



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: September 26, 2023

**PROPERTY OWNER /
APPLICANT:** Kushner Realty Acquisition, LLC.

AGENT: Stephanie J. Toothaker, Esq.

PROJECT NAME: 400 N. Andrews Avenue Development

CASE NUMBER: UDP-EV23007

REQUEST: Easement Vacations Review: 2.5-Foot Wide by 150-Foot Long Roadway Easement, 2.5 Wide by 100 Foot Long Roadway Easement, and 9-Foot Wide by 109-Foot Long Sidewalk and Roadway Easement

LOCATION: 400 N. Andrews Avenue

ZONING: Regional Activity Center – City Center (RAC-CC)

LAND USE: Downtown Regional Activity Center

CASE PLANNER: Trisha Logan



Case Number: UDP-EV23007

CASE COMMENTS:

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

1. 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. 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.).
2. 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.
 - a. Provide letters from AT&T, FPL and City of Fort Lauderdale Public Works.
3. 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.
4. 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.
 - a. Vacating ordinance shall not be in full force until the existing sites adjacent to said easements have been demolished.
5. 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) and Access Easement(s) that mitigate an otherwise dead-end Alley condition.
6. Additional comments may be forthcoming at the meeting.

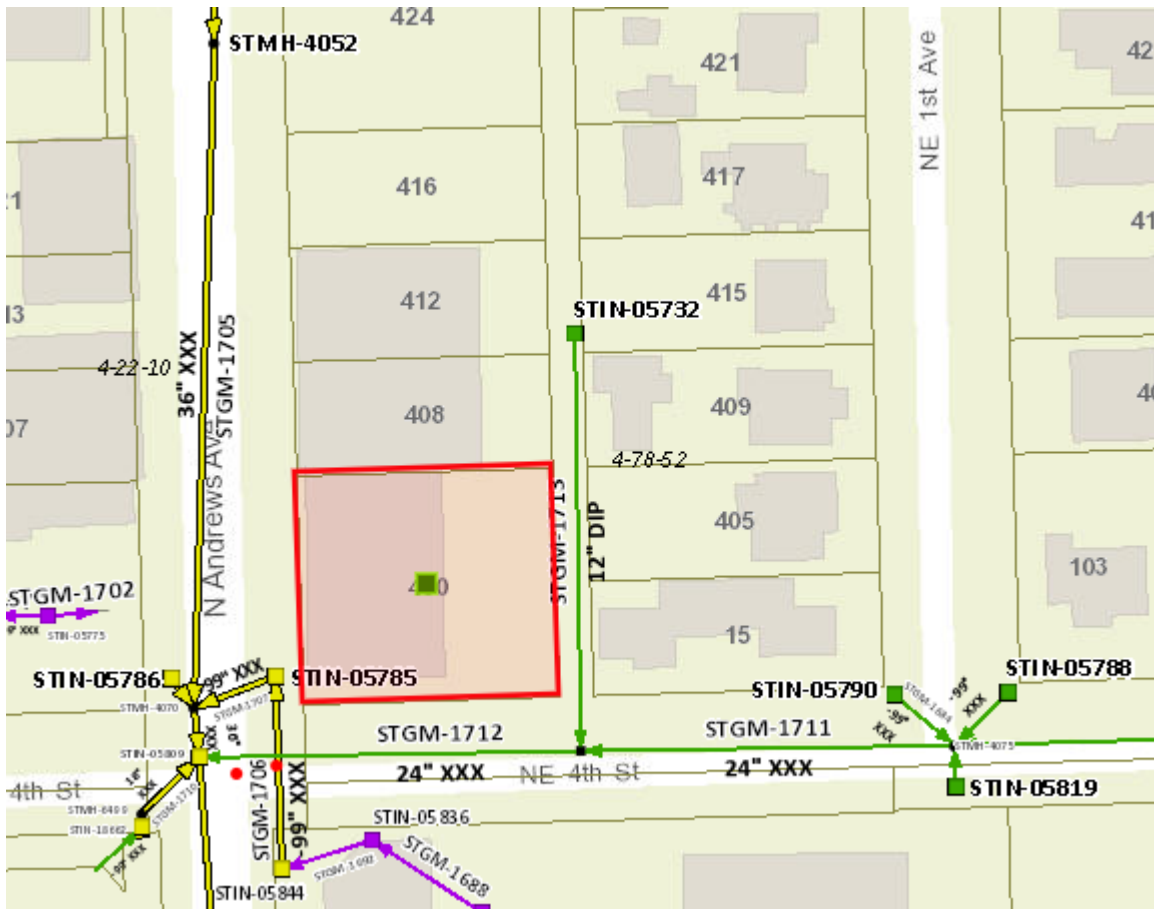


Case Number: UDP-EV23007

CASE COMMENTS:

Please provide a response to the following:

1. Stormwater Operations objects to the easement vacation as proposed for this location. The drainage goal of this location is to ensure stormwater capacity and conveyance for the Flagler Village Civic association neighborhood. These activities will be achieved through operationally scheduled inspection(s), maintenance activities and potentially the repair and / or replacement of stormwater infrastructure in support of these future efforts or needs. Consequently, Stormwater Operations will need to retain a 12-foot easement at and around the existing stormwater assets at this location.
2. Required areas for 12-foot easement.
 - a. 15 Ft Alleyway
 - i. ~185 linear feet of 12" ductile Iron stormwater pipe
 - b. NE 4th St
 - i. ~165 linear feet of 24" stormwater pipe, 1 inlet and 1 manhole





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CASE COMMENTS:

Please provide a response to the following:

- 1. Pursuant to State Statute 166.033(1) the applicant has submitted a waiver of timeframes for review.
2. 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...
3. The proposed vacation easement requires review and approval by the City Commission. A separate application and fee are required for City Commission review.
4. Signoffs from the City Surveyor will be required prior to City Commission submittal. The signoff for the City Surveyor will be routed by Engineering Staff.
5. Corresponding Application Case Number UDP-S23048 is being processed simultaneously. If the Site Plan is dependent of the land area of the vacated access and utility easement to meet ULDR requirements, the easement vacation application will have to be approved prior to the site plan application or become a condition of approval for building permit issuance for Case Number UDP-S23048.
6. Letters of No Objections have been provided from Comcast and Teco Gas with this submittal. Letters also must be provided from AT&T, Florida Power and Light (FPL), and the City of Fort Lauderdale Public Works Department indicating no objections to the easement vacation.

