



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Robert J. Bradshaw, City Manager
THROUGH: Rebecca Grohall, AICP, Planning Manager
FROM: Kori Benton, Historic Preservation Officer
SUBJECT: Abandonment of Right-of-way
Boston Avenue Extension – East of Indian River Drive
DATE: June 26, 2014

STAFF REPORT

Owner(s): St Andrews Episcopal Church St. Andrews Episcopal Academy
210 S Indian River Dr 210 S Indian River Dr
Fort Pierce FL 34950-4337 Fort Pierce FL 34950-4337

Applicant: St. Andrews Episcopal Church & School c/o John Liebler
210 S Indian River Dr
Fort Pierce FL 34950-4337

Representative: Trina Angelone, Head of School
210 S Indian River Dr
Fort Pierce FL 34950-4337

Requested Action: Abandonment of Boston Avenue Extension

Location: Boston Avenue East of S. Indian River Drive, West of the Indian River
Approximately 290 S. Indian River Drive

Parcel ID: 2410-804-0003-000-4, 2410-804-0004-000-1, &
2410-808-0001-000-2

Zoning: C-4, Central Commercial & C-1, Office Commercial

Surrounding Zoning:

North	East	South	West
C-4	A-2	C-1	C-4

Future Land Use: CBD, Central Business District & OP, Offices – Professional & Business

Land Area of Subject ROW: .22 acres

Staff Analysis:

The applicant is requesting the City Commission of the City of Fort Pierce vacate and abandon a 25 ft. by approximately 380 ft. extension of right-of-way known as Boston Avenue, as identified in Plat Book 5, Page 32, Public Records of St. Lucie County, Florida; said right-of-way lying east of South Indian River Drive and west of the Indian River, north of Citrus Avenue.

The subject right-of-way was created during the 1920s, after dredging and shoaling extended the bank of Indian River Drive east several hundred feet into the Indian River Lagoon. The private property lines expanded eastward, continuing the Boston Avenue right-of-way eastward as well. This section of Boston Avenue has never been formally paved, however the City Commission opened a portion of the right-of-way in 1975 to provide formal access to an apartment complex previously situated along the riverbank. Although this section of Boston Avenue remains unpaved, it provides legal access to a parcel of land and the former apartments, which is landlocked otherwise. The noted apartment complex was demolished in 2003.

The request is based upon St. Andrew's acquisition of land abutting this extension of Boston Avenue, and their preparation of a development plan in hopes of expanding their existing school in Downtown Fort Pierce. The abandonment and acquisition of this section of right-of-way provides greater flexibility and capacity for design when preparing plans for the potential expansion.

The abandonment of this section of Boston Avenue would effectively land lock Parcel# 2410-804-0004-000-1, rendering it a non-conforming lot, therefore the applicant must complete a Unity of Title with their currently held Parcel to the west, or to the north, prior to the recording of the proposed abandonment.

All affected Departments have reviewed the submittals, and provided approvals for the proposed abandonment based on compliance with the requirements of the City Code.

Property Value & Public Benefit

The applicants have provided a private real estate appraisal report for the portion of Boston Avenue that was previously opened by the City of Fort Pierce in 1975. The appraised value of this portion, measuring .073 acres, is \$65,000 pursuant to the provided report. The complete portion of Boston Avenue proposed for abandonment measures .22 acres; therefore this valuation is not accurate. The City Commission has the capacity to request a revised appraisal, if compensation is sought for the release of this property.

Comprehensive Plan

The adopted City of Fort Pierce Comprehensive Plan seeks to develop opportunities to provide the public with expanded access to the waterfront. The proposed request shall be reviewed based upon the appropriate Goals, Objectives, and Policies within the Comprehensive Plan that express this strategy, as the abandonment could eliminate a public access point to the water front, if provisions are not integrated into the approval of the request. The adopted Goals, Objectives and Policies are as follows:

1.8 Objective:

The City will coordinate with the Community Redevelopment Agency (CRA) to address blighted areas in the City, provide basic needs of the area, discourage urban sprawl, and take advantage of opportunities for economic, social, or aesthetic improvements.

1.8.2 Policy: The City will coordinate with the CRA to encourage redevelopment and reinvestment within the Community Redevelopment Area:

3. Enhance public open spaces, small community centers, amphitheatres, and address public access to the waterfront.

5.9 Objective:

The City shall increase the amount of public access to the beach or shoreline consistent with estimated public needs.

5.9.4 Policy:

The City shall implement development incentives for all development for waterfront sites to include design measures, to provide, enhance or preserve scenic views of the water from public rights-of-way.

7.4.3 Policy:

The City of Fort Pierce shall actively pursue the development of linear parks and integrated open space systems along waterfront properties. This shall be accomplished by collocating pathways, pedestrian accommodations and plantings alongside waterways and water bodies such as, but not limited to, canals, creeks, streams, rivers, lakes, channels and other water features. Public access to waterfront areas shall be secured through the recordation of access easements or land dedication as outlined in the Land Development Regulations.

The City of Fort Pierce Commission is encouraged to explore opportunities to maximize public benefit through the proposed request. The recommendation of staff is to forgo compensation for the land value in return for the retention and dedication of easements for the purpose of public access to the waterfront, in an effort to fulfill the identified Goals, Policies, and Objectives as they relate to the proposed abandonment of the subject right-of-way, which currently provides access to the Indian River. The proposed exchange of the subject right-of-way for an easement along the waterfront, extending from Melody Lane to the southern boundary of Boston Avenue, is designed to fulfill the commitment of the City of Fort Pierce to provide waterfront access to the public, while minimizing impacts to the proposed expansion of St. Andrew's Episcopal Academy.

Planning Board Recommendation:

The Planning Board, at their May 13th, 2014 meeting, voted unanimously to recommend approval of the request with the conditions recommended by Staff. It is noted that a previously recommended condition of approval sought the retention of utility easements for the benefit of the Fort Pierce Utilities Authority (FPUA), however FPUA has declared that the discussed easements are unnecessary to the absence of infrastructure.

Staff Recommendation:

Staff recommends that the City Commission grant the requested abandonment with the following conditions:

- 1) A 15' pedestrian access easement, from Melody Lane to the southeast corner of the right-of-way requested for abandonment is dedicated to the City of Fort Pierce to provide opportunity to expand access to the waterfront is recorded prior to the effective date of abandonment; and
- 2) The applicant records a Unity of Title between Parcel 2410-804-0004-000-1 and either Parcel 2410-804-0003-000-4 or Parcel 2410-808-0001-000-2, prior to the recording of the abandonment, as to prevent Parcel 2410-804-0004-000-1 from becoming non-conforming lot.