



LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

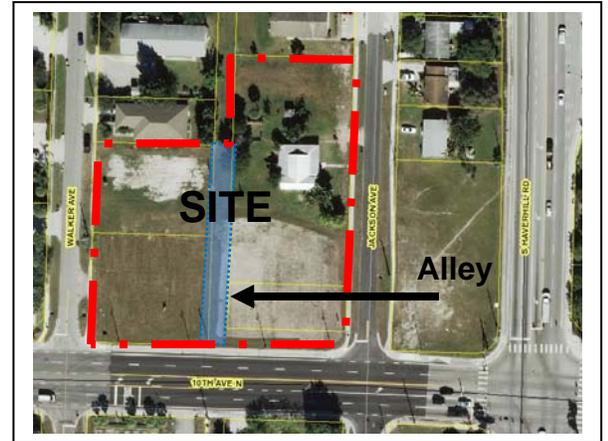
I. Project Description:

Project: Family Dollar

Petitioner: Thomas Engineering Group
125 West Indiantown Road
Jupiter, FL 33458
Agent for the adjacent owners:
G.P. & Louise C. Suggs
and Inshan & Radica Hosein

Request: Abandonment of a 20' x 200'
portion of the north-south Block 7
alley located between Jackson Avenue
and Walker Avenue directly north
of 10th Avenue North

Location: On the north side of 10th Avenue
North between Jackson Avenue
and Walker Avenue



II. Site Data:

Existing Use: City-owned Alleyway for drainage, utilities,
and access

Proposed Use: Incorporated into proposed Family Dollar
Site

Parcel Control Number: N/A (right-of-way)

Parcel Size: 0.0918 acres (4,000 square feet)

Alley Size: 20' x 200'

Existing Future Land Use Designation: Mixed Use (MU) and Residential-Medium
Density (RS-MD)

Proposed Future Land Use Designation: Mixed-Use (MU)

Existing Zoning District:

Mixed Use Development – Original Section (MXD-OS) and Residential Medium (RM-1)

Proposed Zoning District:

Mixed Use Development – Original Section (MXD-OS)

Direction	Existing Land Use	Future Land Use	Zoning District
<i>North</i>	Single-family home and Duplex	Residential-Low Density (RS-LD) and Residential-Medium Density (RS-MD)	Residential Low-3 (RL-3) and Residential Medium-2 (RM-2)
<i>South</i>	Assemblee de Dieu Church and Vacant Property	Mixed Use (MU)	Mixed Use Development - Original Section (MXD-OS)
<i>East</i>	Vacant Property and Single-family home	Mixed Use (MU) and Residential-Low Density (RS-LD)	Mixed Use Development - Original Section (MXD-OS) and Residential Low-3 (RL-3)
<i>West</i>	Vacant Property	Mixed Use (MU)	Mixed Use Development - Original Section (MXD-OS)

II. Background:

The subject 4,000 square foot (0.0918 acres more or less) portion of the alley right-of-way was platted in 1925 as one of the alleys serving Greenacres Plat No. 2. The alleyway runs between four (4) parcels that are being processed for a land use amendment (CPA-15-07), a rezoning (ZC-15-07), and a site plan (SP-15-05). The application for the site plan approval is requesting to construct a single-story 8,687 square foot building for a Family Dollar retail store. The land use and zoning on the public alleyway matches the adjacent parcels to the mid-line of the alleyway.

The parcels adjacent to the alleyway proposed for abandonment were annexed into the City between 1995 and 1999. They are located within the area known as the City’s “Original Section” of development that was the subject of a charrette on January 26, 2001. The charrette was held to plan a new vision for the 10th Avenue North Corridor located between Haverhill Road and the Lake Worth Drainage District (LWDD) E-3 Canal and brainstorm ideas to improve the area and make it more desirable for non-residential development and redevelopment. As a result of the charrette, the City initiated many of the improvements envisioned during the brainstorming sessions and contained in the final report for the 10th Avenue North Corridor, specifically land use and zoning changes, creation of an aesthetic theme through architecture and landscaping, and infrastructure improvements.

