

Mr. Tinter requested that the following **amendment** be attached to the **motion**: to channelize the driveways on Andrews Avenue to restrict the movements, right turn in only at the northern driveway and right turn in and out of [the] other driveway, subject to County approval. Mr. Heidelberger accepted the **amendment**.

It was noted that there were no Staff conditions attached to Item 2.

Mr. Cohen **seconded** the **amended motion**. In a roll call vote, the **motion** passed 7-0.

Motion made by Ms. Golub, seconded by Mr. Cohen, to approve [Item 3] subject to Staff conditions. In a roll call vote, the **motion** passed 7-0.

Motion made by Mr. Tinter, seconded by Mr. Cohen, to approve Item 4 with Staff conditions. In a roll call vote, the **motion** passed 7-0.

5. CASE:	V18001
REQUEST: **	Vacation of Right-of-Way: Partial Right-of-Way
APPLICANT:	195 Federal, LLC.
PROJECT NAME:	195 N Federal Right-of Way Vacation
GENERAL LOCATION:	East of NE 3rd Avenue, south of NE 2nd Street, west of N Federal Highway and north of NE 1st Street
ABBREVIATED LEGAL DESCRIPTION:	The South 6.00 Feet That 16.00 Foot Additional Thoroughfare Dedication Lying Adjacent To Parcel "B", "Federal Highway And 2nd Street CBD Plat", According To The Plat Thereof, As Recorded In Plat Book 153, Page 49, Of The Public Records Of Broward County, Florida.
ZONING DISTRICT:	Downtown Regional Activity Center – Urban Village (RAC-UV)
LAND USE:	Downtown Regional Activity Center (D-RAC)
COMMISSION DISTRICT:	2 – Steven Glassman
CASE PLANNER:	Nicholas Kclargyros

Disclosures were made at this time.

Robert Lochrie, representing the Applicant, explained that the request is for the vacation of a 6 ft. portion of right-of-way along NE 2nd Street. The property's boundary line is of an odd shape, as two separate plats were done for the property over time. The existing eastern right-of-way provides for a 40 ft. right-of-way, while the western portion of the property has a right-of-way of 66 ft.

Mr. Lochrie reviewed the configuration of the site, noting that rights-of-way within the Downtown area typically vary between 40 ft. and 60 ft. under the current Downtown Master Plan. The request is for vacation of the south 6 ft. of the right-of-way adjacent to the property, which will leave the City with a 60 ft. right-of-way. The Applicant also plans

to dedicate additional right-of-way on the east back to the City. The Applicant scheduled and held a public participation meeting with the surrounding neighborhood, although there were no attendees at this meeting.

Mr. Lochrie advised that the Applicant requests a modified condition of approval for the Application. Current conditions state that even if the vacation is approved by the Planning and Zoning Board and City Commission, the vacation will not become effective until any utilities are removed from the area. The Applicant requests that this condition be revised so it becomes effective either when all utilities are removed or if an easement is granted by the Applicant for any remaining utilities. This is due to the presence of two water meters within the right-of-way, as well as overhead power lines which the Applicant wishes to place underground.

Mr. Kalargyros of Urban Design and Planning stated that the original right-of-way was dedicated when the property was platted and does not reflect the local street section in the City's Downtown Master Plan. The original right-of-way also does not extend the full length of the property, which creates an inconsistent right-of-way edge along the property line.

The Application was reviewed by the DRC in February 2018 and is subject to the following criteria:

- The right-of-way or other public purpose is no longer needed, and alternate routes, if needed, are available and do not adversely affect surrounding areas
- The closure of the right-of-way provides safe areas for vehicles to turn or exit the area and does not adversely affect pedestrian traffic
- All utilities located within the right-of-way or public space have been or will be relocated, pursuant to a Relocation Plan, and the owners of the utilities have consented to the vacation, or a utility easement has been retained over the right-of-way area, or an easement in a different location has been provided by the owner to the satisfaction of the City

The Applicant proposes to relocate the easements and vacate the portion of right-of-way in compliance with the Downtown Master Plan's design guidelines. The existing development includes connections to the roadway network via both Federal Highway and NE 2nd Street. There is no negative impact to City infrastructure or services. Staff recommends approval of the request with the following proposed conditions as amended by the Applicant:

- 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 utility agency and service provider
- Alternatively, in lieu of relocating all City utilities within the vacated area, the Applicant shall dedicate a utility easement for City utilities that remain within the vacated area; 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 providers; or, in lieu of relocating all utilities within the vacated area, the Applicant shall dedicate a utility easement for utilities that remain within the vacated area

- Vacating Ordinance shall be in full force and effect on the date the certificate executed by the City Engineer is recorded in the public record of Broward County, Florida; the certificate shall state that all conditions of vacation have been met, and a copy of the recorded certificate must be provided to the City

Chair Maus requested clarification that the City has adopted the requested modification as proposed by the Applicant. Mr. Kalargyros confirmed that this was the case.

Mr. Tinter asked if the property must be re-platted or modified. Mr. Lochrie replied that the plat will need to be modified. The Applicant must also request the vacation through Broward County, subsequent to the City's process.

There being no further questions from the Board at this time, Chair Maus opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Maus closed the public hearing and brought the discussion back to the Board.

Motion made by Ms. Golub, seconded by Ms. Scott, to approve subject to the revised conditions. In a roll call vote, the **motion** passed 7-0.

6. CASE:	R17042
REQUEST: **	Site Plan Level III Review; Conditional Use for 12-Story Building with 271 Multifamily Residential Units in Downtown
APPLICANT:	ALTA Flagler Village II, LLC.
PROJECT NAME:	Alta Flagler Village Phase 2
GENERAL LOCATION:	444 NE 7 th Street
ABBREVIATED LEGAL DESCRIPTION:	Progresso 2-18 D Lot 36 Blk 315
ZONING DISTRICT:	Downtown Regional Activity Center – Urban Village (RAC-UV)
LAND USE:	Downtown Regional Activity Center (D-RAC)
COMMISSION DISTRICT:	2 – Steven Glassman
CASE PLANNER:	Randall Robinson

Disclosures were made at this time.

Mr. Lochrie, representing the Applicant, advised that the request is for Site Plan Review and conditional use approval. He showed an aerial map of the site, noting that approval