

Resilient Enviroment Department URBAN DIVISION

1 N. University Drive, Box 102 · Plantation, FL 33324 T: 954-357-6666 F: 954-357-6521

Broward.org/Planning

Review and Approval of Vacation Petition Application

Troviou and Approved	
Review	
Date: 06/20/2022	
To: County Attorney's Office Attention: Maite Azcoitia, Office of County Attorney	
From: Planning and Development Management Division	
Subject: Vacation Petition No.: 2022-V-05	
Petitioner(s): FR Lyons Road, LLC and First Industrial Realty TR	
Agent for Petitioner(s): Greenspoon Marder LLP.	
Type: ☑ Vacating Plats, or any Portion Thereof (BCCO 5-205)	
☐ Abandoning Streets, Alleyways, Roads or Other Places Used for Travel (BCAC 27.68)	
□ Releasing Public Easements and Private Platted Easements or Interests (BCAC 27.69) Project: □ Right-of-Way □ Other	
Pursuant to Florida Statute Chapter 177.101 and the above sections of the Broward County Administrative Code and Co	de of
Ordinances, the following determined that the requested vacation petition would not affect the ownership or right of conve	enient
access of persons owning other parts of the subdivision:	
Designated Review Agencies and Organizations Date:	
Required Documentation	
	A COMPANY OF THE PARTY OF THE P
 ✓ Vacation Petition Application ✓ Date Accepted: 00/14/2022 ✓ File Fee (made payable to Broward County Board of County Commissioners and deposited) 	
Petitioner Notice of Intent Dates Published: 06/26/2022 and 07/03/2022	
☑ Certificate of Real Estate Taxes Paid [Revenue Collection Division] Date: 12/07/2021	
☑ Property Location ☑ Municipality of City of Coconut Creek. ☐ Municipal Service	District
☑ Certified Copy of Municipal Resolution No: R-2022-004 Date(s): 08/08/2019	_
☑ Sketch and Legal Description by: David P. Lindle, Surveyor No 5005	
■ Location Map (Created by County Surveyor)	
☐ Aerial Photograph and Section Map (No longer provided; advise if needed for review)	
☑ Plat, if applicable ☐ Certified ☑ Copy	
□ Written Consent of All Abutting Owners in Plat, ifapplicable	
☑ Certificate or Opinion of Title by: Frank E. Whitaker Date: 05/30/2022	
□ Documentation of all reviewers responding "no objection/no comment"	
T Meisser of Objection by Hillity Companies	
☑ Waivers of Objection by Utility Companies	
☑ Draft Resolution to Set Public Hearing	
 ☑ Draft Resolution to Set Public Hearing ☑ Draft Resolution of Adopted Vacation 	
 ☑ Draft Resolution to Set Public Hearing ☑ Draft Resolution of Adopted Vacation Approval Approved subject to the Office of the County Attorney's receipt, review, and approval of a Title Certificate dated within 45	days
 ☑ Draft Resolution to Set Public Hearing ☑ Draft Resolution of Adopted Vacation Approval	days



