



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: June 11, 2019

APPLICANT: City of Fort Lauderdale

PROJECT NAME: Las Olas Marina Easement Vacation

CASE NUMBER: E19003

REQUEST: Vacation of Easement: Utility

LOCATION: North of E Las Olas Boulevard, west of S Birch Road, south and west of Las Olas Circle

ZONING: Planned Resort District (PRD)

LAND USE: Central Beach Regional Activity Center (C-RAC)

CASE PLANNER: Yvonne Redding



Case Number: E19003

CASE COMMENTS:

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

1. Per ULDR Section 47-24.1, provide written documentation that easement to be considered for vacation meets the City's development review criteria per ULDR Section 47-25.2 (Adequacy Review) and ULDR Section 47-24.7 (Vacation of Easement Requirements).
2. Demonstrate compliance with Adequacy Review requirements per ULDR Sections 47-25.2.C (Drainage facilities) and 47-25.2.L (Stormwater), that the easement area to be considered for vacation will not adversely affect adjacent streets and properties.
3. 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).
4. Provide copy of latest corresponding Site Plan, so that it can be reviewed for consistency. Confirm that limits of proposed Easement vacation are consistent with Site Plan.
5. Applicant to provide copy of deed book records for easement background and purpose.
6. Please contact City's Public Works Department, Rick Johnson at rjohnson@fortlauderdale.gov or 954-828-7809 for water and sewer utilities, and Elkin Diaz at 954-828-6539 or ediaz@fortlauderdale.gov for stormwater infrastructure, to verify and determine whether there are any public utilities present within the easement 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.
7. 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.
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 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.
9. 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.



The City's Public Works Department, FPL, Comcast, Teco, and possibly AT&T currently have facilities within the existing easement to be vacated. Please be advised that prior to the Engineer's 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.

10. 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.

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:

<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>.

11. Additional comments may be forthcoming at the meeting.



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CASE COMMENTS:

Please provide a response to the following:

1. 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 (a map and listing of officially-recognized neighborhood associations is provided on the City's website: <http://www.fortlauderdale.gov/neighborhoods/index.htm>).
2. The proposed project requires review approval by the City Commission. A separate application and fee is required for City Commission review.
3. 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 47-24.7.A.4, *Criteria for Vacation of Easement*
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 Urban Design & Planning Staff.
5. Letters must be provided from AT&T, the City of Fort Lauderdale Public Works Department, Comcast Cable, Florida Power & Light, and TECO Peoples Gas indicating 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.

Contact Information for utilities is as follows:

AT&T

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

City of Fort Lauderdale

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

Comcast Cable

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

Florida Power & Light

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

TECO Peoples Gas

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

GENERAL COMMENTS

The following comments are for informational purposes.

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

6. Provide a written response to all Development Review Committee comments within 180 days.
7. Additional comments may be forthcoming at the Development Review Committee meeting.
8. An additional follow-up coordination meeting may be required to review 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 (Yvonne Redding) by phone at (954) 828-6495 or email at Yredding@fortlauderdale.gov to review project revisions and/or to obtain a signature routing stamp.

9. The following easement documents must be reviewed and approved by City Staff prior to final approval:

- a. Attorney's Opinion of Title
- b. Easement Deed
- c. Survey, Sketch and Legal Description
- d. Joinder, Consent, and Partial Release by Mortgagee/Lien Holder

Find instructions for documents at: <http://www.fortlauderdale.gov/home/showdocument?id=1558>.

Please submit these documents to Caroline Yeakel, at CYeakel@fortlauderdale.gov.

If you have any questions, please contact Ms. Yeakel at (954) 828-6159.

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

