

Mr. McLaughlin responded that they might be able to provide an emergency access opening with a Knox box, but that emergency vehicles can obviously cross NVALs if there is an emergency.

Mr. Usman commented that their insurance might require this kind of access, too.

Mr. McLaughlin stated that they agree that they will restrict truck access from 9th Street.

MOTION was made by Carla Coleman and seconded by Anne Maria Groblewski to recommend approval of the Plat PZ #18-14000003 per the 7 conditions as described in the staff report, with the amendment to condition #4 that removes the option of including a right turn only restriction onto NW 9th Street and would instead amend the NVAL the full length of the property line along NW 9th Street. All voted in favor of the motion.

H. EASEMENT ABANDONMENT

3. US GATEWAY INVESTMENTS LLC/ HUOK ROAD RESERVATION EASEMENT ABANDONMENT Planning and Zoning No. 18-27000001 Commission District: 4

Consideration of an ROAD RESERVATION EASEMENT ABANDONMENT submitted by **JAMES MCLAUGHLIN** on behalf of the **US GATEWAY INVESTMENTS LLC** in order to abandon a 28-foot wide road reservation easement located parallel to Powerline road north of NW 9th Street. All parcels are legally defined as follows:

A portion of Parcel "A", GREEN LAND TRUST PLAT, according to the plat thereof, as recorded in Plat Book 178, Pages 164 and 165, of the public records of Broward County, Florida; AND a portion of the North three-fifths (N 3/5) of the North one-half (N 1/2) of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of the Northwest one-quarter (NW 1/4), Section 34, Township 48 South, Range 42 East, more fully described as follows:

Commencing at the Southwest corner of said Parcel; "A"; thence South 89°36'54" East, on the South line of said Parcel "A", a distance 39.32 feet; thence North 00°23'06" East, a distance of 5.00 feet to the Point of Beginning; thence South 89°36'54" East, on the North line of a 20.00 foot Roadway Easement as recorded in Official Records Book 16063, Page 280, Broward County Records, being a line 5.00 feet North of and parallel with the South line of said Parcel "A", a distance of 28.09 feet; thence North 42°18'38" west, a distance of 44.11 feet to a point on a curve; thence Northerly on said curve to the left, whose radius point bears North 85°14'09" West, with a radius of 2005.08 feet, a central angle of 04°51'14", an arc distance of 169.86 feet to a point of tangency; thence North 00°05'23" West, a distance of 408.57 feet; thence North 89°50'41" West, on the North line of the North three-fifths (N 3/5) of the North one-half (N 1/2) of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 34, a distance of 28.00 feet; thence South 00°05'23" East, a distance of 408.69 feet to a point of curve; thence Southerly on said curve to the right, with a radius of 1977.08 feet, a central angle of 04°55'07", an arc distance of 169.73 feet; thence South 42°23'35" East, a distance of 44.04 feet to the Point of Beginning.

All of said land situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 17,107 square feet or 0.3927 acres, more or less.

AKA: Folios: 484234000420 and 484234410010
ZONED: B-3 (General Business)
STAFF CONTACT: Maggie Barszewski, AICP (954) 786-7921

Mr. Keester-O'Mills, Principal Planner, stated that this 28-foot wide road reservation easement was recorded in 1988 and the applicant is requesting to abandon a portion of it as it is not entirely needed. He stated that this application is related to the previous plat application that the Board just considered. He added that letters of no objection have been received by a majority of service providers.

Given the information provided to the Board, staff provides the following alternative motions for the Board's review.

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.

Mr. Keester-O'Mills stated that staff recommends alternative motion number I.

Ms. Coleman asked if the only outstanding comment is from the City's Utilities Department.

Mr. Keester-O'Mills confirmed this.

Mr. James McLaughlin (1700 NW 64 Street, Fort Lauderdale) stated that they have worked with staff extensively on this. He pointed out that it's not exactly an easement but rather a "reservation". He clarified that they have no objections to staff's condition.

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 SOUTH 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