

**PROJECT NARRATIVE**

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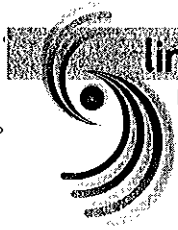
**PROJECT NAME:** French Village (*Pat's Place* Parcel "A")  
**CASE:** #11P-12 Vacation of Platted Right-of-Way: SE 9<sup>th</sup> Street  
**LOCATION:** 101 SE 9<sup>th</sup> Street, 104 and 108 SE 8<sup>th</sup> Street  
**AUTHOR:** Linda C. Strutt, AICP  
**DATE PREPARED:** July 30, 2012

The applicant has combined Parcel "A" of *Pat's Plat* (PB 154, Page 5, B.C.R.) with the adjacent platted lots (Lots 2, 4 and 9) and plans to construct a multi-family residential project on the site. The site plan is being submitted for DRC review concurrently with the vacation application. The project narrative accompanying that application addresses the project itself. This narrative focuses on the requested vacation of right-of way for SE 9<sup>th</sup> Street.

When the boundary plat *Pat's Plat* was recorded in 1993, there was no proposed plan for development. Consistent with platting procedures, additional right-of-way was granted by the plat for the adjacent public roads. In the intervening years, these adjacent streets have not been widened, nor are there plans for widening them. Since Lots 2, 4 and 9 were not re-platted, no additional right-of-way was dedicated adjacent to those lots.

The applicant has submitted a site plan for French Village proposed for this site which has been designed to be consistent with and further the principles of the City's Downtown Master Plan. In order to create a consistent project boundary, the applicant is seeking to vacate the additional right-of-way granted by Parcel "A" of *Pat's Plat*. The applicant is proposing to grant a five-foot pedestrian facility-utility easement over the vacated right-of-way as well as over Lots 2, 4 and 9 of the site.

Letters of no objection have been requested from all of the franchise utilities as well as the City's Public Works Department. The Property and Right-of-Way Committee will review this vacation request at its August meeting.



**ULDR NARRATIVES**

**PROJECT NAME:** French Village (Parcel "A" Pat's Plat):  
**Right-of-Way Vacation**

**REQUEST:** Partial Right-of-Way Vacation for SE 9<sup>th</sup> St.

**CASE:** #\_\_-P-12 Level IV Vacation of Rights-of-Way

**LOCATION:** 101 SE 9th Street, 104 and 108 SE 8th Street

**AUTHOR:** Linda C. Strutt, AICP

**DATE PREPARED:** July 30, 2012

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

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

**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**

Five feet of additional right-of way was dedicated in 1993 for SE 9<sup>th</sup> Street by *Pat's Plat* Parcel "A," primarily to accommodate future pedestrian and utility facilities. Comparable dedications were not made on the east side of 2<sup>nd</sup> Avenue nor to the north and south of Parcel "A." This additional right-of-way has not been used for any public purpose. The sidewalk, utilities and roadway pavement continue to be located outside of the subject five feet. The provisions of the City's recently adopted Downtown Master Plan are inconsistent with widening the street. Sidewalks and utilities can be accommodated within an easement which would result in consistent property boundaries and setbacks for the proposed project. The proposed vacation would further the public purposes of the adopted Downtown Master Plan.

and

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

The vacation request is actually for a reduction of right-of-way rather than abandonment of a street. Since no portion of a public roadway will be closed, there will be no need for an alternate route to serve surrounding areas. The remaining right-of-way width will be the same as that existing for these streets in the vicinity of the site.

and

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

Since no street will be closed or terminated, no need for safe turnaround areas will be created by the proposed vacation.

and

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

The street right-of-way is being reduced, not closed. A pedestrian-utility easement will be granted over the vacated right-of-way. Pedestrian traffic will be enhanced by the proposed 7-foot wide sidewalk along the project's perimeter which will be located within public right-of-way and proposed easement.

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.**

There are currently no utilities located within the subject right-of-way. The franchise utilities and the City Public Works Department have been contacted and letters of no objection to the proposed vacation are anticipated. A pedestrian facility-utility easement is proposed over the vacated right-of-way. The application will be reviewed at the August meeting of the Property and Right-of-Way Committee.

**Sec. 47-25.2. Adequacy requirements.**

**A. Applicability. The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.**

The proposed right-of-way vacation will not affect the adequacy of public services and facilities as the subject right-of-way is not being used to accommodate public utilities and its location does not coincide with plans for existing or future service. The development project for this site is the subject of a separate DRC application which addresses each section of the Adequacy Requirements - Sec. 47-25.2. This narrative relates only to those adequacy requirements which may apply to the proposed right-of-way vacation.

**H. Potable water:**

- 1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service**