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June 29, 2015

W. Scott Stoudenmire
Deputy Director Sustainable Development
City of Coconut Creek
4800 West Copans Road
Coconut Creek, FL 33063

Re: Underground Utility Waiver for American Top Team Project

Dear Scott:

As you know, I represent the property owner and developer of the American Top Team project. Architect Eric Anderson has submitted an Underground Utility Waiver application requesting a waiver from the requirements of Sec. 13-142 of the Code of Ordinances to place the existing utility lines within the adjacent public right-of-way underground. As you know, all of the utility lines within the boundaries of the project are underground.

Sec. 13-142(e) establishes a waiver process and requires a statement from a state licensed professional engineer explaining why the underground placement of the overhead utility lines in the public right-of-way is technically infeasible. Submitted with this letter is a signed and sealed letter from Stephen F. Rollin, P.E. which explains that there are two sets of utility lines on the right-of-way: large concrete poles with major transmission lines that exceed the rated load of 27 KV (27,000 volts) and are therefore exempt from the underground requirement; and, secondary utility poles and utility lines that are parallel to the major transmission lines. As explained by the engineer, placing the secondary lines underground would not eliminate the overhead lines because the major transmission lines will remain. The location and size of the utility lines are very effectively shown on the waiver application.

The Code provides that a waiver of the undergrounding requirement may be granted by the City Commission after a recommendation from the Planning and Zoning Board for justifiable reasons including technical or practical infeasibility or impracticability or if the costs outweigh the perceived benefits. In this case, the costs for the small ATT site far outweigh any benefits of undergrounding the secondary lines especially since the main transmission lines will remain. The engineer has given you an estimate of \$175,000 to underground the secondary lines in front of ATT and has explained also that the average cost of undergrounding for others has been

W. Scott Stoudenmire

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\$361/linear foot which equates to \$116,603 for the ATT site.

Subsection 13-142(e)(3) provides that if the City grants a waiver that City may require a contribution into the City's underground utility fund equal to the cost of placing the utility lines underground. In this case, both the \$175,000 estimated cost and the \$116,603 average cost of undergrounding the utilities in the public right of way far exceed the reasonable impact of this small development. Accordingly, the applicant respectfully requests that the City Commission exercise its discretion and waive the undergrounding requirements for the secondary lines without any financial contribution.

Thank you for your consideration of this request.

Very Truly Yours


RICHARD G. COKER, JR.
For the Firm



June 8, 2015

Scott Stoudenmire
City of Coconut Creek

Re: Utility Waiver for Overhead Lines in Public Right of Way
American Top Team Project

Dear Mr. Stoudenmire,

On behalf of the Owner, this letter is submitted as the detailed statement by a Florida licensed engineer explaining why it is technically infeasible to locate the utility lines within the public right of way adjacent to the ATT site.

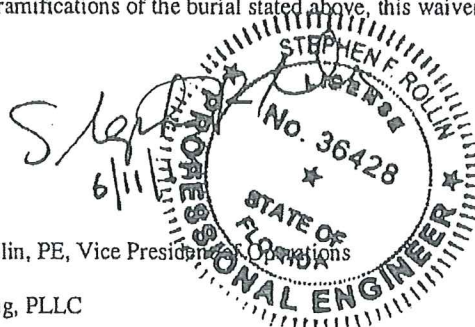
The site is peculiar, in that it is located adjacent to a FPL substation. The lines exiting the sub-station are of extremely high voltage, requiring them to be placed on taller concrete poles. FPL will not consider burying these lines – only those secondary lines of lower (but still quite high) voltage are even a consideration. So even if the secondary lines (and the other utilities) are buried, there will still be the concrete poles for the high voltage, and FPL will require a series of power cabinets that will further be an eyesore.

Due to the location, the costs of burying the utility lines are way out of line with other similar developments. Based on the evaluation of Douglas Consulting, their opinion of probable construction cost of burying the secondary lines in front of the ATT property is approximately \$175,000.00 or \$542 per linear foot. However, they have also reviewed the average costs that other similar developments have been assessed for off-site utility lines and those costs have been substantially less. Douglas Consulting has been involved with the waivers for several of the recent developments – their study (see attached) concludes that an average of \$361 per linear foot is the appropriate average amount which would result in a cost of \$116,603 when applied to the ATT frontage of 323'.

