



Staff Report

File #: LN-363

PLANNING AND ZONING BOARD
Meeting Date: NOVEMBER 16, 2022

GATEWAY LUXURY APARTMENTS EASEMENT ABANDONMENT

Request: Easement Abandonment
P&Z# 22-27000007
Owner: US Gateway Investments LLC
Project Location: 950 N Powerline Rd
Folio Number: 484234480010
Land Use Designation: Commercial
Zoning District: B-3 (General Commercial)
Commission District: 4 (Beverly Perkins)
Agent: Tiffany Crump (954-788-3400)
Project Planner: Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

This is a request to abandon a 24-foot access easement by Keith, Inc. on behalf of US Gateway Investments, LLC. The easement is located the east side of Powerline Road, approximately 500 feet south of Dr. Martin Luther King Jr. Blvd (with an address of 950 N Powerline Road). The easement is shown on the face of the Hurok Plat (P.B. 178 - PG. 164 & 165). The Easement will be replaced with a smaller access easement providing a cross access with the adjacent property to the north. The abandonment will allow for the construction of the northernmost proposed building included in the “Gateway Luxury Apartments” project Site Plan that is also being considered at the November 16th Planning & Zoning hearing.

REVIEW AND SUMMARY

A. The following Service Providers commented on this request:

Code Compliance: No comments have been received
Fire Department: No comments have been received
Public Works Department: No objection
Development Services: No objection
Utilities Department: No comments have been received
FP&L: No comments have been received
AT&T: No objection
TECO Gas: No objection
Comcast Cable: No comments have been received

B. Development Services Department staff submits the following factual information which is relevant to this abandonment request:

1. The area to be abandoned is located within the “Gateway Luxury Apartments” project, which is

located at 950 N Powerline Road.

2. The Applicant's request is necessary to allow for the construction of the proposed development.

C. Review Standards

Section 155.2431 D. 1. & 2. states that an application for vacation or abandonment of a public right-of-way or easement shall be approved only on a finding that all of the following standards are met:

1. The right-of-way or easement is not now, or in the foreseeable future, of any benefit to the city or its inhabitants; and
2. Vacation or abandonment of the right-of-way or easement is consistent with the comprehensive plan.

D. Staff Analysis

All of the service providers that have submitted comments have stated they have no objection to this request. There are 5 service providers that have not yet submitted comments, which include: Code Compliance, Fire, Public Works, and the Utility Departments from the City and FPL & TECO Gas from the private side. These comments must be received prior to it being presented to the City Commission.

With the exception of providing all of the service provider comments, the abandonment of this easement meets the abandonment standards of Section 155.2431 D.1. & 2, and therefore staff recommends approval of this request with the condition that the remainder of the service provider comments be provided prior to City Commission.

DEPARTMENT RECOMMENDATION

Given the information provided to the Board, staff provides the following alternative motions for the Board's review.

Alternative Motions

I- Approve with conditions

Recommend approval to the City Commission as the Board finds that the easement abandonment meets the standards of Section 155.2431 D.1. & 2, with the following conditions that must be satisfied prior to placement on a City Commission agenda:

1. All service provider no-objection letters have been received; and
2. The applicant provides staff with proof that the new access easement has been submitted to the County for recordation.

II- Table

Table this abandonment request to allow time for the Applicant to address any objections raised by the affected parties or to get additional information.

Staff recommends alternative motion number I.

