

20

REQUESTED COMMISSION ACTION: **QUASI-JUDICIAL**

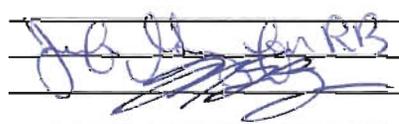
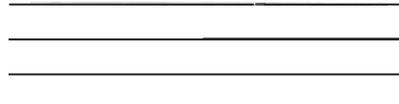
<input type="checkbox"/> Consent	<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Consideration/ Discussion	<input type="checkbox"/> Presentation
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SHORT TITLE: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO THE AMENDMENT OF THE DEVELOPMENT REVIEW REPORT DELETING NO. 7 REQUIRING A LEFT TURN ON NW 15TH STREET; PROVIDING AN EFFECTIVE DATE.

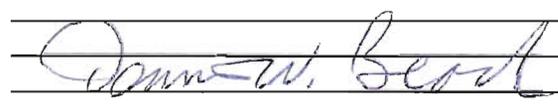
Summary of Purpose and Why:

The property owner, Darrell Valenti, has requested an amendment of the Manitowac Plat's 1988 Development Review Report. Specifically, the applicant is requesting Staff Recommendations #7 (left turn lane on NW 15th Street) be deleted. In 1993 NW 15th Street was deleted from the Trafficways Plan as a minor arterial. Therefore, the left turn on NW 15th Street is no longer required. Both the County and City Engineer have reviewed this request and agree that the turn lane is not necessary. With the approval of this Delegation Request an Improvement Agreement and Security Bond can be released by the County. Staff has no objections to the requested amendment.

- (1) Origin of request for this action: Jeffery Davis, Esq. on behalf of Darrel Valenti (owner)
- (2) Primary staff contact: Maggie Barszewski/ Robin M. Bird Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Serv. Dept.	1/25/2016	Approval	
City Attorney	1/26/2016	CAC 2016-431 ✓	

Advisory Board

City Manager 

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>
<u>Workshop</u>		
1 st Reading	1 st Reading	Results:
2 nd Reading		



City Attorney's Communication #2016-431

January 26, 2016

TO: Maggie Barszewski, AICP, Planner
FROM: Mark E. Berman, City Attorney
RE: Resolution – Letter of No Objection

As requested in your memorandum of January 25, 2016, Department of Development Services Memorandum #16-046, the following form of resolution, relative to the above-referenced matter, has been prepared and is attached:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO THE AMENDMENT OF THE DEVELOPMENT REVIEW REPORT DELETING NO. 7 REQUIRING A LEFT TURN LANE ON NW 15TH STREET; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.



MARK E. BERMAN

/jrm
l:cor/dev-srv/2016-431

Attachment

RESOLUTION NO. 2016-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO THE AMENDMENT OF THE DEVELOPMENT REVIEW REPORT DELETING NO. 7 REQUIRING A LEFT TURN LANE ON NW 15TH STREET; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That city staff's letter of no objection to amendment of the Development Review Report deleting No. 7 requiring a left turn lane on NW 15th Street, a copy of which letter is attached hereto and incorporated herein by reference as if set forth in full, is hereby approved and authorized.

SECTION 2. That the proper city staff is hereby authorized to forward said letter to Broward County.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

/jrm
1/25/16
l:reso/2016-113

January 25, 2016

Mr. Berger
Broward County Planning & Redevelopment Division
1 N University Drive, Ste 102A
Plantation, Florida 33324

Re: City of Pompano Beach Letter of No Objection to the amendment to the plat Manitowac
Plat DRR Report

Dear Mr. Berger:

The City of Pompano Beach has no objection to the amendment of the Development Review Report deleting number 7 that requires a left turn lane on NW 15th Street allowing ingress and egress for the property located at 1290 NW 15th Street.

