

REQUESTED COMMISSION ACTION: **QUASI-JUDICIAL**

Consent Ordinance Resolution Consideration Workshop

SHORT TITLE AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING TWO UTILITY EASEMENTS LYING ON A PARCEL LOCATED ALONG DR. MARTIN LUTHER KING, JR. BOULEVARD EAST OF NW 6TH AVENUE AND SOUTH OF NW 4TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Summary of Purpose and Why:

The Applicant, Francisco Rojo, on behalf of City Vista Associates LLC., is requesting the abandonment of a 40-foot utility easement and a 50-foot utility easement existing on a parcel located along MLK Blvd. between NW 4th and NW 6th Avenues. The applicant is proposing to build a mixed-use redevelopment project that will be the cornerstone of redevelopment on MLK Blvd. The area to be abandoned is approximately 18,563 square feet. This request was recommended for approval unanimously by the Planning & Zoning Board at the 06/22/16 hearing with no conditions. A copy of the draft minutes from the Planning & Zoning meeting is attached.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Francisco Rojo, on behalf of City Vista Associates LLC
- (2) Primary staff contact: Maggie Barszewski / Robin Bird Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	6/10/2016	Approval	P&Z # 16-279
City Attorney		<i>CAC # 2016-934</i>	<i>Francisco Rojo</i>

Planning & Zoning Board P&Z Memo # 16-041

City Manager *Rob* *Quinn W. Seal*

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
1 st Reading	1 st Reading	Results:	Results:
2 nd Reading			



City Attorney's Communication #2016-934

June 20, 2016

TO: Maggie Barszewski, AICP, Planner

FROM: Mark E. Berman, City Attorney

RE: Ordinance Vacating Two Utility Easements for Existing on a Parcel Located Along MLK Blvd.

As requested in your memorandum of June 16, 2016, Department of Development Services Memorandum #16-295, the following form of ordinance, relative to the above-referenced matter, has been prepared and is attached:

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING TWO UTILITY EASEMENTS LYING ON A PARCEL LOCATED ALONG DR. MARTIN LUTHER KING, JR. BOULEVARD EAST OF NW 6TH AVENUE AND SOUTH OF NW 4TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.


MARK E. BERMAN

/jrm
l:cor/dev-srv/2016-934

Attachment

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING TWO UTILITY EASEMENTS LYING ON A PARCEL LOCATED ALONG DR. MARTIN LUTHER KING, JR. BOULEVARD EAST OF NW 6TH AVENUE AND SOUTH OF NW 4TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; and

WHEREAS, the City Commission has received a request for the abandonment of two utility easements lying on a parcel located along Dr. Martin Luther King, Jr. Boulevard east of NW 6th Avenue and south of NW 4th Street; and

WHEREAS, the Planning and Zoning Board has made its recommendation upon said request; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. It is hereby found and determined by the City Commission that the public health, welfare, safety and necessity no longer require retention of any interest by the public in the two utility easements as more fully described below.

SECTION 2. It is hereby further found and determined that abandonment and vacation of that utility easements will not have a detrimental effect upon the surrounding property or area.

SECTION 3. That the City of Pompano Beach does hereby abandon and vacate the following described utility easements:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SECTION 4. That the City Clerk is hereby instructed to record this Ordinance in the Public Records of Broward County, Florida.

SECTION 5. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2016.

PASSED SECOND READING this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

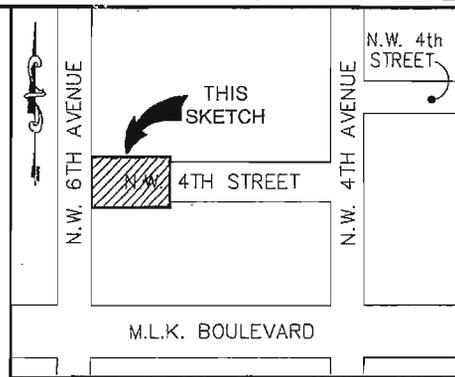
MEB/jrm
6/20/16
l:ord/2016-240

LEGAL DESCRIPTION:

THAT CERTAIN 50.00 FOOT RIGHT OF WAY FOR N.W. 4TH STREET AS DEDICATED BY OFFICIAL RECORDS BOOK 2152, PAGE 113 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA LYING WITHIN TRACT 14, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK B, PAGE 76 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF LOT 9, BLOCK 1, SHEWMAKE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 52 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 01°42'20" EAST ALONG THE WEST LINE OF SAID LOT 9 ALSO BEING THE EAST LINE OF SAID 50.00 FOOT RIGHT-OF-WAY, A DISTANCE OF 5.00 FEET TO THE SOUTH LINE OF SAID 50.00 FOOT RIGHT-OF-WAY ALSO BEING A POINT ON A LINE LYING 5.00 FEET SOUTH OF AND PARALLEL WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 1; THENCE SOUTH 88°44'10" WEST, ALONG SAID SOUTH 50.00 FOOT RIGHT-OF-WAY LINE AND SAID PARALLEL LINE, 143.43 FEET TO A POINT OF INTERSECTION WITH WEST LINE OF SAID 50.00 FOOT RIGHT-OF-WAY ALSO BEING THE EAST RIGHT-OF-WAY LINE OF N.W. 6TH AVENUE; THENCE NORTH 01°26'19" WEST, ALONG SAID EAST AND WEST RIGHT-OF-WAY LINES, 50.00 FEET TO A POINT ON THE NORTH LINE OF SAID 50.00 FOOT RIGHT-OF-WAY ALSO BEING A POINT ON A LINE 5.00 FEET NORTH OF AND PARALLEL WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF BLOCK 2 OF SAID SHEWMAKE PARK PLAT; THENCE NORTH 88°44'10" EAST, ALONG SAID NORTH 50.00 FOOT RIGHT-OF-WAY LINE AND SAID PARALLEL LINE, 143.20 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF LOT 8 OF SAID BLOCK 2; THENCE SOUTH 01°42'20" EAST ALONG SAID WEST LINE AND ITS SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 7,166 SQUARE FEET, 0.165 ACRES, MORE OR LESS.



