



**PROJECT NARRATIVE**

**APPLICANT:** New River III, LLC  
**PROJECT NAME:** New River Yacht Club III  
**CASE:** #V16004 Vacation of Portion of 14-Foot Alley Right-of-Way  
**LOCATION:** 416 SW 1st Avenue  
**AUTHOR:** Linda C. Strutt, AICP  
**DATE PREPARED:** Updated December 6, 2016

Phase III of the New River Yacht Club is a mixed use residential and commercial project proposed to be constructed south of the existing New River Yacht Club between Andrews Avenue and SW 1<sup>st</sup> Avenue. The site is composed of Lots 3 through 6 and Lots 11 through 17 of Block 41 of the Town of Fort Lauderdale plat ("Property"). The Property is separated by a 14-foot wide platted alley with lots 3 through 6 located on the west side of the alley and lots 11 through 17 located to the east of the alley.

The alley was originally platted through Block 41 between SW 1<sup>st</sup> Street (South New River Drive West) and SW 5<sup>th</sup> Street. In 2011 the northernmost 120 feet of the alley (between South New River Drive and Lot 3) was vacated. In order to accommodate the proposed site plan, submitted to DRC concurrently with this application, approximately 200 feet of the alley lying to the south of the previous vacation needs to be vacated.

The applicant owns all of the property abutting the portion of the alley which is the subject of this vacation request, specifically Lots 3 through 6 and Lots 15 through 17 and the southern 50 feet of Lot 19. This vacation request would leave the southernmost 200 feet of the existing alley, which is abutted on the west side by Parcel "B" of the Mercury Plat, not owned by the applicant.

To prevent a dead-end situation, the applicant is proposing to dedicate an improved 22-foot wide access easement over the vacated alley and an 8-foot wide access easement adjacent to the remaining 14-foot alley right-of-way to create an improved 22-foot alley. The applicant is also proposing to dedicate a 20-foot east-west easement through the project garage to provide uninterrupted access to the alley from SW 5<sup>th</sup> Street and SW 1<sup>st</sup> Avenue.

The recorded 20-foot wide access easement dedicated in conjunction with the previous alley vacation is the subject of a separate easement vacation request since the proposed 20-foot easement will provide the connection from the alley to SW 1<sup>st</sup> Avenue.

The FPL poles which are located within this portion of the alley will be removed. There is existing sanitary sewer in the alley running north to south. This sewer does not serve any other parcels upstream of the vacation. The upstream end of this sewer will be vacated and a new manhole constructed at the south end of the vacation. There are no other municipal or franchise utilities located within this portion of the alley. Utility facilities currently located within the vacation area

will be relocated or a utility easement will be granted over the facilities, as appropriate.

Letters of no objection have been requested from all of the franchise utilities as well as the City's Public Works Department. To date letters of no objection have been received from TECO Gas and the Public Works Department. The applicant will supplement this application with the remaining letters of no objection upon receipt.

## ULDR NARRATIVES

**APPLICANT:** New River III, LLC  
**PROJECT NAME:** New River Yacht Club III  
**REQUEST:** Alley Right-of-Way Vacation  
**CASE:** #V16004 Level IV Vacation of Rights-of-Way  
**LOCATION:** 416 SW 1<sup>st</sup> Avenue  
**AUTHOR:** Linda C. Strutt, AICP  
**DATE PREPARED:** Updated December 6, 2016

### Sec. 47-24.6. Vacation of rights-of-way.

#### A. *Vacation of rights-of-way or other public place (city commission).*

#### 4. *Criteria.* An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:

##### a. **The right-of-way or other public place is no longer needed for public purposes;**

The alley right-of-way measures 14 feet wide with only 10 feet of pavement. It can therefore accommodate traffic in only one direction at a time. The applicant owns the property abutting both sides of the portion of the alley to be vacated. The remaining property abutting the south half of the alley on the west side (not owned by the applicant) will continue to have access to the alley and also has direct access to SW 5<sup>th</sup> Street and to SW 1<sup>st</sup> Avenue. The subject alley segment is not needed for public access nor is it being used for pedestrian accessways. The applicant will grant easements for relocated utilities, as needed. Moreover, the applicant will grant an 8-foot wide access easement adjacent to the remaining alley right-of-way and a 22-foot easement over the vacated alley to provide for an improved 22-foot wide continuous accessway.