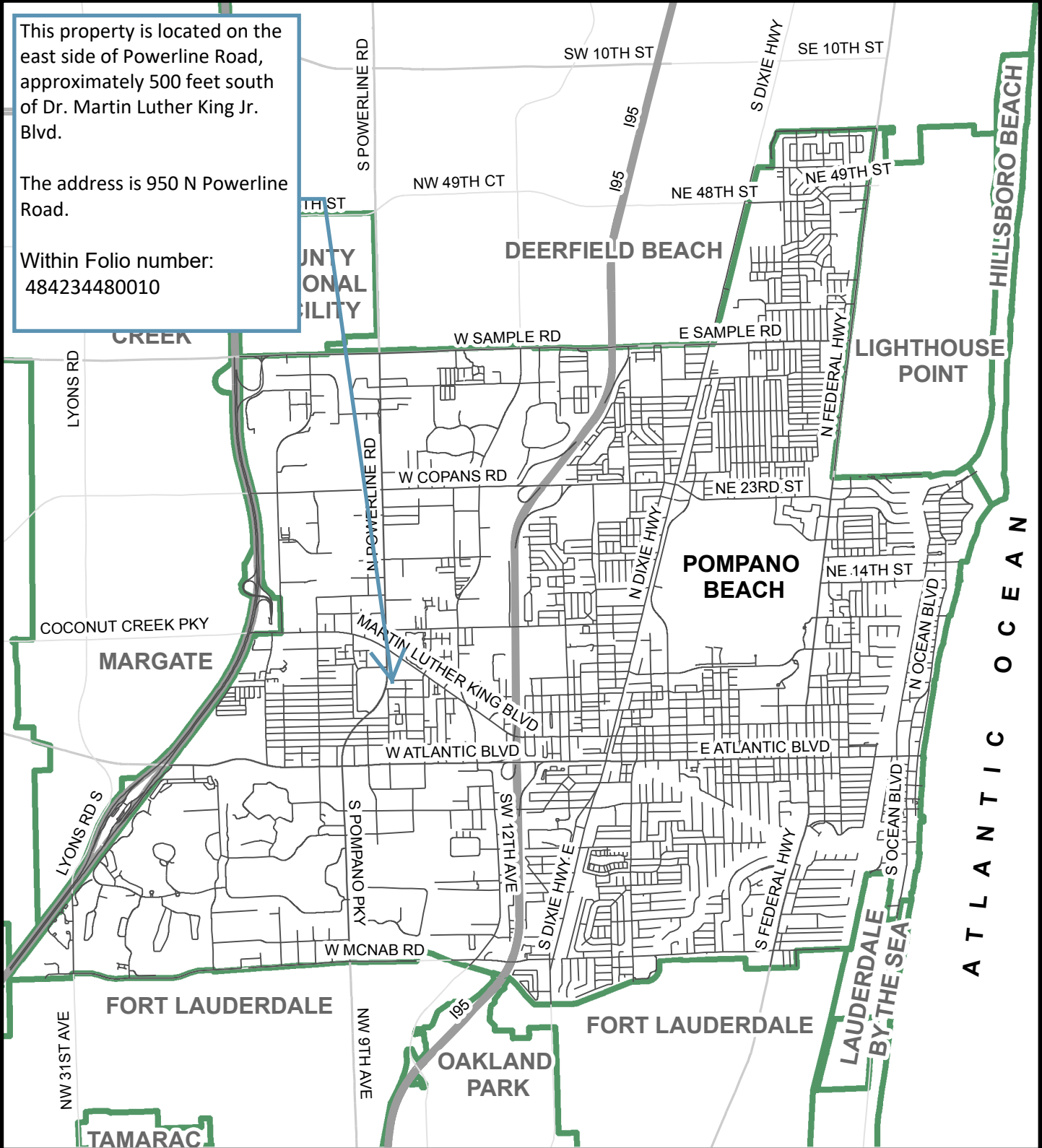
CITY OF POMPANO BEACH LOCATION MAP



This property is located on the east side of Powerline Road, approximately 500 feet south of Dr. Martin Luther King Jr. Blvd.

The address is 950 N Powerline Road.

