

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Development Management Division
DEVELOPMENT REVIEW REPORT

PROJECT DESCRIPTION

Name:	Preferred Pompano Plat	Number:	015-MP-18
Applicant:	Preferred Development Pompano, LLC	Comm. Dist.:	4
Agent:	Planning and Entitlements, LLC	Sec/Twp/Rng:	2 & 3-49-42
Location:	Both Sides of Andrews Avenue Extension, Between W. Atlantic Boulevard and S.W. 2 Street	Platted Area:	2.52 Acres
City:	Pompano Beach	Gross Area:	N/A
Replat:	N/A		

LAND USE

Existing Use:	49,221 Sq. ft. Industrial (Demolished)	Effective Plan:	Pompano Beach
Proposed Use:	25,000 Sq. Ft. Industrial Use on Parcel A, 110,000 Sq. Ft. of Self-Storage on Parcel B and Open Space on Parcel C	Plan Designation:	Industrial. See attached comments from the Planning Council.
Adjacent Uses:		Adjacent Plan Designations:	
North:	Vacant	North:	Industrial
South:	Industrial	South:	Industrial
East:	Office	East:	Industrial
West:	Industrial	West:	Industrial
Existing Zoning:	IR	Proposed Zoning:	IR

RECOMMENDATION (See Attached Conditions)

APPROVAL: Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances.

Meeting Date: 02/26/19
Action Deadline: 04/02/19
Deferral Dates:

Prepared: HWC
Reviewed:
Approved:

SERVICES

Wastewater Plant:	BCUD 4 (09/18)	Potable Water Plant:	Pompano Beach (02/18)
Design Capacity:	95.0000 MGD	Design Capacity:	50.000 MGD
12-Mo. Avg. Flow:	71.7800 MGD	Peak Flow:	20.060 MGD
Est. Project Flow:	0.0135 MGD	Est. Project Flow:	0.014 MGD

Comments: Sufficient capacity exists at this time. Comments: Sufficient capacity exists at this time.

PARKS

SCHOOLS

Dwelling Units	Impact Fee
N/A	N/A

Local:
Regional:

	Land Dedication	Impact Fee	Admin. Fee
Local:	N/A	N/A	N/A
Regional:	N/A	N/A	N/A

TRANSPORTATION

Concurrency Zone: Northeast	Trips/Peak Hr	Transit Concurrency Fee	Road/Admin. Fee
Res. Uses:	N/A	N/A	N/A
Non-Res. Uses:	47	*	N/A
Total:	47	*	N/A

* See Staff Comment No. 3 and 4
See Finding No. 1
See General Recommendation No. 1

PREFERRED POMPANO PLAT
015-MP-18

STAFF COMMENTS

- 1) Staff findings and recommendations pertaining to this plat are based on the use being 25,000 square feet of industrial use Parcel A, 110,000 square feet of self-storage on Parcel B, and open space on Parcel C. This property is being platted because the plat boundaries are not specifically delineated on a recorded plat.

It is noted that the industrial square footage on this plat may consist of either industrial uses, industrial/office uses, and/or industrial/showroom uses, upon satisfaction of appropriate transportation concurrency fees. Industrial uses may have a maximum thirty percent (30%) ancillary office use, calculated by the use in a single tenant building or on a bay-by-bay basis in buildings with more than one (1) tenant. Industrial/office uses may have a maximum fifty percent (50%) ancillary office use, calculated by the use in a single tenant building or on a bay-by-bay basis in buildings with more than one (1) tenant. Industrial/showroom uses may have a maximum thirty percent (30%) ancillary commercial or office use, calculated by the use in a single tenant building or on a bay-by-bay basis in buildings with more than one (1) tenant.

- 2) Trafficways approval is valid for 10 months. Approval was received on June 28, 2018.
- 3) This plat is located within a Transportation Concurrency Management Area. In accordance with Land Development Code amendments adopted April 26, 2005, transportation concurrency fees will be assessed and paid in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval. These fees shall be based on the gross square footage of any building(s) as defined in the ordinance, including canopies and overhangs.
- 4) At the time of plat application, a 49,221 square feet industrial use existed on this site, which the applicant stated will be demolished. In accordance with the credit provisions of Section 5-182(a)(4) of the Land Development Code, this structure may be eligible for credit towards transportation concurrency fees, provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. No credit will be granted for demolition occurring more than eighteen (18) months prior to the review of construction plans submitted for County environmental review approval.
- 5) 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 Broward County Code of Ordinances, Chapter 27, Article XIII.
- 6) This plat is located in the City of Pompano Beach and is in a dependent water control district under the jurisdiction of the Water and Environment Licensing Section of the Environmental Engineering and Permitting Division. Surface water management plans for this plat must meet the criteria contained in Chapter 27 -

Continued

Article V of the Broward County Code of Ordinances and the criteria of the Water Control District No. 3. The surface water management licensing requirements of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division must be met prior to any construction. Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.

