

Plat Note Amendment

October 6, 2021

City Commission Meeting

ID 2021-417

Plat Note Amendment for the Sherman Plat

FR5355 Northwest 24th Street, LLC

AGENDA

- I. Subject Property
 - II. City Process and Requirements
 - III. Staff Findings
 - IV. Recommendation
-



LOCATION MAP

➤ Address – 5301 Copans Rd



I. Subject Property

LOCATION MAP

➤ Land Use – Activity Center

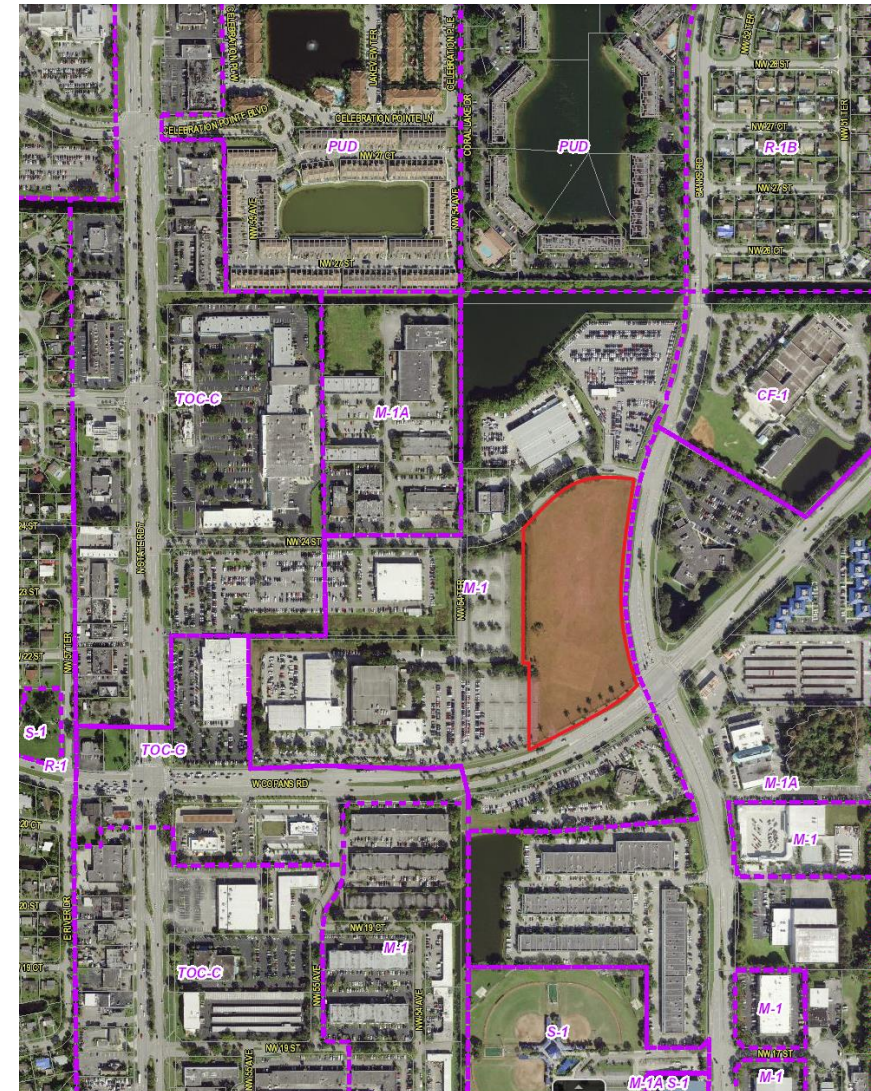


I. Subject Property



LOCATION MAP

- Zoning – M-1 Light Industrial

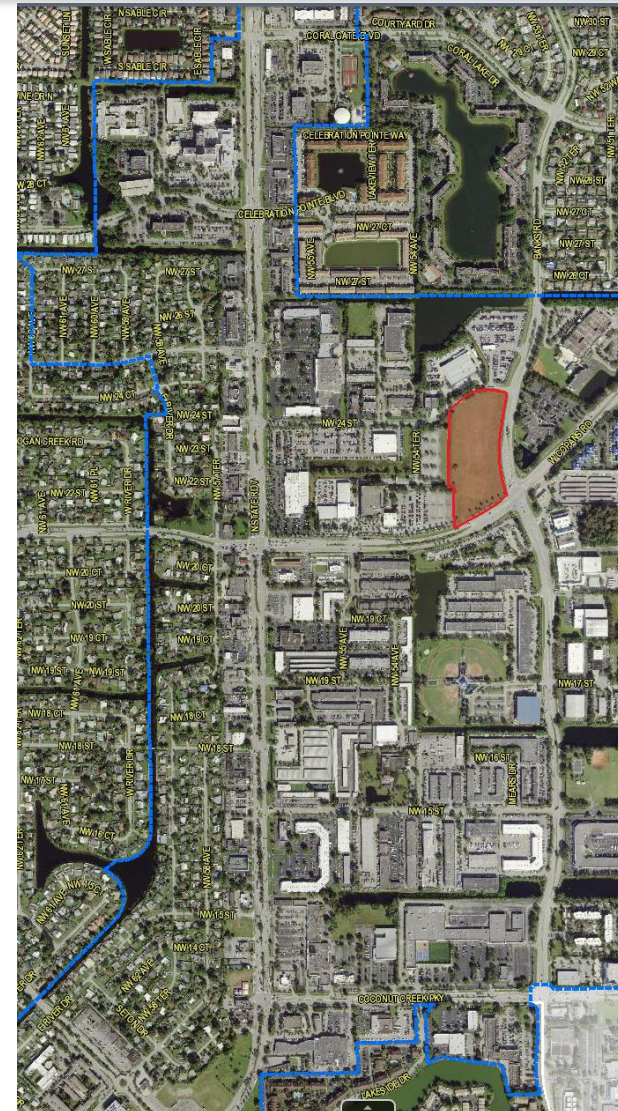


I. Subject Property



LOCATION MAP

➤ CRA Boundary



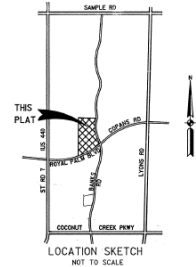
I. Subject Property



SHERMAN PLAT

➤ Dedicated: 1987

➤ Approved: 1990



DESCRIPTION

A PORTION OF TRACT 5, BLOCK 93, OF THE PLAT OF "PALM BEACH FARMS COMPANY PLAT NO. 3", AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF "CORAL GATE SECTION THREE", AS RECORDED IN PLAT BOOK 96, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 0°00'00" EAST, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT 5, AND THE POINT OF BEGINNING; THENCE NORTH 89°37'00" EAST, ALONG THE NORTH LINE OF SAID TRACT 5, A DISTANCE OF 38.00 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE WEST, WHOSE RADIUS POINT BEARS NORTH 80°17'59" WEST FROM THE LAST DESCRIBED POINT, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BANKS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 026, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTHERLY, ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE HAVING A RADIUS OF 1054.8 FEET, A CENTRAL ANGLE OF 27°09'39" AN ARC DISTANCE OF 50.00 FEET TO THE POINT OF TANGENCY; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 22°51'14" WEST, A DISTANCE OF 3.56 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHERLY, ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE HAVING A RADIUS OF 185.63 FEET, A CENTRAL ANGLE OF 06°49'39" AN ARC DISTANCE OF 17.00 FEET TO A POINT OF INTERSECTION WITH A NON-RADIAL LINE BEARING SOUTH 89°30'00" WEST; THENCE ALONG SAID NON-RADIAL LINE, SAID LINE ALSO BEING THE SOUTH LINE OF SAID TRACT 5, SOUTH 89°30'00" WEST, A DISTANCE OF 140.00 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 