



PROJECT NARRATIVE

PROJECT NAME: MORGAN on 3rd Ave: Alley Vacation
CASE: #V15003 Vacation of 15-Foot Alley Right-of-Way
LOCATION: 400 NE 3rd Avenue
AUTHOR: Linda C. Strutt, AICP
DATE UPDATED: August 6, 2015

MORGAN on 3rd Avenue is a multi-family residential project proposed to be constructed between NE 3rd and NE 4th Avenues north of NE 4th Street. The site is composed of Lots 1 through 20 of Block 30 of the *Amended Plat of Blocks 1 thru 8 and 25 thru 33 of North Lauderdale*. Lots 1 through 12 are currently separated from Lots 13 through 20 by a 15-foot platted alley that extends from NE 4th Street north to NE 5th Street.

In order to accommodate the proposed site plan, which has been reviewed by the Development Review Committee, the portion of the alley which bisects the development parcel needs to be vacated.

The applicant is proposing to vacate the southernmost 400 feet (approximately) of the alley which is abutted on both the east and west sides by the development parcel owned by the applicant. In order to accommodate the four lots on the northwest corner of the block which are not included in the project and to maintain the balance of the alley as an alternative access, the applicant is proposing to grant an ingress/egress easement through the property providing a connection to NE 4th Avenue.

The FPL poles which are located within the portion of the alley to be vacated will be removed. There is existing sanitary sewer in the alley running north to south. This sewer does not serve any other parcels upstream of the vacation. When the alley is vacated the properties to the west of the alley that are currently connected to the sewer will be re-routed to the north (to NE 5th Street). Utility facilities currently located within the vacation area will be relocated or a utility easement will be granted over the facilities, as appropriate.



ULDR NARRATIVES

PROJECT NAME: MORGAN on 3rd Ave: Alley Vacation
CASE: #V15003 Level IV Vacation of Rights-of-Way
LOCATION: 400 NE 3rd Avenue
AUTHOR: Linda C. Strutt, AICP
DATE UPDATED: August 5, 2015

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;

The subject alley segment is not needed required for public purposes. The applicant owns the property abutting both sides of the portion of the alley to be vacated as well as all of the property abutting the east side of the alley through this entire block. The "unvacated" portion of the alley abuts property belonging to other property owners, each with direct access from either NE 5th Street or NE 3rd Avenue. To prevent a "dead-end" alley condition, the applicant is willing to grant an ingress-egress easement through the project site from the terminus of the proposed vacation to NE 4th Avenue. This will allow the "unvacated" portion of the alley to continue to be used without having a dead-end condition. In addition, the applicant will grant easements for existing or relocated utilities, as needed.

and

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

NE 3rd Avenue and N.E. 4th Avenue run parallel to the alley and provide full access to the lots fronting 3rd Avenue on the north and west side of the alley. The alley adjacent to these lots is not included in this vacation request, and consequently, those property owners will continue to have access to the alley abutting their properties. In addition, a connection between the terminus of the alley and NE 4th Avenue is proposed to prevent a dead-end situation.

and

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

In lieu of a turnaround, a 15-foot wide ingress/egress easement is being proposed through the project site to provide a connection between the alley and NE 4th Avenue.

and

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

The alley does not currently serve pedestrian traffic nor will the remaining alley segment be an appropriate pedestrian route. A sidewalk will be constructed along the project's frontage on NE 4th Avenue and they exist along NE 3rd Avenue and NE 4th and 5th Streets.

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 utilities within the subject alley right-of-way. The FPL poles which are located within a portion of the alley will be removed. There is existing sanitary sewer within the alley, a portion of which will be relocated. The upstream end of the sanitary sewer located in the alley will be vacated and new manholes and mains will be constructed at the north end of the vacation area to ensure continued sewer service to the existing properties

Letters of no objection have been received from all of the franchise utilities and the applicant is working with them to address existing facilities and future service.

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. The development project for this site is the subject of a separate DRC application which addresses Sec. 47-25.2. This narrative relates only 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 and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.**

Potable water service will be taken from the existing mains in NE 4th Street and NE 4th Avenue. The projected demand for potable water will be addressed as part of the site plan process.

L. Stormwater. Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

This right-of-way is not currently being used to accommodate drainage facilities nor is it needed to accommodate proposed stormwater facilities needed to support the proposed development project. Any easements needed in association with the project drainage plan to serve the proposed development project will be granted.

N. Wastewater

- 1. Wastewater: Adequate wastewater services 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 a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate 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 wastewater treatment or disposal 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 for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.**

There is existing sanitary sewer in the alley running north to south. This sewer does not serve any other parcels upstream of the vacation. The upstream end of this sewer will be re-rerouted and new manholes and mains will be constructed at the north end of the vacation to provide continued sewer service to the existing properties. Easements will be granted where necessary to accommodate the public sanitary sewer facilities. The projected project wastewater demand was addressed by the ULDR narratives provided with the development site plan submittal.