

City of Coconut Creek InterOffice Memorandum

To: Planning and Zoning Board
From: W. SCOTT SToudenMIRE, AICP
Deputy Director of Sustainable Development

Date: December 13, 2017

Subject: **Gunther Motors
Vacation of a Portion of a 15
Foot Water Main Easement**

Applicant/Agent: David Garmizo, Joseph Roles and Associates, Inc.
Owner: Gunther Motor Company
Requested Action/Description: Vacation of Easement
Location: 4350 North State Road 7, Coconut Creek, FL 33073
Legal Description: A portion of Whitworth Plat No. 1, according to the Plat thereof as recorded in Plat Book 164, Page 1, of the Public Records of Broward County, Florida. (see attachment)
Size: 0.02 ± acres
Existing Zoning: PMDD (Planned MainStreet Development District)
Existing Use: Car Dealership
Future Land Use Plan Designation: RAC (Regional Activity Center)
Platted: Whitworth Plat No. 1
Plat Restriction: Tract "A" and Tract "C" are restricted to 220,000 square feet (75,571 square feet existing and 144,429 square feet proposed) of dealership use and 62,000 square feet of automobile storage use.

Requested Action

The applicant, David Garmizo, of Joseph Roles and Associates, Inc., is requesting the vacation of a portion of a 15-foot wide water main easement located within Tract "A", Whitworth Plat No.1.

Project Description

On May 11, 2017, the property owner received City Commission site plan approval for the construction of a new Volvo Automobile Dealership at the existing Gunther Volkswagen site. During the site plan review process, a utility easement was discovered where the building was proposed to be constructed. Upon further review, City Engineering staff have concluded that only city utilities exist within the easement and have recommended that the easement be vacated. In response to staff comments, the applicant has submitted this vacation of easement application, which is required prior to the issuance of a building permit.

The applicant will relocate utilities and provide additional easements as necessary and in accordance with City Engineering Standards.

Public Involvement:

Per Section 13-36.1(e)(1)(c), property owners within 300 feet of the subject property (15 property owners) were notified by mail of the vacation of easement request and invited to attend the Planning and Zoning Board meeting. To date, staff has not received any public inquiries related to the project.

Analysis and Findings

The City's Engineering and Utility Department has reviewed the application and will coordinate with the applicant on the removal of utilities and the recordation of new easements as required.

In summary, the vacation of easement is in substantial compliance with the City's Land Development Code. However, prior to final approval, the following comments must be addressed:

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

Staff Recommendation:

Staff has reviewed the application and finds the proposed vacation of easement, subject to the above conditions, to be in compliance with Section 13-36.1 of the City of Coconut Creek Land Development Code, Vacation and Abandonment of Streets and Easements, and recommends approval.

LA:WSS:jw

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Attachments
DRC Report
Exhibit