Application Number: 049-MP-97

Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

1 N. University Drive, Box 102 · Plantation, FL 33324 · T: 954-357-6666 F: 954-357-6521 · Broward.org/Planning

Development and Environmental Review Online Application

Project Information				
Owner/Applicant/Petitioner Name FR LYONS ROAD, LLC, a Delaware	limited liabili	ty company do First Indust	rial Pool	y Trust Inc
Address	infilled liabili	City	State	-
1 N. Wacker Drive, Suite 4200		Chicago	IL	Zip 60606
Phone	Email	Criicago	I'L	00000
(312) 344-4357		firstindustrial.com		
Agent for Owner/Applicant/Petitioner Contact Person				
Greenspoon Marder LLP		Frank Whitaker, Esq.		
Address		City	State	Zip
600 Brickell Ave, Suite 3600		Miami	FL	33139
Phone	Email			,
305-789-2797	frank.whitak	er@gmlaw.com		
Plat/Site Plan Name				
Springs-Mckenzie Plat				
Plat/Site Number		Plat Book - Page (if recorded)		
049-MP-97		Plat Book 165 - Page 7		
Folio(s)				_
4842 0628 0021				
Location				
West side of Lyons Road	t/between/and Nor	th of and/of Sa	awarass l	Boulevard
north side/corner north street name	voetween/and	street name / side/corner	street	
Type of Application (this form re	guired for al	l applications)		
Please check all that apply (use attached	-			
		•		
☐ Plat (fill out/PRINT Questionnaire Fe	orm, Plat Checkl	ist)		
☐ Site Plan (fill out/PRINT Questionna	ire Form, Site Pl	an Checklist)		
□ Note Amendment (fill out/PRINT Qu	estionnaire Forn	n, Note Amendment Checklist)		
☑ Vacation (fill out/PRINT Vacation Co	ontinuation Form	, Vacation Checklist, use Vacatio	n Instructi	ons)
☑ Vacating Plats, o	r any Portion Th	ereof (BCCO 5-205)		
☐ Abandoning Stre	ets, Alleyways,	Roads or Other Places Used for 1	Travel (BCA	AC 27.29)
☐ Releasing Public	Easements and	Private Platted Easements or Int	terests (BC	AC 27.30)
☑ Vacation (Notary Continuation For	m Affidavit require	ed, fill out Business Notary if neede	d)	

Application Status					
Has this project been previously submitted?	☐ Yes	図 No		□ Don'	t Know
This is a resubmittal of: ☐ Entire Project		on of Project	⊠ N/A		
What was the project number assigned by the Planning and Development Division?	Project Number		⊠ N/A	□ Don'	Know
Project Name First Sawgrass Commerce Center			□ N/A	□ Don'	t Know
Are the boundaries of the project exactly the same as the previously submitted project?	☐ Yes	□No		⊠ Don'	Know
Has the flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?	□ Yes	□No		⊠ Don'	Know
if yes, consult Policy 13.01.10 of the Land Use	Plan. A com	patibility determinati	on may be	required	
Replat Status					
Is this plat a replat of a plat approved and/or recorded		X	□ No	□ Don	't Know
if YES, please answ	er the follow				
Project Name of underlying approved and/or recorded plat	~ 1 -	145/> Project N	umber		
SPINS - MCKENZIE	PLATI	7			
	Is the underlying plat all or partially residential?				
If YES, please answ Number and type of units approved in the underlying plat.	er the follow	ng questions.			
Number and type of units proposed to be deleted by this replat.			• • • • • • • • • • • • • • • • • • • •		
Difference between the total number of units being deleted from the underlyi	ng plat and the nu	mber of units proposed in thi	s replat.	· · · · · · · · · · · · · · · · · · ·	
School Concurrency (Residential Plats, Re	plats and S	Site Plan Submis	sions)		
Does this application contain any residential units? (If	"No," skip th	e remaining questio	ns.)	☐ Yes	⊠ No
If the application is a replat, is the type, number, or be changing?	edroom restri	ction of the resident	al units	□ Yes	⊠ No
If the application is a replat, are there any new or ad the replat's note restriction?	ditional resid	ential units being a	ded to	☐ Yes	⊠ No
Is this application subject to an approved Declaratio Agreement entered into with the Broward County Scho		ive Covenants or T	ri-Party	☐ Yes	⊠ No
If the answer is "Yes" (RESIDENTIAL APPLICATIONS ONLY: Provide a receip impact Application (PSIA) and fee have been accepted concurrency, exempt from school concurrency (exemptions communities, and projects contained within Developments Restrictive Covenant or Tri-Party Agreement.	ot from the 8 d by the Sch include projec	chool Board docum ool Board for resider ts that generate less the	itial projec	ts subject udent, age	to school

Land Use and Zoning				
EXISTING	PROPOSED			
Land Use Plan Designation(s)	Land Use Plan Designation(s)			
Industrial	Industrial			
Zoning District(s)	Zoning District(s)			
IO-1	IO-1			

Existing Land Use

A credit against impact fees may be given for the site's current or previous use. No credit will be granted for any demolition occurring more than eighteen (18) months and/or sixty (60) months for mobile homes of Environmental Review of construction plans. To receive a credit, complete the following table. Note: If buildings have been demolished, which are not shown on the survey required with this application, attach an additional "as built" survey dated within eighteen (18) months of this application. Other evidence may be accepted if it clearly documents the use, gross square footage and/or number and type of dwelling units, and date of demolition.

Are there any existing structures on the site?
☐ No

			EXISTING STUCTURE(S)		
Land Use	Gross Building sq. ft.* or Dwelling Units	Date Last Occupied	Remain the Same?	Change Use?	Has been or will be Demolished?
Office / Industrial	103,790 sq./ft.		Y)ES NO	YES NO	HAS WILL I)
			YES NO	YES NO	HAS WILL NO
			YES NO	YES NO	HAS WILL NO

*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 id defined by the definition in the Land Development Code.

Proposed Use				
RESII	DENTIAL USES	NON-RESIDENTIAL USES		
Land Use	Number of Units/Rooms	Land Use	Net Acreage or Gross Floor Area	
n/a	n/a	Office/Industrial	103,790 sq./ft.	
18 10 10 10 10 10 10 10 10 10 10 10 10 10				

NOTARY PUBLIC: Owner/Agent Certification				
This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to described property at reasonable times by County personnel for the purpose of vertication of information provided by owner/agent.				
	4-20-72			
Owner/Agent Signature Date	7-00			
NOTARY PUBLIC				
STATE OF FLORIDA COUNTY OF BROWARD				
The foregoing instrument was acknowledged before me by means of	D physical presence			
this 20 to day of April , 20 22 , who to it	s personally known to me 🗆 has produced			
as identification.				
\sim	· · ()			
Name of Notary Typed, Printed or Stamped Signature o	Nour Public - State of Florida			
Notary Public Blate of Florida	hell L. SCAVONC			
My Commission GO 309736 4 Expires 07:08/2023	•			
Notary Seal (or Title or Rank) Serial Numb	per (if applicable)			
For Office Use Only				
Application Type				
Application Date Acceptance Date	Fee			
4/20/2022 6/14/2022	\$ 1200.00			
Comments Due Report Due	CC Meeting Date			
Adjacent City or Cities	(D)			
NIA				
☑ Plats ☑ Surveys ☐ Site Plans ☐ Lan	dscaping Plans 🗆 Lighting Plans			
☐ City Letter ☐ Agreements				
凹 Other:				
Districts To ☐ Full Review ☐ Planning Council ☐ School Bo	eard			
☐ Health Department ☐ Zoning Code Services (BMSD only) □ Administrative Review			
□ Other:				
Received By Deago Fenaloza.				



Application Number <u>049-MP-97</u>

NOTARY PUBLIC: Business/Government E	ntity Cortification
This is to certify that I am the authorized acting owner/agent of the property described in this appli and correct to the best of my knowledge. By significant correct to the best of my knowledge.	agent of the business/government entity that is the cation and that all information supplied herein is true ng this application, owner/agent specifically agrees to nes by County personnel for the purpose of verification
	4-20-22
Agent Signature for Budineds/Government Entity	Date
NOTAR	Y PUBLIC
STATE OF FLORIDA COUNTY OF BROWARD	
	by means of ☑ physical presence ☐ online notarization, 2 , by Frack Whitaker CHRS WILSON
this 20 th day of April , 20 22 the Attorney Se Reg DIT , on be	ehalf of FR Lyons Road LLC , a
He/she ☑ is personally known to me ☐ has produced	as identification.
Name of Notary Typed, Printed or Stamped	Signature of Noter, Public – State of Florida
Motery Public State of Florida: Michelle L Scavone My Commission GG 309736 My Commission GG 309736 Expires 07/08/2023	MICHELL L. SCAVONE
Notary Seal (or Title or Rank)	Serial Number (if applicable)



