



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** September 8, 2020

**PROPERTY OWNER:** 800 Las Olas, LLC & Mustang Properties, Inc.

**APPLICANT/AGENT:** Lochrie & Chakas, P.A. / Robert Lochrie

**PROJECT NAME:** 1007 East Las Olas

**CASE NUMBER:** PLN-VAC-20080001

**REQUEST:** Vacation of Right-of-Way: 10-Foot Wide by 75-Foot Long Alley

**LOCATION:** South of SE 2nd Court, west of SE 10th Terrace, and north of Broward Boulevard

**ZONING:** Exclusive Use Parking (XP) and Boulevard Business (B-1)

**LAND USE:** Commercial and Medium-High Density Residential

**CASE PLANNER:** Trisha Logan



Case Number: PLN-VAC-20080001

**CASE COMMENTS:**

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

1. Per the DRC Vacation Application, provide a certified boundary survey that is no older than 6 months.
2. 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.
3. The 10' Alley currently has an 8" gravity sewer main that provides service for the block east of the proposed development and SE 10th Terrace and conveys the sewer west along the 10" Alley towards Pump Station PS A-8. Provide letters from Public Works demonstrating no objection to the vacation or their interests in maintaining this Right-of-Way.
4. 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.
5. The following are advisory comments:
  - a. Vacating ordinance shall not be in full force and effect until an Engineer's Certificate is executed by the City Engineer or designee.
  - b. 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.
  - c. 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.
  - d. 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.
6. Additional comments may be forthcoming at the meeting.



Case Number: PLN-VAC-20080001

**CASE COMMENTS:**

1. A circulation plan for the valet shall be provided. The circulation needs to provide evidence that traffic will not be impacted along the alley way, SE 2<sup>nd</sup> Ct, and SE 10<sup>th</sup> Terrace due to the valet services.
2. Access easements will be required to retain public access through the alley way.
3. Proper directional signage will be needed at the ends of the alley for the proposed directional change of vehicular flow.
4. Additional comments may be provided upon further review.
5. Sign off is required.

**GENERAL COMMENTS:**

Please address comments below where applicable.

1. 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.
2. 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.



Case Number: PLN-VAC-20080001

**CASE COMMENTS:**

Please provide a response to the following:

1. Be advised, there is an associated Site Plan Level IV application (PLN-SITE-20080001), for this project which must be approved to permit the proposed development.
2. Pursuant to Public Participation requirements of Unified Land Development Regulations (ULDR), Sections 47-24.1.F.14 and 47-27.4.A.2.c, the applicant must complete the following:
  - a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:
    1. Provide notice via e-mail and regular mail to the 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 (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <http://www.fortlauderdale.gov/neighbors/civic-associations>); and,
    2. Provide notice via mailed letter to property owners whose real property is located 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 conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are 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. 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.
3. 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.
4. Criterion a. under Section 47-24.6. - vacation of right-of-way states that the right-of-way or other public place is not longer needed for public purposes. The response from the applicant states, "*Although the alley isn't necessary for public purposes are there are alternative means to traverse the area, the applicant is proposing to grant a permanent public access easement over the portion of the alley that is proposed to be vacated. Once construction is complete, the portion of the alley that is proposed to be vacated will still be available for public purposes.*" This is an actively used alleyway and this request does not meet this criterion.
5. Partial vacation of the alleyway is not supported by the City due to the following items that have not been addressed:
  - a. As indicated in comments from engineering, there are concerns that the vacated portion of the alleyway will provide sufficient space to access for thru traffic, utility repairs, deliveries, and the



- trash room in the proposed new development. Address this concern and provide additional dimensions on the plans and elevations to ensure the space provided is sufficient; and
- b. Consider if there is an alternative to the partial alleyway vacation such as the vacation of air rights; and
  - c. Provide an established public purpose for the partial vacation of the alleyway; and
  - d. Current direction of traffic is continuous through multiple consecutive alleyways between U.S. 1 and approximately SE 11th Avenue, a public purpose for change in direction of traffic flow must be established and provided; and
  - e. This is an actively used alleyway for solid waste pick-up, deliveries, and general thru traffic. Further information must be provided to ensure that the full alleyway may be accessed for deliveries, thru traffic, utility repairs, and pick-up of and access to solid waste receptacles; and
  - f. All property owners whose parcels are directly abutting the alleyway must agree to the partial alleyway vacation. An agreement between all parties, a corresponding list of property owners with property addresses, and a utility access easement must be provided prior to Final DRC.
4. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required, prior to PZB 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.

