



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

**FROM:** Susan Grant, Acting City Manager

**DATE:** October 1, 2024

**TITLE:** Quasi-Judicial Resolution Approving Vacation of a 15-Foot Drainage Easement Located at 3400 North Federal Highway – Coral Ridge Shopping Center Trust– Case No. UDP-EV24002 – **(Commission District 1)**

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**Recommendation**

Staff recommends the City Commission consider a resolution vacating a 15-foot-wide by 243-foot-long drainage easement located at 3400 North Federal Highway, situated within Tract A of the “Resubdivision of a Portion of Coral Ridge Galt Addition No. 2.” This easement was initially granted on November 21, 1969, as detailed in Official Records Book 4092, page 165, of the Public Records of Broward County, Florida.

**Background**

The applicant, Stanley R. Gumberg, Trustee of the Coral Ridge Shopping Center Trust, requests to vacate the draining easement to facilitate site redevelopment. The proposed vacation is associated with the Site Plan Level II development application for a new 67,043 square foot Publix grocery store at Coral Ridge Mall (Case No. UDP-S23044). A location map is attached as Exhibit 1.

The Development Review Committee (DRC) reviewed the easement vacation application on June 25, 2024. All Comments have been addressed. The application, project narrative, and utility letter stating no objection to the vacation are attached as Exhibit 2. The DRC comment report and applicant’s responses are attached as Exhibit 3. The sketch and legal description of the proposed vacation is attached as Exhibit 4. The easement document recorded in Book 4092, page 165, is attached as Exhibit 5.

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, 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;*

There are no public utilities located within the easement area and the proposed site plan accommodates drainage on site.

- 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;*

There are no drainage utilities located within the easement area. However, to the extent it is determined that utilities need to be relocated to accommodate the vacation request, the applicant acknowledges relocating such utilities.

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 and or removed as approved by the City Engineer 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. 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. This 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 supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Infrastructure and Resilience Focus Area, Goal 3: Be a sustainable and resilient community.

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

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

- The Infrastructure Focus Area
- Sanitary Sewer, Water & Stormwater Element
- Goal 6: Ensure that all areas of the City are reasonably protected from flooding giving due consideration to the City's natural and built environment.

**Attachments**

Exhibit 1 – Location Map

Exhibit 2 – Application, Narratives, and Utility Letters

Exhibit 3 – DRC Comment Report and Applicant’s Responses

Exhibit 4 – Sketch and Legal Description

Exhibit 5 – Easement Document Recorded in Book 4092, Page 165

Exhibit 6 – Resolution

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