

CITY OF FORT LAUDERDALE

DEVELOPMENT REVIEW COMMITTEE



CASE COMMENT REPORT

CASE NO. UDP-V24001



CITY OF FORT LAUDERDALE



CASE INFORMATION

CASE:	UDP-V24001
MEETING DATE:	August 27, 2024
REQUEST:	Vacation of Right-of-Way: 40-Foot Wide by 525-Foot Long Portion of NE 6th Terrace Between NE 8th Avenue and NE 9th Avenue, East of Federal Highway
APPLICANT:	City of Fort Lauderdale
AGENT:	Andrew Schein, Lochrie and Chakas, P.A.
PROJECT NAME:	NE 6th Terrace Vacation
PROPERTY ADDRESS:	840 N. Federal Highway
ZONING DISTRICT:	Boulevard Business (B-1) and Parks and Open Space (P)
LAND USE:	Commercial and Park and Open Space
COMMISSION DISTRICT:	2 - Steven Glassman
NEIGHBORHOOD ASSOCIATION:	Victoria Park Civic Association
CASE PLANNER:	Jim Hetzel

RESUBMITTAL INFORMATION

- Applicant must provide written responses to all DRC comments contained herein.
- Written responses must specify revisions made to the plans and indicate the sheet.
- Resubmitted plan sets must be accompanied by responses to be accepted.
- Any additional documentation must be provided at time of resubmittal.
- Resubmittals must be conducted through the City's online citizen's portal LauderBuild.
- Questions can be directed to the Case Planner assigned to the case.



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CASE COMMENTS:

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

1. Please be advised that additional Easements may need to be dedicated to the City resulting from the Vacation of Rights-of-Way approval process, including Utility Easement(s) that allow the City perpetual maintenance access to existing public sewer infrastructure.
2. Letters of no objection from City of Fort Lauderdale Public Works have not been provided. AT&T, Comcast, FPL and City of Fort Lauderdale have known facilities within the right-of-way. Please be advised that prior to Engineer certificate being executed, letters from the utility's owners 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.
3. Please be advised that the vacating ordinance shall not be in full force and effect until an Engineer's Certificate is executed by the City Engineer or designee. This Engineer's Certificate shall be executed by the proper authorities and recorded in the public records of Broward County. A copy of the recorded certificate is to be provided to the City upon recordation. The City Engineer's certificate shall also state that all existing facilities located within the vacated right-of-way have been relocated or abandoned to the satisfaction of the respective utility owners.



UDP-V24001 CASE COMMENTS:

Please provide a response to the following:

1. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days, February 12, 2025, for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension will result in the application being denied by the City and the applicant will be required to refile a new application and fees to proceed. The applicant did not submit a waiver to the timeline requirements.
2. The proposed vacation of right-of-way requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. Separate fees are required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements pursuant to Section 47-27.
3. Pursuant to Public Participation requirements of Unified Land Development Regulations (ULDR), Sections 47-24.1.F.14 and 47-27.4.A.2.c, the applicant must complete the following:
 - a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:
 - i. Provide notice via e-mail and regular mail to the 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 meeting (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <http://www.fortlauderdale.gov/neighbors/civic-associations>); and,
 - ii. Provide notice via mailed letter to property owners whose real property is located 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 meeting.
 - b. The applicant shall conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are at the discretion of the applicant. Once the meeting(s) is conducted, 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). 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. A minimum of ten (10) days prior to the PZB meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department.
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. Provide timeline for the submittal of other development applications consistent with the lease agreement between the City and YMCA. Without all the development applications, it is difficult for staff to fully understand the intended use of the right-of-way and provide any potential design solutions.
6. Pursuant to ULDR, Section 47-24.6, Vacation of rights-of-ways, there is infrastructure located in the right-of-way that serves the property located at 850 N. Federal Highway. Applicant has not provided how this will be addressed and where the lines will be relocated. Additional information is needed.
7. Plan Set, Sheet X1, revise the legend to read "right-of-way to be vacated."
8. Revise the sketch and legal so the drawing is oriented with north facing upward.



