

Page 1: PZB ROW Vacation - Applicant Information Sheet

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	V17004
Date of complete submittal	June 9, 2017

NOTE: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner's Name	PROJECT ANDREWS, LLC
Property Owner's Signature	If a signed agent letter is provided, no signature is required on the application by the owner
Address, City, State, Zip	3102 OAK LAWN AVE STE 777; DALLAS, TX 75219
E-mail Address	harveytaylor@earthlink.net
Phone Number	305-892-6800
Proof of Ownership	[] Warrant Deed or [] Tax Record SEE ATTACHED TITLE COMMITMENT

NOTE: If **AGENT** is to represent **OWNER**, notarized letter of consent is required

Applicant / Agent's Name	HARVEY TAYLOR
Applicant / Agent's Signature	
Address, City, State, Zip	18851 NE 29TH AVENUE, SUITE 700; AVENTURA, FL 33180
E-mail Address	harveytaylor@earthlink.net
Phone Number	305-892-6800
Letter of Consent Submitted	YES

Development / Project Name	PROGRESSO COMMONS
Development / Project Address	<u>Existing:</u> _____ <u>New:</u> _____
Legal Description	SEE ATTACHED LEGAL DESCRIPTION
Tax ID Folio Numbers (For all parcels in development)	SEE ATTACHED LIST
Request / Description of Project	SEE ATTACHED PROJECT OVERVIEW LETTER
Applicable ULDR Sections	47-27.6 - Vacation of public rights-of-way
Total Estimated Cost of Project	\$ 1,000,000 (Including land costs)

Future Land Use Designation	REGIONAL ACTIVITY CENTER - NORTHWEST
Current Zoning Designation	B-1, RMM-25, and NWRAC-MU
Current Use of Property	VACANT

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.				
Name and Signature	Folio Number	Subdivision	Block	Lot

NOTE: Applicant must indicate how they meet one of the following provisions:

1. All utilities (list below) located within the easement and/or right-of-way must be relocated pursuant to a relocation plan; and
2. The owner of the utility facilities must consent to the vacation; or
3. A utilities easement must be retained over the area or portion thereof; or
4. An easement in a different location must be provided for the utility facilities by the owner to the satisfaction of the City; or
5. Any combination of same and utilities maintenance are not disrupted.

TECO, Peoples Gas
 5101 NW 21st Avenue
 Fort Lauderdale, FL 33309
 (954) 453-0817, (954) 453-0804 fax

BellSouth
 8601 W. Sunrise Blvd., 2nd Floor
 Plantation, FL 33322
 (954) 476-2909

Florida Power and Light
 Service Planning
 3020 N.W. 19 St.
 Fort Lauderdale, FL 33311
 (954) 717-2057, (954) 717-2118 fax

Comcast, Inc.
 Leonard Maxwell-Newbold
 Engineering-Design Dept.
 2601 SW 145 Ave.
 Miramar, FL 33027
 (954)447-8405

Page 2: Required Documentation & Mail Notice Requirements

One (1) copy of the following documents:

- Original Pre-PZB signed-off plans and all supplemental documentation (ie. narratives, photos, etc.)
- Completed application (all pages must be filled out where applicable)
- Mail notice documents
- One (1) electronic version of complete application and plans in PDF format

Two (2) original sets, signed and sealed, of Pre-PZB plans at 24" x 36"

Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12" x 18"

- Narrative** describing specifics of vacation request. Narratives must be on letterhead, dated, and with author indicated.
- Narrative** quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- Cover sheet** on plan set to state project name and table of contents.
- Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- Most **current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave.
- Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Sketch and legal description** right-of-way proposed to be vacated (prepared by Engineer or Surveyor).

Note: All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

Note: Plans must be bound, stapled and folded to 8 1/2" x 11". All non-plan documents should be 8 1/2" x 11" and stapled or bound.

Note: Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

Note: For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the "Submittal Reference Book" available at the Planning & Zoning Department office.

Applicant's Affidavit I acknowledge that the Required Documentation and Technical Specifications of the application are met:		Staff Intake Review For Urban Design & Planning staff use only:	
Print Name	<u>HARVEY TAYLOR</u>	Date	<u>June 9, 2017</u>
Signature	<u>[Handwritten Signature]</u>	Received By	<u>Maria Roque</u>
Date	<u>6/12/17</u>	Tech. Specs Reviewed By	<u>Nicholas Kalargyros</u>
		Case No.	<u>V17004</u>

MAIL NOTIFICATION

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).

- **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 19th Avenue, Fort Lauderdale, FL 33311.
- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Planning office will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

Holland & Knight

515 East Las Olas Boulevard, Suite 1200 | Fort Lauderdale, FL 33301 | T 954.525.1000 | F 954.463.2030
Holland & Knight LLP | www.hklaw.com

Prepared by: **Debbie M. Orshefsky**

2/2/2017

Statement of Compliance with Criteria for Right of Way Vacation in Sec. 47-24.6 of ULDR

A.4 An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria under Section 47-24.6.A.4:

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

Response: The vacations requested are for 2 unimproved alleys and the right of way for NW 1st Avenue, as reflected on Attachment 1 to this Statement. This request also includes the relocation of barriers to vehicular traffic on NW 2nd Avenue South of Sunrise Blvd. which were installed by the City in 1997, also as noted on Attachment 1. The vacations will allow for unification of 4.8± acres of land to create a 5.1 +/- acre development parcel that is proposed to be developed for a new shopping center. The city blocks which result from this vacation is consistent with the size and configuration preferred by the NWRAC Design Standards.

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

Response: The rights of way proposed for vacation has been closed to vehicular and pedestrian traffic for over a decade and do not provide access to any adjoining properties. The relocation of the current barrier on NW 2nd Avenue does not interfere with access to any adjoining properties. The property is not needed to implement the future circulation plans of the City. In 1997 the City began actively prohibiting access in the neighborhood surrounding the subject property because of a recognized traffic cut-thru problem. The vacations and barrier relocation proposed are consistent with providing limited access to the established residential neighborhood south and west of the subject property from Sunrise Blvd. and Andrews Avenue.

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

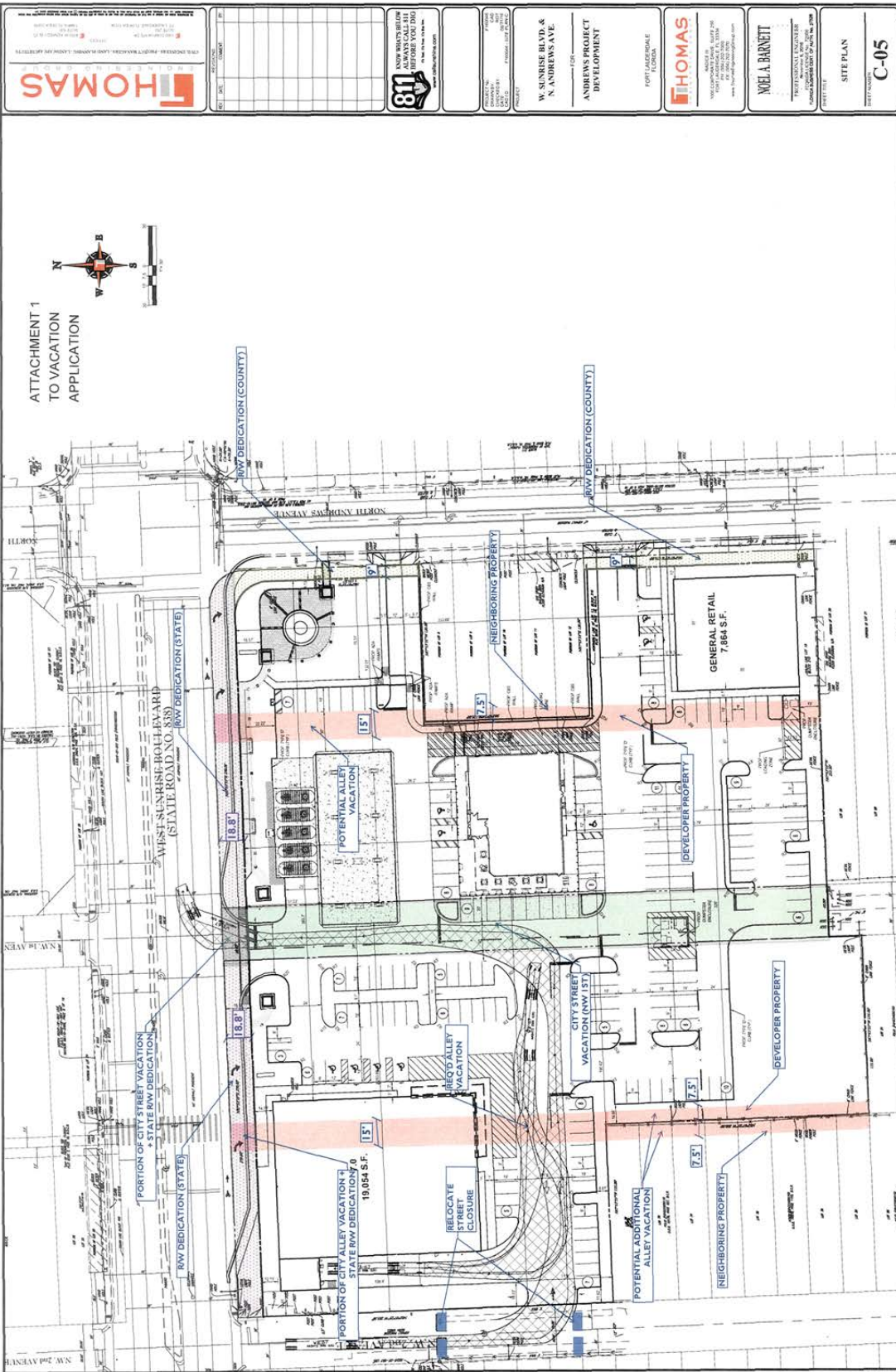
Response: As part of the future development of the property, vehicles will be able to turn around and exit the area. No adverse impacts to the existing City's road network will result from this vacation of right-of-way. In addition, the pedestrian and vehicular right of way improvements proposed adjacent to the subject development along Sunrise Blvd. and Andrews Avenue will provide improved access for all modes of transportation.