Regards,

Maggie Barszewski, AICP
Planner



306 West Church Street
Champaign, IL 61820
Phone 217-352-1800
Fax 217-352-1083
www.meyercapel.com

December 8, 2015

RECEIVED
PLANNING/COMM
2015 DEC -9 AM 9:53
CITY OF POMPAHO BEACH

Ms. Maggie Barszewski
Planner
City of Pompano Beach
100 West Atlantic Blvd.
Pompano Beach, FL 33060

Re: Manitowoc Plat and Deletion of Requirement to Install Left Turn Lane

Dear Ms. Barszewski:

I am an attorney for Darrell Valenti who owns the property commonly known as 1290 NW 15th St., Pompano Beach, Florida (the "Property"). I have included an aerial map of the Property. The Property is legally described as Parcels A and B, The Manitowoc Plat, according to the Plat thereof as recorded in Plat Book 138, Page 47, Public Records of Broward County, Florida. I have included a copy of the Plat. Please note that the Property contains all of the real estate subject to the Plat.

In addition, I have included the Broward County Board of County Commissioners Development Review Report from 1988. Item 7 of this Report references a westbound left turn lane on N.W. 15th Street at the roadway at the ingress and egress easement (150 feet of storage, 100+/- feet of transition). This left turn lane installation requirement is also addressed in a recorded Agreement between Broward County and James Frederico and Albert Dimaria, a copy of which is attached. This left turn lane has not been installed to date and my client has recently completed improvements to the Property and this left turn lane requirement was not raised as an issue. The owner of the Property hereby requests that the City waive the requirement to install the left turn lane.

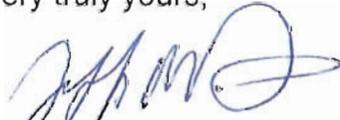
I have had discussions with Martin Berger of the County of Broward and he has indicated that the County no longer views this left turn lane as necessary. I have included a copy of an email from Mr. David Huizenga at the County.

As per your instructions, I have included a check payable to the City of Pompano Beach for \$350.

Ms. Maggie Barszewski
December 8, 2015
Page 2

Please confirm receipt of this letter and advise if any additional information is required.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'JMD', with a large, stylized flourish at the end.

Jeffrey M. Davis

JMD:ab



BOARD OF COUNTY COMMISSIONERS, BROWARD COUNTY, FLORIDA
DEVELOPMENT REVIEW REPORT

Office of Planning, Development Management Division Page 1 of 5

AGENDA NUMBER: 25
 MEETING DATE: 3/01/88
 ACTION DEADLINE: 4/05/88
 DEFERRED _____
 FROM: _____

Approved

PROJECT DESCRIPTION

NAME: THE MANITOWOC PLAT NUMBER: 030-MP-87
 APPLICANT: EUGENE D. GAMELIN & RONALD J. MARTIN
 AGENT: Darby & Way
 LOCATION: SOUTH SIDE OF NW 15TH STREET AT SEABOARD COAST LINE RAILROAD
 JURISDICTION: POMPANO BEACH SEC/TWP/RNG: 34-4B-42 COMM DIST: 2
 PLATTED AREA: 3.02 ACRES GROSS AREA (LUP): N/A

LAND USE

EXISTING USE: VACANT EFFECTIVE PLAN: POMPANO BEACH
 PROPOSED USE/DENSITY: INDUSTRIAL PLAN DESIGNATION/DENSITY: INDUSTRIAL
 ADJACENT USES: ADJACENT PLAN DESIGNATIONS:
 NORTH UTILITY PLANT, INDUSTRIAL NORTH INDUSTRIAL
 SOUTH INDUSTRIAL SOUTH INDUSTRIAL
 EAST VACANT EAST INDUSTRIAL
 WEST INDUSTRIAL, S.C.R.R. WEST INDUSTRIAL
 EXISTING ZONING: I-1 PROPOSED ZONING: N/A

SERVICES

WASTEWATER **POTABLE WATER**
 PLANT: BCUD 4 PLANT: POMPANO BEACH
 DESIGN CAPACITY: 66.000 MGD DESIGN CAPACITY: 40.0 MGD
 PEAK FLOW: (12/87) 70.82 MGD PEAK FLOW: 31.44 MGD
 AVO FLOW: (12/87) 60.42 MGD EST PROJECT FLOW: N/A MGD
 EST PROJECT FLOW: .005054 MGD COMMENTS: Sufficient capacity exists to serve this plat.
 COMMENTS: Connections are currently being approved to this plat.

