

SUSTAINABLE DEVELOPMENT – URBAN DESIGN PLANNING RIGHT-OF-WAY/EASEMENT APPLICATION

Rev: 2 | Revision Date: 10/01/2020 | I.D. Number: ROWEA

DEVELOPMENT REVIEW COMMITTEE (DRC) Right-of-way / Easement Application

Cover: Deadline, Notes, and F	ees
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- Page 1: Applicant Information Sheet
- Page 2: Required Documentation / Submittal Checklist
- **Page 3:** Other Property & Right-of-Way related items for discussion

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via email, if plans do not meet the submittal requirements and if changes are required.

NOTES: Prior to formal submittal of applications, applicants are encouraged to schedule an appointment with Urban Design & Planning Division staff to obtain feedback regarding subject proposals, especially right-of-way vacation requests, as well as any other considerable development projects. The meetings provide an opportunity for applicants to obtain feedback and general direction, prior to expending significant effort on design and preparation of submittal documents.

Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre- City Commission and Final DRC plans) from all representatives at one time, in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

Other Property & Right-of-Way related items for discussion: the application and submittal requirements are attached on the last page of this application.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, license, encroachment, water and sanitary sewer agreements, shall be preceded by the execution and filing of the following plication form and the payment with said application fee of \$100.00, (Ordinance No. C-84-65), which st_____be nonrefundable. This application must be presented and the fee paid before agreement is prepared or considered. If publication is necessary, applicant agrees to pay the cost of such publication

Easement Vacation	\$ 1,600.00
Right-of-Way Vacation	\$ 1,600.00
Development Agreements with the City *	\$ 150.00 / Hour
Other Property & Right-of-Way related items for discussion	\$ 150.00/Hour

* Any agreement with the City of Fort Lauderdale and other parties, such as, but not limited to, revocable license, encroachment, water and sanitary sewer agreements)

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Page 1: DRC Vacation/ Agreements - Applicant Information Sheet

<u>INSTRUCTIONS</u>: The rollowing information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

TE: For purpose of identification, the	PROPERTY DWIER is the APPLICANT		
roperty Owner's Name	City of Fort Liude dale - Chris Lagerbloom,	ICMA-CM, City Manager	HEND'S
roperty Owner's Signature	a sive or the provided, no signatlff6	is required on the applic9lion by Iho owner.	- A. 24
ddress, City, State, Zip	100 N Andrews Ave, Fort Lauderdale, FL 3	3301	
-mail Address	9.0		
hone Number	202-456-1111		
roof of Ownership	Warranty Deed or] Tax Record		
TE: If AGENT is to represent OWNE	R, hotari ed etter of consent is required		
pplicant / Agent's Name	Cry of For La derdale, L		-
pplicant / Agent's Signature	Le volume_	2 C	
ddress, City, State, Zip	700 NW 19th Avenue, Fort Lauderdale, FL	33311	-
-mail Address	tlaforme@fortlauderdale.gov		-
hone Number	954-828-5633		-
etter of Consent Submitted	Yes		
			-
evelopment / Project Name	Federal Court House		
evelopment / Project Address	Existing: multiple - see tax records	New: 1000 & 1100 SE 3rd Ave	
egal Description	See attached survey		
ax ID Folio Numbers			-
For all parcels in development)	504215010260, 504215010211, 50421501 504215010250.504210760020, 50421501		
tequest / Description of Project			-
	Vacation of a portion of SE 10th Court.		
			-
pplicable ULDR Sections	ULDR Sec. 47-24.6, ULDR 47-25.2		
otal Estimated Cost of Project	\$ (Including land costs)		
	ROC, ROA, RMM-25		
urrent Land Use Designation	SRAC		
urrent Zoning Designation			_
urrent Use of Property			
	o wish to be Included In the request, if applicabl		-
Additional property owners who ame and Signature		e. Use additional sheets if necessary.	1
ratio and olAnamia. A h . c	S.; [fiffil],d,1-,1, !, J;		<u>H</u>
			_

NOTE: Applicant must indicate if/how the following provisions are met:

- 1. All utilities (list below) located wilhin the easement and/or right-or-way must be relocated pursuant to a relocation plan; and
- 2. The owner of the utility facilities must consent to the vacation; or
- 3. A utilities easement must be retained over the area or portion thereor; or
- 4. An easement in a different location must be provided for the utility facilities by the owner to the satisfaction of the City; or
- 5. Any combination of same and utilities maintenance are not disrupted.
- Applicants shall satisractorily support vacation requests by addressing each point listed in Sections 47-24.6 and 47-24.7 of the city's Unified Land Development Regulations (ULDR) as applicable.