LOCATION MAP:
NOT TO SCALE

SURVEY NOTES:

1. THE LEGAL DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
2. KEITH AND ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NUMBER IS L.B.#6860.
3. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. IT IS A VIOLATION OF RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE TO ALTER THIS SKETCH AND DESCRIPTION WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND DELETIONS MADE TO THE FACE OF THIS SKETCH AND DESCRIPTION WILL MAKE THIS DOCUMENT INVALID.
5. THIS SKETCH AND DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY.
6. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
7. THE INTENDED DISPLAY SCALE FOR THIS SURVEY IS 1"= 30' OR SMALLER.
8. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF BLOCK 1, SHEWMAKE PARK, PLAT BOOK 2, PG. 52, BROWARD COUNTY RECORDS WITH A REFERENCE BEARING OF SOUTH 88°44'10" WEST.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS SURVEYED UNDER MY DIRECTION ON APRIL 13, 2012 MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

KEITH & ASSOCIATES, INC.
CONSULTING ENGINEERS

MICHAEL M. MOSSEY
PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION No. 5660
STATE OF FLORIDA

SKETCH & DESCRIPTION

UTILITY EASEMENT
N.W. 4th STREET
O.R.B. 2152, PG. 113, B.C.R.

POMPANO BEACH, BROWARD COUNTY, FLORIDA

KEITH
ASSOCIATES INC
consulting engineers
301 EAST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mail@keith-associates.com LB NO. 6860

SHEET 1 OF 2
DRAWING NO. 07470.20-SKD-UTILITY-W.dwg

DATE 04/13/12

SCALE N/A

FIELD BK. N/A

DWG. BY L.K.P.

CHK. BY M.M.M.

DATE REVISIONS

DATE	REVISIONS

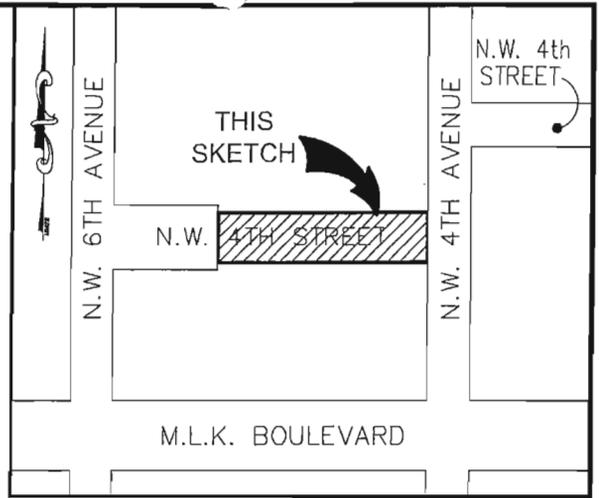
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SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 12,246 SQUARE FEET, 0.281 ACRES, MORE OR LESS.



LOCATION MAP:
NOT TO SCALE

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KEITH & ASSOCIATES, INC.
CONSULTING ENGINEERS

MICHAEL M. MOSSEY
PROFESSIONAL SURVEYOR AND MAPPER
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STATE OF FLORIDA

SKETCH & DESCRIPTION

UTILITY EASEMENT
N.W. 4th STREET
SHEWMAKE PARK,
P.B. 2, PG. 52, B.C.R.

POMPANO BEACH, BROWARD COUNTY, FLORIDA

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SHEET 2 OF 2
DRAWING NO. 07470.20-SKD-UTILITY-E.dwg

DATE 04/13/12
SCALE N/A
FIELD BK. N/A
DWNG. BY L.K.P.
CHK. BY M.M.M.

DATE	REVISIONS

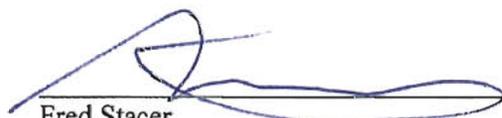
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**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY
MEMORANDUM #16-041**

DATE: June 28, 2016
TO: City Commission
FROM: Planning and Zoning Board/ Local Planning Agency
SUBJECT: UTILITY EASEMENT ABANDONMENT
MLK BLVD. between NW 4TH and NW 6TH AVENUES
P & Z #16-27000003 City Vista Abandonment

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on June 22, 2016, the Board considered the request by **City Vista Associates, LLC** requesting ABANDONMENT OF A FORTY (40)-FOOT UTILITY EASEMENT and a FIFTY (50)-FOOT UTILITY EASEMENT on the above referenced property.

It is the unanimous recommendation of the Board that the UTILITY EASEMENTS ABANDONMENT request be approved.



