




REQUEST: Right-of-Way Vacation: Alley Vacation

Case Number	V17010
Applicant	Gospel Arena of Faith, Inc.
General Location	613 NW 3 rd Avenue -15-foot wide North/South alley, north of NW 6 th Street, west of NW 3 rd Avenue, south of NW 7 th Street and east of NW 4 th Avenue
Property Size	2,719 Square-Feet
Zoning	North West Regional Activity Center-Mixed Use east (NWRAC-MUe) and Residential Multifamily Mid Rise/ Medium High Density (RMM-25)
Existing Use	Alley is part of the parking lot for the Gospel Arena of Faith church.
Future Land Use Designation	Northwest Regional Activity Center (NW-RAC)
Applicable Unified Land Development Regulations (ULDR) Sections	Section 47-24.6, Vacation of Right-of-Way Section 47-25.2, Adequacy Review
Notification Requirements	Section 47-27.6, Sign Posting 15 days prior to meeting Section 47-27.6, Mail Notice 10 days prior to meeting Section 47-27.4, Public Participation
Action Required	Recommend Approval of Vacation to City Commission, or Deny
Project Planner	Linda Mia Franco, AICP, Principal Planner 

PROJECT DESCRIPTION:

The applicant, Gospel Arena of Faith, Inc. requests a vacation of a 15-foot-wide, approximately 187-foot-long portion of a North/South alley right-of-way located north of NW 6th Street, west of NW 3rd Avenue, south of NW 7th Street and east of NW 4th Avenue. The proposed alley vacation is associated with "The Six13" mixed-use development (Case #R17075), which is currently under review. The rezoning associated with the site is also scheduled on this agenda as Case No. Z17010. The sketch and legal description of the proposed vacation is attached as Exhibit 1.

PRIOR REVIEWS:

The request was reviewed by the Development Review Committee (DRC) on December 12, 2017. All comments have been addressed and are available on file with the Department of Sustainable Development (DSD).

REVIEW CRITERIA:

As per the Unified and Land Development Regulations (ULDR), Section 47-24.6.A.4., Vacation of Rights-of-Way, the request is subject to the following criteria:

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

The subject portion of the 15-foot-wide right-of-way is no longer needed for public purposes. The alley is a reservation alley and is not used for pedestrian or vehicular access to the abutting properties or the public. The alley bisects the proposed

development site for "The Six13" mixed-use project. The applicant will also grant easements for relocated utilities existing in this portion of the alley, as needed.

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

The alley is not currently used for pedestrian or vehicle traffic. The surrounding areas and other abutting properties can be accessed from NW 4th Avenue, NW 7th Street, or NW 3rd Avenue.

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

The alley cannot currently be used for vehicular traffic due to landscaping, utility poles, and development on the reservation alley. Vehicles will be able to utilize NW 4th Avenue, NW 7th Street, or NW 3rd Avenue to access the abutting properties.

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

The alley is not currently used for pedestrian traffic. Applicant will be improving the sidewalk conditions along NW 6th Street, and pedestrians can utilize NW 4th Avenue, NW 7th Street, or NW 3rd Avenue to access the abutting properties.

- 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.*

Letters of no objection have been received from all applicable franchise utilities and the applicant is coordinating how to address existing facilities and future service. All providers state they have no objection to the proposed street vacation. AT&T and FPL have no objection to vacating the street as long as the existing facilities are relocated by the owner/developer. Teco Peoples Gas, City of Fort Lauderdale and Comcast have no facilities in the area to be vacated and have no objection. The letters are attached as Exhibit 2.

Adequacy and Neighborhood Compatibility:

The adequacy criteria of ULDR, Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed vacation. The proposed vacation does not adversely impact or create additional demand on public services and facilities.

The applicant has provided a narrative response regarding the project's compliance with ULDR, Sections 47-24.6.A.4., Vacation of Rights-of-Way and Section 47-25.2 Adequacy Requirements, which are provided and attached herein as Exhibit 3 to assist the Board in determining if the proposal meets the criteria.

Public Participation

The right-of-way vacation request is subject to the public participation requirements established in ULDR, Section 47-27.4. According to the applicant, a public participation meeting was held on December 14, 2017, to offer the neighborhood surrounding the property the opportunity to

learn about the proposed project. The public participation meeting summary and affidavit are attached as Exhibit 4.

