



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** December 14, 2021

**PROPERTY OWNER:** FTL/AD, LTD.

**APPLICANT/AGENT:** Stephanie Toothaker, Toothaker.org

**PROJECT NAME:** 300 W. Broward

**CASE NUMBER:** UDP-EV21010

**REQUEST:** Vacation of Easement Review: 14-Foot Wide by  
330-Foot Long Utility Easement

**LOCATION:** 300 W. Broward Blvd.

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

**LAND USE:** Downtown Regional Activity Center

**CASE PLANNER:** Christian Cervantes



Case Number: UDP-EV21010

**CASE COMMENTS:**

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

1. Confirm if Vacating Ordinance C-89-94 complies with Section 3, which states 'That a copy of this Ordinance shall be recorded in the Public Records of Broward County within 30 days from the date of final passage'. Since this Ordinance passed second reading on 9/19/1989, but the document was recorded at Broward County Records on 5/11/1990 per BK 17411, PG 610 BCR (i.e. beyond 30 days from the date of final passage), please provide a PDF copy of the document recorded within the required timeframe. Otherwise, DSD-ENG staff to confirm with City Attorney's Office if corrective action would need to be taken by the applicant.
2. Per ULDR Section 47-24.1, provide written documentation that easement to be considered for vacation meets the City's development review criteria per ULDR Section 47-25.2 (Adequacy Review) and ULDR Section 47-24.7 (Vacation of Easement Requirements).
  - a. Per ULDR Section 47-24.7.A.2, Sketch & Legal Description missing for proposed utility easement vacation area.
  - b. Per ULDR Section 47-24.7.A.4.b, provide additional information regarding proposed utility relocation plan. Show/label location of proposed FPL poles to realign high voltage power lines along south property boundary, transitioning between existing mid-block poles (i.e. within utility easements south of the proposed development) and proposed FPL easement along east side of adjacent SW 4<sup>th</sup> Ave R/W.
  - c. Per ULDR Section 47-24.7.A.4.b, forward letters of no objection from all required utility owners as soon as they become available.
  - d. Per ULDR Section 47-24.7.A.6, the resolution approving the vacation of easement shall be in full force and effect after all franchise utility owners have either provided letters of no objection that they have no utilities within the easement vacation area, or have provided written concurrence that their utilities within the easement vacation area have been properly relocated, inspected, and accepted.
3. Provide a property survey that is based on a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar.
4. The applicant must provide a Letter of No Objection from the City's Public Works Department for the vacation of the easement in question. Please contact City's Public Works Department staff, Igor Vassiliev, P.E. at [ivassiliev@fortlauderdale.gov](mailto:ivassiliev@fortlauderdale.gov) or 954-828-5862 for additional coordination.
5. Provide letters from all franchise utility providers (including Public Works), demonstrating their interests in maintaining or no objection to the vacation of this Easement; the letters should specifically state whether or not the franchise utility providers have existing facilities within the Easement vacation area that will need to be relocated or abandoned.
6. 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.
7. 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. Prior to the Engineer's Certificate being executed, letters from the City's Public Works Department and franchise utilities indicating relocation/ removal of their facilities and any easement requirements have been completed/ recorded to their satisfaction shall be provided to the City Engineer or designee.
  - b. The Engineer's Certificate shall also state that all existing facilities located within the vacated easement have been relocated, removed, or abandoned to the satisfaction of the respective utility owners.
  - c. The Engineer's Certificate shall be executed by the proper authorities and recorded in the public records of Broward County.
  - d. A copy of the recorded certificate is to be provided to the City upon recordation.
8. Additional comments may be forthcoming at the meeting.



Case Number: UDP-EV21010

**CASE COMMENTS:**

1. No Comments.



Case Number: UDP-EV21010

CASE COMMENTS:

- 1. The applicant is strongly encouraged to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal...
2. The proposed project requires review and approval by the City Commission. A separate application and fee are required for City Commission review...
3. Letters must be provided from the following utility companies: AT&T, Comcast Cable, Florida Power & Light, TECO Gas as well as the City of Fort Lauderdale Public Works Department indicating no objections to the vacation...

AT&T

Greg Kessell, Design Manager
(561) 699-8478
G30576@att.com

City of Fort Lauderdale, Public Works Department

Igor Vassiliev, Project Manager II
(954) 828-5862
ivassiliev@fortlauderdale.gov

Comcast

Patesha Johnson, Permit Coordinator
(754) 221-1339
Patesha\_Johnson@comcast.com

Florida Power & Light (FP&L)

Mark Morkos, Engineer II Mike Keightley, Senior Engineer
(954) 717-2138 (954) 956-2019
Mark.Morkos@fpl.com Mike.S.Keightley@fpl.com

Peoples Gas

Joan Domning, Specialist
(813) 275-3783
JDomning@tecoenergy.com

- 4. The resolution approving the vacation of easement shall be recorded in the public records of Broward County within (30) days after adoption.
5. 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.
6. Current conditions show powerlines running down the center of the site and connected to adjacent parcels. Provide details on how continuity is to be maintained of utilities to adjacent sites.
7. Provide the ordinance number for the 6-foot FPL easement that is being requested to be vacated concurrently.
8. It appears the newly proposed location for the vacated easement overlaps with a right of way easement - provide clarification and letters of no objection for the right of way easement.



9. Provide an abstract survey for the site.
10. Staff reserves the right to provide additional comments based on applicant's revised plans and responses.

### **General Comments**

Please consider the following prior to submittal for Final DRC:


- 1) The following easement documents must be reviewed and approved by City Staff prior to final approval:
  - a. Attorney's Opinion of Title
  - b. Easement Deed
  - c. Survey, Sketch and Legal Description
  - d. 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).

- 2) An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to routing your plans for Final DRC sign-off, please schedule an appointment with the project planner ([CCervantes@fortlauderdale.gov](mailto:CCervantes@fortlauderdale.gov)) to review project revisions and/or to obtain a signature routing stamp. Please note applicant is responsible for obtaining signatures from all discipline members that had comments and may need to resolve comments through individual appointments if necessary.
- 3) Please be advised that pursuant to State Statute, Section 166.033, that within 120 days of an application being deemed complete, or 180 days for applications requiring a quasi-judicial hearing or public hearing, a municipality is required to render a decision on the application unless an extension of time is mutually agreed upon between the City and the applicant.
- 4) Additional comments may be forthcoming at the DRC meeting. Please provide a written response to all DRC comments.



# LEGEND

 Subject Site

## UDP-EV21010 - 300 W Broward

