

## Page 1: City Commission Submittal Requirements

**INSTRUCTIONS:** The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate *N/A* if does not apply.

NOTE: To be filled out by Department

Case Number	E19003
Date of complete submittal	

NOTE: To be filled out by Applicant

Property Owner's Name	City of Fort Lauderdale	<small>provided, no signature is required on the application by the owner</small>
Applicant / Agent's Name	EDSA / Paul Kissinger	
Development / Project Name	Las Olas Marina	
Development / Project Address	Existing: 151 Las Olas Circle	New: N/A
Current Land Use Designation	CBRAC	
Proposed Land Use Designation	CBRAC	
Current Zoning Designation	PRD	
Proposed Zoning Designation	PRD	
6SH-FIUIF 5 HTX-HW	Easement Vacation	

### The following number of Plans:

- One (1) original signed-off set, signed and sealed at 24" x 36"
- Two (2) copy sets at 11" x 17"
- One (1) electronic version\* of complete application and plans in PDF format to include only the following:
  - Cover page
  - Survey
  - Site plan with data table
  - Ground floor plan
  - Parking garage plan
  - Typical floor plan for multi-level structure
  - Roof plan
  - Building elevations
  - Landscape plan
  - Project renderings i.e. context plan, street-level perspectives, oblique perspectives, shadow study, etc.
  - Important details i.e. wall, fence, lighting, etc.

\*All electronic files provided should include the name followed by case number "Cover Page Case no.pdf"

### MAIL NOTIFICATION

Mail notice is required for City Commission hearing of a Rezoning of Less than Ten Acres and of an Appeal of ROW Vacation. Notice shall be in the form provided by the Department and mailed on the date the application is accepted by the Department. The names and addresses of homeowner associations shall be those on file with the City Clerk. Rezoning of Less Than Ten Acres hearing notice must be mailed within 30 days of the hearing and Appeal of ROW Vacation hearing notice within 10 days of hearing.

- **REQUIREMENT:** Mail notice of development proposal shall be provided to real property owners within 300 feet of applicant's property, as listed in the most recent ad valorem tax records of Broward County.
- **TAX MAP:** Applicant shall provide a tax map of all property within the required notification radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
- **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required notification radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
- **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required notification radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 NW 19<sup>th</sup> Avenue, Fort Lauderdale, FL 33311.
- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Planning Division will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

**CASE NUMBER: E19003  
REPOSE TO COMMENTS**

**DRC Comment Report: URBAN DESIGN & PLANNING**  
**Member:** Yvonne Redding  
 YRedding@fortlauderdale.gov  
 954-828-6495

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>).

**RESPONSE:** Public Outreach has been previously completed with the Site Plan Level IV application.

2. The proposed project requires review approval by the City Commission. A separate application and fee is required for City Commission review.

**RESPONSE:** acknowledged.

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*

**RESPONSE:** please see attached narratives.

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.

**RESPONSE:** acknowledged.

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](mailto:DT5431@att.com)

**City of Fort Lauderdale  
Public Works Department**  
 Elkin Diaz  
 (954) 828-6539  
[EDiaz@fortlauderdale.gov](mailto:EDiaz@fortlauderdale.gov)

**Comcast Cable**  
 Leonard Maxwell-Newbold  
 (954) 447-8405  
[Leonard\\_Maxwell-Newbold@comcast.com](mailto:Leonard_Maxwell-Newbold@comcast.com)

**Florida Power & Light**  
 Lucas Cornish  
 (954) 717-2062  
[Lucas.Cornish@fpl.com](mailto:Lucas.Cornish@fpl.com)

**TECO Peoples Gas**  
 David Rivera  
 (954) 453-0794  
[DRRivera@tecoenergy.com](mailto:DRRivera@tecoenergy.com)

**RESPONSE:**

Utility Provider	Status of Response	Date(s) Contacted
AT&T	Complete – See Attached	-

