


ADMINISTRATIVE MEMORANDUM NO. 18-315

**TO:** Planning and Zoning Board  
**VIA:** David L. Recor, ICMA-CM, Director of Development Services   
**VIA:** Jennifer Gomez, AICP, Assistant Director of Development Services *For GJG*  
**FROM:** Maggie Barszewski, AICP, Planner *MB*  
**SUBJECT:** A portion of the SW 11th Street Right-of-Way located West of South Dixie Highway  
Abandonment P&Z #18-18000003/ August 22, 2018 P&Z Meeting  
**DATE:** July 31, 2018

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This is a request to abandon a portion of the SW 11<sup>th</sup> Street Right-of-Way located west of South Dixie Highway by Michael Vonder Meulen of Keith & Associates Inc., on behalf of Aloha 1, LLC. The Applicant is requesting this abandonment in order to develop a 129 unit mixed-use project with affordable workforce housing. The Applicant has submitted concurrent applications for this project seeking Flexibility Units (P&Z: 18-05000002) and a Rezoning (P&Z: 18-13000002) for the project.

# 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

T      Transportation

U      Utilities  
CF     Community Facilities

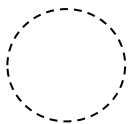
OR     Recreation & Open Space

W      Water

LAC    Local Activity Center  
RAC    Regional Activity Center

Boundaries  
City of Pompano Beach

Number



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

* <b>Existing</b>
> <b>Proposed</b>

## 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

- M-1       Marina Business
- M-2       Marina Industrial

LAC       Local Activity Center

- I-1       General Industrial
- I-1X      Special Industrial
- O-IP      Office Industrial Park

- BP       Business Parking
- BSC      Planned Shopping Center

- PCI       Planned Commercial / Industrial Overlay
- PR       Parks & Recreation
- CR       Commerical Recreation
- CF       Community Facilities
- T       Transportation
- PU       Public Utility

# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

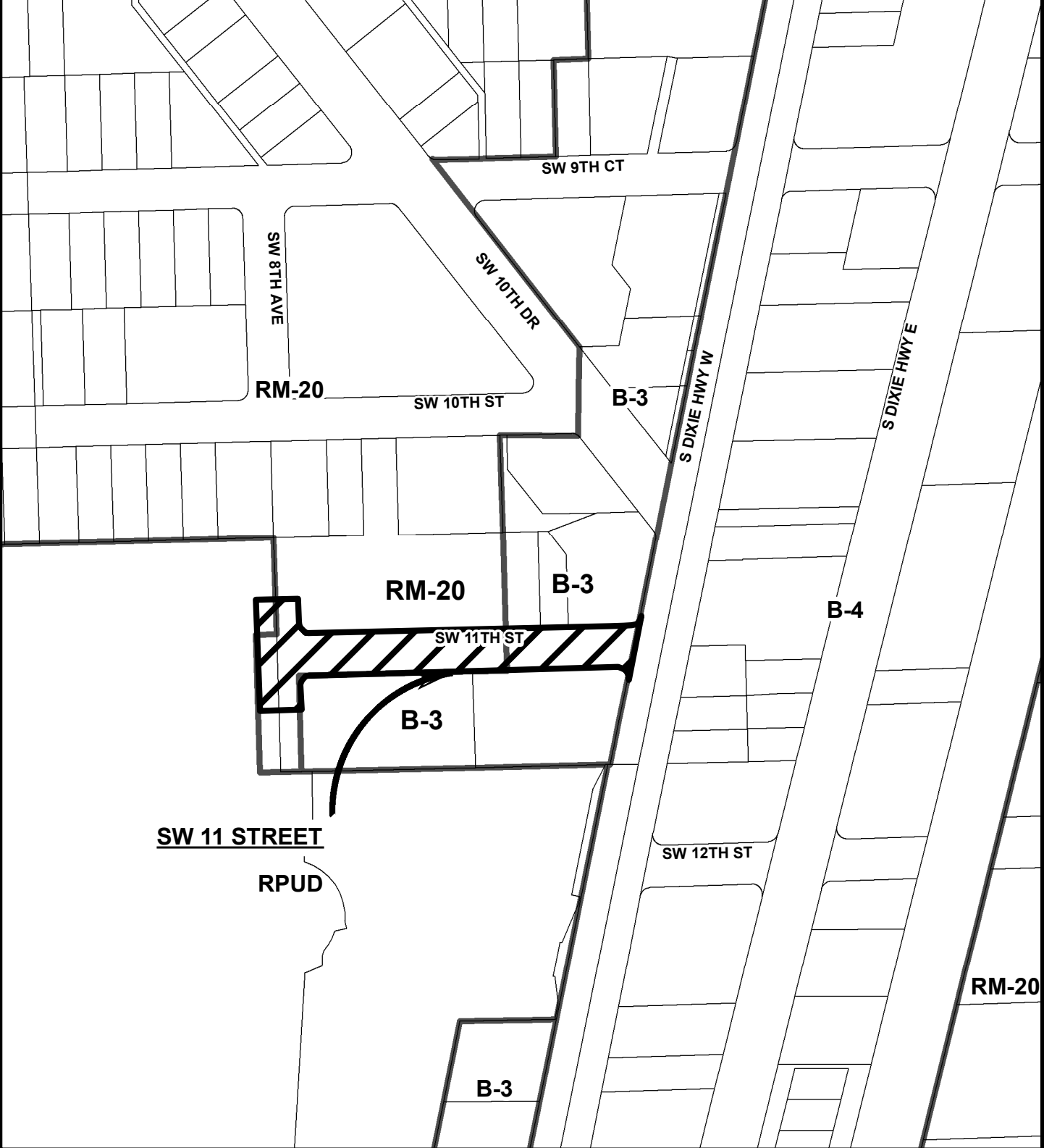


1 in = 200 ft

3

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

# CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 200 ft

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# CITY OF POMPANO BEACH AERIAL MAP