5, THENCE ALONG SAID LINE NORTH 00°23'00" WEST, A DISTANCE OF 66.20 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PORTION OF TRACTS 8 AND 17, BLOCK 93, OF SAID PLAT OF "PALM BEACH FARMS COMPANY PLAT NO. 3", AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A VACATED 30.00 FOOT ROADWAY AS RECORDED IN OFFICIAL RECORDS BOOK 106, PAGE 566, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID SOUTHWEST CORNER OF "CORAL GATE SECTION THREE", AS RECORDED IN PLAT BOOK 96, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 0°00'00" EAST, A DISTANCE OF 71.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT 8, THENCE NORTH 89°30'00" EAST, ALONG THE NORTH LINE OF SAID TRACT 8, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°30'00" EAST, ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE EAST, WHOSE RADIUS POINT BEARS SOUTH 77°46'29" EAST FROM THE LAST DESCRIBED POINT, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BANKS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 026, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE WESTERLY AND SOUTHERLY, ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE HAVING A RADIUS OF 185.63 FEET, A CENTRAL ANGLE OF 27°09'39" AN ARC DISTANCE OF 39.36 FEET; THENCE SOUTH 00°41'47" WEST, A DISTANCE OF 104.75 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE EAST, AND WHOSE RADIUS POINT BEARS NORTH 90°37'30" EAST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 185.63 FEET, A CENTRAL ANGLE OF 27°09'39" AN ARC DISTANCE OF 39.36 FEET; THENCE SOUTH 00°40'59" WEST, A DISTANCE OF 40.48 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE WEST, AND WHOSE RADIUS POINT BEARS NORTH 44°50'29" WEST, FROM THE LAST DESCRIBED POINT, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF COPANS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 839, PAGE 800 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 37°37'30" AN ARC DISTANCE OF 14.26 FEET; THENCE NORTH 00°23'00" WEST, 25 FEET EAST AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID TRACTS 8 AND 17, A DISTANCE OF 88.17 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA, ALL OF THE ABOVE CONTAINING 29.49 ACRES, MORE OR LESS.