**CASE NUMBER: E19003  
REPOSE TO COMMENTS**

FPL	Complete – See Attached	-
Crown Castle	Complete – See Attached	-
Hotwire	Complete – See Attached	-
MCI / Verizon	Complete – See Attached	-
TECO	Pending – Reviewing Utilities	2/6/2019; 3/13/2019; 5/1/2019; 5/1/2019; 5/6/2019; 7/12/2019; 8/1/2019 8/2/2019; 8/7/2019  8/12/2019 Material Packaged delivered to TECO on 8/13/2019 @ City of FLL Utility Coordination Mtg.
Comcast	Complete	-
City of FLL	Meeting Held with Public Works Staff (Water & Sewer)	Meeting w/ Public Works 7/31/2019 (see attached sign-in sheet); Meeting on-site 8/7/2019 (see attached sign-in sheet); Follow-up emails to Rick Johnson on 7/31/2019 and 8/7/2019.  Discussed w/ Raymond Meyer on 8/9/2019; follow-up on 8/12/2019

**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.

**RESPONSE:** acknowledged.

7. Additional comments may be forthcoming at the Development Review Committee meeting.

**RESPONSE:** no additional comments received on June 11<sup>th</sup>, 2019.

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](mailto:Yredding@fortlauderdale.gov) to review project revisions and/or to obtain a signature routing stamp.

**RESPONSE:** acknowledged.

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](mailto:CYeakel@fortlauderdale.gov).

**CASE NUMBER: E19003**  
**REPOSE TO COMMENTS**

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

**RESPONSE:**

- a. **Attorney's Opinion of Title** – N/A; Land is owned in fee by the City of Fort Lauderdale
  - b. **Easement Deed** – easements are recorded on the face of the plat.
  - c. **Survey, Sketch and Legal Description** – property was previously platted by the City of Fort Lauderdale.
  - d. **Joinder, Consent, and Partial Release by Mortgagee/Lien Holder** – N/A; Land is owned in fee by the City of Fort Lauderdale
10. The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.

**RESPONSE:** acknowledged.

**CASE NUMBER: E19003  
REPNSE TO COMMENTS**

**DRC Comment Report:** ENGINEERING  
**Member:** Alfredo Leon, P.E.  
Aleon@fortlauderdale.gov  
954-828-6205

**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).

**RESPONSE:** please see attached narratives.

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.

**RESPONSE:** Per 47-25.2.C the first 2.5" inches of runoff from the impervious surface will be retained on site and treated before being discharged to the City's stormwater system. Reconfiguration of the current street and roadway drainage will be permitted with the City of Fort Lauderdale and Broward County and will meet ULDR Section 47-24.2.L (Stormwater), no adjacent facilities or systems including public storm water systems shall be adversely affected. Pre-Application meetings have occurred with Broward County on February 2nd, 2019, and August 7th, 2019 and stormwater permitting criteria that satisfy both ULDR sections 47-25-2.C and 47-25.2.L have been set.

**RESPONSE:** per discussion with Alfredo Leon on 8/9/2019, comment is accepted.

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).

**RESPONSE:** please see attached sketch/legals, in addition to the boundary / topographic survey.

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.

**RESPONSE:** please see attached exhibit.

5. Applicant to provide copy of deed book records for easement background and purpose.

**RESPONSE:** please refer to the plat included in the application. The easements are recorded on the face of the plat.

6. 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 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

**CASE NUMBER: E19003  
RESPONSE TO COMMENTS**

utility relocation plan shall be reviewed and approved by the City's Public Works Department prior to implementation.

**RESPONSE:** meeting request made July 23, 2019.

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.

**RESPONSE:** refer to Comment #5 from UDP for a table summarizing the utility No Objection responses, in addition to the letters attached hereto.

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.

**RESPONSE:** please see attached sketch and legal descriptions.

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.

**RESPONSE:** acknowledged.

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>.

