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RESOLUTION NO. 2020-081

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, APPROVING A PLAT NOTE AMENDMENT AND NON-VEHICULAR ACCESS LINE AMENDMENT- APPLICATION (PL 20-01), FOR WILTON ANDREWS OFFICE, LLC FOR THE PROPERTY LOCATED AT 1985 N. ANDREWS AVENUE, WILTON MANORS, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Wilton Andrews Office LLC, the owner of the real property generally known as 1985 N. Andrews Avenue, Wilton Manors, Florida filed an application with the City to amend a plat note and non vehicular access line on the Wujceak Plat (PL 20-01); and

WHEREAS, the Development Review Committee reviewed PL 20-01 and it was determined that the applicant had addressed the Committee’s comments; and

WHEREAS, on September 14, 2020, the Planning and Zoning Board of the City of Wilton Manors, Florida, held a public hearing for the purpose of making its recommendation for the approval of the Plat Application PL 20-01; and

WHEREAS, on September 14, 2020, the Planning and Zoning Board voted to recommend approval of Plat Application PL 20-01, with conditions; and

WHEREAS, City staff has found that the Applicant’s request complies with the applicable Zoning Code, Land Development Regulations, and Comprehensive Plan; and

WHEREAS, the City Commission requires that the applicant comply with the requirements of the Broward County Board of County Commissioners, the Development Review Committee, and the Planning and Zoning Board, except as modified herein; and

1 **WHEREAS**, the Applicant has agreed to these requirements and conditions and
2 has further agreed that all of these conditions and requirements shall be reflected on the
3 Plat Amendment; and

4 **WHEREAS**, the City Commission finds that the Applicant's request complies
5 with the applicable Zoning Code, Land Development Regulations, and Comprehensive
6 Plan; and

7 **WHEREAS**, the notice and hearing requirements for adoption of plat applications
8 contained in the Florida Statutes and the City's Code of Ordinances have been satisfied;
9 and

10 **WHEREAS**, the City Commission has conducted a quasi-judicial hearing and
11 considered the Plat Application; and

12 **WHEREAS**, the City Commission deems it to be in the best interests of the
13 citizens and residents of the City to approve the Plat Application.

14 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION**
15 **OF THE CITY OF WILTON MANORS, FLORIDA, THAT:**

16 **Section 1:** The foregoing "WHEREAS" clauses are hereby ratified and
17 confirmed as being true and correct and are incorporated herein by this reference.

18 **Section 2:** The City Commission hereby approves PL 20-01, subject to the
19 recommendations and requirements of the Broward County Board of County
20 Commissioners, the Development Review Committee, and the Planning and Zoning
21 Board. This approval does not guarantee any other approval required by the City.

22 **Section 3.** All Resolutions or parts of Resolutions in conflict herewith, be and
23 the same are repealed to the extent of such conflict.

1 **Section 4.** If any section, sentence, clause or phrase of this Resolution is held
2 to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
3 shall in no way affect the validity of the remaining portions of this Resolution.

4 **Section 5.** This Resolution shall become effective immediately upon its
5 passage and adoption.

6
7 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**
8 **WILTON MANORS, FLORIDA, THIS 27th DAY OF OCTOBER, 2020.**

CITY OF WILTON MANORS, FLORIDA

By: 
TOM GREEN, ACTING MAYOR

ATTEST:

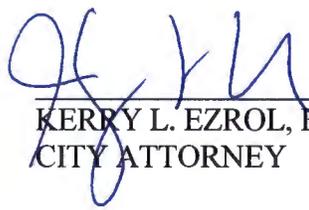

FAITH LOMBARDO
CITY CLERK

RECORD OF COMMISSION VOTE

ACTING MAYOR GREEN
COMMISSIONER CARSON
COMMISSIONER RESNICK
COMMISSIONER ROLLI



I HEREBY CERTIFY that I have
approved the form of this Resolution.


KERRY L. EZROL, ESQ.
CITY ATTORNEY



COMMUNITY DEVELOPMENT SERVICES
 (954) 390-2180 FAX: (954) 567-6069

Life's Just Better Here

MEETING DATE: September 14, 2020 Planning and Zoning Board /
 October 13, 2020 City Commission

TO: Planning and Zoning Board

THRU: Roberta Moore, Community Development Services Director

FROM: Evangeline G. Kalus, City Planner

SUBJECT: PL 20-01: Request to amend plat note and non-vehicular
 access line on the Wujceak Plat.

LOCATION: 1985 N. Andrews Avenue

ZONING: Central Business (B-2)

LAND USE: Transit Oriented Corridor West (TOC-W)

APPLICANT Michael Govern
AGENT/OWNER: Wilton Andrews Office LLC
 1840 SE 1 Avenue
 Fort Lauderdale, FL 33316

ATTACHMENTS: Application and Submittal Package

BACKGROUND/REQUEST

The applicant is requesting a plat note amendment and non-vehicular access line amendment on the Wujceak Plat located at 1985 N. Andrews Avenue. The parcel is located at the southwest corner of N. Andrews Avenue and NW 20 Street. The parcel is vacant. A plat is a map or delineated representation of lot(s), tract(s) or parcel(s) of land recorded in the public record. A plat in Broward County contain notes that limit the level of development and restrict vehicular access. The applicant requests to amend the plat note: **From** "This plat is restricted to 4,365 square feet of office use. Banks and other commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increase impacts." **To** "This plat is restricted to 8,219 square feet of commercial uses."

