



## **DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT**

**MEETING DATE:** April 24, 2018

**APPLICANT:** Andrews Project Development, LLC.

**PROJECT NAME:** Progresso Commons West Alley

**CASE NUMBER:** V18004

**REQUEST:** Vacation of Right-of-Way: Alley Reservation

**LOCATION:** 1615 NW 23rd Avenue

**ZONING:** Northwest Regional Activity Center – Mixed Use  
Northeast (NWRAC-MUne)

**LAND USE:** Northwest Regional Activity Center (NW-RAC)

**CASE PLANNER:** Nicholas Kalargyros



Case Number: V18004

**CASE COMMENTS:**

Please provide a written response to each of the following review 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).
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 Right-of-Way vacation are consistent with Site Plan.
4. Please contact City's Public Works Department, Rick Johnson at [rjohnson@fortlauderdale.gov](mailto:rjohnson@fortlauderdale.gov) or 954-828-7809 for water and sewer utilities, and Elkin Diaz at 954-828-6539 or [ediaz@fortlauderdale.gov](mailto:ediaz@fortlauderdale.gov) for stormwater infrastructure, to verify and determine whether there are any public utilities present within the Right-of-Way to be vacated. A surveyed location of the utilities shall be provided to staff for review. In addition, full cost of relocation of any utility shall be borne by the Applicant, and the relocation plan shall be reviewed and approved by the City's engineering department prior to the relocation implementation.
5. Provide letters from all franchise utility providers, including Public Works, demonstrating their interests in maintaining or no objection to the vacation of this Right-of-Way; the letters should specifically state whether or not the franchise utility providers have existing facilities within the Right-of-Way vacation area that will need to be relocated or abandoned.
6. Provide standalone sketch and description for this DRC application. Submit the stamped copy of the surveyor's sketch and description to the City's Surveyor for his review of the legal description of the Right of Way considered for vacation and his approval. Then, route the surveyor's sketch 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.
7. 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 the existing facilities within the vacated Right-of-Way have been relocated or abandoned.
8. 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:



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<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>.

9. Additional comments may be forthcoming at the meeting.



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**CASE COMMENTS:**

Please provide a response to the following:

1. 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 Planning and Zoning Board, 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 Planning and Zoning Board meeting;
  - b. The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the Planning and Zoning Board. 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 Planning and Zoning Board 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.
2. The proposed project requires review and recommendation by the Planning and Zoning Board and approval by the City Commission. A separate application and fee is required for both Planning and Zoning Board review and City Commission review. The applicant is responsible for all public notice requirements (See Unified Land Development Regulations Section 47-27). Note: The City Clerk's office requires 48-hour notice prior to a Commission meeting if a computer presentation is planned (i.e. Power Point) to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project case planner for more information (954) 828-5193.
3. Pursuant to ULDR, Section 47-13.29, the NWRAC-MU Illustrations of Design Standards provide a written response to address the design standard that states: "*A fine grained street grid is maintained, and rights-of-way are vacated only for strategic public planning purposes*".
4. Provide documentation that demonstrates that the applicant has notified and/or met with property owners that will be directly affected by the vacation of the alley reservations. Properties that are directly impacted include 920, 910, 906, NW 2<sup>nd</sup> Avenue and 905 NW 1<sup>st</sup> Avenue.
5. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required prior to Planning and Zoning Board submittal.
6. Provide letters from all franchise utility providers demonstrating their interests in maintaining or no objection to the vacation of this alley reservation. Letters must be provided from the following utility companies: Florida Power & Light, AT&T, Comcast Cable, TECO Gas, and the City of Fort Lauderdale Public Works Department indicating objection/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.