In addition, this request is subject to sign notification requirements established in ULDR, Section 47-27.4. The applicant has installed a total of 3 signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. Exhibit 5 contains the affidavit and pictures of the posted signs.

STAFF FINDINGS:

Staff recommends the Board approve this request with conditions as stated further below, and consistent with:

ULDR Section 47-24.6, Vacation of Right-of-Way

ULDR Section 47-25.2, Adequacy Review

CONDITIONS OF APPROVAL:

Should the Board approve the proposed vacation, the following conditions apply:

1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department;
2. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and,
3. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. The certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided by the applicant to the City.

PLANNING & ZONING BOARD REVIEW OPTIONS:

As per ULDR, Section 47-24.6.3, the Planning and Zoning Board shall consider the application for vacation-of-right-of-way and the record and recommendations forwarded by the DRC, and shall hear public comment on the application.

If the Planning and Zoning Board determines that the application meets the criteria for vacation, the recommendation shall be forwarded to the City Commission for consideration. If the Planning and Zoning Board determines that the criteria for vacation have not been met, the Board shall deny the application and the procedures for appeal to the City Commission as provided in Section 47-26B, Appeals, shall apply.

EXHIBITS:

1. Sketch and Legal Description
2. Utility Provider Letters
3. Applicant's Narratives
4. Public Participation Affidavit and Meeting Summary
5. Public Notice Signs and Sign Affidavit



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA
 33309 PHONE (954) 763-7611 * FAX (954) 763-7615

M.D. O.K

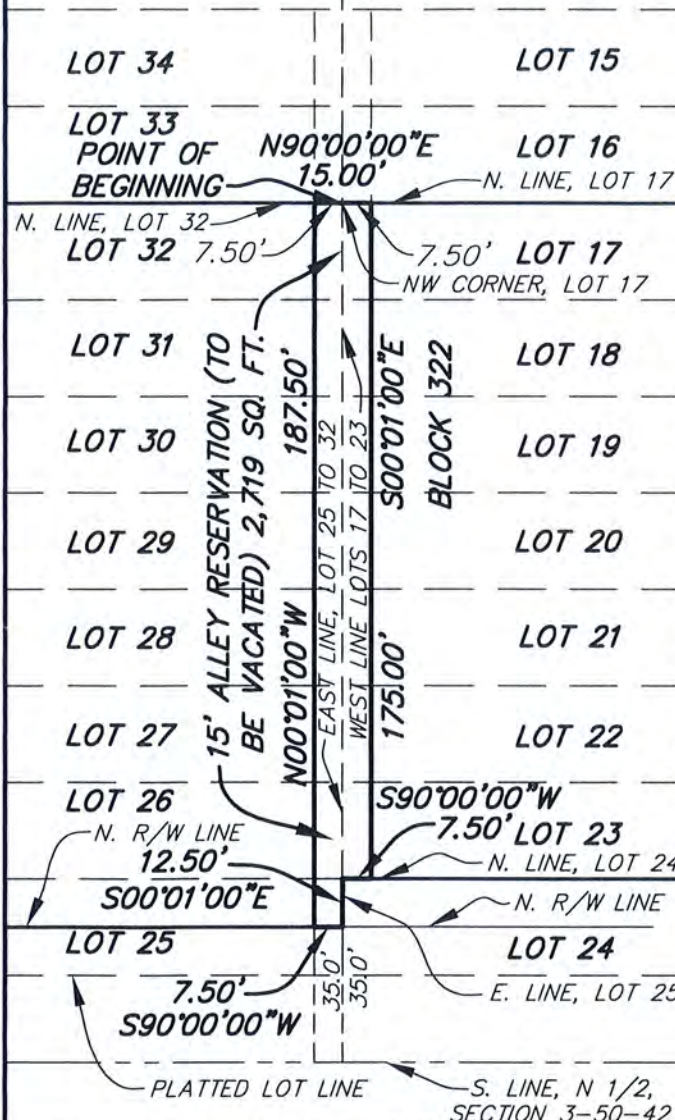
SCALE 1" = 50'

SKETCH AND DESCRIPTION
TO ACCOMPANY VACATION PETITION
15' ALLEY VACATION
PORTION BLOCK 322, PROGRESSO

N.W. 7TH STREET



N.W. 6th STREET
 SITE LAYOUT
 NOT TO SCALE



LEGAL DESCRIPTION:

The West 7.50 feet of Lots 17 to 23; AND the East 7.50 feet of Lots 26 to 32; AND ALSO that portion of Lot 25, lying North of the North right-of-way line of N.W. 6th Street, All in Block 322, PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, Page 18, of the public records of Dade County, Florida, more fully described as follows:

Beginning at the Northwest corner of said Lot 17; thence South 00°01'00" East, on a line 7.50 feet East of and parallel with the West line of said Lots 17 to 23, a distance of 175.00 feet; thence South 90°00'00" West, on the South line of said Lot 23, being the North right-of-way line of N.W. 6th Street, a distance of 7.50 feet; thence South 00°01'00" East, a distance of 12.50 feet; thence South 90°00'00" West, on the North right-of-way line of said N.W. 6th Street, a distance 7.50 feet; thence North 00°01'00" West, on a line 7.50 West of parallel with the East line of said Lots 25 to 32, a distance of 187.50 feet; thence North 90°00'00" East, on the North line of said Lot 32, a distance of 7.50 feet to the Point of Beginning.

Said land situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, and containing 2,719 square feet or 0.0624 acre, more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 1st day of September, 2017.
 Revised this 11th day of January, 2018.

McLAUGHLIN ENGINEERING COMPANY
J. M. McLaughlin Jr.
 JAMES M. McLAUGHLIN JR.
 Registered Land Surveyor No. 4497
 State of Florida.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the East line of Lots 25 to 32, as North 00°01'00" West.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-2633

CHECKED BY: _____

C: \JMMjr\2017\V2633 (VAC)



John Hughes
Manager - OSP Planning
& Engineering Design

ATT Florida
8601 W Sunrise Blvd
Plantation, FL 33322

T: 954-423-6326
jh0247@att.com

November 8, 2017

RE: Alley Vacation – City of Fort Lauderdale
613 NW 3rd Ave.

To whom it may concern,

Please be advised, AT&T has no objection to vacating the existing 15' easement/alley reservation that runs North/South between NW 3rd Ave and NW 4th Ave extending north of NW 6th St. approx. 177.5' and as recorded in Broward County Records official records book 2 page 18 of Progresso plat book and as shown in attached sketch (See page #2).

Please note that any relocation of existing AT&T facilities that may be required will be at the cost of the owner/developer. The plan for such rearrangements will also need to be coordinated with and approved by AT&T.

Thank you for choosing AT&T Florida.

Respectfully,

A handwritten signature in black ink, appearing to read "John Hughes".

John Hughes
Manager - OSP Planning & Engineering Design
ATT Florida
954-423-6326



November 9, 2017

613 NW 3RD AVE LLC
414 N ANDREWS AVE
FORT LAUDERDALE, FL 33301

Re: 613 NW 3RD AVE, FORT LAUDERDALE FL 33311
PLAT BOOK 2, PAGE 18 – ALLEY EASEMENT

Dear Micayla Oniskey

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", with a long horizontal line extending to the right.

Lucas Cornish
Associate Engineer



Easement & Right-of-Way Vacation Letter

11/9/2017

To: Micayla Oniskey
613 NW 3rd Ave LLC
414 N Andrews Ave
Fort Lauderdale, FL 33301

Subject: 613 NW 3rd Ave Fort Lauderdale alley vacation

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

David Rivera
Gas Design Technician

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

David Rivera
Gas Design Technician

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

David Rivera
Gas Design Technician

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

David Rivera
Gas Design Technician

Peoples Gas
5101 NW 21st Ave Ste. 460
Fort Lauderdale, FL 33309-2792
An equal opportunity company

(877) 832-6747
Fax (954) 453-0804
www.TECOEnergy.com



January 22, 2018

Ms. Angel Wright
Botek Thurlow Engineering, Inc.
3409 NW 9th Avenue, Suite 1102
Fort Lauderdale, FL 33309

Subject: Alley Reservation Vacation
BTE Project number 17-0601 The Six13
DRC Case # V17010

Dear Ms. Wright,

This letter is in response to your request for a letter of No Objection regarding the proposed vacation of the 15' alley reservation located on the property comprised of Lots 17, 18, 19, 20, 21, 22, and 23 and Lots 26, 27, 28, 29, 30, 31 and 32, Block 322, Progresso, according to the plat thereof, as recorded in Plat Book 2, Page 18, of the public records of Miami-Dade County, Florida, together with Lot 25, Block 322, less that portion as described in the Legal Description on the survey provided.

