

Staff Report

File #: LN-173

PLANNING AND ZONING BOARD

Meeting Date: JANUARY 26, 2022

ASSISTED LIVING FACILITY EASEMENT ABANDONMENT

Request: Abandonment
P&Z# 21-27000002
Owner: Christallis Manor III, LLC
Project Location: 420 N Riverside Drive
Folio Number: 484331120202
Land Use Designation: High (25-46 DU/ AC)
Zoning District: RM-45 (Multi-Family Residence 45)
Commission District: 1 (Andrea McGee)
Agent: Amparo Dierking (954-274-5573)
Project Planner: Maggie Barszewski (954-786-7921 / maggie.barszewski@copbfl.com)

Summary:

This is a request to abandon an 18 by 3-foot portion of a Utility easement, by Amparo Dierking on behalf of Christallis Manor, LLC. The utility easement had been recorded as part of the Surfside Villas Plat, O. R. Book 26, Page 43. A portion of the structure now housing the Christallis Manor Assisted Living was constructed encroaching the utility easement that has no assets within it. The structure was built in 1979 and the applicant only wants to abandon the portion of the easement where the encroachment exists in order to clear the title on the property.

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
FP&L: 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 at 420 N. Riverside.
2. The Applicant's request is necessary in order to clear the title on the property.

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 four service providers that have not yet submitted comments, which include: FP&L AT&T, Teco Gas Company and Comcast. Therefore a condition will be recommended to ensure this is addressed prior to first reading by the City Commission.

With the condition 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.

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; 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 letters 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.

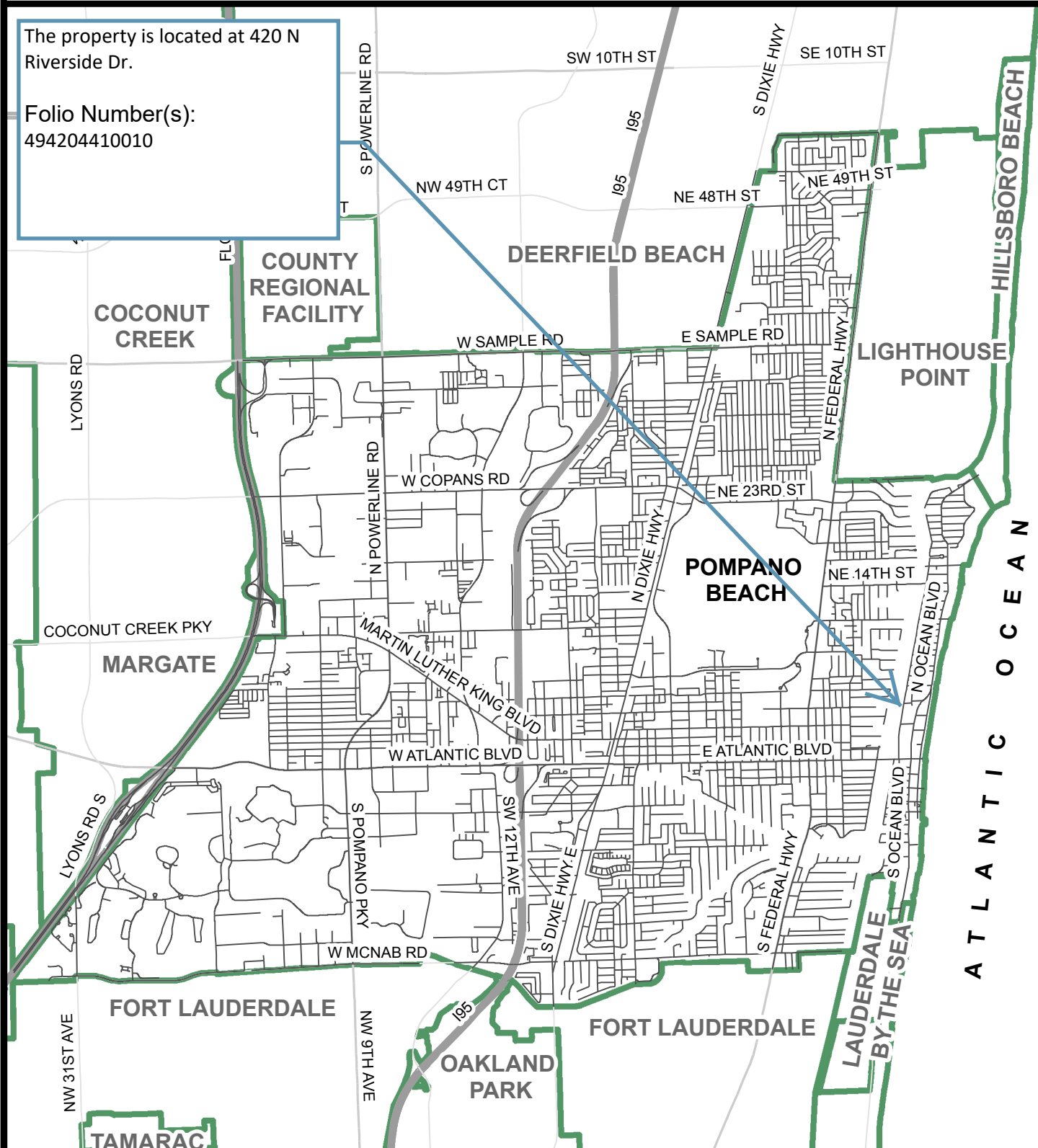
Staff recommends alternative motion number I.

