

MEMORANDUM

Development Services

MEMORANDUM NO. 17-371

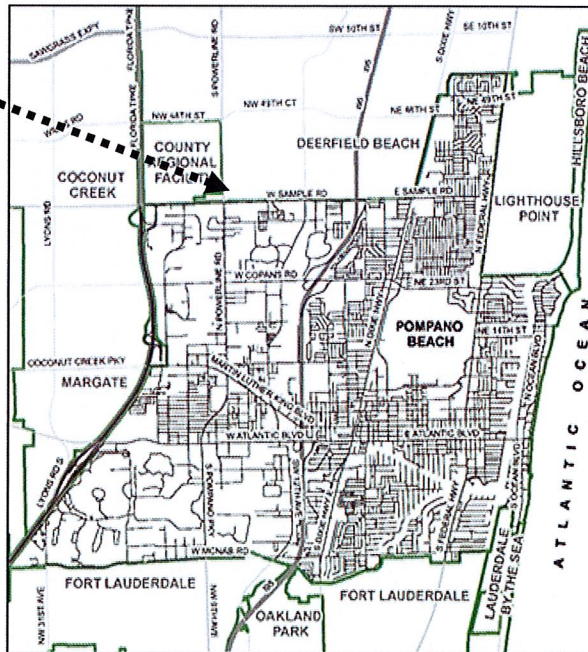
DATE: October 13, 2017
TO: Planning & Zoning Board
VIA: David Recor, Development Services Director
 Jennifer Gomez, Assistant Development Services Director *JG*
FROM: Maggie Barszewski, AICP, Planner *MB*
RE: Request for abandonment of a portion of a 12-foot Utility Easement Located at 1800 W. Sample Road (Costco Wholesale Corporation)

P & Z # 17-27000004

Request

The Applicant, Ryan O. Thomas, of Thomas Engineering, on behalf of Costco Wholesale Corporation is requesting the abandonment of a portion of a 12-foot utility easement located within property located at 1800 W. Sample Road. The applicant has an existing 147,854-sq. ft. warehouse store located on the property. At the September 27, 2017 Planning and Zoning meeting, the Board approved a Major Site Plan for the construction of a new 6,192 sq. ft. gas station canopy, a 110 sq. ft. controller building, and an expanded parking lot area, along with associated landscaping (see attached D.O. # 17-12000023). The approval of this abandonment request was one of the conditions of approval for that Site Plan.

1800 W. Sample Rd.
 Folio number(s):
 484222470010
 484222010222
 484222010220



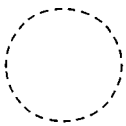
LEGEND

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

* Existing
> Proposed

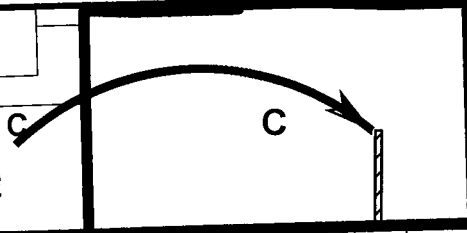
CITY OF POMPANO BEACH OFFICIAL LAND USE MAP



C I T Y L I M I T S

W SAMPLE RD

Subject Site



C

NW.34TH.CT.

NW-33RD-CT

NW 22ND TER

NW-33RD-CT

NW-18TH.TER

NW.33RD.ST.

NW.16TH.AVE

NW.15TH.TER

NW.15TH.AVE

LM

NW 16TH AVE

NW 15TH TER

M

NW 32ND ST

N-POWERLINE RD

NW-32ND-ST

NW-19TH-TER

NW-16TH.TER

NW 31ST ST

U

NW-30TH-PL

1 in = 500 ft

3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH OFFICIAL ZONING MAP



CITY LIMITS

W SAMPLE RD

B-3

B-4

Subject Site

B-3

I-1/PCD

B-4

NW 34TH CT

NW 33RD CT

NW 22ND TER

O-IP

N POWERLINE RD

NW 33RD CT

B-4

I-1

NW 18TH TER

NW 33RD ST

I-1

NW 16TH AVE

NW 15TH TER

NW 15TH AVE

MH-12

NW 16TH AVE

NW 15TH TER

NW 15TH AVE

I-1X

NW 32ND ST

NW 19TH TER

NW 16TH TER

I-1

NW 30TH PL

B-3

NW 31ST ST

PU

B-4

1 in = 500 ft

4

PREPARED BY:
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DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP



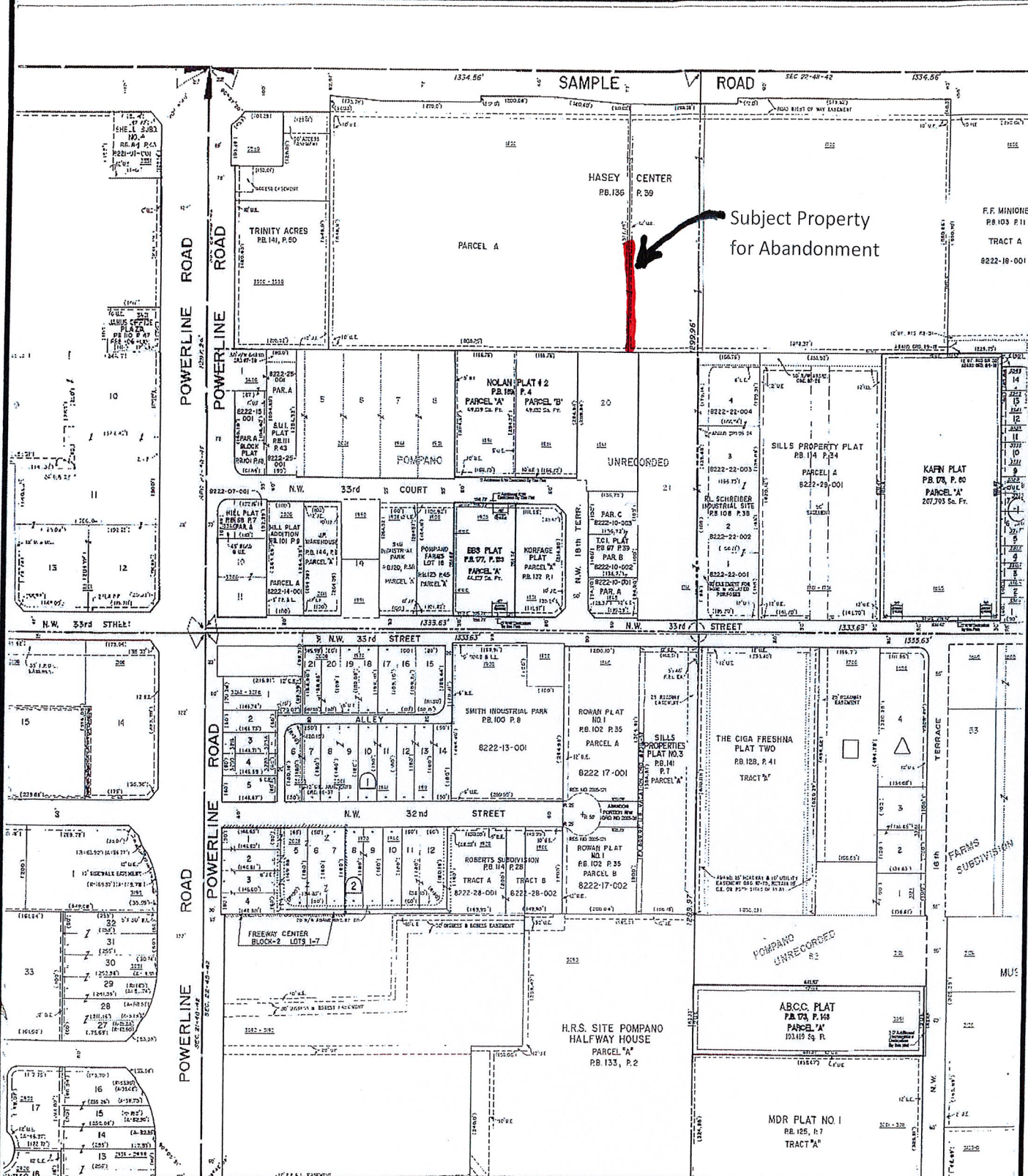
Subject Site

1 in = 500 ft

5

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



Subject Property
for Abandonment

SCALE: NTS

↑
NORTH

REVIEW AND SUMMARY

DRC Dates: Note that Vacation/ Abandonment Requests do not go to DRC.

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
Utilities Department:	No Objection
Zoning Department:	No Objection
FP&L:	No Comment Received Yet
FDOT	No Objection
AT&T:	No Comment Received Yet
TECO Gas:	No Objection
Comcast Cable:	No Comment Received Yet

B. Development Services Department staff submits the following factual information which is relevant to this abandonment request:

1. The property is located at 1800 W. Sample Road.
2. The purpose for the applicant's request is to remove an unnecessary utility easement that is located where an addition is proposed for development.
3. The property is owned by Costco Wholesale Corporation.

C. Review Standards

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

The abandonment of this utility easement meets the above-noted standards and therefore staff recommends approval of this request.

ZONING 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 with the following condition:

1. This request will not be placed on a City Commission Agenda until all 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.

CITY OF POMPANO BEACH
BROWARD COUNTY
FLORIDA

DEVELOPMENT ORDER

PLANNING AND ZONING NO. 17-12000023

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 COSTCO WHOLESALE CORPORATION.

