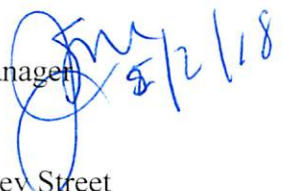


AGENDA SUMMARY

The City of Daytona Beach

<p>DEPARTMENT/DIVISION: Planning</p> <p>STAFF CONTACT: James S. Morris, Deputy City Manager</p> <p>ITEM TITLE: Vacation of Right-of-Way - Harvey Street</p>	<p>Meeting Date: 05/02/2018</p> <p>First Agenda Action:</p> <p>Second Agenda Action:</p>
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5/2/18

ACTION (check one): Presentation Discussion Resolution Ordinance
 Resolution – PUBLIC HEARING Ordinance on first reading – PUBLIC HEARING

IS ITEM BUDGETED: YES NO BUDGET \$ _____
 TOTAL COST \$ 0




VISION PLAN/STRATEGIC PLANNING INITIATIVE: Implementation of goals to redevelop the Main Street area and oceanfront property in the vicinity therein.

BACKGROUND: City staff requests that the City Commission authorize the City Manager to execute on behalf of the City, a Letter of No Objection and Authorization of Owner, in support of an application that Avista Properties VII, LLC (“Avista”), will be submitting to Volusia County to vacate the northern half of the Harvey Avenue beach approach, east of Ocean Avenue. Avista intends to use the vacated portion of the beach approach as part of a proposed mixed use hotel Avista that Avista is proposing to develop on three vacant parcels immediately south of Breakers Oceanfront Park. These parcels consist of 35 S. Ocean Avenue, which Avista owns, and 39 and 45 S. Ocean Avenue, which are owned by the City. The City Commission previously approved City Resolution No. 17-407, authorizing the sale of the two City-owned parcels to Avista. The sale is contingent upon Avista’s filing of a Planned District (“PD”) rezoning application with the City for the development of all three parcels as a mixed use hotel project consistent with Avista’s response to City RFP No. 0217-2150. The Harvey Street right-of-way is forty (40’) feet wide. The vacation request, if granted by the County Council, will allow Avista to control and develop the northern twenty (20’) feet of the right-of-way as measured from the northern edge of the right-of-way line abutting the City property under contract to Avista. The City’s participation is required because as the owner of the property adjacent to the right-of-way, the City has the authority to request vacation. Approval of the request will facilitate Avista’s hotel construction project proposed in response to an RFP issued by the City. It will also facilitate southerly extension of the boardwalk currently occurring in front of the Breakers Park south to the Harvey Street right-of-way to the property adjacent to the southern edge of the Harvey Street right-of-way. The property owner of the property south of Harvey Street has submitted a draft PD for consideration by the City which will also provide for continuation of the oceanfront boardwalk. The southerly twenty (20’) feet of the Harvey Street right-of-way will remain open and able to be used for access by ambulances, beach concessionaires, lifeguards, and other entities needed to maintain the beach. The area of the beach accessed by the Harvey Street right-of-way has long been used as a non-vehicular drive beach. Granting Avista’s request will facilitate redevelopment of the Main Street area and it will be beneficial to the City at large.

A draft Letter of No Objection and Authorization of Owner has been prepared that includes conditions designed to ensure that the project is developed as proposed, including Avista’s extension of the public boardwalk south from Breakers Oceanfront Park across the project’s beach frontage; and that Avista provide for the upgrade of the remainder of the Harvey Avenue beach approach with vehicular and pedestrian access and landscaping.

STAFF/BOARD RECOMMENDATION: Approval

REVIEWED BY AS REQUIRED:

DEPT./DIVISION HEAD	PURCHASING	LEGAL	CITY MANAGER
 DATE: <u>5/2/18</u>	NA DATE: _____	 DATE: <u>5/2/18</u>	 DATE: _____