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

***Response:* NW 1st Avenue has been closed to pedestrian and vehicular traffic for over a decade and does not provide any pedestrian access today. In addition, the proposed redevelopment of this property will improve pedestrian circulation in the area by creating wider sidewalks along the perimeter of the site.**

- 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.

***Response:* If any utilities are within the area, easement will be dedicated to the City or applicable utility to ensure their protection.**



THOMAS
LAND SURVEYING & MAPPING, INC.
600 S.W. 15th Ave., Suite 100
Fort Lauderdale, FL 33304
Phone: (954) 571-8100
Fax: (954) 571-8101
www.thomasland.com

811
NOW READY TO BE
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PROJECT: ANDREWS PROJECT DEVELOPMENT
DATE: 10/20/17

W. SUNRISE BLVD. & N. ANDREWS AVE.
ANDREWS PROJECT DEVELOPMENT
FORT LAUDERDALE, FLORIDA

THOMAS
LAND SURVEYING & MAPPING, INC.
600 S.W. 15th Ave., Suite 100
Fort Lauderdale, FL 33304
Phone: (954) 571-8100
Fax: (954) 571-8101
www.thomasland.com

MEL A. BANETT
PROFESSIONAL ENGINEER
FLORIDA LICENSE NO. 13900
1000 N.W. 12th Ave., Suite 100
Fort Lauderdale, FL 33304
www.melabannett.com

SITE PLAN
C-05



Florida Power & Light Company

May 9, 2017

Thomas Engineering Group
1000 Corporate Drive, Suite 250
Fort Lauderdale, FL 33334

Re: Progresso Commons Project
Right of Way Vacation - Case No. V17004
947 N. Andrews Avenue
Fort Lauderdale, FL

Dear Noel Barnett,

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

However, FPL has existing overhead 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 2062 should you have any questions or concerns.

Yours truly,

A handwritten signature in black ink, appearing to read "Lucas Cornish", is written over a long, horizontal, slightly wavy line that extends across the width of the signature area.

Lucas Cornish
Associate Engineer

A NEXtera ENERGY Company



6/5/2018

To: Rachel Ross: Platting Assistant
Pulice Land Surveyors, Inc.
5381 Nob Hill Road
Sunrise, FL 33351

RE: Vacation of Right of Way Easement
NW 1st Ave Ft. Lauderdale, FL (located between NE 10th Street and NW 9th street) See attached survey
and legal description provided by Pulice.

From: TECO Peoples Gas

Dear Ms. Ross

Thank you for contacting TECO Peoples Gas Company about a vacation of right of way easements at the
above referenced location. After reviewing the documents you supplied, TECO-Peoples Gas has NO
objection to this vacation with the following condition:

Any TECO-Peoples Gas utility infrastructure known or unknown and found to be within the vacated area
shall be relocated or abandoned at the expense of the applicant, and the relocated or abandoned
facilities shall be required to be inspected and accepted by the applicable utility agency or service
provider.

If I can be of further assistance, please do not hesitate to call me at 813-275-3783

Sincerely,

A handwritten signature in black ink, appearing to read "Joan Domning". The signature is fluid and cursive, with a large initial "J" and "D".

