



DEVELOPMENT SERVICES

David L. Recor, ICMA-CM, Development Services Director
E: david.recor@copbfl.com | P: 954.786.4664 | F: 954.786.4504

ADMINISTRATIVE MEMORANDUM NO. 20-168

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services *JG*
FROM: Maggie Barszewski, AICP, Planner
SUBJECT: Request to Abandon a 2 – Foot Wide Partial Utility Easement for Exit 69, LLC
 Abandonment P&Z #20-27000003/ July 22, 2020 P&Z Meeting
DATE: July 2, 2020

This is a request to abandon a 2-foot partial easement, by Keith, Inc. on behalf of Exit 69, LLC. The utility easement had been recorded as part of the Pompano Industrial Park Third Addition Plat. The requirement for an easement vacation stems from a Site Plan Development Order Condition to dedicate 2-feet of ROW along NW 27th Avenue (Blount Road) per the Broward County Trafficway Plan. Therefore, the underlying platted 12-foot utility easement requires a 2-foot partial easement vacation in order to proceed with Broward County’s ROW Dedication Process. The proposed easement vacation is approximately 652 square feet in area and will enable the construction of three additional 1-story warehouse buildings on the subject property per approved site plan (D.O. PZ19-12000004, attached). Utility access to the site will still be maintained within the remaining portion of the Platted Utility Easement on the Western side of Tract C, of the Plat.

REVIEW AND SUMMARY

A. The following Service Providers commented on this request (all such comments must be received prior to City Commission unless conditioned otherwise):

Community Redevelopment:	No Objection
Code Compliance:	No Objection
Fire Department:	No Objection
Public Works Department:	No Objection
Development Services:	No Objection
Utilities Department:	No Objection
Crown Castle Fiber, LLC	No Objection
FP&L:	No Comments have been received
AT&T:	No Objection
TECO Gas:	No Comments have been received
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 property is located adjacent to the east side of the NW 27th Avenue right-of-way, just south of NW 34th Place.
2. The Applicant’s request stems from a Site Plan Development Order Condition to dedicate 2-feet of ROW along NW 27th Avenue (Blount Road) per the Broward County Trafficway Plan.

