

STAFF REPORT DEVELOPMENT SERVICES DEPARTMENT

Project Name: FirstGate Commerce Center **Applicant:** FR5355 Northwest 24th Street, LLC **Project Location:** 5301 Copans Road **Application Type:** Subdivision Resurvey

I. RECOMMENDATION:

APPROVE

II. EXECUTIVE SUMMARY:

Applicant would like to create a 9.303 acre parcel from Tract A of the Sherman Plan (144-26) in order to accommodate a new industrial development. When subdividing platted property for the purpose of development, Section 3.11 of the Margate Zoning Code ("MZC") requires the applicant to file a subdivision resurvey application, and applies the same process and criteria of platting from Sections 31-18 and 31-19 of the Code of the City of Margate ("CCM"). The platting process described in Section 31-18 CCM includes approval by the City Commission.

Staff recommends approval of this application as it conforms to the Code of the City of Margate and the Comprehensive Plan.

The Planning and Zoning Board recommended approval of this application on September 7, 2021.

III. ANALYSIS:

This portion of the staff report consists of four subsections and provides a detailed analysis of the application and subject property. The four subsections of Part III. Analysis consist of Sub-Parts A. Description, B. Compliance, C. Consistency, and D. Compatibility. Description is a statement of facts describing both the application and the subject property. Compliance provides analysis for how well the application complies with the Code of the City of Margate. Consistency provides an analysis for whether the application is consistent with the Comprehensive Plan of the City of Margate. Compatibility provides an analysis for how well the proposed use will exist in harmony within the particular area of the City identified in the application.

A. Description.

The subject property is located at 5301 Copans Road. The subject property is within the M-1 Light Industrial zoning designation, and has a land use designation of Activity Center ("AC"). However, at the time this application was filed with the City, the most recent comprehensive plan amendment (Margate 2.0) had not been recertified by the Broward County Planning Council. At the time the application was filed, the land use designation for the subject property was identified as Transit Oriented Corridor ("TOC"). The subject property is located within the Margate Community Redevelopment Agency ("CRA") boundary. The Margate Zoning Map, Land Use Map, and Margate CRA Boundary map have been attached to this Staff Report as **Exhibits** 1, 2, and 3.

The subject property acquired its current zoning designation via Ordinance RZ-4-95 on December 20, 1995, which rezoned the subject property from M-1A Industrial Park to M-1 Light Industrial. Prior to the most recent rezoning, Ordinance 1500.263 rezoned the subject property from M-1 Light Industrial to M-1A Industrial Park on September 19, 1984. These two ordinances reveal that the subject property has had an industrial zoning designation for the past 37 consecutive years. Ordinance RZ-4-95 and 1500.263 have been attached as **Exhibit** 4.

The subject property is part of Tract A of the Sherman Plat, as recorded in Plat Book 144, Page 26 of the public records of Broward County Florida on June 29, 1990. It is bounded to the south by Copans Road, bounded to the east by Banks Road, bounded to the north by NW 24th Street, and bounded to the west by a car dealership with an M-1 Light Industrial zoning designation. To the south, across Copans Road, is a car dealership with an M-1 Light Industrial zoning designation. To the east, across Banks Road is an office complex with an M-1A Industrial Park zoning designation. To the north, across NW 24th Street are an auto storage facility, an auto body collision center, and Margate Fire Station #3, all with a zoning designation of M-1 Light Industrial. The Broward County Trafficways Plan identifies Copans Road and Banks Road as arterial roadways and identifies NW 24th Street as a local road.

The subject property is largely unimproved land, with the exception of a small paved parking area located in the southwest corner of the subject property that used to be part of the adjacent car dealership.

The proposed subdivision resurvey creates a new parcel that is 9.303 acres in area. The subdivision carries over the same easements and non-vehicular access lines that are depicted on the Sherman Plat. Applicant's subdivision resurvey has been attached to this Staff Report as **Exhibit** 5, and the Sherman Plat has been attached as **Exhibit** 6.

B. Compliance.

If a given property in Margate has already been platted after May 30, 1955, and said property is then further subdivided for the purpose of development, Section 3.11 of the Margate Zoning Code requires an applicant to file a subdivision resurvey. This section references the same requirements and review procedure as a plat application found in Section 31-18 and 31-19 of the Code of the City of Margate, and further states that those requirements shall be met prior to the issuance of a development permit.

Procedurally, a subdivision resurvey application is reviewed by staff via the Development Review Committee ("DRC"). Staff has reviewed this application under the direction of Chapter 31 of the Code of the City of Margate, and has found the application is in compliance with those requirements.

After the staff review at DRC, the application is forwarded to the Planning and Zoning Board ("PZB"). Section 31-18 of the Code of the City of Margate charges the PZB with checking lot sizes to assure conformity with minimum standards set forth by the zoning requirements, and to coordinate the recommendations of the city engineer, utility department, and any drainage district in which the property may lie. Section 24.6 of the Margate Zoning Code provides that the M-1 Light Industrial zoning district does not have a minimum required size of plot. The city engineer and utility department are represented by the Department of Environmental and Engineering Services, which reviewed the application through the DRC process. Included with the application is a letter dated December 4, 2020, written by Johana Narvaez, MS of Broward County Environmental Protection and Growth Management Department,

Environmental Engineering and Permitting Division, Water and Environmental Licensing Section. This letter confirmed that Broward County Environmental Protection and Growth Management received an application for the subject property on May 6, 2020, and issued Environmental Resource Permit No. 06-00442-S-15 on December 4, 2020. This letter and license indicate that the drainage district approves of the proposed subdivision resurvey and proposed development, and has been included with this Staff Report as **Exhibit** 7. The PZB approved the subdivision resurvey on September 7, 2021.

Following the review by the Planning and Zoning Board, the subdivision resurvey is forwarded to the City Commission for review and approval. If the application is approved by the City Commission, Applicant shall file a final plat tracing in the form of linen or dimensionally stable plastic film with an overall dimension of 24" x 36" with 30 days of approval by the City Commission. If there were public improvements required to be made for concurrency, this would be the time for Applicant to submit the subdivider's performance bond and inspection fees. Upon approval by the commission and affixing the corporate seal of the City of Margate and the signature of the mayor and city clerk, said plat shall be forwarded to the city engineer for his signature. Once signed, the subdivision resurvey is forwarded to Broward County for recordation.

C. Consistency.

This application was filed prior to recertification of the City's most recent comprehensive plan amendment, identified as Margate 2.0 (April 22, 2021). As such, staff reviewed the application under the certified comprehensive plan in effect at the time the application was filed.

Staff finds the application is consistent with the following policies of Element I Future Land Use, of the Margate Comprehensive Plan:

Policy 1.2, Policy 1.8, and Policy 5.2. Copies of these policies have been attached to this Staff Report as **Exhibit** 8.

Policy 1.2 describes the permitted uses of each land use designation. At the time this application was filed, the land use designation of the subject property was Transit Oriented Corridor (TOC). This land use designation permits all uses described in the other land use designation. As such, the TOC land use permits industrial uses, under Policy 1.2 of Element I Future Land Use. The proposed development was depicted as a 131,680 square foot warehouse featuring on the west elevation a sunken loading area with 37 loading zones designed to accommodate tractor trailers, and two additional roll up doors with loading ramps, in a site plan application that was filed concurrently with this application for a subdivision resurvey. As an industrial use, this application is consistent with Policy 1.2.

Policy 1.8 requires facilities and services to be available concurrent with the impacts of development. Concurrency review was performed through the DRC, and staff did not find deficiencies.

Policy 4.8 provides that industrial land uses should be buffered from residential areas by canals and lakes, setbacks, landscaping, and architectural design. The nearest residential area lies north of the subject property. The residential developments are identified as Coral Gate Condominiums and Coral Gate Subdivision. The subject property is located approximately 785 feet from the nearest part of Coral Gate Condominium common area, and approximately 867 feet from the nearest property line of the nearest single family home of the Coral Gate Subdivision. There are currently a canal and lake separating the

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residential zoning districts from industrially zoned properties to the south, which is consistent with Policy 4.8. Further, the site plan application filed concurrently with the subdivision resurvey demonstrates that Applicant's proposed development will comply with minimum required setbacks and landscaping. The architectural design of the building lends itself to screening the loading area from views to the north, where residential development exists. The north and south facades of the building extend west beyond the doors of the loading bay located on the west facade, thereby visually screening the loading activity. Applicant's site plan has been attached to this Staff Report has been attached as **Exhibit** 9. An aerial photo showing proximity of the subject property to residential areas has been included with this Staff Report as **Exhibit** 10.

Policy 5.2 requires 10 findings to made prior to the issuance of a development permit, listed as a - j in the policy. Through the DRC review, staff found no issues and found the application in compliance with Policy 5.2.

D. Compatibility.

The subject property, and surrounding properties, have maintained an industrial zoning designation for at least the past 37 years. All abutting and adjacent properties have an industrial zoning designation. The subject property is located within an established industrial area of the City. Applicant's proposal is consistent with the compatibility requirements of industrial land uses described in Policy 4.8 of Element I Future Land Use, Margate Comprehensive Plan, explained above. Staff finds the proposed subdivision and development is compatible.

IV. RATIONALE:

A. Reasons for approval:

Staff has found the application conforms to the Code of the City of Margate and the Margate Comprehensive Plan. The Planning and Zoning Board recommended approval of this application.

B. Reasons for denial:

During the Planning and Zoning Board meeting held on September 7, 2021, several member of the public spoke out against this application. Comments were generally focused on concerns over the impacts of an industrial development on the subject property (such as truck traffic), the proximity of the subject property to residential property, and the proximity of the subject property to Liberty Elementary School.

C. Mitigating factors:

The application before the City Commission is a subdivision resurvey, in the simplest terms, it's the creation of a new parcel. Applicant is not requesting a change to the permitted uses of the property.

The subject property is located within an area that has been industrial for at least the past 37 years. The proposal in consistent with the M-1 Light Industrial zoning district.

As noted above, members of the public were concerned with the proximity of the proposed development to Liberty Elementary School. It is important to note, Liberty Elementary School has a land use FirstGate Commerce Center – Subdivision Resurvey October 6, 2021 Page 5 of 5

designation of Industrial. Policy 1.2 permits community facilities within the Industrial land use category provided that those community facility uses do not preclude or adversely affect the future use of surrounding areas for industry. If there is a compatibility issue between the elementary school and proposed industrial development, it would appear that the Comprehensive Plan would favor industrial development in that instance because it is located on industrial land.

Further, during discussion of Applicant's plat note amendment application at the September 7, 2021 PZB meeting, a member of the public recommended restricting truck traffic on Banks Road north of the subject property, which the PZB adopted as a condition. The recommendation was proffered by members of the public, accepted by Applicant, and recommended by the PZB. This recommended condition appeared to address the concerns brought by members of the public during the meeting.

9/30/2021

Andrew Pinney, AICP Senior Planner Development Services Department

STAFF REPORT EXHIBITS

Exhibit 1: City of Margate Zoning Map

Exhibit 2: Margate Future Land Use Map (prior to adoption of Margate 2.0)

Exhibit 3: Margate Community Redevelopment Agency Map

Exhibit 4: Ordinances RZ-4-95 and 1500.263

Exhibit 5: Applicant's Proposed Subdivision Resurvey

Exhibit 6: Sherman Plat

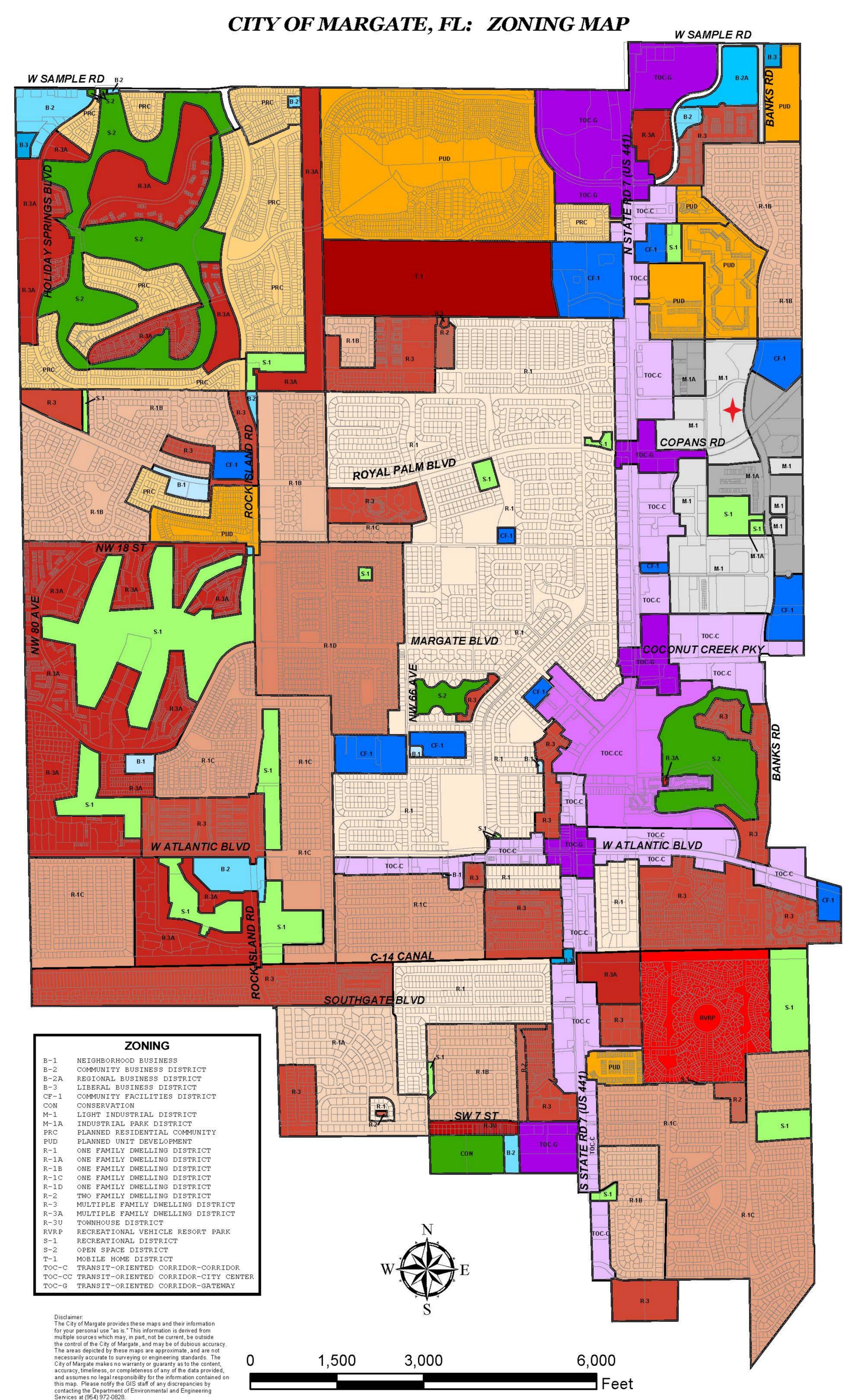
Exhibit 7: Drainage District Approval Letter

