

City of Coconut Creek InterOffice Memorandum

To: Planning and Zoning Board
Date: June 12, 2019
From: W. SCOTT STOUDENMIRE, AICP
Deputy Director of Sustainable Development
Subject: Lyons Exchange Center
Vacation of Easement

Applicant/Agent: John F. Wheeler, Caulfield & Wheeler, Inc
Owner: Food For The Poor, Inc
Requested Action/Description: Vacation of Easement
Location: 6401 Lyons Road
Legal Description: A portion of Parcel "A" and Tract "GB-1" of SPRINGS-MCKENZIE PLAT, according to the plat thereof as recorded in Plat Book 165, Page(s) 7, Public Records of Broward County, Florida.
Size: 7.7898 +/- Gross Acres
Existing Zoning: 10-1 Industrial Office
Existing Use: Vacant
Future Land Use Plan Designation: Industrial
Platted: Springs-McKenzie Plat
Plat Restriction: 265,000 square feet of office or industrial use

Requested Action

The applicant, Malcolm Butters, Butters Acquisitions, on behalf of the owner, Food For The Poor, is seeking the vacation of a portion of a 10-foot platted easement along the south property line of "Parcel A" of the Springs-McKenzie Plat, generally located on the west side of Lyons Road and north of the Sawgrass Expressway.

Project Description

The Springs McKenzie Plat consists of parcels "A" & "GB-1" (Parcel "A") on the south and parcels "B" & "GB-2" (Parcel "B") on the north. Parcels "GB-1" and "GB-2" are restricted to landscape buffer use. Collectively, parcels "A" and "B" are approximately 10 acres in size each.

On May 4th, 2004, the Planning and Zoning Board approved a site plan for the construction of the Food For the Poor (FFTP) headquarters on Parcel "B" (north) of the Springs-Kenzie Plat. Subsequent parking and retention expansions encroached from Parcel "B" onto Parcel "A" (south) leaving approximately 7.78 +/- acres of vacant developable land on Parcel "A". Concurrently with this application, the applicant is seeking site plan approval to construct a warehouse flex building on the remaining vacant portion of Parcel "A".

As currently platted within the Springs-McKenzie Plat, a ten (10) foot utility easement is located along the north, south and western property lines and a twelve (12) foot utility easement is located along the east property line (Lyons Road).

Pursuant to Section 13-443(10)a., a landscape strip of at least ten (10) feet in width shall be provided to form a visual screen between the property and off-street parking. Per the City's Land Development Code, specifically engineering requirements, larger maturing landscape material may not be located within an easement. The applicant is seeking approval to vacate the platted 10' utility easement along the south property line to provide the required 10' landscape strip.

If approved, the vacated easement will allow the installation of landscaping including trees along the southern property line in compliance with minimum screening and landscape buffer requirements between the subject property and the existing commercial site to the south.

As required, the applicant has provided correspondence from affected utility companies, and have determined that only FPL service lines currently exist within the subject utility easement. The applicant has agreed to remove and relocate utility lines in accordance with utility requirements and new easements will be recorded as required and applicable.

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. One hundred and eighty-five (185) notices were mailed by the City on May 29, 2019. To date, staff has received two (2) public inquiries related to the project.

Analysis and Findings:

Upon reviewing the application, staff has concluded that utility conflicts may be resolved in accordance with utility requirements and no new utilities would be required within the vacated subject easement. Further, the City's Engineering Department has reviewed the application and will coordinate with the applicant on utility relocation and the recordation of new easement(s) prior to the completion of the project, as required.

In summary, the vacation of easement is in compliance with the City's Land Development Code. 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 building permit issuance.

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 13-36.2 of the City of Coconut Creek Land Development Code, Vacation and Abandonment Easements and recommends approval.

LAWSS/ae

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Attachments:

- Aerial/Map Photo
- DRC Report
- Exhibit