PLANNING & ZONING BOARD (PZB)

Right-of-Way Vacation Application

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet
Page 2: Required Documentation & Mail Notice Requirements
Page 3: Sign Notification Requirements & Affidavit

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 e-mail, if plans do not meet the submittal requirements and if changes are required.

NOTE: If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

NOTE: Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or 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.

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.

X Right-of-Way Vacation $ 610.00
INSTRUCTIONS: The following 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.

NOTE: To be filled out by Department

Casa Number

Date of complete submittal

NOTE: For purpose of identification, the PROPERTY OWNER is the APPLICANT

Property Owner’s Name Steelbridge Las Olas East, LLC (primary abutting property owner, see attached list)

Property Owner’s Signature If a signed agent letter is provided, no signature is required on the application by the owner

Address, City, State, Zip 2650 W Montrose Ave #104 Chicago, IL 60618

E-mail Address

Phone Number

Proof of Ownership [] Warranty Deed or [x] Tax Record

NOTE: If AGENT is to represent OWNER, notarized letter of consent is required

Applicant / Agent’s Name Charles Humphreys, Related Development LLC

Applicant / Agent’s Signature

Address, City, State, Zip 315 S. Biscayne Blvd, Miami, FL 33131

E-mail Address CHumphreys@RelatedGroup.com

Phone Number 305 533 0019 (office) 864 354 9491 (cell)

Letter of Consent Submitted (see attached, originals in City file)

Development / Project Name RD Las Olas

Development / Project Address

Legal Description A portion of the 14-ft. alley adjacent to Lots 5, 6, 7, 8 & 9, Subdivision of Block "H" of Stranahan's Revised and Additional Subdivision in the Town of Fort Lauderdale, FL (see attached full legal)

Tax ID Folio Numbers (For all parcels in development) 5042 10 08 0060, 5042 10 08 0070
5042 10 78 0010, 5042 10 78 0030, 5042 10 08 0080, 5042 10 08 0090

Request / Description of Project Partial alley vacation

Applicable ULDR Sections 47-24.6 and portions of 47-25.2

Total Estimated Cost of Project $ TBD (Including land costs)

Future Land Use Designation RAC Downtown Regional Activity Center

Current Zoning Designation RAC-CC Regional Activity Center City Center District

Current Use of Property alley

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.

<table>
<thead>
<tr>
<th>Name and Signature</th>
<th>Folio Number</th>
<th>Subdivision</th>
<th>Block</th>
<th>Lot</th>
</tr>
</thead>
</table>

NOTE: Applicant must indicate how they meet one of the following provisions:

1. All utilities (list below) located within the easement and/or right-of-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 thereof; 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.

TECO, Peoples Gas
5101 NW 21st 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
8001 W. Sunrise Blvd., 2nd Floor
Plantation, FL 33322
(954) 475-2908

Comcast, Inc.
Leonard Maxwell-Newbold
Engineering-Design Dept.
2601 SW 145 Ave.
Miami, FL 33027
(954) 447-8405
One (1) copy of the following documents:

- Original Pre-PZB signed-off plans and all supplemental documentation (ie. narratives, photos, etc.)
- Completed application (all pages must be filled out where applicable)
- Mail notice documents
- One (1) electronic version of complete application and plans in PDF format

Two (2) original sets, signed and sealed, of Pre-PZB plans at 24” x 36”

Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12” x 18”

- Narrative describing specifics of vacation request. Narratives must be on letterhead, dated, and with author indicated.
- Narrative quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- Land Use and 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 parcel(s) under consideration on all sets.
- Cover sheet on plan set to state project name and table of contents.
- Current survey(s) of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- 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 right-of-way proposed to be vacated (prepared by Engineer or Surveyor).

Note: All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

Note: Plans must be bound, stapled and folded to 8 ½” x 11”. All non-plan documents should be 8 ½” x 11” and stapled or bound.

Note: Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.

Note: For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the “Submittal Reference Book” available at the Planning & Zoning Department office.

MAIL NOTIFICATION

Notice shall be in the form provided by the department and mailed on the date the application is accepted by the department. The names and addresses of homeowner associations shall be those on file with the City Clerk.

- **REQUIREMENT:** Mail notice of development proposal shall be provided to real property owners within 300 feet of applicant’s property, as listed in the most recent ad valorem tax records of Broward County.
- **TAX MAP:** Applicant shall provide a tax map of all property within the required notification radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
- **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required notification radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
- **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required notification radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 NW 19th Avenue, Fort Lauderdale, FL 33311.
- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Planning office will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.
REQUEST: Right-of-Way Vacation; Alley Vacation

<table>
<thead>
<tr>
<th>Case Number</th>
<th>V17012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Charles Humphries, Related Development, LLC</td>
</tr>
<tr>
<td>General Location</td>
<td>201 South Federal Highway -- A portion of the north-south alley lying between S. Federal Highway and SE 5th Avenue, and between Las Olas Boulevard and SE 2nd Street</td>
</tr>
<tr>
<td>Property Size</td>
<td>3,360 Square Foot R.O.W. Vacation</td>
</tr>
<tr>
<td>Zoning</td>
<td>Regional Activity Center-City Center</td>
</tr>
<tr>
<td>Existing Use</td>
<td>Public Right-of-Way</td>
</tr>
<tr>
<td>Future Land Use Designation</td>
<td>Downtown Regional Activity Center (D-RAC)</td>
</tr>
</tbody>
</table>
| Applicable ULDR Sections | Sec. 47-24.6 Vacation of Right-of-Way  
Sec. 47-25.2, Adequacy Criteria |
| Notification Requirements | Sec. 47-27.6 Sign Posting 15 days prior to meeting;  
Sec. 47-27.6 Mail Notice 10 days prior to meeting.  
Sec. 47-27.4, Public Participation |
| Action Required | Recommend Approval of Vacation to City Commission, or Deny |
| Project Planner | Randall Robinson, Planner III |

PROJECT DESCRIPTION:
The applicant, Charles Humphries, Related Development, LLC, requests the vacation of a 14-foot-wide, 240-foot-long portion of alley right-of-way located between S. Federal Highway and SE 5th Avenue, and between Las Olas Boulevard and SE 2nd Street, near the intersection of SE 2nd Street and SE 6th Avenue. The proposed alley vacation is associated with the "RD Las Olas" mixed use project (Case #R17048) which is currently under review.

A sketch and legal description is provided as Exhibit 1.

PRIOR REVIEWS:
This application was deferred from the December 20, 2017 Planning & Zoning Board Hearing.

The request was reviewed by the Development Review Committee (DRC) on August 22, 2017. All comments have been addressed and are available on file with the Department of Sustainable Development (DSD).

REVIEW CRITERIA:
As per ULDR Section 47-24.6.A.4, the request is subject to the following criteria:

a. The right-of-way or other public place is no longer needed for public purposes;
   The alley right-of-way is 14-feet-wide. The alley abuts the proposed redevelopment site for the "RD Las Olas" mixed use project on the east side. The lots comprising the site are being assembled under single ownership. The abutting owner on the west side has agreed to convey the west half of the vacated alley to be included in the redevelopment site. The remaining property abutting the southern portion of the alley will continue to have access to the public portion of the alley.
The applicant is proposing to grant a 14-foot wide public access easement, corresponding to the vacated portion of the alley to provide for continuous access between Las Olas Blvd. and SE 2nd Street. The subject alley right-of-way segment is not currently being used for pedestrian circulation. The applicant will also grant easements for relocated utilities existing in this portion of the alley, as needed.

b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas;

The proposal will not adversely impact connectivity. The applicant is proposing to grant an access easement over the vacated alley right-of-way connecting the remaining public portion of the alley to SE 2nd Street. A new sidewalk will be constructed as part of the RD Las Olas development for pedestrian circulation.

c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area;

An access easement is being proposed over the vacated alley right-of-way to maintain a connection between SE 2nd Street and Las Olas Boulevard and a turnaround is not necessary.