Additionally, the applicant is requesting to amend the non-vehicular access line on the plat. A non-vehicular access line is a line on the face of a recorded plat utilized to represent the prohibition of vehicular access to a parcel. The applicant is requesting a

twenty-five (25) foot access opening along N. Andrews Avenue restricted to “right turns in only” centered approximately fifty-three feet (53) feet from the southeast plat limits (Exhibit A). The development of an 8,219 square foot commercial building is proposed for this site. The plat consists of a total of 19,608 square feet in area.

SURROUNDING PROPERTIES

| | North | South | East | West |
|---------------------|---------------------------|------------------------|---|----------------------------------|
| Zoning | Community Facility (CF) | Central Business (B-2) | Andrews Avenue/Multi-Family (RM-16) | Single-Family Residential (RS-5) |
| Land use | Community Facilities (CF) | Commercial (C) | Andrews Avenue/ Medium Density Residential (R-MD) | Low Density Residential (R-LD) |
| Existing use | Church | Retail Shopping Center | Manor Grove Condominiums | Single family homes |

LOCATION MAP



CONCURRENT APPLICATIONS

A site plan application is also in process for this parcel.

DISTRICT STANDARDS

ARTICLE 90 – PLATS

When any subdivision of land is proposed to be made, and before any contract for the sale of, or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure is granted, the property shall be platted in accordance with the following requirements:

- *Consistency with the goals, objectives, and policies of the Comprehensive Plan.* The Future Land Use Element of the City of Wilton Manors Comprehensive Plan currently designates the area covered by this parcel as Transit Oriented Corridor West. The use of the proposed parcel is consistent with the land use designation. In the Future Land Use Element of the City of Wilton Manors' Comprehensive Plan, it is the goal to provide a balanced supply of commerce and other commercial to meet the needs of the residents and to ensure that quality new development occurs in Wilton Manors. The proposed plat amendments are consistent with the goals, objectives, and policies of the Comprehensive Plan.
- *Compliance with the ULDR and engineering requirements.* The City Engineer and Emergency Management/Utilities Director have reviewed the proposed amendments and proposed site plan that is being processed concurrently with this request and have determined compliance with all applicable engineering requirements.
- *Street width, arrangement, and location.* The parcel is adjacent to N. Andrews Avenue and NW 20 Street. The City is not requesting any right-of-way to be dedicated in conjunction with this request.
- *Surface drainage.* Surface drainage is adequate. Final drainage plans will be reviewed at the time of permitting by Broward County and the City's Emergency Management/Utilities Director.
- *Requirements for parks, school sites and public building sites.* The proposed use of the parcel is non-residential and therefore park and school requirements are non-applicable. No public building sites are required in conjunction with this request.
- *Consideration for the future development of adjoining lands as yet unsubdivided, including adequacy of street connections to ensure free access to, and circulation for, adjoining subdivisions and lands.* The future development of adjoining lands including adequacy of street connections, access and circulation have been considered. All adjoining lands are developed, and all adjacent streets are existing and adequate to serve the parcel.
- *Access locations.* The parcel has an existing access opening on NW 20 Street. The proposed site plan that is being processed concurrently with this request has access on NW 20 Street limited to "full access in" and "right turns out only." This restricted access will reduce traffic through the westside neighborhood from the

proposed development of the parcel. The proposed amendment to the non-vehicular access line and the proposed site plan have access on N. Andrews Avenue restricted to “right turns in only.” The restriction on the N. Andrews Avenue entrance will be prohibited N. bound traffic crossing N. Andrews Avenue to enter the site. The Development Review Committee has determined the site’s access is sufficient.

- *Water supply, sewage disposal.* Adequate water supply and sewage disposal capacity will be determined by the City’s Emergency Management/Utility Director at the time of building permit.

The proposed plat amendments must also be consistent with minimum Broward County plat requirements. Once, the City Commission has approved the plat amendments, the proposed plat amendments will be scheduled for Broward County Board of County Commission approval. Once, the amendments are approved by the County, the applicant will be required to record a note amendment agreement and a non-vehicular access line agreement in the public records of Broward County.

DEVELOPMENT REVIEW COMMITTEE

The application was reviewed by the Development Review Committee (DRC) at the May 27, 2020 and the August 18, 2020 meeting. The Development Review Committee recommends approval of the amendments to the plat.

PUBLIC NOTIFICATION

Pursuant to Article 70 – Public Hearing Notification Procedures of the ULDR, notification for this application was provided by:

- Property posted on September 2, 2020.
- Advertisement in the Sun-Sentinel news publication on August 30, 2020.
- Certification of mailing to properties within 300 feet of the subject property on September 5, 2020.

RECOMMENDATION

Based on the criteria set forth the City of Wilton Manors Unified Land Development Regulations (ULDR), the Community Development Services Department recommends approval of the plat note amendment and non-vehicular access line amendment on the Wujceak Plat located at 1985 N. Andrews Avenue subject to the following conditions:

- 1) The plat note is amended **from** “This plat is restricted to 4,365 square feet of office use. Banks and other commercial/retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increase impacts.” **to** “This plat is restricted to 8,219 square feet of commercial uses.”
- 2) The non-vehicular access line is amended consistent with the attached sketch and legal descriptions (Exhibit A).
- 3) City Commission approval of proposed plat note and non-vehicular access line amendments.

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- 4) Building permits will not be issued by the City of Wilton Manors until Broward County approves the plat amendments and copies of the amendments recorded in the official public records of Broward County, Florida are provided.

Planning and Zoning Board Recommendation (September 14, 2020)

A motion was made by Board Member Berry and seconded by Vice Chair Flint to recommend approval of request. The motion passed 7-0.