise Level of Approved Development

INSTRUCTIONS

This form is used to apply for amendments or revisions to the current level of development previously approved. For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate required documentation attached. Please type this application or print legibly in **black ink**.

PROJECT INFORMATION

Plat Name	Lauderdale-Miami Auto Auction		
Plat Number	061-MP-88	Plat Book - Page	446 - 36 (If recorded)
Owner/Applicant	Florida Auto Auction of Orlando, Inc	Phone	
Address	6205 Peachtree Dunwoody Rd	City	Atlanta State GA Zip Code 30328
Owner's E-mail Address			
Agent	Ron Engele	Phone	386 847 3570
Contact Person	Ron Engele		
Address	131 Canal Ave	City	Oak Hill State FL Zip Code 32759
Agent's E-mail Address	Ke4own@hotmail.com	Fax #	

PROPOSED CHANGES

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. Be sure to include the current level of development. (Attach additional sheet if necessary)

Current note for entire plat This plat is restricted to 42.2 acres of wholesale auto auction and ancillary uses with bldg construction restricted to a max of 70k s.f. Retail uses are not permitted w/o the approval of the BCC, who

Proposed note for entire plat This plat is restricted to 43.80 acres of wholesale auto auction. Commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

PLEASE ANSWER THE FOLLOWING QUESTIONS

Has flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If YES, consult Policy 13.01.10 of the Land Use Plan. A compatibility determination may be required.	
Does the note change represent a change in Trips? <input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease <input type="checkbox"/> No Change	
Does the note represent a major change in Land Use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If there is a question as to whether the note amendment represents a change in Trips, or whether it is considered a major change in Land Use, please consult with Planning and Redevelopment Division (PRD) staff.	
Estimate or state the total number of on-site parking spaces to be provided	SPACES <u>450+</u>
Number of seats for any proposed restaurant or public assembly facility including places of worship.	SEATS <u>—</u>
Number of students for a day care center or school.	STUDENTS <u>—</u>
Will project be served by an approved potable water plant? If YES, state name and address. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<u>Davie II - 6591 Orange Drive</u>	
Will project be served by an approved sewage treatment plant? If YES, state name and address. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<u>same as above</u>	
Are on-site wells for potable water currently in use or proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If YES, see reverse side of this form for additional required documentation.	
Are septic tanks currently in use or proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If YES, see reverse side of this form for additional required documentation.	
Reasons for this request. (Attach additional sheet if necessary) <u>see attached letter dated 9/20/13</u>	

FOR APPLICATIONS PROPOSING INDUSTRIAL USE(S) - SUPPLEMENTAL REQUIREMENT

Proposed industrial plat notes which about residential land use plan categories or are separated from a residential land use plan category by rights-of-way, easements, canals or lakes with a width 100 feet or less must submit written documentation from the municipality stating how the city will address compatibility between the proposed industrial use(s) and the residential land use plan category. Industrial uses include manufacturing, assembly, processing, indoor and outside storage, warehouse, distribution, excavation and landfills. Residential land use plan categories include all residentially named categories plus Agricultural, Rural Ranches, Rural Estates, TOC, TOD, RAC and LAC. Please consult with Planning and Redevelopment staff if you have any questions.

REQUIRED DOCUMENTATION-All copies of plats, site plans, surveys or drawings must be folded to a size approximately 9" X 12"

For major changes in Land Use and/or increases in DENSITY or INTENSITY which may include Trips, Students, Square Footage, and Number of Dwelling Units, the following must be submitted:

- Twenty-two (22) folded copies of the plat.
- Letter of approval from the applicable municipality, dated within six (6) months of this application, specifically stating the precise note language. If the property is located within a Development of Regional Impact (DRI), the letter shall also indicate if the proposed note is consistent with the approved DRI Development Order.
- A current letter is required from the appropriate utility service area stating the location of the closest approved potable water line and/or sanitary sewer line and the exact distance to the property if on-site wells for potable water and/or septic tanks that are currently in use or proposed.
- A check made payable to the Broward County Board of County Commissioners for the application fees. Please consult the Development Permit Application Fee Schedule.
- A signed and sealed sketch and legal description for any new parcel or tract created by the application.

For decreases in Trips, no changes in Trips, or no major change in Land Use; the following items must be submitted:

- Six (6) folded copies of the plat.
- Letter of approval from the applicable municipality specifically stating the precise note language.
- A check made payable to the Broward County Board of County Commissioners for the application fees. Please consult the Development Permit Application Fee Schedule.

School Concurrency Submission Requirements

- **RESIDENTIAL APPLICATIONS ONLY:** Provide a receipt from the School Board documenting that a Public School Impact Application (PSIA) and fee have been accepted by the School Board.

