

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

MOTION was made by Carla Coleman and seconded by Richard Klosiewicz to recommend approval of the Easement Abandonment PZ #18-27000001 per alternative motion I, as described in the staff report. All voted in favor of the motion

4. X-MAIL CORP./ SMAX LANDSCAPE EASEMENT AMANDONMENT

Planning and Zoning No. 18-27000002

Commission District: 4

Consideration of an EASEMENT ABANDONMENT submitted by **JULIAN STEIN** on behalf of the **X-MAIL CORP** to enable the construction of a covered walkway, to enhance the office/warehouse development that is being proposed. All parcels are legally defined as follows:

A PARCEL OF LAND IN THE W 1/2 OF THE SE 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 48 SOUTH, RANGE 42 EAST, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 34; THENCE RUN NORTH 89° 25' 18" EAST (ON AN ASSUMED BEARING) 250.01 FEET ALONG THE SOUTH LINE OF SAID SE 1/4 OF THE SE 1/4; THENCE RUN NORTH 1° 02' 10" WEST 1081.63 FEET ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SE 1/4 OF THE SE 1/4, TO AN INTERSECTION WITH A LINE 150 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES AND PARALLEL TO THE SOUTHERLY RIGHT OF WAY LINE OF HAMMONDVILLE ROAD, AND THE POINT OF THE BEGINNING; THENCE CONTINUE NORTH 1° 02' 10" WEST 186.45 FEET ALONG SAID PARALLEL LINE TO AN INTERSECTION WITH SAID SOUTHERLY RIGHT OF WAY LINE OF HAMMONDVILLE ROAD; THENCE RUN SOUTH 54° 35' 57" EAST 226.40 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO A POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE ON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1005.37 FEET AND A CENTRAL ANGLE OF 0° 07' 55", RUN SOUTHEASTERLY 2.31 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF NW 12TH AVENUE, AS DESCRIBED ON THE INSTRUMENT FILED IN OFFICIAL RECORDS BOOK 930 AT PAGE 229 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE RUN SOUTH 1° 03' 28" EAST 180.06 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE TO A POINT OF INTERSECTION WITH THE ARC OF A CURVE RUNNING NORTHWESTLY TO THE RIGHT, A RADIAL AT SAID POINT BEARING NORTH 29° 58' 18" EAST; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1155.37 FEET AND A CENTRAL ANGLE OF 5° 25' 45", RUN NORTHWESTERLY 109.48 FEET TO A POINT OF TANGENCY ON SAID LINE 150 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL TO SAID SOUTHERLY RIGHT OF WAY LINE OF HAMMONDVILLE ROAD; THENCE RUN NORTH 54° 35' 57" WEST 115.66 FEET ALONG SAID PARALLEL LINE, TO THE POINT OF BEGINNING, LESS THE WESTERLY 8.00 FEET OF SAID PARCEL.

SAID LANDS SITUATE IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA AND CONTAINING .7491 ACRES, MORE OR LESS.

AKA: Folio: 484234390010

ZONED: I-1 (General Industrial)
STAFF: Maggie Barszewski, AICP (954) 786-7921

Mr. Keester-O'Mills, Principal Planner, stated that this 20-foot wide landscape easement along the south side of Martin Luther King Jr. Boulevard is proposed to be abandoned by the applicant due to the applicant's proposed development on the subject property. A covered walkway is proposed within the easement area. He stated that letters of no objection have been received by all service providers with the exception of FPL, TECO gas, and Comcast.

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. This request will not be placed on a City Commission Agenda until 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 approval of this application would be contingent on agenda item #5, the site plan for this site, being approved.

Mr. Keester-O'Mills responded that the applications are separate and that staff still wouldn't object to this requested abandonment even if there was no parallel site plan application.

Mr. Stacer asked where this landscape easement would have come from.

Mr. Keester-O'Mills responded that it would have been included in the platting of the site as a proactive measure. He stated this is easement is not present along the entire corridor, but only for this site.

Mr. Julian Maxwell Stein (601 SE 5 Terrace, Pompano Beach) presented himself to the Board as the site developer. He stated that this project would be an expansion of his existing business in the city. He reiterated that this easement is conflicting with a proposed awning, and that he has been working with the CRA on the site design.

Mr. Coleman asked what kind of business X-Mail Corp. is.

Mr. Stein responded that this is the name of the current property owner, and that he is the contract purchaser of the property. The current owner had intended to use the site for truck parking.

Ms. Coleman asked what the applicant's business is.

Mr. Stein responded that they buy and resell marine equipment eBay, as well as that they purchase and liquidate obsolete marine businesses. He stated that they also service marine equipment that is no longer supported by the manufacturer.

Mr. Stacer asked if they are going to occupy the whole building.

Mr. Stein confirmed that they will. He added that there will be portions for repairs, testing and shipping, and possibly service.

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

MOTION was made by Richard Klosiewicz and seconded by Darlene Smith to recommend approval of the Easement Abandonment PZ #18-27000002 per alternative motion I, as described in the staff report. All voted in favor of the motion

I. MAJOR SITE PLAN

5. X-MAIL CORP / SMAX LLC BUILDING
Planning and Zoning No. 18-12000035
Commission District: 4

Consideration of the MAJOR SITE PLAN submitted by **JULIAN STEIN** on behalf of the **X-MAIL CORP** in order to construct a new 12,641 sq. ft. office/warehouse building on the subject property. The total building footprint of the proposed warehouse is 9,929 sq. ft. on a 31,233 sq. ft. site (31.8% lot coverage on 0.7 acres). All parcels are legally defined as follows: