



Legislation Details (With Text)

**File #:** 18-243      **Version:** 1      **Name:**

**Type:** Resolution / Regular Agenda      **Status:** Passed

**File created:** 2/27/2018      **In control:** City Commission

**On agenda:** 3/13/2018      **Final action:** 3/13/2018

**Title:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TOLLING THE EXPIRATION TIME PERIOD FOR A DEVELOPMENT ORDER DURING USE OF THE PROPERTY FOR A PUBLIC PURPOSE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CityAttorneyMemo-2018-489, 2. Resolution, 3. Memo\_CityAttorney\_1NOceanBlvd, 4. Reference\_Ordinance\_2012-18, 5. ExtensionofAgreement, 6. PublicParking\_AerialMap

Date	Ver.	Action By	Action	Result
3/13/2018	1	City Commission	ADOPTED	Pass

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TOLLING THE EXPIRATION TIME PERIOD FOR A DEVELOPMENT ORDER DURING USE OF THE PROPERTY FOR A PUBLIC PURPOSE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Daniel Keester-O’Mills/David Recor)

**Summary Explanation/Background:**

In 2012, the City Commission entered into a lease agreement with JJ Land Realty, LLC in order to construct a temporary surface public parking lot (20 N Ocean Blvd). The initial term of the lease was for a period of 5 years. In 2017, the owner did not object to a 2 year extension - subject to the terms and conditions granted to the Owner to terminate in advance of the 2 years. Although the property was vacant, there is an active development order on the property that was originally issued in 2006 for a 24 story condominium tower with 77 units and 22 story hotel tower with 303 hotel rooms. The proposed project also included retail and restaurant spaces. The applicant has kept the development order active and valid through state authorized extensions by the various “State of Emergency” declarations that have been identified by the Governor as well as an extension by the Planning & Zoning Board. In addition to those lawful state extensions, the Zoning Code grants the City Commission the authority to approve an extension to a development order, when the property is used by a government entity for a public purpose. The applicant is requesting that the City Commission grant a 5 year extension of their development order, in light of the fact that the property has been used as a public parking. If approved, the new expiration date will be May 23, 2024.

**Origin of request for this action:** Bonnie Miskel, Esq.

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

