



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: March 26, 2019

APPLICANT: Briland Properties, Incorporated

PROJECT NAME: 508 SE 32nd Court

CASE NUMBER: V19001

REQUEST: Vacation of Right-of-Way

LOCATION: North/South Right-of Way between
SE 32nd Court and SE 33rd Street

ZONING: Heavy Commercial/Light Industrial Business
(B-3)

LAND USE: Commercial

CASE PLANNER: Nicholas Kalargyros



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CASE COMMENTS:

Please provide a written response to each of the following comments:

1. Provide written documentation that proposed Vacation of Rights-of-Way meets the City's Criteria for Review per ULDR Section 47-25.2 (Adequacy Review) and ULDR Section 47-24.6 (Vacation of ROW Requirements).
2. Provide a signed and sealed boundary and topographic survey showing all above ground improvements, utilities, rights of way dimensions and all easements. There appears to be some overhead wires which are not depicted in the survey.
3. Provide copy of latest corresponding Site Plan, so that it can be reviewed for consistency. Confirm that limits of proposed Right-of -way vacation are consistent with Site Plan.
4. Please contact City's Public Works Department, Rick Johnson at rjohnson@fortlauderdale.gov or 954-828-7809 for water and sewer utilities, and Elkin Diaz at 954-828-6539 or ediaz@fortlauderdale.gov for stormwater infrastructure, to verify and determine whether there are any public utilities present within the easement to be considered for vacation. If so, a surveyed location of the utilities shall be provided to staff for review, the full cost of relocation of the utilities shall be borne by the Applicant, and the utility relocation plan shall be reviewed and approved by the City's Public Works Department prior to implementation. Per City of Fort Lauderdale maps there is a 12" watermain in the area to be vacated.

The City's Public Works Department, currently has facilities within the existing right-of-way to be vacated. Please be advised that prior to the Engineer's Certificate being executed, letters from the utility indicating relocation/removal of their facilities and any easement requirements have been completed/recorded to their satisfaction, shall be provided to the City Engineer or designee.

A 15' utility easement is proposed; discuss with public works what their access requirements are as it is the applicant's intention to close the right-of-way.

5. Provide letters from all franchise utility providers, including Public Works as appropriate (i.e. if easement being vacated is public), demonstrating their interests in maintaining or no objection to the vacation of this Easement; the letters should specifically state whether or not the franchise utility providers have existing facilities within the Easement vacation area that will need to be relocated or abandoned.
6. Submit a stamped copy of the surveyor's sketch and legal description to the City's Surveyor for his review and approval of the Easement to be considered for vacation. The approved surveyor's sketch shall then be routed to the Land Development Manager or designee for signoff, prior to submittal to the case planner for final authorization to present this item to the City Commission.
7. Provide written authorization/ concurrence from adjacent property owner located immediately east of the right of way, that allows this owner to request to vacate the entire right of way width located between the two properties. Discuss any issues which might arise due to the adjacent property to the east being within the city of Dania Beach limits.
8. Provide a plan that demonstrates this right of way vacation meets ULDR Sec. 47-24.6.A.4 Criteria:
 - a. Alternate routes are available which do not cause adverse impacts to surrounding areas, and;



- b. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area,
- c. The closure of the right-of-way will not adversely impact pedestrian traffic.

Based on provided information, it appears a dead end condition would be created on SE 33rd Street and SE 32nd Court by this vacation request.

- 9. Please be advised that the vacating ordinance shall not be in full force and effect until an Engineer's Certificate is executed by the City Engineer or designee. This Engineer's Certificate shall be executed by the proper authorities and recorded in the public records of Broward County. A copy of the recorded certificate is to be provided to the City upon recordation. The City Engineer's certificate shall also state that all existing facilities located within the vacated easement have been relocated or abandoned to the satisfaction of the respective utility owners.
- 10. Please be advised that additional Easements may need to be dedicated to the City resulting from the Vacation of Rights-of-Way approval process, including Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure, and Access Easement(s) that mitigate an otherwise dead-end right of way condition.

As applicable, provide documents such as easement and/or right-of-way deed, joinders, consents and Attorney's Opinion of Title. Please refer to City's Web site:

<http://fortlauderdale.gov/departments/sustainable-development/building-services/engineering-forms-and-info> (under 'Engineering Forms' and 'Dedicated Public Rights of Way and Easements') or click on <http://www.fortlauderdale.gov/home/showdocument?id=1558>.

