

ADMINISTRATIVE MEMORANDUM NO. 19-112

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Maggie Barszewski, AICP, Planner
SUBJECT: Request to abandon a 6 – foot wide Utility Easement for Southern Grouts & Mortars, Inc.
Abandonment P&Z #19-27000002/ May 22, 2019 P&Z Meeting
DATE: May 6, 2019

The following is a brief summary of information on the subject property and surrounding properties. This is a request to abandon a 6-foot wide Utility Easement, by Daniel Fee, PE, on behalf of Southern Grouts & Mortars, Inc. The Applicant is proposing to expand the current 46,488-square foot grout and mortar establishment by constructing a new 30,250-square foot warehouse building, a 4,423 sq. ft. canopy, and two silos on the subject property. The two proposed silos, which will be 12 feet in diameter and 58 feet tall, would encroach on the easement. A Site Plan (P&Z # 18-12000041) has been submitted and was reviewed by the Development Review Committee; comments were issued to the applicant at the Meeting held on March 6th. The Applicant intends to submit this Site Plan for the Planning and Zoning hearing in June.

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 Comments have been received
Code Compliance:	No Objection
Fire Department:	No Objection
Public Works Department:	No Objection
Development Services:	No Objection
Utilities Department:	No Objection
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 property is located at the northwest corner of the intersection of SW 2nd Place and SW 14th Avenue.
2. The Applicant's request was generated from the proposed construction of a new 30,250-square foot warehouse building, a 4,423 sq. ft. canopy, and two silos on the subject property without being constrained by the easement.

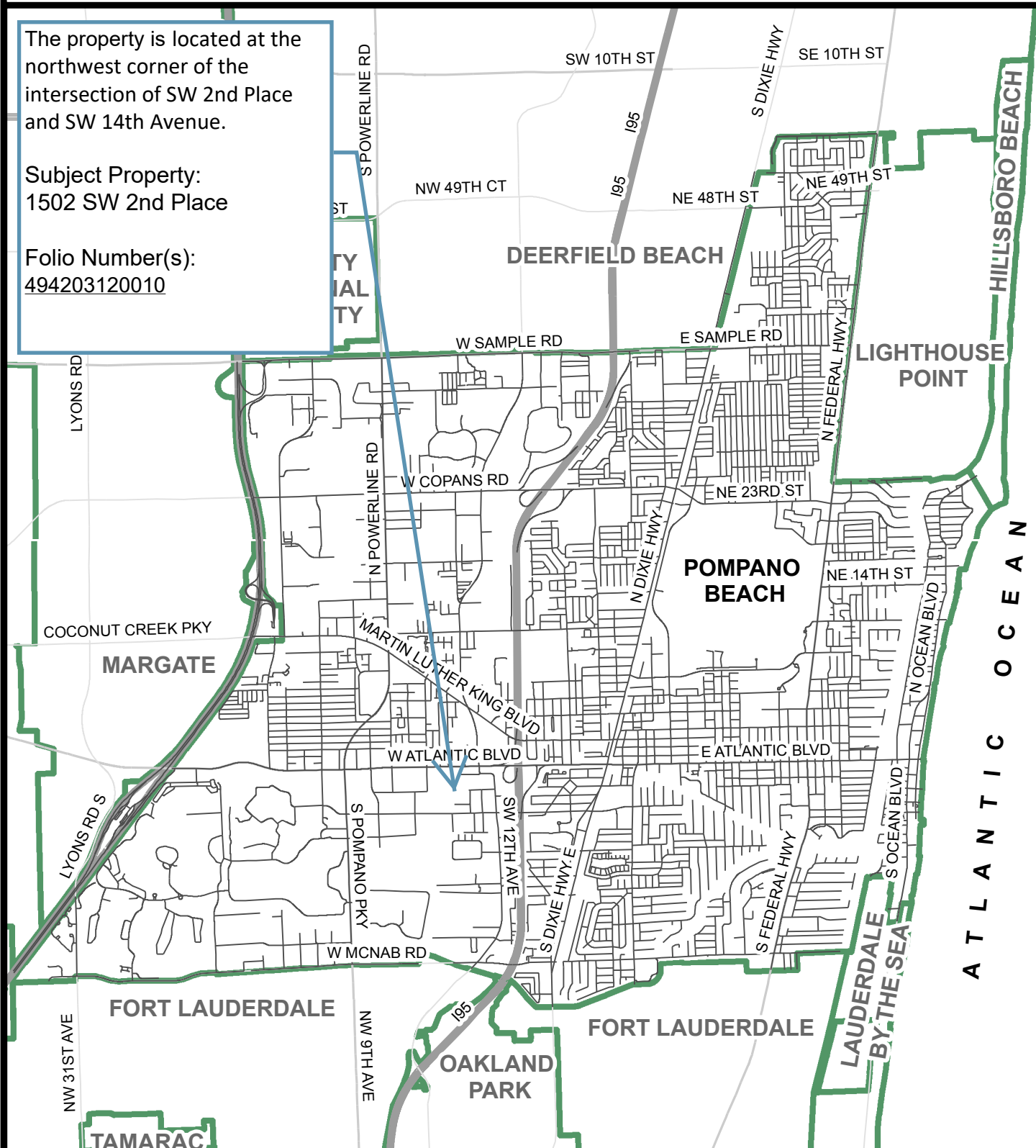
CITY OF POMPANO BEACH LOCATION MAP



The property is located at the northwest corner of the intersection of SW 2nd Place and SW 14th Avenue.