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

The alley does not currently serve pedestrian traffic. Enhanced sidewalks will be provided along the south side of SE 2nd Street and the west side of SE 6th Avenue abutting the project site.

e. All utilities located within 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 utilities maintenance shall not be disrupted.

There are existing franchise and public utilities within the subject alley right-of-way. The applicant will coordinate with the franchise utilities to address any facilities existing within this portion of the alley and if any are required to be relocated. The upstream end of the sanitary sewer located in the alley is planned to remain. The existing drainage through the alley (serving the parcel to the west) will be re-routed to retain the service to said parcel, without impact to the City’s infrastructure.

Letters of no objection have been requested and received from the franchise utilities and the City’s Public Works Department. The utility letters are provided as Exhibit 2.

Applicant’s response narratives to the criteria are provided as part of the submittal package, Exhibit 3. Staff concurs with applicant’s assessment.

Public Participation
The Right of Way Vacation request is subject to the public participation requirements established in ULDR Sec. 47-27.4. According to the applicant held a public participation meeting on
November 15, 2017 in order to offer the Downtown Fort Lauderdale Civic Association the opportunity to learn about the proposed project.

The public participation meeting background information and affidavits are provided as Exhibit 4.

In addition, this request is subject to sign notification requirements established in ULDR Section 47-27.4. The applicant has installed a total of 3 signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. Exhibit 5 contains the affidavits and pictures of the posted signs.

**STAFF FINDINGS:**
Staff recommends the Board approve this request consistent with:

ULDR Section 7-24.6, Vacation of Right-of-Way; and
ULDR Section 47-25.2, Adequacy Criteria

**CONDITIONS OF APPROVAL:**
Should the Board approve the proposed vacation, the following conditions apply:

1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City’s Public Works Department;

2. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider;

3. Prior to final DRC approval, applicant shall provide a CCTV videotape of the 8" VCP sanitary sewer main to Public Works to verify that no other sewer laterals (other than from the proposed development) are connected to this sewer line. Prior to building permit approval, applicant’s engineer shall design a new sanitary sewer manhole to be located at the South end of the vacated alleyway. The new Manhole and portion of the existing 8" VCP located north of the new manhole shall be a private sewer main to be maintained by the applicant. The site plan and applicable civil drawings shall call out the demarcation point for public/private maintenance.

4. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. This certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City;

5. Applicant shall grant an access easement over the vacated alley right-of-way to maintain the existing vehicular connection between SE 2nd Street and Las Olas Boulevard.

6. Should the Planning & Zoning Board approve the application, applicant shall furnish remaining outstanding utility service provider letter prior to placement on a City Commission Agenda.

**PLANNING & ZONING BOARD REVIEW OPTIONS:**
As per ULDR Section 47-24.6.3, the Planning and Zoning Board shall consider the application for vacation-of-right-of-way and the record and recommendations forwarded by the DRC, and shall hear public comment on the application.
If the Planning and Zoning Board determines that the application meets the criteria for vacation, the recommendation shall be forwarded to the City Commission for consideration. If the Planning and Zoning Board determines that the criteria for vacation have not been met, the Board shall deny the application and the procedures for appeal to the City Commission as provided in Section 47-268, Appeals, shall apply.

