



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: December 10, 2019

PROPERTY OWNER: Town Development, Co.

APPLICANT/AGENT: Stephanie Toothaker, Esq. PA

PROJECT NAME: Sherman Williams

CASE NUMBER: PLN-EV-19110001

REQUEST: Easement Vacation: 15-Foot Utility

LOCATION: East of NE 3rd Avenue, north of E Sunrise Boulevard,
west of NE 4th Avenue, south of NE 11th Street

ZONING: .Community Business (CB) and Residential Single Family
and Duplex/Medium Density (RD-15)

LAND USE: Commercial

CASE PLANNER: Linda Mia Franco



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CASE COMMENTS:

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

1. Per ULDR Section 47-24.1, provide written documentation that easement to be considered for vacation meets the City's development review criteria per ULDR Section 47-25.2 (Adequacy Review) and ULDR Section 47-24.7 (Vacation of Easement Requirements).
2. Provide a signed and sealed boundary and topographic survey 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. The title commitment or Opinion of Title must have an effective date no more than thirty days prior to the date of submittal of the survey and must be certified to the City of Fort Lauderdale. If any encumbrances are found in the property, provide a copy of the recorded documents accordingly (i.e. easements, agreements, etc.).
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. Please contact City's Public Works Department, Thomas Lawrence at TLawrence@fortlauderdale.gov (954-828-6126) or Igor Vassiliev at IVassiliev@fortlauderdale.gov (954-828-5862), for stormwater infrastructure, and water and sewer utilities, 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.
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. Confirm if Sketch and Legal Description should include the west 7.50 feet of entire Lot 14 and east 7.50 feet of entire Lot 35 (as stated in Legal Description), since it appears that proposed easement vacation extends through just a portion of these lots. Also, the portion of 15' Utility Easement 'to be vacated' is labeled beyond the limits of the proposed easement vacation. Please update Sketch and Legal Description as appropriate.
7. Submit a stamped copy of the surveyor's sketch and legal description to the City 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. The survey shows an existing wood pole and overhead wires 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.
9. FP&L, and possibly Comcast and AT&T currently have facilities within the existing 15' Utility 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.

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.
11. Please be advised that additional easements may need to be dedicated to the City resulting from the Vacation of Easement approval process, including Utility Easement(s).

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>.

12. Additional comments may be forthcoming at the meeting.



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CASE COMMENTS:

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

1. The applicant is strongly encouraged to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <https://www.fortlauderdale.gov/departments/city-manager-s-office/office-of-neighbor-support/neighborhood-associations>). Please provide acknowledgement and/or documentation of any public outreach.
2. The proposed project requires review approval by the City Commission. A separate application and fee is required for City Commission review.
3. Signoffs from the City Surveyor and the Urban Design Engineer will be required prior to City Commission submittal. The signoff for the City Surveyor will be routed by Urban Design & Planning Staff.
4. The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.
5. Provide an outlined boundary showing proposed easement to be vacated on plans, survey(s) and associated documents, in order to clearly depict location and perimeter of easement. For example, on Sheet X1, the yellow-highlighted area can easily disappear, if a black and white copy/scan is done.
6. Letters must be provided from AT&T, the City of Fort Lauderdale Public Works Department, Comcast Cable, Florida Power & Light, and TECO Peoples Gas 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 utilities is as follows:

AT&T

Dyke Tittle
(954) 577-5602
DT5431@att.com

**City of Fort Lauderdale
Public Works Department**

Elkin Diaz
(954) 828-6539
EDiaz@fortlauderdale.gov

Comcast Cable

Leonard Maxwell-Newbold
(954) 447-8405
Leonard_Maxwell-Newbold@comcast.com

Florida Power & Light

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

GENERAL COMMENTS:

The following comments are for informational purposes.

Please consider the following prior to submittal for Final Development Review Committee (DRC):



7. Additional comments may be forthcoming at the DRC meeting. Please provide a written response to all DRC comments within 180 days.
8. 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, Linda Mia Franco, AICP via email (lfranco@fortlauderdale.gov) to review project revisions and/or to obtain a signature routing stamp.
9. Additional comments may be forthcoming at the DRC meeting.
10. The following easement documents must be reviewed and approved by City Staff, prior to final approval:
 - a. Attorney's Opinion of Title
 - b. Easement Deed
 - c. Survey, Sketch and Legal Description
 - d. Joinder, Consent, and Partial Release by Mortgagee/Lien Holder

The instructions for associated documents can be found at:

<http://www.fortlauderdale.gov/home/showdocument?id=1558>. Please submit these documents to Caroline Yeakel, at CYeakel@fortlauderdale.gov.

If you have any questions, please contact Ms. Yeakel at (954) 828-6159.

11. The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.



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