

CITY OF FORT LAUDERDALE

DEVELOPMENT REVIEW COMMITTEE



CASE COMMENT REPORT

CASE NO. UDP-V24001

DEVELOPMENT SERVICES DEPARTMENT
700 NW 19TH AVENUE
FORT LAUDERDALE, FLORIDA 33311

URBAN DESIGN AND PLANNING DIVISION
954-828-6520
www.fortlauderdale.gov

CASE INFORMATION

CASE:	UDP-V24001
MEETING DATE:	August 27, 2024
REQUEST:	Vacation of Right-of-Way: 40-Foot Wide by 525-Foot Long Portion of NE 6th Terrace Between NE 8th Avenue and NE 9th Avenue, East of Federal Highway
APPLICANT:	City of Fort Lauderdale
AGENT:	Andrew Schein, Lochrie and Chakas, P.A.
PROJECT NAME:	NE 6th Terrace Vacation
PROPERTY ADDRESS:	840 N. Federal Highway
ZONING DISTRICT:	Boulevard Business (B-1) and Parks and Open Space (P)
LAND USE:	Commercial and Park and Open Space
COMMISSION DISTRICT:	2 - Steven Glassman
NEIGHBORHOOD ASSOCIATION:	Victoria Park Civic Association
CASE PLANNER:	Jim Hetzel

RESUBMITTAL INFORMATION

- Applicant must provide written responses to all DRC comments contained herein.
- Written responses must specify revisions made to the plans and indicate the sheet.
- Resubmitted plan sets must be accompanied by responses to be accepted.
- Any additional documentation must be provided at time of resubmittal.
- Resubmittals must be conducted through the City's online citizen's portal LauderBuild.
- Questions can be directed to the Case Planner assigned to the case.

Case Number: UDP-V24001

CASE COMMENTS:

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

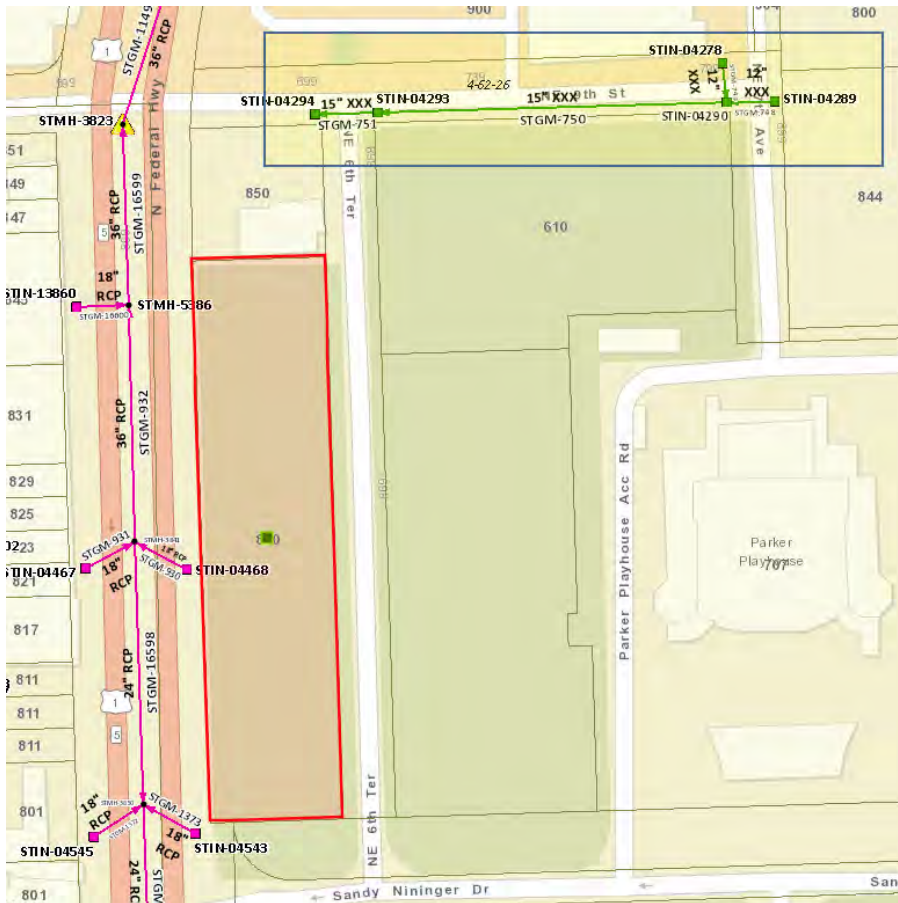
1. Please be advised that additional Easements may need to be dedicated to the City resulting from the Vacation of Rights-of-Way approval process, including Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer infrastructure.
2. Letters of no objection from City of Fort Lauderdale Public Works have not been provided. AT&T, Comcast, FPL and City of Fort Lauderdale have known facilities within the right-of-way. Please be advised that prior to Engineer certificate being executed, letters from the utility's owners 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.
3. 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 right-of-way have been relocated or abandoned to the satisfaction of the respective utility owners.