EXHIBITS

1. Sketch and Legal Description
2. Utility Provider Letters
3. Applicant's Narratives
4. Public Participation Information
5. Notice Signs and Mailing Affidavits
SKETCH AND DESCRIPTION TO ACCOMPANY VACATION PETITION
14' ALLEY SOUTH OF S.E. 2nd STREET
SHEET 1 OF 2 SHEETS

LEGAL DESCRIPTION:

A portion of that certain 14.00 foot Alley adjacent to Lots 5, 6, 7, 8 and 9, SUBDIVISION OF BLOCK "H" OF STRANAHAN'S REVISED AND ADDITIONAL SUBDIVISION IN THE TOWN OF FORT LAUDERDALE, FLORIDA, according to the plat thereof, as recorded in Plat Book 1, Page 9, of the Public Records of Broward County, Florida, more fully described on Sheet 2 of 2 Sheets.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 6th day of July, 2017.

McLAUGHLIN ENGINEERING COMPANY

SCOTT A. McLAUGHLIN
Registered Land Surveyor No. 5849
State of Florida

FIELD BOOK NO. ____________________________
JOB ORDER NO. V-2511
REF. DWG.: 15-3-82

DRAWN BY: ____________________________
CHECKED BY: ____________________________

C:\JMMjr/2017/V2390
LEGAL DESCRIPTION:

A portion of that certain 14.00 foot Alley adjacent to Lots 5, 6, 7, 8 and 9, SUBDIVISION OF BLOCK "H" OF STRANAHAN'S REVISED AND ADDITIONAL SUBDIVISION IN THE TOWN OF FORT LAUDERDALE, FLORIDA, according to the plat thereof, as recorded in Plat Book 1, Page 9, of the Public Records of Broward County, Florida, bounded as follows:

On the East by the West line of said Lots 5, 6, 7, 8 and 9. On the South by the Westerly extension of the South line of said Lot 5. On the West by the East line of Parcel "A", of AMENDED PLAT OF SOUTH FEDERAL, INC. SUB., according to the plat thereof, as recorded in Plat Book 72, Page 22, of the public records of Broward County, Florida. On the North by the Easterly extension of a line 10.00 feet South of and parallel with the North line of said Parcel "A", being the Easterly extension of the South right-of-way line of S.E. 2nd Street, per Official Records Book 17338, Page 366, of the public records of Broward County, Florida.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida and containing 3,360 square feet or 0.0771 acres, more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 6th day of July, 2017.

McLAUGHLIN ENGINEERING COMPANY

[Signature]
Scott A. McLaughlin
Registered Land Surveyor No. 5849
State of Florida

DRAWN BY: JMMjr

CHECKED BY: C:\JMMjr\2017\V2390

FIELD BOOK NO. ____________________________
JOB ORDER NO. V-2511
REF. DWG.: 15-3-82
September 29, 2017

Linda Strutt  
227 Goolsby Blvd  
Deerfield Beach, FL 33442

Re: 501 E Las Olas Blvd, Ft. Lauderdale, FL 33301

Dear Linda Strutt,

FPL has no objection to abandoning or vacating the above requested easement.

However, FPL has existing facilities and utility easements at this site. FPL will remove our existing facilities and vacate the existing easement at this location at the customer's expense. Prior to this being done, provisions must be made, new easements secured and facilities constructed to serve any existing FPL customers that may be affected by your request.

FPL will require a complete set of plans prior to construction. These would include the survey of property, site plan, water sewer & drainage, paving, and electrical plans. As the FPL engineering process takes about three to four months, it is imperative that complete plans be provided well in advance of construction.

Please contact me at (954) 717-1431 should you have any questions or concerns.

Yours truly,

Favyan Torres  
Engineer II
November 9, 2017

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

Subject: Proposed Vacation of Alley (Partial)
RD Las Olas (Case # V17012)
South of SE 2nd Street
City of Fort Lauderdale

Dear Ms. Strutt:
Based on the legal sketch and description provided, ATT does not object to the proposed vacation of the portion of the 14-foot alley adjacent to the west side of Lots 5 through 9 Subdivision of Block H of the Town of Stranahan’s Revised and Additional Subdivision in the Town of Fort Lauderdale (Plat Bk. 1 Pg. 9, B.C.R.)

