



Legislation Details (With Text)

**File #:** 18-465      **Version:** 2      **Name:**  
**Type:** Ordinance / Regular Agenda      **Status:** Passed  
**File created:** 6/26/2018      **In control:** City Commission  
**On agenda:** 7/24/2018      **Final action:** 7/24/2018  
**Title:** P.H. 2018-85: (PUBLIC HEARING 2ND READING)  
 AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING PORTIONS OF THE RIGHT-OF-WAY ON NW 12TH AVENUE ADJACENT TO 1751 NW 12TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
 (Fiscal Impact: N/A)

FIRST READING: JULY 10, 2018

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. PZB Approval Memo 18-014, 2. City Attorney Memo, 3. Ordinance, 4. Exhibit A of Ordinance, 5. D.O. 17-12000042, 6. Revised Abandonment Property Sketch, 7. P&Z Staff Report, 8. P&Z Minutes, 9. Application

Date	Ver.	Action By	Action	Result
7/24/2018	2	City Commission	ADOPTED	Pass
7/10/2018	1	City Commission	APPROVED FIRST READING	Pass

**P.H. 2018-85: (PUBLIC HEARING 2ND READING)**  
 AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING PORTIONS OF THE RIGHT-OF-WAY ON NW 12TH AVENUE ADJACENT TO 1751 NW 12TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
 (Fiscal Impact: N/A)

**FIRST READING: JULY 10, 2018**  
 (Staff Contact: Maggie Barszewski/David Recor)

**Summary Explanation/Background:**

The Applicant, Damian Brink of Schmidt Nichols Land Planning, Inc., on behalf of Lone Oak - Broward LLC% Reyes Holdings, LLC. is requesting to vacate portions of this right-of-way in order to reconfigure the entrance, gate, signage, landscape and utilities of the Gold Coast Beverage site. The Applicant has received approval for a Minor Site Plan and Minor Building Design Application to construct a new 9,500-sq. ft. addition to the existing warehouse facility (see attached D.O. 17-12000042). This abandonment request was unanimously recommended for approval at the April 25, 2018 Planning & Zoning Board hearing with three conditions that have been met. The Three conditions were as follows: 1) A public access easement is retained in perpetuity that satisfies the Development Services Dept. 2) An agreement is provided that satisfies the Utility Department concerns for relocating a backflow device to a newly-recorded property line out of the abandonment area; and provides for the applicant taking ownership of the remaining water main and sewer system; and 3) Placement on a City Commission agenda could only happen when all other service provider comments were received, or until 60 days from the date of this recommendation, whichever occurs first. Condition 1 was met by the Ordinance including the statement that the City reserves the right to retain a public

access easement over the above described property. Condition 2 was met by the applicant agreeing to leave out the portion of the right-of-way that included any public utilities (see attached comment from the Utilities Dept. and revised abandonment property sketch). Condition 3 was met by waiting 60 days to be place on this agenda.

**Origin of request for this action:** Damian Brink of Schmidt Nichols Land Planning, Inc., on behalf of Lone Oak - Broward LLC% Reyes Holdings, LLC.

**Fiscal impact and source of funding:** N/A