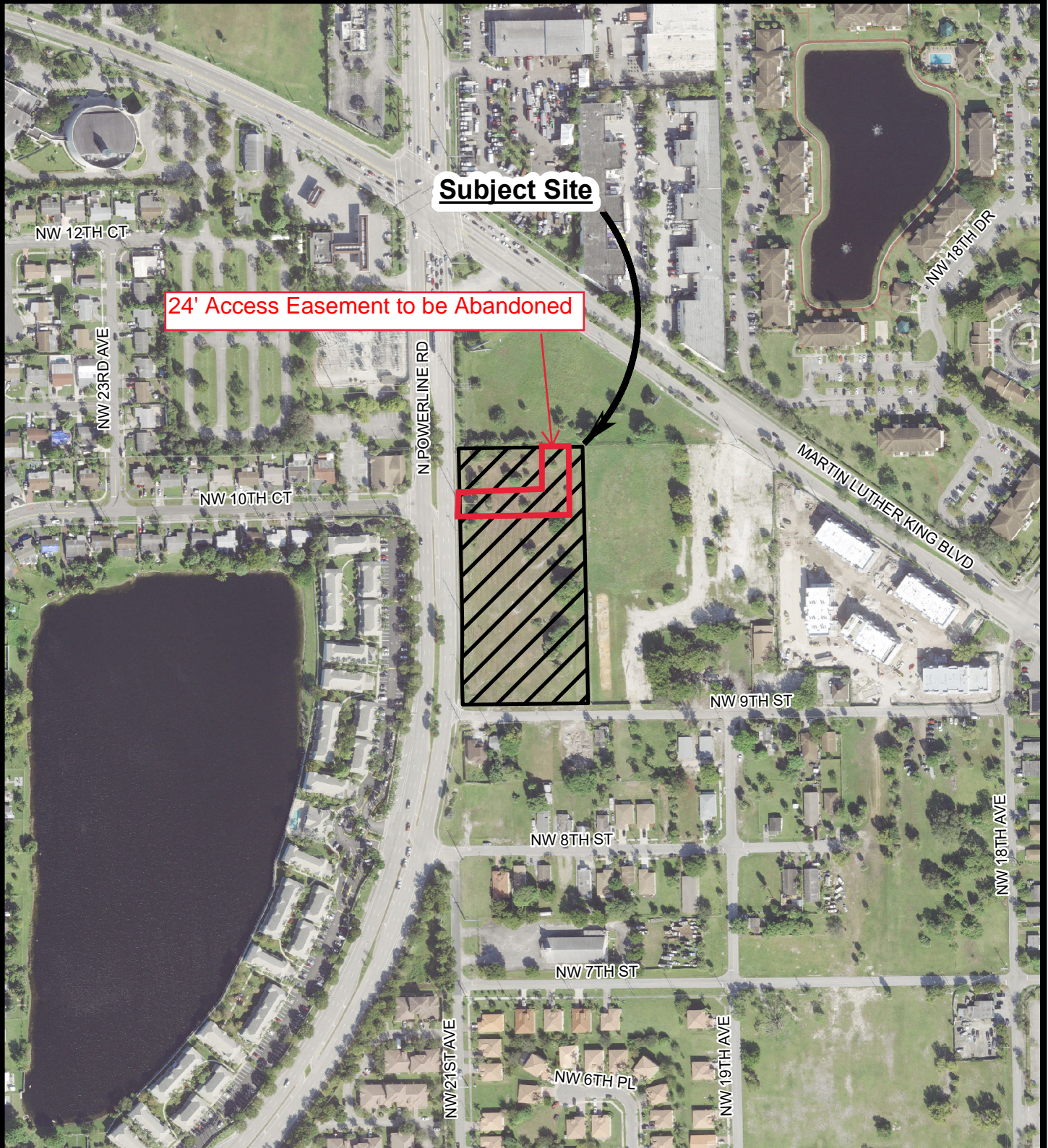
Within Folio number:
484234480010



1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

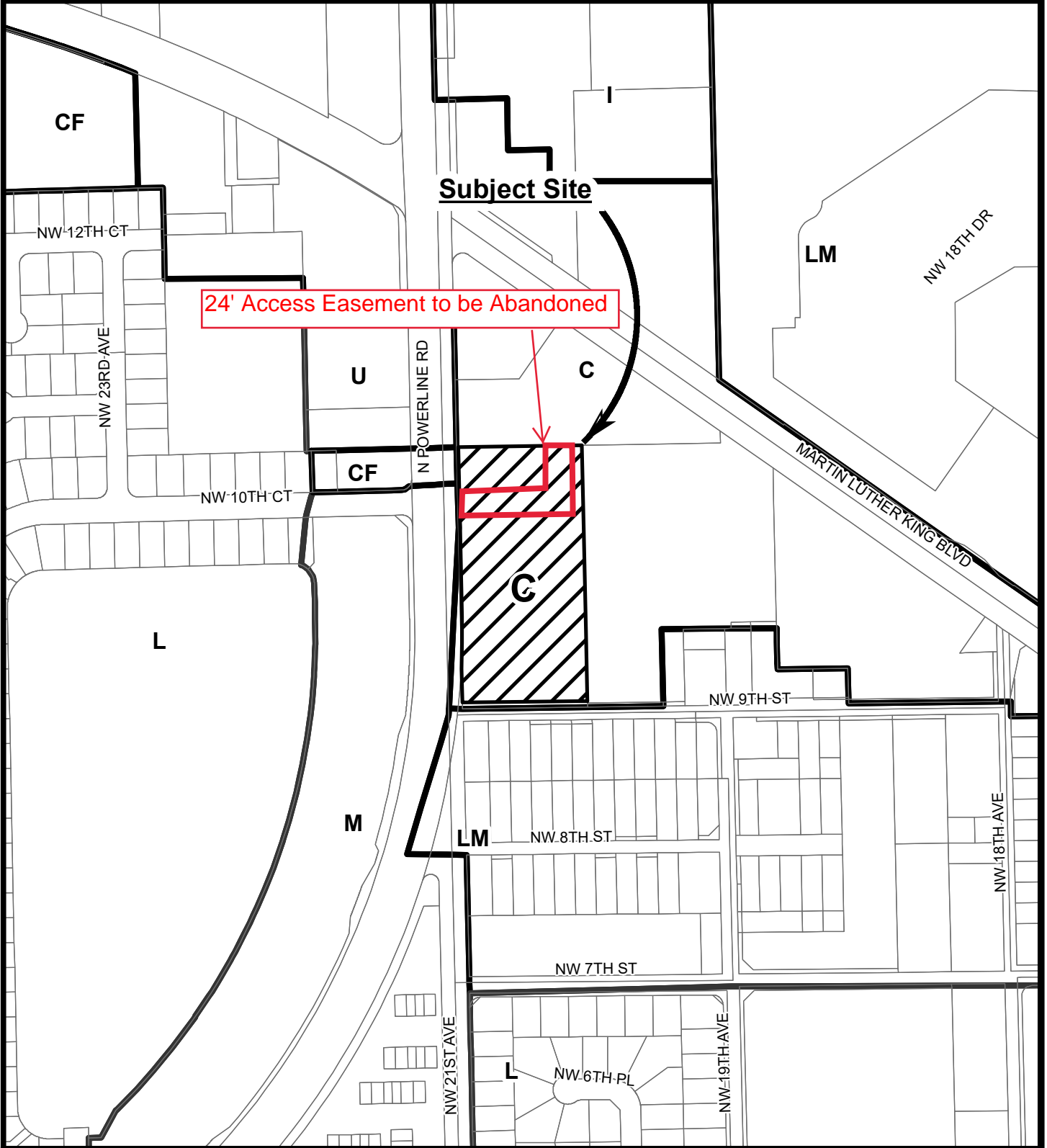


Subject Site

24' Access Easement to be Abandoned

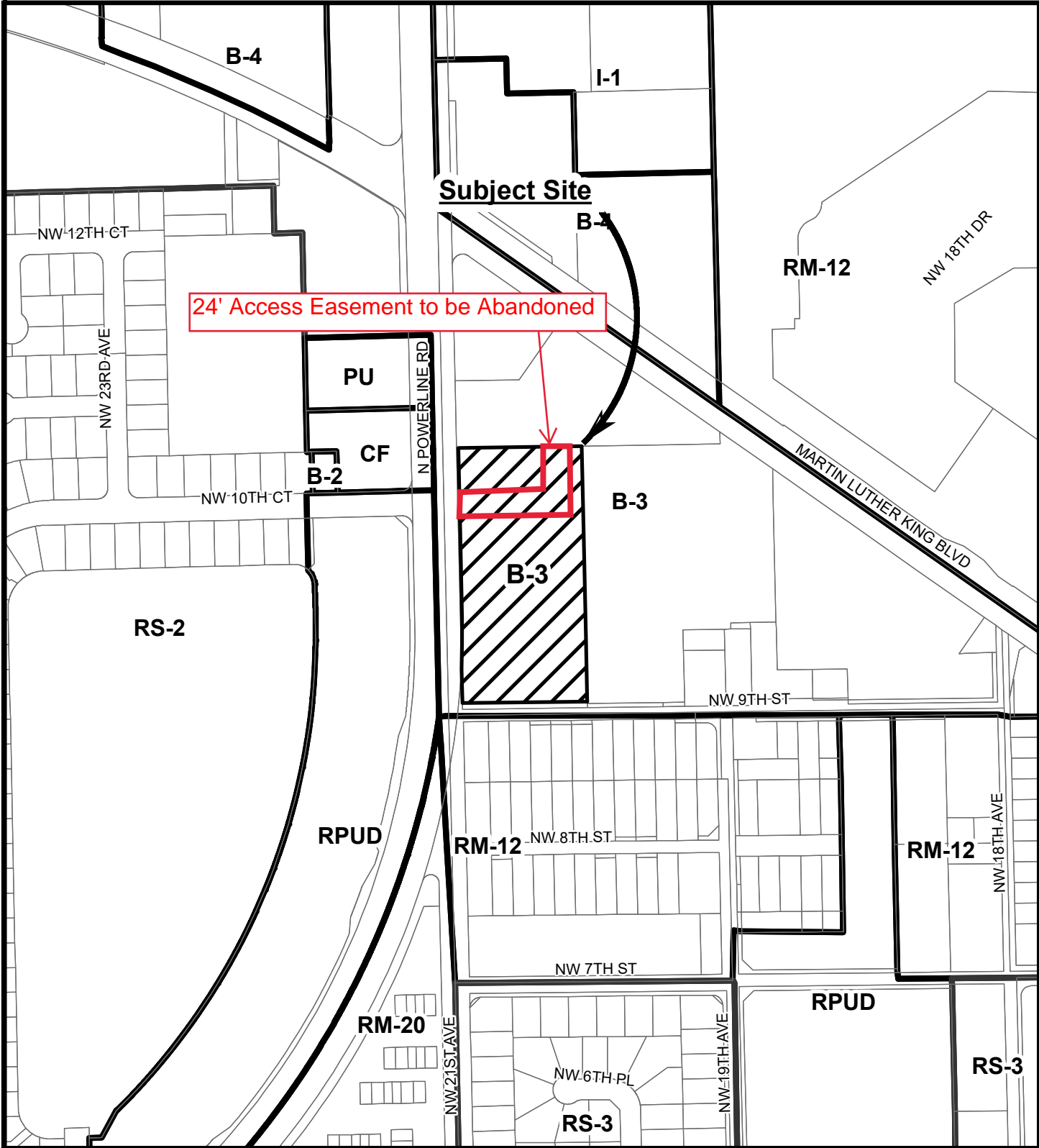
1 in = 333 ft

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 333 ft

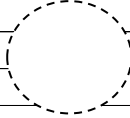
CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 333 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

LEGEND

FOR LAND USE PLAN		FOR ZONING MAP	
Symbol	Classification Units/ Acre	Symbol	District
		RS-1	Single-Family Residence 1
L	Low (1-5 DU/AC)	RS-2	Single-Family Residence 2
LM	Low- Medium (5-10 DU/AC)	RS-3	Single-Family Residence 3