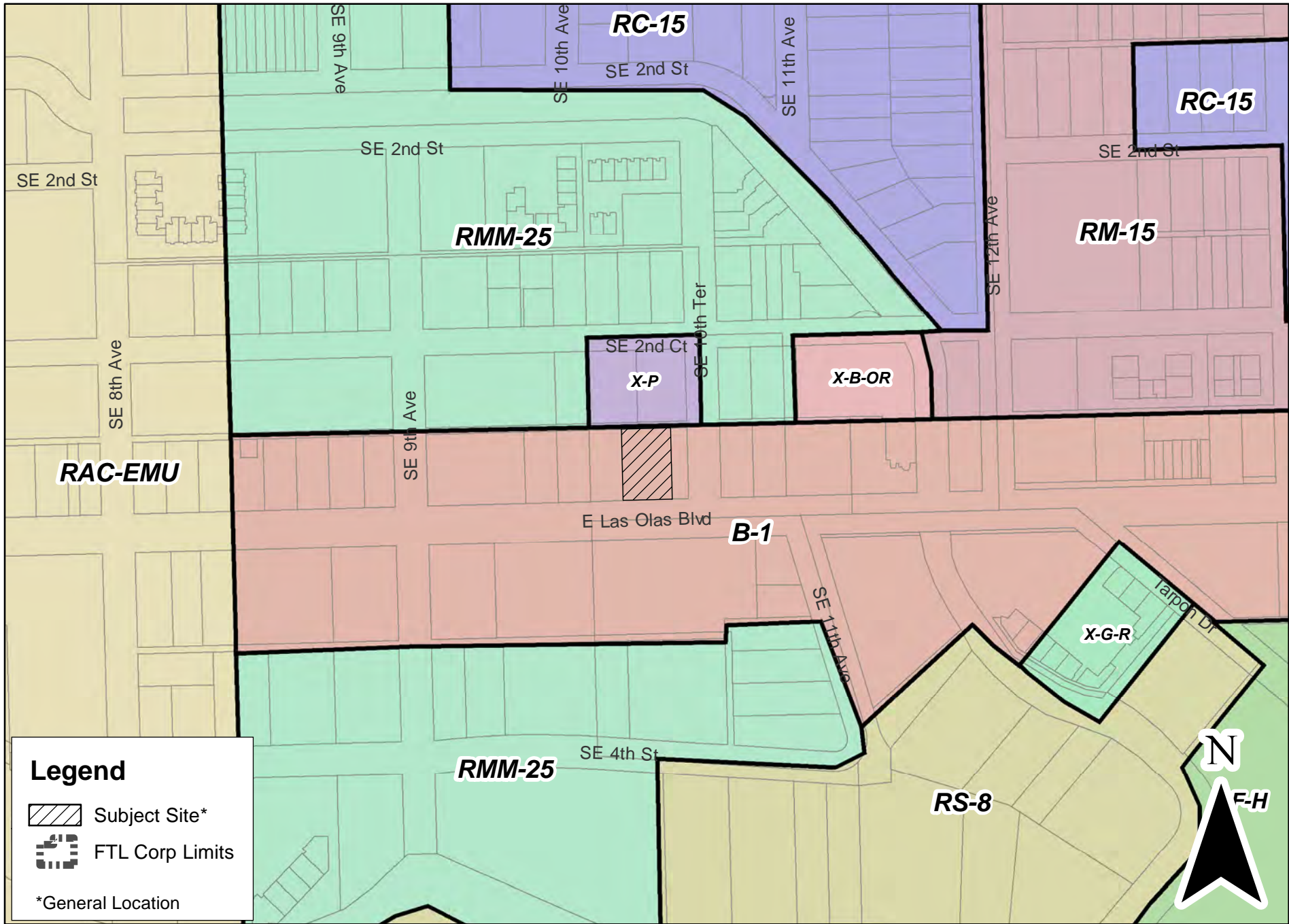
### **General Comments**

The following comments are for informational purposes.

4. 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.
5. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to routing your plans for Pre-PZB 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.
6. 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:

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



# PLN-VAC-20080001