

# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** January 11, 2022

**PROPERTY OWNER:** MQMF Las Olas Owner, LLC.

**APPLICANT/AGENT:** Andrew Schein, Lochrie & Chakas, P.A.

**CASE NUMBER:** UDP-EV21011

**REQUEST:** Vacation of Easement: Termination of a Parking Easement

**LOCATION:** 419 SE 2nd Street

**ZONING:** Regional Activity Center - City Center (RAC-CC)

**LAND USE:** Downtown Regional Activity Center

**CASE PLANNER:** Yvonne Redding

Case Number: UDP-EV21011

**CASE COMMENTS:**

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

1. Provide a PDF copy of the previously vacated portion of SE 5<sup>th</sup> Ave Right-of-Way (as referenced in the Narrative), adjacent to the 419 SE 2<sup>nd</sup> St property that is being developed.
2. Since property surveys typically should not be older than 6 months, please provide a survey more current than the Boundary Survey for this property updated March 2017 (which is the most current PDF I was able to locate from previous DRC Case #R17044 Site Plan review).
  - a. Per O.R.B. 37116, PG 843 BCR (Easement Deed for Public Parking), it appears that most of the Access Easement is located within the adjacent 'Summit Las Olas' property (i.e. eastern portion of Crocker Tower Parcel "A"), but a portion is located within the 'EDEN Las Olas' property (i.e. western portion of Crocker Tower Parcel "A"). Please discuss if and how consent from both property owners was previously provided when the Access Easement was originally recorded, and if consent from both property owners is now required for the proposed partial easement vacation area.
3. Submit a stamped copy of the surveyor's sketch and legal description to the City 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.
4. Please be advised that the vacating resolution shall not be in full force and effect until an Engineer's Certificate is executed by the City Engineer or designee.
  - a. The Engineer's Certificate shall be executed by the proper authorities and recorded in the public records of Broward County.
  - b. A copy of the recorded certificate is to be provided to the City upon recordation.
5. Additional comments may be forthcoming at the meeting.

Case Number: UDP-EV21011

CASE COMMENTS:

No Comments.

**Case Number: UDP-EV21011**

**CASE COMMENTS:**

Please provide a response to the following:

1. The applicant is strongly encouraged to contact all neighborhood associations located within three hundred feet (300)' of the development site, to advise of this proposal (a map and listing of all neighborhood associations are listed on the City's website).
2. The proposed project requires review and approval by the City Commission. A separate application and fee are required for City Commission review. The applicant is responsible for all public notice requirements (See Unified Land Development Regulations Sec. 47-27). The City Clerk's office requires 48-hour notice prior to a Commission meeting if a computer presentation is planned (i.e. PowerPoint presentation). The presentation shall be provided on CD or flash to the City Clerk. Please contact the project planner for more information (954-828-5193).
3. Discuss with staff the location of the relocated parking spaces and their proximity to the spaces being vacated.
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. The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.

**GENERAL COMMENTS**

The following comments are for informational purposes.

Please consider the following prior to submittal for Final Development Review Committee ("DRC"):

6. The following easement documents must be reviewed and approved by City Staff prior to final approval:
  - Attorney's Opinion of Title
  - Easement Deed
  - Survey, Sketch and Legal Description
  - Joinder, Consent, and Partial Release by Mortgagee/Lien Holder


The instructions and templates for these documents may be found at

<https://www.fortlauderdale.gov/departments/sustainable-development/building-services/engineering-forms-and-info> listed under the topic "Dedicated Public Rights of Way and Easements." Please submit these documents electronically to Caroline Yeakel at [CYeakel@fortlauderdale.gov](mailto:CYeakel@fortlauderdale.gov).

7. Be advised that pursuant to State Statute, Section 166.033, states that development permits which require a quasi-judicial or public hearing decision must be complete 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 Development Review Committee comments. Prior to routing your plans for Final Development Review Committee sign-off, please schedule an appointment with the project planner Yvonne Redding (Email: [YRedding@fortlauderdale.gov](mailto:YRedding@fortlauderdale.gov), Phone: 954-828-6495 or) to review project revisions and/or to obtain a signature routing stamp.
9. Additional comments may be forthcoming at the Development Review Committee meeting.



## LEGEND

 Subject Site

UDP-EV21011 - 419 SE 2 St - Easement Vacation



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

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**APPLICANT/AGENT:** Andrew Schein, Lochrie & Chakas, P.A.