It is understood that any relocation of existing ATT facilities associated with the proposed project and vacation 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 954-423-6326.

Sincerely,

John Hughes
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

9/29/2017

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

Subject: Proposed Partial Vacation of Alley Rd Las Olas (Case # V17012) South of SE 2nd Ave City of Fort Lauderdale

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

David Rivera
Gas Design 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 retirement or replacement of these facilities.

David Rivera
Gas Design 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 is incorporated in the replat, or the applicant will pay for the relocation or replacement of these facilities.

David Rivera
Gas Design Technician

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

David Rivera
Gas Design Technician
October 26, 2017

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

Subject: Proposed Vacation of Alley (Partial)
RD Las Olas (Case #V17012)
South of SE 2nd Street
City of Fort Lauderdale

Dear Ms. Strutt:

This letter is in response to your request for a letter regarding the proposed vacation of a portion of the 14-foot alley right-of-way adjacent to the west side of Lots 5 through 9 Subdivision of Block H of Stranahan’s Revised and Additional Subdivision in the Town of Fort Lauderdale plat (Plat Bk. 1 Pg. 9, B.C.R.).

We have determined that there are City infrastructure facilities located within the subject alley right-of-way as shown on the attached legal sketch. We do not object to the proposed vacation of said alley right-of-way provided the vacation is conditioned upon the developers modifying the utilities as appropriate, consistent with approved engineering plans, at their expense. Any relocated utilities would be required to be inspected and accepted by the Utilities Department.

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

Sincerely,

Rick Johnson
Utilities Distribution and Collection Systems Manager

CC: Ms. Ella Parker
PROJECT NARRATIVE

APPLICANT: Steelbridge Las Olas East, LLC

PROJECT NAME: RD Las Olas

CASE: #V17012 Vacation of Portion of 14-Foot Alley Right-of-Way

LOCATION: Alley Adjacent 227 SE 6th Avenue

AUTHOR: Linda C. Strutt, AICP

DATE PREPARED: July 14, 2017
Updated November 7, 2017

RD Las Olas is a mixed use multi-family residential and commercial project proposed to be constructed south of SE 2nd Street on the west side of South Federal Highway. The site is composed of Lots 5 through 9 of Subdivision of Block H of the Town of Stranahan’s Revised and Additional Subdivision in the Town of Fort Lauderdale (Plat Bk. 1 Pg. 9, B.C.R.). The site is currently used for parking.

A 14-foot alley connecting SE 2nd Street to Las Olas Boulevard abuts the western side of the redevelopment site. The subject portion of the alley separates the site, currently used as a parking lot, from the bank parking garage on the west side of the alley. The new building is proposed to extend over the alley at several elevated stories comprising the parking garage podium, above the ground floor. In order to accommodate the proposed site plan, submitted to DRC concurrently with this application, approximately 240 feet of the alley lying to the south of S.E. 2nd Street needs to be vacated.

All of the lots included in the redevelopment site on the east side of the alley are being assembled under one ownership. The owner of the property abutting the proposed alley vacation on the west side is a party to the proposed vacation and redevelopment.

As property not included in the redevelopment project abuts the alley south of the proposed project and vacation, it is proposed to remain public. To maintain a connection to SE 2nd Street, the applicant is proposing to dedicate an access and utility easement essentially over the vacated portion of the alley under the building’s upper floors. Primary vehicular access to the building will be via SE 6th Street. Only two loading spaces on the ground floor will have direct access from the alley.