Further, it should be noted, that the secondary lines along the frontage of the ATT property serve many properties in the area and not just the ATT site.

In light of the ramifications of the burial stated above, this waiver from the burial requirement is being requested.

Sincerely,



Stephen F. Rollin, PE, Vice President of Operations
PE 036428
FAE Consulting, PLLC

cc: Eric Anderson
Dan Lambert, ATT

Attachments- (2)

700 W Hillsboro Blvd Bldg 1 Suite 204 Deerfield Beach FL 33441
|Phone 561.391.9292 | Fax 561.391.9898
X:\2014 Projects\Anderson Architect\13596_America's Top Team\Admin\Letters &
Memos\13596_060815_Utility Letter- Americas Top Team_ Anderson Architects.doc

Project list in the city of Coconut Creek:

Casa Palma (550 linear ft) – FPL \$130,000

ATT \$20,000

Comcast \$10,000

Total Cost = \$160,000 / 550' = \$291/ft

4890 Frontage Rd (SR-7) (450 linear ft) – FPL \$170,000

ATT - \$25,000

Comcast - \$8000

Total Cost = \$203,000 / 450' = \$451/ft

North Broward RS (900 linear ft) – FPL \$275,000

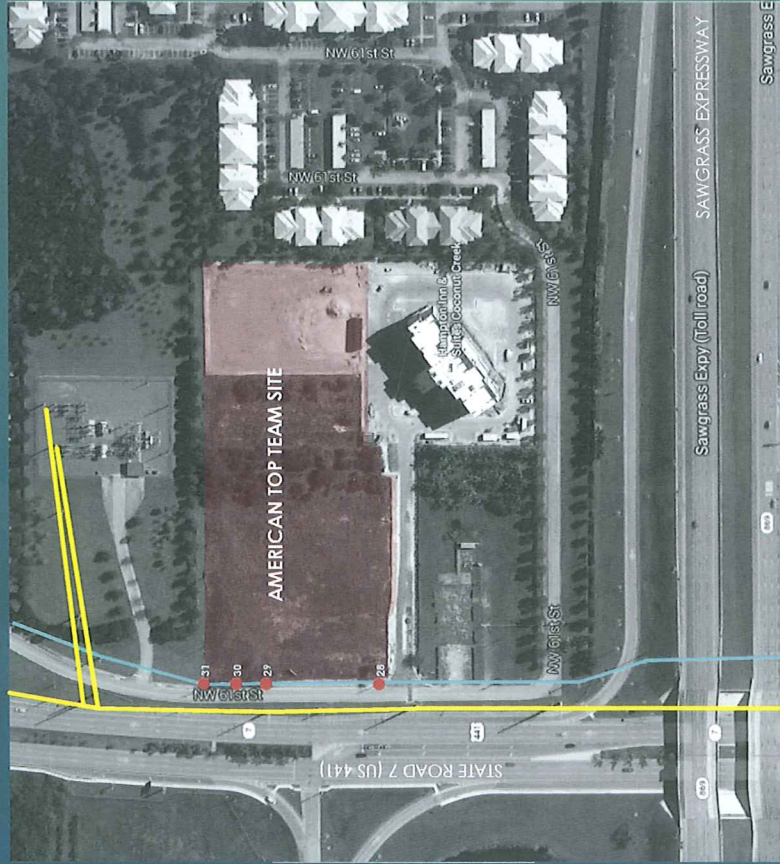
ATT - \$16,500

Comcast - \$15,600

Total Cost = \$307,000 / 900' = \$341/ft

The average cost per linear ft for all three projects is \$361 /ft

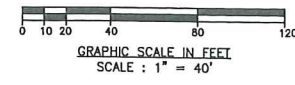
OVERHEAD UTILITIES LOCATION PLAN



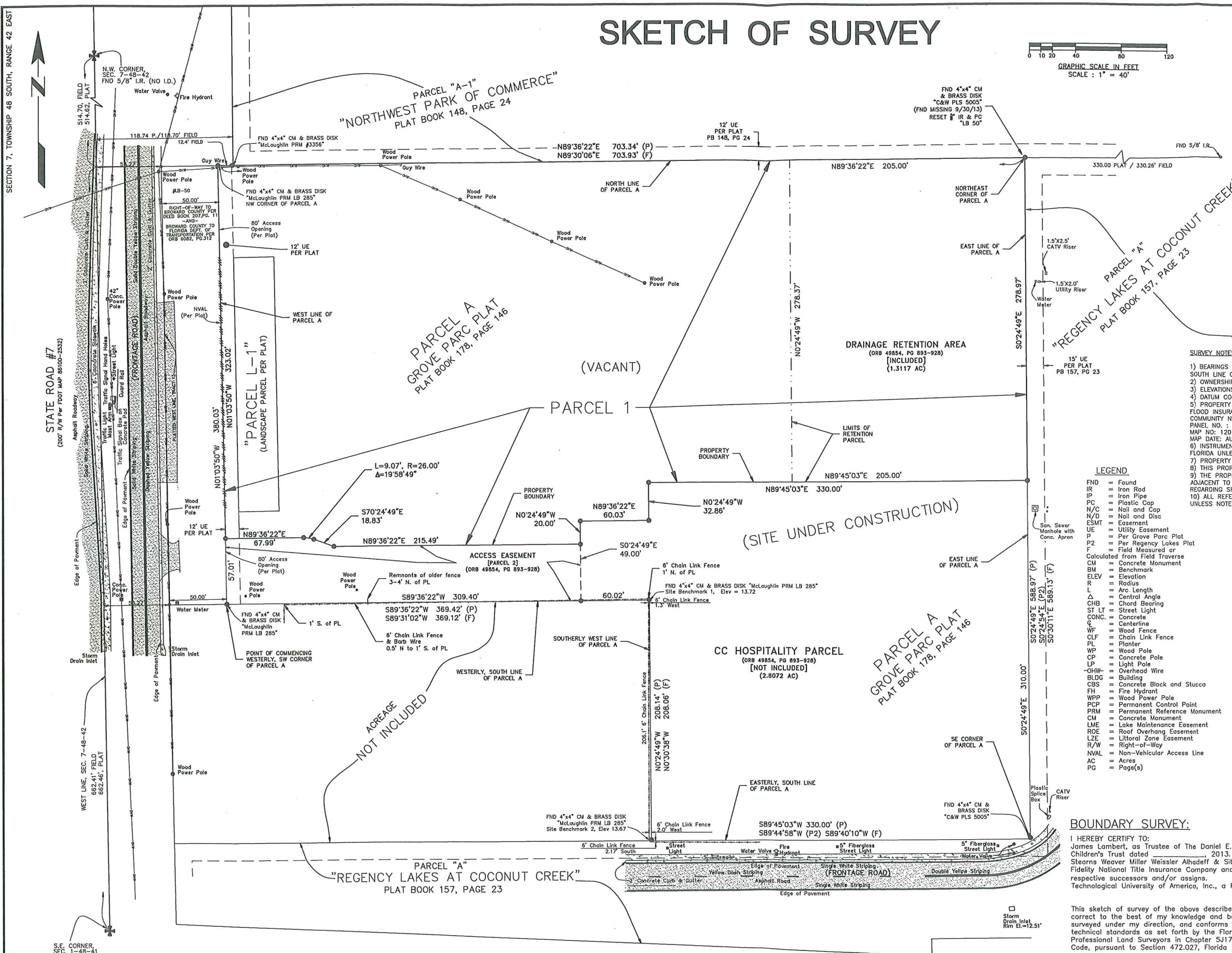
LEGEND:

- EXISTING HIGH VOLTAGE POWER TRANSMISSION LINES
- EXISTING LOW VOLTAGE POWER TRANSMISSION LINES, PHONE, FIBER & CATV
- EXISTING POLE LOCATION AND NUMBER (PER FPL)