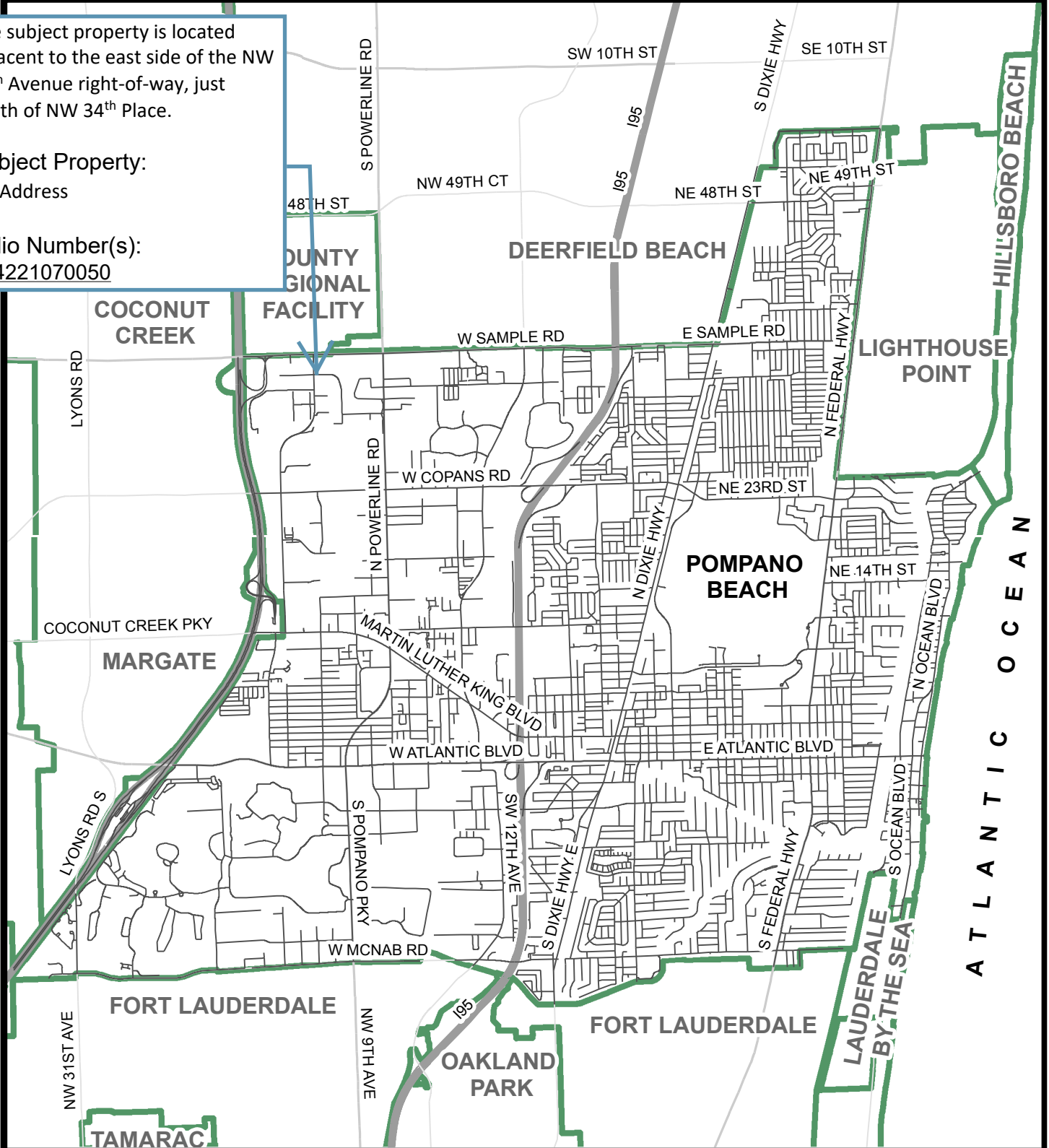
CITY OF POMPANO BEACH LOCATION MAP



The subject property is located adjacent to the east side of the NW 27th Avenue right-of-way, just south of NW 34th Place.