REQUIRED DOCUMENTATION FOR EXISTING BUILDINGS

Are there any existing structures on the plat and/or parcel that is currently being amended? Yes or No? If "Yes," you are required to submit documentation providing evidence of the use, size (gross sq. ft.), unit type, and bedroom number as well as complete the table below. Please be advised that gross non-residential square footage includes permanent canopies and overhangs for gas stations, drive thru facilities, and overhangs designed for outdoor tables at a restaurant. A building is defined by the definition in the Land Development Code.

LAND USE	Gross Building sq. ft. or Dwelling Units	Date Last Occupied	EXISTING STRUCTURE(S)		
			Remain the same?	Change Use?	Has been or will be demolished?

The following are examples of documentation that may be used to confirm the existence of buildings on the plat and/or parcel:

- An "as built" survey prepared within six (6) months of this application showing the existing buildings.
- A copy of the latest approved site plan showing the existing buildings along with evidence from the municipality documenting that site plan is the latest approved site plan.
- If the existing structures are residential, evidence will be required of the bedroom mix and unit type. A letter from the city and/or copies of permit records may be acceptable forms of evidence.
- Other evidence may be accepted if it clearly documents the use and gross square footage of the existing buildings.

OWNER/AGENT CERTIFICATION

State of Florida

County of Volusia

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent Ronald Engle

Sworn and subscribed to before me this 25th day of February, 2014

by Kohn Evans Notary Public is personally known to me or
☐ Has presented _____ as identification.

Signature of Notary Public Kohn Evans NOTARY PUBLIC

Type or Print Name Ronald Engle STATE OF FLORIDA

Comm# EE067404

Expires 2/23/2015

FOR PLANNING AND REDEVELOPMENT DIVISION USE ONLY

Time _____ Application Date 02/25/14 Acceptance Date 2/27/14

Comments Due 03/14/14 C.C. Mtg. Date 04/22/14 Fee \$ 1713

☒ Plats ☒ Survey ☐ Site Plan ☒ City Letter ☐ Agreements

Other Attachments (Describe) RESO 2014-26

Title of Request amend note

Distribute to: ☒ Full Review ☐ Planning Council ☐ School Board ☐ Land Use & Permitting

☐ Health Department (on septic tanks and/or wells) ☐ Zoning Code Services (unincorporated area only)

☒ Planning & Redevelopment (unincorporated area only) ☐ Other _____

Adjacent City Hollywood Received by [Signature]

September 20, 2013

**Town of Davie Planning & Zoning Dept
6591 S. W. 45th Street
Davie, Florida 33314**

Attn: David M. Abramson

**RE: Lauderdale-Miami Auto Auction Plat
Tax ID 5041 36 20 0010
Delegation Request to Amend**

Mr. Abramson,

On behalf of my client, Manheim Auto Auctions, Inc., I would like to request that this letter be accepted to justify the necessary request to amend the existing plat restriction, (Lauderdale-Miami Auto Auction Plat).

In working with the Broward County Environmental Protection & Growth Management Department, we have discovered what appears to be an error in the acres depicted in the last Delegation Request. That request made reference to 42.2 acres. Manheim has requested a new survey that reflects 43.80 acres.

This is the first request for the proposed Delegation Request.

The second request would eliminate a restriction for 70,000 sq ft. building construction. I have attached exhibit A, to reflect the existing language, and the proposed language, that would be submitted for the County Board of Commissioner's approval, (with Davie City Council approval).

Manheim does have plans in the near future to add some needed office space, and employees.

I would respectfully request the City of Davie's approval.

**Thank you,
Ron Engele, Consultant**



Environmental Protection and Growth Management Department

PLANNING AND REDEVELOPMENT DIVISION

1 North University Drive, Suite 102-A • Plantation, Florida 33324 • 954-357-6666 • FAX 954-357-6521 • 954-519-1412

February 26, 2014

**Municipal Planner
City of Hollywood
2600 Hollywood Blvd
Hollywood, FL 33022**

RE: Municipal notification of a delegation request to amend the "note"
(approved level of development) on a plat adjacent to the city limits:

Plat Name: **Lauderdale-Miami Auto Auction** Plat No.: **061-MP-88**

Written comments must be received on or before March 14, 2014.

Dear Planner:

As per Broward County Commission Policy effective March 24, 1998, we are forwarding the attached copy of an application for a delegation request to all municipalities that are adjacent to the plat.

If your municipality desires to comment on this application, the comments must be in writing and electronically submitted to the Planning and Redevelopment Division on or before the above-referenced date. Please send your comments via e-mail to Sue Henderson at shenderson@broward.org.

Any written comments received will be forwarded to the applicant along with the comments from other agencies reviewing the application.

If you have any questions, please contact Sue Henderson at 954-357-6627.

Sincerely,

**Henry Sniezek, Director
Planning and Redevelopment Division**