There are franchise and municipal utilities located in the subject portion of the alley. FPL overhead facilities will be relocated at the expense of the developer. Proposed modifications to existing sewer and drainage facilities are included in the site plan submittal under separate review. A public access-utility easement will be dedicated essentially in the location of the vacated alley. Any other easements needed to accommodate new/relocated facilities will be dedicated. Letters of no objection have been requested from all of the franchise utilities as well as the City’s Public Works Department. Letters have been received from Public Works and all utilities except ATT and Comcast. These letters are anticipated in the near future.
ULDR NARRATIVES

APPLICANT: Steelbridge Las Olas East, LLC
PROJECT NAME: RD Las Olas
REQUEST: Vacation of Portion of 14-Foot Alley Right-of-Way
CASE: #V17012 Level IV Vacation of Rights-of-Way
LOCATION: Alley Adjacent 227 SE 6th Avenue
AUTHOR: Linda C. Strutt, AICP
DATE PREPARED: July 14, 2017
Updated November 7, 2017

A. Vacation of rights-of-way or other public place (city commission).
4. 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;

The alley right-of-way measures 14 feet wide with no sidewalks. The proposed redevelopment site abuts the alley on the east side. The lots comprising the site are being assembled under single ownership. The abutting owner on the west side has agreed to conveying the west half of the vacated alley to be included in the redevelopment site. The remaining property abutting the southern portion of the alley will continue to have access to the public portion of the alley. The applicant is proposing to grant a 14-foot wide public access, essentially corresponding to the vacated portion of the alley to provide for continuous access between Las Olas Blvd. and SE 2nd Street. The subject alley right-of-way segment is not being used for pedestrian accessways. The applicant will grant easements for relocated utilities existing in this portion of the alley, as needed.

and

b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas;

The applicant is proposing to grant an easement essentially over the vacated alley right-of-way connecting the remaining public portion of the alley to SE 2nd Street.

and

c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area;

An access easement is being proposed essentially over the vacated alley right-of-way to maintain a connection between SE 2nd Street and Las Olas Blvd. so a turnaround is not necessary.
d. The closure of a right-of-way shall not adversely impact pedestrian traffic;

   The alley does not currently serve pedestrian traffic. Enhanced sidewalks will be provided along the south side of SE 2nd Street and the west side of SE 6th Avenue abutting the project site.

and

e. All utilities located within 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 utilities maintenance shall not be disrupted.

There are currently franchise and public utilities within the subject alley right-of-way. The applicant will work with the franchise utilities to address the facilities existing within this portion of the alley, as needed. The upstream end of the sanitary sewer located in the alley is planned to remain. The existing drainage through the alley serving the parcel to the west) will be re-routed to retain the service to said parcel, without impact to the City.

Letters of no objection have been requested and received from the franchise utilities and the City’s Public Works Department. The only letters still pending are from Comcast and ATT.

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 right-of-way vacation will not affect the adequacy of public services and facilities. 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 right-of-way 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 SE 2nd 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.

There are no drainage facilities specifically serving the alley, there is a “pass through” drainage pipe serving the adjacent parcel to the west, this pipe will be re-routed to retain the connection. Since the alley will become part of the proposed development project drainage facilities will be constructed per the Civil plans, with all drainage addressed onsite.

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 existing sanitary sewer in the alley running north to south. This sewer does not serve any other parcels upstream of the vacation but it may serve the parcel to the west. This sewer is planned to remain. Easements will be granted where necessary to accommodate the public sanitary sewer facilities. The projected project wastewater demand is addressed by the ULDR narratives provided with the development site plan submittal.
November 28, 2017

Randall Robinson, Planner III
Urban Design and Planning Division
City of Fort Lauderdale
700 NW 19th Avenue
Fort Lauderdale, FL 33311

RE: Public Participation Summary for Steelbridge Las Olas East et al
(“Applicant”), RD Las Olas Alley Vacation, DRC Case Number V17012
(“Application”)

Dear Randall:

Pursuant to the City’s Unified Land Development Regulations (ULDR), Section 47-24.1.F.14, Applicant duly noticed and held a public participation meeting to present the Application to all officially recognized civic associations located within 300 feet of the proposed development. The meeting was noticed and communicated through e-mail with the associations’ presidents. The project is located within the boundaries of the Downtown Fort Lauderdale Civic Association and is located within 300 feet of the Beverly Heights Civic Association. The Beverly Heights Civic Association and the Downtown Fort Lauderdale Civic Association are the only two civic associations within a 300 foot radius of the property.