Exhibit 8: Comprehensive Plan Policies Referenced By Staff

Exhibit 9: Applicant's Site Plan

Exhibit 10: Aerial Photo

City of Margate Zoning Map

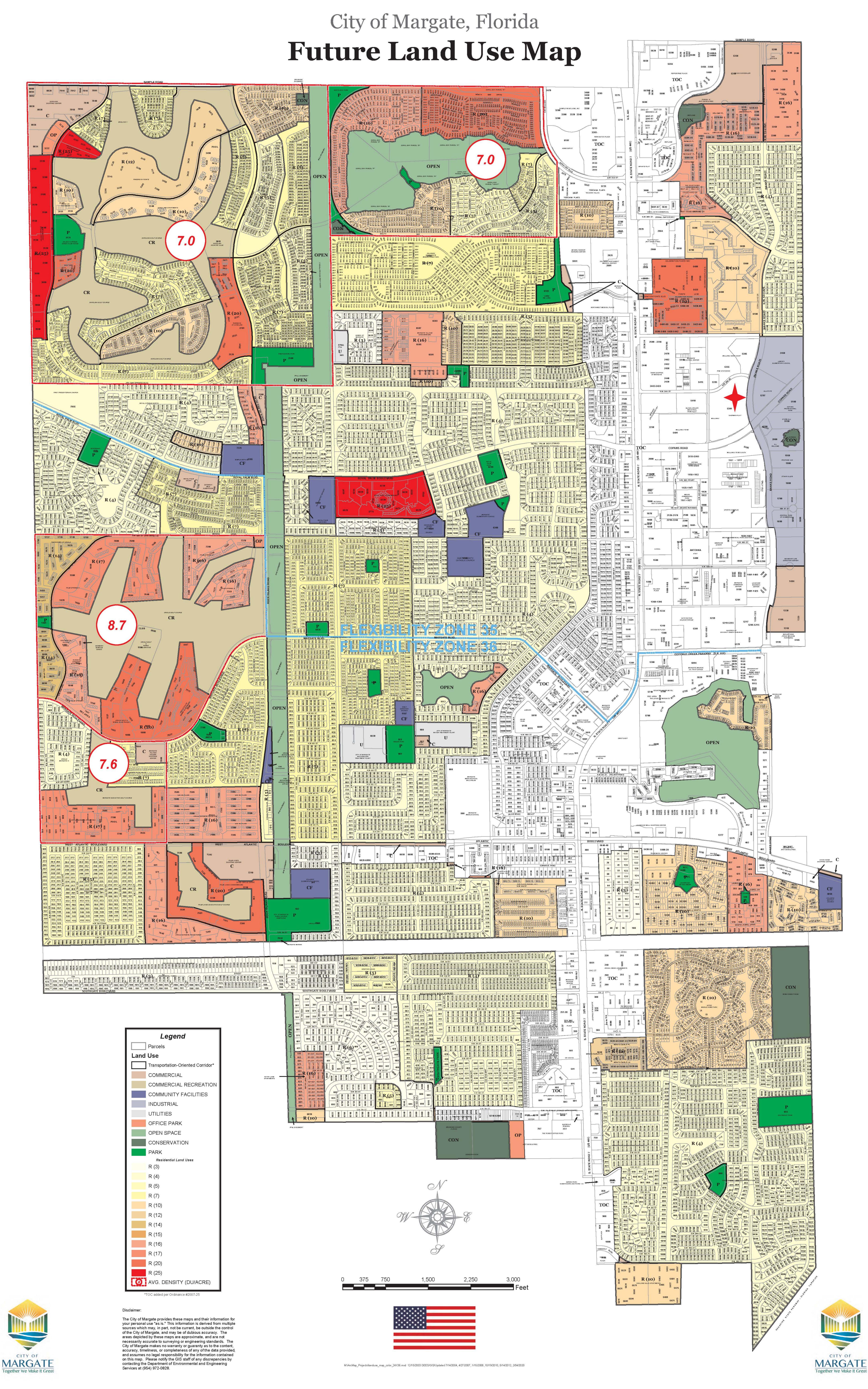




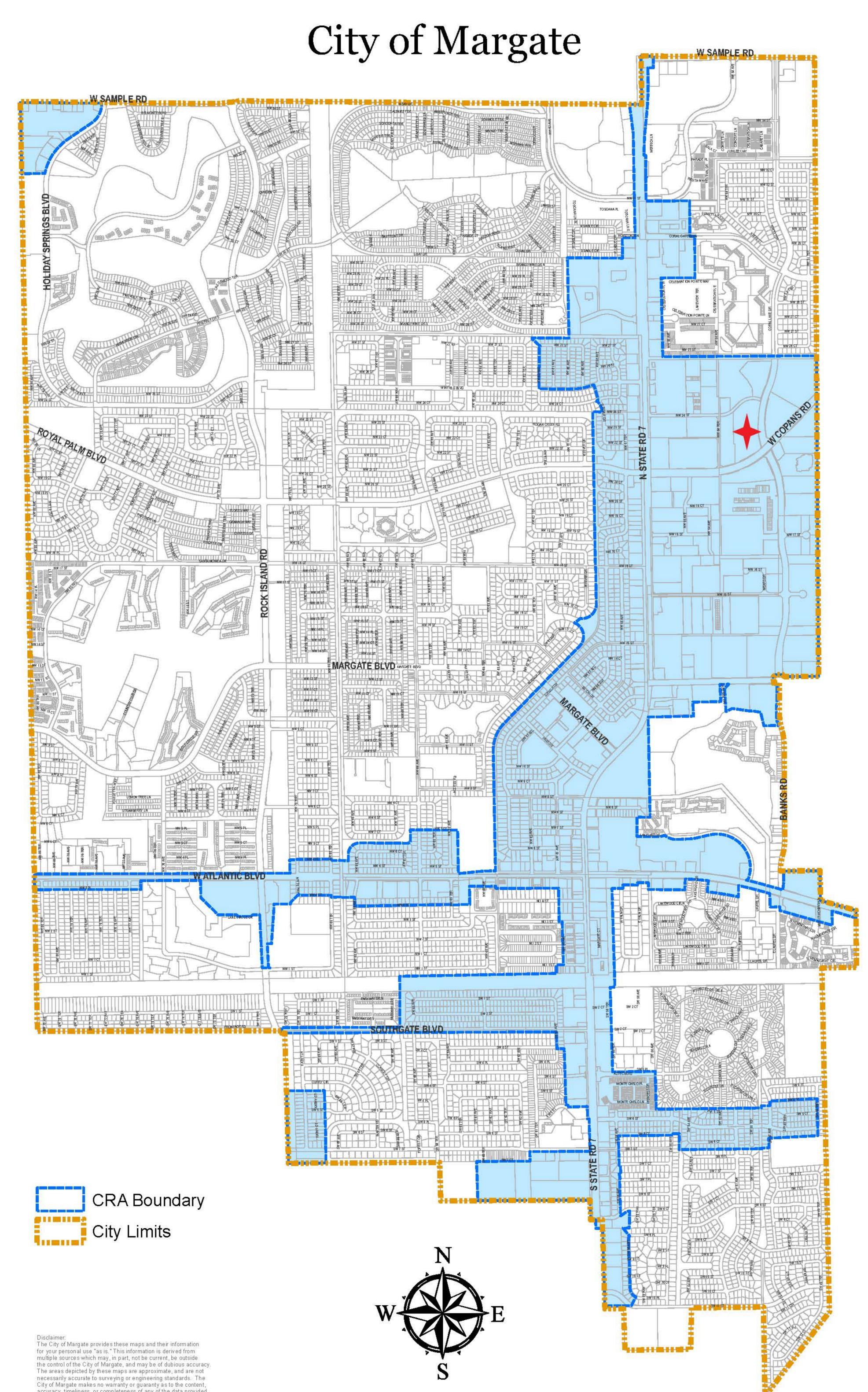
contacting the Department of Environmental and Engineering Services at (954) 972-0828.

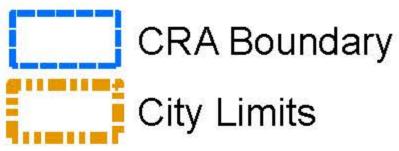
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Margate Future Land Use Map (prior to adoption of Margate 2.0)



Margate Community Redevelopment Agency Map





The control of the City of Margate, and may be of dubious accuracy. The areas depicted by these maps are approximate, and are not necessarily accurate to surveying or engineering standards. The City of Margate makes no warranty or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Please notify the GIS staff of any discrepancies by contacting the Department of Environmental and Engineering Services at (954) 972-0828.

8/19/2021 M:\ArcMap Projects\CRA\CRA_boundaries.mxd

Ordinances RZ-4-95 and 1500.263

1	CITY OF MARGATE, FLORIDA
2	ORDINANCE NO. RZ-4-95
3	AN ORDINANCE AMENDING SECTION 4.2 OF APPENDIX
4	A OF THE MARGATE CITY CODE; AMENDING THE OFFICIAL ZONING MAP PROVIDED THEREIN;
5	PROVIDING FOR THE FOLLOWING REAL PROPERTY TO
6	BE REZONED FROM M-1A (INDUSTRIAL PARK) TO M-1 (LIGHT INDUSTRIAL), APPROXIMATELY 14.98
7	ACRES, LOCATED AT THE NORTHWEST CORNER OF COPANS ROAD AND BANKS ROAD, A PORTION OF
8	TRACT "A", SHERMAN PLAT (144-26); PROVIDING
9	FOR REPEAL; PROVIDING FOR AN EFFECTIVE DATE.
10	WUEDEAG a public bearing has been hold by the
11	WHEREAS, a public hearing has been held by the Planning and Zoning Board pursuant to the Code of the City
12	of Margate;
13	NOW, THEREFORE, BE IT ORDAINED BY THE CITY
14	COMMISSION OF THE CITY OF MARGATE, FLORIDA:
15	<u>SECTION 1:</u> Section 4.2 of Appendix A of the City Code of the City of Margate and the official map provided
16	therein is hereby amended to conform to the following:
17	The zoning Classification of the real property
18	described on the addendum attached hereto and designated Schedule "A" all in the City of Margate, Broward County,
19	Florida, is hereby changed in accordance with the schedule shown on the addendum.
20	
21	<u>SECTION 2:</u> All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to
22	the extent of such conflict.
23	SECTION 3: This ordinance shall become effective
24	immediately upon adoption at its second reading.
25	PASSED ON FIRST READING THIS 6TH day of DECEMBER , 1995.
26	PASSED ON SECOND READING THIS 20TH day of DECEMBER , 1995.
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	1		ORDINANCE NO	D: RZ-4-95	-
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	8	RECORD OF VOT	E - 1ST READING	RECORD OF VO	TE - 2ND READING
	9	Donovan	AYE	Donovan	AYE
	0	Varsallone	AYE	Varsallone	<u>AYE</u>
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PZ-3-95

A PORTION OF TRACT "A", "SHERMAN PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 144, PAGE 26 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT "A";

THENCE ON A PLAT BEARING OF S 00°23'06'E. ALONG THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 661 20 FEET;

THENCE N.89°36'16'E., A DISTANCE OF 25.00 FEET;

THENCE S 00°23'06'E. ALONG THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 296.94 FEET TO POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF S.00°23'53''E. SAID POINT ALSO BEING THE POINT OF BEGINNING.

THENCE EASTERLY AND NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 45°05'36" AND A RADIUS OF 325.00 FEET FOR AN ARC DISTANCE OF 255.78 FEET TO A POINT OF TANGENCY;

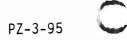
THENCE N.45°34'36'E. ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE, A DISTANCE OF 146.31 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

THENCE NORTHEASTERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 59°01'44" AND A RADIUS OF 325 00 FEET FOR AN ARC DISTANCE OF 334 83 FEET TO A POINT OF TANGENCY,

THENCE S.75°23'41"E. ALONG A LINE TANGENT TO THE LAST DESCRIBED CURVE A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST LINE OF SAID TRACT "A", SAID POINT ALSO BEING A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF N.75°23'41"W.;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 1°31'50" AND A RADIUS OF 1497.63 FEET FOR AN ARC DISTANCE 40.00 FEET TO A POINT ON A NON-TANGENT LINE.

THENCE S.76°55'30'E. ALONG A LINE RADIAL TO THE LAST DESCRIBED CURVE A DISTANCE OF 12.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE EAST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING BEARING OF N.76°55'30'W.



THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 10°33'12" AND RADIUS OF 1485 63 FEET FOR AN ARC DISTANCE OF 273 64 FEET TO A POINT ON A NON-TANGENT LINE,

THENCE S.04°08'34"W., A DISTANCE OF 200.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, A RADIAL LINE THROUGH SAID POINT HAVING A BEARING OF S.84°53'10"W.;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 11°36'51" AND A RADIUS OF 1504.63 FEET FOR AN ARC DISTANCE OF 305 00 FEET,

THENCE S 16°02'50"W, A DISTANCE OF 37 89 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF S 41°10'38"E, SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID TRACT "A";

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 4°03'25" AND A RADIUS OF 1372.00 FEET FOR AN ARC DISTANCE OF 97.15 FEET TO A POINT OF A NON-TANGENT LINE;

THENCE S.61°50'58"W., A DISTANCE OF 100.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF S.32°57'19'E.;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 9°08'31" AND A RADIUS OF 1360.00 FEET FOR AN ARC DISTANCE OF 217.00 FEET TO A POINT ON A NON-TANGENT LINE;

THENCE S.23°48'49'E. ALONG A RADIAL EXTENSION OF THE LAST DESCRIBED CURVE, A DISTANCE OF 12.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE THROUGH SAID POINT HAVING A BEARING OF S.23°48'49'E.;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 2°31'16" AND A RADIUS OF 1372.00 FEET FOR AN ARC DISTANCE OF 60.37 FEET TO A POINT ON A NON-TANGENT LINE.

THENCE S.77°40'39"W. A DISTANCE OF 100.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT HAVING A BEARING OF S.17°07'38"E.

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT. HAVING A CENTRAL ANGLE OF 10°47'54" AND A RADIUS OF 1360.00 FEET FOR AN ARC DISTANCE OF 256.31 FEET TO A POINT ON A NON-TANGENT LINE, PZ-3-95

SCHEDULE "A" (con't)

THENCE N.41°57'18"E., A DISTANCE OF 29.38 FEET TO A POINT ON THE EAST LINE OF PARCEL "A", "MULLINAX FORD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 134, PAGE 49 OF SAID PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

THENCE N.00°23'06''W. ALONG THE EAST LINE OF SAID PARCEL "A" A DISTANCE OF 455.70 FEET;

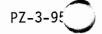
THENCE N.45°24'21"W. A DISTANCE OF 35.37 FEET,

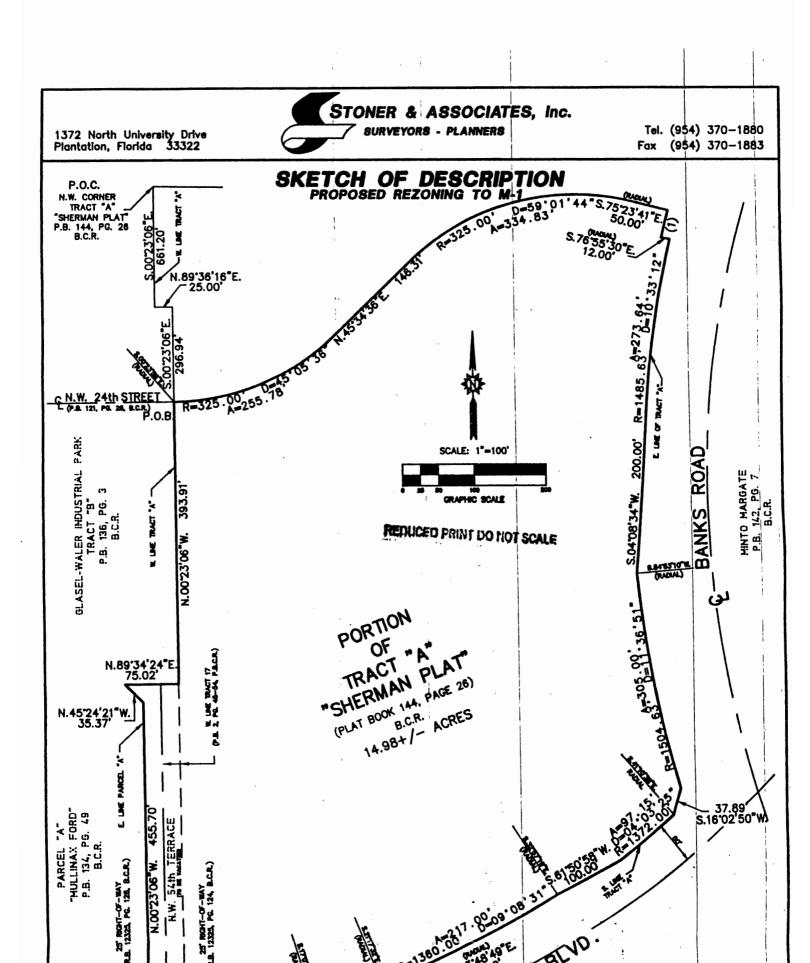
THENCE N.89°34'24"E. A DISTANCE OF 75.02 FEET TO A POINT ON THE WEST LINE OF SAID TRACT "A".

THENCE N.00°23'06"W ALONG THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 393.91 FEET TO THE POINT OF BEGINNING;

SAID LANDS SITUATE WITHIN THE CITY OF MARGATE, BROWARD COUNTY, FLORIDA AND CONTAINING 14.98 ACRES (652,519 SQUARE FEET), MORE OR LESS.

И ^р	SCHEDULE "A"	(PZ-3-95)
	STONER & ASSOCIATES, In	
1372 North University Drive	STUNER & ASSOCIATES, IN	c. Tel. (954) 370-1880
Plantation, Fidrida 33322		Fax (954) 370–1883
SK	ETCH OF DESCRIPTION	
NOTES: 1. THIS SECTION DOES NOT REPRESENT A FIELD SURVEY.	PROPOSED REZONING TO M-1	1
2. THE BEADINGS SHOWN HEREON ARE BASED ON 8.00"23"OS"E. TRACT "A", "SHEMAN PLAT, ACCOMMING THE PLAT THEREOF A	ALONG THE WEST LINE OF	
144, PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, 3. EASEMENTS, NON-ACCESS LINES AND ACCESS OPENINGS OF	FLORIDA.	- Alter
HEREON REFER TO THE "SHEMAN PLAT, RECORDED IN PLAT B PUBLIC RECORDS OF BROWARD COUNTY FOR EASEMENTS OF REC	OOK 144, PAGE 25 AND THE	
LEGEND:		A KA
DDEGREE		And Marca
RRADIUS		
B.C.RBROWARD COUNTY RECORDS	×	
P.BPLAT BOOK	LOCATION SKETCH	
DESCRIPTION:	(NOT TO SCALE)	11 1 - 11 - 11
A PORTION OF TRACT "A", "SHERMAN PLAT", ACCORDING TO COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS	THE PLAT THEREOF AS RECORDED IN PLAT BOOK 144, PAU	2E 26 OF THE PUBLIC RECORDS OF BROWARD
COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT "A	•	
	WEST LINE OF SAID TRACT "A", A DISTANCE OF 661.20 FEET	G
THENCE N.89'36'16"E, A DISTANCE OF 25.00 FEET; THENCE S.00'23'06"E. ALONG THE WEST LINE OF SAID TRAC	T "A", A DISTANCE OF 298.94 FEET TO POINT ON THE ARC	OF A NON-TANGENT CURVE CONCAVE TO THE
	POINT HAVING & BEARING OF \$.00'23'53"E. SAID POINT ALS	
AN ARC DISTANCE OF 255.78 FEET TO A POINT OF TANGEN		
CONCAVE TO THE SOUTHEAST;	T DESCRIBED CURVE, A DISTANCE OF 146.31 FEET TO A POI	
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	F DESCRIBED CURVE A DISTANCE OF 50.00 FEET TO A POIN INT CURVE CONCAVE TO THE EAST, A RADIAL LINE OF SAID	
THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, OF 40.00 FEET TO A POINT ON A NON-TANGENT LINE;	TO THE LEFT, HAVING A CENTRAL ANGLE OF 1'31'50" AND	A RADIUS OF 1497.63 FEET FOR AN ARC DISTANCE
THENCE S.7635'30'E ALONG A LINE RADIAL TO THE LAST CONCAVE TO THE EAST, A RADIAL LINE OF SAID CURVE TH	DESCRIBED CURVE A DISTANCE OF 12.00 FEET TO A POINT ROUGH SAID POINT HAVING BEARING OF N.70'35'30"W;	ON THE ARC OF A NON-TANGENT CURVE
THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, TO T 273.64 FEET TO A POINT ON A NON-TANGENT LINE;	HE LEFT, HAVING A CENTRAL ANGLE OF 10"33"12" AND A R	ADIUS OF 1485.63 FEET FOR AN ARC DISTANCE OF
THENCE S.04'08'34 W., A DISTANCE OF 200.00 FEET TO A POINT HAVING A BEARING OF \$.84'53'10'W.;	POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE T	o the Northeast, a radial line through said
THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC AN ARC DISTANCE OF 305.00 FEET;	OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE (F 11'36'51" AND A RADIUS OF 1504.63 FEET FOR
	NIT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID TRAC	
THENCE SOUTHWESTERLY ALONG THE ARC OF SAU CURVE, DISTANCE OF 97.15 FEET TO A POINT OF A NON-TANGENT	TO THE RIGHT, HAVING A CENTRAL ANGLE OF 4'03'25" AND LINE;	A RADIUS OF 1372.00 FEET FOR AN ARC
THENCE S.61'50'56'W., A DISTANCE OF 100.00 FEET TO A I THROUGH SAID POINT HAVING A BEARING OF \$.32'57'19"E;	POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE T	D THE NORTHWEST, A RADIAL LINE OF SAID CURVE
THENCE SOUTHWESTERLY ALONG THE ARC OF SAD CURVE, DISTANCE OF 217.00 FEET TO A POINT ON A NON-TANGEN	TO THE RIGHT, HAVING A CENTRAL ANGLE OF 9'08'31" AND T LINE;	A RADIUS OF 1360.00 FEET FOR AN ARC
THENCE 5.23'48'49'E. ALONG A RADIAL EXTENSION OF THE CONCAVE TO THE NORTHWEST, A RADIAL LINE THROUGH SA	LAST DESCRIBED CURVE, A DISTANCE OF 12.00 FEET TO A ND POINT HAVING A BEARING OF 5.23'48'49"E;	POINT ON THE ARC OF A NON-TANGENT CURVE
THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, DISTANCE OF 60.37 FEET TO A POINT ON A NON-TANGENT	TO THE RIGHT, HAVING A CENTRAL ANGLE OF 2'31'16" AND LINE;	A RADIUS OF 1372.00 FEET FOR AN ARC
THENCE \$.77'40'39"W. A DISTANCE OF 100.00 FEET TO A F THROUGH SAID POINT HAVING A BEARING OF \$.17'07'38"E.	CONT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO) THE NORTHWEST, A RADIAL LINE OF SAID CURVE
THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, DISTANCE OF 256.31 FEET TO A POINT ON A NON-TANGEN	TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10'47'54" AN IT LINE;	D A RADIUS OF 1360.00 FEET FOR AN ARC
THENCE N.41'37'18"E, A DISTANCE OF 29.38 FEET TO A PUBLIC RECORDS OF	DINT ON THE EAST LINE OF PARCEL "A", "MULLINAX FORD", "BROWARD COUNTY, FLORIDA;	ACCORDING TO THE PLAT THEREOF AS RECORDED
THENCE N.00'23'06 W. ALONG THE EAST LINE OF SAID PAR	CEL "A", A DISTANCE OF 485.70 FEET;	
THENCE N.45'24'21"W. A DISTANCE OF 35.37 FEET; THENCE N.89'34'24"E. A DISTANCE OF 75.02 FEET TO A PA	I DINT ON THE WEST LINE OF SAID TRACT "A".	
I THE THE THE TATES OF OUT THE TELT TO A P	ANTE ANY THE THEORY EARLY OF GRADE THEORY IN A	





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1	CITY OF MARGATE, FLORIDA
2	ORDINANCE NO. 1500.263
3	
4	AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING SECTION 4.2 OF APPENDIX A OF THE CITY
5	CODE OF THE CITY OF MARGATE BY AMENDING THE OFFICIAL ZONING MAP PROVIDED THEREIN; PROVIDING
6	FOR THE REZONING OF CERTAIN REAL PROPERTY WITHIN
7	THE CITY OF MARGATE; PROVIDING FOR PROPERTY IN ZONING CLASSIFICATION M-1 TO BE REZONED TO
8	ZONING CLASSIFICATION M-1A (ALL OF TRACTS 4, 5, 8, 9, 16, 17, 20, 21, TRACTS 6 AND 7 LESS
9	THE WEST 660 FEET THEREOF, TRACT 18 LESS THE WEST 320 FEET THEREOF, ALL IN BLOCK 93, PALM
10	BEACH FARMS COMPANY PLAT NO. 3, TOGETHER WITH LOTS 1 THROUGH 6 OF BLOCK 2 AND LOTS 1 THROUGH 8
11	OF BLOCK 3, CENTRAL PARK OF COMMERCE); PROVIDING FOR REPEAL; PROVIDING FOR AN EFFECTIVE DATE.
12	
13	WHEREAS, a public hearing has been held by the
13	Planning and Zoning Board pursuant to the Charter and this
14	Ordinance;
	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
16	OF THE CITY OF MARGATE, FLORIDA:
17	SECTION 1: That Section 4.2 of Appendix A of the
18	City Code of the City of Margate and the official map provided
19	therein is hereby amended to conform to the following:
20	A. That the zoning Classification of the real property described on the addendum attached
21	hereto and designated Schedule "A" all in the City of Margate, Broward County, Florida, is
22	hereby changed in accordance with the schedule shown on the addendum.
23	SECTION 2: That all ordinances or parts of
24	ordinances in conflict herewith be and the same are hereby
25	repealed to the extent of such conflict.
26	SECTION 3: That this ordinance shall become
27	
28	effective immediately upon its second reading. PASSED ON FIRST READING THIS 5th day of Sentember , 1984.
29	
30	PASSED ON SECOND READING THIS 19th day of September , 1984.
31	Sauge uning
32	ATTEST:
33	
34	X. Alla
35	Shirley J. Daughman
36	
LE 003	

SEMINOLE FORM 3003 ٤.