We have determined that there are no City of Fort Lauderdale water, sewer, or stormwater infrastructure facilities located within the subject alley reservation as shown on the survey provided. Based on this assessment, the City of Fort Lauderdale has no objection to the proposed vacation of the alley reservation.

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

Sincerely,

Rick Johnson
Utilities Distribution and Collection Systems Manager
City of Fort Lauderdale
949 NW 38 Street
Fort Lauderdale, FL. 33309
Ph: 954-828-7809



Engineering – Design Department
2601 SW 145th Ave Miramar, FL 33027

Friday, November 10, 2017

Micayla Oniskey
613 NW 3rd
Ave LLC 414 N.
Andrews Ave.
Fort Lauderdale, FL 33301

Comcast No Objection / Alley Vacation
Progresso Plat Book 02 page 18 ... as recorded in Broward County
[Comcast muid_9116_B](#)

Dear Ms. Oniskey

Please be advised ...in reference to the proposed alley vacation as referenced above
...Comcast has ***no objection nor conflicts*** to this subject alley vacation request.

Should you have any further question, please feel free to call me at 1-954-447-8405 e-fax
1-954-534-7008 or e-mail at Leonard_Maxwell-Newbold@cable.comcast.com

Sincerely,

Leonard Maxwell-Newbold
Regional Permit Manager
Comcast / Southern Division ([RDC](#))
10/2/2015 4:26:10 PM

Cc: Broward County Draw
File

Owner: Gospel Arena of Faith, Inc. (“Applicant”)
Project: Six13
Location: 613 NW 3rd Avenue (“Property”)
Author: Andrew J. Schein, Esq.

November 13, 2017

PROJECT NARRATIVE
AND ULDR CRITERIA FOR RIGHT-OF-WAY VACATION

1. **General Background Information.** Applicant is proposing to construct a mixed-use development consisting of 142 affordable housing multifamily units and 8,000 SF of commercial use. The Property is located on the northwest corner of NW 6th Street and NW 3rd Avenue. The alley reservation to be vacated was originally dedicated by plat and is considered a “paper alley”; the alley is not in any way improved and is not used for pedestrian or vehicular travel purposes. Pedestrians and vehicles will be able to access the other properties abutting the alley via NW 4th Avenue, NW 7th Street, or NW 3rd Avenue. The aerial below shows the Property outlined in blue and the approximate location of the alley reservation outlined in red. The sketch and legal description of the alley is included with this narrative.



2. **Utilities.** Applicant has received letters from AT&T, Comcast, FPL, and TECO stating that they have no objection to the vacation of the alley. Applicant will relocate all utilities located within the portion of the alley reservation to be vacated at their sole expense. Public Works has indicated that they do not maintain any stormwater infrastructure in the alley.

ULDR CRITERIA

Section 47-24.6. Vacation of rights-of-way.

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

RESPONSE: The alley reservation is not currently used for public purposes. It has not been improved and has never been used as an alley since the time of platting in 1911. Rather, it was “reserved” for an alley by plat. The alley is not necessary as it has never been used for such purpose. The portion of the alley to be vacated is a “paper alley”; it is not used for pedestrian or vehicular access to the abutting properties. The alley is currently used as part of the parking lot for the Gospel Arena of Faith church. Applicant is proposing to vacate only the portion of the alley within Applicant’s property, and the other properties abutting the alley can be accessed from NW 4th Avenue, NW 7th Street, or NW 3rd Avenue.

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

RESPONSE: The alley reservation is not currently used for pedestrian or vehicle traffic. The surrounding areas and other abutting properties can be accessed from NW 4th Avenue, NW 7th Street, or NW 3rd Avenue.

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

RESPONSE: The alley reservation cannot currently be used for vehicular traffic due to extensive landscaping, utility poles, and development in the reservation. Vehicles will be able to utilize NW 4th Avenue, NW 7th Street, or NW 3rd avenue to access the abutting properties.

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

RESPONSE: The alley reservation is not currently used for pedestrian traffic. Applicant will be improving the sidewalk conditions along NW 6th Street, and pedestrians can utilize NW 4th Avenue, NW 7th Street, or NW 3rd Avenue to access the abutting properties.

