



## DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** April 23, 2019

**APPLICANT:** City of Fort Lauderdale

**PROJECT NAME:** LA Lee YMCA Mizell Community Center

**CASE NUMBER:** V19004

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

**LOCATION:** East/West Right-of-Way east of NW 14th  
Terrace, north of NW 6th Street

**ZONING:** Park (P) and Residential Single Family and  
Cluster / Medium Density (RC-15)

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

**CASE PLANNER:** Nicholas Kalargyros



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**CASE COMMENTS:**

Please provide a written response to each of the following 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) and ULDR Section 47-24.6 (Vacation of ROW Requirements).
2. Provide copy of latest corresponding Site Plan, so that it can be reviewed for consistency. Confirm that limits of proposed Alley vacation are consistent with Site Plan.
3. 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 alley 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.
4. Provide letters from all franchise utility providers, including Public Works as appropriate, 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.
5. 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 Alley have been relocated or abandoned to the satisfaction of the respective utility owners.
6. Applicant to provide copy of deed book records for Right-of-Way background and purpose.
7. Discuss if there are any public utilities present within the Right-of-Way to be considered for vacation. 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.
8. Submit a stamped copy of the surveyor's sketch and legal description to the City's Surveyor for his review and approval of the Right-of-way 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.
9. 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.

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>.



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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 the PZB, 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 PZB meeting;
  - b. The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the PZB. 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 PZB 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 (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 (ULDR, Section 47-27).
3. It appears that the right-of-way is being utilized for public purpose and the proposed vacation may adversely impact vehicular and/or pedestrian access. Please discuss at Development Review Committee meeting.
4. The site is designated Northwest Regional Activity Center on the City's Future Land Use Map. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
5. Verify that copy of plat is the most current recorded plat, including notes and amendments, for the proposed site. Provide documentation from the Broward County Planning Council verifying that the site does not require platting or replatting. If replatting or platting is not required, contact the Development Review Services Section of the Planning and Environmental Regulation Division of Broward County at (954) 357-6637 to ensure that proposed project is consistent with the latest recorded plat restriction.
6. Indicate the project's compliance with the following ULDR sections by providing a point-by-point narrative response, on letterhead, with date and author indicated.
  - a. Section 47-25.2, Adequacy Requirements;
  - b. Section 47-24.6.A.4, Criteria for Right-of-Way Vacation.
7. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required prior to Planning and Zoning Board submittal.



- 8. Provide a 15 foot utility easement for the existing City of Fort Lauderdale 12 inch water main. See Engineering's comments regarding this matter.
9. 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.
a. Contact Information for utilities is as follows:

AT&T

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

Comcast

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

Florida Power & Light (FPL)

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

TECO Peoples Gas

David Rivera
(954) 453-0794
DRRivera@tecoenergy.com

Public Works Department

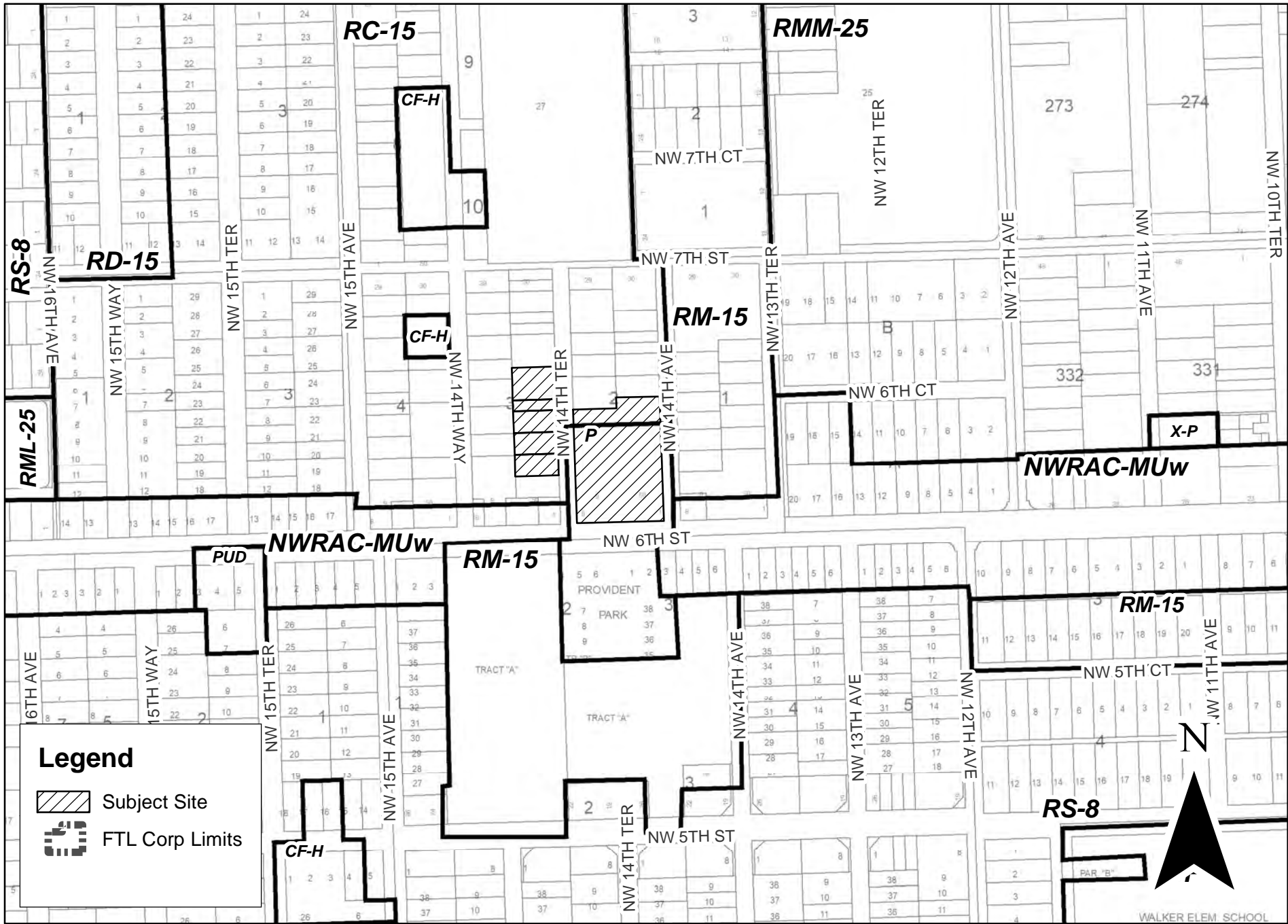
Elkin Diaz
(954) 828-6539
EDiaz@fortlauderdale.gov

GENERAL COMMENTS

The following comments are for informational purposes.

Please consider the following prior to Pre-Planning and Zoning Board submittal:

- 10. Provide a written response to all Development Review Committee comments within 180 days.
11. Please note that in the event of a vacation of right-of-way, the vacated property will revert to the parcels which originally dedicated the land.
12. 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 (Nicholas Kalargyros via email at Nicholask@fortlauderdale.gov or by phone at 954-828-5193) to review project revisions and/or to obtain a signature routing stamp.
13. Additional comments may be forthcoming at the Development Review Committee meeting.
14. The ordinance approving the right-of-way vacation shall be recorded in the public records of Broward County within (30) days after adoption.



# V19004

