



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

**#16-1187**

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

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

**DATE:** November 1, 2016

**TITLE:** Quasi-Judicial Resolution Vacating a Utility Easement located at 611 NE  
5<sup>th</sup> Avenue - Alta Flagler Village, LLC. - Case E16003

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**Recommendation**

It is recommended that the City Commission adopt a resolution vacating the utility easement which bisects block 315 in a north-south direction between NE 6<sup>th</sup> Street and NE 7<sup>th</sup> Street, and which also lies between NE 4<sup>th</sup> Avenue and NE 5<sup>th</sup> Avenue. The request satisfies the provisions of the City's Unified Land Development Regulations (ULDR), Section 47-24.7, Vacation of Easement.

**Background**

The applicant proposes to vacate a 15-foot utility easement dedicated to the City from Florida Power & Light (FPL). The proposed vacation is part of the request to develop Alta Flagler Village, a 12-story mixed use development with 214 multi-family units and 3,250 square feet of restaurant/retail space. The applicant will be responsible for relocating any utilities as part of this request during the development permitting process.

The associated site plan was reviewed by the Development Review Committee (DRC) on January 26, 2016 (Case R16005) and all comments have been addressed. The DRC record is available at the Department of Sustainable Development (DSD). The Planning and Zoning Board (PZB) recommended approval of the application by a vote of 9-0 on June 15, 2016. The associated development project with allocation of residential units was approved by the City Commission on September 7, 2016. The utility easement location map is attached as Exhibit 1. The application, applicant's narrative responses to vacation of easement criteria are attached as Exhibit 2. Letters of no objection from the utility providers, including FP&L, are also provided as part of Exhibit 2. The sketch and legal description are provided as Exhibit 3.

The City's DRC reviewed the application in accordance with the criteria on May 24, 2016. The DRC backup is available for review upon request at DSD.

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.

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 – Application, Applicant's Narratives and Utility Letters

Exhibit 3 – Sketch and Legal Description

Exhibit 4 – Resolution

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Prepared by: Karlanne Grant, Planner II

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