Subject Property:
No Address

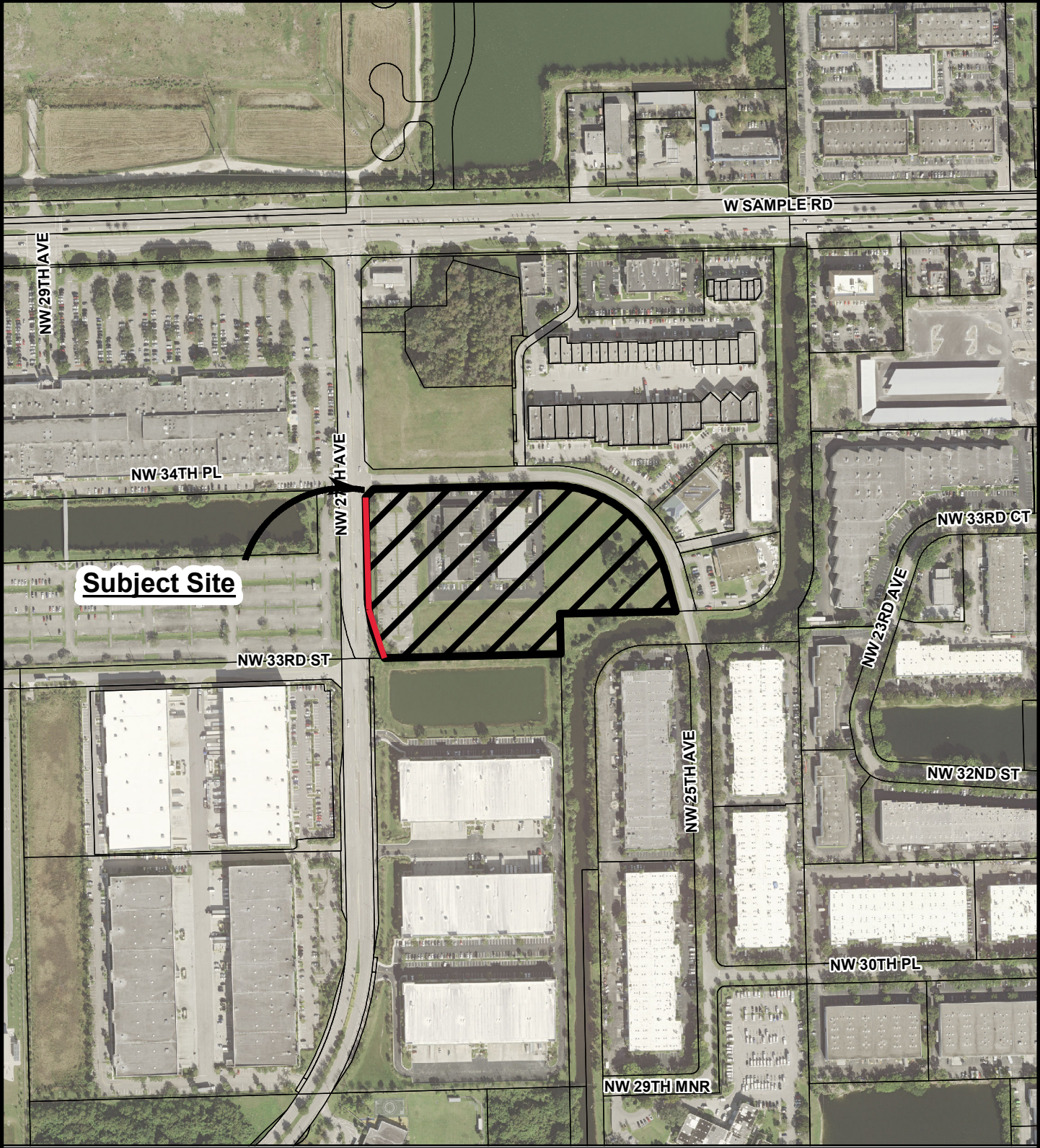
Folio Number(s):
484221070050



1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

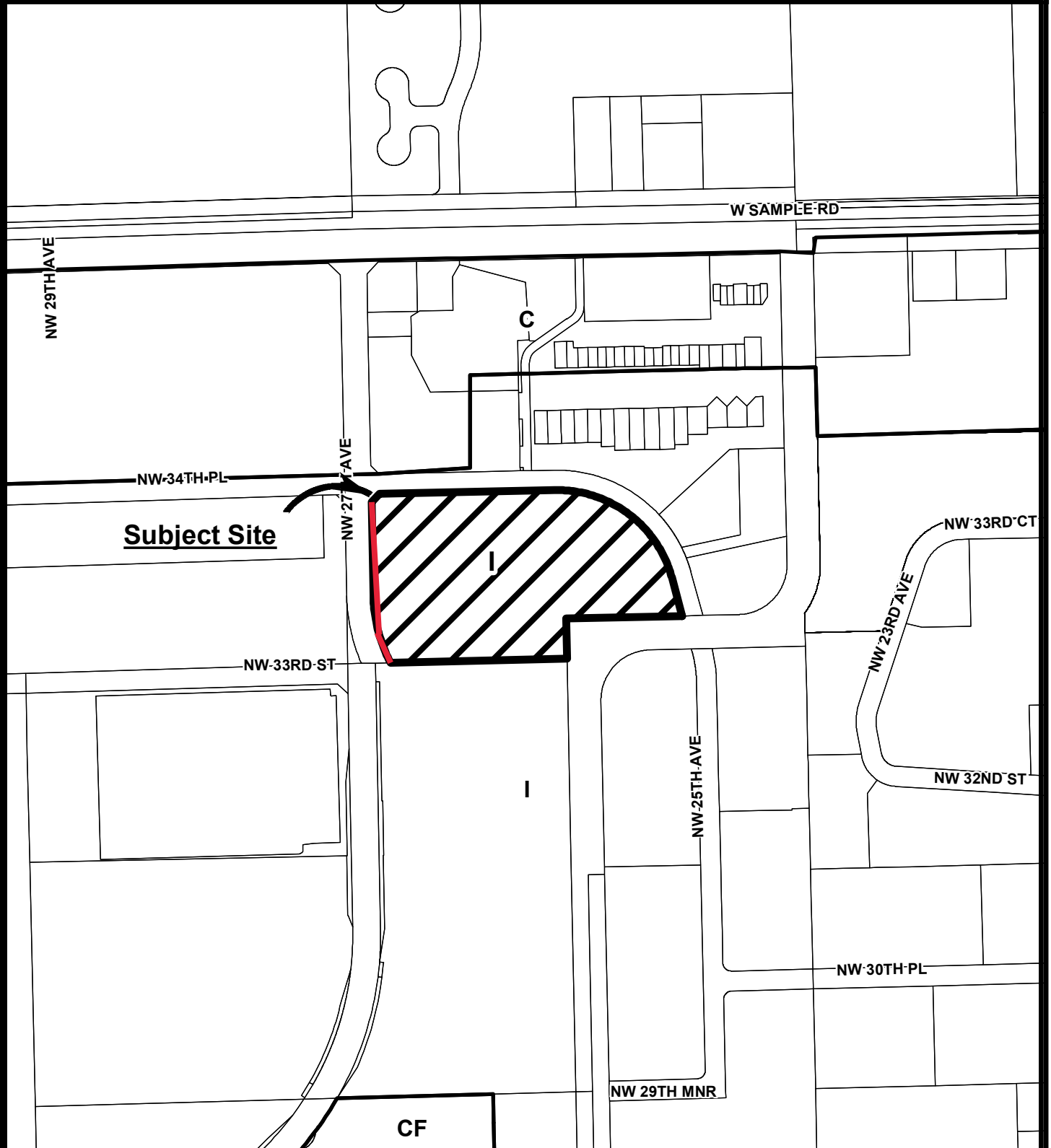


Subject Site