TECO, Peoples Gas 5101 NW 211 Avenue Fort Lauderdale, FL 33309 (954) 453-0817, (954) 453-0804 fax

Florida Power and Light Service Planning 3020 N.W. 19 St Fort Lauderdale, FL 33311 (954) 717-2057, (954) 717-2118 fax BellSouth 8601 W. Sunrise Blvd., 2"" Floor Plantation, FL 33322 (954) 476-2909

Comcast, Inc. 2501 SW 145 Ave, Suite 200 Miramar, FL 33027 (954) 534-7417, (954) 534-7083 fax



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Page 2: Required Documentation

INSTRUCTIONS: An application for a vacation of an easement, a right-of-way or other public place shall be reviewed in accordance with all applicable provisions of ULDR Sec. 47-24.6 Vacation of Rights-of-Way and/or Sec. 47-24.7 Vacation of Easement.

One (1) copy of the following documents:

Completed application (all pages filled out as applicable)

- Proof of ownership (warranty deed or tax record), including corporation documents if applicable. Proof of ownership by Title Co. or written Attorney's opinion within the last 30 days.
- \square^{X} Property owners signature and/or agent letter signed by the property owner.
- Traffic study for projects that meet the trip threshold (see Sec. 47-24 or contact DRC Engineering Rep.)
- **C**olor photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.

The following number of Plans:

- One (1) original set, signed and sealed at 24" x 36"
- □ Six (6) copies sets, with plans at 11" x 17"
- One (1) electronic version of complete application and plans in PDF format

NOTE: For initial submittal one signed and sealed set is required. Copied sets will be requested after completion review. If the development site is separated by a public right-of-way including alley or alley reservations, a separate application must be completed for each parcel.

Plan sets should include the following:

- Narrative describing project specifics, to include: architectural style and important design elements, utilities affected and the plan to address them, trash disposal system, security/gating system, hours of operation, etc. Narrative response referencing all applicable sections of the ULDR, with point-by-point responses of how project complies with criteria. Narratives must be on letterhead, dated, and with author indicated.
- Cover sheet including project name and table of contents.
- Land Use a nd Zoning maps indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the x parcel(s) under consideration on all sets.
- Current survey(s) of property, signed and sealed, showing existing conditions. The survey should consist of the proposed project site alone excluding adjacent properties or portions of lands not included in the proposal. A × current certified boundary survey (within last 6 months) is required for "agreements with City of Fort Lauderdale applications".
- Most current recorded plat including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave.
- Aerial photo indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Sketch and legal description of easement or ROW proposed to be vacated (must be prepared by Engineer or Surveyor).

NOTES:

- All plans and documents must be bound, stapled and folded to 8 ½" x 11";
- All copy sets must be clear and legible and should include any graphic material in color;
- Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details;

Applicant's Affidavit I acknowledge that the Required Technical Specifications of the Tyler Laforme	Documentation and	Staff Intake For Urban Desig	e Review n & Planning Division use only:
Print Name		Date Received By	
Signature		Tech. Specs Reviewed By	
Date		Case No.	