Fred Stacer
Chairman
Planning and Zoning Board/ Local Planning Agency

MEMORANDUM

Development Services

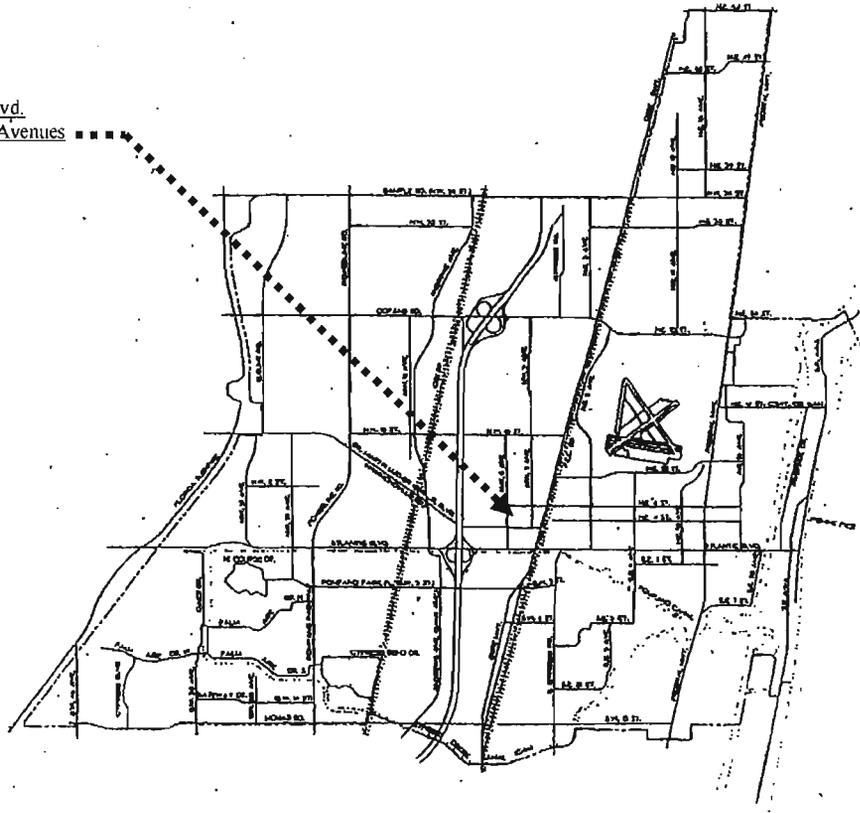
MEMORANDUM NO. 16-279

DATE: June 10, 2016
TO: Planning & Zoning Board
VIA: Robin M. Bird, Development Services Director *RB*
FROM: Maggie Barszewski, AICP, Planner *MB*
RE: Request for Abandonment of a Utility Easement Existing on a Parcel Located Along MLK Blvd. Between NW 4th and NW 6th Avenues

P & Z # 16-2700003

The Applicant, Francisco Rojo, on behalf of City Vista Associates LLC., is requesting the abandonment of a 40-foot utility easement and a 50-foot utility easement existing on a parcel located along MLK Blvd. between NW 4th and NW 6th Avenues. The applicant is proposing to build a mixed-use redevelopment project that will be the cornerstone of redevelopment on MLK Blvd. The area to be abandoned is approximately 18,563 square feet.