Public Works (Ray Rammo, P.E. 954-828-5990):

- 1. Demonstrate compliance with adequacy requirements per ULDR Section 47-24.1.C (Drainage facilities) ULDR Section 47-24.1.L (Stormwater) that the easement area to be considered for vacation will not adversely affect adjacent streets and properties.
- 2. There is an existing City water infrastructure (12-inch water main) located within the Right-of-Way to be vacated. The minimum Utility Easement the City will accept is 15-feet (7.5-feet out on either side from the center line of the water main). The Engineer-of-Record provided a letter dated January 23, 2019, acknowledging the dedication of the 15-feet for the Utility Easement.
- 3. Letters were provided from franchise utility providers (AT&T and TECO) demonstrating their interests in maintaining or no objection to vacation of this easement.



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1. A turn around space for designed for WB-40 will be needed to mitigation.
2. Additional comments may be provided upon further review.
3. Signature required.

GENERAL COMMENTS:

Please address comments below where applicable.

1. Contact Benjamin Restrepo at 954-828-5216 or brestrepo@fortlauderdale.gov to set up an appointment for final plan approval.
2. The City's Transportation & Mobility Department encourages the use of sustainable materials such as permeable pavement and electric car charge stations and installation of multimodal facilities such as bicycle pump stations and bike lockers.
3. Please note that any work within the City's right-of-way will require an MOT approved by Transportation and Mobility and Engineering for permitting. Any full closures of roadways, alleys, or sidewalks that are over 72 hours will require a Revocable License Agreement (RLA) with the City of Fort Lauderdale.



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Please provide a response to the following:

1. Pursuant to Public Participation requirements of ULDR, Section 47-27.4.A.2.c, the applicant must complete the following:
 - a. Prior to submittal of the application to the PZB, a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting;
 - b. The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting is at the discretion of the applicant. Once the meeting(s) is conducted, the applicant shall provide a written report letter to the Department of Sustainable Development, with copy to subject association(s), documenting the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion after a public participation meeting(s). The report letter shall summarize the substance of comments expressed during the process and shall be made a part of the administrative case file record; and,
 - c. Accordingly, a minimum of ten (10) days prior to the PZB meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department. If the applicant fails to submit the affidavit, the public hearing will be postponed until the next available hearing date after the affidavit has been supplied.
2. The proposed project requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. A separate application and fee is required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements (ULDR, Section 47-27).
3. The site is designated Commercial on the City's Future Land Use Map. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
4. Verify that copy of plat is the most current recorded plat, including notes and amendments, for the proposed site. Provide documentation from the Broward County Planning Council verifying that the site does not require platting or replatting. If replatting or platting is not required, contact the Development Review Services Section of the Planning and Environmental Regulation Division of Broward County at (954) 357-6637 to ensure that proposed project is consistent with the latest recorded plat restriction.
5. Indicate the project's compliance with the following ULDR sections by providing a point-by-point narrative response, on letterhead, with date and author indicated.
 - a. ULDR Section 47-25.2, Adequacy Requirements;
 - b. ULDR Section 47-24.6.A.4, Criteria for Right-of-Way Vacation.
6. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required prior to Planning and Zoning Board submittal.
7. Provide a 15 foot utility easement for the existing City of Fort Lauderdale 12 inch water main. See Engineering's comments regarding this matter.
8. Provide space for a vehicular turnaround at the terminus of both SE 32nd Court and SE 33rd Street.



9. Provide letters from the remaining franchise utility providers and abutting municipality demonstrating their interests in maintaining or no objection to the vacation of this right-of-way. Letters must be provided from the following utility companies: Comcast Cable and Florida Power and Light as well as the City of Dania Beach indicating no objections to the vacation. If any easements are required, legal and easement documents must be provided prior to item being scheduled for City Commission. If any facilities need to be relocated, plans satisfactory to that agency must be approved prior to City Commission submittal. Contact Information for Comcast Cable and Florida Power & Light is as follows:

Comcast Cable

Leonard Maxwell-Newbold
954-447-8405
leonard_maxwell-newbold@comcast.com

City of Dania Beach

Brad Kaine, Director of Public Services
954-924-6808
bkaine@daniabeachfl.gov

Florida Power & Light (FP&L)

