



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#19-0850

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: September 17, 2019

TITLE: Quasi-Judicial Resolution to Approve the Vacation of a Utility,
Governmental and Emergency Ingress and Egress Easement Which Runs
East and West Partially Through Subject Property Located at 640 N.
Andrews Avenue - FV Development, LLC. - Case No. E18022 -
(Commission District 2)

Recommendation

It is recommended that the City Commission consider a resolution vacating the utility, governmental and emergency ingress and egress easement which runs east and west through subject property located at 640 N. Andrews Avenue. The request satisfies the provisions of the City's Unified Land Development Regulations (ULDR), Section 47-24.7, Vacation of Easement.

Background

The applicant proposes to vacate a 3,500 square foot access and utility easement which runs east and west through the subject property. The proposed easement vacation application is part of a request to develop the Village View project, a 100-unit senior affordable housing development located at 640 N. Andrews Avenue (Case No. R18080). The Village View Site Plan Level II application was reviewed by the Development Review Committee (DRC) on December 11, 2018 and the approval is contingent on the vacation of the access and utility easement.

The City's Development Review Committee (DRC) reviewed the application to vacate the access and utility easement on December 11, 2018, and all comments have been addressed. The application and record are available for review upon request with the Department of Sustainable Development. The application, applicant's narrative responses to vacation of easement criteria, and supportive documentation are attached as Exhibit 1. The sketch and legal description are provided as Exhibit 2.

The City Commission shall consider the application, the record, staff recommendation, and public comment on the application when determining whether the application meets the criteria for vacation.

Pursuant to the City's Unified Land Development Regulations (ULDR) Section 47-24.7.A.4, Vacation of Easement, the request is subject to the following criteria:

- a. *The easement is no longer needed for public purposes;*

The easement area is no longer needed for public purpose. The portion of the easement area being vacated is completely located on the subject property. In addition, the right-of-way is not needed for utilities, governmental, and emergency ingress or egress. The applicant has received a letter of no objection from the City of Fort Lauderdale Utilities Division as a condition of approval, the utilities within the easement, as specified in the letter will be relocated, removed, or abandoned at the developer's expense.

- b. *All utilities located within the easement 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 portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same;*

The applicant has received letters of no objection from all applicable franchise utilities and has provided a site plan which indicates the abandonment of the sewer line and the FPL poles to be rerouted underground. The franchise utility letters of no objection and site plan are included within Exhibit 1.

Should the Commission 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, or easements dedicated, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department; and
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, or easements dedicated, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Business Development Cylinder of Excellence, specifically advancing:

- Goal 7: Be a well- positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, port, and rail connections.

- Objective 2: Facilitate a responsive and proactive business climate.
- Initiative 4: Incorporate Business First feedback into City business development efforts.

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We Are Prosperous*.

Attachments

Exhibit 1 – Application, Applicant’s Narrative Responses, and Supportive Documentation

Exhibit 2 – Sketch and Legal Description

Exhibit 3 – Resolution

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