Parcel located along MLK Blvd.
between NW 4th and NW 6th Avenues



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

* DPTOC Downtown Pompano Transit Oriented Corridor

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

Number



Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

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 Downtown Pompano

Transit Oriented Corridor

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

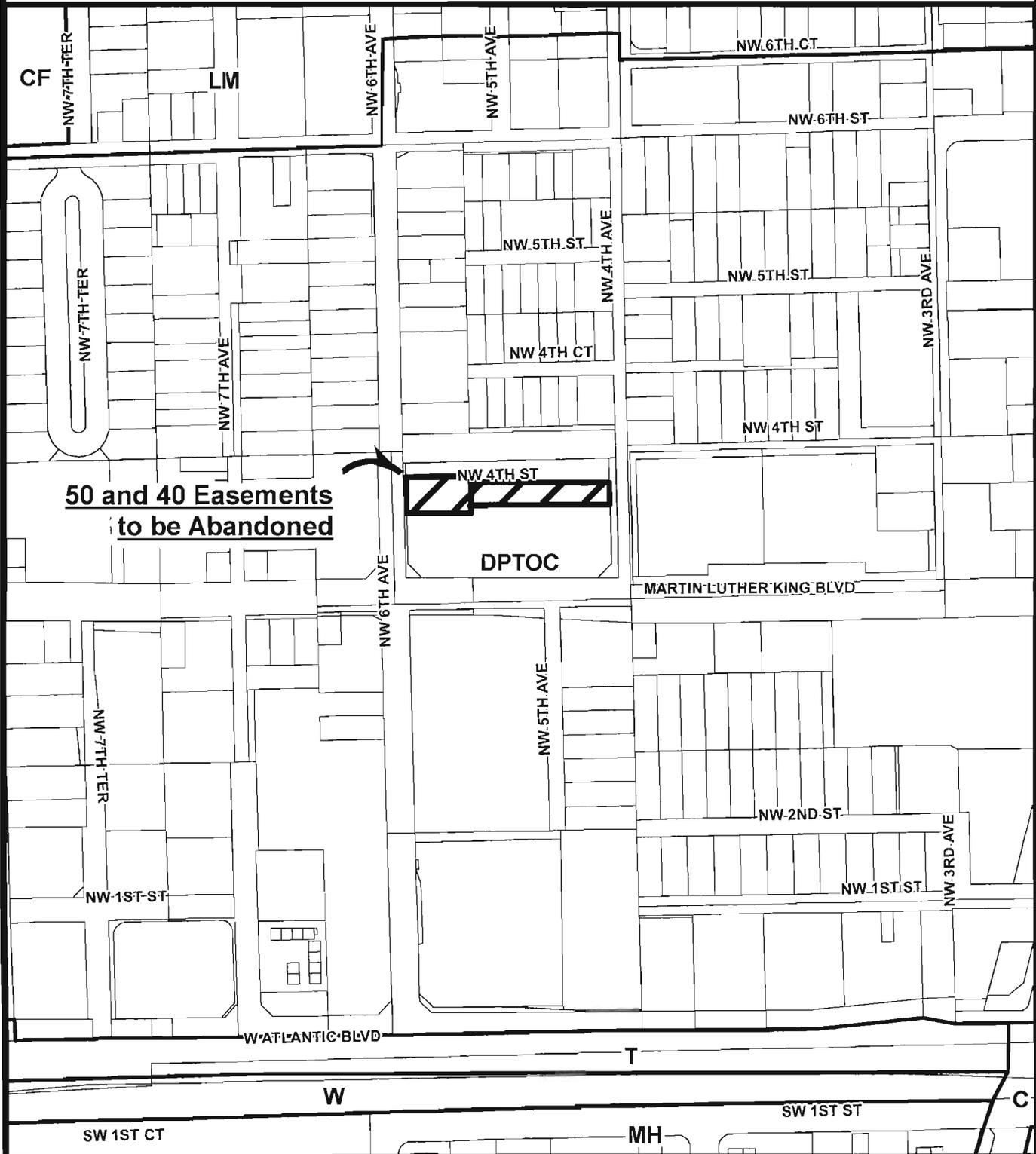
PU

Public Utility

* **Existing**

> **Proposed**

CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

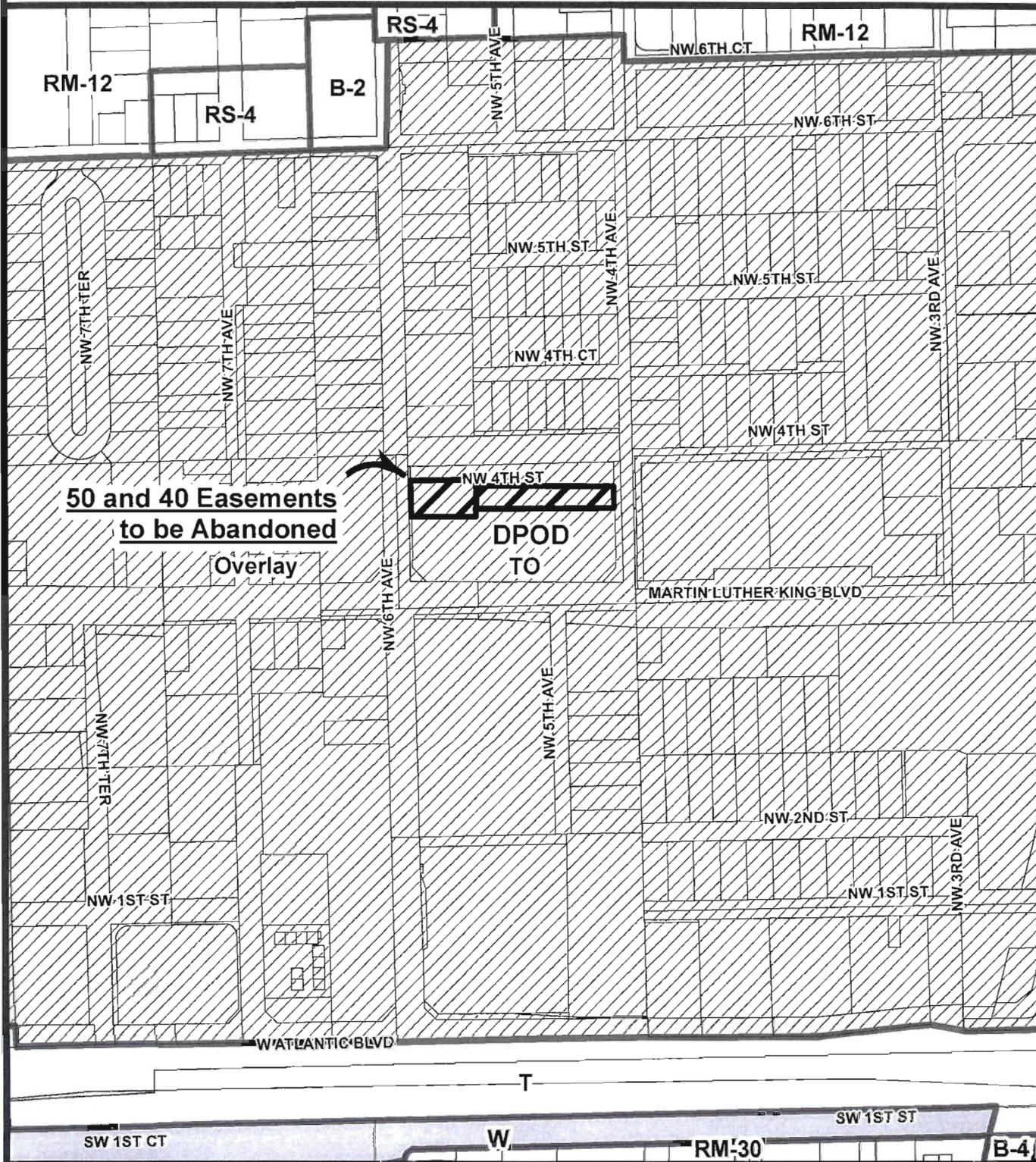


1 in = 292 ft

3

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

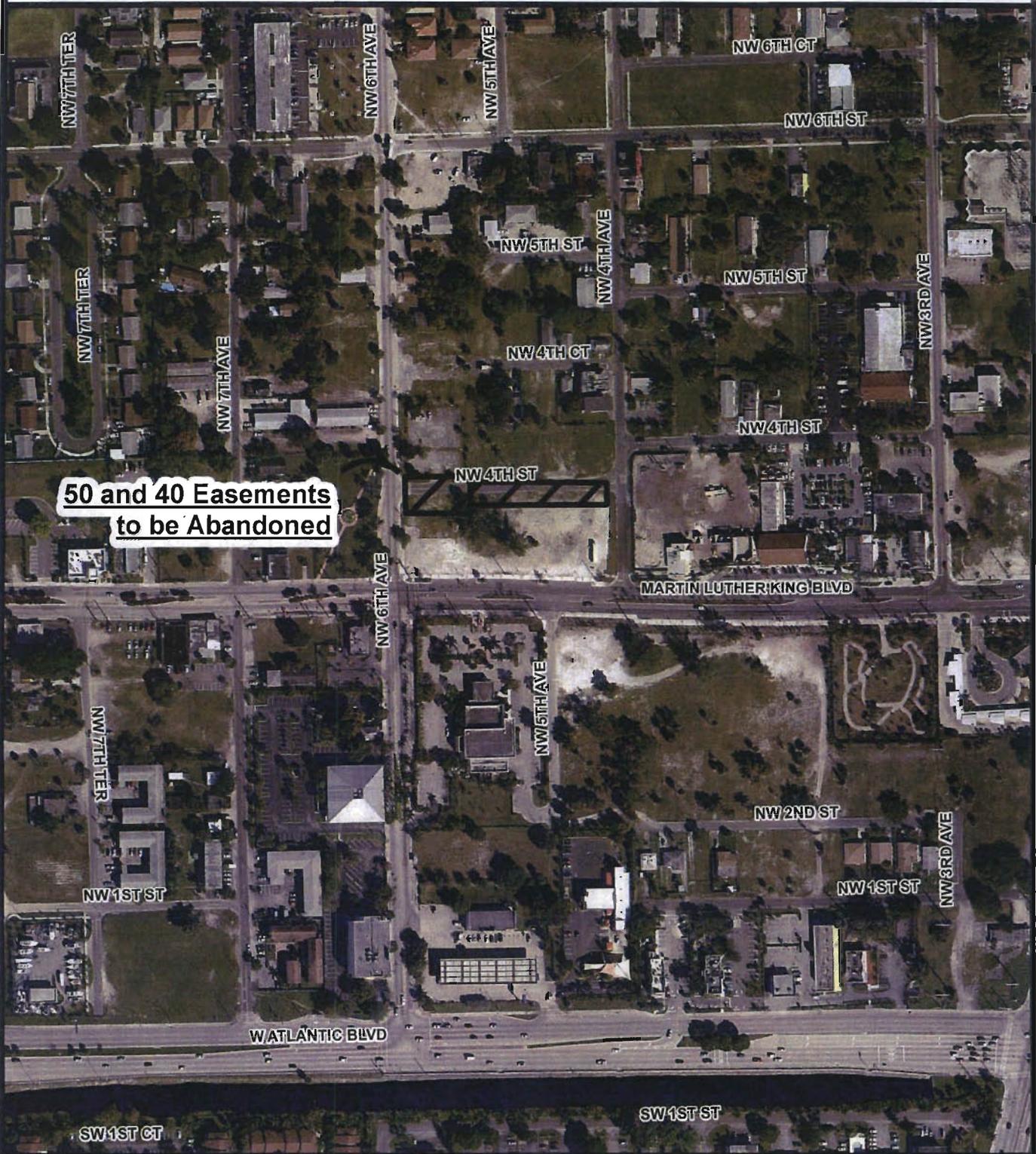
CITY OF POMPANO BEACH OFFICIAL ZONING MAP



1 in = 292 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

CITY OF POMPANO BEACH AERIAL MAP