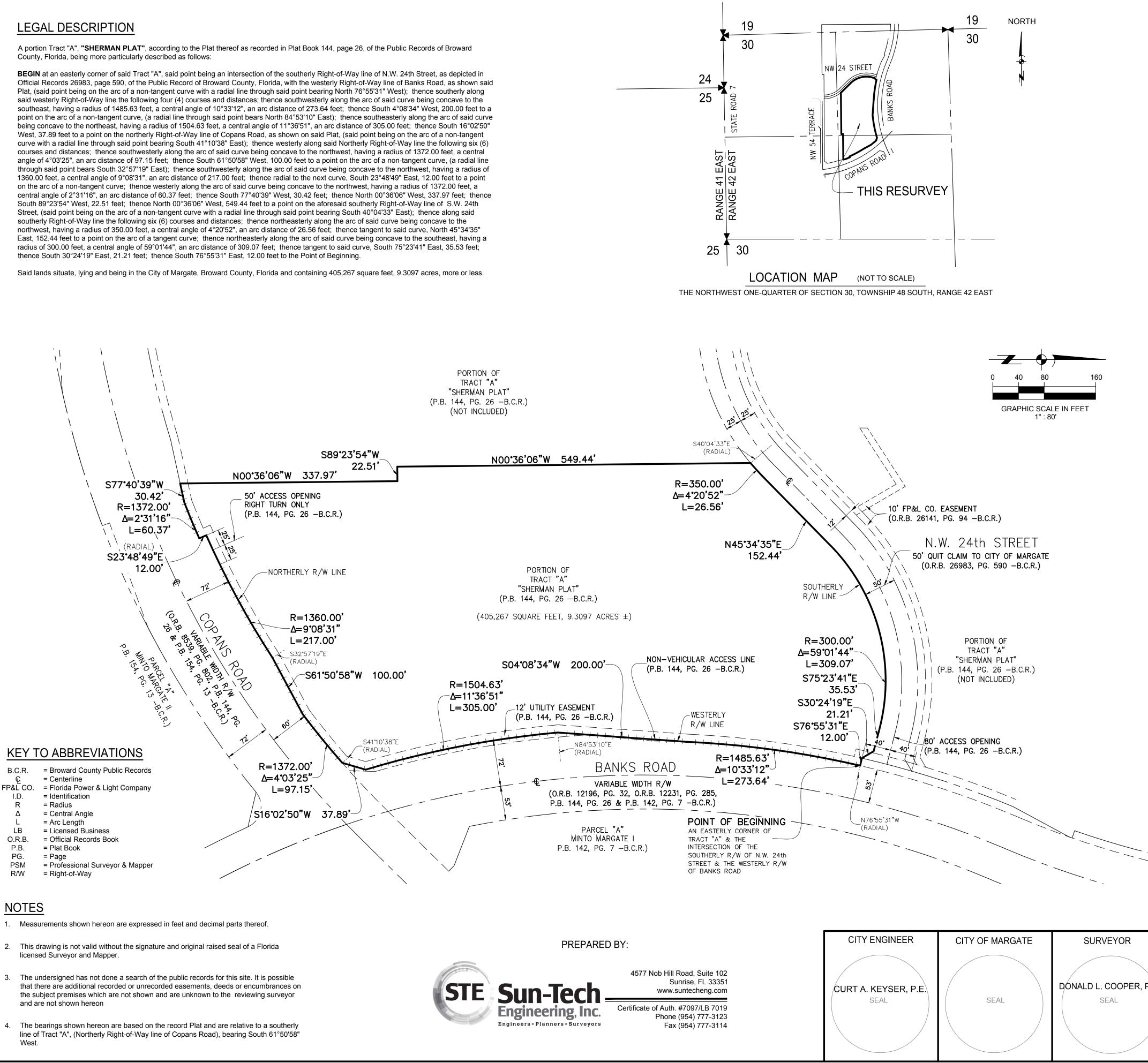
PZ-7-84

FROM M-1 TO M-1A

All of Tracts 4, 5, 8, 9, 16, 17, 20, 21, Tracts 6 and 7 less the West 660 feet thereof, Tract 18 less the West 320 feet thereof, all in Block 93, PALM BEACH FARMS COMPANY PLAT NO. 3 as recorded in Plat Book 2, pages 45-54 of the Public Records of Palm Beach County, Florida. Together with Lots 1 through 6 of Block 2 and Lots 1 through 8 of Block 3, CENTRAL PARK OF COMMERCE, as recorded in Plat Book 119, Page 27, of the Public Records of Broward County, Florida. Said lands situate, lying and being in Margate, Broward County, Florida.

915/84	9/19/84
RECORD OF VOTE - 1ST READING	RECORD OF VOTE - 2ND READING
Donohue <u>aye</u>	Donohue <u>Qye</u>
Goldner aye	Goldner and
Starr aye	Starr aye
Anton age	Anton <u>aye</u>
Weisinger _ Aye	Weisinger

Applicant's Proposed Subdivision Resurvey



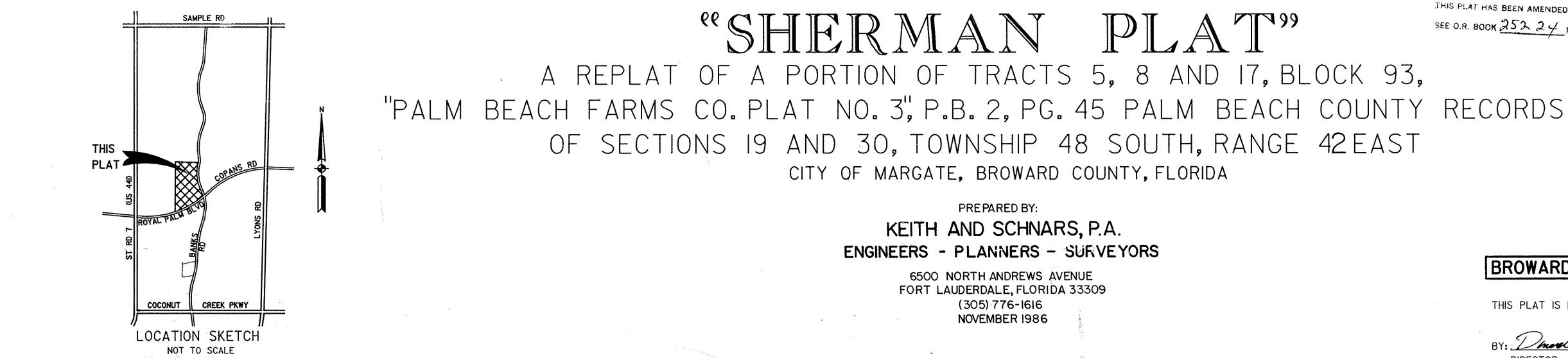
FR 5355 NORTHWEST 24 STREET A SUBDIVISION RESURVEY OF A PORTION OF TRACT "A", "SHERMAN PLAT", RECORDED IN PLAT BOOK 144, PAGE 26, OF

OF BROWARD COUNTY, FLORIDA AND BEING IN THE NORTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 48 SOL BEING IN THE CITY OF MARGATE, BROWARD COUNTY, FLORIDA (SEPTEMBER, 2021)

UBLIC RECORDS	SHEET 1 OF 1
ANGE 42 EAST	
DEDICATION	
STATE OF FLORIDA	
COUNTY OF BROWARD > KNOW ALL MEN BY THESE PRESENTS: TH	IAT FR 5355 NORTHWEST 24 STREET, LLC, A DELAWARE LIMITED LIABILITY CO
AS OWNER OF THE LANDS DESCRIBED AN HEREON, TO BE KNOWN AS FR 5355 NORT	ND SHOWN HEREON, HAS CAUSED SAID LANDS TO BE RESUBDIVIDED AS SHON THWEST 24 STREET.
	ST 24 STREET, HAS CAUSED THESE PRESENTS TO BE SIGNED BY IT'S DUR HAND AND SEAL THIS DAY OF, 202_, A.D.
WITNESS	FR 5355 NORTHWEST 24 STREET, LLC A DELAWARE LIMITED LIABILITY COMPANY
PRINT NAME	
WITNESS	BY: CHRIS WILLSON
	, *,
PRINT NAME	
ACKNOWLEDGMENT:	
STATE OF }SS	
OATHS AND TAKE ACKNOWLEDGEMENTS;	PERSONALLY APPEARED BEFORE ME, AN OFFICER DULY AUTHORIZED TO AD , AS OF FR 5355 NORTHWEST 24 STREET, LLC, THAT HE/SHE IS PERSONALLY KNOWN TO ME OR HAS PRODUCED
WITNESS MY HAND AND OFFICIAL SEAL TH	HISDAY OF, 202_, A.D.
NOTARY PUBLIC - STATE OF	SEAL
PRINTED NAME OF ACKNOWLEDGER MY COMMISSION EXPIRES:	
COMMISSION NUMBER	
COMMISSION NUMBER	CATION E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGE ON THIS DAY OF, 202 A.D.
COMMISSION NUMBER	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I
COMMISSION NUMBER	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I
COMMISSION NUMBER	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202 A.D.
COMMISSION NUMBER CLERK OF COURT CERTIFIC FILED FOR RECORD IN THE OFFICE OF THE IN MISCELLANEOUS MAP BOOK, P/ CLERK OF THE CIRCUIT COURT BROWARD COUNTY, FLORIDA CITY OF MARGATE PLANNING AND 2 THIS IS TO CERTIFY: THAT THE CITY AND	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202 A.D.
COMMISSION NUMBER CLERK OF COURT CERTIFIC FILED FOR RECORD IN THE OFFICE OF THE IN MISCELLANEOUS MAP BOOK, P/ CLERK OF THE CIRCUIT COURT BROWARD COUNTY, FLORIDA CITY OF MARGATE PLANNING AND 2 THIS IS TO CERTIFY: THAT THE CITY AND	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THIS DAY OF, 202 A.D.
COMMISSION NUMBER CLERK OF COURT CERTIFIC FILED FOR RECORD IN THE OFFICE OF THE IN MISCELLANEOUS MAP BOOK, P/ CLERK OF THE CIRCUIT COURT BROWARD COUNTY, FLORIDA CITY OF MARGATE PLANNING AND THIS IS TO CERTIFY: THAT THE CITY AND ACCEPTED THIS SUBDIVISION RESURVEY	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THIS DAY OF, 202 A.D.
COMMISSION NUMBER CLERK OF COURT CERTIFIC FILED FOR RECORD IN THE OFFICE OF THE IN MISCELLANEOUS MAP BOOK, P/ CLERK OF THE CIRCUIT COURT BROWARD COUNTY, FLORIDA CITY OF MARGATE PLANNING AND THIS IS TO CERTIFY: THAT THE CITY AND ACCEPTED THIS SUBDIVISION RESURVEY BY: RICHARD ZUCCHINI, CHAIRMAN	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THIS DAY OF, 202 A.D.
COMMISSION NUMBER CLERK OF COURT CERTIFIC FILED FOR RECORD IN THE OFFICE OF THE IN MISCELLANEOUS MAP BOOK, P/ CLERK OF THE CIRCUIT COURT BROWARD COUNTY, FLORIDA CLERK OF THE CIRCUIT COURT BROWARD COUNTY, FLORIDA CITY OF MARGATE PLANNING AND 2 THIS IS TO CERTIFY: THAT THE CITY AND ACCEPTED THIS SUBDIVISION RESURVEY BY: RICHARD ZUCCHINI, CHAIRMAN CITY COMMISSION STATE OF FLORIDA COUNTY OF BROWARD THIS IS TO CERTIFY: THAT THIS SUBDIVISI	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202 A.D.
COMMISSION NUMBER	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202 A.D.
COMMISSION NUMBER	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202 A.D. ZONING BOARD PLANNING AND ZONING BOARD OF MARGATE, FLORIDA, HAS APPROVED AND THISDAY OF, 20, A.D. THISDAY OF, 20, A.D.
COMMISSION NUMBER	CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202_, A.D.
COMMISSION NUMBER	CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202_, A.D.
COMMISSION NUMBER	CON RESURVEY HAS BEEN ACCEPTED AND APPROVED FOR RECORD BY THE C FLORIDA, IN AND BY RESOLUTION NO, AD. CON RESURVEY HAS BEEN ACCEPTED AND APPROVED FOR RECORD BY THE C FLORIDA, IN AND BY RESOLUTION NO, AD. CON RESURVEY HAS BEEN ACCEPTED AND APPROVED FOR RECORD BY THE C FLORIDA, IN AND BY RESOLUTION NO, ADOPTED BY SAID , 20, A.D. SSION HAS CAUSED THESE PRESENTS TO BE ATTESTED BY ITS CITY CLERK AI (FIXED HERETO ON THIS DAY OF, 20, A.D. BY:
COMMISSION NUMBER	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202_, A.D. ZONING BOARD PLANNING AND ZONING BOARD OF MARGATE, FLORIDA, HAS APPROVED AND THISDAY OF, 20_, A.D. ON RESURVEY HAS BEEN ACCEPTED AND APPROVED FOR RECORD BY THE C FLORIDA, IN AND BY RESOLUTION NO, ADOPTED BY SAID , 20_, A.D. SISION HAS CAUSED THESE PRESENTS TO BE ATTESTED BY ITS CITY CLERK AN FIXED HERETO ON THISDAY OF, 20_, A.D. BY:MAYOR - ARLENE R. SCHWARTZ CEPTED FOR RECORD THISDAY OF, 20_, A.D.
COMMISSION NUMBER	E CLERK OF THE CIRCUIT COURT FOR THE COUNTY OF BROWARD, STATE OF I AGEON THISDAY OF, 202_, A.D. ZONING BOARD PLANNING AND ZONING BOARD OF MARGATE, FLORIDA, HAS APPROVED AND THISDAY OF, 20_, A.D. ON RESURVEY HAS BEEN ACCEPTED AND APPROVED FOR RECORD BY THE C FLORIDA, IN AND BY RESOLUTION NO, ADOPTED BY SAID , 20_, A.D. SISION HAS CAUSED THESE PRESENTS TO BE ATTESTED BY ITS CITY CLERK AN FIXED HERETO ON THISDAY OF, 20_, A.D. BY:MAYOR - ARLENE R. SCHWARTZ CEPTED FOR RECORD THISDAY OF, 20_, A.D.

