



CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT

DATE August 9, 2011

TO Robert Baldwin, City Manager *Robert Baldwin*

VIA: Robert Daniels, Director

FROM: Corinne Lajoie, AICP, Principal Planner *CLajoie*

SUBJECT **SP-03-01-EXT:** The applicant, Tamara Peacock, is requesting a Site Plan and Variance extension to construct an office/warehouse building located at 2150 NW 7th Avenue (located south of Hertz Rental Car, east of the airport).

SITE PLAN (SP-03-01)

To allow the construction of a new 72,000 square foot office/warehouse facility.

VARIANCE (VA-18-01)

1. Provide 20% pervious area (30%) required; and
2. Approve a generalized landscape variance.

PROPERTY INFORMATION

EXISTING ZONING: Industrial, Research, Office (IRO)
LAND USE DESIGNATION: Employment Center

This property is located east of the airport and has a previously approved site plan for the construction of a 72,000 square foot office/warehouse facility. The applicant obtained a building permit and began clearing the property and laying the foundation when Broward County started monitoring the site and requested additional environmental information, causing a delay in construction. The existing building permit has been granted the maximum extension period possible and will expire in July 2011. The applicant is requesting an 18 month extension to allow time to obtain new permits and financing.

CITY COMMISSION PREVIOUS ACTION

On April 10, 2001, the City Commission approved the site plan and variance via Resolution No. 2001-061 and Resolution No. 2001-060 with the following conditions:

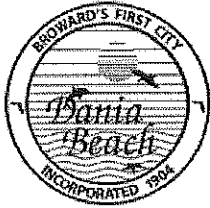
1. Provide written documentation that the applicant has contacted BCAD/FAA.
2. Fire Marshall comments must be addressed:
 - a. Note 32 ton weight limits and compliance with SFOC Ch. 52, Section 5211.2(g)(g)(F) on the plan. Also type of subsurface intended – concrete stones, grids, etc.

- b. Provide fire access road signs at both ends on both sides of access road and clearly mark and identify the emergency road per SFBC Ch. 52, Sec. 5211.2(g)(2)(ii) along its length.
3. Architect to provide letter (signed and sealed) indicating that he has informed the applicant and property owner that industrial uses cannot be substituted for warehouse/distribution uses due to limited parking.

On February 10, 1999, the original site plan was approved by the City Commission via Resolution No. 25-99.

STAFF RECOMMENDATION

Staff is recommending approval with the same conditions as the original approval.



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643

General Development Application

- Administrative Variance
- Assignment of Flex/Reserve Units
- Land Use Amendment
- Plat
- Plat Delegation Request
- Rezoning
- Site Plan
- Special Exception
- Trafficway Waiver
- Variance
- Roadway Vacation
- Other: SITE PLAN EXTENSION

Date Rec'd: _____

Petition No.: _____

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City's Building Department. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: 1900 NE 7th AVENUE, DANIA BEACH FL

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: NISA PLAT PARCEL B

Folio Number(s): 5042 26 09 0020 Legal Description: NISA PLAT 147-14B PARCEL B

Applicant/Consultant/Legal Representative (circle one) Tamara Peacock

Address of Applicant: 6500 N. ANDREWS AVENUE, FORT LAUDERDALE, FL 33309

Business Telephone: 954.444.1104 Home: _____ Fax: 954.728.9225

Name of Property Owner: PORT 5 LTD

Address of Property Owner: 1812 SW 31st AVENUE, PEMBROKE PARK FL 33009

Business Telephone: 954.981.8073 Home: _____ Fax: 954.981.8075

Explanation of Request: SEE LETTER ATTACHED

For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per Section 625.40 of the Land Development Code.

Prop. Net Acreage: 4.33 acres Gross Acreage: _____ Prop. Square Footage: 71,884 SF

Existing Use: VACANT Proposed Use: WAREHOUSES

Is property owned individually, by a corporation, or a joint venture? _____

I understand that all approvals automatically expire within 12 months of City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Land Development Code.

[Signature]
Applicant/Owner signature

TAMARA PEACOCK
Print Name

6/27/2011
Date

APPLICANT, CONSULTANT, OR LEGAL REPRESENTATIVE NOTARIZED SIGNATURE

Sworn to and subscribed before me

This 27TH day of JUNE 2011

Applicant/Consultant/Representative:

Signature: [Signature]

Date: 6/28/2011

Robert A. Murchison
Sign Name of Notary Public
State of ()

TAMARA PEACOCK
(Print Name)

ROBERT MURCHISON
Print Name of Notary

6500 N. ANDREWS AVENUE, FORT LAUDERDAEL, FL 33309
Street Address, City, State and Zip Code

Commission Expires:
Seal:

5/11/2014
ROBERT A. MURCHISON
MY COMMISSION # DD 985570
EXPIRES: May 11, 2014
Bonded Thru Budget Notary Services

954.444.1104 * 954.728-9225
Telephone No. & Fax No.



INDIVIDUAL OWNER NOTARIZED SIGNATURE:

This is to certify that I am the fee simple owner of subject lands described above and that I have authorized (Applicant/Consultant/Representative) _____ to make and file the aforesaid application.