- 7) The Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division has advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding or altering either a gravity sanitary sewer, a sanitary force main or a pump station, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management. Wastewater receiving lift stations and force mains are critical components of the conveyance system. As part of the licensing process, adequate capacity will need to be demonstrated for the receiving off-site sanitary sewer conveyance system. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. For additional information, contact the Water and Environmental Licensing Section at 954-519-1483.
- 8) Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the 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, e.g., 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 Water and Environmental Licensing Section at 954-519-1483 to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.
- 9) The Water and Environmental Licensing Section encourages that 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 be removed during the development process and advises that a management plan may be necessary to control re-invasion of same. In addition, landscape materials 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 Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division.
- 10) 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 inventory, which provides information regarding the

ownership and management of each of the Protected Natural Lands, may be accessed at the following website:

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

- 11) Review of aerial photographs indicates that the subject site contains tree canopy. Development of the must comply with the Tree Preservation Regulations of the City of Pompano Beach 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.
- 12) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
- 13) The subject plat is in the vicinity of a known contaminated sites and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting 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 Environmental Assessment and Remediation must approve any dewatering activities at this site.
- 14) Plat approval 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. Approval to connect to such systems is approved by the Environmental Engineering and 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 waiver of approval of any other permit that may be required for other aspects of the project.
- 15) This property is within 20,000 feet of the Fort Lauderdale Executive Airport and Pompano Beach Municipal Airport. Any proposed construction on this property or use of cranes or other high-lift equipment 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>. For additional information, contact the Broward County Aviation Department at 954-359-6170.
- 16) Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting

archaeologist indicates that the proposed development will not have an adverse effect on any known historical or archeological resources or areas of archeological or paleontological sensitivity. The archeologist notes that a structure (8BD4970) was previously recorded near the subject property but has since been destroyed and will not be affected by the proposed development. The archaeologist further notes that this property is located in the City of Pompano Beach and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact the City of Pompano Beach's Development Services Department at 954-786-7921 or to seek project review for compliance with the municipal historic preservation regulations.

- 17) In the event any unmarked human burial remains are discovered, pursuant to Florida Statute Chapter 872.05, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.
- 18) This site is served by BC Transit Route 60 eastbound on Southwest 3 Street and southbound on Andrews Avenue and BC Transit Route 42 on Atlantic Boulevard (SR 814).
- 19) The attached memorandum from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division indicates that they have reviewed the plat application and have determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.
- 20) The attached comments regarding this plat's compliance with the effective Land Use Plan have been received from the Broward County Planning Council.
- 21) 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 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.
- 22) Specific questions regarding any of the above comments may be directed to each review agency contact person. A complete list of agency contact information can be accessed on the Planning and Development Management Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

CONCURRENCY REVIEW

- 1) This plat is located within the Northeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Land Development Code.
- 2) This plat satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

GENERAL RECOMMENDATIONS

- 1) Applicant must pay transportation concurrency fees during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code.
- 2) Place a note on the face of the plat, preceding the designated municipal official's signature, reading:
 - A) 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 concurrency/impact fees have been paid or are not due.
 - B) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **February 26, 2024**, 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
 - C) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **February 26, 2024**, 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.
 - D) This plat is restricted to 25,000 square feet of industrial use on Parcel A, 110,000 square feet of self-storage on Parcel B, and open space on Parcel C.

- E) 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 any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.
 - F) Any structure within this plat must comply with Section 2B.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.
- 3) If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.





Public Works Department

HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION

1 N. University Drive, Box B300, Plantation, Florida 33324-2038 • 954-577-4555 • FAX 954-357-5715

M E M O R A N D U M

DATE: January 15, 2019

TO: Josie Sesodia, Director
Planning and Development Management Division

FROM: David (D.G.) McGuire, Construction Project Manager
Plat Section, Highway Construction and Engineering Division

Noemi Hew, Planner
Transportation Department, Service Development

SUBJECT: Letter to Proceed
Preferred Pompano plat (015-MP-18)

The Highway Construction and Engineering Division, Traffic Engineering, and the Transportation Department, Transit Division have reviewed the application for a new plat. Our review included the information contained in the application, the property survey, the site plan (or conceptual access plan), and any previously recorded plats.