DONALD L. COOPER, P.S.M. DATE PROFESSIONAL SURVEYOR AND MAPPER STATE OF FLORIDA REGISTRATION No. 6269 SUN-TECH ENGINEERING, INC. CERTIFICATE OF AUTHORIZATION No. LB 7019

Sherman Plat



DESCRIPTION

A PORTION OF TRACT 5. BLOCK 93. OF THE PLAT OF PALM BEACH FARMS COMPANY PLA 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:

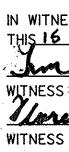
COMMENCING AT THE SOUTHWEST CORNER OF "CORAL GATE SECTION THREE," AS RECORDED IN PLAT BOOK 98, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA; THENCE SOUTH 00°23'06" EAST, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT 5, AND THE POINT OF BEGINNING; THENCE NORTH 89'37'18" EAST, ALONG THE NORTH LINE OF SAID TRACT 5. A DISTANCE OF 913.09 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE WEST, WHOSE RADIUS POINT BEARS NORTH 88°17'59" WEST FROM THE LAST DESCRIBED POINT SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BANKS ROAD AS DESCRIBED OFFICIAL RECORDS BOOK 12196, 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 1356.14 FEET. A CENTRAL ANGLE OF 21" 09'13", AN ARC DISTANCE "THE POINT OF TANGENCY; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 22°51'14" WEST A DISTANCE OF 9.56 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST: THENCE SOUTHERLY, ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1485,63 FEET, A CENTRAL ANGLE OF 06* 49'39", AN ARC DISTANCE OF 177.03 FEET TO A POINT OF INTERSECTION WITH A NON-RADIAL LINE BEARING SOUTH 89°36'16" WEST; THENCE ALONG SAID NON-RADIAL LINE, SAID LINE ALSO BEING THE SOUTH LINE OF SAID TRACT 5, SOUTH 89°36'16" WEST, A DISTANCE OF 740.19 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 5; THENCE ALONG SAID LINE NORTH 00°23'06' WEST. A DISTANCE OF 661.20 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 PORTION OF A VACATED 30.00 FOOT ROADWAY AS RECORDED IN OFFICIAL RECORDS BOOK 1406, PAGE 556, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESC-RIBED AS FOLLOWS:

COMMENCING AT SAID SOUTHWEST CORNER OF "CORAL GATE SECTION THREE," AS RECORDED IN PLAT BOOK 98, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA; THENCE SOUTH 00°23'06" EAST, A DISTANCE OF 711.20 FEET TO THE NORTHWEST CORNER OF SAID TRACT 8; THENCE NORTH 89°36'16" EAST, ALONG THE NORTH LINE OF SAID TRACT 8, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE NORTH 89°36'16" EAST. ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 715.19 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE EAST, WHOSE RADIUS POINT BEARS SOUTH 73°58'25" 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 12196, 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 1485.63 FEET, A CENTRAL ANGLE OF 15° 24'07", AN ARC DISTANCE OF 399.36 FEET; THENCE SOUTH 05°11'47" WEST, A DISTANCE OF 104.79 FEET TO AN INTER-SECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE EAST, AND WHOSE RADIUS POINT BEARS NORTH 86° 37'30" EAST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHERLY AND EASTERLY, ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1497.63 FEET, A CENTRAL ANGLE OF 12 50'50; AN ARC DISTANCE OF 335.81 FEET; THENCE SOUTH 02°08'53' WEST, A DISTANCE OF 40.61 FEET TO AN INTER-SECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST, AND WHOSE RADIUS POINT BEARS NORTH 41°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 8539 PAGE 802 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 1372.00 FEET, A CENTRAL ANGLE OF 32" 37'33" AN ARC DISTANCE OF 781.26 FEET; THENCE NORTH 00°23'06"WEST, 25 FEET EAST OF AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID TRACTS 8 AND 17. A DISTANCE OF 196.37 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA. ALL OF THE ABOVE CONTAINING 29.491 ACRES, MORE OR LESS.



OWNER.

SURVEYOR'S CERTIFICATE:

WE HEREBY CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND CORRECT REPRE-SENTATION 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 177, FLORIDA STATUTES, AND WITH THE APPLICABLE SECTIONS OF CHAPTER 21HH-6, FLORIDA ADMINISTRATIVE CODE. THE PERMANENT REFERENCE MONUMENTS (P.R.M.'S) WERE SET IN ACCORDANCE WITH SECTION 177.091 OF SAID CHAPTER 177.

THE BENCHMARKS SHOWN ARE REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) OF 1929 IN CONFORMITY WITH STANDARDS ADOPTED BY THE NATIONAL OCEAN SURVEY FOR THIRD ORDER CONTROL STANDARDS.

90263074

DEDICATION

STATE OF FLORIDA BROWARD THE OWNER OF THE LAND DESCRIBED AND SHOWN HEREON. AS INCLUDED WITH SAID LANDS TO BE SUBDIVIDED AND PLATTED AS SHOWN HEREON, SAID PLAT TO BE KNOWN AS "SHERMAN PLAT", A REPLAT. DICATED TO THE PUBLIC FOR PROPER PURPOSES. RIGHTS OF WAY SHOWN HEREON ARE DEDICATED TO THE PUBLIC IN FEE SIMPLE. IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS 16 DAY OF JAN.

ACKNOWLEDGEMENT

STATE OF FLORIDA SS COUNTY OF BROWARD BEFORE ME PERSONALLY APPEARED IRVING J. SHERMAN

TO ME WELL KNOWN TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AS OWNER OF THE LANDS DESCRIBED HEREON AND THAT HE ACKNOWLEDGED BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS OWNER. AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID

WITNESS MY HAND AND SEAL THIS 15 DAY OF JAN - A.D., 1987.

MY COMMISSION EXPIRES: 8-9-87

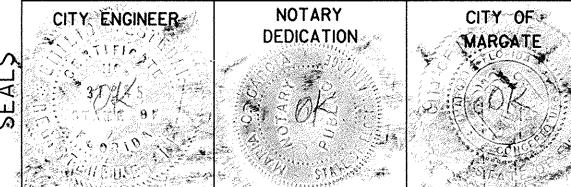
NOTARY PUBLIC, STATE OF FLORIDA

DATED MARCH 3, 1990

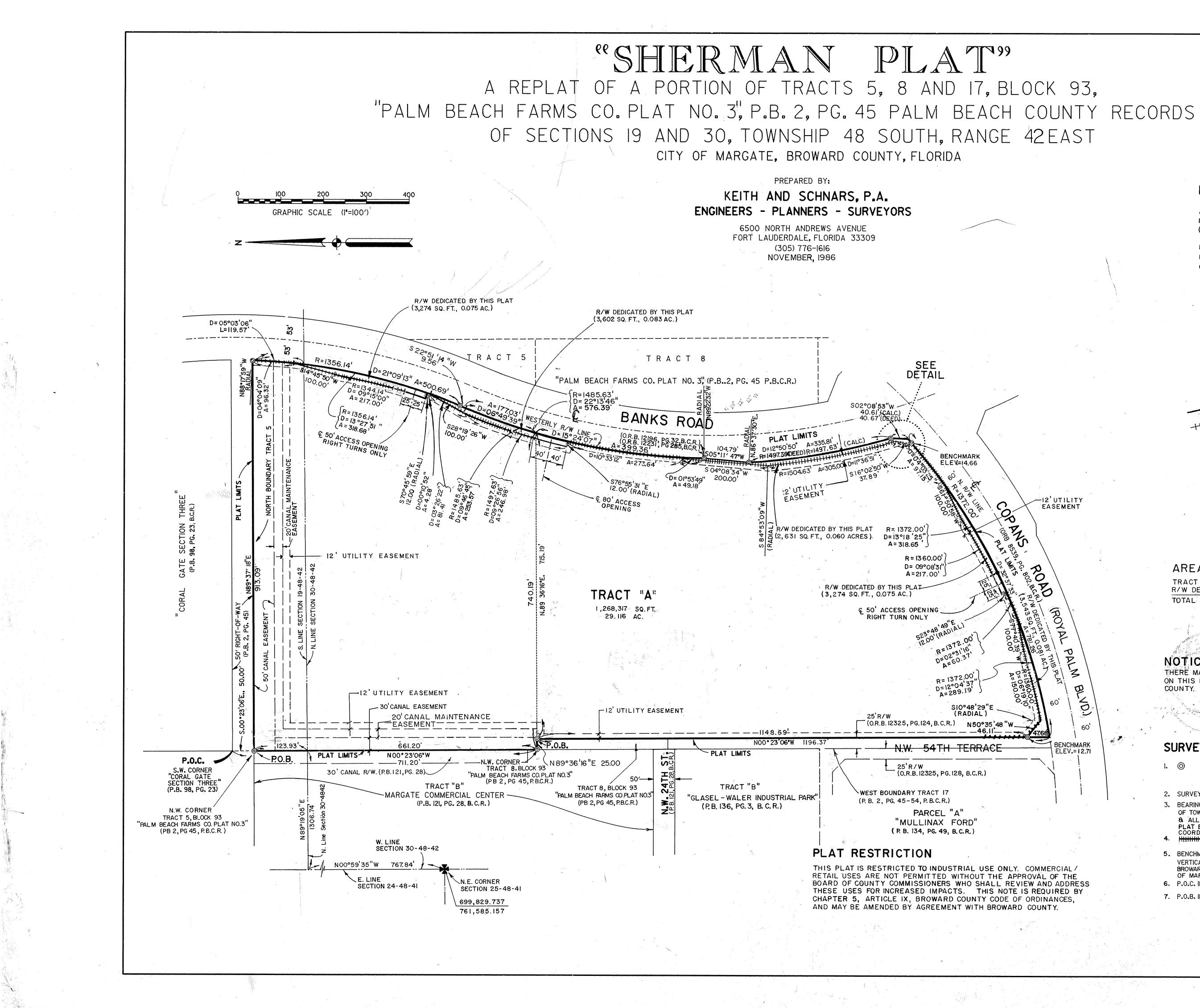
KEITH AND SCHNARS, P.A. Ihoma I Jane James

BY: THOMAS GENE LUNSFORD PROFESSIONAL LAND SURVEYOR #4646 STATE OF FLORIDA (FOR THE FIRM)

PLAT BOOK 144 PAGE 26 SHEET I OF 2 THIS PLAT HAS BEEN AMENDED SEE O.R. BOOK 252 24 PR THIS PLAT HAS BEEN AMENDED: SEE O.R. BOOK 26133 PG 634 IIS PLAT HAS BEEN AMENDED D.R. BOOK 26221 PG BROWARD COUNTY OFFICE OF PLANNING THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD, 6-19-90 MARGATE CITY CLERK'S CERTIFICATE BROWARD COUNTY ENGINEERING DIVISION STATE OF FLORIDA COUNTY OF BROWARD THIS PLAT IS HEREBY APPROVED AND ACCEPTED FOR RECORD. 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 6-19-90 14 DAY OF Out A.D.1987. IN WITNESS WHEREOF THE SAID CITY COMMISSION HENRY P. COOK - DIRECTOR HAS CAUSED THESE PRESENTS TO BE ATTESTED BY ITS CITY CLERK AND THE DATE CORPORATE SEAL OF SAID CITY TO BE AFFIXED THIS 15 DAY OF SEAT FLORIDA P.E., REG. NO. 12506 DIRECTOR OF ENGINEERING 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 31 St DAY OF August A.D. 1989 MARGATE CITY ENGINEER THIS PLAT OF "SHERMAN PLAT", A REPLAT, IS APPROVED FOR RECORDING. Emilio C. Esteban <u>9-5-89</u> Y ENGINEER EMILIO C. ESTEBAN THIS PLAT COMPLIES WITH THE RESOLUTION OF THE BROWARD COUNTY PLANNING FLA. P.E. REG. #31945 COUNCIL OF THE ABOVE DATE AND IS HEREBY APPROVED AND ACCEPTED FOR RECORD THIS 18th DAY OF June, A.D. 1990. MARGATE CITY PLANNING AND ZONING BOARD BY: Peter M. Ross THIS IS TO CERTIFY THAT THE CITY PLANNING AND ZONING BOARD OF MARGATE, FLORIDA, ACCEPTED AND APPROVED THIS PLAT THIS **G** DAY OF **CETOBER** ADMINISTRATOR OR DESIGNEE A.D. 1987. BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION-VICE - CHAIRMAN MINUTES SECTION THIS IS TO CERTIFY THAT THIS PLAT COMPLIES WITH THE PROVISIONS OF CHAPTER 177, FLORIDA STATUTES, AND WAS ACCEPTED FOR RECORD B BOARD OF BROWARD COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CREATED OCT. 1ST THIS 19th DAY OF September, A.D. 1989. 1915 BY: Marilyn Melorles ATTEST: L.A. HESTER COUNTY ADMINISTRATOR CHAIRPERSON - COUNTY COMMISSION BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, COUNTY RECORDS DIVISION-RECORDING SECTION THIS INSTRUMENT WAS FILED FOR RECORD THIS 29 DAY OF JUNE A.D. 1990, AND RECORDED IN PLAT BOOK 144, PAGE 26, RECORD VERIFIED. 3Y: <u>Kathy Miligiano</u> DEPUTY ATTEST: L.A. HESTER COUNTY ADMINISTRATOR CHECKED BY NOTARY COUNTY COUNTY SURVEYOR CITY OF # SURVEYOR DEDICATION ENGINEER MARGATE PRELIMINARY CHECK LAZOWICK 11-18-86 ENGR. DEPT. FIELD BNDRY SURVEY VAN ARSDELL 3-3-87 A SANT LAZOWICK | II-86 CALCULATIONS PLANNING DEPT. LAURIA 3-90 WHITE | 9-14-89 PRM'S SET LUNSFORD 3-13-90 FINAL CHECK QSAI:[20,15]SHERMAN.DGN 1920



