

CITY OF GREENACRES

Council Agenda Memo
2016.06TL3.013

TO: Mayor and City Council

THROUGH: Andrea McCue, P.E., City Manager

FROM: Thomas J. Lanahan, Assistant City Manager/Planning and Engineering Director

SUBJECT: **Resolution 2016-24, AB-16-01**
Bus Shelter Easement Abandonment at Burger King
City Council Agenda Item for 6-20-16

DATE: June 13, 2016

COPIES: James D. Stokes, City Attorney
Denise McGrew, City Clerk
File: AB-16-01 and SP-97-03A

Background:

The Planning and Engineering Department is requesting the abandonment of a bus shelter easement on the north side of Lake Worth Road just east of South Jog Road. When the Burger King reconstruction project was approved by the City on August 20, 2008 (SP-07-03A), they were required to provide bus shelter easements along Lake Worth Road and South Jog Road (Condition #24) to accommodate bus shelters in the event that Palm Tran was to place stops at the property in the future. In conjunction with the City's approach to providing shelters at bus stops, the easements were granted to the City so that we could control what sort of shelter was installed.

It has come to the City's attention through Palm Beach County's Engineering Department that the shelter easement on Lake Worth Road was apparently granted slightly overlapping the right-of-way dedication made to Palm Beach County in satisfaction of Condition #4 of SP-07-03B (Burger King). This overlap is preventing the County from moving forward with construction and turn-over to FDOT of a right turn lane from westbound Lake Worth Road to northbound Jog Road. The County has asked that the easement be abandoned by the City.

Analysis:

Since the easement is intended to provide a location for a bus shelter for a future Palm Tran stop, City staff contacted Palm Tran for input. They have determined that it would be

a poor location for a bus stop. Their preference is to have stops on the far side of an intersection (in this case, on the north side of Lake Worth Road west of South Jog Road) and that the stop not be adjacent to a turn lane since operationally the bus driver will have difficulty entering and exiting the stop area.

Given that is a poor location, there is currently no stop or shelter installed, and it is obstructing a necessary roadway improvement, the easement should be abandoned. The Jog Road bus shelter easement is well located and should be retained for future use.

Legal:

The abandonment was prepared in accordance with all applicable City Code requirements.

Financial:

N/A.

Staff Recommendation:

Approval of AB-16-01 through the adoption of Resolution 2016-24.

Thomas J. Lanahan
Assistant City Manager
Planning and Engineering Director

Attachments:

1. Resolution 2016-24
2. Survey and Legal Description (Exhibit "A")