9. Letter of no objection must be provided from the City of Fort Lauderdale Public Works Department, which was not included. Please contact to obtain letter:

City of Fort Lauderdale, Public Works Department

Igor Vassiliev, Project Manager II

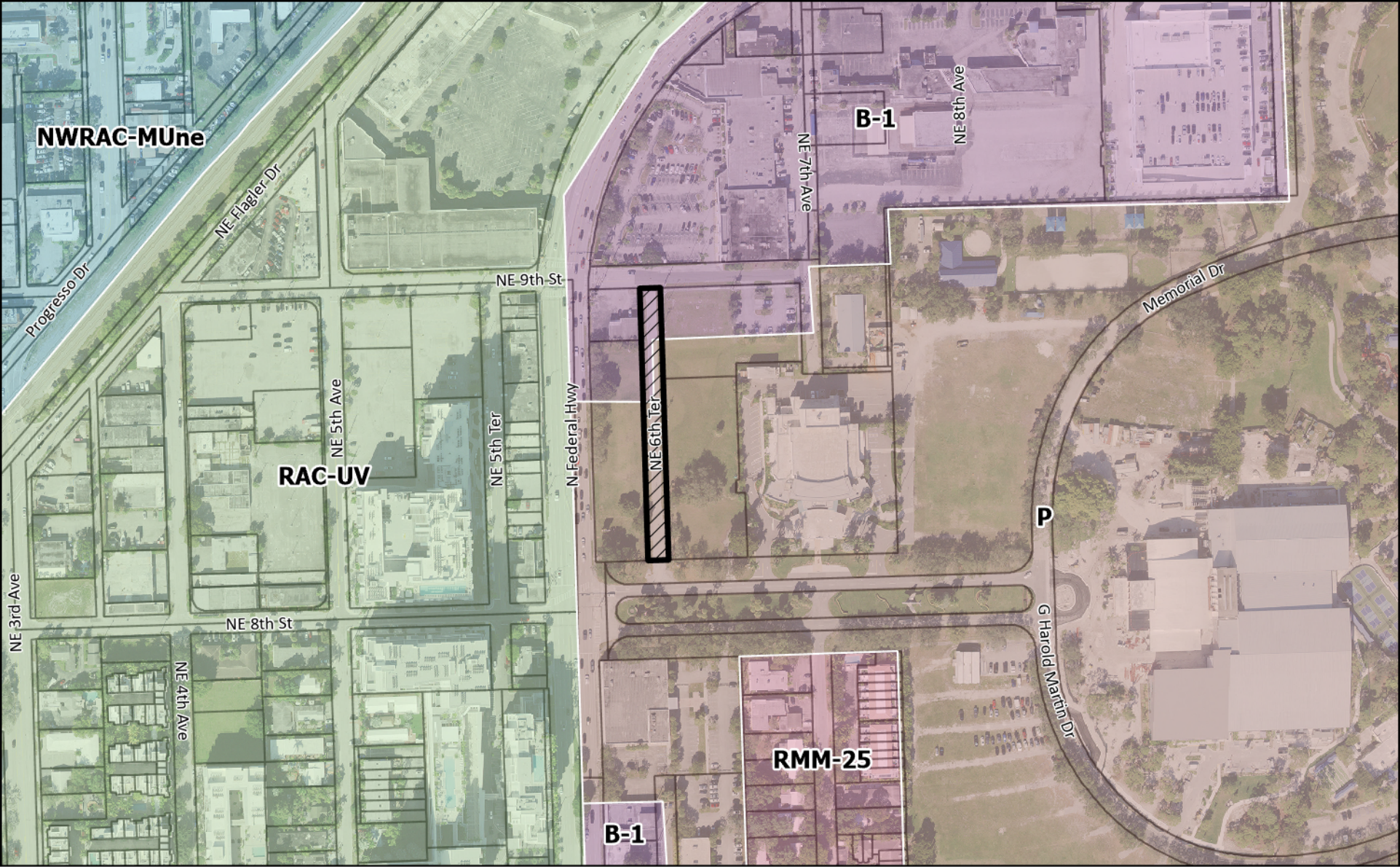
(954) 828-5862

ivassiliev@fortlauderdale.gov

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

GENERAL COMMENTS

11. Provide a written response to all Development Review Committee comments.
12. An additional follow-up coordination meeting may be required to review changes necessitated by the Development Review Committee comments. Please schedule an appointment with the project planner (954-828-5019) to review revisions.
13. Additional comments may be forthcoming at the Development Review Committee meeting.



UDP-V24001 - 840 N FEDERAL HWY