

# City of Coconut Creek

## InterOffice Memorandum

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**To:** Planning and Zoning Board

**Date:** July 10, 2019

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

**Subject:** **BJ's Gas - Parkland**  
**Vacation of Utility Easement**  
**(sewer)**

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<b>Applicant/Agent:</b>	Tyler Wilson, Kimley-Horn and Associates, Inc.
<b>Owner:</b>	New Market – Parkland Outparcel, LLC
<b>Requested Action/Description:</b>	Vacation of Utility Easement - Sewer
<b>Location:</b>	5801 West Hillsboro Boulevard, Parkland, Florida 33067
<b>Legal Description:</b>	A portion of a 12' sewer utility easement, as recorded in official records Book 31204, Page 1554, of the Public Records of Broward County, Florida, being a portion of Tract "F", Country's Point, according to the plat thereof as recorded in Plat Book 119, Page 29 of said public records
<b>Size:</b>	174 square feet more or less
<b>Existing Zoning:</b>	BCB-3, Broward County Community Business District (Parkland Zoning Designation)
<b>Existing Use:</b>	Commercial - Gas Station
<b>Future Land Use Plan Designation:</b>	C, Commercial (Parkland Land Use Designation)
<b>Platted:</b>	Country's Point, according to the plat thereof as recorded in Plat Book 119, Page 29 of said public records
<b>Plat Restriction:</b>	161 single family, 185 patio homes, 396 multi- family and 21.17 acres of commercial.

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**Requested Action:**

The applicant, Tyler Wilson, Kimley-Horn and Associates, on behalf of the owner, New Market – Parkland Outparcel LLC, is seeking approval for the vacation of a portion of a utility easement (sewer) within Tract “F” of the Country’s Point Plat, located at 5801 West Hillsboro Blvd, Parkland, Florida.

**Project Description:**

On July 27<sup>th</sup>, 2000, the City of Coconut Creek City Commission accepted a 12 foot sewer easement from Parcland Associated, Ltd., by Resolution 2000-87, to install a sewer facility within Tract “F” of the Country’s Point Plat. The City of Coconut Creek provides wastewater treatment services within the City’s service area through a large user agreement with Broward County.

This service area includes over 12 square miles within the City of Parkland including the Country’s Point Plat. As such, when development was originally proposed for this site, the City accepted the easement as part of the project. Since then, the site has undergone redevelopment and a portion of the easement is no longer needed. The existing utility line that ran through this portion of the easement has been demolished and a new easement has been proposed to serve the redevelopment. Once approved, the vacation of this easement will ensure no future utility conflicts within the site.

**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. Eleven (11) notices were mailed by the City on June 26, 2019. To date, staff has received zero (0) 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.

LA/WSS/ae

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**Attachments:**

- Aerial Photo
- DRC Report
- Exhibit