SKETCH OF SURVEY



LEGAL DESCRIPTION:
PARCEL 1 (Fee Simple)
 Parcel A, and Parcel L-1 of GROVE PARC PLAT, according to the Plat thereof recorded in Plat Book 178, Page 146, of the Public Records of Broward County, Florida;
LESS AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:
 A portion of Parcel A, of GROVE PARC PLAT, according to the Plat thereof recorded in Plat Book 178, Page 146, of the Public Records of Broward County, Florida, described as follows:
 Beginning at the Westerly Southwest corner of said Parcel A; thence North 01° 03' 50" West, along the Northerly West line of said Parcel A, for a distance of 57.01 feet; thence North 89° 36' 22" East, for a distance of 67.99 feet to a point of curvature of a curve concave to the South; thence Easterly and Southeasterly along the arc of said curve having a radius of 28.00 feet, a central angle of 19° 58' 49", for an arc distance of 9.07 feet to a point of tangency; thence North 70° 24' 49" East, for a distance of 18.83 feet; thence North 89° 36' 22" East, for a distance of 215.49 feet; thence North 0° 24' 49" West, for a distance of 20.00 feet; thence North 89° 36' 22" East, for a distance of 60.03 feet; thence North 0° 24' 49" West, for a distance of 32.86 feet; thence North 89° 45' 03" East, for a distance of 330.00 feet to a point on the East line of said Parcel A; thence South 02° 4' 49" East along said East line, for a distance of 310.00 feet to the Southeast corner of said Parcel A; thence South 89° 45' 03" West, along the Easterly South line of said Parcel A, for a distance of 330.00 feet to the Easterly Southwest corner of said Parcel A; thence North 0° 24' 49" West, along the Southerly West line of said Parcel A, for a distance of 208.14 feet; thence South 89° 36' 22" West, along the Westerly South line of said Parcel A, for a distance of 359.42 feet to the Point of Beginning. Said lands situate in the City of Coconut Creek, Florida.
PARCEL 2: (Easement)
 Non-exclusive easements for the benefit of Parcel 1 as created by Reciprocal Easement and Restrictive Covenant Agreement, dated May 30, 2013, filed June 4, 2013, in Official Records Book 49854, Page 893, of the Public Records of Broward County, Florida, for the purposes described therein, over the lands described in said instrument. Subject to the terms, provisions and conditions set forth in said instrument.



- SURVEY NOTES:**
- 1) BEARINGS SHOWN HEREON ARE BASED ON THE PLATTED BEARING OF NORTH 89°36'22" EAST ALONG THE SOUTH LINE OF PARCEL A-1 "NORTHWEST PARK OF COMMERCE" PLAT BOOK 148 PAGE 24.
 - 2) OWNERSHIP OF FENCES AND WALLS SHOWN ON THIS DRAWING WERE NOT DETERMINED.
 - 3) ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 - 4) DATUM CONVERSION ADJUSTED THROUGH THE USE OF THE ARMY CORPS OF ENGINEER VERTCON SOFTWARE.
 - 5) PROPERTY LOCATED IN FLOOD ZONE X FLOOD INSURANCE RATE MAP INFORMATION COMMUNITY NO. : 120031 PANEL NO. : 0105-F MAP NO: 12011C0105 MAP DATE: AUG. 18, 1992
 - 6) INSTRUMENTS OF RECORD REFERRED HEREON CAN BE FOUND IN THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA UNLESS NOTED OTHERWISE.
 - 7) PROPERTY CORNERS ARE SET 1/8" IRON ROD AND CAP STAMPED "LB 50" UNLESS NOTED OTHERWISE.
 - 8) THIS PROPERTY CONTAINS 213,140 SQ FT (4.893 ACRES), MORE OR LESS.
 - 9) THE PROPERTY HAS PHYSICAL ACCESS TO STATE ROAD 7 (SR-7) THROUGH A PAVED FRONTAGE ROAD ADJACENT TO THE WESTERN BOUNDARY LINE. SEE FDOT SECTION MAP 86100-2532 FOR MORE DETAILS REGARDING SR-7 RIGHT-OF-WAY.
 - 10) ALL REFERENCES "PER PLAT" REFER TO GROVE PARC PLAT, AS RECORDED IN PLAT BOOK 178, PAGE 146 UNLESS NOTED OTHERWISE.

