



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Staff Report

File #: LN-302

PLANNING AND ZONING BOARD

Meeting Date: JUNE 22, 2022

LIVE! POMPANO EASEMENT ABANDONMENT

Request: Abandonment
P&Z# 27-27000004
Owner: Pompano Park JV Northwest Corner LLC
Project Location: Isle of Capri Circle
Folio Number: 494203350040
Land Use Designation: RAC (Regional Activity Center)
Zoning District: I-1/PCD (General Industrial/Planned Commercial Development)
Commission District: 5 (Cyndy Floyd)
Agent: Ann DeVeaux (954-788-3400)
Project Planner: Maggie Barszewski (954-786-7291 / maggie.barszewski@copbfl.com)

Summary:

This is a request to abandon a 10-foot utility easement and 10 feet of the platted 120-foot ingress/egress access easement, by Keith, Inc. on behalf of Pompano Park JV Northwest Corner, LLC. The easements run north/south along the western side of a parcel used as a private access roadway constituting SW 23rd Avenue south of SW 3rd Street. The easements are shown on Parcel A of the recorded Pompano Park Racino Plat (Plat Book 181, pages 22-27). There are no utilities located within the easement. The abandonments will allow for the construction of proposed development of retail uses consistent with the Live! Planned Commercial Development (PCD) Master Plan.

REVIEW AND SUMMARY

A. The following Service Providers commented on this request:

Code Compliance: No Objection
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 Comments have been received

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 within the Live! project and runs north/south along the western side of a parcel used as a private access roadway constituting SW 23rd Avenue south of SW 3rd Street.
 2. The Applicant's request is necessary to allow for the construction of 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 five service providers that have not yet submitted comments, which include: the City Utilities & Fire Departments, FP&L, AT&T, and Comcast. 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 155.2431D.1 & 2, and therefore staff recommends approval of this request with the condition that the comments be provided prior to first reading by City Commission.

Staff 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 as the Board finds that the easement abandonment meets the standards of Section 155.2431D.1. & 2, with the following condition:

1. The abandonment request will not be placed on a City Commission agenda until all service provider no-objection letters have been submitted.

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.