**RESPONSE:** refer to UDP comment #9.

11. Additional comments may be forthcoming at the meeting.

**RESPONSE:** no additional comments received on June 11<sup>th</sup>, 2019.

Applicant: EDSA/Paul Kissinger  
Project: Las Olas Marina  
Request: Vacation of Platted Utility Easements and Roadway Easements Shown on the Las Olas Del Mar I Plat ("Plat"), Recorded in Plat Book 147, Page 20 of the Public Records of Broward County, Florida

**EASEMENT VACATION NARRATIVE**

**I. General Description of Request.**

EDSA ("Applicant") is an authorized agent of the City of Fort Lauderdale for the subject easement vacation application. The easements that are proposed to be vacated are all located on Parcel A of the Plat (the "Property"). On July 9, 2019 pursuant to City Resolution No. 19-142 and DRC Case No. R18018, the City Commission approved a Site Plan Level IV Beach Development Permit for the Las Olas Marina project on the property (the "Approved Project"). The Approved Project includes utility and right-of-way configurations and locations that are different than configurations that were originally contemplated on the Plat.

Since the City Commission approved the utility and right-of-way configurations in the Approved Project, the utility easements and roadway easements shown on the Plat are no longer needed for public purposes. As such, the Applicant is proposing to vacate the easements shown on the Plat.

**II. ULDR 47-24.7.A.4 – Criteria for vacation of easement.**

- a. The easement is no longer needed for public purposes.

**RESPONSE: The Approved Project includes a different configuration and location of the roadways and utilities than are shown on the Plat. When the Approved Project is constructed, the easements will no longer be needed for public purposes.**

- b. All utilities located within the easement 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 portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same.

**RESPONSE: All utilities located within any of the easement areas shown on the Plat will be relocated pursuant to a relocation plan. With this application, the Applicant has included letters of no objection from all relevant utility companies. If required, the Applicant will record or cause to record alternative utility and/or roadway easements.**





Applicant: EDSA/Paul Kissinger  
Project: Las Olas Marina  
Request: Vacation of Platted Utility Easements and Roadway Easements Shown on the Las Olas Del Mar I Plat ("Plat"), Recorded in Plat Book 147, Page 20 of the Public Records of Broward County, Florida

**ADEQUACY REQUIREMENTS**  
**NARRATIVE**

**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.

**B. *Communications network.*** Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

**Response: N/A, this application is for an easement vacation. The Las Olas Marina project, approved under DRC Case No. R18018 ("Project"), is a maximum of three (3) stories in height and will not interfere with the City's communication network.**

**C. *Drainage facilities.*** Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2 1/2) inches of runoff from the impervious surface whichever is greater.

**Response: Application will be made to Broward County Environmental Protection and Growth Management and the Applicant will satisfy all current criteria for surface water requirements and obtain all local and state licenses.**

**D. *Environmentally sensitive lands.***

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and well field protection which ordinances are incorporated herein by reference:

- a. Broward County Ordinance No. 89-6.
- b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
- c. Broward County Ordinance No. 84-60.

2. The Developer must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

**Response: N/A, this application is for easement vacations. The vacation of the platted easements is not expected to impact environmentally sensitive lands.**

**E. Fire protection.** Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

**Response: Adequate fire protection service will be provided in accordance with the Florida Building Code and other applicable standards.**

**F. Parks and open space.** No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

**Response: N/A. The Project is not a residential development.**

**G. Police protection.** Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

**Response: N/A, this application is for an easement vacation. The Project incorporates CPTED principles to minimize risk to public safety and assure adequate police protection.**

**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.

2. *Potable water facilities.*

- a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
- b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
- c. Where the county is the projected service provider, a similar written assurance will be required.

