



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: September 26, 2023

**PROPERTY OWNER /
APPLICANT:** L & A Beach Holdings, LLC

AGENT: Courtney Crush, Crush Law, P.A.

PROJECT NAME: Banyan Street Vacation

CASE NUMBER: UDP-V23004

REQUEST: Vacation of Right-of-Way: 40-Foot Wide by 125-Foot
Long Portion of Banyan Street

**GENERAL
LOCATION:** East of State Road A-1-A, West of Almond Avenue,
North of Las Olas Boulevard and South of Poinsettia
Street

ZONING: Planned Resort District (PRD)

LAND USE: Central Beach Regional Activity Center

CASE PLANNER: Lorraine Tappen



Case Number: UDP-V23004

CASE COMMENTS:

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

1. Proposed right-of-way vacation limits shall match between sketch and legal and exhibits.
2. Letters from all franchise utility providers are required, demonstrating their interests in maintaining or no objection to the vacation of this right-of-way. The letters should specifically state whether the utility owners have existing facilities within the right-of-way vacation area that will need to be relocated or abandoned. A surveyed location of the utilities shall be provided for staff review. Should relocation be necessary, the full cost of relocation shall be borne by the Applicant, and the utility relocation plan shall be reviewed and approved prior to implementation. Letters from Comcast, FPL and Public Works shall be provided.
3. There are active utilities within this area to include stormwater, water, and sewer. Prior to vacation sign-off, please provide relocation and removal plan.
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 right-of-way have been relocated or abandoned to the satisfaction of the respective utility owners.
5. Prior to Engineering Certificate being executed, applicant must vacate existing right-of-way segment west of Banya St right-of-way vacation limits and east of Seabreeze Ave. Limits shall also be vacated with FDOT.
6. Be advised documents such as easement and/or right-of-way deed, joinders, consents and Attorney's Opinion of Title may be necessary at time of approval.

Additional comments may be forthcoming at the meeting.



Case Number: UDP-V23004

CASE COMMENTS:

1. There are active utilities within this area. If vacated, it would need to be retained as a utility easement or, all utilities relocated prior to a vacation being granted.

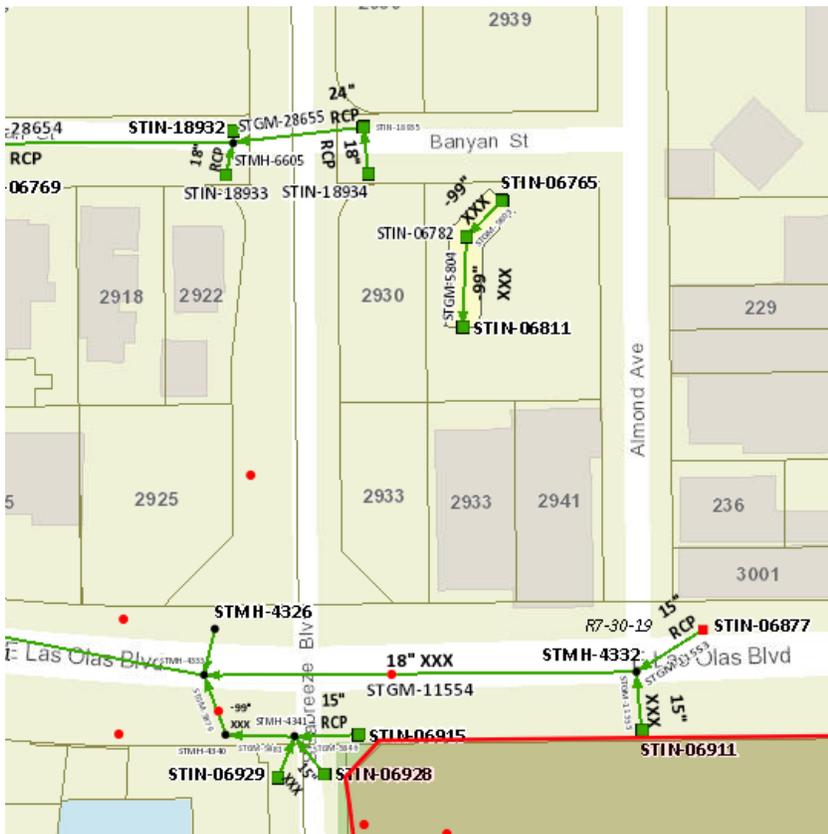


Case Number: UDP-V23004

CASE COMMENTS:

Please provide a response to the following:

- 1. Stormwater objects to the request for a vacation of Right of Way on Banyan Street.
2. Currently Stormwater Operations concerns to vacate at this location are twofold.
a. The first being to ensure stormwater capacity and conveyance for the Central Beach Alliance neighborhood holistically.
b. The second being to ensure access and protection for the existing stormwater assets as designed and installed on Banyan Street. This activity will be achieved through operationally scheduled inspection(s), maintenance activities and potentially the repair or the replacement of the existing stormwater infrastructure at this location.
3. Currently the drainage basin for Banyan St has the following stormwater assets.
a. ~ 80 linear feet of 18" reinforced concrete storm pipe and 2 inlets within the project footprint.
b. ~500 linear feet of various sized pipe that support the larger drainage basin of this location to the point of discharge at the intercoastal waterway on the west side of 200 E Las Olas Circle.





Case Number: UDP-V23004

CASE COMMENTS:

1. The city's Transportation and Mobility department is against the vacation of Almond Avenue and Banyan Street. The street network is needed to remain public right of way to provide vehicular congestion relief from Las Olas Blvd, A1A, and Seabreeze Blvd.
2. Additional comments may be provided upon further review.