LEGEND

FND	= Found
IR	= Iron Rod
IP	= Iron Pipe
PC	= Plastic Cap
N/C	= Nail and Cap
N/D	= Nail and Disc
ESMT	= Easement
UE	= Utility Easement
P	= Per Grove Parc Plat
P2	= Per Regency Lakes Plat
F	= Field Measured or Calculated from Field Traverse
CM	= Concrete Monument
BM	= Benchmark
ELEV	= Elevation
R	= Radius
L	= Arc Length
Δ	= Central Angle
CHB	= Chord Bearing
ST LT	= Street Light
CONC.	= Concrete
WF	= Wood Fence
CLF	= Chain Link Fence
PL	= Planter
WP	= Wood Pole
CP	= Concrete Pole
LP	= Light Pole
-OHW-	= Overhead Wire
BLDG	= Building
CBS	= Concrete Block and Stucco
FH	= Fire Hydrant
WPP	= Wood Power Pole
PCP	= Permanent Control Point
PRM	= Permanent Reference Monument
CM	= Concrete Monument
LME	= Lake Maintenance Easement
ROE	= Roof Overhang Easement
LZE	= Littoral Zone Easement
R/W	= Right-of-Way
NVAL	= Non-Vehicular Access Line
AC	= Acres
PG	= Page(s)

Schedule B, Section	Instrument Type	Recording Date	Applies/	Plotted/	Parcel(s) Affected:
Item Number			Does not Apply	Not Plotted	Parcel 1, Parcel 2 or both
6	Plat of GROVE PARC PLAT	FB 178, Page 146	Applies	Plotted	1 & 2
6	Agreement for Amendment of Notation on Plat	ORB 49836, PG 1452	Applies	Not Plotted	1 & 2
7	Restrictive Covenants	ORB 45691, Page 1203	Applies	Not Plotted	1
8	Security/Lien Agreement - Installation of Required Improvements	ORB 46231, Page 820	Applies	Not Plotted	1 & 2
8	Release of Lien Pursuant to Agreement for installation of Required Improvements	ORB 49913, Page 1209	Applies	Not Plotted	1 & 2
9	Reciprocal Easement and Restrictive Covenant Agreement	ORB 49854, Page 893	Applies	Plotted	1 & 2
10	Wastewater Agreement	ORB 49571, Page 7	Applies	Not Plotted	1 & 2
Informational Note	Agent of Record for Notice of Expiration of Findings of Adequacy	ORB 46231, Page 837	Applies	Not Plotted	1 & 2

BOUNDARY SURVEY:
 I HEREBY CERTIFY TO:
 James Lambert, as Trustee of The Daniel E. Lambert Irrevocable Children's Trust dated _____, 2013.
 Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.
 Fidelity National Title Insurance Company and each of their respective successors and/or assigns.
 Technological University of America, Inc., a Florida corporation
 This sketch of survey of the above described property is true and correct to the best of my knowledge and belief as recently surveyed under my direction, and conforms to the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 5J17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

2	UPDATE SURVEY FB 2065/66	SAR	9/30/13
1	UPDATE RECORDING INFORMATION	SAR	6/11/13
NO REVISION		BY	DATE

SURVEY OF PROPERTY DESCRIBED HEREON

GROVE PARC PLAT

JOHN A. GRANT, JR., INC.
 CONSULTING ENGINEERS
 3333 NORTH FEDERAL HIGHWAY
 BOCA RATON, FLORIDA 33431
 PH. NO. 561-395-3333 FAX NO. 561-395-3315
 LICENSED BUSINESS NO. LB 50