**Response: Watermains exist adjacent to the Project site. Applicant has provided a letter from Public Works with this submission confirming that adequate capacity exists to serve the Project.**

**I. Sanitary sewer.**

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the Developer shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

**Response: Sewer mains exist adjacent to the Project site. Applicant has provided a letter from Public Works with this submission confirming that adequate capacity exists to serve the Project.**

**J. Schools.** For all residential plats, the Developer shall contribute to school facilities in accordance with the Broward County Land Development Code and shall provide documentation to the city that such contribution has been satisfied.

**Response: N/A. The Project is not a residential development.**

**K. Solid waste.**

1. Adequate solid waste collection facilities and service shall be obtained by the Developer in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
2. *Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

**Response: Solid waste services will be provided by Waste Management.**

**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.

**Response: Stormwater will be retained in accordance with the state and local regulations.**

**M. Transportation facilities.**

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

2. *Regional transportation network.* The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the Developer when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An Developer may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

3. *Local streets.* Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the Developer when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An Developer may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

4. *Traffic impact studies.*

a. When the proposed development may generate over one thousand (1,000) daily trips; or

b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half ( 1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ( 1/2) hour period; the Developer shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in traffic ways impact analysis which shall:

i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.

ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed traffic ways.

iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.

- iv. A further detailed analysis and any other information that the review committee considers relevant.
- v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the Developer.
- vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

**Response: Applicant included a traffic statement in the site plan submission for the Project. The requested easement vacations will not have any traffic impacts.**

**5. *Dedication of rights-of-way.*** Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

**Response: No additional right-of-way is required in accordance with the Broward County Trafficways Plan, the City's comprehensive plan, or the City's subdivision regulations.**

**6. *Pedestrian facilities.*** Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

**Response: N/A, this application is for an easement vacation. The Project provides sidewalks along all street frontages.**

**7. *Primary arterial street frontage.*** Where a proposed development abuts a primary arterial street either existing or proposed in the traffic ways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

**Response: Acknowledged.**

**8. *Other roadway improvements.*** Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

**Response: Acknowledged.**

**9. Street trees.** In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

**Response: N/A, this application is for an easement vacation. The Project includes street trees along all street frontages in accordance with the City's requirements.**

**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.

**Response: Applicant has provided a letter from Public Works with this submission confirming that adequate capacity exists to serve the Project.**

**O. Trash management requirements.** A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

**Response: N/A, this application is for easement vacations. The Project includes provisions and locations for trash management.**

**P. Historic and archaeological resources.**

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the Developer shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to

the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

**Response: N/A.**

**Q. *Hurricane evacuation.*** If a structure or site is located east of the Intracoastal Waterway, the Developer shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

**Response: With this submission, Applicant has included a hurricane evacuation letter from Lori Vun Kannon of the County's Emergency Management Division, dated February 6, 2019.**

Applicant: EDSA/Paul Kissinger  
Project: Las Olas Marina  
Request: Vacation of Platted Utility Easements and Roadway Easements Shown on the Las Olas Del Mar I Plat ("Plat"), Recorded in Plat Book 147, Page 20 of the Public Records of Broward County, Florida

**EASEMENT VACATION NARRATIVE**

**I. General Description of Request.**

EDSA ("Applicant") is an authorized agent of the City of Fort Lauderdale for the subject easement vacation application. The easements that are proposed to be vacated are all located on Parcel A of the Plat (the "Property"). On July 9, 2019 pursuant to City Resolution No. 19-142 and DRC Case No. R18018, the City Commission approved a Site Plan Level IV Beach Development Permit for the Las Olas Marina project on the property (the "Approved Project"). The Approved Project includes utility and right-of-way configurations and locations that are different than configurations that were originally contemplated on the Plat.

Since the City Commission approved the utility and right-of-way configurations in the Approved Project, the utility easements and roadway easements shown on the Plat are no longer needed for public purposes. As such, the Applicant is proposing to vacate the easements shown on the Plat.

**II. ULDR 47-24.7.A.4 – Criteria for vacation of easement.**

- a. The easement is no longer needed for public purposes.

