

June 7, 2018

Mr. Anthony Fajardo, Director  
Department of Sustainable Development  
City of Fort Lauderdale  
700 NW 19<sup>th</sup> Avenue  
Fort Lauderdale, FL 33311

RE: Right-of-way Abandonment Application  
100 Avenue of the Arts

Dear Mr. Fajardo,

100 Avenue of the Arts, LLC, is requesting approval for the vacation of a portion of a ten (10) foot wide unimproved alleyway which is situated north of Broward Boulevard, between NW 6th Avenue and NW 7th Avenue within the City of Fort Lauderdale. The alleyway to be abandoned can be further identified by the following folio numbers: 5042-10-21-0080, 5042-10-21-0180, 5042-10-21-0070, and 5042-10-21-0190. The alleyway is located in Block 8 of "Bryan Subdivision", as recorded in plat book 1, page 18, of the Dade County Public Records. The site is vacant and is in the process for site plan approval to develop a multi-story office/retail building with structured parking. The proposed building is in conflict with the alleyway, which prompts the applicant's vacation request to allow for effective development of the site. The alleyway to be vacated is further described by the Sketch and Legal Description included with this submittal.

The proposed site plan and anticipated improvements will to be designed to accommodate adequate utility and automobile accessibility without the need to preserve the unimproved alleyway. The proposed development and request to vacate are in compliance with the regulations set forth in Section 47-24.6 Vacation of Rights-of-Way of the City's Unified Land Development Regulations (ULDR).

#### Section 47-24.6.4.a-e - Criteria for Vacation of Rights-of-Way

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

Response: As mentioned above, this portion of the alley is unimproved and no curb cut exists on Broward Boulevard to access the alley. Properties to the north and south have vehicular access thru the properties via NW 6<sup>th</sup> and NW 7<sup>th</sup> Avenues. The property to the north uses a portion of the alleyway as circulation for the parking lot. Since properties to the north and south are developed, vacating the alley allows for a proper development parcel on a major corridor in the City.

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

Response: The property to the north utilizes a portion of the alleyway as part of the parking lot circulation. The north property also has pedestrian and vehicular access to NW 6<sup>th</sup> and NW 7<sup>th</sup> Avenues as well as NW 2<sup>nd</sup> Street. As for the two properties to the south, the non-abutting parcel is a corner parcel with access to NW 7<sup>th</sup> Avenue and Broward Boulevard. This parcel does not use the alleyway. The second parcel has vehicular and pedestrian access on NW 6<sup>th</sup> and NW 7<sup>th</sup> Avenues as well as an exit only onto Broward Boulevard. The second south parcel also does not use the alleyway.

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

Response: The parcels located directly to the north and south of the subject property current have cross-access that connect to the abutting north/south roadways without the need for the alleyway. There is no need for the creation of a turn around. There is safe and effective vehicular and pedestrian circulation using the existing parking lot circulations and existing public sidewalks.

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

Response: Ample sidewalks surrounding the existing building as well as the proposed building are included as part of the existing block and proposed redevelopment. The portion of the alleyway being abandoned is unimproved and its closure will not negatively impact the safety or volume of pedestrian traffic.

- 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.



Response: All known utility providers (AT&T, Comcast, Florida Power & Light, TECO People's Gas) have been contacted and notified of this vacation, prior to the initiation of this request. All utilities have been accounted for through the coordination efforts brought forth by the appropriate utility provider representatives. It was confirmed that none of the utility providers objected to the vacation of this right-of-way.

It is acknowledged that if any subgrade or aerial facilities that are rightfully owned by the City or other utility provider, are found within the right-of-way to be vacated, it shall be sufficiently relocated at the Applicant's expense and shall be inspected and approved by the corresponding agency. The vacation of the right-of-way is necessary to provide ample parking, circulation, and access to the proposed redevelopment. All utility facilities, automobile and pedestrian transportation, access, and circulation displaced by the result of the vacation of this right-of-way will be successfully facilitated and improved by the proposed redevelopment.

Thank you for your review of this application. Please feel free to contact (954) 788-3400 if you require additional information or have questions regarding this application. We look forward to working with you on this exciting project.

Respectfully Submitted,



Mike Vonder Meulen, AICP  
Director of Planning

Cc: Eyal Peretz, Fuse Group  
Debbie Orshefsky, Esq., Holland and Knight