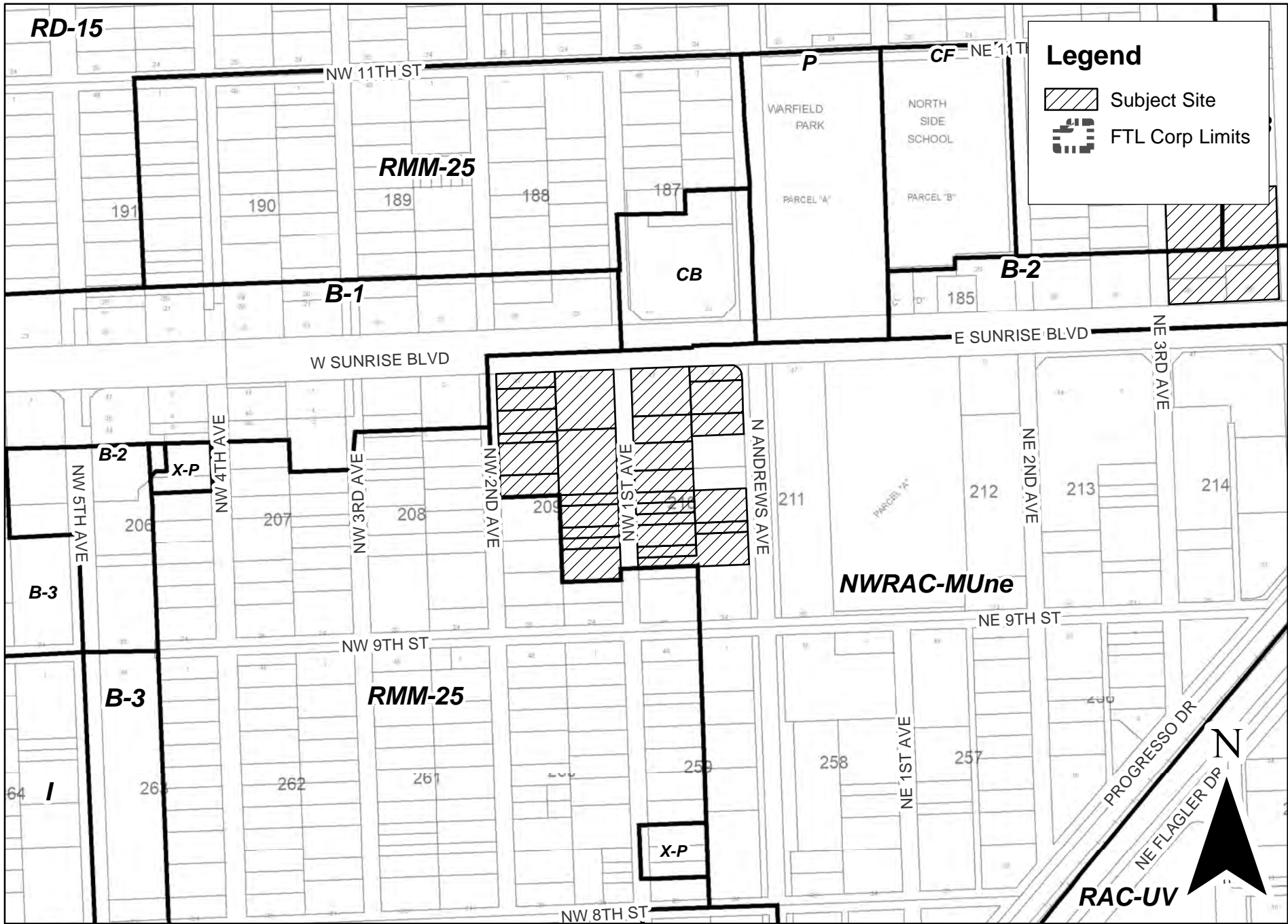
7. The ordinance approving the right-of-way vacation shall be recorded in the public records of the County within (30) days after adoption.

#### **GENERAL COMMENTS**

The following comments are for informational purposes.

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

8. Provide a written response to all Development Review Committee comments within 180 days.
9. An additional follow-up coordination meeting may be required to review project changes necessitated by the Development Review Committee comments. Prior to routing your plans for Final Development Review Committee sign-off, please schedule an appointment with the project planner (954-828-5193) to review project revisions and/or to obtain a signature routing stamp.
10. Additional comments may be forthcoming at the Development Review Committee meeting.



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