"SHERMAN PLAT"

A REPLAT OF A PORTION OF TRACTS 5, 8 AND 17, BLOCK 93, "PALM BEACH FARMS CO. PLAT NO. 3", P.B. 2, PG. 45 PALM BEACH COUNTY RECORDS OF SECTIONS 19 AND 30, TOWNSHIP 48 SOUTH, RANGE 42 EAST CITY OF MARGATE, BROWARD COUNTY, FLORIDA

PREPARED BY:
KEITH AND SCHNARS, P.A.
ENGINEERS - PLANNERS - SURVEYORS

6500 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA 33309
(305) 776-1616
NOVEMBER 1986

DEDICATION

STATE OF FLORIDA }
COUNTY OF BROWARD } IRVING J. SHERMAN
THE OWNER OF THE LAND DESCRIBED AND SHOWN HEREON, AS INCLUDED WITH THIS PLAT, HAS CAUSED SAID LANDS TO BE SURVEYED AND PLATTED AS SHOWN HEREON, SAID PLAT TO BE KNOWN AS "SHERMAN PLAT", A REPLAT. EASEMENTS SHOWN HEREON ARE DEDICATED TO THE PUBLIC FOR PROPER PURPOSES. RIGHTS-OF-WAY SHOWN HEREON ARE DEDICATED TO THE PUBLIC IN FREE AND OPEN MARKET. IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS 16th DAY OF MARCH, A.D. 1987.

Irving J. Sherman
BY: *Irving J. Sherman*
WITNESSES
Thomas Gene Lunsford
Sharon Ann Lunsford

ACKNOWLEDGEMENT

STATE OF FLORIDA }
COUNTY OF BROWARD } IRVING J. SHERMAN
I, IRVING J. SHERMAN, DO HEREBY PERSONALLY ACKNOWLEDGE THAT I AM THE OWNER OF THE LANDS DESCRIBED HEREON AND THAT I ACKNOWLEDGE BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS OWNER, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID OWNER, BY HAND AND SEAL THIS 16th DAY OF MARCH, A.D. 1987.

MY COMMISSION EXPIRES: 9-9-87

Maria C. Garcia
NOTARY PUBLIC, STATE OF FLORIDA

SURVEYOR'S CERTIFICATE:

WE HEREBY CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS RECENTLY SURVEYED, SUBDIVIDED AND PLATTED UNDER OUR RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA SHOWN CONFORMS TO THE APPLICABLE REQUIREMENTS OF CHAPTER 171, FLORIDA STATUTES, AND WITH THE APPLICABLE SECTIONS OF CHAPTER 218H-4, FLORIDA ADMINISTRATIVE CODE. THE PERMANENT REFERENCE MONUMENTS ("P.R.M.'S") WERE SET IN ACCORDANCE WITH SECTION 171.08 OF SAID CHAPTER 171.

