

August 29, 2014

**FLAGLER RESIDENTIAL/NE 3rd AVE & NE 7TH ST  
Alley Reservation Vacation**

**Overview**

The proposed vacation of the alley reservation is required for development of the project site for a 250+/- unit multifamily mixed use development which includes 5,000sf of commercial use on the ground floor adjacent to NE 3<sup>rd</sup> Avenue. The planned mixed use project will include a parking garage wrapped with residential and commercial uses. The project will also include streetscape design in accordance with the Downtown Master Plan guidelines.

The area of the existing alley reservation is currently unimproved. There are existing overhead facilities within the alley reservation that are planned for relocation. The overhead facilities will be placed below ground within a utility easement along the south end of the property to allow for the utility company access. The underground utilities will continue underground north along NE 2<sup>nd</sup> Avenue up to NE 7<sup>th</sup> Street and then continue underground east along NE 7<sup>th</sup> Avenue to tie location at existing utility pole. The utility relocation will be coordinated as not to cause any disruption to service in the area.

Respectfully,



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

**FLAGLER RESIDENTIAL/NE 3rd AVE & NE 7TH ST – Alley Reservation Vacation**  
**47-24.6 Vacation of rights of way**

**Sec. 47-24.6.A.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:*

**A perpetual access easement will be provided by the property owner to maintain public access by an alternate route. The area of the alley reservation includes no existing improvements or improved access. Overhead utilities are the only facilities within the area to be vacated. The vacation of the alley does not create a mega-block as the existing block is narrow.**

- 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 adverse impact to surrounding areas. The public access will be maintained through the new development site by easement.**

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

**There is currently no vehicular route within the existing alley reservation. The modified route will improve safety and access with a 15' proposed utility easement onto NE 2<sup>nd</sup> Avenue.**

- 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 is coordinating with the utility providers to remove or to re-route all existing utilities. The applicant will provide all required consent agreements for the relocated utilities.**

Respectfully,



Damon Ricks / Project Coordinator  
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