WHEREAS, Section 155.2407, of the Code of Ordinances, defines the project referenced above as a Major Review; and

WHEREAS, Section 155.2204, of the Code of Ordinances, authorizes the Planning and Zoning Board (Local Planning Agency) to issue a final development order for the subject project to construct a new 6,192 sq. ft. gas station canopy, a 110 sq. ft. controller building, an expanded parking lot area, and associated landscaping. The site's existing gas station canopy will be demolished and replaced with parking. There are no changes proposed to the site's existing principal building, which is a Costco warehouse store. The total building footprint (existing and proposed structures) is 147,087 sq. ft. on a 639,384 sq. ft. (14.68 acre) site (23% lot coverage). The property is located on the south side of W Sample Road (NW 36th Street) between N Powerline Road and NW 14th Avenue; more specifically described in the legal description below:

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 17-12000023 Costco Gas Station Relocation

Page 2

ALL OF PARCEL "A", TOGETHER WITH A PORTION OF PARCEL "B" OF "HASEY CENTER", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 136, PAGE 39, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL "B"; THENCE NORTH 89°27'54" EAST ON THE NORTH LINE OF SAID PARCEL "B", ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF SAMPLE ROAD (STATE ROAD NO. 834) FOR 199.17 FEET; THENCE SOUTH 00°32'06" EAST 577.93 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID PARCEL "B"; THENCE SOUTH 89°31'29" WEST ON SAID SOUTH LINE 203.86 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL "B", ALSO BEING THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE NORTH 00°04'10" WEST ON THE WEST LINE OF SAID PARCEL "B", ALSO BEING THE EAST LINE OF SAID PARCEL "A", 577.74 FEET TO THE POINT OF BEGINNING.

LESS THE RIGHT-OF-WAY DEDICATION RECORDED IN OFFICIAL RECORDS BOOK 13646, PAGE 701 OF SAID PUBLIC RECORDS.

TOGETHER WITH:

THE NORTH 1/2 OF THE NORTH 1/2 OF TRACT 20 OF AN UNRECORDED SALES PLAT OF POMPANO FARMS, LEGALLY DESCRIBED AS:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 42 EAST, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

AND

THE SOUTH 1/2 OF THE NORTH 1/2 OF TRACT 20 OF AN UNRECORDED SALES PLAT OF POMPANO FARMS, LEGALLY DESCRIBED AS:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 42 EAST, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA.

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 September 27, 2017.

MRE

G:\Zoning 2009\Site Plans\2017\17-12000023 Costco - Gas Station Relocation\PZB\17-12000023 PZ Development Order.doc

DEVELOPMENT ORDER

Planning and Zoning Board/Local Planning Agency

Planning and Zoning No. 17-12000023 Costco Gas Station Relocation

Page 3

The Application for Development Permit is hereby approved by the Planning and Zoning Board (Local Planning Agency) subject to the following conditions and bases therefore:

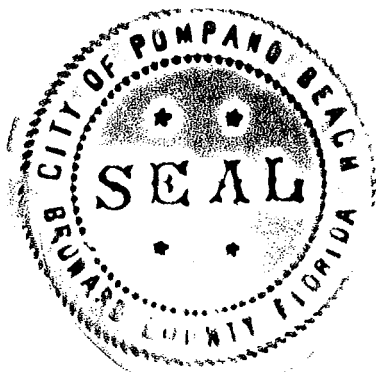
1. Prior to permit approval, obtain the following final approvals:
 - a. A Development Order for Major Building Design from the Architectural Appearance Committee. (§155.2408.B.1)
 - b. A vacation/abandonment of that portion of the 12 foot utility where gas station canopy, fuel pumps, and controller building are proposed. (§155.4203.B.2.a)
 - c. A Plat Note Amendment to Hasey Center Plat in order to allow for the additional square footage of the expanded gas station canopy. (§155.2409.H)
 - d. A Unity of Title Agreement from the City's Planning & Zoning Division which shall be recorded in the Public Records of Broward County. (§155.2401.C)
 - e. CPTED plan approved by the Broward Sheriff's Office. (§155.2407.E.9)
 - f. Building permit plans subject to compliance with all applicable Code requirements, including but not limited to DRC comments issued for this site plan.

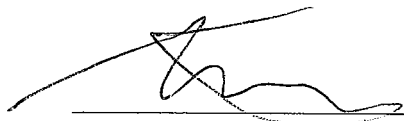
2. Landscape and Irrigation Plans must comply with Zoning Code requirements as verified by the City's Urban Forestry Division.


Be advised that pursuant to Section 155.2407 (G) of the Pompano Beach Code of Ordinances, a DEVELOPMENT ORDER for a site plan application shall remain in effect for a period of 24 months from the date of its issuance.

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

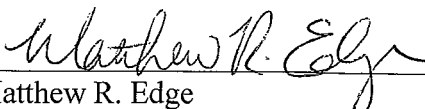
27th day of September, 2017.




 FRED STACER
 Chairman
 Planning and Zoning Board/Local Planning Agency


 DATE

Filed with the Advisory Board Secretary this 5 day of October, 2017.


 Matthew R. Edge
 Zoning Technician

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