



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

**#17-1156**

---

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

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** October 3, 2017

**TITLE:** Quasi-Judicial Resolution Vacating a Storm Drain Easement located at  
Las Olas Walk-North – The Las Olas Company, Inc. - 106 S. Federal  
Highway – E16008

---

**Recommendation**

It is recommended that the City Commission adopt a resolution vacating a 1,378 square foot storm drain easement located at 106 S. Federal Highway.

**Background**

The storm drain easement vacation is associated with the proposed “Las Olas Walk-North” project, an 8-story residential development with 329 multi-family units, approved by the City Commission by a vote of 5-0 at its meeting of September 19, 2017. The applicant will be responsible for relocating any existing utilities discovered as part of the vacation request during the development permitting process.

The proposed easement vacation was reviewed by the Development Review Committee (DRC) on October 25, 2016. All comments have been addressed. The DRC record is available at the Department of Sustainable Development (DSD).

The applicant’s narrative responses to vacation of easement criteria and letters of no objection from utility providers are attached as Exhibit 1. The sketch and legal description attached as Exhibit 2.

The City Commission shall consider the application, the record, and recommendations forwarded by the DRC, and public comment on the application when determining whether the application meets the following criteria for vacation of an easement:

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

The 20 foot storm drain easement will be relocated and a drainage access easement will be provided for the re-routing of drainage along the north and east property lines of the site. The new storm drain will lead to the Himmarshee Canal, downstream of where the outfall currently exists.

The new storm drain easement will run adjacent to and within the project site in order to allow for maintenance and/or repair to infrastructure. See illustrative diagram showing existing and proposed drainage pipes, provided as Exhibit 3.

- 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 property owner will coordinate with the utility providers to re-route the existing utilities. The applicant will provide all required consent agreements for the relocated utilities.

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, 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. 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. The certificate shall state that all conditions of the vacation have been met. A copy of the recorded certificate must be provided to the City.

### **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 Neighborhood Enhancement 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: Enhance the beauty, aesthetics and environmental quality of neighborhoods.

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

**Attachments**

Exhibit 1 – Applicant’s Narratives and Utility Letters

Exhibit 2 – Sketch and Legal Description

Exhibit 3 – Illustrative Diagram

Exhibit 4 – Resolution

---

Prepared by: Randall Robinson, Planner III

Department Director: Anthony Greg Fajardo, Sustainable Development