**CASE NUMBER:** UDP-EV21011

**REQUEST:** Vacation of Easement: Termination of a Parking Easement

**LOCATION:** 419 SE 2nd Street

**ZONING:** Regional Activity Center - City Center (RAC-CC)

**LAND USE:** Downtown Regional Activity Center

**CASE PLANNER:** Yvonne Redding

**CASE COMMENTS:**

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

1. Provide a PDF copy of the previously vacated portion of SE 5<sup>th</sup> Ave Right-of-Way (as referenced in the Narrative), adjacent to the 419 SE 2<sup>nd</sup> St property that is being developed.

**RESPONSE:** The Property was originally included on the "Town of Fort Lauderdale" plat, recorded in Plat Book "B", Page 40 of the public records of Miami-Dade County. The Town of Fort Lauderdale plat was recorded circa 1896. The Property was replatted in 1915 pursuant to the Stranahan's Subdivision plat, recorded in Plat Book 3, Page 187 of the public records of Miami-Dade County, Florida. The Stranahan's Subdivision plat (and subsequently the Crocker Tower plat that the Property is included on today) does not include any right-of-way between the project's location and the Camden Apartments, therefore it is presumed that if there was existing City right-of-way at this location, it was vacated by plat.

2. Since property surveys typically should not be older than 6 months, please provide a survey more current than the Boundary Survey for this property updated March 2017 (which is the most current PDF I was able to locate from previous DRC Case #R17044 Site Plan review).

**RESPONSE:** This resubmission includes an as-built survey updated as of December 22, 2021.

- a. Per O.R.B. 37116, PG 843 BCR (Easement Deed for Public Parking), it appears that most of the Access Easement is located within the adjacent 'Summit Las Olas' property (i.e. eastern portion of Crocker Tower Parcel "A"), but a portion is located within the 'EDEN Las Olas' property (i.e. western portion of Crocker Tower Parcel "A"). Please discuss if and how consent from both property owners was previously provided when the Access Easement was originally recorded, and if consent from both property owners is now required for the proposed partial easement vacation area.

**RESPONSE:** The parking spaces on the east side of the driveway (adjacent to the Camden Apartments) will remain. This request is for a partial easement vacation only on the property owned by MQMF Las Olas Owner LLC, which does not require the consent of any other property owners.

3. Submit a stamped copy of the surveyor's sketch and legal description to the City 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.

**RESPONSE:** Applicant submitted a hard-copy signed and sealed sketch and legal description to the Department.

4. Please be advised that the vacating resolution shall not be in full force and effect until an Engineer's Certificate is executed by the City Engineer or designee.
  - a. The Engineer's Certificate shall be executed by the proper authorities and recorded in the public records of Broward County.
  - b. A copy of the recorded certificate is to be provided to the City upon recordation.

**RESPONSE:** Due to the nature of this easement vacation request, an Engineer's Certificate is not required. This request is only to vacate a parking easement, not a utility easement.

**Case Number: UDP-EV21011**

**CASE COMMENTS:**

Please provide a response to the following:

1. The applicant is strongly encouraged to contact all neighborhood associations located within three hundred feet (300)' of the development site, to advise of this proposal (a map and listing of all neighborhood associations are listed on the City's website).

**RESPONSE: Acknowledged.**

2. The proposed project requires review and approval by the City Commission. A separate application and fee are required for City Commission review. The applicant is responsible for all public notice requirements (See Unified Land Development Regulations Sec. 47-27). The City Clerk's office requires 48- hour notice prior to a Commission meeting if a computer presentation is planned (i.e. PowerPoint presentation). The presentation shall be provided on CD or flash to the City Clerk. Please contact the project planner for more information (954-828-5193).

**RESPONSE: Acknowledged.**

3. Discuss with staff the location of the relocated parking spaces and their proximity to the spaces being vacated.

**RESPONSE: The parking spaces were relocated to the southwest corner of SE 15<sup>th</sup> Avenue and SE 16<sup>th</sup> Street pursuant to coordination with Jeff Davis (Parking Manager) and Benjamin Restrepo. The parking relocation plan and the correspondence with TAM staff is included in this submission.**

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: Acknowledged.**

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

**RESPONSE: Acknowledged.**





UDP-EV21011 - 419 SE 2 St - Easement Vacation