Case Number: UDP-V24001

CASE COMMENTS:

Please provide a response to the following:

- 1- The Stormwater Operations Section does not have an objection to an easement of vacation at the location of 840 N Federal Hwy if it does not interrupt our section's ability to inspect, maintain and/ or schedule repairs on demand at the identified City owned Stormwater Assets represented in the Utility map below.
 - a. Assets
 - i. Gravity Mains (4): STGM 748, 749, 750 & 751 ~ 380 LF
 - ii. Inlets (5): STIN 04294, 04293, 04278, 04289, 04290
- 2- Please note, The City of Fort Lauderdale (Parks Department) also owns and operates an adjacent facility in proximity to this location at 610 NE 9th St.



UDP-V24001 CASE COMMENTS:

Please provide a response to the following:

1. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days, February 12, 2025, for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension will result in the application being denied by the City and the applicant will be required to refile a new application and fees to proceed. The applicant did not submit a waiver to the timeline requirements.
2. The proposed vacation of right-of-way requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. Separate fees are required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements pursuant to Section 47-27.
3. Pursuant to Public Participation requirements of Unified Land Development Regulations (ULDR), Sections 47-24.1.F.14 and 47-27.4.A.2.c, the applicant must complete the following:
 - a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:
 - i. Provide notice via e-mail and regular mail to the 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 (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <http://www.fortlauderdale.gov/neighbors/civic-associations>); and,
 - ii. Provide notice via mailed letter to property owners whose real property is located 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 conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are 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. 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.
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 Engineering staff.
5. Provide timeline for the submittal of other development applications consistent with the lease agreement between the City and YMCA. Without all the development applications, it is difficult for staff to fully understand the intended use of the right-of-way and provide any potential design solutions.
6. Pursuant to ULDR, Section 47-24.6, Vacation of rights-of-ways, there is infrastructure located in the right-of-way that serves the property located at 850 N. Federal Highway. Applicant has not provided how this will be addressed and where the lines will be relocated. Additional information is needed.
7. Plan Set, Sheet X1, revise the legend to read "right-of-way to be vacated."
8. Revise the sketch and legal so the drawing is oriented with north facing upward.

9. Letter of no objection must be provided from the City of Fort Lauderdale Public Works Department, which was not included. Please contact to obtain letter:

City of Fort Lauderdale, Public Works Department

Igor Vassiliev, Project Manager II

(954) 828-5862

ivassiliev@fortlauderdale.gov

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

GENERAL COMMENTS

11. Provide a written response to all Development Review Committee comments.
12. An additional follow-up coordination meeting may be required to review changes necessitated by the Development Review Committee comments. Please schedule an appointment with the project planner (954-828-5019) to review revisions.
13. Additional comments may be forthcoming at the Development Review Committee meeting.

January 10, 2025

LORRAINE TAPPEN

CITY OF FORT LAUDERDALE – URBAN DESIGN & PLANNING
700 NW 19TH AVENUE
954-828-5018 – LTappen@fortlauderdale.gov

Re: **NE 6TH TERRACE ROW VACATION (DRC Case #UDP-V24001)**
INITIAL SUBMITTAL – July 26, 2024

ORLANDO ARROM (954.828.5285) oarrom@fortlauderdale.gov
ENGINEERING CASE COMMENTS – 08/23/24

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

1. 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 infrastructure.

RESPONSE: Acknowledged.

2. Letters of no objection from City of Fort Lauderdale Public Works have not been provided. AT&T, Comcast, FPL and City of Fort Lauderdale have known facilities within the right-of-way. Please be advised that prior to Engineer certificate being executed, letters from the utility's owners 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: All of the "no objection" letters have been received and uploaded to LauderBuild.

3. 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 right-of-way have been relocated or abandoned to the satisfaction of the respective utility owners.

RESPONSE: Acknowledged as per the above.

STORMWATER OPERATIONS – 08/23/24

Please provide a response to the following:

1. The Stormwater Operations Section does not have an objection to an easement of vacation at the location of 840 N Federal Hwy if it does not interrupt our section's ability to inspect, maintain and/ or schedule repairs on demand at the identified City owned Stormwater Assets represented in the Utility map below.