207-MP-86



PLAT BOOK 144 PAGE 26 SHEET 2 OF 2 LEGEND ARC LENGTH PALM BEACH COUNTY RECORDS P.B.C.R. 3. C. R. BROWARD COUNTY RECORDS PLAT BOOK (CALC.) CALCULATED POINT OF BEGINNING P.O.B. CENTRAL ANGLE POINT OF COMMENCEMENT P.O.C. ELEV. ELEVATION RADIUS RIGHT-OF-WAY NOT TO SCALE O.R.B. OFFICIAL RECORD BOOK BANKS ROAD ADDITIONAL R/W DEDICATION (2,631 SQ.FT, 0.060 ACRES) CORNE Sicon Hitte PORD R=1372.00') D=00°39'50" A = 15.90 DETAIL N.T. S. AREA TABULATION TRACT A 1,268,317 SQ. FT. 29.116 ACRES R/W DEDICATION 16,324 SQ. FT. 0.375 ACRES TOTAL 1,284,641 SQ.FT 29.491 ACRES NOTICE THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SURVEY NOTES:

I. O INDICATES SET PERMANENT REFERENCE MONUMENT

- 2. SURVEY DATA IN FIELD BOOK A-22.
- BEARINGS SHOWN HEREON ARE BASED ON "STONER/KEITH RESURVEY OF A PORTION OF TOWNSHIP 47 SOUTH, RANGE 4I EAST, ALL OF TOWNSHIP 48 SOUTH, RANGE 4I EAST, & ALL OF TOWNSHIP 49 SOUTH, RANGE 4I EAST "AS RECORDED IN MISC. PLAT BOOK 3, PAGE 44, BROWARD COUNTY PUBLIC RECORDS, RELATIVE TO FLORIDA COORDINATE SYSTEM, EAST ZONE, GRID NORTH, TRANSVERSE MERCATOR PROJECTION.
 HIHHHH INDICATES NON-VEHICULAR ACCESS LINE.
- BENCHMARK ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 AND WERE ESTABLISHED FROM BENCHMARKS SUPPLIED BY: BROWARD COUNTY ENGINEERING DEPT., BRASS DISC IN NORTH HEADWALL OF COLONIES OF MARGATE BOULEVARD 1/4 MILE WEST OF STATE ROAD 7, ELEV.=12.370'
 P.O.C. INDICATES POINT OF COMMENCEMENT.

207-MP-86

7. P.O.B. INDICATES POINT OF BEGINNING.

Drainage District Approval Letter



Environmental Protection and Growth Management Department ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION Water and Environmental Licensing Section 1 North University Drive, Mailbox 201, Plantation, Florida 33324 Phone * 954-519-1483 Fax * 954-519-1412

December 04, 2020

FR5355 Northwest 24th Street, LLC Attention: Chris Willson 401 East Las Olas Blvd., Suite 1400 Fort Lauderdale, FL 33301

RE: First Gate Commerce Center City of Margate, S/T/R (19-48-42)

This is to notify you of the Environmental Protection and Growth Management Department's (EPGMD) action concerning your application received 05/06/2020. The application has been reviewed for compliance with the following requirements:

MSSW Review - GRANTED

EPGMD has the authority to review the project for compliance with the provisions of Chapter 373, Part IV, Florida Statutes pursuant to an agreement between EPGMD, DEP and the SFWMD. The agreement is outlined in a document entitled "DELEGATION AGREEMENT AMONG THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND BROWARD COUNTY."

Based on the information submitted, Environmental Resource Permit No. 06-00442-S-15 was issued on 12/04/2020.

Should you object to the conditions of the Environmental Resource Permit, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the attached "Notice of Rights", we will assume you concur with the action taken by EPGMD.

Broward County Surface Water Management Review - GRANTED

EPGMD has reviewed the project for compliance with the Surface Water Management requirements of Chapter 27, Article V Sec. 27-191 through 27-202 of the Broward County Code.

Based on the information submitted, Surface Water Management License No. SWM1996-079-3 was issued on 12/04/2020. The above named licensee is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents and specifications, as submitted by licensee, and made a part hereof.

Please be advised that no Certificate of Occupancy can be issued on this project until released, in writing, by all EPGMD divisions as required. Such release will be pending approval of any engineering certifications required by specific condition No. 15.

The above referenced approvals will remain in effect subject to the following:

- 1. Not receiving a filed request for a Chapter 120, Florida Statutes administrative hearing;
- 2. the attached SFWMD Standard Limiting Conditions;
- 3. the attached SFWMD Special Conditions;
- 4. the attached Broward County General Conditions;
- 5. the attached Broward County Specific Conditions;
- 6. the attached <u>5</u> exhibits.

Issuance of the above referenced Broward County license(s) constitutes a final agency determination. A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination, subject to the provisions of Section 27-14, Broward County Code of Ordinance.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been sent to the Permitee (and the persons listed in the attached distibution list) no later than, 5:00 p.m. on 12/04/2020, in accordance with Section 120.60 (3), Florida Statutes.

Johana Narvaez, M.S., Environmental Program Manager Surface Water Management Program

Enclosed are the following:

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By:

✓ executed staff report;

✓ set(s) of stamped and approved plans;
✓ "Notice of Rights"; and
✓ Inspection Guidelines Brochure.



Broward County Board of County Commissioners Environmental Engineering and Permitting Division

Surface Water Management Program

"What to Expect When We Are Inspecting Surface Water Management Systems"

A guideline for **engineers**, **contractors**, and **licensees** of surface water management systems when applying for the release of Certificate(s) of Occupancy.

The intent of this document is to establish some guidelines to achieve compliance with the Code while maximizing customer service needs to licensees and their agents and the local building departments by facilitating the Certificate(s) of Occupancy (CO) release procedure for building projects. It is also the intent of this document to encourage licensees and their agents and the local building departments to not put our inspection staff on the "critical path". *We recognize that the local building departments must adhere to the requirements of the Florida Building Code and the requirements of Article I of the Broward County Natural Resource Protection Code.*

The Environmental Engineering and Permitting Division (EEPD) - Surface Water Management Licensing program has the responsibility of reviewing designs, licensing, and inspecting surface water management systems within portions of Broward County under the provisions of the Broward County Natural Resource Protection Code, Chapter 27, Section 27-191 through Section 27-201. This includes enforcement for the purpose of protecting our natural resources. This document contains specific information about the EEPD's surface water management inspection procedures, review of record/as-built drawings, and time required to complete the procedure successfully. Please be advised this document may be included with the approved license and may be modified on an as-needed basis.

The following certification package must be submitted at least two (2) weeks prior to the anticipated date of occupancy; exceptions may be made on a case by case basis.

Note: Item 1 is not applicable to plans stamped as General Licenses (GL##-###). Items 2 & 3 may apply to GL if plans are stamped for construction certification.

- 1. Final Record/As-built Drawings (hard copy and electronic) of the site, lake/canal slopes, control structure(s) or overflow structure(s) (where applicable), and Finished Floor Elevation(s); etc.
- Signed and sealed letter from a Florida-Registered Professional Engineer certifying all components of the surface water management system were constructed in substantial conformance with the approved plans; and
- 3. When requesting a partial certification include a \$100 partial certification fee (fees are subject to change). The certifying engineer must indicate that a substantial amount of the water management system has been constructed to serve the partial phase to satisfy the water quality and water quantity requirements of the Code and exactly which lots/buildings are requested for release.

Staff will perform an inspection on a first-come first-served basis of the above items. A successful submittal of the required items will prevent unwanted delays in the inspection and CO release processes.

What we look for During the Record/As-Built Drawing Review and During the Inspection

- The engineer's letter must contain the appropriate certification language. The suggested wording is located in the Code and in the specific conditions of the license. The letter must be signed and sealed. It is imperative that the engineer of record describe any minor modifications to the system that were made during the construction of the project. However, substantial modifications must have received prior approval by the Surface Water Licensing Program.
- 2. The as-built/record drawing must document the Finished Floor Elevation(s) showing substantial conformance with approved plans.
- In addition to rim, manhole, and pipe invert elevations, the plans should contain a sufficient amount of survey information to show that the site grades and perimeter grades were constructed in substantial conformance with the approved plans.
- 4. If part of the approved system, lake and canal slope as-built plans should contain a substantial number of cross sections (a minimum of 1 section per 50 linear feet is preferred) to show compliance with the Department's slope criteria. The staff reserves the right to require additional slope cross sections as necessary as well as slope regrading. Surface area calculations at the control elevation should be submitted for lakes.
- 5. Control structure or overflow structure information must show all (as-built) dimensions and elevations.
- 6. All catch basin and manhole structures must have appropriate mudwork to prevent seepage that could lead to structure/asphalt failures and subsequent turbidity violations.
- 7. All catch basins, manholes, and pipes must be relatively free of sediment and debris and must be accessible to staff. Arrangements should be made with staff for inspecting basins that are covered with fabric materials for sediment control purposes. Fabric must be removed by the licensee or other appropriate personnel prior to the inspection.
- 8. Lake, canal, swale, dry detention/retention area slopes must be stabilized through appropriate measures, i.e, no evidence of erosion or sedimentation should be encountered during the inspection. Arrangements should be made with staff with regards to timeliness of sodding or seeding slopes and bottoms of dry detention/retention areas.
- 9. All baffle mechanisms must be made water tight at all contact surfaces of basin walls by a durable gasket device.

Successful compliance with the above items will insure a timely release of the Certificate(s) of Occupancy from division staff.

Upon completion of the field inspection, arrangements with inspection staff will be made to correct all observed field deficiencies. With your cooperation, the Operation Letter will be released upon correction of all field deficiencies.

Environmental Engineering and Permitting Division

Surface Water Management Program 1 North University Drive, Mailbox 201• Plantation, Florida 33324 Phone 954-519-1483 FAX 954-519-1412

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NOTICE OF RIGHTS

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As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the Broward County Environmental Protection and Growth Management Department?s (EPGMD, formerly known as Department of Planning and Environmental Protection or DPEP) action under the "Delegation Agreement Among the Florida Department of Environmental Protection, the South Florida Water Management District and Broward County "has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on an EPGMD decision which does or may affect their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or 2) within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision "means receipt of either written notice through mail, electronic mail, or posting that the EPGMD has or intends to take final agency action, or publication of notice that the EPGMD has or intends to take final agency action. Any person who receives written notice of an EPGMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions

The Petition must be filed with the EPGMD Enforcement Administration Section's Environmental Compliance Administrator. Filings with the Environmental Compliance Administrator may be made by mail, hand-delivery or e-mail. Filings by facsimile will not be accepted after October 1, 2014. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Environmental Compliance Administrator, at the Broward County government offices in Plantation, Florida. Any document received by the EPGMD Enforcement Administration after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Environmental Compliance Administrator, Enforcement Administration Section, 1 N University Drive, Mailbox 307, Plantation, FL 33324.
- Filings by hand-delivery must be delivered to the EPGMD Enforcement Administration Section. Delivery of a petition to the Broward County security desk does not constitute filing. To ensure proper filing, it will be necessary to request the Broward County security officer to contact the Environmental Compliance Administrator's office. An employee of the Environmental Compliance Administrator's office will receive and file the petition.
- Filings by e-mail must be transmitted to the EPGMD Enforcement Administration Section at <u>epdhotline@broward.org.</u> The filing date for a document transmitted by electronic mail shall be the date the EPGMD Enforcement Administration Section receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

Initiation of an Administrative Hearing

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Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the EPGMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

- 1. Identification of the action being contested, including the permit number, application number, EPGMD file number or any other EPGMD identification number, if known.
- 2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
- 3. An explanation of how the petitioner's substantial interests will be affected by the agency decision.
- 4. A statement of when and how the petitioner received notice of the EPGMD's decision.
- 5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
- 6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPGMD's proposed action.
- 7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the EPGMD's proposed action.
- 8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
- 9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the EPGMD to take with respect to the EPGMD's proposed action.

A person may file a request for an extension of time for filing a petition. The EPGMD may, for good cause, grant the request. Requests for extension of time must be filed with the EPGMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the EPGMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the EPGMD takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. The EPGMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final EPGMD action may seek judicial review of the EPGMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the District Clerk within 30 days of rendering of the final EPGMD action.

Rev. 10/01/14

SFWMD General Conditions

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex -"Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or

b. For all other activities - "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].

c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:

a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:

a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;

b. Convey to the permittee or create in the permittee any interest in real property;

c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or

d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:

a. Immediately if any previously submitted information is discovered to be inaccurate; and b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

SFWMD Special Conditions

1. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.

2. Measures shall be taken during construction to insure that sedimentation and/or turbidity problems are not created in the receiving water.

3. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.

4. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.

5. The conditions outlined in the Broward County Specific Conditions section, except where language specifically relates to Broward County Code, are incorporated into these SFWMD Special Conditions.

6. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.

7. Operation of the surface water management system shall be the responsibility of permittee.

8. All terms, conditions, and exhibits previously stipulated by SFWMD Permit # 06-00442-S-15 will apply to this license unless specifically modified.

9. This permit expires on 12/4/2025.

10. If prehistoric or historic artifacts such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The Permittee or other designee should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at 850-245-6333 or 800-847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources.

In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, Florida Statutes.

Broward County General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the licensee and must be completed by the licensee and are enforceable by the Environmental Protection and Growth Management Department (EPGMD) pursuant to Chapter 27 of the Broward County Code of Ordinances. The EPGMD will review this license periodically and may revoke or suspend the license, and initiate administrative and/or judicial action for any violation of the conditions by the licensee, its agents, employees, servants or representatives.

2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds for revocation, suspension, and/or enforcement action by the EPGMD.

3. In the event the licensee is temporarily unable to comply with any of the conditions of the license or with this chapter, the licensee shall notify the EPGMD within eight (8) hours or as stated in the specific section of this chapter. Within three (3) working days of the event, the licensee shall submit a written report to the EPGMD that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention regarding the repair, replacement and reconstruction of destroyed facilities and a schedule of events leading toward operation with the license condition.

4. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations.

5. This license must be available for inspection on licensee's premises during the entire life of the license.

6. By accepting this license, the licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this licensed facility or activity, that are submitted to the EPGMD, may be used by the EPGMD as evidence in any enforcement proceeding arising under Chapter 27 of the Broward County Code of Ordinances, except where such use is prohibited by Section 403.111, Florida Statutes.

7. The licensee agrees to comply with Chapter 27 of the Broward County Code of Ordinances, and shall comply with all provisions of the most current version of this chapter, as amended.

8. Any new owner or operator of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for and is granted a transfer of license. The transferee shall be liable for any violation of Chapter 27 of the Broward County Code of Ordinances that results from the transferee's activities. The transferee shall comply with the transferor's original license conditions when the transferee has failed to obtain its own license.

9. The licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity or facility at times by EPGMD personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27 of the Broward County Code of Ordinances.

10. This license does not constitute a waiver or approval of any other license, approval, or regulatory requirement by this or any other governmental agency that may be required.

11. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of EPGMD, and any forbearance on behalf of EPGMD to exercise its rights hereunder in the event of any breach by the licensee, shall not be deemed or construed to be a waiver of EPGMD's rights hereunder.

Broward County Specific Conditions

1. The licensee shall allow authorized personnel of the Environmental Protection Growth Management Department (EPGMD), municipality or local water control district to conduct such inspections at reasonable hours, as are necessary to determine compliance with the requirements of the license and the approved plans and specifications.

2. The responsible entity shall agree to maintain the operating efficiency of the water management works. Except in cases where the responsible entity is a governmental agency, the agreement shall further require that if the water management works is not adequately maintained, the County may undertake the required work and bill all associated costs to the responsible entity. If the payment for such obligations is not satisfied within 30 days, said obligation shall become a lien against the property associated with the water management works. Where ownership of the water management works is separate from property ownership, the EPGMD shall require these agreements to be recorded.

3. The licensee shall execute the work authorized in a manner so as to minimize any adverse impact of the works on fish, wildlife, natural environmental values, and water quality. The licensee shall institute necessary measures during the construction period, including fill compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters. Any erosion, shoaling or deleterious discharges due to permitted actions will be corrected promptly at no expense to the County.

4. The licensee shall comply with all applicable local land use and subdivision regulations and other local requirements. In addition, the licensee shall obtain all necessary Federal, State, local and special district authorizations prior to the start of any construction alteration of works authorized by this license.

5. Off-site discharges during construction and development shall be made only through the facilities authorized by this license. Water discharged from the project shall be through structures having a mechanism for regulating upstream water stages. Stages may be subject to operating schedules satisfactory to the appropriate regulatory agency.

6. The licensee shall hold and save the County harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance or use of any facility authorized by the license.

7. The license does not convey property rights nor any rights or privileges other than those specified therein.

8. No construction authorized by the license shall commence until a responsible entity acceptable to the EPGMD has been established and has agreed to operate and maintain the efficiency of the system. The entity must be provided with sufficient ownership so that it has control over all water management facilities authorized therein. Upon receipt of written evidence of the satisfaction of this condition, the EPGMD will issue authorization to commence the construction.

9. No beautification, or erection of any structure that will prohibit or limit access of maintenance equipment or vehicles in the right-of-way or easements will be allowed.

10. Any license which grants any entity the permission to place a structure on property which is owned by Broward County or upon which Broward County has an easement shall be construed to create a revocable license for that structure to remain on the property. Broward County may require removal of such a structure at no cost to the County.

11. The area under license will be maintained in a safe and operating condition at all times. Equipment will be promptly removed from the right-of-way or easement and the right-of-way or easement will be restored to its original or better condition within a reasonable time on termination of the authorized use.

12. The EPGMD will be notified, as required in the license or as indicated on the approved plans, to coordinate and schedule inspections.

13. The operation or construction will be in accordance with the approved details and plans submitted with the application. Any modification must be submitted to the EPGMD in writing and receive prior approval.

14. Monitoring may be required for sites with high pollutant generating potential, such as industrial sites, Class I and II solid waste disposal sites, and projects discharging to areas identified in the Broward County Resource Management Code, Article V, Section 27-200 (b) (1) o. Such monitoring will be under the cognizance of the EPGMD.

15. Upon completion of the construction of a surface water management system or phase thereof licensed by the EPGMD, it is a requirement of the issuance of the license, and hence transfer of operation and maintenance responsibility, that a Florida Registered Professional Engineer certify that the surface water management system was indeed constructed as licensed. Certified record drawings shall accompany the certification. Suggested wording for this is as follows:

I HEREBY CERTIFY TO THE CONSTRUCTION COMPLETION OF ALL THE COMPONENTS OF THE SURFACE WATER MANAGEMENT FACILITIES FOR THE ABOVE REFERENCES PROJECT AND THAT THEY HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE BROWARD COUNTY EPGMD, AND HEREBY AFFIX MY SEAL THIS _____ DAY OF _____, 20____.

(SEAL)

16. Water management areas shall be legally reserved to the operation entity and for that purpose by dedication on the plat, deed restrictions, easements, etc., so that subsequent owners or others may not remove such areas from their intended use. Management areas, including maintenance easements, shall be connected to a public road or other location from which operation and maintenance access is legally and physically available.

17. The licensee shall notify the EPGMD in writing within twenty-four (24) hours of the start, finish, suspension, and/or abandonment of any construction or alteration of works authorized by this license.

18. A prorated share of surface water management retention/detention areas, sufficient to provide the required flood protection and water quality treatment, must be provided prior to occupancy of any building or residence.

19. The operation license shall be valid for a specific period of time not to exceed five (5) years from the date the license is transferred to the operation phase. The operation license shall be renewed in accordance with the Broward County Resource Management Code, Article V, Section 27 - 198 (d) (2).

20. The EPGMD reserves the right to require additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.

21. This permit does not constitute the approval required by the Broward County Hazardous Material Code, Article XII, Section 27-353(i), to conduct dewatering operations at or within one-quarter mile radius of a contaminated site. Please contact the Environmental Assessment and Remediation Section (954) 519-1478 for further information. 22. The licensee shall keep a log of the operation and maintenance schedule for all components of the surface water management system.

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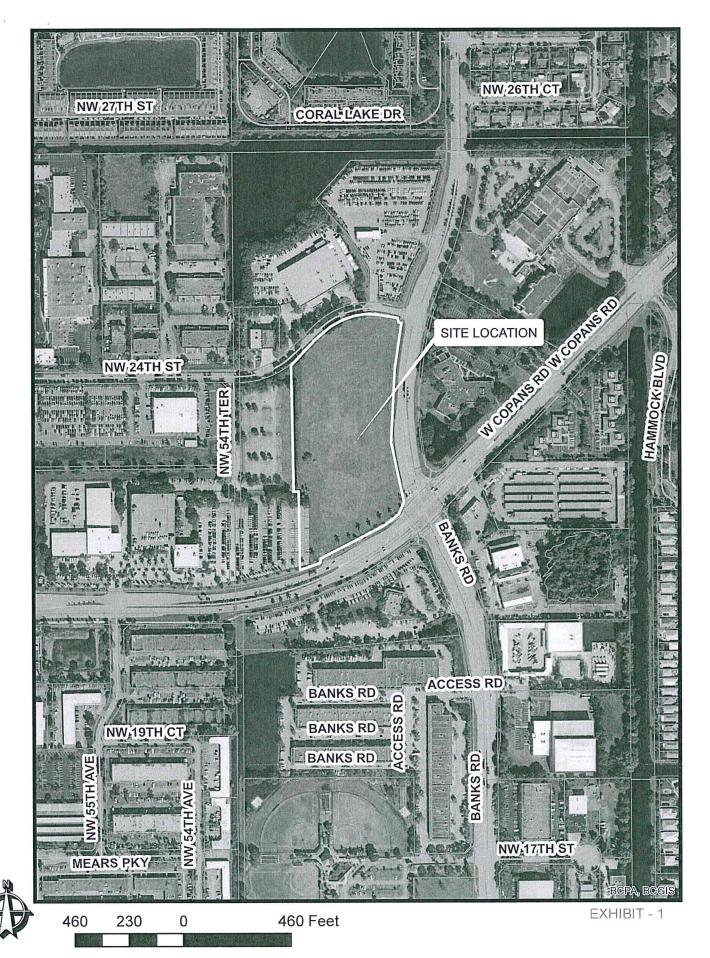
23. The surface water management system must be inspected by the EPGMD to verify compliance with Specific Condition No. 15 of the license. In accordance with the Broward County Natural Resource Protection Code, Article I, Sec. 27-66 (f), the County agency or municipal agency charged with issuing a certificate of occupancy (CO) shall not issue a CO until notified of the Broward County EPGMD approval. Partial certifications will be handled in accordance with Specific Condition No. 18.

24. The licensee is advised that he/she is required to submit a Storm Water Notice of Intent (NOI) application at least 48 hours prior to the commencement of construction to the Florida Department of Environmental Protection, NPDES Stormwater Notices Center, MS #3585 at 2600 Blair Stone Road - Tallahassee, Florida 32399-2400.

25. All commercial parcel(s) must provide one half (1/2) inch of dry pre-treatment prior to discharging into the wet detention areas of the master drainage system where applicable.

26. All special conditions, exhibits and other materials previously stipulated by license number SWM1996-079-0 and/or permit number 06-00442-S-15 remain in effect unless otherwise revised and shall apply to this modification.

LOCATION MAP



STAFF REPORT

Project Name:	First Gate Commerce Center				
Permit Number:	06-00442-S-15	License Number:	SWM1996-079-3		
Application Number	: 200506-63	Concurrent Application:	L2020-109		
Application Type:	Surface Water Management Modification (MSSW)				
Location:	Broward County	Section-Township-Range:	19-48-42		
Permittee's Name:	FR5355 Northwest 24th Street, LLC				
Project Area:	9.3 acres	Drainage Area:	29.12 acres		
Project Area: Project Land Use:	9.3 acres Industrial	Drainage Area:	29.12 acres		
-		Drainage Area:	29.12 acres		
Project Land Use:	Industrial	Drainage Area:	29.12 acres		

Purpose:

The modification of SFWMD Permit # 06-00442-S-15 and Broward County Surface Water Management License No. SWM1996-079-0 for the construction and operation of a surface water management system to serve a proposed 9.30 acre commercial development.

Project Evaluation:

Project Site Description:

The site is presently undeveloped and is located at the NW intersection of W Copans Rd and Banks Rd in the City of Margate.

Proposed Project Design:

The proposed construction will include 3.02 acres of building, 3.36 acres of paved area, and the proposed drainage system. A system of swales, inlets and culverts will direct the storm runoff to 0.95 acres of dry retention areas for water quality treatment and storm runoff attenuation. The discharge will be directed through a control structure consisting of a raise inlet at elevation 9.55' NAVD. However, the discharge was not modeled in the drainage calculations. Also, the calculations show more proposed storage above 12.5' NAVD than the storage approved under License SWM1996-079-0.

The applicant's consultant has demonstrated through plans and calculations that proposed project meets the permitted requirements of SFWMD Permit # 06-00442-S, 06-00442-S-14 and 06-00442-S-15 and/or Broward County License SWM1996-079-0 and SWM1996-079-2.

Control Elevation: Control Elevation = 8.0 ft, NAVD WSWT Elevation = 8.0 ft, NAVD Method of Determination = Master System

Project Background:

This license does not supercede any other licenses.

Discharge Rate:

Frequency	Rainfall	Basin Name	Allowable Disch.	Method of Determination	<u>Peak Disch.</u>	Peak Stage
25YR-3DAY	16 in.	First Gate Commerce (0 cfs	Pre-vs-Post	0 cfs	13.44' NAVD

Finished Floors:

The finished floor elevations have been designed to be above the computed 100-yr, 3-day zero discharge stage and the Broward County 100-yr, 3-day flood map elevation.

Frequency	Rainfall	Basin Name	Peak Stage	Prop. Min. Fin. Floors	BC 100-yr Map Elev.
100YR-3DAY	19.6 inches	First Gate Commerce Center	13.98' NAVD	15.5' NAVD	12.5' NAVD

Water Quality Design:

Water quality treatment will be provided in the the dry retention areas for 2.5 inches times the percent impervious over the entire site.

Basin Name	Treatment Type	Treatment Method	Volume Required	Volume Provided
First Gate Commerce Cente	Treatment	Dry Retention	1.04 ac-ft	2.59 ac-ft
			Total: 2.59 ac-ft	

Environmental Summary:

No wetland areas were identified within the project area and no wetland impacts are anticipated from the development of this parcel. Therefore, no wetland mitigation requirements have been included in the permit for this project. The proposed activities have been evaluated for potential secondary and cumulative impacts and to determine if the project is contrary to the public interest. Based upon the proposed project design, EPGMD has determined that the project will not cause adverse secondary or cumulative impacts to the water resources and is not contrary to the public interest.

Special Concerns:

5

Operating Entity: FR5355 Northwest 24th Street, LLC Attention: Chris Willson 401 East Las Olas Blvd., Suite 1400 Fort Lauderdale, FL 33301

Waste Water System/Supplier: Margate

STAFF RECOMMENDATION:

South Florida Water Management District and Broward County rules have been adhered to and an Individual Permit should be granted.

