



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

#18-0984

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

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

DATE: September 25, 2018

TITLE: Quasi-Judicial Resolution to Approve a Utility Easement Vacation – 195
North Federal Highway - 195 Federal, LLC. - Case No. E18001

Recommendation

It is recommended that the City Commission adopt a resolution vacating the 10-foot wide utility easement East of NE 3rd Avenue, South of NE 2nd Street, West of North Federal Highway and North of NE 1st Street.

Background

The proposed easement vacation application is part of a request to build an addition on the current commercial development located at 195 North Federal Highway. The utility easement was dedicated when the property was platted, which does not reflect the local street cross section in the City's Downtown Master Plan today. The applicant proposes to vacate a 10-foot utility easement located along NE 2nd Street of the project boundary. 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 City's Development Review Committee (DRC) reviewed the application on January 9, 2018, and all comments have been addressed. The application and record are available for review upon request with the Department of Sustainable Development. The utility easement location map is attached as Exhibit 1. The application, applicant's narrative responses to the vacation of easement criteria and letters of no objection from private utility providers are attached as Exhibit 2. The sketch and legal description are provided as Exhibit 3. The request satisfies the provisions of the City's Unified Land Development Regulations (ULDR), Section 47-24.7, Vacation of Easement.

The City Commission shall consider the application, the record, staff recommendation, 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 easements will be dedicated, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department; and,
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 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 Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 5: Be a community of strong, beautiful, and healthy neighborhoods.
- Objective 2: Enhance the beauty, aesthetics, and environmental quality of neighborhoods

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

Attachments

- Exhibit 1 – Utility Easement Location Map
- Exhibit 2 – Application, Applicant's Narratives to Criteria and Letters of No Objection from Private Utility Providers
- Exhibit 3 – Sketch and Legal Description
- Exhibit 4 – Resolution

Prepared by: Nicholas Kalargyros, Planner II

Department Director: Anthony Greg Fajardo, Sustainable Development