

September 5, 2012

NE 5th Terrace – The Pearl at Flagler Village
Partial Roadway Vacation Narrative

LOCATION/ OVERVIEW

The portion of NE 5th Terrace requested to be vacated is located south of NE 5th Street and north of NE 4th Street, and west of Federal Highway. The north ±252' of NE 5th terrace south of NE 5th Street was previously vacated by ordinance C-00-75 (O.R.B. 31283/1657, B.C.R.) in February 2001 and retained as an easement to include a cul-de-sac turn around to be constructed with the existing utilities relocated/removed to complete the vacation process. The updated proposed Site Plan design is to eliminate the previously approved cul-de-sac design and continue a realigned pedestrian and vehicular cross access easement continuous through the project site. Thus, connecting to NE 5th Street designed to maintain pedestrian and vehicular access between NE 4th Street and NE 5th Street.

PEDESTRIAN FACILITIES

Presently there are no pedestrian facilities with in the NE 5th Terrace right of way. As part of the proposed Site Plan, the Applicant has worked with City Staff to design a realigned vehicular and pedestrian access corridor and has proposed to dedicate a 34 foot access easement to the City to ensure that a continuous corridor will remain in place providing vehicular and pedestrian access between NE 4th Street and NE 5th Street. This realigned vehicular and pedestrian access corridor opens onto an expansive pedestrian plaza that connects US-1 (N Federal Highway) with the NE 5th Terrace access easement.

VEHICULAR ACCESS

Vehicular access will be maintained through the project with a dedicated realigned cross access easement. The vehicular access will meet all requirements for emergency vehicle turning movements and clearance height.

LANDSCAPE

Landscape and streetscape will be provided to meet or exceed the intent of the street tree requirements set forth by the City of For Lauderdale Land Development Regulations and Downtown Master Plan guidelines.



SOLID WASTE & RECYCLE

Solid waste and recycling will be accommodated within the proposed building. The collection of the solid waste and recycle will be accommodated as such that the operation will not impede any through traffic on the local streets.

SECURITY

Security for the project will comply with standard practices that apply to the use. Hours of operation will be that of a general residential apartment building.

UTILITIES

Sanitary Sewer Service

A portion of existing 8" Sanitary Sewer main within the NE 5th Terrace is planned to be removed within the area to be vacated. Proposed private sanitary sewer facilities will be constructed within the new easement.

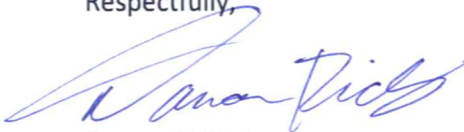
Potable Water Service

An existing 6" water main within the NE 5th Terrace right of way will be capped and removed within the limits of the vacated right of way. The owner/developer will coordinate new water service connections to the existing uses on the south end of NE 5th Terrace as directed by the Public Works Department.

Overhead Utilities

The existing FPL and other overhead facilities will be removed from the project portion of the NE 5th Terrace right of way to be vacated. The owner/developer will coordinate all franchise utilities removal from the vacated portion of the right of way and any and all relocation of franchise utilities as necessary. The City will retain a utility easement over the vacated right of way until such time the City Engineer issues the Engineering Certificate for satisfaction of all utilities to be relocated.

Respectfully,



Damon T. Ricks
Flynn Engineering Services, P.A.

The Pearl at Flagler Village – NE 5th Terrace Right of Way Vacation
47-24.6 Vacation of rights of way

Sec. 47-24.6.A.4. Criteria

- a) The right of way or other public place is no longer needed for public purposes:

A perpetual access easement will be provided by the property owner to maintain public access from NE 4th Street thru to NE 5th Street.

- b) Alternate routes if needed are available which do not cause adverse impacts to surrounding areas:

The route will be modified to maintain public access and will not cause an adverse impact to surrounding areas. The public access will be maintained through the new development site with improved asphalt drive and pedestrian improvements.

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

The modified route will improve safety and access with asphalt drive lanes. Public access to NE 4th Street and NE 5th Street will be maintained with an access easement.

- d) The closure of a right of way shall not adversely impact pedestrian traffic:

Pedestrian traffic will be improved with the proposed re-development of the project site. The improvements include new sidewalks and plazas that will enhance the pedestrian access.

- e) All utilities located within the right of way or other public place have been or will be relocated pursuant to a relocation plan; the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right of way area portion thereof; or an easement in a different location has been provided for the facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted:

The property owner intends to coordinate with the utility providers to re-route any existing utilities. A utility easement will be retained until all facilities have been relocated.

Respectfully,



Damon T. Ricks
Project Coordinator
FLYNN ENGINEERING SERVICES, P.A.