

City of Coconut Creek InterOffice Memorandum

To: Planning and Zoning Board

Date: February 12, 2020

From: W. Scott Stoudenmire, AICP
Deputy Director of Sustainable
Development

Subject: **Johnson Technology Park III –
Vacation of Easement Water / Sewer**

Applicant/Agent: Michael Gai, Sun-Tech Engineering, Inc.

Owner: Elite Aluminum Corporation

Requested Action/Description: Vacation of Easement – Water / Sewer

Location: North side of Johnson Road, East of State Road 7,
West of Lyons Road

Legal Description: A portion of that certain Utility Easement as recorded in Official Records Instrument Number 114989429 and lying over and across a portion of Parcel "A", "Johnson Road Commerce Centre", according to the Plat thereof, as recorded in Plat Book 177, Page 8, both of the Public Records of Broward County, Florida.

Size: 0.049 +/- gross acres (2,146 square feet)

Existing Zoning: PCD, Planned Commerce District

Existing Use: Vacant

Future Land Use Plan Designation: Industrial

Platted: Johnson Road Commerce Centre

Plat Restriction: Parcel A-1 is restricted to 190,000 square feet of industrial use and Parcel "B" is restricted to 11,934 square feet of existing office use and a water storage tank facility. (As proposed)

Requested Action:

The applicant, Mike Gai, Sun-Tech Engineering, Inc., on behalf of the owner, Elite Aluminum Corporation, is seeking approval for the vacation of a portion of a 15' utility easement (water/sewer) within the Johnson Road Commerce Park PCD.

Project Description:

The subject property is part of the Johnson Road Commerce Park PCD, generally located on the north side of Johnson Road and east of State Road 7. Also within the PCD are the City's Utilities and Engineering and Water Tank Facility and two (2) industrial/warehouse office buildings for the

manufacturing of fold-out temporary structures, known as FORTS 1 and 2. All referenced facilities have been constructed and are currently open and in operation.

On May 11, 2016, the Planning and Zoning Board approved a site plan for the construction of FORTS 2, located within the PCD at 5255 Johnson Road which included preliminary plans for water and sewer service. During construction, utility lines were discovered that had been previously installed during construction of other referenced facilities, which have since been removed per City engineering requirements. New utility lines have been installed to provide adequate service to FORTS 2 as required thus making the existing easement unnecessary.

Currently, the applicant is proposing the construction of Lyons Technology 3 (FORTS 3), which is in direct conflict with the referenced easement. Since no utilities exist or are planned to be located within the easement as part of the FORTS 3 development, the applicant is currently seeking approval to vacate the referenced easement. Once approved, the vacated easement will ensure no future utility conflict in this area. New utilities and applicable easements will be provided consistent with City engineering department requirements. As required, the applicant has provided a letter of no objection from the City of Coconut Creek.

For reference, this third expansion to the FORTS operation will complete construction of all vacant parcels within the Johnson Road Commerce Park PCD.

A site plan and additional vacation of easement are scheduled for Planning and Zoning Board consideration.

Public Involvement:

Per Section 13-36.2, property owners within 500 feet of the subject property were notified by mail of the vacation of easement request and invited to attend the Planning and Zoning Board meeting. Sixty-eight (68) public notices were mailed by the City on January 29, 2020.

A notice of vacation of easement public hearing sign was also posted on the property 14 days prior to the Planning and Zoning Board meeting. To date, staff has not received any public inquiries related to the project.

Staff Recommendation:

City staff has reviewed the application and finds the proposed vacation of easement to be in compliance with Section 13-36.2 of the City of Coconut Creek Land Development Code, "Procedures for acceptance or conveyance/vacation/abandonment of specific purpose easements" and recommends approval.

However, prior to final approval, the following comments must be addressed:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit.

LA/WSS/ae

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Attachments:

- Aerial Photo
- DRC Report
- Exhibits