Sworn to and subscribed before me
This _____ day of _____ 20____

Owner: _____

Signature: _____

Date: _____

Sign Name of Notary Public
State of ()

(Print Name)

Print Name of Notary

Street Address, City, State and Zip Code

Commission Expires:
Seal:

Telephone No. & Fax No.

CORPORATION NOTARIZED SIGNATURE:

This is to certify that the below referenced corporation is the owner of subject lands described above and that I, as a duly authorized officer, have authorized (Applicant/Consultant/Representative) _____ to make and file the aforesaid application.

Sworn to and subscribed before me

Corporation Name: _____

This _____ day of _____ 20____

Signature: _____

Date: _____

(Print Name)

(Print Title)

Sign Name of Notary Public
State of ()

Print Name of Notary

Street Address, City, State and Zip Code

Commission Expires: _____
Seal:

Telephone No. & Fax No.

JOINT VENTURE/PARTNERSHIP NOTARIZED SIGNATURE:

This is to certify that the below referenced that the duly authorized persons are the owners of subject lands described above and that all partners have authorized (Applicant/Consultant/Representative) Angela M. Kelsey to make and file the aforesaid application.

Sworn to and subscribed before me

This 28 day of June 2011

Signature: Angela M. Kelsey

Date: 6/28/2011

Angela M. Kelsey

(Print Name)**

Reatha L Born

Sign Name of Notary Public
State of (FL)

Reatha L Born

Print Name of Notary

1812 SW 31st AVENUE

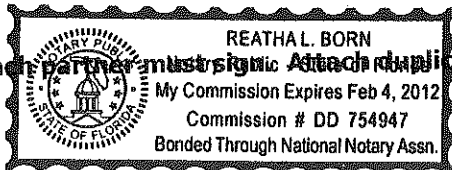
Street Address, City, State and Zip Code

Commission Expires: 2-4-12
Seal:

954.981.8073 * 954.981.8075

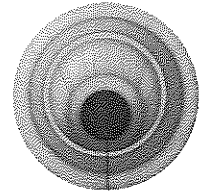
Telephone No. & Fax No.

****Each Partner must sign. Attach duplicate sheets as required.**



THE TAMARA PEACOCK COMPANY

Architects



June 28th, 2011

City of Dania Beach
Planning and Zoning Department
100 W Dania Beach Boulevard
Dania Beach, Florida 33004
Attn: Corinne Lajoie

*Re: Site Plan Extension Request
1900 NE 7th Avenue, Dania Beach, FL / Port 5, LLC
File #*

To whom it may concern,

Please regard this letter as our formal request for the Site Plan Approval referenced above. The reason for this request for an 18 month extension is “economic hardship”. Given the associated cost to continue the project and considering the reduce demand for leasable industrial space during the recession, it was necessary to place the project on hold.

We believe with the 18 month extension there will be enough recovery in the real estate market to continue the construction of the project as originally was planned.

We thank you in advance for your consideration.

Sincerely,

Tamara Peacock
President

RESOLUTION NO. 2001- 061

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY RICHARD BEIDL, AGENT FOR PORT 5, LTD., INC., FOR PROPERTY LOCATED AT 2150 NE 7TH AVE., DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 8.4 of Article 1 of Chapter 8 of the Code of Ordinances of the City of Dania Beach, Florida, states that a site plan is required as a condition to the issuance of a building permit; and

WHEREAS, Richard Beidl, Agent for Port 5, Ltd., has applied for site plan approval for the proposed construction of a 72,000 square foot office/warehouse building located at 2150 NE 7th Avenue, Dania Beach; and

WHEREAS, the Planning & Zoning Advisory Board on March 21, 2001, recommended that the City Commission grant the site plan request (SP-03-01), based upon the criteria set forth in Section 8.4 of Article 1 of Chapter 8 of the Code of Ordinances of the City of Dania Beach;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That that certain application (SP-03-01) for site plan approval, a copy of which is attached and made a part of this Resolution as Exhibit "A" is approved

- (1) Provide written documentation that the applicant has contacted BCAD/FAA;
- (2) Fire Marshall's comments (attached);
- (3) Architect to provide letter (signed and sealed) indicating that he has informed the applicant and property owner that industrial uses cannot be substituted for warehouse/distribution uses due to limited parking.

and it is further noted that the original Site Plan is maintained in the office of the Growth Management Department of the City of Dania Beach.

Section 2. That based upon the criteria set forth in Section 8-4(p) of Article 1 of Chapter 8, of the Code of Ordinances of the City of Dania Beach, all site plan approvals shall automatically expire and become null and void unless building permits are obtained on or before 18 months from the date of this resolution.

Section 3. That all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict.

Section 4. That this resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 10TH DAY OF APRIL, 2001.



