



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

22-0344

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: May 17, 2022

TITLE: Quasi-Judicial Resolution Vacating a 6 Foot Wide, 900 Square Foot, Utility
Easement – Mt. Hermon African Methodist Episcopal Church Inc. – 750
NW 4th Street – Case No. UDP-EV21004 – **(Commission District 3)**

Recommendation

Staff recommends the City Commission consider a resolution vacating a 6 Foot Wide, 900 Square Foot, Utility Easement at 750 NW 4th Street.

Background

The applicant, Mt. Hermon African Methodist Episcopal Church Inc., seeks to vacate a 6 foot wide, 900 square foot easement, located within an existing parking lot to construct a 104 residential unit senior living facility being reviewed under an associated Site Plan Application (Case # UDP-S21027).

The application, applicant's narrative responses to vacation of easement criteria, and letters of no objection are attached as Exhibit 1. The sketch and legal description is provided as Exhibit 2. The City's Development Review Committee (DRC) reviewed the application on July 13, 2021, and all comments have been addressed and are attached as Exhibit 3.

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;*

There are no known utilities, either public or private, within the easement area. The site plan for the Project includes the installation of utilities outside of the easement area and therefore the easement is no longer needed for public purpose.

- 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 required letters of no objection from the franchise utilities and the City have been provided and future utilities will be located outside of the easement area.

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 resolution 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 2024 Strategic Plan, 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 Infrastructure Enhancement Focus Area
- The Sanitary Sewer, Water, and 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 – Application, Applicant's Narratives and Criteria, and Letters of No Objection

Exhibit 2 – Sketch and Legal Description

Exhibit 3 – DRC Comments

Exhibit 4 – Resolution

Prepared by: Adam R. Schnell, Planner III

Department Director: Anthony Greg Fajardo, Sustainable Development