MADE	SAR	DATE 4/17/13	FB 2065/17
CHECKED	DATE	SCALE 1" = 40'	
JOB NO.	JG-100-6531REM	SHEET	1 OF 1

The property described on this survey does not lie within a Special Flood Hazard Area ("SFHA") as defined by the Federal Emergency Management Agency; the Property lies within Zone "X" of the flood insurance rate map indicated hereon.
 BENCHMARK REFERENCE: BROWARD COUNTY #2920
 A STANDARD U.S.G.S. BRASS DISK SET IN CONCRETE STEP OF CONCRETE LOADING DOCK OF BRICK FRONT BLDG. (VINE RIPE TOMATOS) IN THE N.E. QUADRANT OF THE INTERSECTION OF SAWGRASS EXPRESSWAY AND STATE ROAD #7 @ 5740 NORTH STATE ROAD #7.
 ELEVATION = 16.31 (NGVD29)
 14.76 (NAVD88)

STREET ADDRESS: 5000 NORTH STATE ROAD 7
 COCONUT CREEK, FLORIDA



12.04.14

Scott Stoudenmire
City of Coconut Creek

Re: **Underground Utility Waiver**
American Top Team

Dear Mr. Stoudenmire,

On behalf of the property owner, this letter represents our formal request for the waiver of the requirement for burial of the overhead utilities that abut the subject property for the above project, located on the east side of 441, just north the *Sawgrass*. This waiver request is consistent with the recently-developed properties to the north of this site. While there are other utilities to consider (AT&T and Comcast), the consideration for the relocation of the power is the primary issue.

The site is peculiar, in that it is located adjacent to a FPL sub-station. The lines exiting the sub-station are of extremely high voltage, requiring them to be placed on taller concrete poles. FPL will not consider burying these lines – only the ones that are of lower voltage. Therefore, any effort to bury the lines will result in the taller poles remaining and the installation of ground-mounted cabinets that will be a considerable eyesore in the normal sightlines.

Attached is a letter documenting the anticipated costs for burying the lines across the site frontage. Due to the proximity to the sub-station, the ramifications of the burial will extend significantly beyond the ATT's site frontage, driving the cost significantly higher than those limited to the actual site frontage. FPL will not be willing to foot those costs. Such an effort will also be very time-intensive, with an anticipated period of 10-12 months to accommodate the design and installation.

For financial, practical and visual purposes, we respectfully request a waiver from this requirement.

Sincerely,

A handwritten signature in purple ink, appearing to read "Eric Anderson", followed by a period.

Eric Anderson, Principal

cc: Dan Lambert, ATT

December 3, 2014

RE: Grove Park Plat 441 s/o FPL substation Estimated Cost to Convert Overhead lines to Underground.

Dear, Mr. Matt Forget.,

A meeting was held with FPL engineering representative Charles Leikauf to discuss the process for gaining permission and cost estimate to complete start the conversion process and similar calls were made to ATT and Cable to gain their input. Typically AT&T /Cable will follow FPL's lead with trench locations with similar schedule requirements. *Due to the proximity to the FPL substations this conversion will be more challenging than normal and will require extra care in timing and equipment needed to complete the conversion.*

After a preliminary review of the existing overhead utilities lines and discussions with the various utilities, the following is a "ball park" estimate based on approximately 323 feet of trench to convert the overhead utilities lines to underground along US 441:

- FPL portion of the conversion - est.'s cost \$ 148,825.00
- ATT portion of the conversion - est.'s cost \$12,920.00
- CATV portion of the conversion, if any - est.'s cost \$9,690.00
- Customer Cost to install joint use trench with proper separation & Conduit ATT & CATV portion- est.'s cost \$3230.00.

Total estimate \$ 174,665.00

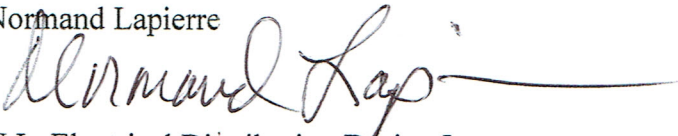
This estimate is based on the dimensions provided; knowledge of the existing lines and on current construction cost and is a "best guess" estimate.

***Easement will be required.**

Please let us know if you need any additional information.

Sincerely,

Normand Lapierre



N.L. Electrical Distribution Design Inc,

cc. Dave Douglass, Douglass Consulting, LLC.