The meeting was held on November 15th, 2017 at the Icon Las Olas, located at 500 East Las Olas Boulevard, from 5:30pm – 6:30pm. No members of the public other than members of the design and development team were in attendance.

Should you require additional information, please let me know.

Very Truly Yours,

[Signature]

Robert B. Lochrie III

RBL/as
cc: Joe Fellmeth, President, Beverly Heights Civic Association
       Stanley Eichelbaum, President, Downtown Fort Lauderdale Civic Association
Addendum: PZB Public Participation Notification <<if applicable>>

Applicant must provide notification according to the procedure listed below for projects listed in Sec. 47.27.4.A.2.c.

- A minimum of 21 days prior to the Development Review Committee (DRC) meeting, a notice from the applicant via letter or e-mail shall be provided to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the DRC meeting.
- Prior to submittal of application to the Planning and Zoning Board (PZB), a notice from the applicant via letter or e-mail shall be provided to 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 hearing.
- The applicant shall conduct a public participation meeting(s) a minimum of 30 days prior to the PZB hearing.
- After the public participation meeting(s), 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) has taken place a minimum of 30 days prior to the PZB hearing. 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.
- The applicant shall, ten (10) days prior to DRC and again for the PZB, execute and submit to the department an affidavit of proof of public notice according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF PUBLIC PARTICIPATION NOTIFICATION

STATE OF FLORIDA
BROWARD COUNTY

RE: ☑ PLANNING AND ZONING BOARD

APPLICANT: Steelbridge Las Olas East LLC

PROPERTY: 201/227 SE 6th Avenue and 515 E. Las Olas Blvd.

PUBLIC HEARING DATE: December 20, 2017

BEFORE ME, the undersigned authority, personally appeared Robert B. Lochrie III, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.

2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Public Participation meeting.

3. That the letter referenced in Paragraph two (2) above was mailed prior to the submittal of the PZB application meeting cited above.

4. That the public participation meeting was held at least thirty (30) days prior to the date of the PZB meeting cited above.

5. Affiant has prepared a summary of the public participation meeting cited above that documents the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion and comments expressed during the process.

6. Affiant acknowledges that this Affidavit must be executed and filed with the City’s Urban Design & Planning office ten (10) days prior to the date of the Planning and Zoning Board meeting and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.

7. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.
Addendum: PZB Public Participation Notification <<if applicable>>

Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 22 day of November 2017.

(SEAL)

NOTARY PUBLIC
MY COMMISSION EXPIRES:

ELIZABETH MENDOZA
Notary Public - State of Florida
Commission # FF 222821
My Comm. Expires Apr 21, 2019
Bonded through National Notary Assn.

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. __________________________ (Initial here)

Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)
Page 3: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must POST SIGNS (for Planning and Zoning Board and City Commission Hearings) according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excluding alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, re-hearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit, the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: BOARD OF ADJUSTMENT
X HISTORIC PRESERVATION BOARD
PLANNING AND ZONING BOARD
CITY COMMISSION

CASE NO. V17012

APPLICANT: Steelbridge Las Olas East LLC

PROPERTY: 201/227 SE 6th Avenue and 515 E. Las Olas Boulevard

PUBLIC HEARING DATE: December 20, 2017

BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Board or Commission Case.

2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the Board or Commission.

3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least fifteen (15) days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.

4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the Board or Commission. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.

5. Affiant acknowledges that this Affidavit must be executed and filed with the City’s Urban Design & Planning office. Five (5) calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be canceled.

6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.

Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 12 day of December 2017.