10th Avenue Corridor - Land Use and Zoning

Resulting from the charrette, the comprehensive plan was amended on May 6, 2002 to allow for a new zoning district consistent with the Mixed Use (MU) land use and on October 7, 2003 the Mixed Use Development-Original Section (MXD-OS) zoning district was created. This district is targeted for the area along or within 300 feet north and south of 10th Avenue North, between

Haverhill Road and the Lake Worth Drainage District (LWDD) E-3 Canal. On April 19, 2004 the City Council directed staff to begin implementing the new district by initially focusing on vacant parcels.

Three of the four parcels adjacent to the alleyway were included in the land use amendment and rezoning for the corridor as vacant properties were targeted. The northeast parcel, which included a single-family home was not included, but will be incorporated into the Mixed-Use Development District as part of petitions CPA-15-07 and ZC-15-07 being processed concurrently with this abandonment.

10th Avenue Corridor – Architecture and Landscaping

The City created specific standards for development within the 10th Avenue North Corridor, specifically a theme for the Architecture and Landscaping requirements. In order to promote a harmonious common design theme and support revitalization, the City choose “Florida Vernacular” architecture, which includes: architectural treatment on all four elevations, horizontal clapboard siding, standing seam metal roofing, covered porches, and single or double hung windows with trim.

The landscaping theme includes the use of Washingtonia palms (*Washingtonia robusta*) and Red Crepe Myrtle shrubs (*Lagerstroemia indica*) along the 10th Avenue North frontage with Downy jasmine (*Jasminum multiflorum*) as hedge material. The landscape theme provides a uniform design for the corridor that unifies the area and establishes the corridor as a unique area in the City.

10th Avenue Corridor - Infrastructure Improvements

In order to further the City’s goals to encourage development and redevelopment within the corridor, the City undertook infrastructure improvements to support future development. The City installed decorative street lighting along the north side of 10th Avenue North that was not only aesthetically pleasing, but met minimum guidelines for visibility at night and improved safety conditions along the corridor. The City also installed decorative street signs and neighborhood markers within the area to designate the area as the “Original Section” of the City, where the history of Greenacres began.

During the course of implementing the redevelopment plan for 10th Avenue North in the “Original Section” of the City, it was determined that the lack of available gravity sewer service was impeding construction of new projects attempting to utilize the Mixed Use Development-Original Section (MXD-OS) zoning district. To solve this problem, a multi-year project was designed in partnership with the Palm Beach County Water Utilities Department (PBCWUD) to install sewer service. Previously, the investment in redeveloping non-residential in the area was cost prohibitive due to the extensive infrastructure costs to develop the smaller lots along the corridor.

The City’s significant investment in the area was undertaken specifically to encourage non-residential development efforts in order to ultimately increase tax revenue in the City through expansion of the non-residential tax base and the fostering of new economic opportunities.

III. Applicable Comprehensive Plan Provisions:

The Comprehensive Plan includes the following planning objectives and policies related to this abandonment request:

1. Infrastructure Element, Goal:

It shall be the goal of the City of Greenacres to provide for the highest quality public facilities which are properly coordinated with desired land use patterns and which promote orderly urban growth, consistent with people's willingness and ability to pay for its services.

2. Future Land Use Element, Goal 1, Objective 2:

The City shall continue to plan for future redevelopment and revitalization activities in targeted areas.

IV. Applicable Code Provisions:

Sec. 16-583 pertaining to Abandonment of alleys

Planning and Engineering Department Policy# PDO-002JJ pertaining to Alley abandonment

V. Staff Analysis:

Analysis:

The petitioners are requesting that the City abandon the 200 lineal feet of the existing 20' wide platted north-south alley right-of-way in Block 7 of Greenacres Plat No. 2. The petitioners own the parcels abutting the east and west sides of the subject portion of the alley and each intends to collectively utilize the area, if abandoned, for the development of a retail Family Dollar building. The approximately 4,000 square feet of right-of-way to be abandoned does not provide regular access to any of the lots in Block 7, all of which have frontage on platted roadways as their primary access. The utility companies did not object to the abandonment, and the applicant is providing easements for utilities on the site.

