



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#22-0835**

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**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Greg Chavarria, City Manager

**DATE:** September 6, 2022

**TITLE:** Second Reading - Quasi-Judicial Ordinance for Vacation of Right-of-Way -  
40-Foot-Wide by 100-Foot-Long Portion of SW 1<sup>st</sup> Street - Fort Lauderdale  
Police Headquarters - Case No. UDP- V22003 - **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission consider an ordinance vacating a 40-foot-wide by 100-foot-long portion of public right-of-way known as SW 1<sup>st</sup> Street, running west of SW 12<sup>th</sup> Avenue between Broward Boulevard and SW 2<sup>nd</sup> Court, in order to construct a new Police headquarters and parking garage.

**Background**

The applicant, the City of Fort Lauderdale, requests to vacate a 40-foot-wide by 100-foot-long portion of public right-of-way known as SW 1<sup>st</sup> Street, running west of SW 12<sup>th</sup> Avenue between Broward Boulevard and SW 2<sup>nd</sup> Court, in order to construct a new Police headquarters and parking garage. The portion of SW 1<sup>st</sup> Street proposed to be vacated is located completely within the Police Department's existing headquarters property located at 1300 W. Broward Boulevard.

An associated public purpose use and structure application for the 48-foot high, 191,000 square-foot police headquarters was approved by the City Commission and a companion Site Plan Level IV development permit application with a conditional use approval and parking reduction (Case No. UDP-S21029) was approved by the City Commission on August 16, 2022. The location map and sketch and legal description of the proposed vacation is attached as Exhibit 1. The application, narratives and utility letters are provided as Exhibit 2.

The request was reviewed by the Development Review Committee (DRC) on April 26, 2022. All comments have been addressed and are attached as Exhibit 3. On June 15, 2022, the Planning and Zoning Board (PZB) approved the request by a vote of 7-0. The June 15, 2021 PZB staff report, and meeting minutes are attached as Exhibit 4 and Exhibit 5, respectively.

A public hearing was held on August 16, 2022 and the right-of-way vacation was approved to move forward for second reading. The City Commission shall consider the application, the record, and recommendations forwarded by the DRC and the Planning and Zoning

Board, shall hear public comment on the application and determine whether the request meets the criteria for the vacation.

**Review Criteria:**

The following Unified Land Development Regulations (ULDR) criteria apply:

- Section 47-24.6, Vacation of Rights-of-Way
- Section 47-25.2, Adequacy Requirements

**Vacation of Rights-of-Way:**

As per ULDR Section 47-24.6.A.4, Vacation of Right-of-Way, the request is subject to the following criteria:

- a. *The right-of-way or other public place is no longer needed for public purposes;*

The northern portion of the right-of-way is used for parking by the existing multifamily property at 1201 SW 1<sup>st</sup> Avenue, which has been acquired by the City for the proposed development. The southern portion is a driveway and parking area for the Police headquarters. This segment of right-of-way only serves the applicant's properties abutting this portion of SW 1<sup>st</sup> Avenue, all of which are included in the proposed redevelopment project and is no longer needed as right-of-way for public purposes.

- b. *Alternate routes if needed are available which do not cause adverse impacts to surrounding areas;*

The right-of-way is currently not used for vehicular circulation. Alternative public access routes exist in and around adjacent streets without any impacts on circulation in the immediate area. Access from SW 12<sup>th</sup> Avenue and SW 1<sup>st</sup> Street east of SW 12<sup>th</sup> Avenue to Broward Boulevard will remain.

- c. *The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area;*

The north side of the 40-foot street ROW was abutting parking for a multi-family residential which has been acquired by the City for the proposed development of the police headquarters. The proposed right-of-way vacation does not create any dead-end conditions and vehicles will still be able to navigate SW 12<sup>th</sup> Avenue.

- d. *The closure of a right-of-way shall not adversely impact pedestrian traffic;*

The right-of-way vacation will not impact pedestrian connectivity along SW 12<sup>th</sup> Avenue as it is currently part of the parking area of the newly acquired property for the new police headquarters. The redevelopment will require maintaining or upgrading the existing sidewalk on SW 12<sup>th</sup> Avenue.

- e. *All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility*

*facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted;*

There are currently franchise and public utilities within the subject right-of-way. The applicant will work with the franchise utilities to address their facilities existing within the vacation area.

Letters of no objection have been requested from the franchise utilities and the City's Public Works Department. The applicant will relocate utilities within the portion of the right-of-way to be vacated at their sole expense, as needed. If required by the affected agencies, the applicant will grant utility easements.

Should the Commission approve the proposed vacation, the following conditions apply:

1. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.
2. The City's Public Works Department, TECO, Comcast (subject to verification), FPL, and AT&T have facilities within the existing right-of-way or have conditions for acceptance. Prior to the Engineer's Certificate being executed, letters from these utility owners shall be provided to the City Engineer or designee indicating the removal, relocation, or satisfaction of any applicable condition.
3. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department.
4. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at applicant's expense, or easements granted, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item is a *2022 Commission Priority*, advancing the Community Response and Safety initiative.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- Public Safety
- Goal 6: Build a Safe and Well-Prepared Community.

- Objective: Prevent and Solve Crime in All Neighborhoods

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Ready*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- The Public Safety Focus Area
- The Coastal Management, Community Health and Safety Element
- Goal 4: The City shall coordinate with related partners and agencies (at city, local, county, regional, state, and federal levels) to plan for disaster and emergency management, further the resiliency of coastal area, and ensure city-wide community health and public safety.

### **Related CAMs**

#22-0836

### **Attachments**

Exhibit 1 - Location Map and Sketch and Legal Description

Exhibit 2 - Application, Narratives, and Utility Letters

Exhibit 3 - April 26, 2022 DRC Comments

Exhibit 4 - June 15, 2022 Planning and Zoning Board Staff Report

Exhibit 5 - June 15, 2022 Planning and Zoning Board Meeting Minutes

Exhibit 6 - Ordinance

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