Joan Domning
Administrative Specialist
Peoples Gas
Distribution Engineering
8416 Palm River Road
Tampa, FL 33619
Office: 813-275-3783
Ext. 53783

Enclosure

From: Maxwell-Newbold, Leonard [mailto:leonard_maxwell-newbold@comcast.com]
Sent: Wednesday, April 25, 2018 10:33 AM
To: Rachel Ross; 'Cable Utilities for Comcast SFL'
Cc: ChristopherT@cwsifl.com; Jane Storms; Batura, Don; Davidson, Ricardo A
Subject: Comcast 9448_B @ Progresso Commons-Letter of No Objection (04/25/2018_Imn)

Good Morning / Afternoon

In reviewing the vacation request for both the **R.O.W.** and Alleys associated with the **Progresso Commons Project.**

Comcast has **no conflict** with the proposed vacating of the R.O.W. and both alleys ...as outlined on the survey provided.

Thanks !



Leonard Maxwell-Newbold
Tech 3 Network Engineering / Regional Permit Manager
2601 SW 145th Avenue Miramar, Florida 33027
1-954-447-8405 office number / 1-954-444-5113 mobile number
leonard_maxwell-newbold@cable.comcast.com



Otis T. Keeve
Utility Coordinator
Broward Engineering

AT&T Florida
8601 West Sunrise Boulevard
Plantation, FL 33322

T: 305 428-0510
C : 954 309-0753
OK1184@att.com

June 20, 2018

Pulice Land Surveyors, Inc.
5381 Nob Hill Road
Sunrise, Fl. 33351
Rachel S. Ross

RE: Request for Vacation of 40ft. ROW
NW 1st Avenue
Between Block 209, 210

Rachel:

This letter shall serve as notice that AT&T Florida has no objection to the above mention vacation. However, the owner/ developer must assume any cost associated with the relocation of utilities if required, and a new recorded easement will need to be dedicated to encompass the existing AT&T facilities, or to allow AT&T to provide service to the proposed and/or existing properties in the future.

Please contact me for any additional information you may require in this regard.



Otis Keeve
Mgr OPS Planning/Design
Utility Coordinator

May 30, 2018

Ms. Rachel Ross
Pulice Land Surveyors, Inc.
5381 Nob Hill Road
Sunrise, FL. 33351

Subject: **Proposed Right-of-Way Vacation for Progresso Commons**

Dear Ms. Ross,

This letter is in response to your request for a no objection letter regarding the proposed Right-of-way vacation in Progresso Commons described as follows:

The South 460 feet of the North 485 feet of that 40 foot wide right-of-way dedication for NW 1st Avenue, lying between Blocks 209 and 210, "Progresso" according to the Plat thereof, as recorded in Plat Book 2, Page 18, of the Public Records of Dade County, Florida, being more particularly described as follows:

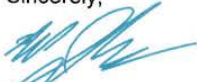
Beginning at the Northeast corner of lot 20, block 209, of said plat; thence North 02°07'25" West on the west right-of-way line of said NW 1st Avenue, also being the East line of lots 19 through 1, inclusive, for 460 feet to the intersection with the North line of the South 460 feet of the north 485 feet of said right-of-way, said line being the south right-of-way line of West Sunrise Boulevard (State Rd. #838) (NE 10th Street); thence North 87°53'35" East on said North line and said South right-of-way line 40 feet to the intersection with the East right-of-way line of said NW 1st Avenue; thence South 02°07'25" East on said East right-of-way line, also being the West line of lots 48 thru 30, inclusive, of said block 210 for 460 feet to the Southwest corner of said lot 30, block 210; thence South 87°53'35" West on the South line of the North 485 feet of the said NW 1st Avenue right-of-way for 40 feet to the point of beginning

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, containing 18,400 square feet (0.4224 acres), more or less.

Based on review the documents provided and our assessment of City records, it appears there are City facilities located within the right-of-way. The City of Fort Lauderdale has **No Objection** to the proposed vacation of the right-of-way described above provided that the vacation is conditioned upon either the dedication of appropriate Utility Easements back to the City for any facilities that are to remain or the relocation, removal, or proper abandonment of any facilities found to be in conflict. Any relocation, removal, or abandonment of the existing utilities must be conducted with consultation with City Utilities staff, with approved engineering plans, at the developer's expense and the relocated, removed, or abandoned utilities would be required to be inspected and accepted by the Department of Sustainable Development.

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

Sincerely,



Rick Johnson
Utilities Distribution and Collection Systems Manager
949 NW 38th Street, Fort Lauderdale, Florida, 33309
Ph: 954-828-7809 | email: rjohnson@fortlauderdale.gov

PUBLIC WORKS DEPARTMENT

949 N.W. 38th STREET, FORT LAUDERDALE, FLORIDA 33309
TELEPHONE (954) 828-8000. FAX (954) 828-7897X

WWW.FORTLAUDERDALE.GOV