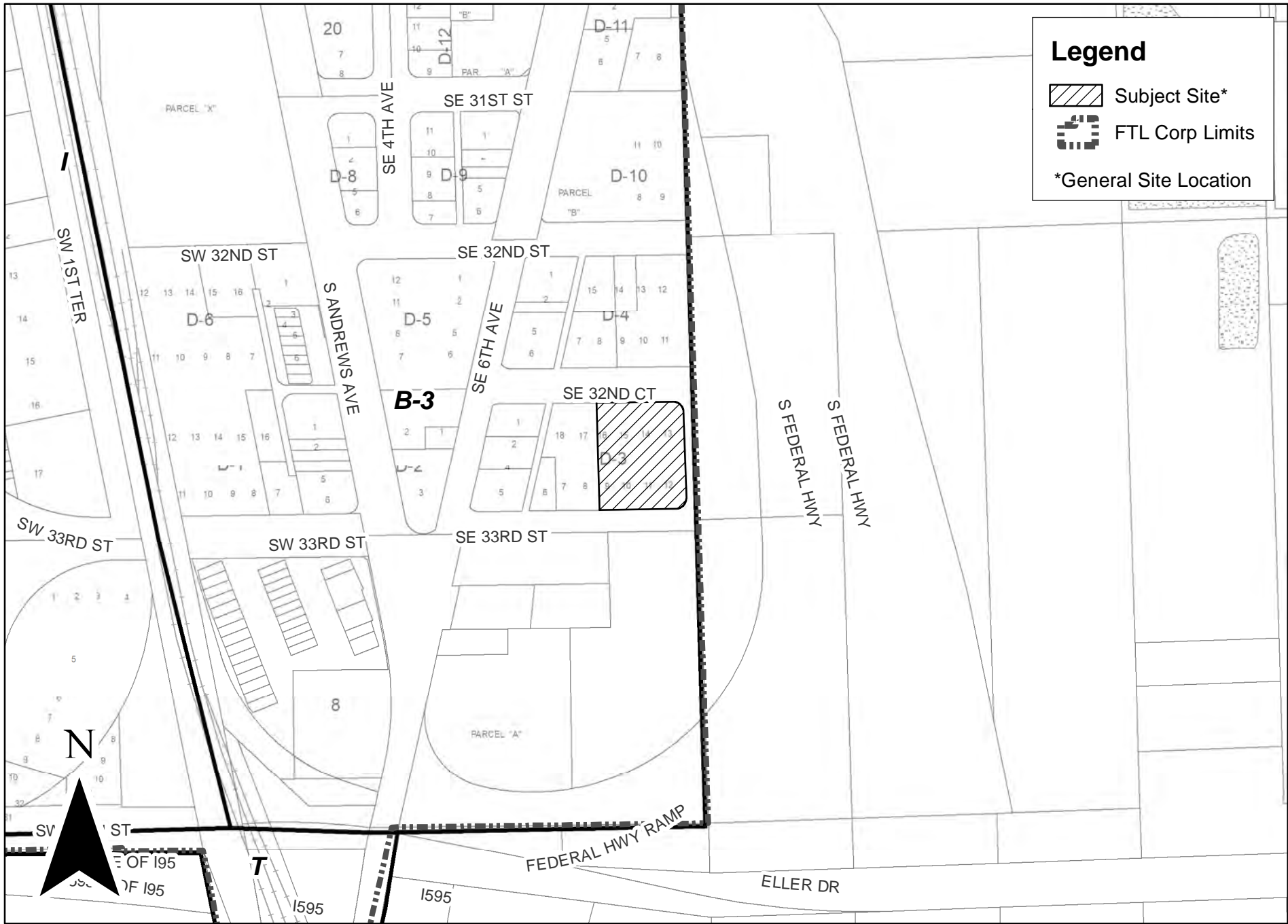
Lucas Cornish
954-717-2062
Lucas.Cornish@fpl.com

GENERAL COMMENTS



The following comments are for informational purposes.

Please consider the following prior to Pre-Planning and Zoning Board submittal:

10. Provide a written response to all Development Review Committee comments within 180 days.
11. Please note that in the event of a vacation of right-of-way, the vacated property will revert to the parcels which originally dedicated the land.
12. An additional follow-up coordination meeting may be required to review project changes necessitated by the Development Review Committee comments. Prior to routing your plans for Final Development Review Committee sign-off, please schedule an appointment with the project planner (Nicholas Kalargyros via email at Nicholask@fortlauderdale.gov or by phone at 954-828-5193) to review project revisions and/or to obtain a signature routing stamp.
13. Additional comments may be forthcoming at the Development Review Committee meeting.
14. The ordinance approving the right-of-way vacation shall be recorded in the public records of Broward County within (30) days after adoption.



Legend

-  Subject Site*
-  FTL Corp Limits
- *General Site Location

V19001