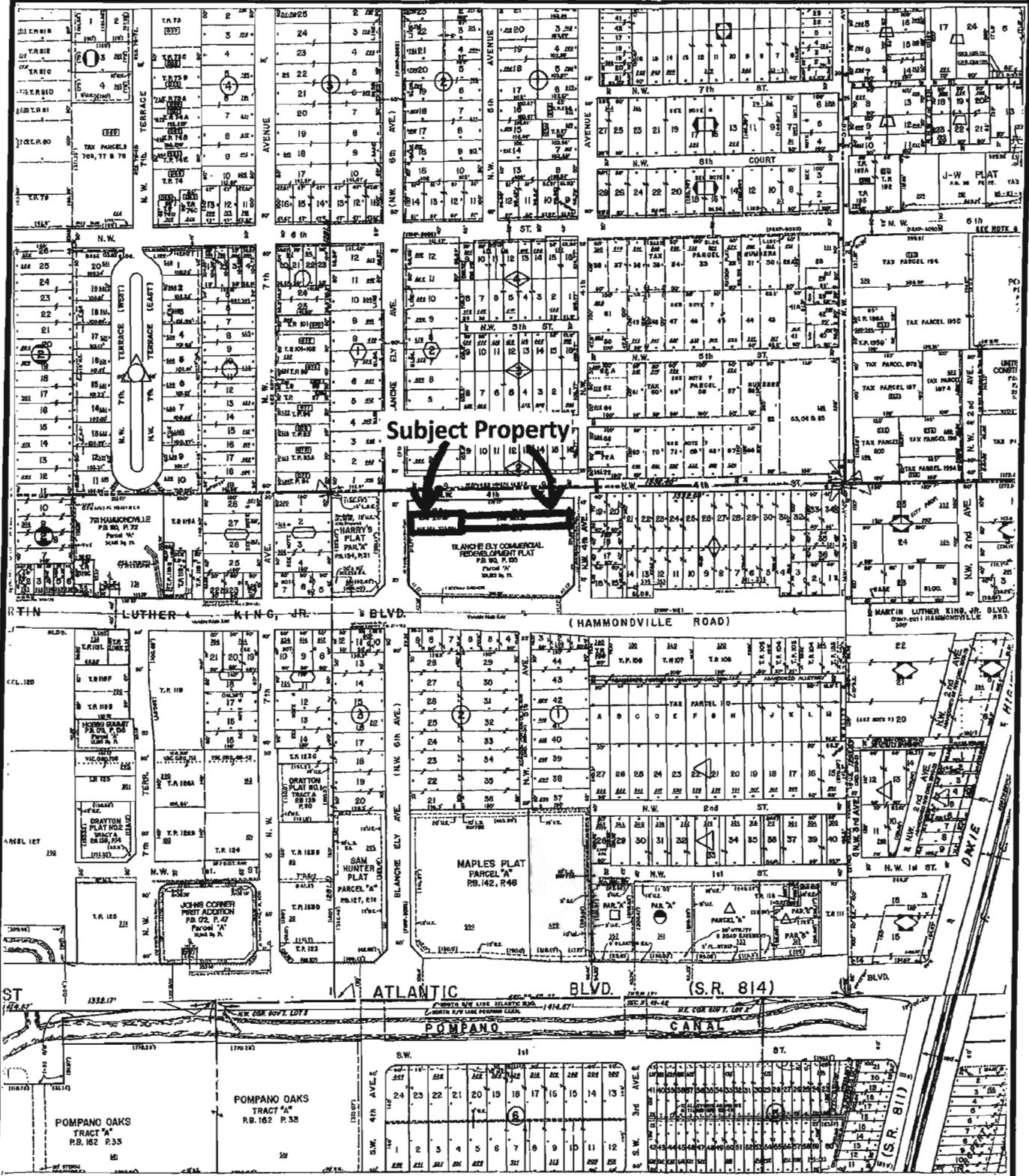


**50 and 40 Easements
to be Abandoned**

1 in = 292 ft

PREPARED BY:
DEPARTMENT OF
DEVELOPMENT SERVICES

EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

NORTH

REVIEW AND SUMMARY

DRC Dates: Note that Vacation/ Abandonment Requests do not go to DRC.

Zoning Department:	No Objection
Community Redevelopment Agency	No Objection
Code Compliance	No Objection
Fire Department:	No Objection
Engineering Department:	No Objection
Public Works Department:	No Objection
Utilities Department:	No Objection
AT&T:	No Objection
TECO Gas:	No Objection
Department of Transportation:	No Objection
FP&L:	No Comment Received Yet
Comcast Cable:	No Comment Received Yet

ZONING 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 with the following conditions:

1. This request will not be placed on a City Commission Agenda until all 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

III- Denial

Recommend denial to the City Commission as the Board finds that the easement serves a public purpose and should not be abandoned.

Dr. Mills asked Ms. Sarver asked why the Board needs to table an item to a time certain. Ms. Sarver asked Ms. Gomez if there was a notice sent out to advertise this item and Ms. Gomez confirmed. Ms. Sarver then explained that in order to avoid sending out another mailer, the item would need to be tabled to a time certain. Dr. Mills asked if there was a time limit on how long or how many times an item can be tabled. Ms. Gomez stated that this was a request of Staff to table, therefore we would not penalize the applicant.

MOTION was made by Walter Syrek and seconded by Richard Klosiewicz to table the item to the July 27, 2016 Planning and Zoning Board hearing. All voted in favor of the above motion; therefore, the motion passed.