AT&T

Greg Kessell, Design Manager
(561) 699-8478
G30576@att.com

Florida Power & Light (FPL)

Time W. Doe (Engineer II)
(954) 717-2148
Time.W.Doe@fpl.com

Fort Lauderdale, Department of Public Works

Igor Vassiliev, Project Manager II
(954) 828-5862
ivassiliev@fortlauderdale.gov

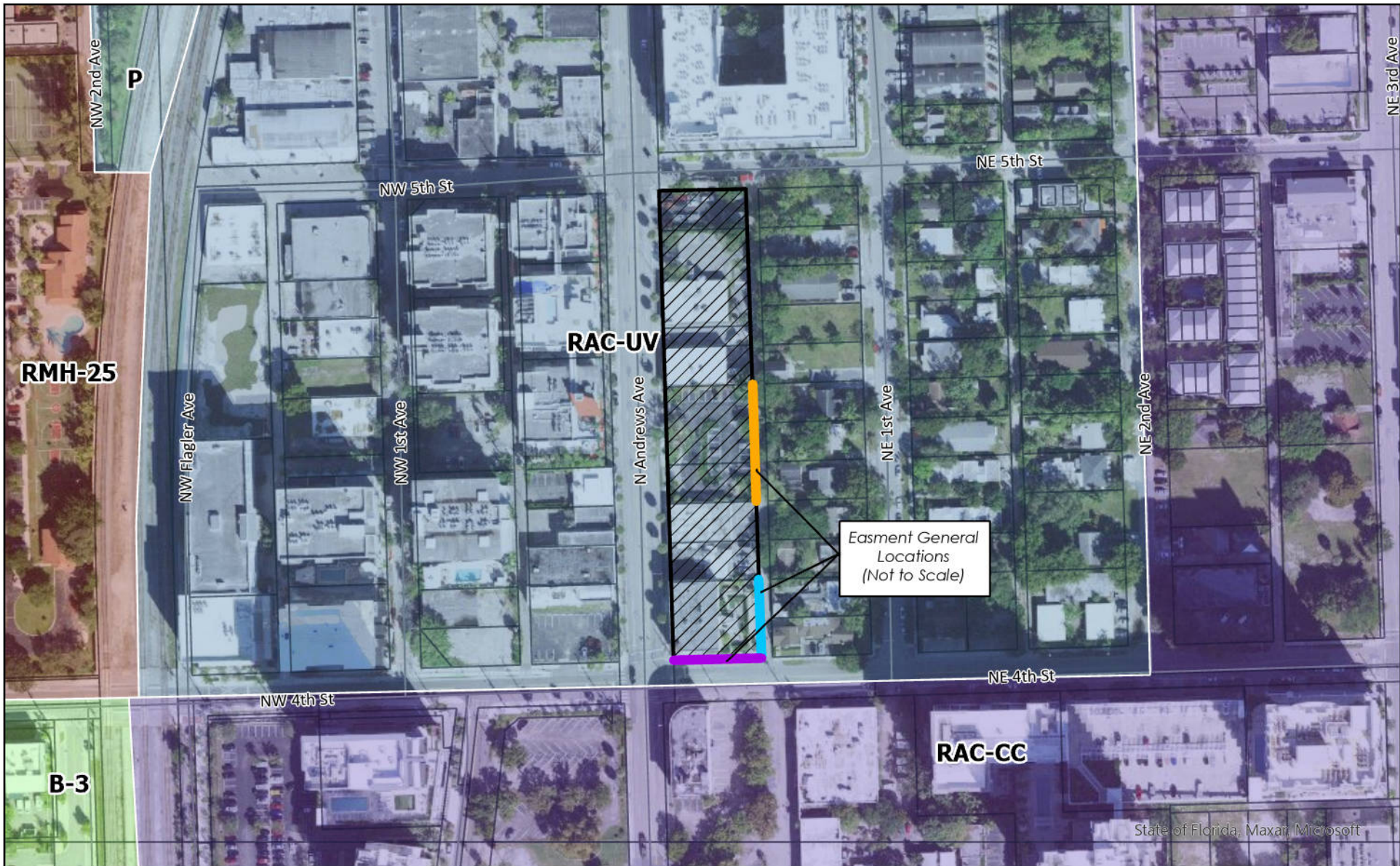
- 7. FPL and City of Fort Lauderdale Public Works have known facilities within the right-of-way. Please be advised that prior to Engineer certificate being executed, letters from the utility's owners indicating relocation/ removal of their facilities and any easement requirements have been completed/ recorded to their satisfaction shall be provided to the City Engineer or designee. A relocation plan will be required as well as a public works no objection letter.
8. 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) and Access Easement(s).

GENERAL COMMENTS

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



2. Additional comments may be forthcoming at the Development Review Committee meeting.
3. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to submitting your plans for Final DRC sign-off, please schedule an appointment with the case planner Trisha Logan (Email: TLogan@fortlauderdale.gov, Phone: 954.828.7101) to review project revisions.



UDP-EV23007 - 400 N ANDREWS AVE.

