



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: May 25, 2021

PROPERTY OWNER: Flagler Sixth, LLC.

APPLICANT/AGENT: Robert Lochrie, Lochrie & Chakas, P.A.

PROJECT NAME: 627 N Federal Highway

CASE NUMBER: UDP-V21001

REQUEST: Vacation of Right-of-way Review: 40-foot by 125-foot Wide Portion of NE 5th Terrace

LOCATION: North of NE 6th Street, South of NE 7th Street, West of N Federal Highway

ZONING: Regional Activity Center – Urban Village District (RAC-UV)

LAND USE: Downtown Regional Activity Center

CASE PLANNER: Yvonne Redding



Case Number: UDP-V21001

CASE COMMENTS:

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

1. Provide written documentation that proposed Vacation of Rights-of-Way meets the City's Criteria for Review per ULDR Section 47-25.2 (Adequacy Review) and ULDR Section 47-24.6 (Vacation of ROW Requirements).
2. Provide 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.
3. 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.
4. For partial right of way vacation requests, provide written authorization/ concurrence from all property owners adjacent to the right of way to vacate the right of way.
5. 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.
6. 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.
7. 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.

FPL, AT&T and Comcast may have facilities within the area to be vacated. Please be advised that prior to Engineer 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.

8. Please be advised that additional Easements may need to be dedicated to the City resulting from the Vacation of Rights-of-Way approval process, including Utility Easement(s) that allow the City



perpetual maintenance access to existing public sewer, storm drain, and water infrastructure, 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>.

9. Additional comments may be forthcoming at the meeting.



Case Number: UDP-V21001

CASE COMMENTS:

No comments.



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CASE COMMENTS:

Please provide a response to the following:

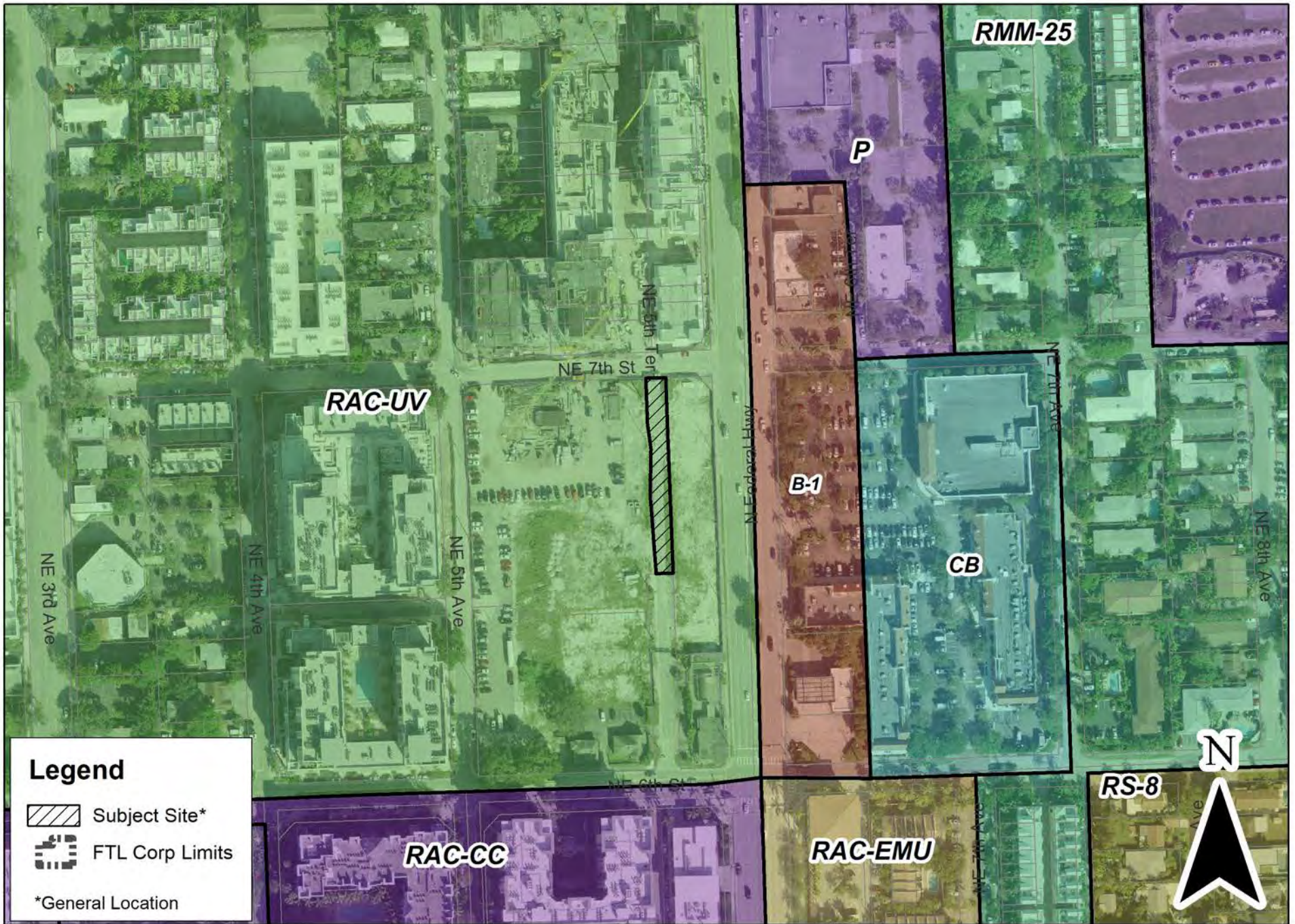
1. The proposed project requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. A separate application and fee is required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements. Please see Unified Land Development Regulations (ULDR) Section 47-27. Note: The City Clerk's office requires 48 hour notice prior to Commission meeting if a computer presentation is planned (i.e. *PowerPoint*), to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project planner for more information.
2. Pursuant to Public Participation requirements of ULDR, Section 47-27.4.A.2.c, the applicant must complete the following:
 - a. Prior to submittal of the application to the PZB, a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting;
 - b. The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting is at the discretion of the applicant. Once the meeting(s) is conducted, the applicant shall provide a written report letter to the Department of Sustainable Development, with copy to subject association(s), documenting the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion after a public participation meeting(s). The report letter shall summarize the substance of comments expressed during the process and shall be made a part of the administrative case file record; and,
 - c. Accordingly, a minimum of ten (10) days prior to the PZB meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department. If the applicant fails to submit the affidavit, the public hearing will be postponed until the next available hearing date after the affidavit has been supplied.
3. Encourage the re-platting of the constrained and under-developed blocks along the west side of Federal Highway between NE 4th Street and NE 9th Street to increase their depth and development potential. This entails relocating the existing alleys ½ block to the west.
4. Provide site plan accurately depicting entire length of vacation through to NE 5th Terrace and proposed improvements.
5. Signoffs from the City Surveyor and the City's Engineering Design Manager will be required, prior to PZB submittal.
6. The ordinance approving the right-of-way vacation shall be recorded in the public records of Broward County within (30) days after adoption.

General Comments

The following comments are for informational purposes.



7. Pursuant to State Statute, Section 166.033, development permits which require a quasi-judicial or public hearing decision, must be completed within 180 days, unless an extension of time is mutually agreed upon between the City and the applicant.
8. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to routing your plans for Pre-PZB sign-off, please schedule an appointment with the project planner (954-828-6495) to review project revisions and/or to obtain a signature routing stamp.
9. Additional comments may be forthcoming at the DRC meeting.
10. Provide a written response to all DRC comments within 180 days.



UDP-V21001