

PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #16-015

DATE: April 11, 2016

TO: City Commission

FROM: Planning and Zoning Board/ Local Planning Agency

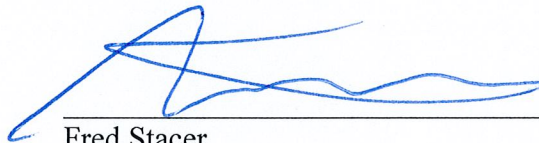
SUBJECT: RIGHT-OF-WAY ABANDONMENT - TSATAS ACQUISITIONS, LLC
Right-of-way on S. Riverside Dr. at 101 S. Riverside Dr.
P & Z #13-18000002

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on March 23, 2016, the Board considered the request by the **TSATAS ACQUISITIONS, LLC** requesting the ABANDONMENT OF THE FIFTY-FIVE (55)–FOOT RIGHT-OF-WAY on the above referenced property.

It is the unanimous recommendation of the Board that the RIGHT-OF-WAY ABANDONMENT request be approved with the following seven (7) conditions of staff:

1. This request will not be placed on a City Commission Agenda until all the following are provided to the Development Services Department:
 - a. An easement instrument, approved by the City Attorney's office, for a one-way ingress easement for the proposed north/south driveway and a public access easement for the proposed sidewalks adjacent to the north/south driveway.
 - b. A right-of-way dedication instrument, approved by the City Attorney's office, dedicating to the City the proposed east/west alley and the adjacent sidewalk(s) and the portion of the traffic circle located within private property.
 - c. A City-Engineer-approved cost estimate and bond for the roadway ingress egress, sidewalk, traffic circle and drainage improvements.
 - d. A Traffic Impact analysis is provided per Future Land Use Policy 01.02.02. Specifically the Traffic Impact Analysis shall evaluate the impact on through traffic, impact on Atlantic Blvd (including stacking), and impacts on the neighborhood. Should the Traffic Impact Analysis determine any adverse impacts, the P&Z's recommendation of approval to the City Commission shall become null and void.
 - e. An agreement between the Applicant and the City of Pompano Beach Utilities Department.
2. This request will not be placed on a City Commission Agenda until all comments are received from each service provider, or until 30 days from the date of this recommendation, whichever occurs first.
3. The Abandonment Ordinance will not become effective until such time that the traffic circle and proposed alley are constructed.

4. All necessary utility service easements will be provided and recorded prior to the issuance of a building permit. This is very difficult as the ultimate location of proposed utilities (water, sewer, etc.) may vary due to field conditions. Usually, an easement is created with the actual As-Built, and before the utility is turned over to the Utility.
5. The applicant must apply for a "Driveway Connection Permit" for any driveway connection modification along Riverside Promenade's property frontage with S.R. 814 prior to any building permit issuance.
6. The applicant is not permitted to discharge into the nearby curb inlet within FDOT's right-of-way.
7. Compliance with the FDOT conditions contained in Exhibit III.
8. The abandonment instrument shall include a reversion clause that will revert the right-of-way back to the City, should the applicant fail to meet any of the listed conditions.



4-12-16

Fred Stacer
Chairman

Planning and Zoning Board/ Local Planning Agency