Appli cationNumber 049-MP-79

AFFII	DAVIT TO AUT	HORIZE PETITIONER'S AGENT				
I/We, _	FR Lyons Road, LLC a Delaware	LLC of First Industrial Trust, Inc., the property owner(s) ("Affiant") of the property to be vacated in the				
		n, being duly sworn, depose(s) and say(s):				
1.	That I/we am/are	the owner(s) and record title holder(s) of the lands that are to be vacated and abandoned				
		ber(s) is/are as follows:				
	4842-06-28-00	• •				
2.	That I/we do here	eby appoint the following Agent to act on my/our behalf in the processing of the subject of				
	the Application to the Broward County Board of County Commissioners.					
	Name:	Greenspoon Marder LLP				
	Address:	600 Bri ckell Avenue, Sui te 3600				
	City, Sate, Zip:	Miami, FL 33131				
	Telephone:	305-78 92 79 7				
	Contact Person:	frank.whi taker@gmlaw.com				
	load, LLC a Delaware LLC c/o Fir Owner/Petitioner	net industrial Trust, Inc. Date Signature of Owner/Petitioner (requires noterization)				
	nk Whitaker, Esc	- Santan				
	petitioner.	, hereby accept the appointment as Agent to the above listed				
OWINGIA	petitioner.	1121				
	Whitaker, Esq.	4-20-2022				
Name of	Agent	Date Signature of Agent				
		NOTARY PUBLIC				
	E OF FLORIDA					
	ITY OF BROW					
		t was acknowledged before me by the Affiant by means of				
☑ phys	sical presence □	online notarization, this 20 day of April 2022				
by 📙	ent wat	CHRUSW, of Greenspoon Dover, on behalf of				
		392 C70~5 NONO CCC				
He/she	is personally kr	nown to me has producedas identification.				
		$\left(\begin{array}{c} \lambda / \lambda_{0} \cdot \left(\begin{array}{c} \lambda \\ \lambda \end{array}\right) \right)$				
Name of I	Notary Typed, Printed or	Stamped Signature of Notary Public - State of Florida				
	·····	while State of Florida MICHERUE L- SCANONE				
	/ 5 A Michalla	I Scavone				
	My Comr Expires 0	mission GG 309736 07/06/2023				
Natan- C-						
HULBIY 38	al (or Title or Rank)	Serial Number (If applicable)				

Vacation Narrative

The Applicant, FR Lyons Road, LLC, c/o First Industrial Realty Trust, Inc. ("Applicant") is the owner of the land located along Lyons Road just north of Sawgrass Boulevard in the City of Coconut Creek at Folio ID: 4842 0628 0021 (the "Property") and seeks to vacate two 10' platted utility easements running along both the western and southern borders of the southernmost portion of Parcel "A" of the Springs – McKenzie Plat, recorded at Plat Book 165, Page 7 (the "Plat").

The Plat dedicated, in relevant part, a 10' wide utility easement along the entirety of the western and southern borders of the southernmost portion of Parcel "A" of the Plat. The western border of the Plat faces a residential neighborhood and has no road access, which makes it impractical and difficult to access. The southern border of the Plat is separated from the lot to its south by grass and shrubs. The Property is currently served by the platted utility easement running along the eastern border of the Plat, which runs parallel to North Lyons Road, which is easily serviced by access from North Lyons Road.

From the standpoint of the benefit of the community as a whole, the request to vacate the platted easements does not have any negative impacts because the Plat is already fully serviced by the platted easement running along the eastern boundary of the Plat parallel to North Lyons Road.