



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

**#23-0222**

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

**FROM:** Greg Chavarria, City Manager

**DATE:** March 23, 2023

**TITLE:** Quasi-Judicial Resolution Vacating a Ten-Foot Utility Easement Located  
at 520 West Broward Boulevard – 520 Broward (Fort Lauderdale) Owner,  
LLC – Case No. UDP-EV22003 - (**Commission District 2**)

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**Recommendation**

Staff recommends the City Commission consider a resolution vacating a ten-foot utility easement bifurcating the property located at 520 West Broward Boulevard.

**Background**

The applicant, 520 Broward (Fort Lauderdale) Owner, LLC, requests to vacate a ten-foot-wide utility easement generally located south of Broward Boulevard running north, and bifurcating the property located at 520 West Broward Boulevard. An alley formerly occupied the easement and was vacated by Ordinance No. C83-60 and was retained as a utility easement in Official Records Book 10903, Page 821 of the Public Records of Broward County. The easement currently contains Florida Power and Light (FP&L) utilities which will be relocated as part of the recently approved Site Plan Level II development application for a 362-unit multi-family residential with 2,500 square feet of commercial use (Case #UDP-S22014). The property is located in the Regional Activity Center – West Mixed Use (RAC-WMU) zoning district with the underlying land use of Downtown Regional Activity Center (Downtown RAC). A location map is attached as Exhibit 1.

The City's Development Review Committee (DRC) reviewed the easement vacation application on May 10, 2022. All comments have been addressed. The application, applicant's narratives, and utility letters stating no objection to the vacation 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, 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 to determine whether the application meets the following criteria for vacation of an easement:

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

The utility will be relocated on the property. The project site is proposed to be completely redeveloped.

- 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 currently located within the easement area will be relocated pursuant to a relocation plan developed in coordination with the affected franchise utility company. 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 Department, AT&T, FP&L, TECO Gas, and Comcast Cable.

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.
3. The applicant shall record a copy of the Easement Vacation Resolution in the Public Records of Broward County at the applicant's expense, within 30 days from the date of final passage, and the applicant shall provide the City Clerk with a copy of the recorded Resolution.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item supports the Press Play Fort Lauderdale Strategic Plan 2024, included within the Business Development Cylinder of Excellence, 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 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.

### **Attachments**

Exhibit 1 – Location Map

Exhibit 2 – Application, Applicant's Narratives, and Utility Letters

Exhibit 3 – DRC Comment Report

Exhibit 4 – Sketch and Legal Description

Exhibit 5 – Resolution

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Department