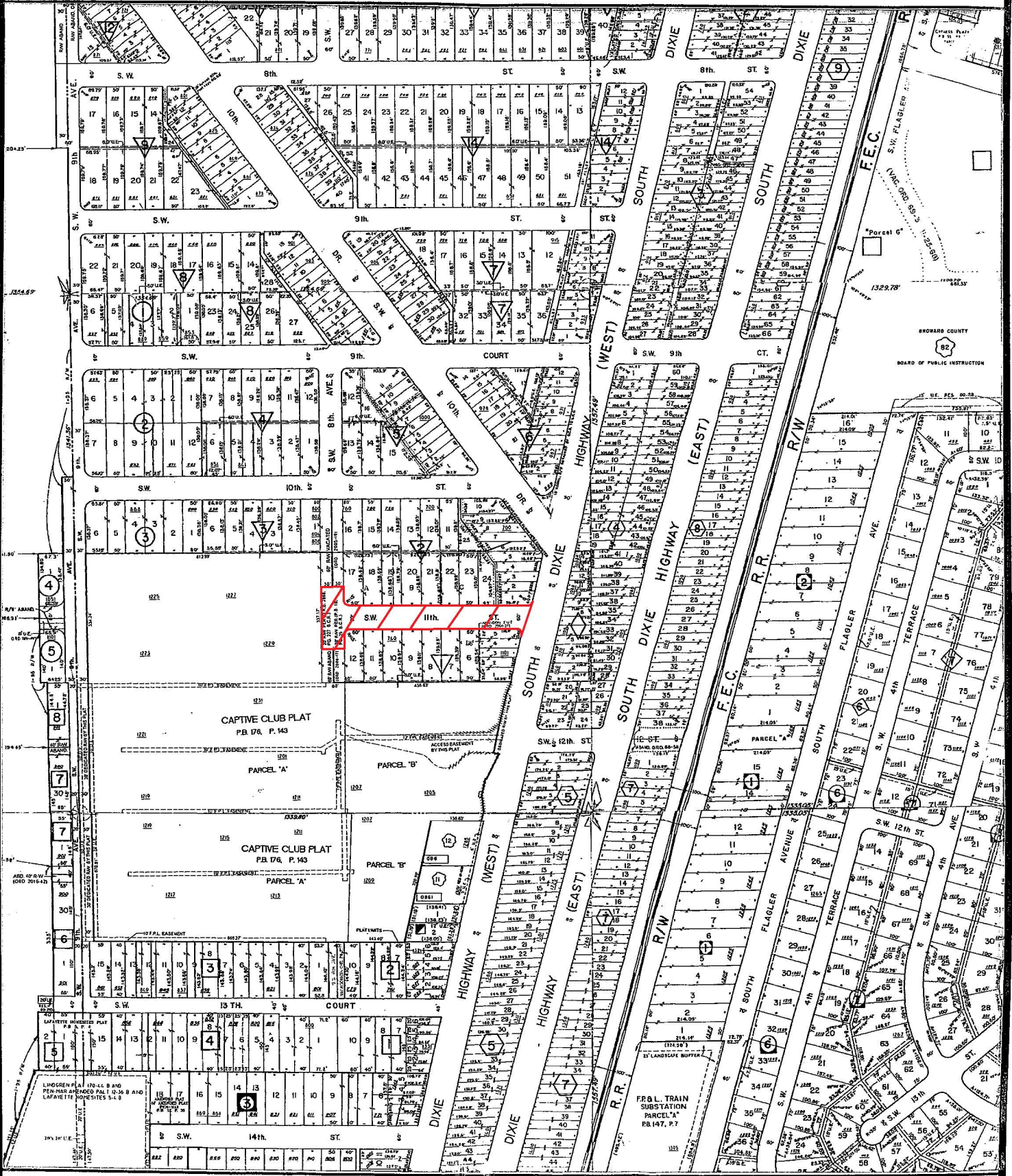


1 in = 200 ft

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DEPARTMENT OF  
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# EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

