

ADMINISTRATIVE MEMORANDUM NO. 19-035

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
VIA: Jennifer Gomez, AICP, Assistant Director of Development Services
FROM: Maggie Barszewski, AICP, Planner
SUBJECT: Request to abandon a 20 – foot wide landscape Easement for SMAX, LLC
Abandonment P&Z #18-27000002/ February 27, 2019 P&Z Meeting
DATE: February 14, 2019

The following is a brief summary of information on the proposed development and surrounding properties. This is a request to abandon a 20 foot wide landscape Easement, by Julian Stein, of SMAX, LLC, on behalf of X-mail Corp. The Applicant is proposing to construct an office/warehouse building on the vacant site, and wishes to vacate the landscape easement since it would prevent the placement of a covered walkway. A site plan application for the 12,641 square foot proposed building was concurrently submitted and is also on the February 27th 2019 Planning and Zoning meeting agenda.

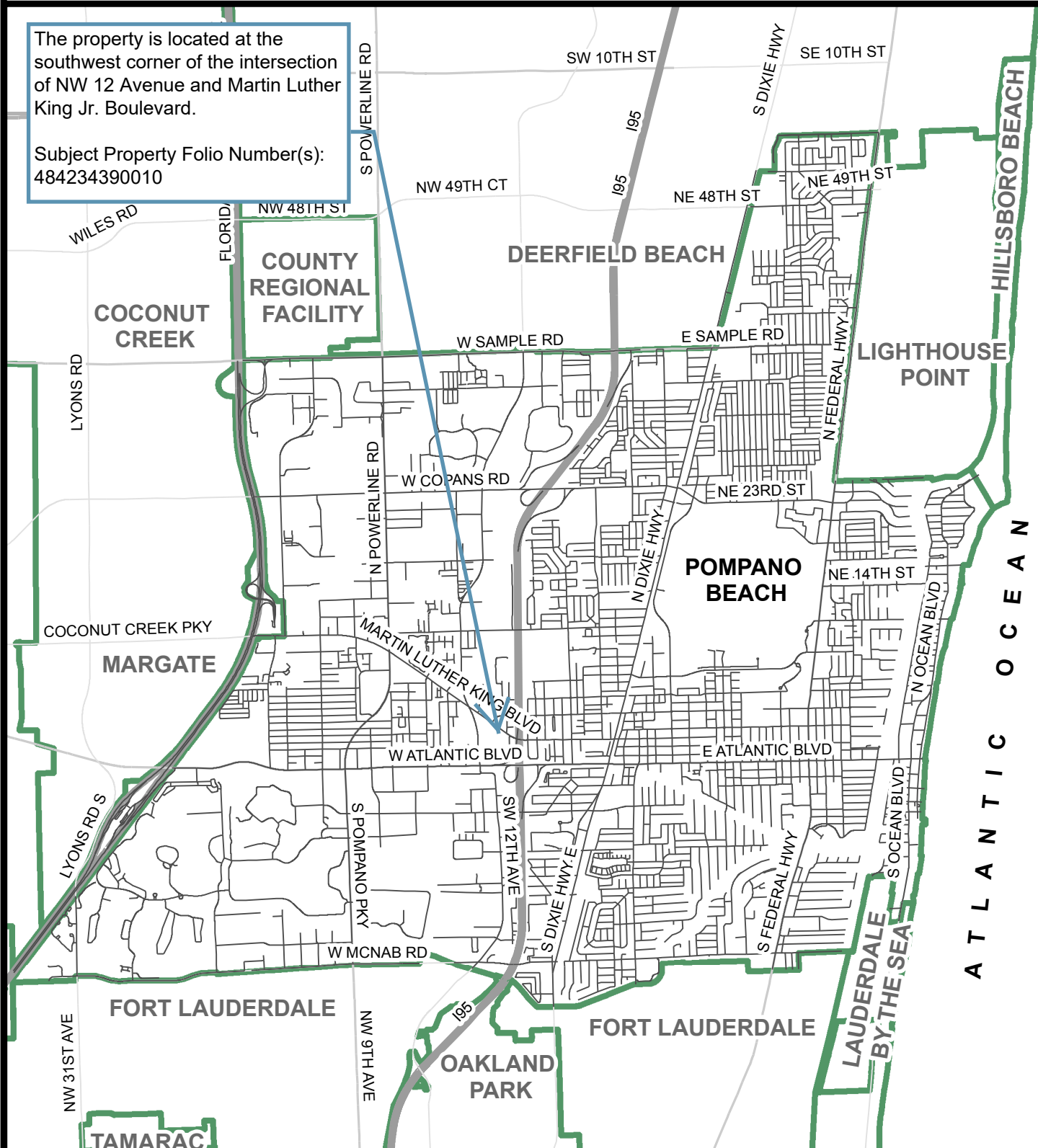
The easement is located parallel to Dr. Martin Luther King Jr. Boulevard on the subject parcel, which lies on the southwest corner of Dr. Martin Luther King Jr. Boulevard and NW 12th Avenue.