MAYOR-COMMISSIONER

ATTEST:


SHERYL CHAPMAN
ACTING CITY CLERK

ROLL CALL:
COMMISSIONER BERTINO-ABSENT
COMMISSIONER MIKES-YES
COMMISSIONER McELYEA-YES
VICE-MAYOR CHUNN-YES
MAYOR FLURY-YES

APPROVED AS TO FORM AND CORRECTNESS:

BY: 
THOMAS J. ANSBRO
CITY ATTORNEY

RESOLUTION NO. 2001-060

A RESOLUTION OF THE CITY OF DANIA BEACH, APPROVING THE VARIANCE REQUEST SUBMITTED BY RICHARD BEIDL, AGENT FOR PORT 5, LTD., FROM CHAPTER 28 ZONING, ARTICLE 29 PERVIOUS AND IMPERVIOUS AREAS AND CHAPTER 26, VEGETATION, ARTICLE IV LANDSCAPING, FOR PROPERTY LOCATED AT 2150 NE 7TH AVE., DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Dania Beach Code of Ordinances, Chapter 28 Zoning, Article 29, sets the Pervious and Impervious requirements for the City of Dania Beach; and

WHEREAS, the Dania Beach Code of Ordinances, Chapter 26 Vegetation, Article IV, sets the Landscaping requirements for the City of Dania Beach; and

WHEREAS, Richard Beidl, Agent for Port 5, Ltd. has applied for a variance (VA-18-01) to allow for

- (1) permission to provide 20% pervious area (30% required); and
- (2) a generalized landscaping variance;

for property located at 2150 NE 7th Avenue, Dania Beach; and

WHEREAS, the Planning & Zoning Advisory Board on March 21, 2001, recommended that the City Commission grant variance request VA-18-01 based upon the criteria set forth in section 10.13 of Article 10, of Chapter 28, Zoning, of the Code of Ordinances of the City of Dania Beach;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That that certain application VA-18-01, for a variance as described above (from requirements in Chapter 28, Zoning, Article 29 Pervious and Impervious Requirements and Chapter 26, Vegetation, Article IV Landscaping), a copy of which is attached as Exhibit "A" is approved subject to following conditions:

- (1) Provide written documentation that the applicant has contacted BCAD/FAA;
- (2) Fire Marshall's comments (attached);
- (3) Architect to provide letter (signed and sealed) indicating that he has informed the applicant and property owner that industrial uses cannot be substituted for warehouse/distribution uses due to limited parking.

Section 2 . That all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict.

Section 3. That this resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 10th DAY OF APRIL, 2001.

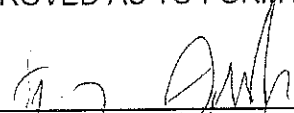

MAYOR - COMMISSIONER

ATTEST:


SHERYL CHAPMAN
ACTING CITY CLERK

ROLL CALL:
COMMISSIONER BERTINO-ABSENT
COMMISSIONER MIKES-YES
COMMISSIONER McELYEA-YES
VICE-MAYOR CHUNN-YES
MAYOR FLURY-YES

APPROVED AS TO FORM AND CORRECTNESS:

By: 
THOMAS J. ANSBRO
CITY ATTORNEY

RESOLUTION NO. 25-99

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY CHARLES M. KELSEY III, VICE PRESIDENT OF PORT 5, LTD., FOR PROPERTY WHICH IS LOCATED TO THE SOUTH OF 2150 NE 7TH AVENUE, ALSO KNOWN AS PARCEL "B" OF THE "NISA PLAT", DANIA BEACH, FLORIDA; PROVIDING THAT ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT WITH THIS RESOLUTION ARE REPEALED TO THE EXTENT OF SUCH CONFLICT; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 8.4 of Article 1 of Chapter 8 of the Code of Ordinances of the City of Dania Beach, Florida, states that a site plan is required as a condition to the issuance of a building permit; and

WHEREAS, Charles M. Kelsey, III, Vice-President of Port 5, Ltd., as property owner, has applied for site plan approval for property which is located to south of 2150 NE 7th Avenue, also known as Parcel "B" of the "Nisa Plat", Dania Beach, Florida; and

WHEREAS, the Planning & Zoning Board on January 20, 1999, recommended that the City Commission grant the site plan request (SP-06-99), based upon the criteria set forth in Section 8.4 of Article 1 of Chapter 8, of the Code of Ordinances of the City of Dania Beach;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

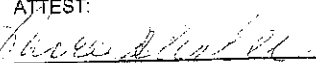
Section 1. That that certain application (SP-06-99) for site plan approval, a copy of which is attached and made a part of this Resolution as Exhibit "A" is approved and the appropriate city officials are directed to execute same.

Section 2. That based upon criteria set forth in Section 8-4(p) of Article 1 of Chapter 8, of the Code of Ordinances of the City of Dania Beach, all site plan approvals shall automatically expire and become null and void unless building permits are obtained on or before 18 months from the date of this resolution;

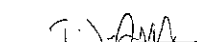
Section 3. That all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict.

Section 4. That this resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 10th DAY OF FEBRUARY, 1999.

ATTEST:

MARIE JABALEE
CITY CLERK


JIM CALI
MAYOR-COMMISSIONER

APPROVED AS TO FORM AND
CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

ROLL CALL:
Mayor Cali -yes
Vice-Mayor Etling-yes
Commissioner Bertino-yes
Commissioner Hyde-yes
Commissioner Mikes-yes