1 in = 417 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

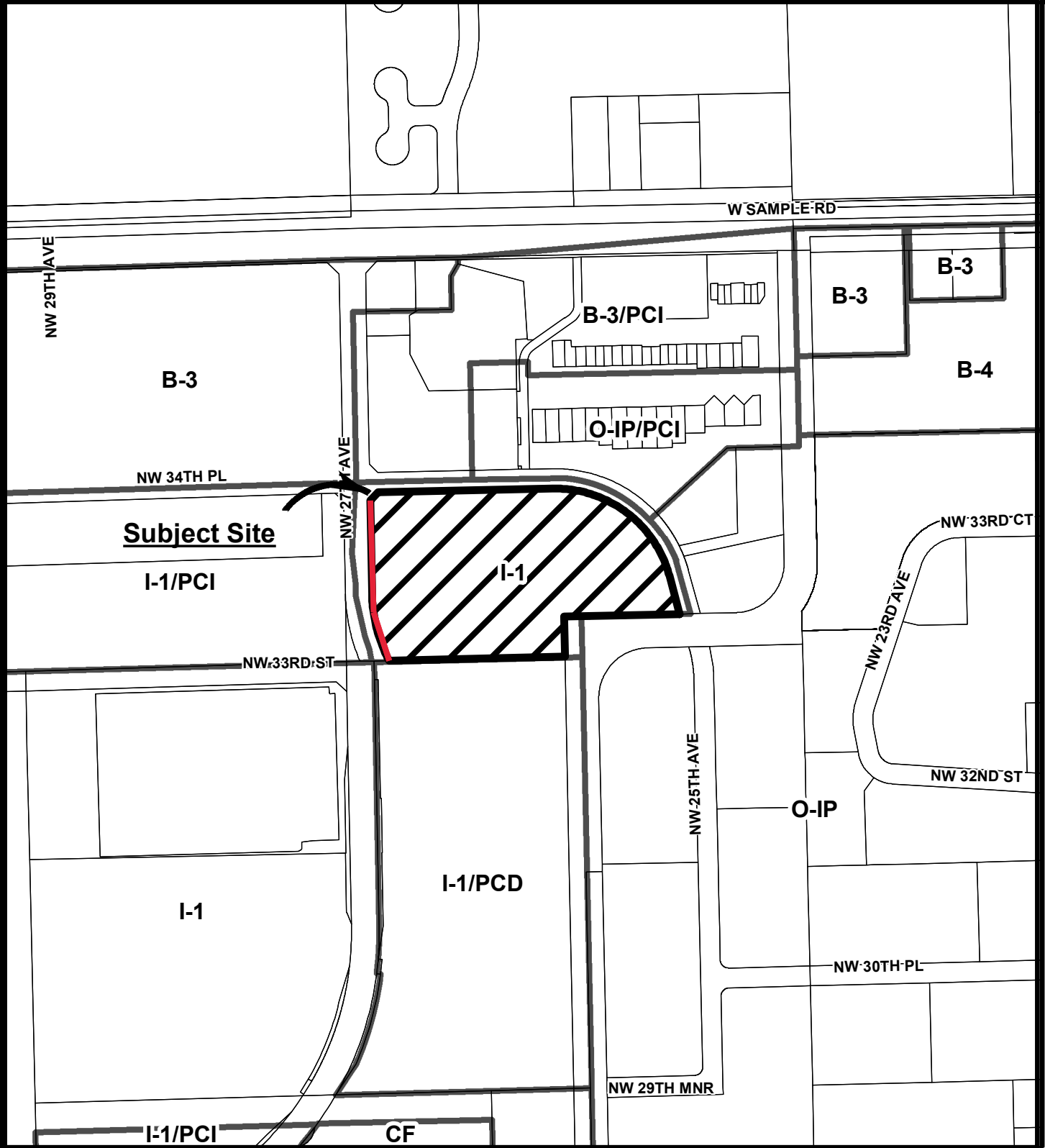
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 417 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 417 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