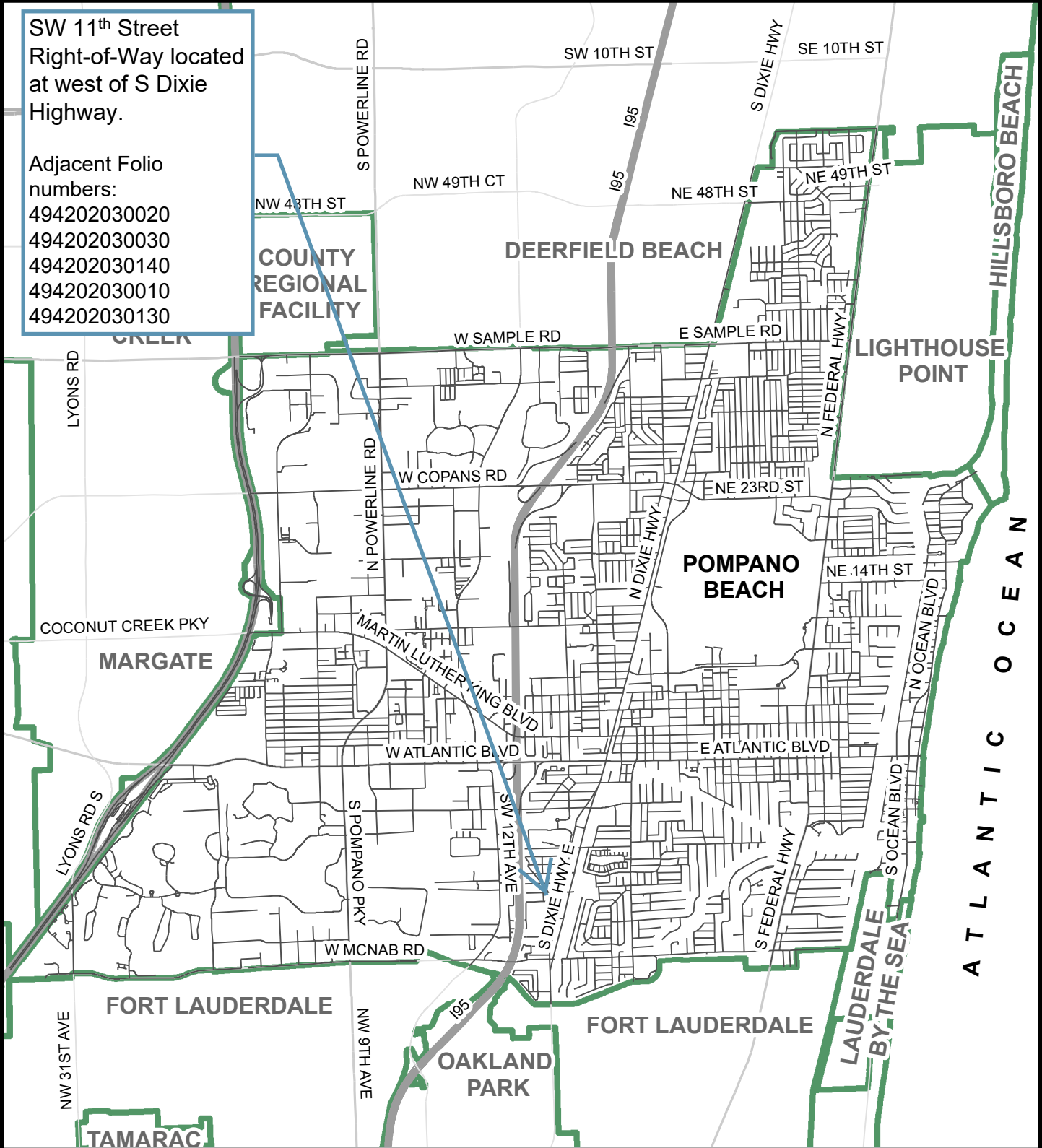
NORTH

# CITY OF POMPANO BEACH LOCATION MAP



SW 11<sup>th</sup> Street  
Right-of-Way located  
at west of S Dixie  
Highway.

Adjacent Folio  
numbers:  
494202030020  
494202030030  
494202030140  
494202030010  
494202030130



1 in = 1 miles

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DEPARTMENT OF  
DEVELOPMENT SERVICES



**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 Agency	No Objection
Code Compliance	No Objection
Fire Department:	No Objection
Public Works Department:	No Objection
Development Services Department:	No Objection subject to retention of a public access easement.
Utilities Department:	No Objection subject to retention of a utility easement.
FP&L:	No Comments have been received
FDOT	No Comments have been received
AT&T:	No Comments have been received
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 along SW 11<sup>th</sup> Street west of S. Dixie Hwy.
2. The purpose for the applicant’s request is to develop a mixed-use project with 129 affordable workforce housing units.

**C. Review Standards**

Section 155.2431D. 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**

In order for this request to meet the requirements of number 1 above, two City departments require conditions in order to allow this abandonment to proceed to the City Commission. The Development Services Department requires the retention of a public access easement (in perpetuity) over the entire abandoned area, and the Utility Department has stated they do not object subject to the retention of a utility easement. The rest of the service providers have yet to comment on the request, and if recommended for approval by the Planning & Zoning Board, the five additional service providers will be solicited again for comment.

The western portion of SW 11<sup>th</sup> Street (approximately 275 linear feet) is owned by the same entity on the north and south of the right-of-way. The roadway dead-ends at an emergency exit for Captiva Cove and the



purpose to retain a public access easement is so that emergency vehicles can safely traverse through the area and have a secondary access route to South Dixie Highway.

Based on the above-noted exceptions, the abandonment of this right-of-way meets the abandonment standards of Section 155.2431D. 1. & 2, and therefore staff recommends approval of this request with 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 conditions are met:

1. A public access easement is retained in perpetuity that satisfies the Development Services Department; and
2. A utility easement is retained in perpetuity that satisfies the Utility Department; and
3. All other positive comments are received from each service provider, or until 60 days from the date of this recommendation, whichever occurs first.

**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.