



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

#19-0845

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: October 15, 2019

TITLE: Quasi-Judicial Resolution to Approve the Vacation of Various Roadway
and Utility Easements – City of Fort Lauderdale – 151 Las Olas Circle –
Case No. E19003 - **(Commission District 2)**

Recommendation

It is recommended that the City Commission approve a resolution vacating a variety of roadway and utility easements located at 151 Las Olas Circle, generally located North of Las Olas Boulevard, between Birch Road and New River Sound (Intracoastal Waterway).

Background

The applicant seeks to vacate various roadway and utility easements, originally established to provide utility services throughout the subject property. The applicant will be responsible for relocating any utilities known or unknown and found to be within the vacated area during the development permitting process. The roadway and utility easement vacations are required for the construction of the City of Fort Lauderdale's Las Olas Marina. An associated site plan for the marina proposed at 200 Las Olas Circle (Case R18018) was approved by the City Commission on the July 9, 2019 agenda.

The City's Development Review Committee (DRC) reviewed the easement vacation application on June 11, 2019, and all comments have been addressed. The application and applicant's narrative responses to the vacation of easement criteria are attached as Exhibit 1. The sketch and legal description is 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 Approved Project (Las Olas Marina) includes a different configuration and location of the roadways and utilities than are shown on the recorded plat. When the Project is constructed, the easements will no longer be needed for public purposes.

- 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;*

All utilities located within any of the easement areas shown on the Plat will be relocated pursuant to a relocation plan. The Applicant has included the "No Objection" letters from all the relevant utility companies.

Should the City 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.

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 Narratives and Criteria

Exhibit 2 – Sketch and Legal Descriptions

Exhibit 3 – Resolution of Approval

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Department Director: Anthony Greg Fajardo, Sustainable Development