



CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Robert Bradshaw, City Manager
THROUGH: Rebecca Grohall, AICP, Planning Manager
FROM: Kori Benton, Historic Preservation Officer
SUBJECT: **Fort Pierce Shopping Center - Easement Abandonment**
1167 S US Highway 1
DATE: February 21, 2014

STAFF REPORT

Owner Fort Pierce Shopping Center
Arnold Weiss
630 Sentry Pkwy E Suite 200
Blue Bell PA 19422-2347

Applicant/Representative: Todd Wickard
Itasca Construction Associates, Inc.
6420 Congress Avenue, Suite 1900
Boca Raton FL 33487

Requested Action: Abandonment of Easements

Location: 1167 S U.S. Highway 1

Parcel ID: 2415-601-0434-000-6

Zoning: C-3, General Commercial

Surrounding Zoning:

North	East	South	West
C-3 & R-4	C-3	C-3	R-4

Future Land Use: General Commercial (GC)

Parcel Size: 3.63 acres

Utilities: Located within the FPUA Retail Service Area

Background:

The Fort Pierce Shopping Center is a 44,798 sq. ft. commercial plaza constructed in 1955 upon the subject property which was originally designed as a single-family home subdivision. The applicant and representative have received approval to extensively redevelopment renovate the Fort Pierce Shopping Center including the reconfiguration of the existing parking lots, installation of additional landscaping, redesign of site entrances and exits, façade improvements as well as a 1,800 square foot addition to the rear of the structure.

The completion of a title search, necessary to complete the sale of the property, discovered the apparent existence of utility easements throughout the property based upon the originally platting of lots and the prospect of utility infrastructure for each platted lot. The subject easements are said to have been established on March 12th, 1931 via Deed Book 83, Page 442. The original plat of Pinewood Subdivision did not specifically dedicate the subject easements; however D.B. 83, PG. 442 provided authority for grantor or grantee of the property to into easement agreements for the establishment of public utilities.

The existence of the utility easements presents an obstacle to the completion of the real estate transaction, since portions of the existing structure reside within these easements; therefore the applicant is requesting to abandon said easements.

Staff Analysis:

Staff completed a technical review of request to abandon the subject easements in coordination with affected City departments and utility suppliers. All affected departments and utility suppliers are in support of the requested abandonment as the utility facilities which currently exist within portions of the easements requested to be abandoned with the condition that the facilities are relocated and/or replacement easements are granted and provided by the record property owner. Upon such relocation and replacement there will exist no present of future need for the said current utility easements.

The current plans for redevelopment necessitate dedication of utility easements to include all existing and proposed utility facilities (Electric, gas, water, wastewater and fiber optic). The applicant has coordinated with Staff and the Fort Pierce Utilities Authority (FPUA) to draft replacement easements to be recorded for the existing and proposed utility infrastructure at the site. The replacement easements will be recorded upon adoption of Ordinance 14-009.

Staff Recommendation:

The requested abandonment of the subject easements does not adversely impact the health, safety or welfare; therefore Staff recommends that the City Commission **approve** Ordinance 14-009, abandoning said easements, providing for replacement easements for existing utility infrastructure.