



Hallandale Beach
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400 S. Federal Highway
Hallandale Beach, Florida 33009

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:		Item Type:		1 st Reading	2 nd Reading
10/20/2021		<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	10/6/2021	10/20/2021
File No.:			Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
21-086			Advertising Required	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
			Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):		Account Balance (\$):	Funding Source:		Project Number:
N/A		N/A	N/A		N/A
Contract/P.O. Required		RFP/RFQ/Bid Number:	Sponsor Name:		Department:
<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A	Vanessa Leroy, Director		Development Services Dept
Strategic Plan Focus Areas:					
<input type="checkbox"/> Finance & Budget		<input type="checkbox"/> Organizational Capacity		<input checked="" type="checkbox"/> Infrastructure/Projects	
Implementation Timeline:					
Estimated Start Date: 10/6/2021 Estimated End Date: N/A					

SHORT TITLE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING APPLICATION #RV-21-1264 BY SABER HALLANDALE II, LLC, REQUESTING A ROAD VACATION PURSUANT TO CHAPTER 25, SECTION 25-103 OF THE HALLANDALE BEACH CODE OF ORDINANCES FOR THAT PORTION OF AN ALLEY LYING ADJACENT TO TWO OWNERSHIP PARCELS LOCATED AT 1800 AND 1820 EAST HALLANDALE BEACH BOULEVARD IN ORDER TO CREATE ONE BUILDABLE PARCEL IN HALLANDALE BEACH, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE A TERMINATION AND RELEASE OF PUBLIC RIGHT OF WAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The applicant, Saber Hallandale II, LLC. is requesting a Road Vacation to close a small remnant portion of an alley approximately twenty (20) feet x sixty-five (65) feet that was never vacated behind the building located at 1820 East Hallandale Beach Boulevard.

Background:

The property is part of an initial re-plat "Golden Isles Section E" in 1958 of "Golden Isles Section" which was originally platted in 1925. At the time of re-plat in 1958, the entire block, less only the 65 feet lot, was re-platted and the alleyways were eliminated except for the subject portion. The alley is discontinuous and landlocked providing no access or service to any other parcel. Therefore, the Applicant is seeking to vacate the remnant alley as it provides no public benefit.

In order to legally remove from public use, the alleyway must be closed and vacated through the public hearing process as provided by Section 25-102 and Section 25-103 of the Hallandale Beach Code of Ordinances. Accordingly, all property owners adjacent to the right-of-way requested to be vacated must also be included in the application. In this instance, the applicant owns both properties separated by the alleyway -1800 East Hallandale Beach Boulevard-the U.S. post office site, and 1800 East Hallandale Beach Boulevard- a small office building.

Analysis:

Pursuant to Chapter 25, Section 25-102, and Section 25-103 of the City's Code of Ordinances, City Commission approval is required of requests to vacate a public right- of -way. Right-of-way vacation applications do not require Planning and Zoning Board action.

According to Section 25-103 of the Hallandale Beach Code of Ordinance, the City Commission shall determine whether a requested vacation would be in the interest of the public good. According to the subsection, the following criteria shall be considered in determining whether to grant or deny a vacation of right-of-way:

- 1) Whether the public benefits from the use of the subject street, right-of-way, or easement as part of the city street system;

The general public will not be adversely affected by the proposed vacation. The alley is not being used by the public and is within the boundaries of the existing subject property.

- 2) Whether the proposed action is consistent with the city's comprehensive plan;

The proposed action is consistent with the city's comprehensive plan.

- 3) The availability of alternative action to alleviate the identified problems, if any, related to the vacation;

Not applicable as there are no identified problems.

- 4) The effect of the proposed action upon traffic circulation;

The proposed action has no effect on traffic circulation as the site has been landlocked with no turnaround since 1958.

- 5) The effect of the proposed action upon the safety of pedestrians and vehicular traffic;

The proposed action has no effect on safety of pedestrians and vehicular traffic.

- 6) The effect of the proposed action upon the provision of municipal services, including, but not limited to, emergency services and waste removal;

The proposed action has no effect on municipal services.

- 7) The mitigation plan proposed by the applicant to offset any potential impacts; and

Not applicable as there are no potential impacts.

- 8) The testimony, if any, of property owners within a 1,000-foot radius of the right-of-way that is the subject of the application.

Not applicable as the applicant also owns surrounding property.

Chapter 25, Section 25-102 required notices be mailed to all property owners of record of real within 1,000 feet from the right-of-way proposed to be vacated. The Applicant has provided the required list for mailing notices to the area owners notifying of the City Commission public hearing on the road vacation.

Florida Power & Light, AT&T, TECO People's Gas, Comcast had no objections to the request. The City's Department of Public Works (DPW) has no objections to the vacation as no utilities are located within the subject area.

Why Action is Necessary

Per Chapter 25 of the Hallandale Beach Code of Ordinances, right-of-way vacation applications require City Commission approval.

Cost Benefit

The alleyway will provide for one unified ownership parcel that will create one buildable parcel for future redevelopment of the properties.

STAFF RECOMMENDATIONS:

The applicant requests a Road Vacation of a small remnant portion of an alley approximately twenty (20) feet x sixty-five (65) feet that was never vacated behind a building located at 1820 East Hallandale Beach Boulevard and that dead-ends at the property located at 1800 East Hallandale Beach Boulevard that is also owned by the applicant.

In staff's opinion, the right-of way vacation does not affect accessibility for pedestrian and vehicular traffic, emergency and waste services adjacent to the development site, would not have any potential adverse impacts, and is consistent with the criteria for road vacation.

Should the City Commission decide to approve the application and subject Ordinance on First Reading, Broward County Environmental Protection and Growth Management Department has advised that the City road vacation ordinance adopted by the City Commission shall state: *"the ordinance shall become effective upon recordation of an Engineer's Certificate into the Public Records by the City Engineer that confirms that all utilities have been removed from the right-of-way that is the subject of the vacation."*

The above wording required by Broward County, has been included in the road vacation ordinance for adoption by the City Commission.

PROPOSED ACTION:

Staff recommends the City Commission approve First Reading of the attached Ordinance vacating the alley approximately twenty (20) feet x sixty-five (65) feet adjacent to the properties located at 1800-1820 East Hallandale Beach Boulevard, as more specifically described in the Ordinance and schedule Second Reading for the next Commission meeting.

Attachment(s):

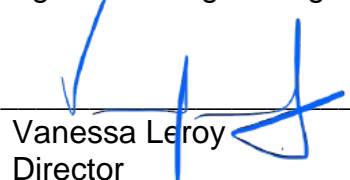
- Exhibit 1- Ordinance
- Exhibit 2- Location Map
- Exhibit 3- Applicant's Letter
- Exhibit 4- Applicant's Plans/Survey

Prepared By:


Christy Dominguez

Planning and Zoning Manager

Reviewed By:


Vanessa Leroy
Director

Approved By: Jeremy Earle

Dr. Jeremy Earle
City Manager