Page 3: Property & Right-of-Way related items for discussion

APPLICATION FORM

Legal name of applic ant – (if corporation, names an d titles of officers as well as e xact name of corporation – if individuals doing business under a fictitious name, correct names of individuals (must be used). Not fictitious name:

NAME:	_ PHONE:
APPLICANTS ADDRESS:	
IF UNAVAILABLE CONTACT:	RELATIONSHIP OR TITLE
ADDRESS:	
ADDRESS AND LEGAL DESCRIPTION OF	PREMISES OR AREA AFFECTED.
SITE ADDRESS:	ZONED:
LEGAL DESCRIPTION:	
DISCUSSION ITEM:	
	APPLICANTS SIGNATURE & TITLE

NOTICE TO APPLICANT

- 1. Payment –\$100.00 application fee payable to the City of Fort Lauderdale.
- 2. Proof of ownership by Title Co. or written Attorney's opinion within the last 30 days.
- 3. Project Description Briefly describe the proposed project, any items to explain the request and related property and/or right-of-way items.
- 4. Six (6) copies, size11"x17" of Land Surveyor's sketch of plan delineating the area including legal description, property and/or right-of-way lines. Current certified boundary survey (within last 6 months).
- 5. Ground photos of the area and other material to depict the project.

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PROJECT NARRATIVE

DATE PREPARED:

October 28, 2021

APPLICANT:	City of Fort Lauderdale, Urban Design and Planning, Tyler Laforme, Urban Planner II
PROJECT NAME:	Federal Court House
REQUEST:	Vacation of SE 10 th Court
CASE:	UDP-V21005: Level IV: Vacation of Right-of-Way
GENERAL LOCATION:	Between Tarpon River and SE 11th Street, east of SE 3rd Ave
NEIGHBORHOOD ASSN:	Downtown Fort Lauderdale Civic Association
ZONING DISTRICT:	ROC, ROA, RMM-25
LAND USE:	SRAC
AUTHOR:	Tyler Laforme

The United States of America Federal Government is proposing a new Federal Courthouse in the general location south of the New River, just east of SE 3rd Ave, and north of SE 11th street, extending into the first parcel east of SE 4th Ave. In order to accomplish this development, a partial vacation of SE 10th Court and SE 4th Ave must occur.

The portions of SE 10th Court and SE 4th Avenue proposed for vacation traverse the site longitudinally and latitudinally, respectively. The site has been assembled under one ownership. None of the right-of-way proposed for vacation serves properties outside the proposed redevelopment site. The proposed vacation will not impact vehicular or pedestrian travel along SE 3rd Avenue or SE 11th Street which abut the development site.

There are franchise and municipal utilities located within the subject portions of the right-of-way. Letters of no objection have been obtained from all of the franchise utilities as well as the City's Public Works Department. Should any affected utilities require relocation, they will be relocated at the sole expense of the Applicant with easements granted as necessary.

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Federal Courthouse Narratives Case Planner: Tyler Laforme tlaforme@fortlauderdale.gov 954-828-5633

ULDR NARRATIVE

DATE PREPARED:	ctober 28, 2021
APPLICANT: Cir PROJECT NAME: Fe REQUEST: Vo CASE: UI GENERAL LOCATION: Be NEIGHBORHOOD ASSN: Do ZONING DISTRICT: RO LAND USE: SR	ty of Fort Lauderdale, Urban Design and Planning, Tyler Laforme, Urban Planner II aderal Court House acation of SE 10 th Court DP-V21:Level IV: Vacation of Right-of-Way etween Tarpon River and SE 11 th Street, east of SE 3 rd Ave owntown Fort Lauderdale Civic Association DC, ROA, RMM-25 RAC Her Laforme

ULDR Sec. 47-24.6. Vacation of Rights-of-Way

A. Vacation of rights-of-way or other public place (City Commission).

Criteria. An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:

- a. The right-of-way or other public place is no longer needed for public purposes;
 - i. Upon development of the proposed project, the right-of-way to be vacated will no longer be needed for public purposes. This right-of-way only serves the abutting properties, all of which are included in the proposed redevelopment. Should any municipal or franchise utilities existing in the subject right-of-way require relocation, the applicant will bear the expense and grant easements as needed. The development project will include improved sidewalks along SE 3rd Avenue and SE 11th Street which will facilitate pedestrian connectivity from SE 3rd Avenue to South Federal Highway.