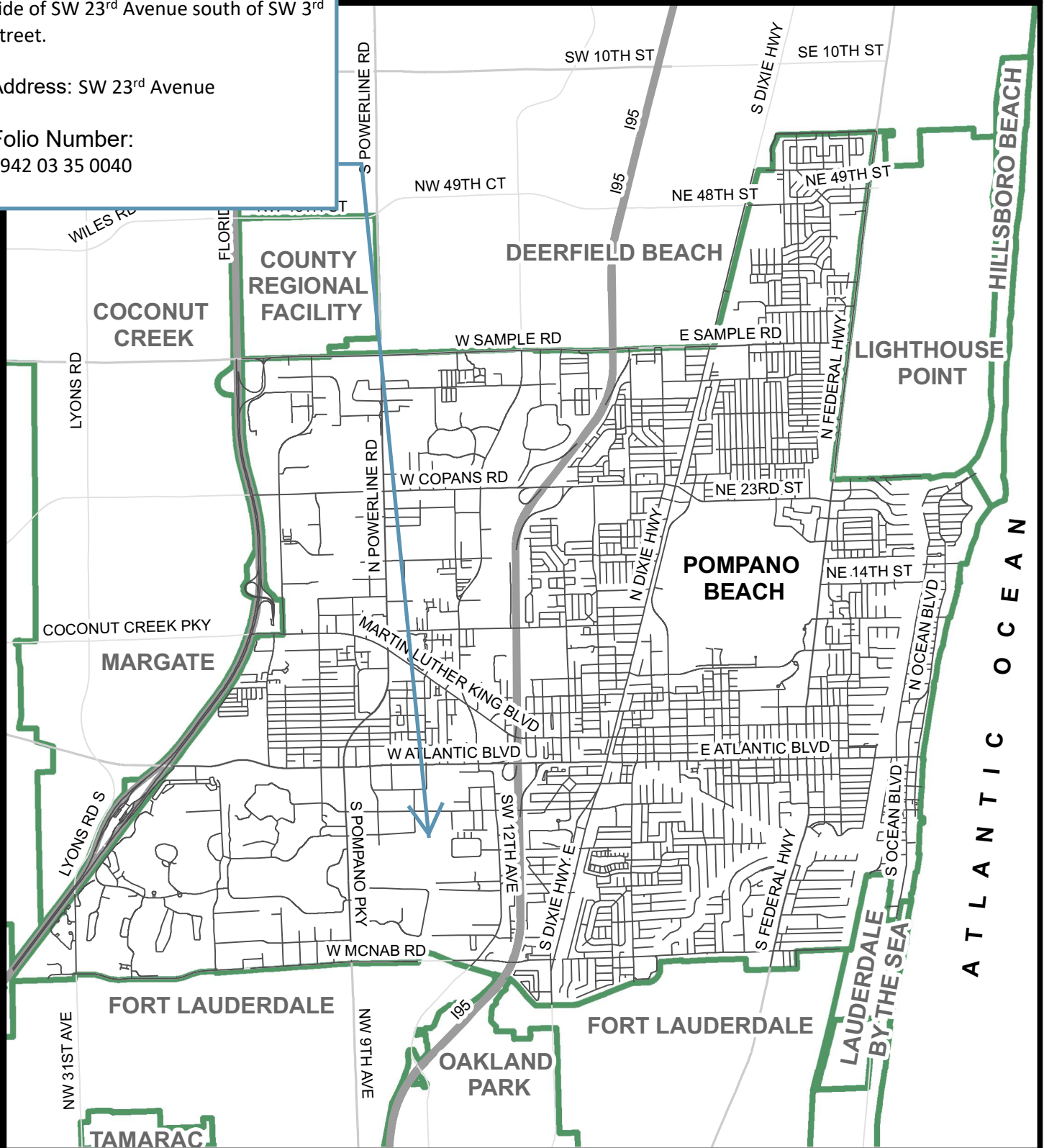
CITY OF POMPANO BEACH LOCATION MAP



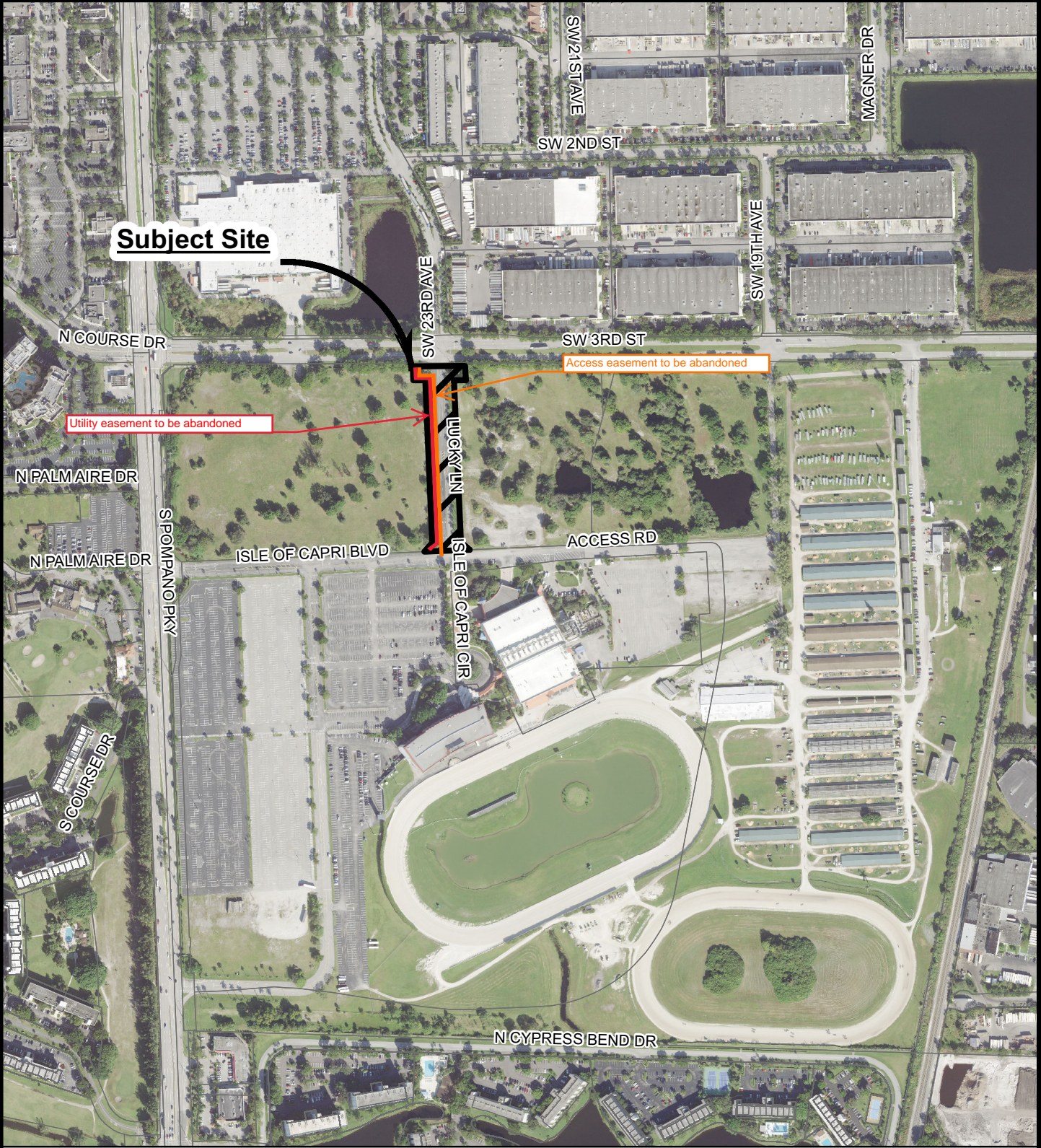
This property is located on the west side of SW 23rd Avenue south of SW 3rd Street.