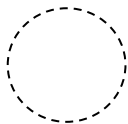
LEGEND

FOR LAND USE PLAN

Symbol Classification Units/ Acre

	Gross Residential Density
	Residential
E	Estate
L	Low
LM	Low- Medium
M	Medium
MH	Medium-High
H	High
C	Commercial
CR	Commercial Recreation
I	Industrial
DPTOC	Downtown Pompano Transit Oriented Corridor
T	Transportation
U	Utilities
CF	Community Facilities
OR	Recreation & Open Space
W	Water
RAC	Regional Activity Center
	Boundaries
	City of Pompano Beach

13 Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

FOR ZONING MAP

Symbol District

RS-1	One-Family Residence
RS-2	One-Family Residence
RS-3	One-Family Residence
RS-4	One-Family Residence
RD-1	Two- Family Residence
RM-12	Multi-Family Residence
RM-20	Multi-Family Residence
RM-30	Multi-Family Residence
RM-45	Multi-Family Residence
RM-45/HR	Overlay
RPUD	Residential Planned Unit Dev.
AOD	Atlantic Boulevard Overlay District
MH-12	Mobile Home Park
B-1	Limited Business
B-2	Neighborhood Business
B-3	General Business
B-4	Heavy Business
RO	Residence Office
M-1	Marina Business
M-2	Marina Industrial
I-1	General Industrial
I-1X	Special Industrial
O-IP	Office Industrial Park
BP	Business Parking
BSC	Planned Shopping Center
TO	Transit Oriented
PCI	Planned Commercial / Industrial Overlay
PR	Parks & Recreation
CR	Commerical Recreation
CF	Community Facilities
T	Transportation
PU	Public Utility

* Existing
> Proposed

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 three service providers that have not yet submitted comments, which include: FP&L, Teco Gas and Comcast. Therefore a condition will be recommended to ensure this is addressed prior to City Commission placement.

With the conditioning of submitting the above-noted missing comments, the abandonment of this easement meets the abandonment standards of Section 155.2431D.1. & 2, and therefore staff recommends approval of this request with one condition.

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; however, it will not be placed on a City Commission agenda until the following condition is met:

1. The submittal of the remaining service providers comments with no objection.

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.

III- Denial

Recommend denial to the City Commission as the Board finds that the easement serves a public purpose and should not be abandoned.