06-00442-S-15; SWM1996-079-3; STAFF REVIEW:

Surface Water Management Program:

townsPA

Tomas Perez Abeniacar, Staff Engineer

Johana Narvaez, M.S., Environmental Program Manager

Aquatic and Wetland Resources Program:



Linda Sunderland, Manager

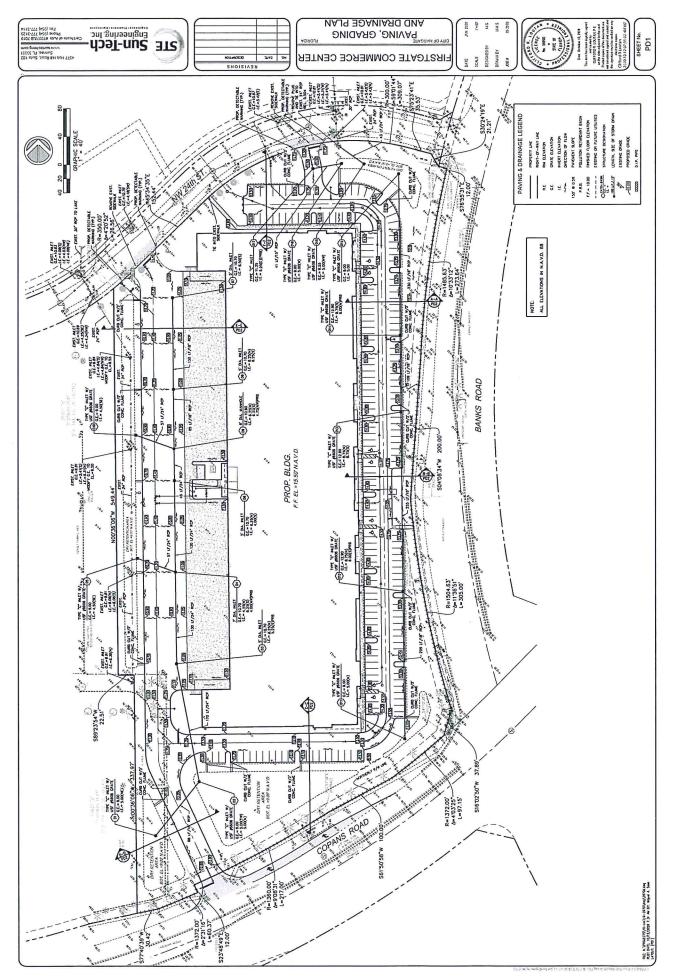


EXHIBIT - 3

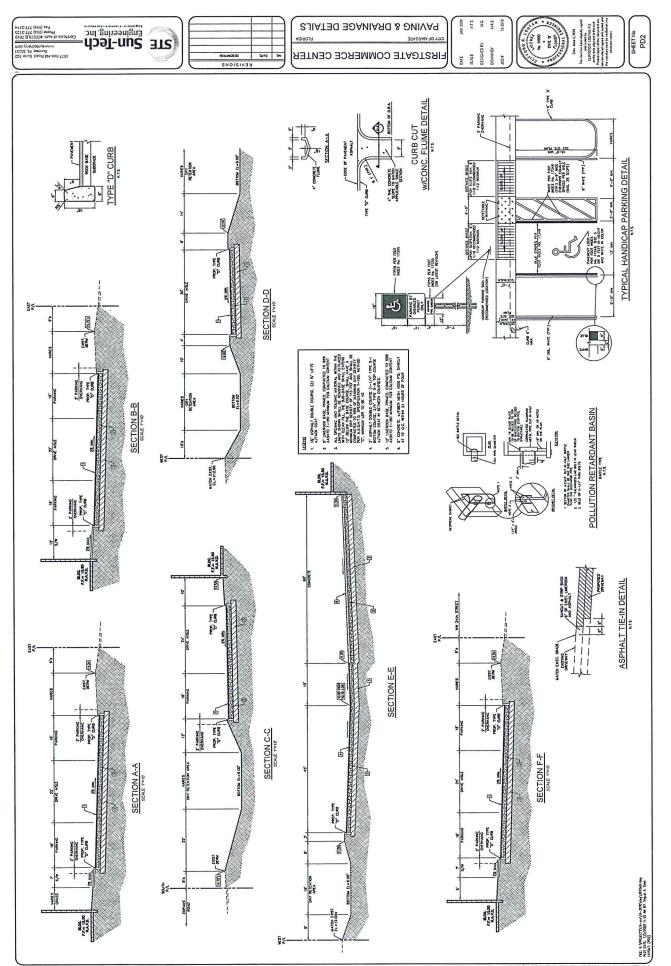


EXHIBIT - 4

STAFF REPORT DISTRIBUTION LIST ADDRESSES

Owner:

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FR5355 Northwest 24th Street, LLC Attention: Chris Willson 401 East Las Olas Blvd., Suite 1400 Fort Lauderdale, FL 33301

Applicant:

FR5355 Northwest 24th Street, LLC Attention: Chris Willson 401 East Las Olas Blvd., Suite 1400 Fort Lauderdale, FL 33301

Engineering

Consultant:

Sun-Tech Engineering, Inc Attention: Mr. Clifford R. Loutan, P.E. 4577 Nob Hill Road, Suite 102 Sunrise, FL 33351

Other:

City of Margate Building Official

Exhibit 8

Comprehensive Plan Policies Referenced By Staff (prior to adoption of Margate 2.0)

Comprehensive Plan Policies Referenced By Staff

Policy 1.2 The permitted uses for land development regulations shall not exceed those listed below for each land use classification found on the Future Land Use Map. The city's zoning regulations shall not exceed the uses enumerated, but may be more restrictive.

a) <u>Residential</u>

a. Dwelling units and clearly subordinate accessory structures subject to the limitations upon density expressed by the Future Land Use Map and as explained in Part 7.

b. Parks, golf courses and other outdoor recreational facilities. Recreational, civic, or other cultural buildings ancillary to primary outdoor recreational use of the site.

c. Community facilities designed to serve the residential area such as public schools, houses of worship, local governmental administration, police and fire stations, libraries and civic centers.

d. Public utilities, including water, and wastewater treatment plants, pumping stations, and electric transmission facilities.

e. Special Residential Facilities Category (1) and (2) as defined in the "Definitions" subsection of the Plan Implementation Requirements of the City of Margate Comprehensive Plan.

f. Recreational vehicle park sites in the R-10 through R-14 residential density ranges. The maximum number of recreational vehicle park sites permitted is equal to the maximum number of dwelling units designated for that parcel on the City's Future Land Use Map.

b) Commercial

1. Neighborhood, community, and regional retail uses.

2. Office and business uses.

3. Commercial uses, including wholesale, storage, light fabricating and warehousing.

4. Hotels, motels, and other tourist accommodations.

5. Parks, recreation, and commercial recreation uses.

6. Community facilities.

c) Office Park

1. Administrative, business, and professional offices.

2. Banking and financial institutions.

3. Medical and dental laboratories, research labs.

4. Restaurants and personal services which are accessory to a primary office use.

5. Community facilities.

6. Parks and recreation facilities.

d) Industrial

1. Industrial uses.

2. Heavy commercial uses including new and used automobile, truck, motorcycle, boat and trailer display, sales, and service; newspaper, magazine, and printing plants; bakeries, carpentry and other trade shops; ice houses; chemical sales, and repair shops.

3. Scientific and industrial applied research and/or educational facilities; medical or

dental labs.

4. Offices.

5. Recreation and open space, and commercial recreation uses, as long as the location of these uses does not preclude or adversely affect the future use of surrounding areas for industry.

6. Community facilities, as long as the location of these uses does not preclude or adversely affect the future use of surrounding areas for industry.

7. Ancillary commercial uses within buildings devoted to primary industrial uses.

e) Commercial Recreation

1. Outdoor and indoor recreation facilities including, but not limited to, golf courses, tennis clubs, and marinas.

2. Accessory facilities that are an integral part of and supportive to the primary

recreation facility (excluding residential uses).

3. Hotels, which are ancillary to the primary recreation use.

f) Parks and Recreation

1. Public parks.

2. Outdoor cultural, educational and civic facilities, including, but not limited to: animal exhibits, habitats, band shells and outdoor classrooms.

3. Boat ramps and docks.

4. Active recreational uses, including, but not limited to: tennis courts, playgrounds, swimming pools, athletic fields and courts, and bikeways.

5. Concessions only when accessory to the above uses. Examples of such concessions are refreshment stands, souvenir shops and rental facilities.

g) Open Space

1. Open water areas.

2. Maintained open land areas.

3. Parking lots that serve an abutting primary use.

h) Conservation

- 1. Storm water retention areas.
- 2. Natural preserves.
- i) Community Facilities

1. Educational facilities

2. Special Residential Facilities Categories (1), (2), and (3) as defined in the "Definitions" subsection of the Plan Implementation Requirements section of the City of Margate Comprehensive Plan.

3. Governmental administration, police and fire stations, libraries, and civic centers.

4. Churches, synagogues, and other similar congregations of other religious denominations and parochial schools.

j) Utilities

1. Utilities such as water and wastewater treatment plants, pumping stations, electric power plants and substations, solid waste disposal and transfer stations.

2. Other uses determined to be ancillary to the primary uses described in (1).

3. Recreation and open space uses.

4. Communication facilities.

k) Transit Oriented Corridor

1. All uses listed in a-j above.

2. Existing and proposed residential development shall be designed to be integrated into the existing neighborhoods created through the implementation of the TOC. Compatibility and appropriate transitional design elements will be reviewed at time of site plan review, consistent with the

Policy 1.8 Facilities and services shall be available concurrent with the impacts of development, while traffic circulation shall meet the level of service standards as specified within the adopted Traffic Circulation Element.

Policy 4.8 Industrial land uses should be buffered from residential areas by canals and lakes, setbacks, landscaping, and architectural design.

Policy 5.2 Issuance of any development permit shall only be permitted upon finding that:

a. The proposed development is consistent with the Future Land Use Map and the permitted uses of Policy 1.2 of this Element.

b. That potable water is available to serve the needs of the proposed development.

c. That wastewater treatment and disposal service is available to serve the needs of the proposed development.

d. That fire protection is adequate to serve the needs of the proposed development.

e. That police protection is adequate to serve the needs of the proposed development.

f. That floor elevations are at or above the minimum prescribed by the

National Flood Insurance Program.

g. That the traffic generated by, the proposed development will be safely and efficiently, handled by the regional transportation network and local streets.

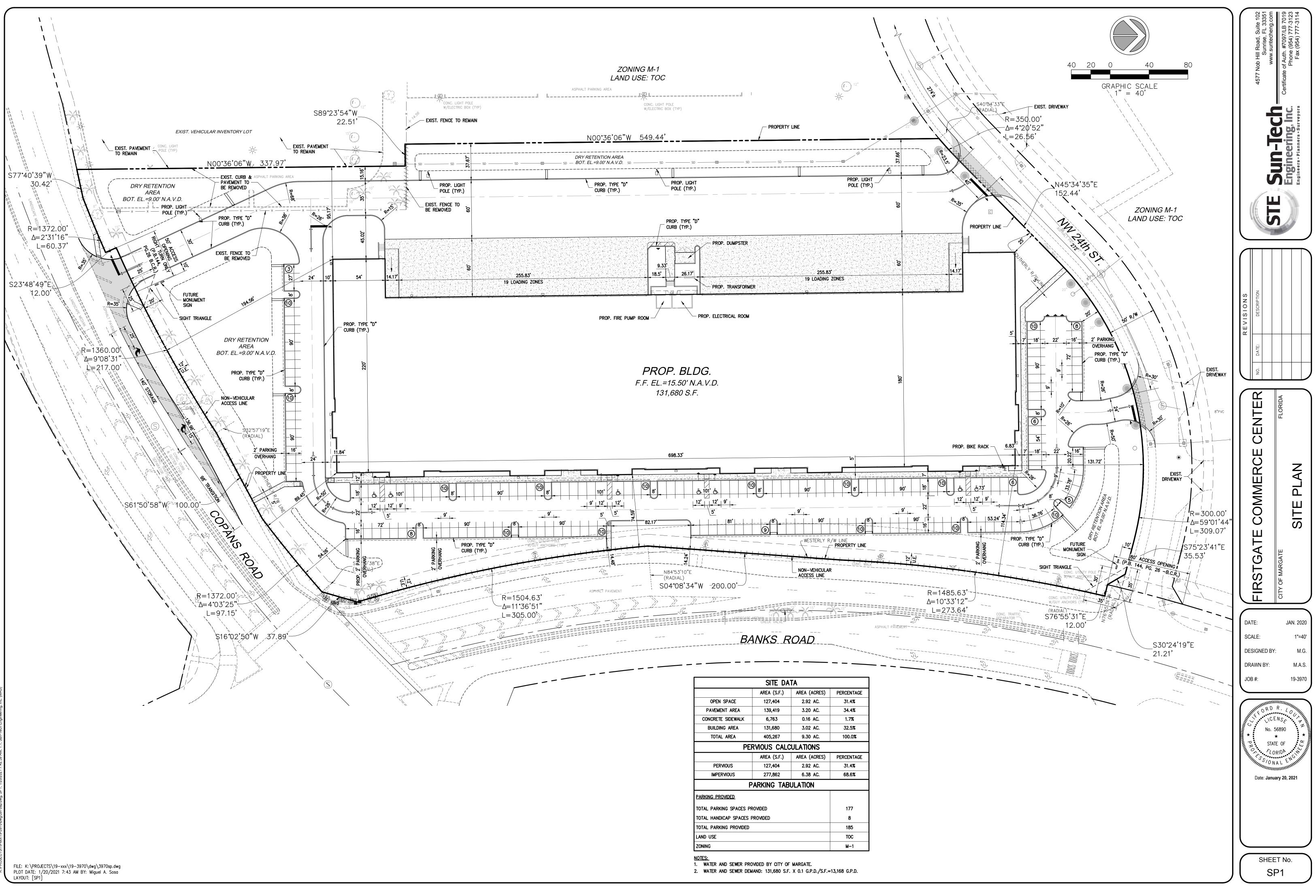
h. That a surface water management system meeting or exceeding the design criteria of the South Florida Water Management District is provided by the proposed development.

i. That, adequate areas for local parks and recreation have been provided to meet the needs of the proposed development.

j. That the proposed development is consistent with the design criteria specified in Policy 2.6 and elsewhere in the land development regulations of the City of Margate.

Exhibit 9

Applicant's Site Plan (Sheet SP1)



ROJECTS(19-xxx/19-3970)dwg/3970sp.dwg, SP1, 1/20/2021 7:42:59 AM, 1:1, Sun-Tech Engineering, Inc.

Exhibit 10

Aerial Photo

