



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

#22-0464

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: June 7, 2022

TITLE: Quasi-Judicial Resolution Vacating a Three-Foot Utility Easement Located
on NE 9th Court – Sunrise FTL Ventures, LLLP, – Case No. UDP-
EV21005– **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider a resolution vacating a three-foot utility easement located on NE 9th Court running north along lot 7 pursuant to the legal description, according to plat of 'Seabridge', according to the plat thereof recorded in Plat Book 21 at Page 46 of the Public Records of Broward County, Florida in Section 1, Township 50 South, Range 42 East.

Background

The applicant, Sunrise FTL Ventures, LLLP, requests to vacate a three-foot wide utility easement generally located on NE 9th Court running north along lot 7 pursuant to the legal description, according to plat of 'Seabridge', according to the plat thereof recorded in Plat Book 21 at Page 46 of the Public Records of Broward County, Florida in Section 1, Township 50 South, Range 42 East. Research confirmed there are no utilities within the easement. The proposed vacation is associated with the Site Plan Level IV development application for a proposed 54-unit multi-family residential and 100-room hotel development in the Sunrise Lane Area (SLA) zoning district with the underlying land use of Central Beach Regional Activity Center (Beach RAC) (Case #UDP-S21031). A location map is attached as Exhibit 1.

The City's Development Review Committee (DRC) reviewed the easement vacation application on August 10, 2021. All comments have been addressed. The application, narratives, and utility letters stating no objection 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;*

There are no utilities located within the easement and therefore the easement is currently not serving the public. The project site is proposed to be completely redeveloped and a utility easement is no longer needed.

- 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 utilities within the utility easement, however any that are found will be relocated and have easements applied accordingly, at the owner's expense. The applicant has obtained letters of no objection from the providers who have rights to place utilities in the easement: City of Fort Lauderdale Public Works, AT&T, , FP&L, and TECO.

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, 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 Connected.

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.

Related CAMs

#22-0463

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 – Resolution

Prepared by: Karlanne Grant, Principal Urban Planner, Development Services Department

Department Director: Anthony Greg Fajardo, Development Services Department