

City of Tamarac
Interoffice Memorandum
COMMUNITY DEVELOPMENT DEPARTMENT

To: City Commission Meeting of February 12, 2020
From: Maxine Calloway, Director of Community Development
Date: January 23, 2020
Re: **Safeguard Self-Storage – Vacation of Easement (Case# 2-P-18) (MF# 04-86) – TR13385**

RECOMMENDATION: The Director of Community Development recommends that the City Commission approve the Vacation of Easement application for the continued development of Safeguard Self-Storage project at its February 12, 2020 meeting.

ISSUE: Dennis Mele, Esq. of Greenspoon Marder, PA designated agent for the property owner, Safeguard Properties, LLC is requesting approval of a Vacation of Easement application to vacate a portion of one (1) public water utility easement that was previously granted for water and sewer infrastructure to the existing self-storage facility lying in a parcel of land (generally shown below) as described in the attached legal description (See Exhibit “A” Survey).



LOCATION: The subject property is located at 6101 W. Commercial Boulevard east of N.W. 64th Avenue. The location of the easement to be vacated is identified on the property's survey and is attached hereto as (Exhibit “A” Survey). The property is currently zoned (MU-N) Mixed Use Neighborhood with a Future Land Use of Commercial.

BACKGROUND: The applicant is requesting vacation of a portion of a water utility easement which is no longer viable to the continued development of the property. The Safeguard Self-Storage property was replatted and concurrently received Major Site Plan approval for expansion of their existing facility in 2018. The developer acquired the adjoining lot to facilitate the project's expansion prompting the need to vacate the City's Water Utility Easement. The easement lies between the original facility walls and the area of land directly adjacent to the western property line. Vacation of the easement is necessary for the continued development and processing of the land title for the Safeguard Self-Storage project due to the easement being established prior to the current proposed development.

ANALYSIS: To facilitate the continued development of the previously approved Safeguard Self-Storage facility, vacating the aforementioned easement is necessary. The easement is an impediment to the approved development plans for Safeguard Self-Storage. Before any portion of an easement, is abandoned by a public agency, any public interest in it must first be extinguished. Public interest can include, but is not limited to, maintaining an appropriate traffic circulation system, maintaining adequate landscaping, and ensuring that utility and access easements remain available if needed. This application was subject to review by the City Engineer who has expressed no objection to vacating a portion of the easement.

1. **Consistency with City of Tamarac 2007 Comprehensive Plan** – The request is consistent with the City of Tamarac 2007 Comprehensive Plan.
2. **Citizen Comments** – The Community Development Department has received no written comments about this application.
3. **Community Development Department Analysis** – Staff has no objections to the vacation of the easement as the proposed easement will have no impact to the surrounding area.
4. **Roadway Level of Service** – The portion of the easement to be vacated is presently within the Safeguard Self-Storage development. Vacating the easement will have no impact on future transportation levels of service.
5. **Utility Easements** – The Community Development Department has received no objections from any utility companies.
6. **Landscaping** – The development has undergone site plan review and received subsequent approval satisfying all landscape requirements outlined in the City's Code to the fullest extent possible.

CONCLUSION: Staff recommends that the City Commission approve the Vacation of Easement application for the continued development of the Safeguard Self-Storage project.

This request supports Policy 1.4 of the Future Land Use Element of the City of Tamarac 2018 Comprehensive Plan which states, "The Community Development Department will continue to review land use plan amendments, zoning amendments, site plans, and plat approval requests for compatibility with adjacent land uses as currently required in the Code of Ordinances."

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Finally, the proposed vacation of easement is consistent with the City's Strategic Goal #5: A Vibrant Community, by being accessible and responsive to our neighborhood and business partners and developing an understanding of the unique needs of each neighborhood and commercial area.

FISCAL IMPACT: No direct budgetary impact (This application is being funded by an application/processing fee).



Maxine Calloway,
Director of Community Development

Attachments: Draft Resolution
 Site Map
 Justification Letter
 Exhibit "A" – Survey
 Exhibit "B" – Release of Easement Package

MAC/FZ/aj