



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

#22-0158

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: April 5, 2022

TITLE: Motion Approving a Revocable License Agreement and Authorizing the Execution of the Revocable License with 800 Las Olas, LLC and Mustang Properties, Inc. for Temporary Right-of-Way Closures on Southeast 10th Terrace, Southeast 2nd Court, and a 10-Foot Alley in Association with the 1007 East Las Olas Development Located at 1007 East Las Olas Boulevard – **(Commission District 4)**

Recommendation

Staff recommends the City Commission consider a motion approving a Revocable License Agreement and authorizing the execution of the Revocable License with 800 Las Olas, LLC and Mustang Properties, Inc., owners of the 1007 East Las Olas Development, for the temporary right-of-way closures on Southeast 10th Terrace, Southeast 2nd Court, East Las Olas Boulevard, and a 10-Foot Alley, contiguous to the 1007 East Las Olas Development.

Background

The subject project consists of 138 hotel rooms and 5,698 square feet of ground floor retail with structured underground parking for 73 parking spaces. The site plan received City approval on May 18, 2021 (DRC Case #PLN-SITE-20080001) for a nine-story (117-foot high) building with a total gross floor area of 120,427 square feet. The temporary right-of-way closure timeframe for the three (3) construction phases will be a total of 28 months. Demolition for this site started March 23, 2022, and the developer is prepared to commence with construction, pursuant to the approval of this Revocable License and issuance of the Maintenance of Traffic (MOT) permit. The "Location Map" is attached as Exhibit 1.

The proposed closures are being requested for the placement of a construction crane on Southeast 10th Terrace, right-of-way, and improvements along East Las Olas Boulevard, Southeast 10th Terrace and Southeast 2nd Court. The closure is also being requested as a safety measure for pedestrians and motorists due to the limitations of the site and proximity of construction to the right-of-way. Private properties along the east side and adjacent to Southeast 10th Terrace are owned by 800 Las Olas, LLC and Mustang Properties, Inc. and will not have access to Southeast 10th Terrace and/or the 10-foot-

wide alley. The proposed closures are summarized in the table below and graphically shown in the “License Areas & Logistic Plans”, attached as Exhibit 2 and the “Detour Plan”, attached as Exhibit 3. A copy of the “Revocable License” is attached as Exhibit 4.

LICENSE AREA CLOSURES					
License Area	Location	Duration	Exist R/W Width	Exist S/W	Description
1	Southeast 10 th Terrace	28 Months	50-ft	Yes	Full Right-of-Way closure along site frontage for tower crane placement/operation and to facilitate safety, security and construction of the improvements on the property and within City Right-of-Way.
2	Alley East of Southeast 10 th Terrace	28 Months	10-ft	N/A	Full Alley Right-of-Way closure from SE 10 th Terrace to a point 100-feet east for public safety from crane operational range.
3	Alley West of Southeast 10 th Terrace	28 Months	10-ft	N/A	Full alley Right-of-Way closure from SE 10 th Terrace to SE 9 th Avenue to facilitate construction of improvements on the property.
4	Southeast 2 nd Court	2 Weeks	40-ft	Yes	Approximately 20-foot width along site frontage for continuous closure of adjacent sidewalk and east bound travel lane, to facilitate construction of public amenities to include sidewalk and drainage within City Right-of-Way.
5	East Las Olas Boulevard	2 Weeks	60-ft	Yes	Approximately 14-foot width along site frontage for continuous closure of adjacent sidewalk area, and west bound merge lane, to facilitate construction of public amenities within City Right-of-Way

License Area to be closed	Phase	Duration of Project (Months)																											
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
1,2,3	A																												
4	B	<div></div>																											
5	C	<div></div>																											

The proposed License Area 1 will permanently displace seven (7) metered public parking spaces and a B-Cycle station along Southeast 10th Terrace.

In accordance with approval conditions associated with 1017 East Las Olas Boulevard property development Permit No. BLD-CNC-20110014, the licensee shall provide the City with a \$70,000 mitigation fee for the permanent displacement of four (4) metered spaces on the east side of Southeast 10th Terrace. The fee is based on a credit for two (2) spaces that were constructed as part of the 1201 E Las Olas Boulevard development project and \$35,000 per space for the balance. Also, in accordance with approval conditions associated with 1007 East Las Olas Boulevard DRC Case No. PLN-SITE-20080001, the licensee shall mitigate the City’s loss for the permanent displacement of the three (3) metered spaces on Southeast 10th Terrace prior to the issuance of a final certificate of occupancy as follows:

- (a) Pay the City's Transportation and Mobility (TAM) Department, a sum to be determined by the City's TAM Department, based on the average usage rate; or,
- (b) Install parking improvements and/or enhancements near the project, with such improvements to be identified by and agreed to by applicant and TAM; or,
- (c) Provide the City with three additional on-street metered parking spaces in the vicinity.

The B-Cycle Revocable License amendment was previously approved by the City Commission on October 5, 2021, under CAM #21-0780.

The developer has provided adjacent property owners with a construction logistics plan for the proposed closures; to date staff is not aware of any objectionable responses.

The proposed MOT plan is not anticipated to present any conflicts with construction projects in this area. The Revocable License authorizes the City Manager to extend the term of the Phase A closure up to four (4) 30-day periods, and the Phase B & C closures up to two (2) 30-day periods each, if justified and necessary.

Resource Impact

There is no fiscal impact to the City associated with this action.

Strategic Connections

This item is a *2022 Commission* Priority, advancing the Smart Growth initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Infrastructure Focus Area
- Goal 2: Build a multi-modal and pedestrian friendly community.
- Objective: Improve roads, sidewalks, and trails to prioritize a safer, more walkable and bikeable community

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

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan*, specifically advancing:

- The Infrastructure Focus Area
- The Transportation & Mobility Element
- Goal 1: Ensure the equitable development of a Complete Network for transportation that prioritizes Safety and emphasizes multimodal mobility and accessibility.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – License Areas & Logistic Plan

Exhibit 3 – Detour Plan

Exhibit 4 – Revocable License

Prepared by: Orlando Arrom, Urban Engineer II, Development Services Department

Department Director: Anthony Greg Fajardo, Development Services Department