PARKS:

NEIGHBORHOOD
 REGIONAL

LAND DEDICATION	MONEY-IN-LIEU OF LAND BASED ON:	
	LAND VALUE	DWELLING UNITS
THE COUNTY CONDUCTS NO INDEPENDENT LOCAL PARK REVIEW WITHIN MUNICIPALITIES.		N/A
N/A	N/A	N/A

ROADS:

RESIDENTIAL USES
 NON-RESIDENTIAL USES
 TOTAL

TRIPS GENERATED/ATTRACTED	IMPACT FEES
N/A	N/A
338	\$2,881.00
338	\$2,881.00

RECOMMENDATION
 (SEE ATTACHED CONDITIONS)

APPROVAL: Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Ordinance 86-91.

PREPARED: NHM
 TYPED: azm
 REVIEWED: [Signature]
 APP.: [Signature]

STAFF COMMENTS

- 1) Staff recommendations pertaining for this plat are based on the use being 2.90 acres of Industrial use.
- 2) Trafficways approval valid for 6 months. Approval received 1/28/88.
- 3) Applicant has been informed that any development must conform to the Tree Preservation Code No. 33 1/2 if any trees are to be removed or relocated.
- 4) Applicant has been informed that any Industrial uses must be approved by E.Q.C.B.
- 5) Applicant has been informed that this plat is in Zone 3 as described in Ordinance 84-60 (Wellfield Protection).
- 6) Applicant has been informed that a Broward County Water Management Works permit will be required prior to the construction of any water management works as defined in Chapter 36.
- 7) Required improvements shall be completed prior to the issuance of Certificate of Occupancy, unless an agreement is approved by the County Commission phasing the installation of improvements to correspond with development phasing.
- 8) Applicant has been informed that Engineering Division recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

STAFF RECOMMENDATIONS

NON-VEHICULAR ACCESS LINE REQUIREMENTS

- 1) Along the ULTIMATE right-of-way line of N.W. 15th Street, and extending along the east plat limits for a minimum distance of 100 feet.

ACCESS REQUIREMENTS

- 2) Driveway pavement width shall be 24 feet, and entrance radii 30 feet for a minor (50 foot opening) driveway.
- 3) The minimum distance from the trafficway, at any driveway to the first parking space or interior service drive is 25 feet for a minor driveway, 50 feet for an intermediate driveway, and 100 feet for a major driveway.

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

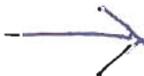
- 4) Dedicate the right-of-way along N.W. 15th street to conform to the Broward County Planning Council Trafficways Plan (corridor width = 106 feet).

RIGHT-OF-WAY REQUIREMENTS (Easement)

- 5) For chords based on a 30 foot radius at the intersection of the ULTIMATE right-of-way lines of NW 15 Street and the ingress and egress easement.
- 6) For an ULTIMATE eastbound right turn lane on N.W. 15th Street at the roadway at the ingress and egress easement (150 feet of storage, 100+/- feet of transition). Include the area bounded by any entrance radii.

TURN LANE IMPROVEMENTS (Bond For and Construct)

- 7) A westbound left turn lane on N.W. 15th Street at the roadway at the ingress and egress easement (150 feet of storage, 100+/- feet of transition).



Jeffrey M. Davis

From: DHUIZENGA@broward.org
Sent: Tuesday, November 24, 2015 3:15 PM
To: matthew.barnes@akerman.com
Subject: RE: dedicated right-of-way question

Matt,

As we discussed, the MANITOWOC PLAT was approved by the County on 3/1/1988. At that time, NW 15th Street was designated on the Broward County Trafficways Plan as a 106-foot minor arterial and the conditions of County plat approval included restrictions on access and requirement for the developer to construct a westbound left turn lane in order to ensure safe and adequate access between the Trafficway (NW 15th Street) and the development.

The property owner initially secured the construction obligation with a letter of credit.

The Trafficways Plan was later amended (on 09-23-1993) and NW 15th Street was deleted. At that point, the property owner could have applied to amend the conditions of plat approval and delete the turn lane construction requirement.

Because NW 15th Street is no longer a Trafficway, County would have no objection to this type of plat amendment.