M	Medium (10-16 DU/AC)	RS-4	Single-Family Residence 4
MH	Medium-High 16-25 DU/AC)	RS-L	Single-Family Residence Leisureville
H	High (25-46 DU/AC)		
12	Irregular Density	RD-1	Two- Family Residence
36	Irregular Density		
		RM-7	Multiple-Family Residence 7
*	C Commercial	RM-12	Multiple-Family Residence 12
	CR Commercial Recreation	RM-20	Multiple-Family Residence 20
		RM-30	Multiple-Family Residence 30
I	Industrial	RM-45	Multiple-Family Residence 45
		MH-12	Mobile Home Park
T	Transportation		
		B-1	Limited Business
U	Utilities	B-2	Neighborhood Business
		*	B-3 General Business
CF	Community Facilities	B-4	Heavy Business
		M-1	Marina Business
OR	Recreation & Open Space	CR	Commerical Recreation
W	Water	I-1	General Industrial
		I-1X	Special Industrial
RAC	Regional Activity Center	O-IP	Office Industrial Park
		M-2	Marina Industrial
LAC	Local Activity Center		
		TO	Transit Oriented
DPTOC	Downtown Pompano	PR	Parks & Recreation
	Transit Oriented Corridor	CF	Community Facilities
	Number	PU	Public Utility
		T	Transportation
		BP	Business Parking
		LAC	Local Activity Center
*	Current Designation		
>	Proposed Designation	RPUD	Residential Planned Unit Dev.
		PCD	Planned Commercial Development
		PD-TO	Planned Development - Transit Oriented
		PD-I	Planned Development - Infill
		RM-45 HR	Multiple-Family Residence 45 High Rise-Overlay
		AOD	Atlantic Boulevard Overlay District
		CRAO	Community Redevelopment Area Overlay
		NCO	Neighborhood Conservation Overlay
		APO	Air Park Overlay
		DP	Downtown Pompano Beach Overlay