

PROJECT NARRATIVE

APPLICANT: New River III, LLC
PROJECT NAME: New River Yacht Club III
CASE: #E16010 Vacation of Pedestrian and Vehicular Ingress and Egress Easement
LOCATION: 416 SW 1st Avenue
AUTHOR: Linda C. Strutt, AICP
DATE PREPARED: Updated December 6, 2016

Phase III of the New River Yacht Club is a mixed use residential and commercial project proposed to be constructed south of the existing New River Yacht Club between Andrews Avenue and SW 1st Avenue. The site is composed of Lots 3 through 6 and Lots 11 through 17 of Block 41 of the Town of Fort Lauderdale plat (“Property”). The Property is separated by a 14-foot wide platted alley with lots 3 through 6 located on the west side of the alley and lots 11 through 17 located to the east of the alley.

The alley was originally platted through Block 41 between SW 1st Street (South New River Drive West) and SW 5th Street. In 2011 the northernmost 120 feet of the alley was vacated. In order to accommodate the proposed site plan, the applicant is submitting an application to vacate approximately 200 feet of the alley lying to the south of the previous vacation. This portion of the alley is bounded on both sides by property owned by the applicant which will be included in the development project.

In conjunction with the 2011 alley vacation, a pedestrian and vehicular ingress-egress easement was dedicated through the building’s garage providing a connection between the northern end of the vacated alley and SW 1st Avenue to prevent a dead-end condition (Instrument #112770300). In conjunction with the requested alley vacation, the Applicant is proposing to dedicate a comparable easement through the new project providing a connection to SW 1st Avenue south of the current easement connection. As a result of the proposed alley vacation, the existing easement will no longer abut the public alley; moreover the new easement will eliminate the need for the existing recorded access easement. The applicant is therefore proposing to vacate the recorded easement through the property.

Letters of no objection have been requested from all of the franchise utilities as well as the City’s Public Works Department. Letters of no objection have been received from TECO gas, AT&T and the City’s Public Works Department to date. The applicant will supplement this application with the letters of no objection with the remaining letters upon receipt.

ULDR NARRATIVES

APPLICANT: New River III, LLC
PROJECT NAME: New River Yacht Club III
REQUEST: Vacation of Pedestrian and Vehicular Ingress and Egress Easement
CASE: #E16010 Level IV Vacation of Easements
LOCATION: 416 SW 1st Avenue
AUTHOR: Linda C. Strutt, AICP
DATE PREPARED: Updated December 6, 2016

Sec. 47-24.7. Vacation of easement.

A. *Vacation of easement (city commission).*

4. *Criteria.* An application for a vacation of an easement shall be reviewed in accordance with the following criteria:

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

The subject ingress-egress easement was dedicated in association with the vacation of the northern portion of the alley bisecting the site now occupied by the New River Yacht Club. The easement connected the north end of the remaining alley to SW 1st Avenue through the garage of the building. The applicant has submitted an application to vacate approximately 200 feet of the alley lying to the south of the previous vacation which would leave this easement no longer connected to the public alley. The applicant is proposing to dedicate a new easement through the project to connect the terminus of the public alley to SW 1st Avenue, rendering this access easement unnecessary.

and

b. All utilities located within the easement have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a portion of the easement area is maintained; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same.

This easement was dedicated for pedestrian and vehicular access and is located within the garage for the residential building. There are no franchise or public utilities located within this easement.

Letters of no objection have been requested from all of the franchise utilities and the City's Public Works Department. To date letters have been received from TECO gas, AT&T and the City's Public Works Department.

Sec. 47-25.2. Adequacy requirements.

A. *Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

The proposed easement vacation will not affect the adequacy of public services and facilities. As noted above, there are no utilities using this easement nor was it dedicated for utility purposes. The development project for this site is the subject of a separate DRC application which addresses each section of the Adequacy Requirements - Sec. 47-25.2. This narrative relates only to those adequacy requirements which may apply to the proposed easement vacation.

H. *Potable water:*

- 1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.**

Potable water service will be taken from the existing main in the adjacent streets (SW 1st Avenue and SW 5th Street). The projected project demand for potable water is addressed by the ULDR narratives provided for the development site plan.

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.

This easement is not currently being used to accommodate drainage facilities nor is it needed to accommodate proposed stormwater facilities needed to support the proposed development project. Any easements needed in association with the project drainage plan to serve the proposed development project will be granted.

N. Wastewater

- 1. Wastewater:** Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

There is no existing sanitary sewer in the subject easement. The projected project wastewater demand was addressed by the ULDR narratives provided with the development site plan submittal.