RESPONSE: The right-of-way easement vacation will not interrupt the Stormwater Operations Section's ability to inspect, maintain, and/or schedule repairs on demand at any of the identified City owned Stormwater assets.

a. Assets

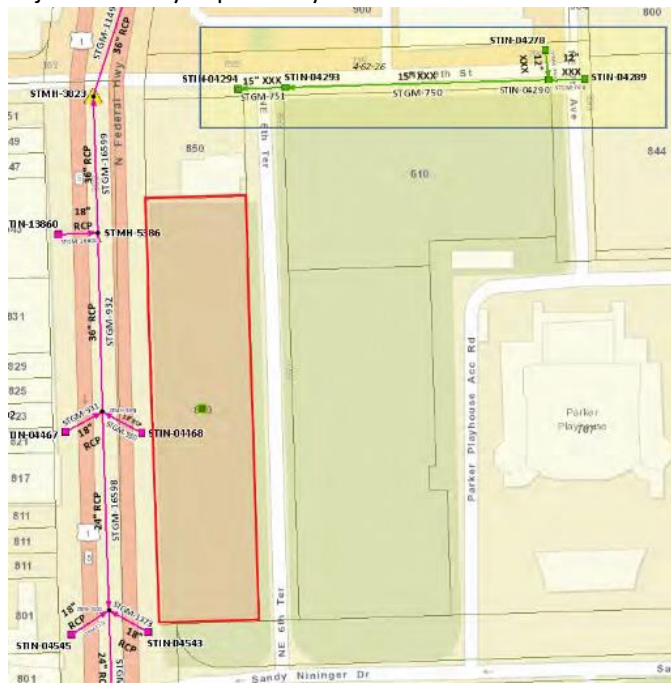
- i. **Gravity Mains (4): STGM 748, 749, 750 & 751 ~ 380 LF**

RESPONSE: Acknowledged.

- ii. **Inlets (5): STIN 04294, 04293, 04278, 04289, 04290**

RESPONSE: Acknowledged.

2. Please note, The City of Fort Lauderdale (Parks Department) also owns and operates an adjacent facility in proximity to this location at 610 NE 9th St.



RESPONSE: Noted.

Please provide a response to the following:

1. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days, February 12, 2025, for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension will result in the application being denied by the City and the applicant will be required to refile a new application and fees to proceed. The applicant did not submit a waiver to the timeline requirements.

RESPONSE: The Applicant agreed to waive the time limits as per the signed document on Nov 04, 2024.

2. The proposed vacation of right-of-way requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. Separate fees are required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements pursuant to Section 47-27.

RESPONSE: Understood and will comply as required code.

3. Pursuant to Public Participation requirements of Unified Land Development Regulations (ULDR), Sections 47-24.1.F.14 and 47-27.4.A.2.c, the applicant must complete the following:

- a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:

- I. Provide notice via e-mail and regular mail to the 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 (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <http://www.fortlauderdale.gov/neighbors/civic-associations>); and,

RESPONSE: The mail notice has been sent.

- II. Provide notice via mailed letter to property owners whose real property is located 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.

RESPONSE: The mail notice has been sent.

- b. The applicant shall conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are 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. 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

RESPONSE: Understood and will comply as required code. The meeting will be held on January 16th.

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 Engineering staff.
RESPONSE: The sketch and legal has been provided to the Planner for ultimate approval by all required parties and has been reviewed by the City Surveyor.

5. Provide timeline for the submittal of other development applications consistent with the lease agreement between the City and YMCA. Without all the development applications, it is difficult for staff to fully understand the intended use of the right-of-way and provide any potential design solutions.

RESPONSE: Application timelines were discussed with City Staff (Jim and Ella) on Nov 22, 2024.

6. Pursuant to ULDR, Section 47-24.6, Vacation of rights-of-ways, there is infrastructure located in the right-of-way that serves the property located at 850 N. Federal Highway. Applicant has not provided how this will be addressed and where the lines will be relocated. Additional information is needed.

RESPONSE: The 10" PVC SS located within the NE 6th Terrace ROW will remain to service the adjacent property. A 5' sewer easement will be provided by the Applicant along the PL as indicated on the Site Plan.

7. Plan Set, Sheet X1, revise the legend to read "right-of-way to be vacated."

RESPONSE: Legend has been revised to read "right-of-way to be vacated".

8. Revise the sketch and legal so the drawing is oriented with north facing upward.

RESPONSE: Sketch and legal will be updated prior to final DRC submittal to incorporate any other additional comments from Surveyor.

9. Letter of no objection must be provided from the City of Fort Lauderdale Public Works Department, which was not included. Please contact to obtain letter:

City of Fort Lauderdale, Public Works Department

Igor Vassiliev, Project Manager II

(954) 828-5862

ivassiliev@fortlauderdale.gov

RESPONSE: Letter of "No Objection" from Public Works has been obtained and uploaded to LauderBuild.

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

RESPONSE: The resolution will be recorded within 30 days after adoption.

GENERAL COMMENTS:

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

11. Provide a written response to all Development Review Committee comments.

RESPONSE: Response letter addressing all Development Review Committee comments will be included within the next submittal.

12. An additional follow-up coordination meeting may be required to review changes necessitated by the Development Review Committee comments. Please schedule an appointment with the project planner (954-828-5019) to review revisions.

RESPONSE: A meeting was held on Nov 22, 2024. Any additional meetings needed will be requested.

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

RESPONSE: Understood and responses will be provided to any additional comments.

Respectfully,

Flynn Engineering Services, P.A.