CITY OF POMPANO BEACH LOCATION MAP



The property is located at the southwest corner of the intersection of NW 12 Avenue and Martin Luther King Jr. Boulevard.

Subject Property Folio Number(s):
484234390010



1 in = 1 miles

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

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

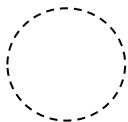
W Water

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

* Existing
> Proposed

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

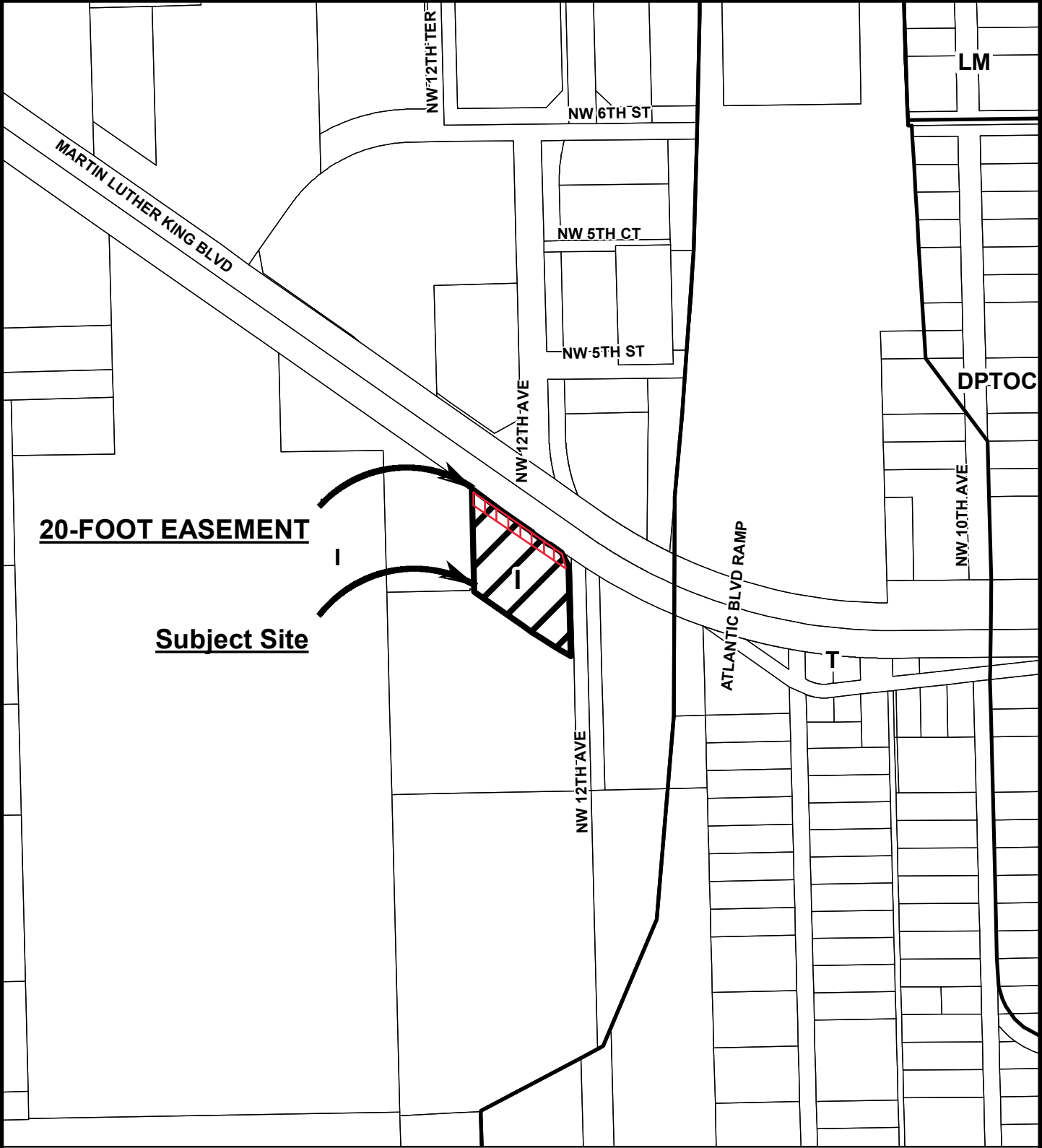
CITY OF POMPANO BEACH
AERIAL MAP



1 in = 250 ft

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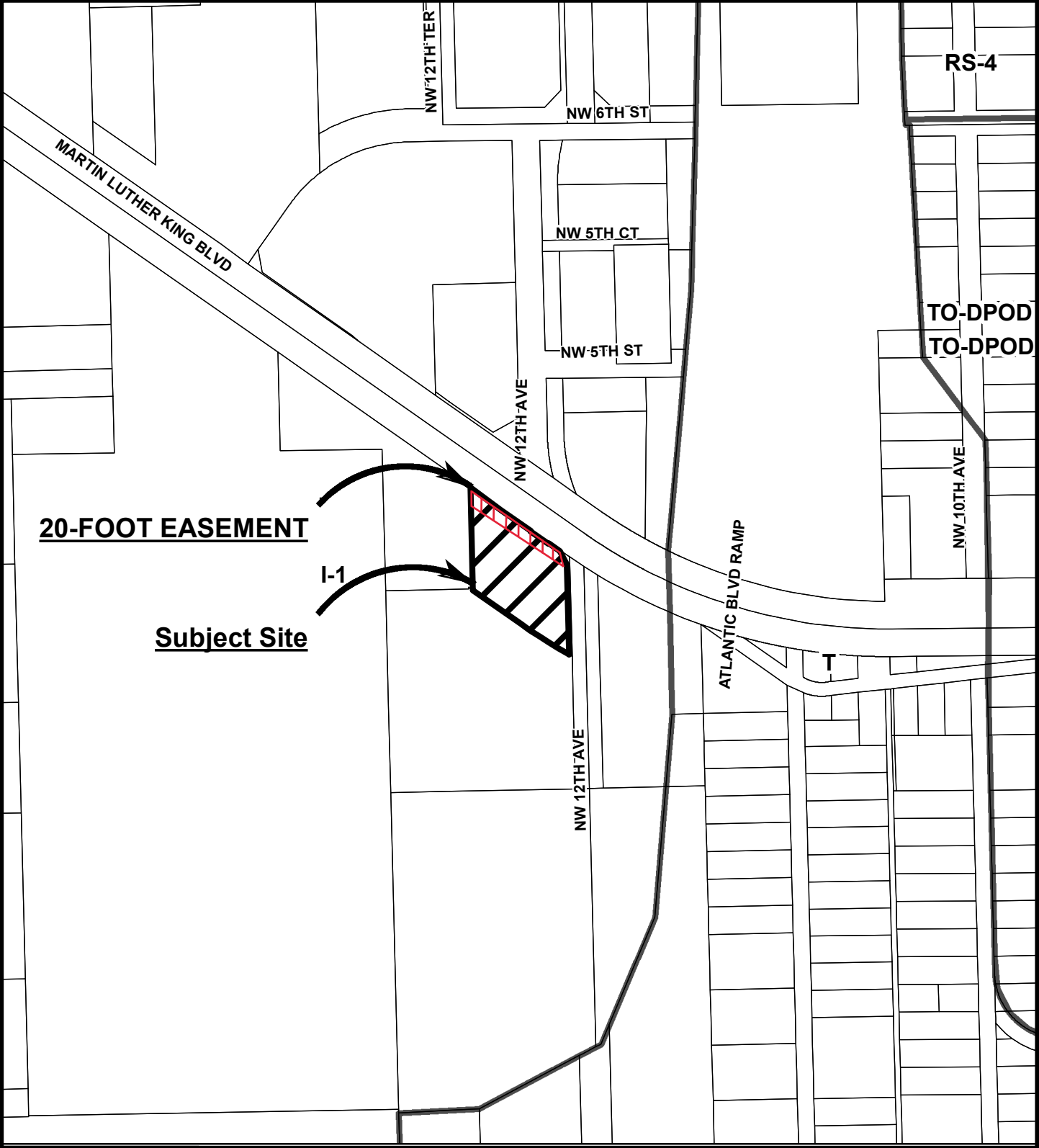
CITY OF POMPANO BEACH
OFFICIAL LAND USE MAP



1 in = 250 ft

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CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 250 ft

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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
FDOT:	No Objection
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 on the southwest corner of Dr. Martin Luther King Jr. Boulevard and NW 12th Avenue.
2. The purpose for the Applicant's request is to enable the construction of a covered walkway that would enhance the proposed office/warehouse development.

C. Review Standards

Section 155.2431D. 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. Four out of the eleven service providers have not yet submitted comments, including: Teco Gas; FP&L; AT&T; and Comcast.

It is not necessary for a landscape easement to be included on a plat and would generally be added only when there is a comprehensive corridor improvement effort warranting special landscaping. The CRA has confirmed that there is no such landscape effort along Martin Luther King Jr. Blvd. Furthermore, no other adjacent parcel along that corridor includes such a landscape easement on their respective plat.

Except for the above-noted missing comments, the abandonment of this landscape easement meets the abandonment standards of Section 155.2431D.1. & 2, and therefore staff recommends approval of this request with a condition.

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. 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.