THE BENCHMARKS SHOWN ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (NADV) OF 1929 IN CONFORMITY WITH STANDARDS ADOPTED BY THE NATIONAL OCEANIC SURVEY FOR THIRD ORDER CONTROL STANDARDS.

DATED MARCH 3, 1987

MARGATE CITY CLERK'S CERTIFICATE

STATE OF FLORIDA }
COUNTY OF BROWARD }
THIS IS TO CERTIFY THAT THIS PLAT OF "SHERMAN PLAT" A REPLAT, HAS BEEN APPROVED AND ACCEPTED FOR RECORDING BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, AND DULY ADOPTED BY SAID CITY COMMISSION ON THIS 14th DAY OF OCTOBER, A.D. 1987, IN WITNESS WHEREOF THE SAID CITY COMMISSION HAS CAUSED THESE PRESENTS TO BE ATTESTED BY ITS CITY CLERK AND THE CORPORATE SEAL OF SAID CITY TO BE AFFIXED THIS 15th DAY OF OCTOBER, A.D. 1987.

Shirley J. Loughman
CITY CLERK

MARGATE CITY ENGINEER

THIS PLAT OF "SHERMAN PLAT" A REPLAT, IS APPROVED FOR RECORDING, THIS 9th DAY OF OCTOBER, 1987.

Emilio C. Esteban
BY: *Emilio C. Esteban*
E.M.C. ESTEBAN
P.L.A. P.E. REG. #39845

MARGATE CITY PLANNING AND ZONING BOARD

THIS IS TO CERTIFY THAT THE CITY PLANNING AND ZONING BOARD OF MARGATE, FLORIDA, ACCEPTED AND APPROVED THIS PLAT THIS 6th DAY OF OCTOBER, A.D. 1987.

Stephen J. Wink
BY: *Stephen J. Wink*
VICE-CHAIRMAN

THIS PLAT HAS BEEN APPROVED
SEE O.R. BOOK 252.24 PG. 168

THIS PLAT HAS BEEN APPROVED
SEE O.R. BOOK 24133 PG. 634

THIS PLAT HAS BEEN APPROVED
SEE O.R. BOOK 26221 PG. 880

BROWARD COUNTY OFFICE OF PLANNING

THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD, BY: *David J. Knott* 6-19-90
DIRECTOR DATE

BROWARD COUNTY ENGINEERING DIVISION

THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD, BY: *Henry P. Cook* 6-19-90
HENRY P. COOK - DIRECTOR
FLORIDA P.E., REG. NO. 12506
DIRECTOR OF ENGINEERING DATE

BROWARD COUNTY PLANNING COUNCIL

THIS IS TO CERTIFY THAT THE BROWARD COUNTY PLANNING COUNCIL APPROVED THIS PLAT SUBJECT TO ITS COMPLIANCE WITH DEDICATION OF RIGHTS-OF-WAY FOR TRAFFICWAYS BY RESOLUTION ADOPTED THIS 31st DAY OF AUGUST, A.D. 1989.

BY: *John Caser* 10/19/89
CHAIRPERSON DATE

THIS PLAT COMPLIES WITH THE RESOLUTION OF THE BROWARD COUNTY PLANNING COUNCIL OF THE ABOVE DATE AND IS HEREBY APPROVED AND ACCEPTED FOR RECORD THIS 15th DAY OF JUNE, A.D. 1990.

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION-MINUTES SECTION

THIS IS TO CERTIFY THAT THIS PLAT COMPLIES WITH THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES, AND WAS ACCEPTED FOR RECORD BY THE BOARD OF BROWARD COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, THIS 27th DAY OF SEPTEMBER, A.D. 1987.

ATTEST: L.A. HESTER
COUNTY ADMINISTRATOR

BY: *Walter*
DEPUTY
CHAIRPERSON - COUNTY COMMISSION

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION-RECORDING SECTION

THIS INSTRUMENT WAS FILED FOR RECORD THIS 29th DAY OF JUNE, A.D. 1990, AND RECORDED IN PLAT BOOK 144, PAGE 26, RECORD VERIFIED.