As a result of our review, staff has determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code.

STAFF RECOMMENDATIONS

NON-VEHICULAR ACCESS LINE REQUIREMENTS

It is the express intent of this non-vehicular access line to eliminate all proposed openings and existing driveways not specifically delineated in the following comments:

For Parcels A and B:

- 1 Along the ultimate right-of-way for Andrews Avenue. Said non-access line will include corner chord(s) and extend along SW 2nd Street for a minimum of 70 feet and SW 1st Court for a minimum of 100 feet.

For Parcel C:

- 2 Along the ultimate right-of-way for Andrews Avenue.

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 3 Right-of-way for a corner chord based on a 30-foot radius at the intersection of Andrews Avenue and SW 2nd Street.

RIGHT-OF-WAY REQUIREMENTS (Separate Document)

- 4 Right-of-way for a corner chord based on a 30-foot radius at the intersection of Andrews Avenue and SW 1st Court. This easement shall be reviewed and recorded prior to plat recordation and the O.R. Book and Page shall be noted on the plat prior to recordation.

FLORIDA STATUTES CHAPTER 177 REQUIREMENTS

The following comments note the corrections necessary for the plat mylar to comply with the requirements of Florida Statutes Chapter 177. If additional clarification is necessary, please contact Jason Espinosa at (954) 577-4593 or via email at JESPINOSA@BROWARD.ORG.

Please note that additional changes made to the plat mylar beyond this list of corrections may necessitate additional review time; delay recordation; and result in additional review fees.

All resubmittals shall include a paper copy of the plat with changes from the original plat review application highlighted.

Complete the following corrections to the plat mylar to comply with the requirements of Florida Statutes Chapter 177 as outlined below:

5 SURVEY DATA

- A) The legal description in the title opinion or certificate must match the legal description on the plat. The plat drawing must follow the legal description.

There are discrepancies between the description and the plat drawing. Review and revise as necessary. Revise the bearings on the plat drawing to run in a clockwise direction to match the description.

1. Include the direction of concavity in the call for the curve which is the southerly boundary of PARCEL C.

- B) Show radial bearings where lines intersect non-tangent curves. To eliminate ambiguity, clarify that the radial bearings are either from the point on the curve to the radius point of the curve or from the radius point to the point on the curve.
- C) Show the P.R.M.s at PARCEL "D" at the right-of-way line created by this plat as per Land Development Code Sec. 5-189 (a) (27). Additionally, show the appropriate markings on the monuments.
- D) Add a label for the basis of bearing on the plat drawing
- E) Provide closure reports, with areas, of the parcels created the plat.
- F) The platting surveyor must submit Certified Corner Records for section corners used in preparation of the plat to both the State and Broward County. County staff will confirm submittal to the State prior to plat recordation. For section corners which have Certified Corner Records on file, the surveyor must submit an affidavit confirming that the Section corner was found to be substantially as described in the most recently available certified corner record. Standard affidavit forms are available from the following website:
<http://www.broward.org/Publicworks/BCEngineering/Pages/PlatSectionForms.aspx>
- G) The surveyor must submit digital plat information after all corrections are completed and Highway Construction and Engineering Division staff requests digital information.

6 RIGHT-OF-WAY DELINEATION AND DEDICATION LANGUAGE

- A) Address any easements, rights-of-way, or specific purpose parcels to be created by this plat in the Dedication language. The Dedication language makes reference to Utility Easements. There are none shown on the plat drawing. Review and revise as necessary.
- B) Obtain and provide copy of the latest FDOT Right-of-Way map for Andrews Avenue Extension adjacent to the plat.

7 TITLE CERTIFICATION AND DEDICATION SIGNATURE BLOCKS

- A) The title certificate or an attorney's opinion of title shall be updated to reflect a comprehensive search of the Public Records within 30 days prior to plat recordation. If the updated title shows any change to property ownership, then a new dedication on the plat mylar shall be executed by the new owner(s) with the proper acknowledgements. If the updated title shows any changes to or additional mortgage holders, then a new Mortgagee consent shall be executed with the proper acknowledgements.

