



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#17-1155

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: October 3, 2017

TITLE: Quasi-Judicial Ordinance Vacating a Right of Way (alley) located at – Las
Olas Walk-North – The Las Olas Company, Inc. – 106 S. Federal
Highway – V16011

Recommendation

It is recommended that the City Commission adopt an ordinance vacating a 10-foot-wide by 110-foot-long alley right-of-way, totaling 1,100 square feet, located in the block bounded by S. Federal Highway, SE 8th Avenue, SE 1st Street and SE 1st Court.

Background

The 10-foot-wide platted alley is bounded on both sides by property which will be developed as part of the Las Olas Walk-North development. Most of this alley right-of-way is shown on the associated plat. However, only the unsubmerged portion of the alley is proposed to be vacated to allow for the construction of the Las Olas Walk-North development. The development will provide public access to the waterfront through a pedestrian access easement. See Illustrative Diagram, showing the proposed vacation with respect to existing conditions and the proposed development, provided Exhibit 1.

The project was reviewed by the Planning & Zoning Board (PZB) on August 16, 2017 and approved by a vote of 8-0. The applicant's narratives and utility response letters are attached as Exhibit 2. The PZB Staff Report and Meeting Minutes are attached as Exhibit 3 and 4. The sketch and legal are provided as part of the ordinance attached as Exhibit 5.

Pursuant to Section 47-24.6 of the Unified Land Development Regulations (ULDR), Vacation of Right-of-Way, an application for a vacation of a right-of-way (alley) 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;*

The greater portion of the subject alley, between US 1 and SE 8th Avenue, has remained submerged since platting, and the unsubmerged portion was never used or needed for public purpose. The westernmost portion of the alley,

intersecting with US 1, was vacated several years ago, cutting off access to the portion of alley now requested to be vacated.

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

N/A – See response to criteria a. above.

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

N/A – See response to criteria a. above.

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

N/A – See response to criteria a. above.

- 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.*

The applicant is coordinating removal and relocation of existing utilities with applicable utility providers. Letters of No Objection have been received from all of the franchise utilities and the applicant will coordinate existing facilities and future service. The letters are attached as part of Exhibit 2.

Conditions

Should the City Commission approve the proposed vacation, the following conditions apply:

1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department;
2. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and,
3. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. The certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

Resource Impact

There is no fiscal impact associated with this action

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Public Safety Cylinder of Excellence, specifically advancing:

- Goal 7: Be a well-positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, port, and rail connections.
- Objective 2: Enhance the beauty, aesthetics and environmental quality of neighborhoods.

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

Attachments

Exhibit 1 - Illustrative Diagram

Exhibit 2 - Applicant's Narratives and Utility Letters

Exhibit 3 - PZB Staff Report

Exhibit 4 - Minutes from the August 16, 2017 PZB Meeting

Exhibit 5 - Ordinance

Prepared by: Randall Robinson, Planner III, Sustainable Development

Department Director: Anthony Greg Fajardo, Sustainable Development