And,

- b. Alternative routes if needed are available which do not cause adverse impacts to the surrounding areas;
 - i. The right-of-way to be vacated is located entirely within the project site. Currently, the portion of SE 10th Court that is proposed to be vacated only serves the properties within the redevelopment project site. Access from Se 3rd Avenue to South Federal Highway via SE 11th Street will remain unchanged.

And,

- c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area;
 - i. The proposed right-of-way vacation does not create any dead-end conditions. Vehicles will still be able to use SE 3rd Avenue and SE 11th Street.

And,

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

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- i. The right-of-way to be vacated only serves the properties within the project site. The proposed development project includes sidewalks along all street frontages and will create a better pedestrian experience than currently exists.
- And,
- e. All utilities located with 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 utilizes maintenance shall not be disrupted.
 - i. There are currently franchise and public utilities within the subject right-of-way. The applicant will work with the franchise utilities to address their facilities existing within the vacation area. The Existing drainage system which serves the site will be modified to serve the project needs without impacting properties beyond the site.

Letters of no objection will be requested from the franchise utilities and the City's Public Works Department. Copies of these letters will be provided as soon as they come available. The applicant will relocate utilities within the portion of the right-ofway to be vacated at their sole expense, as needed. If required by the affected agencies, the applicant will grant utility easements.

ULDR 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.
 - i. The proposed right-of-way vacation will not affect the adequacy of the public services and facilities. The development project for this site is the subject of a separate DRC application which will address each section of the Adequacy Requirements – SEC. 47-25.2. This narrative relates only to those adequacy requirements which may apply to the proposed right-of-way vacation.
- H. 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.
 - i. Public potable water facilities which exist within the public right-of-way to be vacated are currently proposed to be retained. The proposed project demand for potable water will be addressed by the ULDR narratives provided for the development site plan.

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- 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.
 - i. Drainage facilities within the subject right-of-way will be modified to serve the redevelopment project. Since the vacated right-of-way will become part of the proposed development project, drainage facilities will be constructed per the Civil plans, with all drainage addressed onsite.
- 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 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.
 - i. There is existing public sanitary sewer in SE 10th Court. These facilities are proposed to be retained. The projected project wastewater demand will be addressed by the ULDR narratives provided with the development site plan submittal.

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April 19, 2022

Tyler Laforme Urban Planner II – LEED Green Associate City of Fort Lauderdale Department of Sustainable development 700 NW 19th Avenue Fort Lauderdale, Florida 33311

Subject: Right-of-Way Vacation Portion of SE 10th Court, west of SE 4th Avenue and east of SE 3rd Avenue and north of SE 11th Street Case No. UDP-V21005

Letter of No Objection

Dear Mr. Laforme,

This letter is to override the Letter of Objection that was previously issued on April 12, 2022, in response to your request of a Letter of No Objection regarding vacation of a Right-of-Way for a new U.S. Federal Building and Courthouse that includes Portion of SE 10th Court west of SE 4th Avenue and east of SE 3rd Avenue and north of SE 11th Street.

The City of Fort Lauderdale (City) has water and sewer infrastructure located within the subject Right-of-Way:

- 1. 6-inch water main
- 2. 10-inch gravity sewer main.

Currently, the City is starting a design-built Water Main Relocation and Pump Station PS A-16 Upgrade Project (P12412) that will include relocation of the above listed water and sewer infrastructure. Therefore, **the City has no objections to the vacation of the subject Right-of-Way**.

Should you have any questions or require any additional information, please contact me at (954) 828-5862.

