



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

**FROM:** Greg Chavarria, City Manager

**DATE:** November 21, 2023

**TITLE:** Motion Approving and Authorizing the Execution of a Revocable License with Publix Super Markets, INC. for Temporary Right-of-Way Closures on NE 33<sup>rd</sup> Avenue in Association with the Publix Development Located at 2985 N. Ocean Boulevard– **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission consider a motion approving and authorizing the execution of a Revocable License with Publix Super Markets, INC, for Temporary Right-of-Way Closures on NE 33<sup>rd</sup> Avenue contiguous to the Publix development.

**Background**

The subject project consists of 28,795 square feet of grocery retail use, 29,495 square feet of gross floor area, and 118 structured parking spaces with a building height of 53 feet 4 inches approved on November 17, 2020, pursuant to DRC Case No. PLN-SITE-19110004. The duration of the temporary right-of-way closure is two (2) months. The site is currently under construction, and the developer is requesting this Revocable License in preparation for the next phase of construction, subject to the approval of this Revocable License and Maintenance of Traffic (MOT) permit. The “Location Map” is attached as Exhibit 1.

This Revocable License would close NE 33<sup>rd</sup> Avenue sidewalks and travel lanes between the right of way lines starting at NE 30<sup>th</sup> Street south 73 feet. The proposed closures are being requested as a safety measure for pedestrians and motorists due to the limitations of the site and proximity of construction to the right-of-way. A summary is provided in the table below and depicted in the “License Area”, attached as Exhibit 2 and the “Detour Plan”, attached as Exhibit 3. A copy of the “Revocable License” is attached as Exhibit 4.

LICENSE AREA CLOSURES					
License Area	Location	Duration	Existing Right-of Way Width	Existing Sidewalk Width	Description
1	NE 33 <sup>rd</sup> Avenue	2 Months	60'	7' 10", east side of road 8'4", west side of road	Approximately 54' 10" width from property line into the R/W along site frontage – continuous closure of travel lanes and sidewalk, pedestrian and vehicular detours required (see Detour Plan), to facilitate construction of public amenities within City Right-of-Way

The proposed MOT plan is not anticipated to present any conflicts with construction projects in this area. The Revocable License equips the City Manager with the ability to extend the term of the Phase 1 closures up to two (2) 30-day periods each if necessary.

**Resource Impact**

There is no fiscal impact to the City associated with this action.

**Strategic Connections**

This item is a *2024 Commission* Priority, advancing the Economic Development initiative.

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

- The Infrastructure Focus Area
- Goal 2: Build a multi-modal and pedestrian friendly community
- Objective: Improve roads, sidewalks, and trails to prioritize a safer, more walkable and bikeable community

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

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

- The Infrastructure Focus Area
- The Transportation & Mobility Element
- Goal 1: Ensure the equitable development of a Complete Network for transportation that prioritizes Safety and emphasizes multimodal mobility and accessibility

**Attachments**

- Exhibit 1 – Location Map
- Exhibit 2 – License Area
- Exhibit 3 – Detour Plan
- Exhibit 4 – Revocable License Agreement

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