and

##### b. **Alternate routes if needed are available which do not cause adverse impacts to surrounding areas;**

The other property located adjacent to the alley has full access to SW 1<sup>st</sup> Avenue, which runs parallel to the alley, as well as SW 5<sup>th</sup> Street on the south side of the alley. Additionally, the applicant is proposing to grant an east-west 20-foot wide access easement through the project garage connecting to the proposed 22-foot wide north-south easement and alley to provide continuous and improved access from the alley terminus to SW 1<sup>st</sup> Avenue.

and

##### c. **The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area;**

A 20-foot wide access easement is being proposed through the project garage in lieu of a turn around to provide a connection to SW 1<sup>st</sup> Avenue for vehicles proceeding north toward the river along the alley.

and

**d. The closure of a right-of-way shall not adversely impact pedestrian traffic;**

The alley does not currently serve pedestrian traffic. Sidewalks will be provided along the east side of the alley as well as along South Andrews Avenue and SW 1<sup>st</sup> Avenue the length of the abutting property.

and

**e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.**

There are currently franchise and public utilities within the subject alley right-of-way. The applicant will work with the franchise utilities to arrange for the removal/relocation of facilities existing within this portion of the alley. The upstream end of the sanitary sewer located in the alley will be vacated and a new manhole constructed at the south end of the vacation area.

Letters of no objection have been requested from all of the franchise utilities and the City's Public Works Department. To date, letters of no objection have been received from TECO gas and the Public Works Department.

**Sec. 47-25.2. Adequacy requirements.**

**A. *Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.**

The proposed right-of-way vacation will not affect the adequacy of public services and facilities. The development project for this site is the subject of a separate DRC application which addresses each section of the Adequacy Requirements - Sec. 47-25.2. This narrative relates only to those adequacy requirements which may apply to the proposed right-of-way vacation.

**H. *Potable water:***

- 1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and**

**systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.**

Potable water service will be taken from the existing main in the adjacent streets (SW 1<sup>st</sup> Avenue and SW 5<sup>th</sup> Street). The projected project demand for potable water is addressed by the ULDR narratives provided for the development site plan.

***L. Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.**

This right-of-way is not currently being used to accommodate drainage facilities nor is it needed to accommodate proposed stormwater facilities needed to support the proposed development project. Any easements needed in association with the project drainage plan to serve the proposed development project will be granted.

***N. Wastewater***

**1. *Wastewater:* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.**

There is existing sanitary sewer in the alley running north to south. This sewer does not serve any other parcels upstream of the vacation. The upstream end of this sewer will be vacated and a new manhole constructed

at the south end of the vacation. Service is also located within SW 1<sup>st</sup> Avenue and SW 5<sup>th</sup> Street. Easements will be granted where necessary to accommodate the public sanitary sewer facilities. The projected project wastewater demand was addressed by the ULDR narratives provided with the development site plan submittal.



September 22, 2016

Ms. Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442

Subject: Proposed Vacation of Alley  
New River Yacht Club III  
416 SW 1st Avenue  
City of Fort Lauderdale

Dear Ms. Strutt:

This letter is in response to your request for a letter regarding the proposed vacation of a portion of the 14-foot alley right-of-way through Block 41 of the *Town of Ft. Lauderdale* plat.

We have determined that there are City infrastructure facilities located within the subject alley right-of-way as shown on the attached legal sketch. We do not object to the proposed vacation of said alley right-of-way provided the vacation is conditioned upon the developers relocating the utilities, consistent with approved engineering plans, at their expense. The relocated utilities would be required to be inspected and accepted by the Utilities Bureau.

Should you have questions regarding this matter, please contact me at (954) 828-7809.

Sincerely,

Rick Johnson  
Utilities Distribution and Collection Systems Manager

CC: Ms. Ella Parker

**AT&T Letter of No Objection**

February 2, 2016

Ms. Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442

Subject: Proposed Vacation of Alley  
New River Yacht Club III  
416 SW 1st Avenue  
City of Fort Lauderdale

Dear Ms. Strutt:

Based on the legal sketch and description provided, ATT does not object to the proposed vacation of a portion of the 14-foot alley through Block 41 of the *Town of Fort Lauderdale* plat.

