



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#14-0823

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

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

DATE: July 1, 2014

TITLE: Motion to authorize execution of a Revocable License with CHH-GD FORT LAUDERDALE REALTY, LLC for the temporary closure of the public right-of-way (R.O.W) located west of 3001 E. Oakland Park Boulevard in association with the construction of The Waterway, a senior living facility

Recommendation

It is recommended that the City Commission approve a motion to authorize execution of a Revocable License with CHH-GD FORT LAUDERDALE REALTY, LLC for the temporary closure of the public right-of-way (R.O.W) located adjacent to and west of 3001 E. Oakland Park Boulevard in association with the construction of The Waterway, an eight (8) story senior living facility. A copy of the Location Map is attached as Exhibit 1.

Background

The applicant is requesting a Revocable License to close the entire width of NE 30th Avenue lying immediately west of 3001 E. Oakland Park Boulevard. This portion of the roadway runs between two applicant owned areas that the applicant's contractors will utilize for parking, staging, and for the construction of the development site. The roadway shall be re-opened to the public during non-construction hours.

The staging of cranes and materials will be contained onsite at 3001 E. Oakland Park Boulevard and in the parking lot to the west of 3001 E. Oakland Park Boulevard. The closure is needed to ensure safety and limit access between active construction sites. Also, this closure is necessary as there will be overhead crane sweeps between the parking/staging area and the development site.

The Development Review Committee (DRC) / Property & Right Of Way Committee reviewed the request of the roadway closure and recommended approval of a Revocable License for the temporary road closure on May 27, 2014 under case number 67R12A2.

The proposed closures are shown on Exhibit A of the Revocable License. A copy of the Revocable License is attached as Exhibit 2. Key conditions memorialized in the Revocable License are as follows:

- Requires the Licensee (CHH-GD FORT LAUDERDALE REALTY, LLC) to temporarily close the public right-of-way (R.O.W) located west of 3001 E. Oakland Park Boulevard
- Requires Licensee to indemnify the City and provide commercial liability insurance and worker's compensation coverage
- Requires Licensee to obtain an engineering permit from the Department of Sustainable Development prior to construction of the improvements and closure of the public right of way
- The Revocable License may be terminated by the City if there is ever a conflict with a higher public purpose, in the event of an emergency or due to non-compliance with the terms and conditions contained therein
- The Revocable License may also be terminated by the Licensee if there is no longer a need for the closure of the right of way

The applicant will reach out to the property owners that would potentially be affected by the temporary closures and will make good faith efforts to accommodate all requests and provide reasonable access to their properties.

The term of the Revocable License would be for 4 months from the date a building permit is issued from the Department of Sustainable Development for the Development Project or upon completion of construction of the Development Project through Final Certificate of Occupancy, whichever shall occur first or until terminated sooner. The Revocable License also provides the City Manager the ability to extend the closures for two 90-day periods.

Resource Impact : There is no fiscal impact to the City.

Strategic Connections:

This item is a *Press Play Fort Lauderdale Strategic Plan* initiative, included within the Business Development 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: Facilitate a responsive and proactive business climate.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We are Prosperous.

Attachments: Exhibit 1 – Location Map
Exhibit 2 – Revocable License

Prepared by: Alex Scheffer, P.E., Urban Design Engineer

Department Director: Greg Brewton, Sustainable Development Director