



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

FROM: Susan Grant, Acting City Manager

DATE: July 2, 2024

TITLE: Second Reading - Quasi-Judicial Ordinance Vacating a 16-foot-wide by 98-foot-long Portion of Alley, North of SE 30th Street, West of S. Federal Highway, South of SE 29th Street and East of SE 4th Avenue - Local Equity Three, LLC. - Public Storage Warehouse - Case No. UDP-V23003 - **(Commission District 4)**

Recommendation

Staff recommends the City Commission consider an ordinance vacating a 16-foot-wide by 98-foot-long Portion of Alley, north of SE 30th Street, west of S. Federal Highway, south of SE 29th Street and east of SE 4th Avenue.

Background

The subject alley was originally dedicated by plat in 1925 and recorded in Plat Book 6 Page 5 in the Broward County Public Records. The applicant would like to vacate the alley to construct a 5-story self-storage facility. The associated site plan (UDP-S23041) was reviewed by the Development Review Committee on August 8, 2024. A Location Map is attached as Exhibit 1. The Sketch and Legal Description of the Proposed Alley Vacation is attached as Exhibit 2. The Application, Narrative Responses to Criteria and No Objection Letters are provided as Exhibit 3.

The request was reviewed by the Development Review Committee (DRC) on August 8, 2023, and all comments have been addressed. The DRC comment report and responses are provided as Exhibit 4.

The application was reviewed by the Planning and Zoning Board (PZB) on April 17, 2024, and was recommended for approval by a vote of 8-0, subject to conditions as contained in the PZB Staff Report and restated herein. The April 17, 2024, PZB Staff Report, and PZB Meeting Minutes are attached as Exhibit 5 and Exhibit 6, respectively.

The City Commission shall hold a public hearing to consider the application, the record, and recommendations forwarded by the DRC and the Planning and Zoning Board. Additionally, the City Commission shall hear public comment on the application and determine whether the request meets the criteria for the vacation.

Review Criteria:

As per ULDR Section 47-24.6.A.4., Vacation of Right-of-Way, the request is subject to the following criteria:

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

The alley to be vacated dead ends into private property owned by the applicant and is not needed for public purpose. The right-of-way is not in use by the surrounding property owners and is not used for public purpose.

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

Alternate routes are not necessary. The alley is not used by surrounding property owners and there will be no adverse impacts to the surrounding area.

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

The alley to be vacated is a dead end and is not used by the surrounding property owners for access.

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

The closure of the alley will not adversely impact 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;

There are no utilities in the portion of the alley to be vacated. The applicant has obtained letters of no objection from franchise utilities and the City's Public Works Department.

Conditions:

Should the 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; or a utilities easement shall be retained over the right-of-way area or portion thereof; or a utilities easement shall be provided in a different location to the satisfaction of the City; or any combination of same and utilities maintenance shall not be disrupted. Any relocated facilities or facilities provided in a different location shall be required to be inspected and accepted by the Public Works Department; and,

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; or a utilities easement shall be retained over the right-of-way area or portion thereof; or a utilities easement shall be provided in a different location to the satisfaction of the City; or any combination of same and utilities maintenance shall not be disrupted. 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 supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Business Growth and Support Focus area; Goal 6: Build a diverse and attractive economy.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Sketch and Legal Description for the Proposed Vacation

Exhibit 3 – Application, Narrative Responses and Utility Letters

Exhibit 4 – August 8, 2023, DRC Comments and Responses

Exhibit 5 – April 17, 2024, PZB Staff Report

Exhibit 6 – April 17, 2024, PZB Meeting Minutes

Exhibit 7 – Ordinance

Prepared By: Yvonne Redding, Urban Planner III, Development Services Department

Department Director: Christopher Cooper, AICP, Development Services Department