ATTEST: L.A. HESTER
COUNTY ADMINISTRATOR

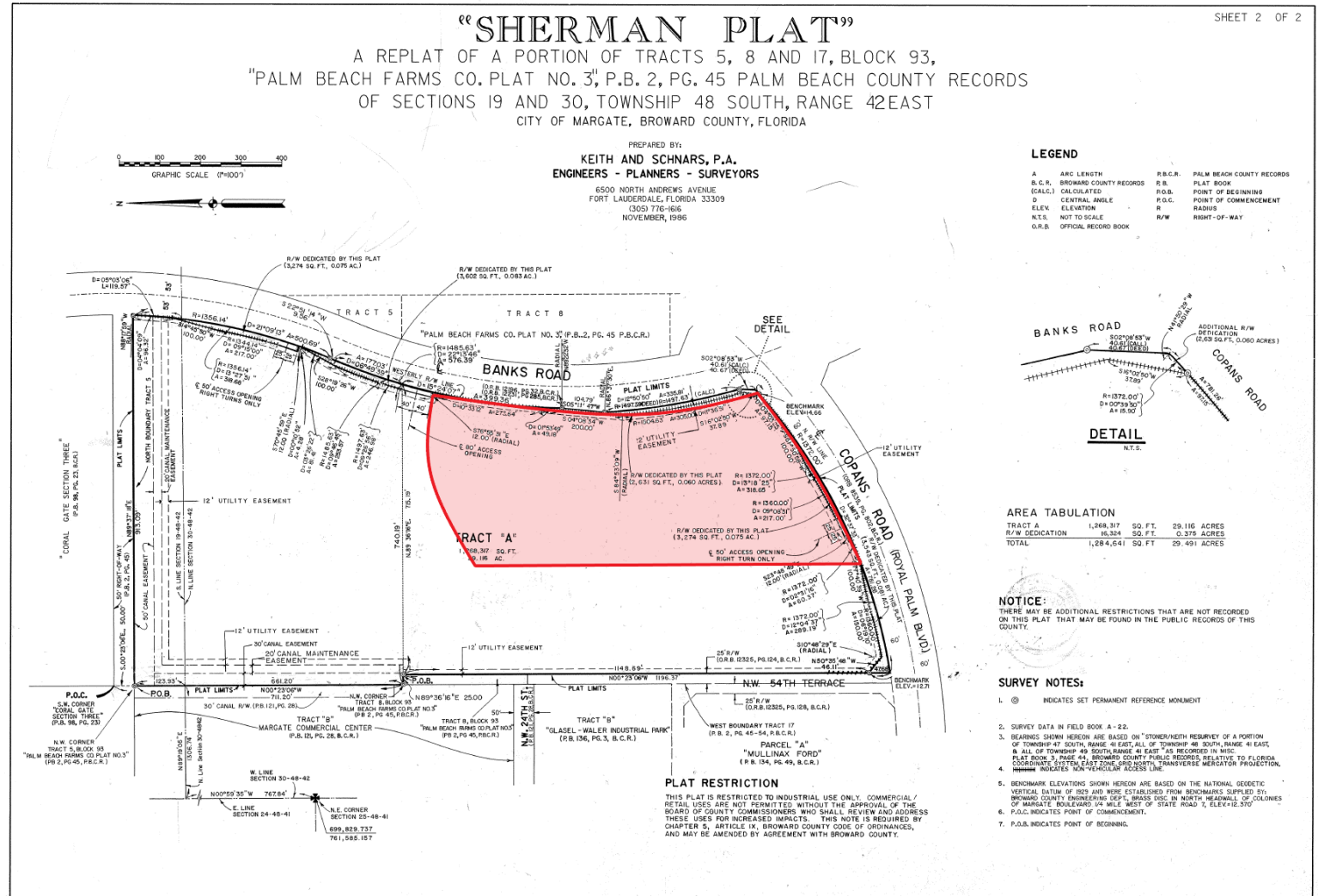
BY: *Hetty Milgrom*
DEPUTY

CITY ENGINEER	NOTARY DEDICATION	CITY OF MARGATE	SURVEYOR	COUNTY ENGINEER	COUNTY SURVEYOR	PRELIMINARY CHECK	CHECKED BY	DATE
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	ENG. DEPT.	LAZOWICK	8-8-86
						FIELD INQUIRY SURVEY	MANARICHELL	3-3-87
						CALCULATIONS	LAZOWICK	11-86
						PLANNING DEPT.	LEAVITT	3-3-87
						PRINTS SET	WHITE	9-14-89
						FINAL CHECK	LINSFORD	3-15-90
						STANDARD/REMANDED		900



SHERMAN PLAT

➤ Requested Subdivision





SHERMAN PLAT

- Original Plat Note

PLAT RESTRICTION

THIS PLAT IS RESTRICTED TO INDUSTRIAL USE ONLY. 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 NOTE IS REQUIRED BY CHAPTER 5, ARTICLE IX, BROWARD COUNTY CODE OF ORDINANCES, AND MAY BE AMENDED BY AGREEMENT WITH BROWARD COUNTY.



SHERMAN PLAT

- 1st Plat Note Amendment (1996)

2. COUNTY and DEVELOPER hereby agree that the notation shown on the face of the SHERMAN Plat for the purpose of clarifying and limiting the use of the SHERMAN Plat property which states:

This plat is restricted to 71,705 square feet of
automobile dealership use.

CAF#233
01/20/93

Approved BCC 12-17-96 #90

Submitted By Development Management

↗ RETURN TO DOCUMENT CONTROL + Mico!

(4)



SHERMAN PLAT

- 2nd Plat Note Amendment (1996)

VERBAL: DE MINIMIS ONLY
APPLIES TO FIRE STATION



Development Management Division
Governmental Center Annex
115 So. Andrews Avenue, Room A240
Fort Lauderdale, FL 33301
(954) 357-6666 • FAX (954) 357-6521

DATE: December 10, 1996

TO: The Honorable Chair and Members,
Broward County Board of County Commissioners

THRU: B. Jack Osterholt, County Administrator

THRU: Michael D. Wanchick, Director PMR
Department of Strategic Planning and Growth Management

FROM: Elliot Auerhahn, Director EA
Development Management Division

SUBJECT: COUNTY COMMISSION MEETING AGENDA - December 17, 1996 -
DELEGATION: Dennis Mele regarding request to amend the note on the
Sherman Plat (207-MP-86).

*Zoning M-1
City of Margate
FDC
TRANSIT
ORIENTED
Corridor*

This plat was approved by the County Commission on September 19, 1989 for industrial use on 29.49 acres. The property is located on the northwest corner of Copans Road and Banks Road in the City of Margate. The plat was recorded on June 29, 1990.

The County Commission, on May 7, 1996, approved a request to amend the note to allow 71,705 square feet of automobile dealership use.

Mr. Mele is now requesting to amend the note to read:

This plat is restricted to 71,705 square feet of automobile dealership use and a fire station.



