



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

#19-1225

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: December 17, 2019

TITLE: Quasi-Judicial Resolution Approving the Vacation of a Utility Easement –
City of Fort Lauderdale – 151 Las Olas Circle – Case No. PLN-E19005 -
(Commission District 2)

Recommendation

It is recommended that the City Commission consider a resolution vacating a utility easement located at 151 Las Olas Circle, generally located south of Las Olas Boulevard, between Las Olas Circle and New River Sound (Intracoastal Waterway).

Background

The applicant seeks to vacate a utility easement originally established to provide utility services to the subject property. The utility easement vacation is required for the construction of the “Las Olas Marina” development project (Case R18018) proposed at 200 Las Olas Circle. The associated site plan for the marina was approved by the City Commission on the July 9, 2019. 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 easement vacation application on October 22, 2019, and all comments have been addressed. The application and applicant’s narrative responses to the vacation of easement criteria are attached as Exhibit 1. The sketch and legal description are provided as Exhibit 2.

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.

Pursuant to the City’s Unified Land Development Regulations (ULDR) Section 47-24.7.A.4, Vacation of Easement, the request is subject to the following criteria:

- a. *The easement is no longer needed for public purposes;*

The associated development project (Las Olas Marina) includes a different configuration and location of the roadways and utilities than are shown on the recorded plat. When the project is constructed, the easements will no longer be needed for public purposes.

- b. *All utilities located within the easement have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a portion of the easement area is maintained; or an easement in a different location has been provided by the utility facilities by the owner to the satisfaction of the city; or any combination of same;*

All utilities located within any of the easement areas shown on the plat will be relocated pursuant to a relocation plan. The applicant has included "No Objection" letters from all the relevant utility companies.

Should the City 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

1. This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:
 - Focus Area: Infrastructure
 - Goal 1: Be a sustainable and resilient community.
 - Objective 1: Proactively maintain our water, wastewater, stormwater, road and bridge infrastructure.
2. This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Here.

Attachments

Exhibit 1 – Application, Applicant's Narratives and Letters of No Objection

Exhibit 2 – Sketch and Legal Description

Exhibit 3 – Resolution

Prepared by: Randall Robinson, Planner III

Department Director: Anthony Greg Fajardo, Sustainable Development