- 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: Applicant has received letters of no objection from ATT, Comcast, TECO, Public Works and FPL stating that they have no objection to the proposed alley vacation. Applicant will relocate all utilities located within the portion of the alley reservation to be vacated at their sole expense.

Section 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: Not applicable.

C. Drainage facilities. Adequacy of storm water 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 (214) inches of runoff from the impervious surface whichever is greater.

RESPONSE: The Civil Engineering plans for any development on the site will conform to this requirement. There are no stormwater infrastructure facilities in the alley. See attached letter from Rick Johnson.

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 wellfield 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 applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

RESPONSE: Not applicable.

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: There is an existing fire hydrant directly across the street of the south west corner of Sistrunk and any future development will be fully fire sprinklered.

F. Parks and open space.

1. For all residential plats, a minimum of three (3) acres property per anticipated one thousand (1,000) residents, or cash equivalent value, or combination thereof as determined by the department shall be provided by the applicant to meet the needs for additional parks. In addition, contribution to sub-regional and regional parks in accordance with the Broward County Land Development Code is required, and an applicant shall provide documentation to the department that such contribution has been satisfied.

RESPONSE: Not applicable.

2. If there is adequate acreage available to service the proposed residential development, the City shall reserve the capacity necessary to serve the development.

RESPONSE: Not applicable.

3. Open space requirements provided in the ULDR shall be in addition to and shall not replace the park and open space required by this subsection F.

RESPONSE: Not applicable.

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: Not applicable.

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 No. 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 service the proposed development, the City shall reserve the necessary capacity to serve the development.
- c. Where the county is projected service provider, a similar written assurance will be required.

RESPONSE: Not applicable. There are no water infrastructure facilities in the alley. See attached letter from Rick Johnson.

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 applicant 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: Not applicable. There are no sanitary sewer infrastructure facilities in the alley. See attached letter from Rick Johnson.

J. Schools. For all residential plats, the applicant 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: Not applicable.

K. Solid waste.

1. Adequate solid waste collection facilities and service shall be obtained by the applicant 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: Not applicable.

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: Not applicable. There are no stormwater infrastructure facilities in the alley. See attached letter from Rick Johnson.

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 applicant 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. And applicant 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.

RESPONSE: Not applicable. The alley does not exist and is merely a reservation. All adjoining sites are adequately served by existing City streets.

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 applicant 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 applicant 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 that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

RESPONSE: Not applicable. The alley does not exist and is merely a reservation. All adjoining sites are adequately served by existing City streets.

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 (34) hours; or (2) when the proposed use created 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 applicant shall submit to the traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways 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 trafficways.
 - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, 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 applicant.
 - 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 operation plan showing how the peak trips will be controlled and managed.

RESPONSE: Not applicable.

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: Not applicable. Any future development on the site will comply with the Broward County Trafficways Plan.

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: Not applicable. The alley is not in existence and is merely a reservation. Any proposed development will have adequate pedestrian facilities required under this section adjacent to public streets.

7. Primary arterial street frontage. Where a proposed development abuts a primary arterial street either existing or proposed in the Trafficways Plan, the Development Review Committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access 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: Not applicable.

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

RESPONSE: Not applicable.

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 condition which may prevent the ability to comply with the street tree requirements of this subsection. The street tree 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 RAG 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: Not applicable.

N. 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 easement 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: Not applicable. There are no wastewater facilities in the alley. See the attached letter from Rick Johnson.

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

RESPONSE: Not applicable.

P. Historical 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 applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters 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: Not applicable.

Q. Hurricane evacuation. If a structure or site is located East of the Intracoastal Waterway, the applicant 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: Not applicable.

Addendum: PZB Public Participation Notification <<if applicable>>

Applicant must provide notification according to the procedure listed below for projects listed in Sec. 47-27.4.A.2.c.

- A minimum of 21 days prior to the Development Review Committee (DRC) meeting, a notice from the applicant via letter or e-mail shall be provided to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the DRC meeting.
- Prior to submittal of application to the Planning and Zoning Board (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 hearing.
- The applicant shall conduct a public participation meeting(s) a minimum of 30 days prior to the PZB hearing.
- After the public participation meeting(s), 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) has taken place a minimum of 30 days prior to the PZB hearing. 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.
- The applicant shall, ten (10) days prior to DRC and again for the PZB, execute and submit to the department an affidavit of proof of public notice according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF PUBLIC PARTICIPATION NOTIFICATION

STATE OF FLORIDA
BROWARD COUNTY

RE: PLANNING AND ZONING BOARD

CASE NO. V17010 and Z17010

APPLICANT: Gospel Arena of Faith, Inc.