SHERMAN PLAT

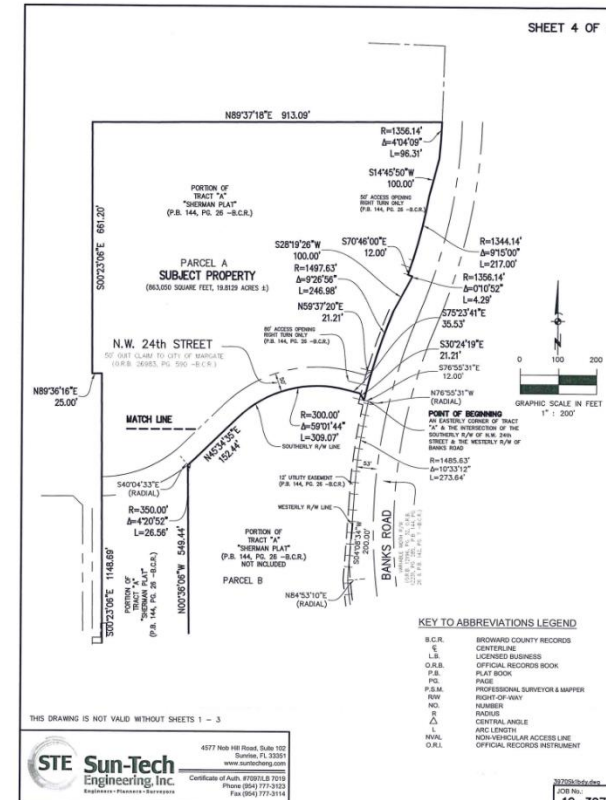
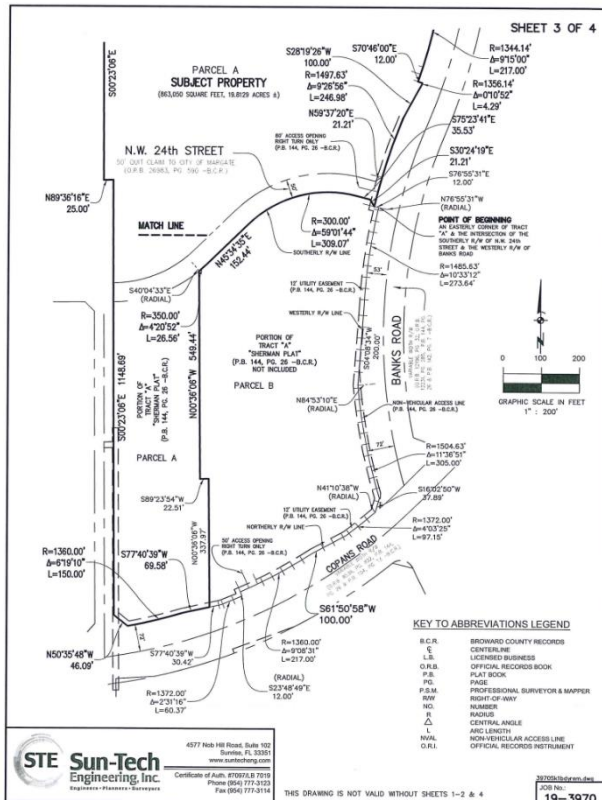
➤ Requested Plat Note Amendment

Describe proposal/request in detail, including non-residential square footage and/or number of dwelling units
Revise Plat Note FROM: This plat is restricted to 71,705 square feet of automobile dealership use and a fire station on Tract A
TO: This plat is restricted to 71,705 square feet of automobile dealership use and a fire station on Parcel A and 135,000 square feet of Industrial on Parcel B