Regarding the storm drainage, the proposed development plan will provide for on-site management of all storm water via catch basins in the impervious areas, which will drain into a dry retention area on site. The current alley area will not be required for managing stormwater from the site and does not convey stormwater from adjacent sites.

Concurrent with the abandonment request, the applicant is proposing a development plan for the site that plans for all utilities, drainage, and access within the site. The comprehensive approach

provides the City with assurances that the requested abandonment is consistent with furthering the goals of developing the corridor with non-residential growth.

On September 10 and 17, 2015, the Land Development Staff reviewed this request and recommended approval subject to the conditions contained in this staff report.

Land Development Staff Comments:

Planning & Engineering Department:	Incorporated into the staff report.
Public Works Department:	Incorporated into the staff report.
Building Department:	No Objections.
Public Safety Department:	No Objections.

Other Agencies:

LWDD:	No Objections.
Florida Public Utilities:	No Objections.
PBC Water Utilities:	No Objections.
AT & T:	No Objections.
Comcast Cable:	No Objections.
FPL:	No Objections.

Abandonment Criteria:

- (1) Section 16-583(1) requires that the project have a minimum site area of 26,000 square feet.**

The site area of the proposed Family Dollar (SP-15-05) is 71,275 square feet.

- (2) Section 16-583(2) requires that the applicant secure approval from all affected service providers and make provisions for the continuation of those services.**

All utility companies were contacted and had no objections.

- (3) Section 16-583(3) requires that easements for affected utilities and/or the City of Greenacres be provided if necessary.**

As shown on Exhibit “C” and Exhibit “D”, and as conditioned below, an access easement for the City of Greenacres and a utility easement for power, cable and telephone will be provided.

- (4) Section 16-583(4) requires that the City’s right-of-way abandonment procedures be followed.**

All of the City’s right-of-way abandonment procedures were followed. All property owners within 300 feet of the subject area were notified by certified mail and the

February 1, 2016 public hearing was advertised in the newspaper.

(5) Policy PDO-002JJ requires that abandonments provide a compensating public gain for the loss of public property.

The abandonment of the alley will facilitate the redevelopment of a 1.636 acre site along 10th Avenue North, which would not be possible if the alley were still in place. This redevelopment activity supports the goals established as a result of the charrette process in January of 2001, further the rejuvenation of the Original Section, and will enhance the City's tax base. These compensating public gains exceed the impact of the loss of the alley public property.

(6) Policy PDO-002JJ requires that the abandoned alley be incorporated into a redevelopment project that includes property on both the east and west sides of the alley.

The proposed Family Dollar (SP-15-05) development site includes property on both sides of the alley.

Summary:

Overall, the request for abandonment meets the requirements set forth in the Code and Planning and Engineering Department Policy PDO-002JJ since it exceeds the minimum size, the utility companies did not object, replacement easements addressing utilities and City access are to be provided, abandonment procedures were followed, there is a compensating public gain provided, and the associated redevelopment project includes property on both sides of the alley.

VI. Staff Recommendation:

Approval of abandonment request AB-15-02 with the following conditions:

1. The abandoned right-of-way must be included as part of a project that meets the minimum site area of 26,000 square feet and includes property on the east and west sides of the alley. The right-of-way shall revert to the City if a site plan approval is not obtained within six (6) months of the date of approval of the abandonment or if such site plan approval expires. (Planning)
2. An easement for City access to the remaining portion of the alley as depicted in Exhibit "C" shall be granted to the City within six (6) months of the date of approval of the abandonment. (Planning)
3. An easement for utilities as depicted in Exhibit "D" shall be granted within six (6) months of the date of approval of the abandonment. (Planning)

CITY COUNCIL ACTION – February 1, 2016

Samuel J. Ferreri, Mayor

Attest:

Denise McGrew, City Clerk

Attachments:

1. Resolution 2016-06
2. Exhibit “B” Abandonment
3. Exhibit “C” Access Easement
4. Exhibit “D” Utility Easement
5. Aerial Map
6. Letter of consent from G.P. & Louise C. Suggs
7. Letter of consent from Inshan & Radica Hosein