PROPERTY: 613 NW 3rd Avenue

PUBLIC HEARING DATE: February 21, 2018

BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, who upon being duly sworn and cautioned, under oath deposes and says:

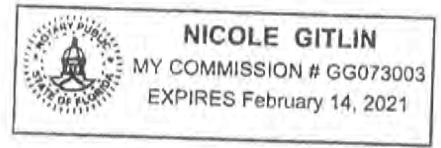
1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.
2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Public Participation meeting.
3. That the letter referenced in Paragraph two (2) above was mailed prior to the submittal of the PZB application meeting cited above.
4. That the public participation meeting was held at least **thirty (30)** days prior to the date of the PZB meeting cited above.
5. Affiant has prepared a summary of the public participation meeting cited above that documents the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion and comments expressed during the process.
6. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office **ten (10)** days prior to the date of the Planning and Zoning Board meeting and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
7. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.

Addendum: PZB Public Participation Notification <<if applicable>>

[Signature]
Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 12 day of February, 2021.

(SEAL) [Signature]



NOTARY PUBLIC
MY COMMISSION EXPIRES: Feb 14 2021

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. _____ (initial here)
_____ Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)

February 12, 2018

Linda Mia Franco, Principal Planner
Urban Design & Planning
700 NW 19th Avenue
Fort Lauderdale, FL 33311

RE: Public Participation Summary for DRC Case Nos. V17010 and Z17070

Dear Linda:

Pursuant to the City of Fort Lauderdale Ordinance No. C-15-01, the applicant held a public participation meeting with the Progresso Village Civic Association on December 14th, 2017 at 5:30pm at the Affiliated Development offices, located at 414 North Andrews Avenue in Fort Lauderdale. The Progresso Village Civic Association is the only officially recognized civic association within 300' of the proposed development. The meeting was noticed and communicated through e-mail with the Association's president. There were approximately seventeen (17) people in attendance.

At this meeting the applicant gave a detailed description of the rezoning and alley vacation. The applicant also discussed the site plan, provided project renderings and answered questions from those in attendance. Discussions included the type of development, timeline of approval, traffic issues and access to the site. A full list of the questions and answers provided at the meeting is included with this letter.

Should you require additional information, please let me know.

Very Truly Yours,


Robert B. Lochrie III, Esq.

cc: Ronald Centamore, President of Progresso Village Civic Association

December 14, 2017 Public Participation Meeting Questions and Answers

1. Question: When does the project go to Planning and Zoning?

Answer: We will be shooting for the February P&Z meeting, so we will be submitting materials in January.

2. Question: I own property between 2nd and 3rd and we have a utility easement. Is there a utility easement on your property?

Answer: There is not a utility easement that we're aware of, no. As you mentioned, there are some private utility easements in the area. There is, however, a powerline that runs down the center of the property that is in the alley vacation area, which will be relocated underground and brought around the property.

3. Question: The lights currently used on Sistrunk Boulevard are very dim. I hear that they were going to make the lights brighter but this doesn't seem to have happened. Will you be putting brighter lighting along the walkways? I think one of the main issues is that Sistrunk is not very welcoming at night, and can be scary to walk down late at night.

Answer: We have not heard too much about this issue, but know that the type of lighting currently on Sistrunk will have to be maintained. We are looking into potentially adding pedestrian lighting along the sides of the property. We will get it brighter to the extent that we are able to, and will certainly include what lighting we can. Having under-lighting will help as well.

Our goal is to have an active use on the ground floor, which will provide a lot of light and a lot of activity, and the restaurant space will help.

4. Question: What is on the first floor?

Answer: The ground floor contains a restaurant, lobby space, and office space. We will be relocating our offices to the building when it is completed.

5. Question: What is between the residential lobby and restaurant area?

Answer: That is our office – we will be on the first floor. This in combination with the restaurant space will allow for active daytime as well as nighttime uses. We believe strongly in the activity along Sistrunk, which was the reason for pitching the project to the CRA, and putting our office there.

