

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

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(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