Subject Property:
1502 SW 2nd Place

Folio Number(s):
494203120010



1 in = 1 miles

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DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

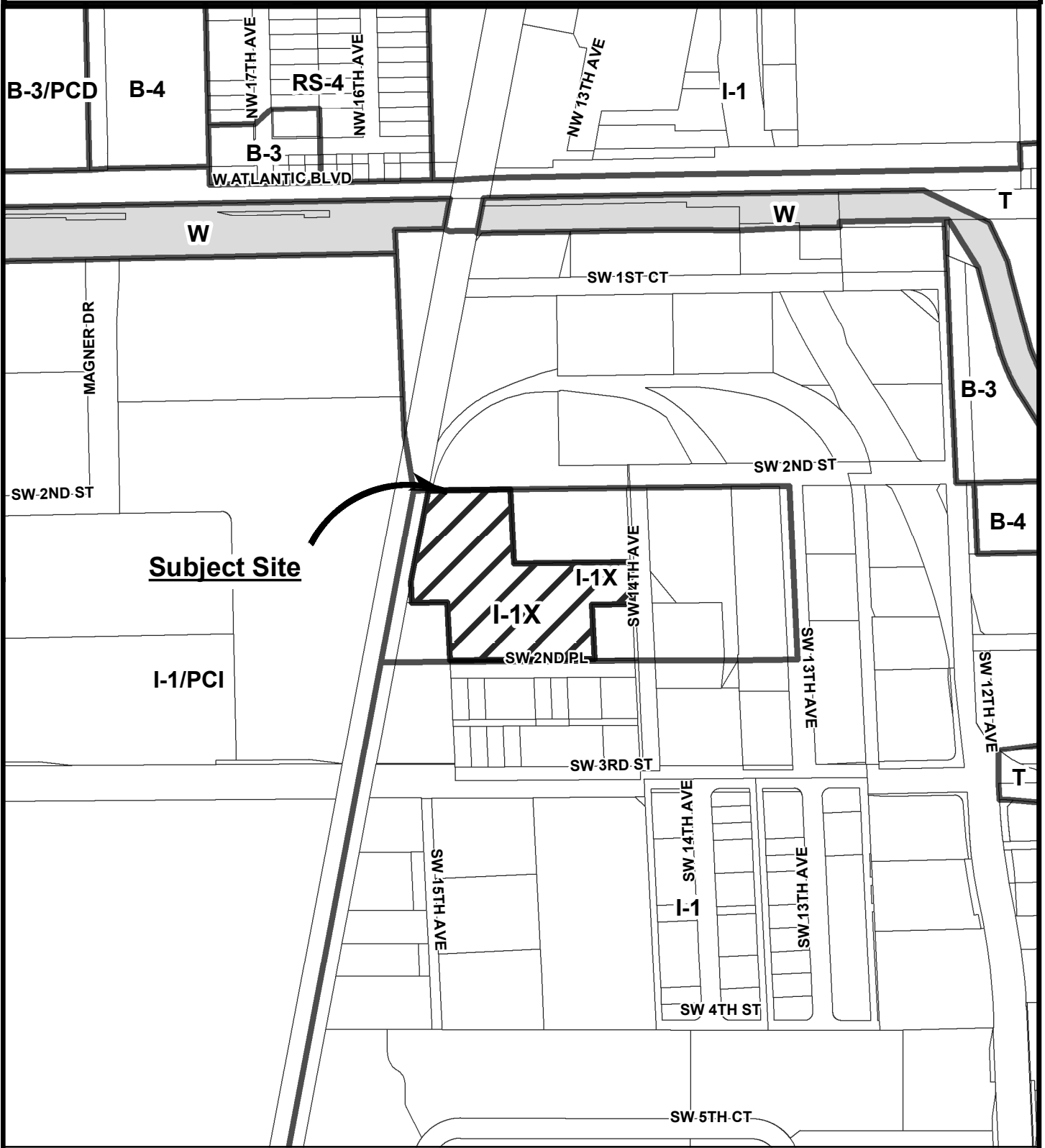


1 in = 417 ft

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DEPARTMENT OF
DEVELOPMENT SERVICES



CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 417 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

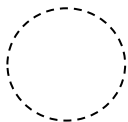
LEGEND

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

The Utility Easement was included on the original plat in order to accommodate future needs of the Utility Department to service an adjacent un-platted property (currently owned by the applicant). Since the applicant is unifying the property, the Utility Department will no longer require an easement. The applicant has agreed to submit the Unity of Title instrument prior to placement on a City Commission agenda.

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

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, or until 60 days from the date of this recommendation, whichever occurs first; and
2. The Applicant submits the Unity of Title instrument to Development Services Dept.

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.