Address: SW 23rd Avenue

Folio Number:
4942 03 35 0040



CITY OF POMPANO BEACH AERIAL MAP



Subject Site

Utility easement to be abandoned

Access easement to be abandoned

P&Z
6/6/2022 TheRaf

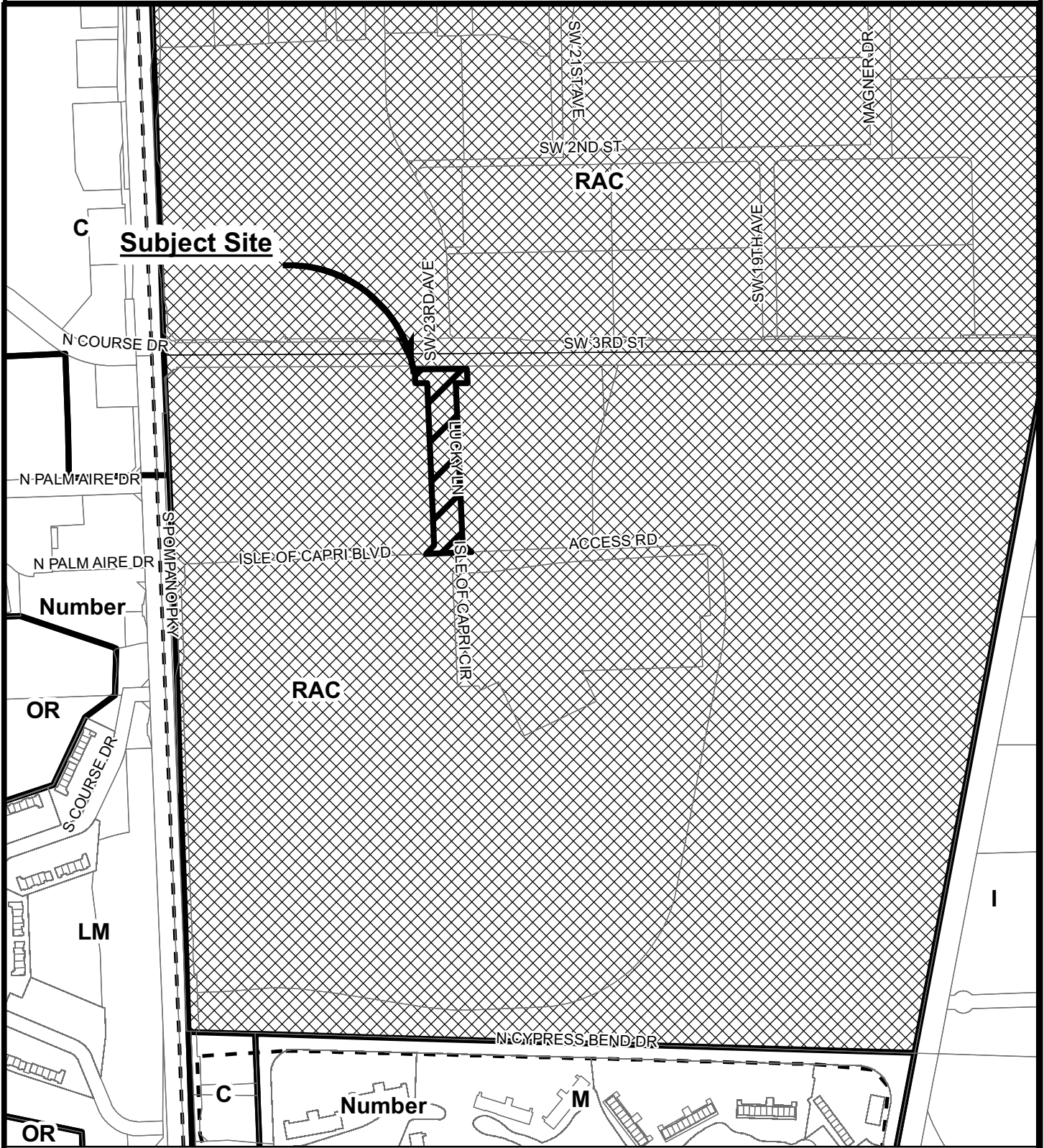


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PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

