



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: November 26, 2019

**APPLICANT /
PROPERTY OWNER:** FAT Village Properties, LLC.

AGENT: Flynn Engineering

PROJECT NAME: FAT Village

CASE NUMBER: PLN-VAC-19100002

REQUEST: Vacation of Right-of-Way: 15-Foot Wide Alley

LOCATION: East of NW 1st Avenue, south of NW 6th Street, north of
NW 5th Street and west of N Andrews Avenue

ZONING: Regional Activity Center -Urban Village (RAC-UV)

LAND USE: Downtown Regional Activity Center (D-RAC)

CASE PLANNER: Randall Robinson



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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. Provide copy of latest corresponding Site Plan, so that it can be reviewed for consistency. Confirm that limits of proposed Easement vacation are consistent with Site Plan.
4. Applicant to provide copy of deed book records for easement background and purpose.
5. There is an 8-inch sanitary sewer that is located within the alley. This sewer is going to be relocated or abandoned in place with the proposed site plan for the FAT Village development (DRC Case Nos. R19059 & R19060). 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. Please contact Thomas Lawrence (Public Works) at tlawrence@fortlauderdale.gov to review and approve the utility relocation plan for the 8-inch sanitary sewer located within the alley.
6. 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.
7. 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.
8. A small portion of the alley which is not being vacated should be vacated as well. Provide written authorization/ concurrence from adjacent property owner that allows this proposed development to request to vacate the entire Alley width located between the two properties.
9. For partial alley/ right of way vacation requests, the entire alley length within the block shall be vacated. Provide written authorization/ concurrence from all property owners adjacent to the alley/ right of way to vacate the entire alley/ right of way.
10. 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.

FPL, AT&T and Comcast have facilities within the alley reservation. Please be advised that prior to Engineer 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.

11. 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 Alley 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>.

The City's Public Works Department, FPL, Comcast, Teco, and possibly AT&T currently have facilities within the existing 15' ingress/egress easement 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.

12. The survey shows existing wooden poles, overhead wires, and a guy anchor located within the 15' Utility Easement to be vacated; relocated facilities shall require inspection and approval by the applicable franchise utility owner prior to issuance of City Engineer's certificate.
13. The survey shows existing City sewer infrastructure (i.e. two manholes, each at the end of a sewer service connection to the property) extending just inside the east property boundary, located within the 15' Utility Easement to be vacated; relocated facilities shall require inspection and approval by City's Public Works Department prior to issuance of City Engineer's certificate.
14. Additional comments may be forthcoming at the meeting.



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CASE COMMENTS:

Please provide a response to the following:

1. 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. Please see Unified Land Development Regulations (ULDR) Section 47-27. Note: The City Clerk's office requires 48 hour notice prior to Commission meeting if a computer presentation is planned (i.e. *PowerPoint*), to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project planner for more information.
2. 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.
3. As part of PZB submittal, provide draft access easement to go in place of right-of-way proposed to be vacated.
4. Sketch and Legal Description should read "Dade County" and not "Miami-Dade County."
5. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required, prior to PZB submittal.
6. Provide a Property Reporter Map that outlines and includes all properties associated with the project (this includes the southeast portion of the lot).

Provide letters from all franchise utility providers 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: Florida Power & Light, AT&T, 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 City



Commission. If any facilities need to be relocated, plans satisfactory to that agency must be approved, prior to City Commission submittal.

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

General Comments

The following comments are for informational purposes.

8. Pursuant to State Statute, Section 166.033, development permits which require a quasi-judicial or public hearing decision, must be completed within 180 days, unless an extension of time is mutually agreed upon between the City and the applicant.
9. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to routing your plans for Final DRC sign-off, please schedule an appointment with the project planner (954-828-5265) to review project revisions and/or to obtain a signature routing stamp.
10. Additional comments may be forthcoming at the DRC meeting.

Please submit the following prior to submitting an application for Final Development Review Committee (DRC) sign-off:

11. Provide a written response to all DRC comments within 180 days.



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