Case Number: UDP-V23004

CASE COMMENTS:

Please provide a response to the following:

1. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days, February 24, 2024, for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant or a waiver to the timeline is submitting to the City. Note, the applicant did submit a waiver to the timeline requirements.
2. The proposed request requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. Separate fees are required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements pursuant to Section 47-27.
3. 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:
 - i. 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,
 - ii. 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.
4. 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 Engineering staff.
5. Letters must be provided from the following utility companies: AT&T, Comcast Cable, Florida Power & Light, TECO Gas 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. Contact Information for utility companies are below:

AT&T

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

City of Fort Lauderdale, Department of Public Works

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



Comcast

Patesha Johnson, Permit Coordinator (754) 221-1339
Patesha_Johnson@comcast.com

Florida Power & Light (FP&L)

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

TECO-Peoples Gas

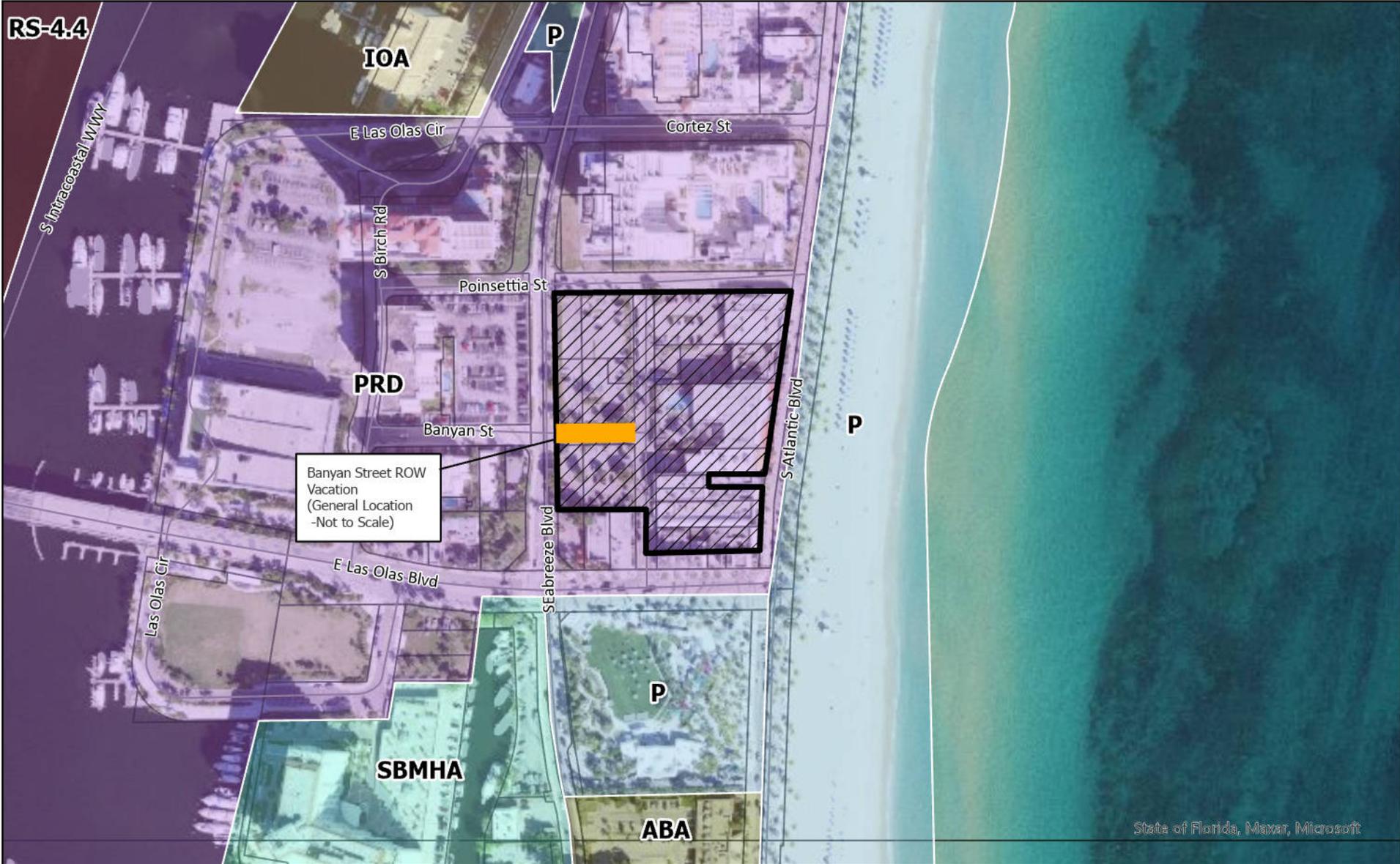
Joan Domning, Specialist (813) 275-3783
JDomning@tecoenergy.com

6. Revise narrative for ULDR Sec. 47-24.6 regarding right of way vacation criteria a. and c. The right of way is currently used by for public purpose including pedestrians.
7. Indicate the project's compliance with ULDR Section 47-25.2, Adequacy Requirements by providing a point-by-point narrative response, on letterhead, with date and author indicated.
8. The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.

GENERAL COMMENTS

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

1. Provide a written response to all Development Review Committee comments within 180 days.
2. An additional follow-up coordination meeting is required to review 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 (954-828-5018) to review revisions and/or to obtain a signature routing stamp.
3. Additional comments may be forthcoming at the Development Review Committee meeting.



State of Florida, Maxar, Microsoft

UDP-V23004 - 225 S FORT LAUDERDALE BEACH BLVD.

