



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

**#17-1294**

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

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

**DATE:** December 5, 2017

**TITLE:** Quasi-Judicial Resolution to Approve a Utility Easement Vacation – Circle  
K Convenience Store Located at 901 W. Sunrise Boulevard – Crown  
Liquors Broward Inc., Marvin F Poer & Co. - Case E17003

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**Recommendation**

It is recommended that the City Commission adopt a resolution vacating the utility easement which runs east and west through the northern portion of the subject property located at 901 W. Sunrise Boulevard. The request satisfies the provisions of the City's Unified Land Development Regulations (ULDR), Section 47-24.7, Vacation of Easement.

**Background**

The proposed easement vacation application is part of a request to develop the Circle K, a 4,968 square foot convenience store and gas station located at 901 W. Sunrise Boulevard. The applicant proposes to vacate a 95-foot by 201-foot utility easement also previously noted as N.W. 10<sup>th</sup> Place. The vacated easement will be combined with five other parcels through a unity of title for the proposed Circle K convenience store and gas station. The applicant will be responsible for relocating any utilities known or unknown and found to be within the vacated area during the development permitting process.

The utility easement location map is attached as Exhibit 1. The application, applicant's narrative responses to the vacation of the easement and criteria, and letters of no objection from the utility providers are attached as part of Exhibit 2. The sketch and legal description are provided as Exhibit 3.

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.

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 – Utility Easement Location Map

Exhibit 2 – Application, Applicant's Narratives and Letters of No Objection

Exhibit 3 – Sketch and Legal Description

Exhibit 4 – Resolution

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Prepared by: Tyler Laforme, Planner I, Sustainable Development

Department Director: Anthony Greg Fajardo, Sustainable Development