



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: September 10, 2019

APPLICANT: Dunmore Properties, LTD.

PROJECT NAME: Tarpon Landings

CASE NUMBER: V19009

REQUEST: Vacation of Right-of-Way: 8,960 Square Feet of Right-of-Way

LOCATION: East/West right-of-way west of SE 4th Avenue, north of SE 11th Street, west of SE 3rd Avenue and south of Tarpon River

ZONING: Planned Residential Office (ROC), Limited Residential Office (ROA) and Residential Multifamily Mid Rise/Medium High Density (RMM-25)

LAND USE: South Andrews - Regional Activity Center (S-RAC)

CASE PLANNER: Tyler LaForme



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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. This survey shall be based on a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar.
3. Please contact City's Public Works Department, Thomas Lawrence at TLawrence@fortlauderdale.gov or 954-828-6126 for water and sewer utilities, and Igor Vassielliev at 954-828-5862 or IVassielliev@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.
4. Provide letters from all franchise utility providers, including Public Works as appropriate demonstrating their interests in maintaining or no objection to the vacation; the letters should specifically state whether or not the franchise utility providers have existing facilities within the right-of-way vacation area that will need to be relocated or abandoned.
5. 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.
6. 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 right of way have been relocated or abandoned to the satisfaction of the respective utility owners.
7. There is City stormwater, water, and wastewater infrastructure located within the portion of Right-of-Way to be vacated. 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. If the utilities are to remain in place, be advised that additional Easements may need to be dedicated to the City including Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure.
8. 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>.

9. The City's Public Works Department, FPL, Comcast, Teco, and possibly AT&T may currently have facilities within the existing 28' right of way to be vacated. Please be advised that prior to the Engineer's Certificate being executed, letters from the franchise utilities 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.

10. Additional comments may be forthcoming at the meeting.



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CASE COMMENTS:

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 Planning and Zoning Board, 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 Planning and Zoning Board meeting;
 - b. The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the Planning and Zoning Board. 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 Planning and Zoning Board 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 site is designated South Regional Activity Center on the City's Future Land Use Map. The proposed use is permitted in this designation. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
3. 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.
4. The proposed project requires review and recommendation by the Planning and Zoning Board and approval by the City Commission. A separate application and fee is required for both Planning and Zoning Board review and City Commission review. The applicant is responsible for all public notice requirements (See Unified Land Development Regulations Section 47-27). Note: The City Clerk's office requires 48-hour notice prior to a Commission meeting if a computer presentation is planned (i.e. Power Point) to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project case planner for more information (954) 828-5193.
5. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required prior to Planning and Zoning Board submittal.
6. Letters must be provided from the following utility companies: Florida Power & Light, Comcast Cable, as well as the City of Fort Lauderdale Public Works Department indicating no objections to the vacation. If any easements are required, legal and easement documents must be provided prior to item being scheduled for Planning and Zoning Board. If any facilities need to be relocated, plans satisfactory to that agency must be approved prior to Planning and Zoning Board submittal.
 - a. Contact Information for utilities is as follows:



AT&T
Dyke Tittle
954-577-5602
dt5431@att.com

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

Florida Power and Light (FPL)
Lucas Cornish
954-717-2062
Lucas.Cornish@fpl.com

TECO Peoples Gas
David Rivera
954-453-0794
DRRivera@tecoenergy.com

Public Works
Elkin Diaz
954-828-6539
Ediaz@fortlauderdale.gov

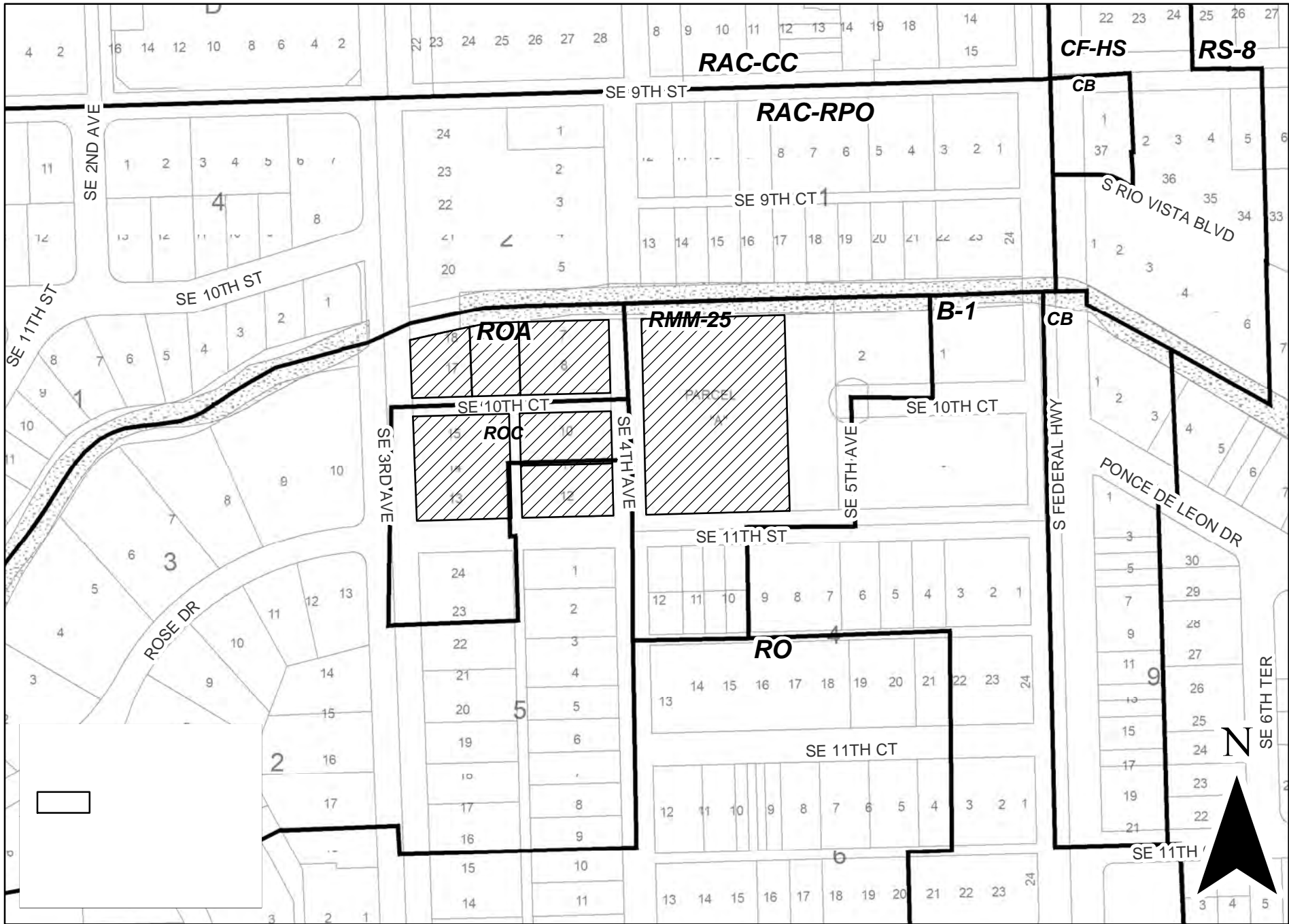
7. The ordinance approving the right-of-way vacation shall be recorded in the public records of the County within (30) days after adoption.

GENERAL COMMENTS

The following comments are for informational purposes.

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

8. Provide a written response to all Development Review Committee comments within 180 days.
9. 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 Pre-Planning and Zoning Board sign-off, please schedule an appointment with the project planner (954-828-6495) to review project revisions and/or to obtain a signature routing stamp.
10. Additional comments may be forthcoming at the Development Review Committee meeting.



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