Sincerely,

Igor Vassiliev, P.E. Project Manager II

PUBLIC WORKS DEPARTMENT

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301 TELEPHONE (954) 828-5772, FAX (954) 828-5074 WWW.FORTLAUDERDALE.GOV



Equal Opportunity Employer CASE: V21005 Exhibit 2 Page 9 of 13

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Carlos Lozano Manager - OSP Planning & Engineering Design ATT Florida 5395 NE 14th Ave Ft Lauderdale, FL 33334 T: 561-310-5185 CL448E@att.com

April 14, 2022

Tyler J. Laforme Urban Planner II – LEED Green Associate City of Fort Lauderdale Department of Sustainable Development

RE: Right-of-Way Vacation - Letter of No Objection Request Portion of SE 10th Court lying west of SE 4th Ave and east of SE 3rd Ave and north of SE 11th Street Case No. UDP-V21005

<u>ATT does not object</u> to your request VACATE Portion of SE 10th Court lying west of SE 4th Ave and east of SE 3rd Ave and north of SE 11th Street Case No. UDP-V21005

It is understood that any relocation of existing AT&T facilities associated with the proposed project and encroachments will be at the owner's expense. Additional future easements in another location may be required to provide service to the proposed project.

Should you have any questions, please contact me at 561-310-5185.

Sincerely,

Carlos Lozano Manager - OSP Planning & Engineering Design

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Engineering – Design Department 6565 Nova Drive. Davie, Fl 33317

Wednesday, February 02, 2022

Mr. Tyler J. Laforme Urban Planner II – LEED Green Associate City of Fort Lauderdale Development Services Department

Re: Proposed abandonment of Right- of -Way Portion of SE 10th Court lying west of SE 4th Ave and east of SE 3rd Ave and north of SE 11th Street. FOLIO # 504215010260, 504215010250, 504215010211, 504215010230, 504215010240, 504215010200, 504210760020.

Dear Mr. Tyler J. Laforme:

On behalf of **COMAST** this letter shall serve as a notice of **"No-Objection"** to the for the proposed abandonment of Right- of -Way at Portion of SE 10th Court lying west of SE 4th Ave and east of SE 3rd Ave and north of SE 11th Street. FOLIO # 504215010260, 504215010250, 504215010211, 504215010230, 504215010240, 504215010200, 504210760020.

Please advise that Comcast engineering staff has reviewed the survey's you provided and has no objection to the abandonment of the right-of -way as proposed.

Should you need any further information, please do not hesitate to contact me.

Sincerely,

COMCAST.

Ricardo Davidson

Ricardo Davidson Construction Supervisor

Florida Power & Light Company



Tyler J. Laforme Urban Planner II – LEED Green Associate City of Fort Lauderdale Department of Sustainable Development

Re: Right-of-Way Vacation - Letter of No Objection Request Portion of SE 10th Court lying west of SE 4th Ave and east of SE 3rd Ave and north of SE 11th Street Case No. UDP-V21005

Dear Tyler:

This is to advise you that FPL has no objection to the granting of the above mentioned 28foot wide by 303.92-foot-long right-of way, with the applicant knowledge and agreement of the following two stipulations:

- FPL reserves the right to maintain and/or place cable or conductor within the Utility Easement along the above-mentioned easement within this property.
- It is understood that if any damages are incurred to FPL facilities or damage is incurred to your facilities while maintaining FPL facilities, the applicant will be totally responsible for all charges incurred for repairing said damages.

We hope that this information will assist in granting this encroachment. Should you have any questions, please call me at (954) 717-2148.

Sincerely, M Tim Doe (**Project Manager**

An FPL Group Company

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2/7/2022

To: Tyler J. Laforme Urban Planner II – LEED Green Associate City of Fort Lauderdale – Development Services Department 700 NW 19th Ave. Fort Lauderdale, FL 33311

RE: No Objection of Right-of-Way Vacation Federal Courthouse SE 10th Court ROW Vacation Portion of SE 10th Court north of SE 11th St, lying west of SE 4th Ave and east of SE 3rd Ave, and south of Tarpon River Abutting Folios: 504215010200, 504215010211, 504215010260, 504215010250, 504215010230

From: TECO People Gas

To: Whom it May Concern,

Thank you for contacting TECO Peoples Gas Company regarding the vacation of Right-of-Way at the above referenced location. After reviewing the documents provided, TECO-PGS has <u>NO</u> objection to this request.

If you have further questions, please do not hesitate to call.

Sincerely,

Joan Doming, Administrative Specialist, Senior Peoples Gas-Distribution Engineering 8416 Palm River Road Tampa, FL 33619 Office: 813-275-3783

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