It is understood that existing ATT facilities located within the subject alley right-of-way will be relocated at the owner's expenses. Additional future easements in another location may be required to provide service to the proposed project.

Should you have any questions, please contact me at 954-423-6326.

Sincerely,



John Hughes  
AT&T Florida  
Specialist OSP Engineering  
8601 W Sunrise Blvd  
Plantation, FL 33322

CC: City of Fort Lauderdale  
Planning & Zoning Department  
700 NW 19th Avenue  
Fort Lauderdale, FL 33311






Easement & Right-of-Way Vacation Letter

4/15/2016

To: Linda Strutt  
Linda Strutt Consulting, Inc.  
227 Goolsby Blvd  
Deerfield Beach, FL 33442

**Subject:** New River Yacht Club 416 SW 1<sup>st</sup> Ave

- (X) We have no facilities in the area to be vacated; therefore we have no objections to this vacation.



\_\_\_\_\_  
David Rivera  
Senior Engineering Technician

- ( ) We have facilities in the area to be vacated; however, we have no objections to this vacation providing the applicant will pay for the relocation or replacement of these facilities.

\_\_\_\_\_  
David Rivera  
Senior Engineering Technician

- ( ) We have facilities in the area to be vacated which cannot be relocated for technical reasons, however, we have no objections to the vacation providing a utility easement as shown on the attached drawing is incorporated in the replat, or the applicant will pay for the relocation or replacement of these facilities.

\_\_\_\_\_  
David Rivera  
Senior Engineering Technician

- ( ) We have objection to the proposed vacation for the following reasons:  
PGS has facilities in the easement and cannot be relocated.

\_\_\_\_\_  
David Rivera  
Senior Engineering Technician



**Engineering – Design Department**  
**2601 SW 145<sup>th</sup> Ave Miramar, FL 33027**

Wednesday, March 08, 2017

**Ms. Linda C. Strutt, AICP**  
**Linda Strutt Consulting, Inc**  
**227 Goolsby Boulevard**  
**Deerfield Beach, Florida 33442**

Subject: Proposed Vacation of Alley  
New River Yacht Club III  
416 SW 1st Avenue  
City of Fort Lauderdale  
[Comcast muid\\_7047\\_B](#)

Dear Ms. Strutt:

Based on the legal sketch and description provided, Comcast does not object to the proposed vacation of a portion of the 14-foot alley through Block 41 of the *Town of Fort Lauderdale* plat.

Should you have any further question, please feel free to call me at 1-954-447-8405 e-fax 1-954-534-7008 or e-mail at [Leonard\\_Maxwell-Newbold@cable.comcast.com](mailto:Leonard_Maxwell-Newbold@cable.comcast.com)

Sincerely,

**Leonard Maxwell-**  
**Newbold**

Digitally signed by Leonard Maxwell-Newbold  
DN: cn=Leonard Maxwell-Newbold, o=Comcast ABB  
Management Group, ou=Comcast South Florida RDC,  
email=leonard\_maxwell-newbold@cable.comcast.com, c=US  
Date: 2017.03.08 16:16:01 -05'00'

**Leonard Maxwell-Newbold**  
**Regional Permit Administrator**  
**Comcast / Southern Division ( RDC )**  
10/2/2015 4:26:10 PM

Cc:  
File



April 24, 2017

Ms. Linda C. Strutt, AICP  
Linda Strutt Consulting, Inc  
227 Goolsby Boulevard  
Deerfield Beach, Florida 33442

Subject: Proposed Vacation of Alley (Partial)  
New River Yacht Club III  
416 SW 1st Avenue  
City of Fort Lauderdale

Dear Ms. Strutt:

Based on the legal sketch and description provided, FPL does not object to the proposed vacation of a portion of the 14-foot alley through Block 41 of the *Town of Fort Lauderdale* plat.

It is understood that existing FPL facilities located within the subject alley right-of-way will be relocated at the owner's expenses. Additional easements required to provide service to the proposed project will be obtained at a future date.

Should you have any questions, please contact me at 305-626-3024.

Sincerely,

A handwritten signature in blue ink that reads "Jose Palomo".

---

Jose Palomo  
Project Manager

Copies to: Melanie Syed