6. Question: How large is the office and other ground-floor spaces?

Answer: Our office will be around 1,700 square feet. The majority of space here will be the restaurant, which at 4,000 square feet will occupy about half the ground level. Our office will be a small amount of the ground level and the majority will be taken up by the restaurant.

7. Question: Are there currently any interested tenants for the retail space?

Answer: Yes – we are speaking with a few regional groups, one of which is a coffee shop out of West Palm Beach who are looking to implement some additional concepts around South Florida. We’re designing this space to not only draw people to the building, but also to help serve our 142 tenants.

8. Question: Will the lights on the side streets be the same type of solar street lights that currently exist in the community?

Answer: We discussed this point at our DRC meeting on Tuesday and will comply with the requirements.

9. Question: Are there plans to replace the Sistrunk lighting with a more effective type of lighting? I remember hearing a few months ago that the City had plans to replace all Sistrunk lighting with a more effective type of lighting. You might want to look into that.

Answer: This hasn’t come up in any of our meetings yet. We wanted to ensure that the architectural elements of our building create additional lighting along Sistrunk, so that people feel safe walking around there no matter what time of day it is.

10. Question: Why isn’t there street parking on Sistrunk?

Answer: This area of Sistrunk does not allow on-street parking. We have, however, maximized the parking available on side streets.

11. Question: Where is the entrance to the parking garage?

Answer: We have entrances on both sides, which will allow for a better flow of traffic.

12. Question: How much parking do you have on the ground floor?

Answer: There are approximately 66 spaces on the ground floor.

13. Question: How many parking spaces are required for the commercial space?

Answer: For the commercial element, 13 spaces are required on the ground floor. We’ll be providing more than that, though, because we want to be able to rent the space and provide what the market supports.

14. Question: How many levels of parking do you have?

Answer: There are 3 levels of parking.

15. Question: Where is the drop-off area?

Answer: It will be inside the garage. We will also have a designated Uber drop-off and pick-up area in the garage. This will allow tenants and consumers to be covered, safe, and surrounded by plenty of light, instead of having to wait or pull over to the side of the road.

16. Question: What is on the roof?

Answer: We are proposing to put an active, green rooftop deck space on the roof for residents to use.

17. Question: How far along are you in the process?

Answer: We attended our DRC meeting this week. We haven't reached final approval yet, but we're in the process. Our P&Z target meeting date is in February, and we are aiming to start the project as soon as possible.

Right now, that looks like late spring around May, depending on how quickly we can move through the municipal process. We are working very swiftly with a team that is fully invested in expediting the process.

18. Question: What types of units will there be?

Answer: There will be one- and two-bedroom units – we don't have any studios.

19. Question: How much will you charge for rent?

Answer: We will start off around \$1100 a month. For 2-bedroom units, we'll start at \$1600 and go up to \$1800, which will provide significant cost savings compared to other new buildings in the area.

20. Question: Where is the clubhouse and gym?

Answer: These will be on the amenity deck, on the fourth floor of the building.

21. Question: Why did you reduce your height?

Answer: The ordinance the city currently has in place for meeting the previously planned height was something our lenders were not willing to work with.

With that in mind, we reduced the height of the building, but still kept the same number of units and square footages. We made this decision in the interest of getting the project into the ground as soon as possible.

22. Question: Why are other buildings in the area taller?

Answer: They fall under different zoning requirements.

Page 4: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must POST SIGNS (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: BOARD OF ADJUSTMENT
HISTORIC PRESERVATION BOARD
X PLANNING AND ZONING BOARD
CITY COMMISSION

CASE NO. V17010

APPLICANT: Gospel Arena of Faith, Inc.

PROPERTY: 613 NW 3rd Avenue

PUBLIC HEARING DATE: February 21, 2018

BEFORE ME, the undersigned authority, personally appeared Nicholas Rojo, who upon being duly sworn and cautioned, under oath deposes and says:

- 1. Affiant is the Applicant in the above-cited City of Fort Lauderdale Board or Commission Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least fifteen (15) days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office five (5) calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

Affiant (Signature)

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 13th day of February, 2018



NOTARY PUBLIC (Signature) MY COMMISSION EXPIRES: 11/13/2021

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. (initial here)

Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)

NW 6th Street (Sistrunk Boulevard) Frontage





NW 6th Street (Sistrunk Boulevard) and NW 3rd Avenue





NW 6th Street (Sistrunk Boulevard) and NW 4th Avenue