Staff recommends alternative motion number I.

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 19-12000004

A DEVELOPMENT ORDER ISSUED BY THE PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY) OF THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, PURSUANT TO CHAPTER 155 OF THE CODE OF ORDINANCES; APPROVING WITH CONDITIONS THE APPLICATION FOR DEVELOPMENT PERMIT FOR THE CITY OF POMPANO BEACH.

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the specific application for Development referenced above as a Major Site Plan Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to review and issue a final development order with respect to the Applicant's request to construct 3 new warehouse buildings on a site with 2 existing warehouse buildings that are to remain, with associated parking, loading and landscaping. The total footprint of the proposed buildings is 71,440 square feet and the footprint of the existing buildings is 36,438 square feet for a total of 107,878 square feet on a 390,802 sq. ft. (8.97 acre) site (a lot coverage of 27.6%). (Project). The Project encompasses the following properties: 3420 NW 27 Avenue; which are more specifically described as follows:

TRACT E OF POMPANO INDUSTRIAL PARK THIRD ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 111, PAGE 33 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.
ALL OF THE DESCRIBED LAND HEREON LYING IN BROWARD COUNTY, FLORIDA AND CONTAINING 391,784 SQUARE FEET (8.994 ACRES), MORE OR LESS.

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 19-12000004

Page 2

WHEREAS, the Development Review Committee has met to review this Project and has provided the Applicant with written comments; and

WHEREAS, the Application for Development Permit is not in compliance with the applicable standards and minimum requirements of this Code, but the developer has agreed in writing that no building permit will be issued until those conditions the Development Services Director finds reasonably necessary to insure compliance are met; and

WHEREAS, copies of the survey and final site plan are on file with the Department of Development Services, stamped with the meeting date of June 26, 2019.

IT IS THEREFORE ORDERED by the Board that the requested Major Site Plan Application for the above Project is hereby **GRANTED**, with the following conditions to which the Applicant has agreed to comply with:

Obtain approval and revise affected plans to address the following issues prior to Zoning Compliance Permit approval:

1. Make the following revisions on the plans:
 - i. Provide directional arrows for all internal drive aisles on the Pavement, Marking and Signage plan, sheet CM-100.
2. For permit approval, obtain the following final approvals:
 - i. Revise plans to provide the required buffer or obtain waiver approval from the Director of Development Services, pursuant to Section 155.5203.F.2.e for a modification to the minimum required buffer width and required opaque wall.
 - ii. Revise plans to provide the required landscape strip or obtain Minor Administrative Adjustment approval for a modification to the minimum landscaping area width between vehicular use areas and buildings, pursuant to Table 155.2421.B.1.
 - iii. Obtain approval from Broward County Engineering and Broward County Traffic Engineering Division for proposed work on N Andrews Ave.
 - iv. Broward Sheriff's Office approval for the submitted CPTED Plan.
3. Provide the required 2-foot right-of-way dedication on NW 27 Avenue, pursuant to Chapter 100 for Streets and Sidewalks.
4. Provide documentation that demonstrates how 12 sustainable development points will be achieved, pursuant to §155.5802.

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 19-12000004


Page 3

- 5. All electrical secondary feeder lines (laterals) and other utility lines located on the development site and/or along the public right-of-way fronting the development site shall be placed underground, or obtain waiver approval from the Development Services Director for this requirement where the relevant utility company demonstrates that undergrounding will be detrimental to the overall safety and/or reliability of the circuit.

Be advised that pursuant to Section 155.2308(B)(1) of the Pompano Beach Code of Ordinances, this DEVELOPMENT ORDER shall expire if a Zoning Compliance Permit is not obtained within two years.

Heard before the Planning and Zoning Board/Local Planning Agency and Ordered this


____26th____ day of ____June____, 2019.

DocuSigned by:


5C071CDDE1944A7

Fred Stacer
 Chairman
 Planning and Zoning Board/Local Planning Agency

Filed with the Advisory Board Secretary this ____9th____ day of ____July____, 2019.

DocuSigned by:


BA9370D598DA410

Pamela McCleod
 Assistant Planner