The process to amend the conditions of County plat approval requires submittal of a Delegation Request application at the Planning and Development Management Division. Following review by County staff, the Delegation Request will be considered by the County Commission.

If the County Commission approves the Delegation Request, the Improvement Agreement and security can be released.

Submittal requirements will include a narrative describing the proposed amendment and letter from the City stating their position on the Delegation Request.

You can find the application forms, a fee schedule, and submittal deadlines on the Planning and Development Management Division's website at: <http://www.broward.org/Regulation/Pages/Default.aspx>

Lastly, you should bear in mind that County staff merely issue comments and recommendations concerning Delegation Requests. Delegation Requests must be approved by the County Commission and the process begins at the Planning and Development Management Division. If you have any questions concerning the submittal requirements or processing, please visit their website or call Susan Henderson at the Planning and Redevelopment Division (954-357-6627).

David Huizenga
Engineer III, Plat Section

Broward County Highway Construction and Engineering Division
Government Center West
1 N. University Drive, Room 300B
Plantation, FL 33324

Maggie Barszewski

From: Alessandra Delfico
Sent: Thursday, January 21, 2016 11:04 AM
To: John Sfiropoulos
Cc: Maggie Barszewski
Subject: RE: No Need for Turn Lane on NW 15th St.?

It looks okay.

Maggie do you need a formal letter from John?

From: Maggie Barszewski
Sent: Thursday, January 21, 2016 10:12 AM
To: Alessandra Delfico <Alessandra.Delfico@copbfl.com>
Cc: John Sfiropoulos <John.Sfiropoulos@copbfl.com>
Subject: RE: No Need for Turn Lane on NW 15th St.?

Alessandra,
Please see attached.
Thanks,
Maggie



From: Alessandra Delfico
Sent: Thursday, January 21, 2016 9:54 AM
To: John Sfiropoulos; Maggie Barszewski
Subject: RE: No Need for Turn Lane on NW 15th St.?

Sure. Maggie please send the back up

From: John Sfiropoulos
Sent: Thursday, January 21, 2016 9:48 AM
To: Maggie Barszewski <Maggie.Barszewski@copbfl.com>; Alessandra Delfico <Alessandra.Delfico@copbfl.com>
Subject: RE: No Need for Turn Lane on NW 15th St.?

Hi Maggie, I apologize for delay on this. Alessandra, in Leadership Broward all day today and Greenbelt tomorrow...can you please review this for me?

Happy Connecting. Sent from my Sprint Samsung Galaxy S® 5

----- Original message -----

From: Maggie Barszewski <Maggie.Barszewski@copbfl.com>
Date: 01/21/2016 9:30 AM (GMT-05:00)
To: John Sfiropoulos <John.Sfiropoulos@copbfl.com>
Subject: FW: No Need for Turn Lane on NW 15th St.?

John,

I'm sending this again (below), since I didn't hear from you. I am preparing the request for the Feb. 9th Commission meeting and need to ensure that the City has no problem relinquishing the turn lane requirement.

Please let me know.

Thanks,
Maggie



From: Maggie Barszewski
Sent: Wednesday, January 06, 2016 4:36 PM
To: John Sfiropoulos
Subject: No Need for Turn Lane on NW 15th St.?

John,

An applicant for a County Delegation Request needs a Letter of No Objection from the City to delete a requirement to construct a turn lane on NW 15th St. that they bonded for (see attached request). Also attached is the email from Dave Huizenga which expresses that the turn lane is no longer necessary since NW 15th St. was dropped from the Trafficways Plan in 1993.

