



Environmental Protection and Growth Management Department  
**PLANNING AND DEVELOPMENT MANAGEMENT DIVISION**  
 1 N. University Drive, Box 102, Plantation, FL 33324 T: 954-357-8695 F: 954-357-6521

**DEVELOPMENT REVIEW REPORT FOR A NEW PLAT**

Project Description			
Plat Name:	First 95 Distribution Center Phase II	Number:	014-MP-20
Application Type:	New Plat	Legistar Number:	21-261
Applicant:	FR NW 12 Terrace, LLC	Commission District:	2
Agent:	Keith	Section/Twn./Range:	36/50/41
Location:	West side of I-95, between Northwest 15 Street and Northwest 8 Street	Platted Area:	19.4 Acres
Municipality:	Pompano Beach)	Gross Area:	N/A
Previous Plat:	Budget Plat (Plat Book 173, Page 56)	Replat:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
FS 125.022 Waiver	N/A		
Recommendation:	<b>APPROVAL</b>		
Meeting Date:	April 6, 2021	Action Deadline:	May 6, 2021

A location map showing of the plat is attached, see **Exhibit 2**.

This plat is replat of a portion Budget Plat to include all of Parcels A, B, C, D and E (Plat Book 173, Page 56, B.C.R.) which was approved by the Board on July 8, 2003, for 50,000 square feet of industrial use. The plat was subsequently amended to restrict Parcel F to 8,644 square feet of ancillary office for outdoor storage and the remaining Parcels (A-E) are restricted to 41,356 square feet of industrial use.

Existing and Future Land Use	
Existing Use:	37,486 Sq. Ft. of Industrial
Proposed Use:	Drainage Parcel A and 500,000 Sq. Ft. of Industrial on Parcel B
Plan Designation:	Industrial
Adjacent Uses	Adjacent Plan Designations
North: Industrial	North: Industrial
South: Industrial	South: Industrial
East: Transportation	East: Transportation
West: Industrial	West: Industrial
Existing Zoning	Proposed Zoning
I-2	I-2

**1. Planning Council**

Broward County Planning Council has reviewed this application and determined that the City of Pompano Beach Future Land Use Map is the effective Land Use Plan.

The Planning Council finds that proposed plat is consistent with effective Land Use plan, and use is permitted in the “Industrial” land use category. Planning Council Memorandum letter is attached as **Exhibit 3**.

**2. Trafficways**

Trafficways approval is valid for 10 months. Approval was received on September 17, 2020.

**3. Access**

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division 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, as shown in the attached memorandum. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

**4. Concurrency – Transportation**

This plat is located in the Northeast Transportation Concurrency Management Area which is subject to Transportation concurrency fees, as defined in Section 5- 182.1(a)(5)a) of Land Development Code.

Proposed Use	Trips per Peak Hour
Residential	N/A
Non-residential	360
Total	360

**5. Concurrency - Water and Wastewater Capacity**

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Plant name:	Pompano Beach (03/20)	Broward County North Regional (09/20)
Utility Provider:	City of Pompano Beach	City of Pompano Beach
Design Capacity:	50.00 MGD	95.00 MGD
Annual Average Flow:	18.90 MGD	72.03 MGD
Estimated Project Flow:	0.05 MG	00.05 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

**6. Impact Fee Payment**

Transportation Concurrency fees will be calculated by the Planning and Development Management Division, Development and Environmental Review Section; assessed based on construction plans submitted for environmental review approval and must be paid on date of building permit issuance. Fees are subject to increase annually on October 1<sup>st</sup>.

At the time of plat application, 37,486 square feet of industrial buildings 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, school impact and park impact 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 three (3) years prior to the review of construction plans submitted for County environmental review approval.**

#### **7. Environmental Review**

This plat has been reviewed by Environmental Engineering and Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development, **Exhibit 5**.

Environmental Planning and Community Resilience Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

#### **8. Additional Environmental Protection Actions**

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.

#### **9. Historic Resources**

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 may have an adverse effect on previously resources(s).

The subject property is adjacent to State Historic Preservation Office NRHP Eligible Linear Resource BD04087 Railroad Tracks. The site plan indicated construction of a water line and forced main line will be constructed across this resource.

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 Maggie Barszewski, Planner of the City of Pompano Beach at 954-786-7921 to seek project review for compliance with the municipal historic preservation regulations.

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](mailto:med_exam_trauma@broward.org).

#### 10. Aviation

This property is within 20,000 feet of the City of Fort Lauderdale's Fort Lauderdale Executive Airport and the City of Pompano Beach's 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>. To initiate the local municipality review, please contact the City of Fort Lauderdale and City of Pompano Beach directly.

#### 11. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat and provided no comments.

#### 12. Notice to Applicant

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.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Planning and Development Management Division's web page at: [www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf](http://www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf)

#### FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

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 drainage, water, wastewater and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.

#### RECOMMENDATIONS

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall assure compliance with the standards and requirements of the Land Development Code:

1. Conditions attached in Highway Construction and Engineering Memorandum, **Exhibit 4**.
2. Place note of the face of the plat, preceding municipal official's signature, reading:

All application, concurrency, impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.

3. Place a note on this face of the plat reading:

- a. This plat is restricted to drainage on Parcel A and 500,000 square feet of industrial use on Parcel B.

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.

- b. Any structure within this plat must comply with Section 2.1.f Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.
4. If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[HWC]