September 22, 2016

Ms. Linda C. Strutt, AICP
Linda Strutt Consulting, Inc
227 Goolsby Boulevard
Deerfield Beach, Florida 33442

Subject: Proposed Vacation of Access Easement
New River Yacht Club III
416 SW 1st Avenue
City of Fort Lauderdale

Dear Ms. Strutt:

This letter is in response to your request for a letter regarding the proposed vacation of the pedestrian and vehicular ingress and egress easement recorded as Instrument # 22770300 within the New River Yacht Club project in Block 41 of the *Town of Ft. Lauderdale* plat.

We have determined that there are no City infrastructure facilities located within the subject easement as shown on the attached legal sketch. We do not object to the proposed vacation of said easement.

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

Sincerely,

Rick Johnson
Utilities Distribution and Collection Systems Manager

CC: Ms. Ella Parker
Alex Scheffer

AT&T
8601 W Sunrise Boulevard
Plantation, FL 33322

954-476-2911 Office
954-423-6656 Fax

Farquharson
Specialist-OSPE
Network

September 21, 2016

Ms. Linda C. Strutt, AICP
Linda Strutt Consulting, Inc
227 Goolsby Boulevard
Deerfield Beach, Florida 33442

**RE: Proposed Vacation of Access Easement
New River Yacht Club III
416 SW 1st Avenue
City of Fort Lauderdale**

Dear Ms. Strutt:

Based on the legal description and sketches that were attached, AT&T has no objection to the vacation of the pedestrian and vehicular ingress and egress easement recorded as Instrument #112770300 in Block 41 of the *Town of Fort Lauderdale* (BOOK 4, PAGE 46, B.C.R.)

It should be noted, however, in order to provide future facilities, the owner will be required to grant a new Easement, conduits and any other support facilities that AT&T may require.

If you have any questions I can be reached at the above phone number.

Sincerely,



Andrew Farquharson
Specialist-OSP Engineering

CC: City of Fort Lauderdale
Planning & Zoning Department
700 NW 19th Avenue
Fort Lauderdale, FL 33311




Easement & Right-of-Way Vacation Letter

4/15/2016

To: Linda Strutt
Linda Strutt Consulting, Inc.
227 Goolsby Blvd
Deerfield Beach, FL 33442

Subject: New River Yacht Club 416 SW 1st Ave

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



David Rivera
Senior Engineering 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 or replacement of these facilities.

David Rivera
Senior Engineering 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 as shown on the attached drawing is incorporated in the replat, or the applicant will pay for the relocation or replacement of these facilities.

David Rivera
Senior Engineering Technician

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

David Rivera
Senior Engineering Technician



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

Monday, March 06, 2017

Ms. Linda C. Strutt, AICP
Linda Strutt Consulting, Inc
227 Goolsby Boulevard
Deerfield Beach, Florida 33442

Subject: Proposed Vacation of Access Easement
New River Yacht Club III
416 SW 1st Avenue
City of Fort Lauderdale
Comcast muid_7047_B

Dear Ms. Strutt:

Based on the legal sketch and description provided, Comcast does not object to the proposed vacation of the pedestrian and vehicular ingress and egress easement recorded as Instrument #112770300 in Block 41 of the Town of Fort Lauderdale.

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**

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

Digitally signed by Leonard Maxwell-Newbold
DN: cn=Leonard Maxwell-Newbold, o=Comcast ABB
Management Group, ou=Comcast South Florida RDC,
email=leonard_maxwell-newbold@cable.comcast.com, c=US
Date: 2017.03.06 10:54:52 -05'00'

Cc:
File



April 24, 2017

Ms. Linda C. Strutt, AICP
Linda Strutt Consulting, Inc
227 Goolsby Boulevard
Deerfield Beach, Florida 33442

Subject: Proposed Vacation of Access Easement
New River Yacht Club III
416 SW 1st Avenue
City of Fort Lauderdale

Dear Ms. Strutt:

Based on the legal sketch and description provided, FPL does not object to the proposed vacation of the pedestrian and vehicular ingress and egress easement recorded as Instrument #112770300 in Block 41 of the *Town of Fort Lauderdale*.

It is understood that existing FPL facilities located within the subject ingress and egress easement will be relocated at the owner's expenses. Additional easements required to provide service to the proposed project will be obtained at a future date.

Should you have any questions, please contact me at 305-626-3024.

Sincerely,

A handwritten signature in blue ink that reads "Jose Palomo".

Jose Palomo
Project Manager

Copies to: Melanie Syed