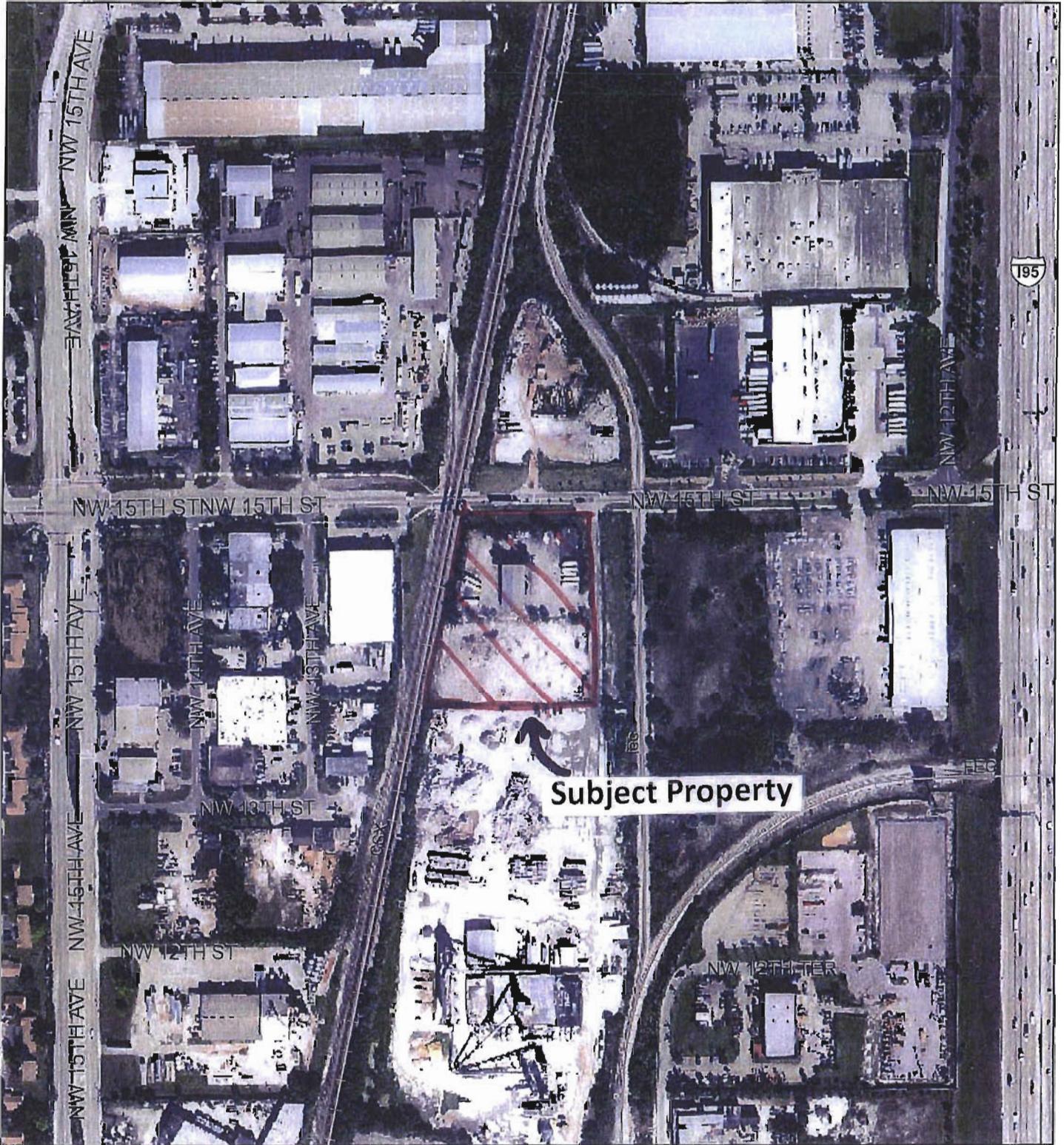
Robin Bird told me to run this by your Dept. before processing the Plat Note Amendment Letter of No Objection, to make sure that the City feels such a turn lane is also not necessary.

Please let me know if you need any further information in addition to the attached email from the County, Areal and Plat map.

I look forward to hearing from you.

Thanks,
Maggie Barszewski, AICP

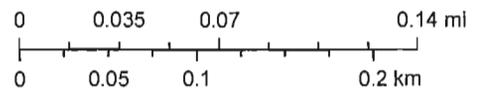




January 6, 2016

1:4,229

- Railroad_4K
- Road Centerlines_4K
- ATLANTIC BOULEVARD
- HISTORIC DISTRICT CORE
- HISTORIC DISTRICT TRANSITION



BCPA
 engineering
 City of Pompano Beach Engineering