**RESPONSE: The Approved Project includes a different configuration and location of the roadways and utilities than are shown on the Plat. When the Approved Project is constructed, the easements will no longer be needed for public purposes.**

- b. All utilities located within the easement 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 portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same.

**RESPONSE: All utilities located within any of the easement areas shown on the Plat will be relocated pursuant to a relocation plan. With this application, the Applicant has included letters of no objection from all relevant utility companies. If required, the Applicant will record or cause to record alternative utility and/or roadway easements.**





Dyke Tittle  
Manager - OSP Planning  
& Engineering Design

ATT Florida  
8601 W Sunrise Blvd  
Plantation, FL 33322

T: 954-577-5602  
dt5431@att.com

August 9<sup>th</sup>, 2019

Brian Grove  
Kimley-Horn and Associates, Inc.  
1615 S. Congress Avenue, Suite 201,  
Delray Beach, Florida 33445

Subject: No Objection Letter for vacation of Utility Easement, Las Olas Marina at 240 E las Olas Cir, Fort Lauderdale, lying within parcels A and B Las Olas Del Mar I (plat book 147, page 20, B.C.R)

Dear Mr. Grove:

ATT does not object to your request for a vacation of easement at the property described in the sketch attached on page 2 and 3. Applicants property is Las Olas Marina at Las Olas Marina at 240 E las Olas Cir, Fort Lauderdale and legally described as lying within parcels A and B Las Olas Del Mar I (plat book 147, page 20, B.C.R)

It is understood that any relocation of existing ATT facilities associated with the proposed project and encroachments will be at the owner's expense. Additional future easements in another location may be required for the relocation of the cabinet on the north end of the property and to provide service to the proposed project.

Should you have any questions, please contact me at 954-577-5602.

Sincerely,

Dyke Tittle

Manager of OSP Engineering and Planning Design

954-577-5602



Florida Power & Light Company  
3020 NW 19<sup>th</sup> St, Fort Lauderdale, FL 33311

August 13, 2019

To: Eric Metz  
Las Olas SMI, LLC  
1688 Meridian Ave, Suite 900  
Miami Beach, FL 33139

Re: Las Olas Suintex Marina Project – 151 Las Olas Circle, Fort Lauderdale, FL 33316  
Las Olas Del Mar I (P.B 147. PG 20. B.C.R.)

Dear Eric,

FPL has no objection to abandoning or vacating the above requested easement.

However, FPL has existing facilities and utility easements at this site. FPL will remove our existing facilities and vacate the existing easement at this location at the customer's expense. Prior to this being done, provisions must be made, new easements secured, and facilities constructed to serve any existing FPL customers that may be affected by your request.

FPL will require a complete set of plans prior to construction. These would include the survey of property, site plan, water sewer & drainage, paving, and electrical plans. As the FPL engineering process takes about three to four months, it is imperative that complete plans be provided well in advance of construction.

Please contact me at (954) 717-2057 should you have any questions or concerns.

Thank you,

A handwritten signature in black ink that reads "Troy Lewis".

Troy Lewis  
Engineer II

A NEXTERA ENERGY Company



8/14/2019

To: Eric Metz

RE: Vacation of Easement: Las Olas Del Mar I  
City of Ft. Lauderdale, FL – Broward County  
Plat Book 147, Page 20, B.C.R.

A REPLAT OF A PORTION OF THE AMENDED PLAT OF LAS OLAS BY THE SEA SUBDIVISION  
(P.B. 1, PG. 6, B.C.R.) TOGETHER WITH A REPLAT OF A PORTION OF  
LAUDER DEL MAR (P.B. 7, PG 30, B.C.R.) TOGETHER WITH PORTIONS OF THOSE  
CERTAIN LANDS OF THE NEW RIVER SOUND LYING IN SECTION 12,  
TOWNSHIP 50 SOUTH, RANGE 42 EAST

From: TECO Peoples Gas

To whom it may concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacation of easement at the above referenced location. After reviewing the documents provided, TECO-PGS has NO objection to this vacate.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joan Domning".

