

Mr. Stacer asked the applicant if they had any objections to staff's conditions.

Mr. Vonder Meulen responded that they do not.

**MOTION** was made by Rhonda Eaton and seconded by Jerry Mills to recommend approval of the rezoning PZ #17-1300002 per Alternative Motion I as described in the staff report. All those voted in favor with the exception of Tony Hill; therefore, the motion passed.

**I. VACATION**

**4. ALOHA 1 LLC / SW 11<sup>TH</sup> STREET VACATION  
Planning and Zoning #18-1800003  
Commission District: 3**

Consideration of the RIGHT-OF-WAY VACATION submitted by **MICHAEL VONDER MEULEN** on behalf of **ALOHA 1 LLC** of 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 right-of-way is legally defined as follows:

A PORTION OF THE WEST 30 FEET OF PALM TERRACE (NOW KNOWN AS SW 8TH AVENUE) AND MAGNOLIA DRIVE (NOW KNOWN AS SW 11TH STREET) AS SHOWN ON THE AMENDED PLAT OF FAIRVIEW, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10 AT PAGE 25 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NE CORNER OF LOT 8 BLOCK 1 AS SHOWN ON SAID AMENDED PLAT OF FAIRVIEW; THENCE N89°38'46"W ALONG THE NORTH LINE OF SAID BLOCK 1 BEING THE SOUTH RIGHT-OF-WAY LINE OF SAID MAGNOLIA DRIVE FOR 234.91 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT (SAID CURVE CONCAVE TO THE SOUTHEAST) HAVING A RADIUS OF 15 FEET AND A CENTRAL ANGLE OF 90°21'14" FOR AN ARC DISTANCE OF 23.65 FEET TO A POINT OF TANGENCY; THENCE S00°00'00"W ALONG THE WEST LINE OF SAID BLOCK 1 BEING THE EAST RIGHT-OF-WAY LINE OF SAID PALM TERRACE FOR 34.91 FEET; THENCE N89°38'46"W ALONG A LINE 50.00 FEET SOUTH AND PARALLEL TO THE NORTH LINE OF SAID BLOCK 1 EXTENDED WEST FOR 30.00 FEET TO A POINT ON THE CENTERLINE OF SAID PALM TERRACE; THENCE N00°00'00"E ALONG THE CENTERLINE OF SAID PALM TERRACE FOR 160.00 FEET; THENCE S89°35'29"E FOR 30.00 FEET TO A POINT ON THE WEST LINE OF BLOCK 2 AS SHOWN ON SAID AMENDED PLAT OF FAIRVIEW BEING THE EAST RIGHT-OF-WAY LINE OF SAID PALM TERRACE; THENCE S00°00'00"W ALONG THE PREVIOUSLY DESCRIBED LINE FOR 35.06 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT (SAID CURVE CONCAVE TO THE NORTHEAST) HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 89°39'51" FOR AN ARC DISTANCE OF 23.47 FEET TO A POINT OF TANGENCY; THENCE S89°38'46"E ALONG THE SOUTH LINE OF SAID BLOCK 2 BEING THE NORTH RIGHT-OF-WAY LINE OF SAID MAGNOLIA DRIVE FOR 464.17 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT (SAID CURVE CONCAVE TO THE NORTHWEST) HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 77°13'40" FOR AN ARC DISTANCE

OF 20.22 FEET TO A POINT OF CUSP ON THE EAST LINE OF SAID BLOCK 2 (BEING THE WEST RIGHT OF WAY LINE OF SOUTH DIXIE HIGHWAY); THENCE S 13°07'47" W ALONG THE WEST RIGHT OF WAY LINE OF SOUTH DIXIE HIGHWAY PROJECTED SOUTHERLY FOR 92.28 FEET TO A POINT OF CUSP ON THE EAST LINE OF SAID BLOCK 1 (BEING THE WEST RIGHT OF WAY LINE OF SOUTH DIXIE HIGHWAY); THENCE NORTHWESTERLY ALONG THE ARC OF A CIRCULAR CURVE TO THE LEFT (SAID CURVE CONCAVE TO THE SOUTHWEST) TANGENT TO THE EAST LINE OF SAID BLOCK 1 (BEING THE WEST RIGHT OF WAY LINE OF SOUTH DIXIE HIGHWAY) HAVING A RADIUS OF 15.00 FEET AND A CENTRAL ANGLE OF 102°46'33" FOR AN ARC DISTANCE OF 26.91 FEET TO A POINT OF TANGENCY; THENCE N 89°38'46" W FOR 208.30 FEET TO THE POINT OF BEGINNING.

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

CONTAINING 34,048 SQUARE FEET MORE OR LESS.

AKA: Located South of SW 10<sup>th</sup> Street, West of South Dixie West Highway and North of SW 13<sup>th</sup> Court  
ZONED: B-3 (General Business) and RM-20 (Multiple-Family Residence 20)  
STAFF CONTACT: Maggie Barszewski (954) 786-7921

*NOTE: The presentation and discussion for this item can be found under agenda item #2*

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.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

Mr. Stacer asked the applicant if they had any objections to staff's conditions.

Mr. Vonder Meulen responded that they do not.

**MOTION** was made by Tony Hill and seconded by Richard Klosiewicz to recommend approval of the right-of-way vacation PZ #18-18000003 per Alternative Motion I as described in the staff report. All voted in favor of the motion.

5. **HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH /  
RIGHT-OF-WAY VACATION**  
**Planning and Zoning #18-18000002**  
**Commission District: 4**

Consideration of the RIGHT-OF-WAY VACATION submitted by **MICHAEL VONDER MEULEN** on behalf of **HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH** portions of NW 7th Way, NW 16th Lane (also referred to as NW 16th Place), NW 16 Court, NW 7th Avenue, and NW 5th Avenue by Michael Vonder Meulen of Keith & Associates, Inc., on behalf of the Housing Authority of Pompano Beach. The Applicant is requesting to vacate portions of these rights-of-way in order to redevelop the site. The right-of-way is legally defined as follows:

ALL OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4), OF THE NORTHWEST ONE-QUARTER (N.W. 1/4), OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 26, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

ALL OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4), OF THE NORTHEAST ONE-QUARTER (N.E. 1/4), OF THE SOUTHWEST ONE-QUARTER (S.W. 1/4) OF SECTION 26, TOWNSHIP 48 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.

LESS AND EXCEPT THEREFROM A PORTION OF RIGHT-OF-WAY FOR N.W. 6TH AVENUE PERTAINING TO OFFICIAL RECORDS BOOK 1724, ON PAGE 167 AND OFFICIAL RECORDS BOOK 3069, ON PAGE 137, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA CONTAINING 855,815 SQUARE FEET (19.647 ACRES) MORE OR LESS.

AKA: NW 7<sup>th</sup> Way; NW 16<sup>th</sup> Lane (or referred to as NW 16th Place); NW 16 Court; NW 7th Avenue; & NW 5th Avenue  
ZONED: RD-1 (TWO-FAMILY RESIDENCE)