

March 19, 2014

City of Fort Lauderdale  
Planning and Zoning Department  
700 NW 19<sup>th</sup> Avenue  
Ft Lauderdale, FL 33311

**RE: PINEAPPLE HOUSE - NE 5 STREET  
DRC/PROW ALLEY ROW VACATION  
PROJECT & ULDR NARRATIVES  
CT&A PROJECT NO. 14-0008-001-01**

To Whom it May Concern:

Below please find a narrative describing our project request for the Right-of-Way Vacation Application, and the narrative quoting all applicable sections of the ULDR:

**CRANEN THOMPSON**



**& ASSOCIATES INC.**

Engineers  
Planners  
Surveyors  
Landscape Architects

**This site, comprised of 10 lots, is currently vacant land on the western side, and a small vacant lot and 3 businesses on the eastern side. It is being developed as a seven-story multiple use project that includes multifamily residential units and social service residential facilities (SSRF), together with other amenities and supportive functions that include a club floor, food services, beauty salons, a health and fitness center, administrative and marketing offices, ground floor office and retail space, and two (2) half-floors of parking to provide maximum active exterior use for the design.**

**A platted 15' alley, recorded in Plat Book 1, Page 182, DCR (copy provided), exists between Lots 11-13 and Lots 14-16 of Block 4, and runs north-south through the site, encumbering the middle of the site. (A colored exhibit is also provided for your use and clarification.) Two other portions of the Block 4 alley were previously vacated - the majority of the alley in 1998, and a smaller portion in 2002. We respectfully request to vacate the remainder of the 15' alley in order to complete the alley vacation for the block and to fully develop this project. Per the required utility letters, they do not object to our request to vacate this alley, providing we relocate, replace, or remove the facilities on site at our cost, and provide any new easements as necessary to provide service to our site or any existing adjacent properties.**

**Sec. 47-24.6. Vacation of rights-of-way.**

*A. Vacation of rights-of-way or other public place (city commission).*

1. *Applicant.* The applicant must abut the public street, alley or other publicly dedicated or conveyed place sought to be vacated or the city.

**Applicant's response: The property to be redeveloped abuts a platted 15' alley ROW.**

2. *Application.* An application for a vacation of right-of-way, waterway or other public place shall be submitted to the department. The application shall include a legal description of the right-of-way, waterway, public place or portion thereof proposed to be vacated and written consent executed by every utility company with existing utilities or a right to locate such utilities within the public place. A traffic study may be required by the DRC if necessary to determine if the application meets the criteria.

**Applicant's response: The application for vacation is being submitted herewith, and includes the necessary documents, including a sketch and legal description. A traffic letter is forthcoming.**

3. *Review process.*

a. An application shall be submitted to the department for review to consider if the application meets the criteria for a vacation of right-of-way.

b. The department shall prepare a report to be included with the application regarding existing utilities within the right-of-way and whether the criteria have been met.

c. The department shall forward the DRC recommendations to the planning and zoning board for consideration.

d. During a public meeting, the planning and zoning board shall consider the application for vacation of right-of-way, and the record and recommendations forwarded by the DRC and shall hear public comment on the application.

e. If the planning and zoning board determines that the application meets the criteria for vacation and recommends approval of the vacation, the recommendation shall be forwarded to the city commission for consideration.

f. If the planning and zoning board determines that the criteria have not been met, the board shall deny the application and the procedures for appeal to the city commission as provided in Section 47-26B, Appeals, shall apply.

g. If the application is forwarded to the city commission, the city commission shall hold a public hearing to consider the application and the record and recommendations forwarded by the DRC and planning and zoning board and shall hear public comment on the application.

h. If the city commission determines that the application meets the criteria for vacation the city commission shall approve the vacation.

i. Approval of a vacation shall be by ordinance adopted by the city commission.

j. If the city commission determines that the proposed development or use does not meet the criteria, the city commission shall deny the application.

**Applicant's response: The applicant duly notes and understands the review process.**

4. *Criteria.* An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:

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

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

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

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

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.

**Applicant's response: All criteria have been met and utilities will be relocated and/or new easements will be given.**

5. *Appeal.* If an application for vacation is denied by the city commission, the applicant may appeal the decision in accordance with the procedures provided in Section 47-26B, Appeals.

**Applicant's response: The applicant duly notes and understands the appeal process.**

6. *Effect upon approval.* The ordinance approving a vacation of right-of-way or other public place shall be recorded in the public records of the county within thirty (30) days after adoption. The ordinance may provide for the retention of a utility or other type of easement needed by the city, and may have a delayed effective date in order that any necessary conditions relating to the vacation may be met.

**Applicant's response: The applicant duly notes and understands the effect upon approval process.**

(Ord. No. C-97-19, § 1(47-24.6), 6-18-97)

Please do not hesitate to contact me at (954) 739-6400 with any questions or comments you may have.

Sincerely,

**CRAVEN THOMPSON & ASSOCIATES, INC.**



CATHERINE A. DONN  
Planner

Enclosures