



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#22-0744**

---

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

**FROM:** Greg Chavarria, City Manager

**DATE:** September 6, 2022

**TITLE:** Quasi-Judicial Resolution Approving Vacation of Utility Easement Located  
at 300 W. Broward Boulevard – FTL/AD, LTD. – 300 W. Broward Project –  
Case No. UDP-EV21010 – **(Commission District 2)**

---

**Recommendation**

Staff recommends that the City Commission consider a resolution vacating a 14-foot-wide utility easement, located at 300 W. Broward Boulevard running north and south, adjacent to lots 1 through 7, lots 18 through 24, block 17, Town of Fort Lauderdale, according to the plat thereof recorded in Plat Book B at Page 40, of the Public Records of Miami-Dade County, Florida.

**Background**

The applicant, FTL/AD, LTD., requests to vacate a 14-foot-wide utility easement generally located on the south side of Broward Boulevard between SW 3<sup>rd</sup> Avenue and SW 4<sup>th</sup> Avenue. Currently, there are existing overhead utilities in the easement which the applicant plans to relocate along SW 4<sup>th</sup> Avenue. The proposed vacation is associated with the Site Plan Level II development application for “300 W Broward”, a mixed-use project consisting of 956 residential units and 24,818 square feet of commercial and restaurant use, Case No. UDP-S21052, which was recently approved at the July 5, 2022, City Commission meeting. A Location Map depicting the easement is attached as Exhibit 1.

The City’s Development Review Committee (DRC) reviewed the easement vacation application on December 14, 2021. All comments have been addressed. The Applicant’s Application, Project Narrative, and Utility Letters stating no objection to the vacation are attached as Exhibit 2. The DRC Comment Report is attached as Exhibit 3. The Sketch and Legal Description of the proposed vacation is attached as Exhibit 4.

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.,

Vacation of Easement, the City Commission is to consider the application and the record and recommendations forwarded by the DRC and shall hear public comment on the application and determine whether the application meets the following criteria for vacation of an easement:

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

The easement will no longer be needed since the applicant will be relocating the existing overhead lines within a new easement along the western and southern property lines. No other utilities exist. The Relocation Plan is attached as Exhibit 5.

- 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 existing overhead lines will be relocated. The applicant has obtained letters of no objection from utility providers who have rights to place utilities in the easement: City of Fort Lauderdale Public Works, AT&T, FP&L, and TECO Gas.

Should the City Commission determine that the proposed application meets the criteria for vacation of easement, 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 easements will be dedicated at the new location, 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 easements will be dedicated at the new location, 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 supports the Press Play Fort Lauderdale Strategic Plan 2024, included within the Business Development Cylinder of Excellence, specifically advancing:

- The Infrastructure Focus Area.
- Goal 1: Build a sustainable and resilient community.
- Objective: Proactively maintain our water, wastewater, stormwater, road, and bridge infrastructure.

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

This item also supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.

### **Attachments**

Exhibit 1 – Location Map

Exhibit 2 – Applicant’s Application, Narratives, and Utility Letters

Exhibit 3 – DRC Comment Report

Exhibit 4 – Sketch and Legal Description

Exhibit 5 – Relocation Plan

Exhibit 6 – Resolution

---

Prepared by: Jim Hetzel, AICP, Principal Urban Planner, Development Services Department

Department Director: Christopher Cooper, AICP, Development Services Department