

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** December 5, 2023

**DEPARTMENT:** Community Sustainability

**TITLE:**

Resolution No. 51-2023 – Abandoning the north 20-feet of the 9th Avenue South public right-of-way and abandoning the 10-foot alley right-of-way located between the properties at 821 South Dixie Highway and 808, 818, 824, 826 and 832 South H Street

**SUMMARY:**

Resolution No. 51-2023 is the second resolution required in a two-step process to abandon rights-of-way. The subject abandonment was requested by Madison Terrace, LLC to allow for the construction of a 176-unit multi-family project proposed on the north side of 9<sup>th</sup> Avenue South between South H Street and South Dixie Highway. This project is commonly referred to as “Madison Terrace.” The subject rights-of-way are approximately 300 feet in length by 10 feet wide (3,000 square feet), and approximately 280 feet in length by 20 feet wide (5,600 square feet). The rights-of-way will also revert back to the other abutting property owners.

**BACKGROUND AND JUSTIFICATION:**

The procedure to abandon public rights-of-way is established in Section 19-4 of the City’s Code of Ordinances. Section 19-4 states that the City Commission may, by its own initiative or upon request, adopt a resolution declaring the intention of the City Commission to consider the abandonment of rights-of-way.

The proposed abandonment is part of the request by Madison Terrace, LLC for the construction of a 176-unit multi-family project, commonly referred to as “Madison Terrace.” The project is a Mixed Use Urban Planned Development (Residential Only) that offers affordable age-restricted units to senior citizens.

Staff from Public Works, Water Utilities, and Electric Utilities Departments reviewed the request and had no issues with the abandonment. A condition of approval of the abandonment will require the applicant or property owner to record easements as necessary for utilities and public purposes within one (1) year of the passage of this resolution. The City Commission approved a resolution declaring their intent to consider the abandonment of the public right-of-way described above at the September 5, 2023 meeting, which was the first resolution of two required by Section 19-4 of the City’s Code of Ordinances.

Per Section 19-4, at least ten (10) days prior to the date set in the resolution for the public hearing, a notice of public hearing shall be published one (1) time in a newspaper of general circulation in the city. A newspaper advertisement will be published on the Lake Worth Herald on November 23, 2023.

**MOTION:**

Move to approve/disapprove Resolution No. 51-2023 to abandon the north 20-feet of the 9th Avenue South public right-of-way and to abandon the 10-foot alley right-of-way located between the properties at 821 South Dixie Highway and 818, 824, 826 and 832 South H Street.

**ATTACHMENT(S):**

Location Map  
Resolution 51-2023