SHERMAN PLAT

➤ Requested Plat Note Amendment – Parcel A

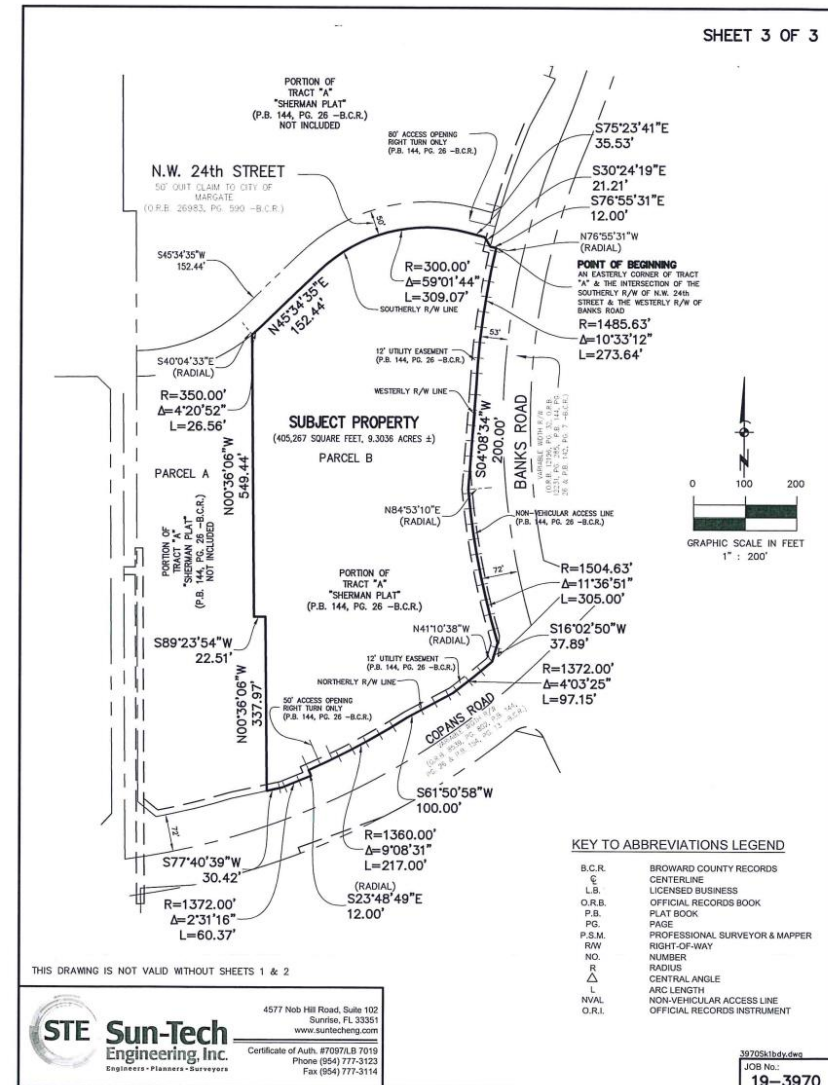


I. Subject Property



SHERMAN PLAT

➤ Requested Plat Note Amendment – Parcel B



I. Subject Property

CITY PROCESS

➤ Procedure

Application → DRC → P&Z Board → City Commission → County Review → Recordation

CITY PROCESS

- Section 31-35 Determinations required prior to approval of a development permit (Code of the City of Margate)
 - Development Services
 - Consistency with Comprehensive Plan
 - Conformity with the Margate Zoning Code

 - Environmental and Engineering Services
 - Availability of Potable Water
 - Availability of Wastewater Treatment
 - Traffic Impacts
 - Surface Water Management
 - Streets, Sidewalks, Public Places
 - Water Distribution

CITY PROCESS

- Section 31-35 Determinations required prior to approval of a development permit (Code of the City of Margate)
 - Fire Department
 - Hydrant locations
 - Adequate turning radii
 - NFPA Codes
 - State statutes pertaining to trafficways
 - FD able to protect life and property

 - Building Official
 - Site Plans: conformity with Building Code in force and effect
 - Site Plans: finish floor elevations at or above minimum

CITY PROCESS

- Section 31-35 Determinations required prior to approval of a development permit (Code of the City of Margate)
 - Public Works
 - Potential impacts to existing roadways and sidewalks
 - Potential impacts to storm water utilities, including canals

 - Police Department
 - Considers possible public safety issues

 - Margate CRA
 - Consistency with CRA Plan



DRC COMMENTS

➤ DRC Comments

- Building
 - No comment
- Fire
 - No comment
- Police
 - No comment
- Public Works
 - No comment

DRC COMMENTS

➤ DRC Comments

DEES

- Potable water service and wastewater treatment and disposal is available
- All DEES comments related to traffic analysis have been marked “DONE”
- Broward Surface Water Management issued Environmental Resource Permit No. 06-00442-S-15 on 12/4/2020
- Streets, sidewalks, and public places deemed to meet the minimum standards set forth in Chapters 31 and 35
- Water and wastewater distribution systems meet or exceed standards of Chapter 39, AWWA Standards, and Broward County Environmental Protection and Growth Management Division

DRC COMMENTS

➤ DRC Comments

DSD

- Application consistent with Policy 13.2

RECOMMENDATION

- Staff recommends approval

- On September 7, 2021 the Planning & Zoning Board recommended approval with conditions

RECOMMENDATION

CONDITIONS OF APPROVAL

- a. Applicant shall make efforts to limit trucks traveling northbound on Banks Road after 24th Avenue, including placing signage on their property providing for no left turns onto Banks Road from 24th, petition Broward County for signage on the center island prohibiting u-turns, working with the City for additional signage and implementation of traffic control measures to minimize large trucks driving on Banks Road subject to traffic circulation plan as part of the site plan review.
- b. The Applicant shall work with staff during the site plan review to include buffers (landscaping and/or masonry wall) with a natural aesthetic on the North end of the property near the rear access to minimize noise.