ELIZABETH MENDEZ
Notary Public - State of Florida
Commission # FF 222321
My Comm., Expires Apr 21, 2019

NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not received within the prescribed time limit as noted in Sec. 47-27.3 of the City of Fort Lauderdale UDR, I will forfeit my sign deposit.

Signed: Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)

V17012
Exhibit 5
Page 1 of 3
Applicant must provide notification according to the procedure listed below for projects listed in Sec. 47-27.4.A.2.c.

- A minimum of 21 days prior to the Development Review Committee (DRC) meeting, a notice from the applicant via letter or e-mail shall be provided to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the DRC meeting.
- Prior to submittal of application to the Planning and Zoning Board (PZB), a notice from the applicant via letter or e-mail shall be provided to 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 hearing.
- The applicant shall conduct a public participation meeting(s) a minimum of 30 days prior to the PZB hearing.
- After the public participation meeting(s), 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) has taken place a minimum of 30 days prior to the PZB hearing. 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.
- The applicant shall, ten (10) days prior to DRC and again for the PZB, execute and submit to the department an affidavit of proof of public notice according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

**AFFIDAVIT OF PUBLIC PARTICIPATION NOTIFICATION**

**STATE OF FLORIDA**
**BROWARD COUNTY**

**RE:** ![PLANNING AND ZONING BOARD](#)
**APPLICANT:** Steelbridge Las Olas East LLC  
**PROPERTY:** 201/227 SE 6th Avenue and 515 E. Las Olas Boulevard  
**PUBLIC HEARING DATE:** December 20, 2017

BEFORE ME, the undersigned authority, personally appeared Andrew J. Schein, who upon being duly sworn and cautioned, under oath depose and say:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale Development Review Case.

2. The Affiant/Applicant has mailed or has caused to be mailed, via postal service or electronic mail, a letter to any official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of the Public Participation meeting.

3. That the letter referenced in Paragraph two (2) above was mailed prior to the submittal of the PZB application meeting cited above.

4. That the public participation meeting was held at least thirty (30) days prior to the date of the PZB meeting cited above.

5. Affiant has prepared a summary of the public participation meeting cited above that documents the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion and comments expressed during the process.

6. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning office ten (10) days prior to the date of the Planning and Zoning Board meeting and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.

7. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefor.

PUBLIC PARTICIPATION PZB AFFIDAVIT 2-11-15

RECEIVED DEC - 6 2017
Addendum: P3B Public Participation Notification <<if applicable>>

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 6th day of December 2017

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. (Initial here)

Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)
November 27, 2017

Meeting Notice: Planning and Zoning Board

Dear Property Owner:

The Planning and Zoning Board, acting as the Local Planning Agency (LPA), will hold a public hearing on Wednesday, December 20, at 6:30 p.m. in the City Commission Chambers, City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL to determine whether the following application is found to be consistent with the Goals, Objectives and Policies of the Comprehensive Plan and the City’s Unified Land Development Code (ULDR).

Case No: V17012

Request: Right-of-Way Vacation

Abbreviated Legal Description: A portion of the 14-foot alley adjacent to lots 5, 6, 7, 8 & 9, Subdivision of Block “H” of Stranahan’s Revised and Additional Subdivision in the Town of Fort Lauderdale, FL

General Location: 201 S. Federal Highway

Commission District: 4 – Commissioner Romney Rogers

Should you desire to comment on this request, you may attend the hearing or send comments in writing to the Department of Sustainable Development, Urban Design and Planning Division, 700 N. W. 19 Avenue, Fort Lauderdale, Florida, 33311. You may also submit email comments, and view the application and plans at: http://www.fortlauderdale.gov/departments/city- clerk-s-office/advisory-boards-and-committees/agendas-and-minutes/planning-and-zoning-board

Sincerely,
Randall Robinson, Planner III
Urban Design and Planning Division

If any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk at (954) 828-5002 two (2) days prior to the meeting and arrangements will be made to provide these services for you. A turnkey video system is also available for your use during this meeting.