CITY OF POMPANO BEACH LOCATION MAP



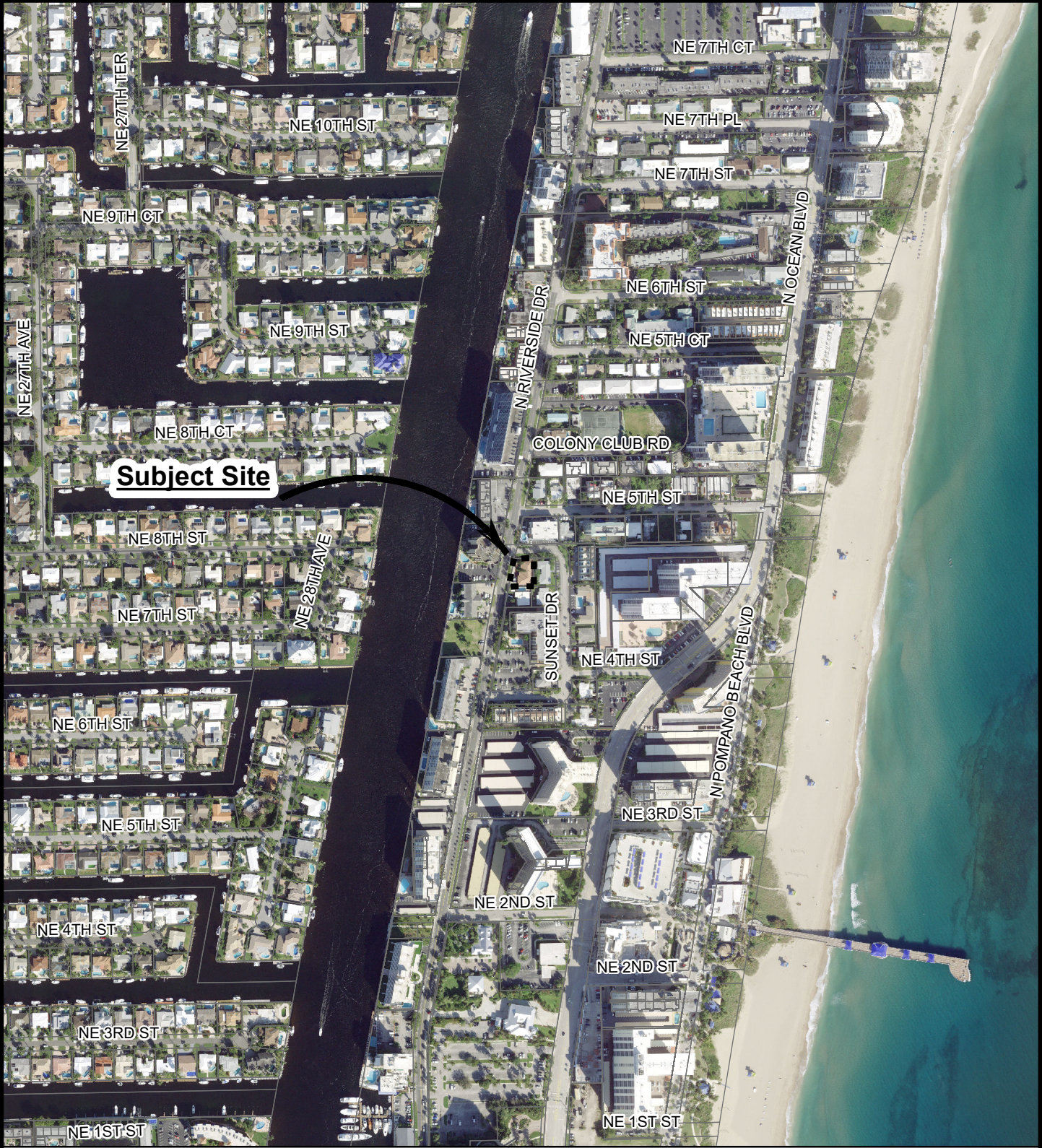
The property is located at 420 N
Riverside Dr.