Joan Domning  
Administrative Specialist, Senior  
Peoples Gas-Distribution Engineering  
8416 Palm River Road  
Tampa, FL 33619  
Office: 813-275-3783

(17) ENC



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

Monday, August 12, 2019

**Jennifer Eppert**  
**Kimley Horn**  
**1615 South Congress Avenue, Suite 201**  
**Delray Beach, FL 33445**

**RE: Letter of No Objection / Utility Easement Release Request**  
**85 Las Olas Circle ( Sunshine Design Ticket No. 032903851 )**  
**Ft. Lauderdale, FL 33316**  
**Comcast muid\_10044\_B**

**Dear Ms. Eppert**

Please Be Advised, ...in reference to the **Utility Easement Release Request @ 85 Las Olas Circle ( Sunshine Design Ticket No. 032903851 ) Ft. Lauderdale, FL 33316**

Comcast has **no** objection to the release within the limits of this subject area.

Should you have any further question, please feel free to call me at 1-754-221-1254 or e-mail at [leonard\\_maxwell-newbold@cable.comcast.com](mailto:leonard_maxwell-newbold@cable.comcast.com)

**Leonard Maxwell-Newbold**  
**Regional Permit Administrator**  
**Comcast / Southern Division ( RDC )**  
8/12/2019 3:00:41 PM

cc: **Kimley Horn** File  
Don Batura ~ Comcast  
Eric Metz  
File



Crown Castle  
1601 NW 136th Avenue  
Suite A-200, Building A  
Sunrise, FL 33323

August 1, 2019

Brian J. Grove, EIT  
Kimley-Horn  
1615 S. Congress Avenue, Suite 201  
Delray Beach, Florida 33445

RE: Proposed Release of Easement  
Area Around 85 Las Olas Circle, Ft Lauderdale, Broward County

Dear Mr. Grove:

Based on the information provided by you, copies of which I've enclosed, there appears to be no Crown Castle Fiber LLC (formerly Fibernet Direct Florida LLC, Crown Castle, Sunesys) facilities within the specific limits of the above-referenced easement to be released. As such, Crown Castle Fiber LLC has no objection to your request for release of easement in the area as depicted. If the information provided is erroneous in any way, please notify us immediately and consider this letter of no objection rescinded.

Sincerely,

A handwritten signature in cursive script that reads 'Danny Haskett'.

Danny Haskett  
Operations Manager

Cc: Nick Campos

The pathway to possible.  
CrownCastle.com



May 9<sup>th</sup>, 2019

Brian Grove  
Kimley-Horn and Associates, Inc.  
1615 S. Congress Avenue, Suite 201  
Delray Beach, FL 33445  
([brian.grove@kimley-horn.com](mailto:brian.grove@kimley-horn.com))

**Re: No Objection / Easement Release Request  
Las Olas Marina, Fort Lauderdale, Florida**

---

Dear Mr. Grove:

We have reviewed your request for our approval and no objection to the full and complete release of the easements within the Las Olas Del Mar Plat I (Plat Book 147, Page 20 of the Broward County Records). **HOTWIRE COMMUNICATIONS** has no objection and approves the release of the easements.

**HOTWIRE COMMUNICATIONS** recognizes that by this action, we also agree to release all applicable rights to this easement upon the release of same. Further, we have not granted any type of interest in these easements as described and referenced above to any third party entity. Notwithstanding the approval of the vacation and closure of the utility easement described above, any other utility easements in favor of **HOTWIRE COMMUNICATIONS** either existing or that may be required for future **HOTWIRE COMMUNICATIONS** facilities, shall not be affected by this letter, and shall be provided prior to **HOTWIRE COMMUNICATIONS** service to any development on the plat, as applicable.

If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter Sancho-Davila", written over a horizontal line.

**Walter Sancho-Davila**  
Project Manager - OSP Engineering