PZ22-27000004
6/22/2022

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



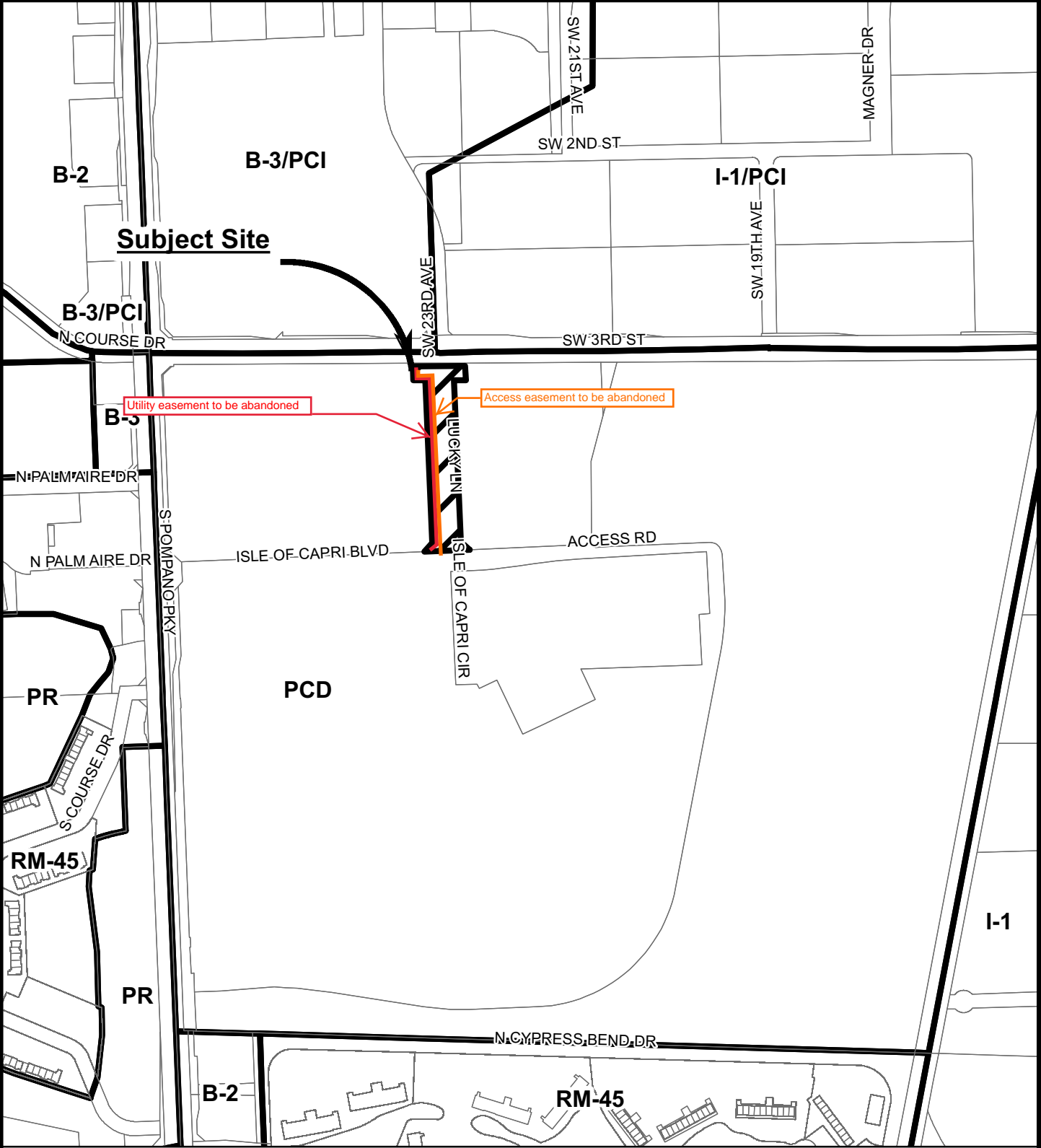
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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



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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
			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

P&Z

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