Folio Number(s):
494204410010



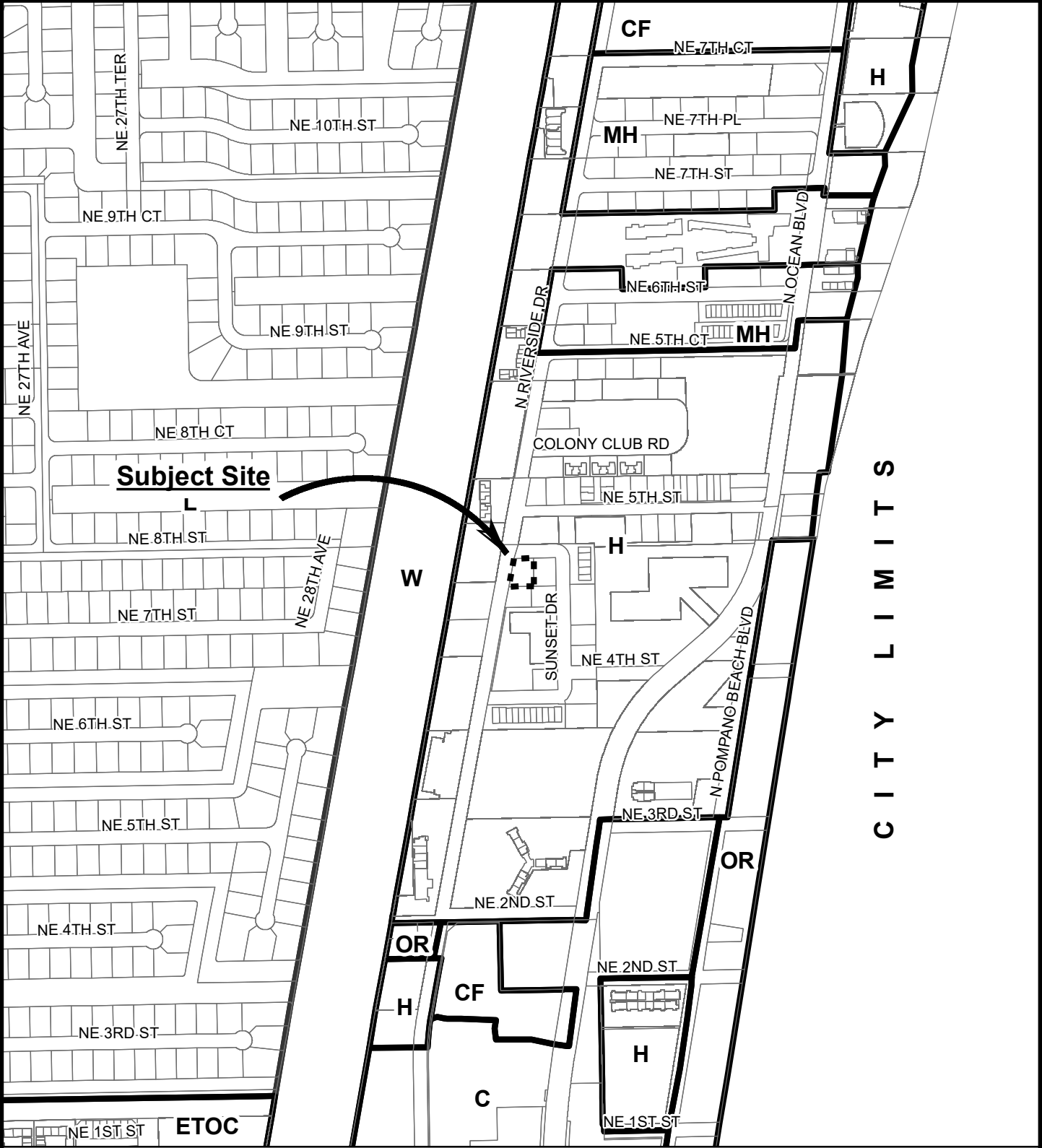
1 in = 1 miles

CITY OF POMPANO BEACH AERIAL MAP



1 in = 500 ft

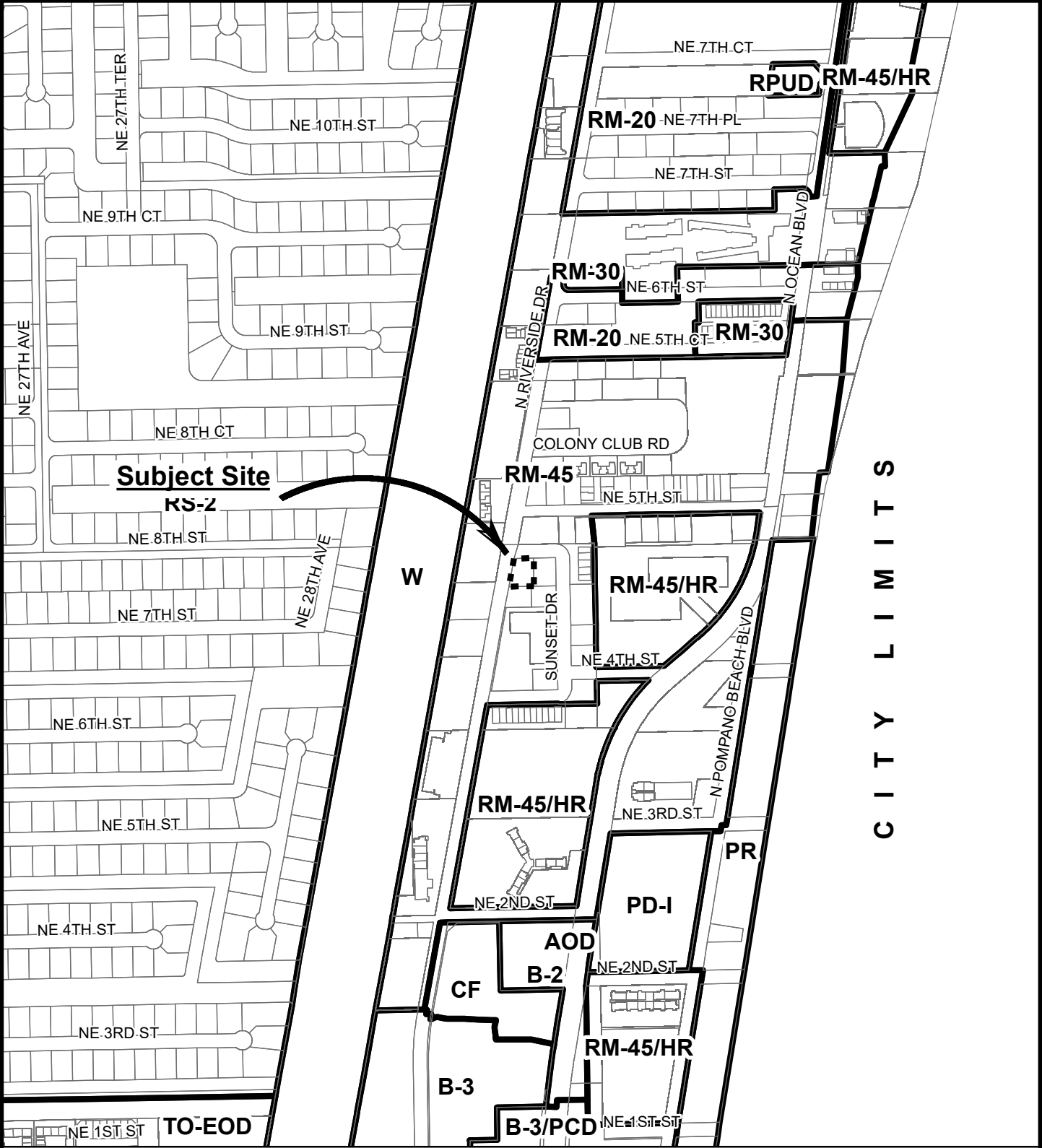
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



1 in = 500 ft

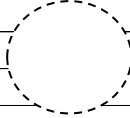
PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH
OFFICIAL ZONING MAP



1 in = 500 ft

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
			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