8 DRAFTING AND MISCELLANEOUS DATA

- A) Address any undefined abbreviations or symbols used on the plat or added during revision. Remove any abbreviations and symbols from the Legend that do not appear on the plat. Add any missing abbreviations and symbols to the Legend that appear on the plat or are added during revisions. Remove duplicate abbreviations from the Legend.
- B) Show "PLAT LIMIT" labels on Parcel "C" of the plat drawing.
- C) No text on the plat drawing should be obstructed or overlapped by lines or other text.
- D) Remove the reference to the NW 1/4 of Section 2-49-42 from the Location Map. The Map and the plat boundary encompass more than the area indicated by the label.

9 SIGNATURE BLOCKS

- A) The Surveyor's Certification must be signed and the plat sealed by professional surveyor and mapper, and state that the plat was prepared under his or her direction and supervision, and complies with all of the survey requirements of Florida Statutes Chapter 177. Remove the reference to PART 1 of Florida Statutes, Chapter 177 from the Certification.
- B) Space for the County Administrator's signature is no longer required on plats in Broward County. Revise the signature block for the Broward County Finance and Administrative Services Department, County Records Division – Minutes Section signature block as necessary.
- C) Remove the signature block for the Broward County Finance and Administrative Services Department, County Records Division – Recording Section, based on the above comment.
- D) The plat shall include proper dates for signatures.
- E) The original plat mylar shall be submitted to the Highway Construction and Engineering Division accompanied by a copy of the City of Pompano Beach conditions of approval. (Agenda Report or Resolution listing all of the conditions of municipal plat approval.)

10 HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION INTERNAL PROCEDURES

The following items are required for plat recordation but are completed by County staff:

- A) Planning Council Executive Director or Designee Signature.
- B) Completion of POSSE Inputs; Impact Fee and Security reports printed.
- C) County Surveyor sign-off.
- D) P.R.M.s verified.
- E) Development Order, Planning and Development Management Director Signature.
- F) Highway Construction and Engineering Director Signature.
- G) City/District scanned copy of mylar, as required.

GENERAL RECOMMENDATIONS

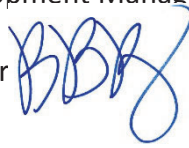
- 11 Distance and measurement recommendations contained in this report were based on the best information available at the time of review. County staff may approve minor adjustments based on verified field conditions or details provided in approved construction plans.
- 12 All construction must include all necessary transitions to existing pavement, the lengths of which shall be determined by the design speed of the roadway. All designs, construction, studies, etc., shall conform to the applicable sections of the following:
- A) United States Department of Transportation: "Manual on Uniform Traffic Control Devices" (MUTCD).
 - B) State of Florida Department of Transportation:
 - 1) "Roadway and Traffic Design Standards."
 - 2) "Standard Specifications."
 - 3) "FDOT Transit Facilities Guidelines."
 - C) Broward County: "Minimum Construction Standards for Roadways Under Broward County Jurisdiction" (Exhibit 25A of Section 25.1, Broward County Administrative Code).

In addition, all designs for construction shall be certified by a Professional Engineer, registered in the State of Florida, that they meet the standards included above.

- 13 This plat will not be recorded until all real estate taxes (including taxes for the current year and any delinquent taxes) for the property being platted have been paid as required by Florida Statutes Chapter 197.192. The applicant shall request a current tax letter be forwarded from the Revenue Collection Division to HCED Plat Section.
- 14 Provide a notation on the face of the plat as required by Chapter 5, Article IX, Broward County Code of Ordinances, as amended, indicating the approved development level for property located within this plat.



TO: Josie P. Sesodia, AICP, Director
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director 

RE: Preferred Pompano Plat
(015-MP-18) City of Pompano Beach

DATE: July 31, 2018

This memorandum updates our previous comments regarding the referenced plat dated May 1, 2018.

The City of Pompano Beach Future Land Use Element is the effective land use plan for the City of Pompano Beach. That plan designates the area covered by this plat for the uses permitted in the "Industrial" land use category. This plat is generally located along both sides of Andrews Avenue, between Southwest 2 Street and Atlantic Boulevard.

The proposed industrial use on Parcel A, self-storage use on Parcel B, and open space use on Parcel C are in compliance with the permitted uses of the effective land use plan.

The effective land use plan shows the following land uses surrounding the plat:

North: Industrial
South: Industrial
East: Industrial
West: Industrial

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:DBT

cc: Greg P. Harrison, City Manager
City of Pompano Beach

David Recor, Director, Development Services
City of Pompano Beach