



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

#16-0226

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

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

DATE: March 15, 2016

TITLE: Quasi-Judicial Resolution Vacating an Aerial Easement located at 1441
South Federal Highway- Holman Automotive Inc. - Case E15007

Recommendation

It is recommended that the City Commission adopt a resolution vacating the aerial easement, located west of South Federal Highway between SE 14th Court and SE 15th Street, consistent with Sec. 47-24.7, Vacation of Easement, of the Unified Land Development Regulations (ULDR).

Background

The applicant proposes to vacate an aerial easement on the subject property. The City vacated the adjacent alley in 1982 with a condition from Florida Power & Light (FP&L) that a 2-foot by 7.5-foot aerial easement would remain for potential installation of a future power line. The proposed vacation is part of the request to develop the Holman BMW automotive retail facility on the property. The applicant will be responsible for relocating any utilities as part of the development permit process.

FP&L no longer requires this aerial easement. The associated site plan was reviewed by the Development Review Committee (DRC) on October 27, 2015 (case R15051). The location map is attached as Exhibit 1. The applicant's narrative and responses to criteria are attached as Exhibit 2. Letters of no objection from the Utility providers, including FP&L, are also provided in Exhibit 2.

Pursuant to Sec. 47-24.7, Vacation of Easement, of the ULDR, the City's Development Review Committee (DRC) reviewed the application in accordance with the criteria on December 22, 2015. The DRC backup is available for review upon request.

The City Commission shall consider the application, the record and recommendations forwarded by the DRC, and public comment on the application when determining whether the application meets the criteria for vacation. The sketch and legal description are provided in the attached resolution (see Exhibit 3).

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.

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 Business Development Cylinder of Excellence, specifically advancing:

- Goal 7: Be a well- positioned City within the global economic and tourism markets of the South Florida region, leveraging our airports, port, and rail connections.
- Objective 2: Facilitate a responsive and proactive business climate.

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

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Applicant's Narratives and Utility Letters

Exhibit 3 – Sketch and Legal Description

Exhibit 4 – Resolution

Prepared by: Eric Engmann, Sustainable Development

Department Director: Jenni Morejon, Sustainable Development