



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

#15-0980

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: September 1, 2015

TITLE: Quasi-Judicial - Resolution Vacating a 15-Foot Utility Easement Related to the Quantum at Flagler Village Mixed Use Development - Northwest Corner of NE 7 Street and North Federal Highway Case Number E15002

Recommendation

It is recommended that the City Commission adopt a resolution vacating a 6,562 square foot utility easement located on the northwest corner of NE 7 Street and North Federal Highway

Background

The City Commission shall consider the application, the record, and recommendations forwarded by the Development Review Committee (DRC), and public comment on the application when determining whether the application meets the criteria for vacation.

The applicant proposes to vacate a utility easement containing 6,562 square feet. The sketch and legal description is included with the attached resolution. The City Commission adopted an ordinance for an easement dedication in 1987. The easement is being vacated to develop a mixed-use project with parking structure known as Quantum at Flagler Village. DRC reviewed the project development application on April 28, 2015. A location map is attached as Exhibit 1. The applicant's narrative and responses to ULDR criteria are attached as Exhibit 2.

Pursuant to criteria outlined in ULDR Sec. 47-24.7, Vacation of Easement, DRC reviewed the application on April 28, 2015, and all comments have been addressed. The franchise utility companies have no objection to the vacation as further evidenced by letters provided by the applicant from the accompanying utility companies. The application, the record, and the report of the DRC are available for review upon request.

Should the Commission approve the proposed vacation, staff proposes the following condition:

1. If any City infrastructure is found within the boundaries of the identified area, the relocation expenses shall be borne by the applicant. The relocated utilities will be required to be inspected and accepted by the Public Works Department.
2. The proposed easement vacation excludes a 325-foot by 7.5-foot segment within the interior of the Block 292 and does not provide access to this remaining portion of the utilities easement. The City Attorney's Office recommends that the vacation be conditioned upon the Applicant conveying an access easement to the remaining utilities easement.

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 Infrastructure Cylinder of Excellence, specifically advancing:

- Goal 2: Be a sustainable and resilient community.
- Objective 1: Proactively maintain our water, wastewater, road, and bridge infrastructure.

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

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Applicant's Narrative

Exhibit 3 – Response to ULDR Criteria

Exhibit 4 – Resolution

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