3. CITY VISTA ASSOCIATES, LLC / CITY VISTA EASEMENT
ABANDONMENT
Planning and Zoning #16-2700003

Consideration of the request by **FRANCISCO ROJO** on behalf of **CITY VISTA ASSOCIATES, LLC** to abandon a 40-foot utility easement and a 50-foot utility easement existing on a parcel located along MLK Blvd. between NW 4th Avenue and NW 6th Avenue. The property is legally described as follows:

THAT CERTAIN 50.00 FOOT RIGHT OF WAY FOR N.W. 4TH STREET AS DEDICATED BY OFFICIAL RECORDS BOOK 2152, PAGE 113 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA LYING WITHIN TRACT 14, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK B, PAGE 76 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

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Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // kem

THENCE SOUTH 01°42'20" EAST ALONG SAID WEST LINE AND ITS SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 45.00 FEET TO THE POINT OF BEGINNING

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF POMPANO BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 7,166 SQUARE FEET, 0.165 ACRES, MORE OR LESS.

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AKA: Right-of-way on S. Riverside at 101 S. Riverside Drive

ZONED: Transit Oriented District / Downtown Pompano Overlay District (TO/DPOD)

STAFF CONTACT: Maggie Barszewski (954)786-7921

Jennifer Gomez introduced herself to the Board and stated that the applicant is requesting the abandonment of a 40-foot utility easement and a 50-foot utility easement existing on a parcel located along MLK Blvd. between NW 4th and NW 6th Avenues. The applicant is proposing to build a mixed-use redevelopment project that will be the cornerstone of redevelopment on MLK Blvd. The area to be abandoned is approximately 18,563 square feet.

Ms. Gomez stated that, in the report, Staff received all no objection letters from all but two utility companies. Since the report was written, we have received no objection letters from both utility companies.

Ms. Gomez stated that Staff provides the following alternative motions:

I- Approve with conditions

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // kem

Recommend approval to the City Commission. There will be no conditions since Staff has received all no objection letters.

II- Table

Table this abandonment request to allow time for the Applicant to address any objections raised by the affected parties

III- Denial

Recommend denial to the City Commission as the Board finds that the easement serves a public purpose and should not be abandoned.

The Chairman asked if the Board has any questions of Staff and no one answered. The applicant also did not have any comments. No one in the audience had any questions or comments.

MOTION was made by Joan Kovac and seconded by Richard Klosiewicz to recommend approval of the proposed easement abandonment. All voted in favor of the above motion; therefore the motion passed.

G. SITE PLAN REVIEWS

4. PPI, INC. / ISLE CASINO ADDITION
Planning and Zoning #15-1200049

Consideration of the MAJOR SITE PLAN submitted by **JOHN E. TICE** on behalf of **PPI, INC.** in order to construct a new 49,850 square-foot office, administration and warehouse building with associated parking and landscaping. The subject site is currently used as a parking lot. The lot coverage of the proposal is 31,305 square feet on a 223.8 acre site (0.3% lot coverage). The total lot coverage including existing buildings is 217,150 square feet (2.2% lot coverage of the total site). The property is located at southeast corner of the intersection of SW 3 Street (Race Track Road/Pompano Park Place) and Powerline Road, more specifically:

ALL OF TRACTS "A" AND "B ", ARVIDA P OMPANO PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 137, PAGE 33, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:
A PORTION OF THE NORTH ONE-HALF (N 1/2) OF SECTION 3, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA. ALL MORE FULLY DESCRIBED IN THE SURVEY SUBMITTED WITH THE APPLICATION.

Any person who decides to appeal any decision of the PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. // kem



City of Pompano Beach
 Department of Development Services
 Planning & Zoning Division

P&Z#: _____

100 W. Atlantic Blvd Pompano Beach, FL 33060
 Phone: 954.786.4634 Fax: 954.786.4666

Request for Vacation

Request for Vacation

Request for Vacation		
Easement Vacation	Right-of-Way Vacation	
Street Address: NE Corner of NW 6th Ave. & NW 3rd Street	Folio Number: 4842 35 89 0010	Zoning District:
Subdivision: Blanche Ely	Block:	Lot:
Type of Easement (if applicable): Utility		
Does Petitioner have any financial interest in properties near or abutting this property? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, explain: <u>Contract Purchaser</u>		
Improvements Located on Property: Vacant Land		

Applicant	Landowner (Owner of Record)
Business Name (if applicable): City Vista Associates, LLC	Business Name (if applicable): Pompano Beach Community Redevelopment Agency
Print Name and Title: Francisco Rojas - Vice President of Managing Member	Print Name and Title:
Signature:	Signature:
Date: May 20, 2016	Date: May 20, 2016
Street Address: 3050 Biscayne Blvd., Suite 300	Street Address: 100 West Atlantic Blvd.
Mailing Address City/ State/ Zip: Miami, FL 33137	Mailing Address City/ State/ Zip: Pompano Beach, FL 33060
Phone Number: 305-490-1611	Phone Number: 954-786-4600
Email: justin@landmarkco.net	Email:
Email of ePlan agent (if different):	



City of Pompano Beach
Department of Development Services
Planning & Zoning Division

100 W. Atlantic Blvd Pompano Beach, FL 33060
Phone: 954.786.4634 Fax: 954.786.4666

Request for Vacation

OWNER'S CERTIFICATE

This is to certify that I am the owner of the subject lands described in this application and that I have authorized the filing of the aforesaid application for rezoning.

Owner's Name: Pompano Beach Community Redevelopment Agency
(Print or Type)

Address: 100 West Atlantic Blvd.
Pompano Beach, FL 33060
(Zip Code)

Phone: 954-786-4600

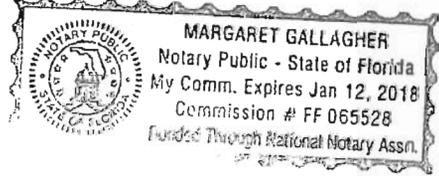
Email address: [Signature]
(Signature of Owner or Authorized Official)

SWORN AND SUBSCRIBED before me this 23rd day of MAY, 2016

NOTARY PUBLIC, STATE OF FLORIDA
MARGARET GALLAGHER

(Name of Notary Public: Print, stamp, or Type as Commissioned.)

[X] Personally know to me, or
[] Produced identification: N/A
(Type of Identification Produced)



MEMORANDUM

DATE: May 31, 2016
TO: Department of Development Services, Code Enforcement, Fire Department, Engineering Department, Public Works Department, Utilities Administration, Florida Power and Light Company, AT&T, TECO Peoples Gas Systems, Comcast Communications, Department of Transportation
FROM: Pompano Beach Planning and Zoning Board
SUBJECT: ABANDONMENT - Utility Easements Abandonment

Please be advised that the Francisco Rojo, of City Vista Associates, LLC is requesting the abandonment of 2 Utility Easements, one 50 feet wide and one 40 feet wide located between NW 4th & 6th Ave.s along MLK Blvd., as shown in attached survey and Legal description sketches. Please provide your comments on the attached form. We would appreciate your completing the appropriate portion of the response form as follows:

SECTION I:

DATE: 6/24/16

Signature: Christina Kale

We have NO OBJECTIONS to this abandonment as requested. please see attachment. christina kale / Associate Engineer

SECTION II:

DATE:

We have NO OBJECTIONS to this abandonment request subject to retention of the utility easement described on the attached page.

Signature _____ Print Name and Official Title _____

SECTION III:

DATE:

We OBJECT to this abandonment request for the following reasons:

Signature _____ Print Name and Official Title _____

NOTE: Please retain one copy of this memorandum form and the back-up material for your files and return the other signed memorandum form to this office. Your response within 30 days of this date would be greatly appreciated so we can begin processing this request before the Planning and Zoning Board and the City Commission.

Maggie Barszewski, AICP
City of Pompano Beach
P.O. Drawer 1300
Pompano Beach, Florida 33061
PHONE: (954) 786-7921
EMAIL: Maggie.Barszewski@copbfl.com



330 SW 12th Ave Pompano Beach, FL 33069

June 16, 2016

Maggie Barszewski, AICP
City of Pompano Beach
P.O. Drawer 1300
Pompano Beach, FL 33061

RE: No Objection Letter for the two Utility Easements, one 50 feet wide and one 40 feet wide located between 4th and 6th Ave along MLK Blvd.

Per your request, FPL has no objection to the proposed sketch requesting the abandonment of the two Utility Easements, one 50 feet wide and one 40 feet wide located between 4th and 6th Ave along MLK Blvd.

Please be advised that for any future projects requiring FPL facilities, the customer will need to provide any additional easements needed by FPL. These easements will be required prior to construction or installation of FPL facilities.

Should any FPL facilities be subsequently discovered that have not been relocated, the customer will pay for the total costs of any relocation or replacement of those FPL facilities as deemed necessary by FPL or requested by the applicant.

If I can be of assistance feel free to contact me at 954-956-2047. My fax is 954-956-2020.

Sincerely,

A handwritten signature in cursive script that reads "Christina Kale".

Christina Kale
Customer Project Manager

MEMORANDUM



DATE: May 31, 2016

TO: Department of Development Services Florida Power and Light Company
 Code Enforcement AT&T
 Fire Department TECO Peoples Gas Systems
 Engineering Department Comcast Communications
 Public Works Department Department of Transportation
 Utilities Administration

FROM: Pompano Beach Planning and Zoning Board

SUBJECT: ABANDONMENT – Utility Easements Abandonment

CWSI M16-4068/052016

Please be advised that the Francisco Rojo, of City Vista Associates, LLC is requesting the abandonment of 2 Utility Easements, one 50 feet wide and one 40 feet wide located between NW 4th & 6th Aves along MLK Blvd., as shown in attached survey and Legal description sketches.

Please provide your comments on the attached form.

We would appreciate your completing the appropriate portion of the response form as follows:

SECTION I: leonard_maxwell-

Digitally signed by leonard_maxwell-newbold@cable.comcast.com

DATE: newbold@cable.comcast.com

DN: cn=leonard_maxwell-newbold@cable.comcast.com

Date: 2016.06.15 08:21:49 -04'00'

We have NO OBJECTIONS to this abandonment as requested.

Signature

Print Name and Official Title

SECTION II:

DATE: _____

We have NO OBJECTIONS to this abandonment request subject to retention of the utility easement described on the attached page.

Signature

Print Name and Official Title

SECTION III:

DATE: _____

We OBJECT to this abandonment request for the following reasons:

Signature

Print Name and Official Title

NOTE: Please retain one copy of this memorandum form and the back-up material for your files and return the other signed memorandum form to this office. Your response within 30 days of this date would be greatly appreciated so we can begin processing this request before the Planning and Zoning Board and the City Commission.

Maggie Barszewski, AICP
 City of Pompano Beach
 P.O. Drawer 1300
 Pompano Beach, Florida 33061
 PHONE: (954) 786-7921
 EMAIL: Maggie.Barszewski@copbfl.com

