

Agenda Item 7 (Legislative Hearing)

Right-of-Way Street Vacation

DEV2018-020

Coates Street

STAFF REPORT

DATE: April 16, 2018

TO: Planning Board Members

FROM: Reed Berger, Redevelopment Director

PROJECT REQUEST

A request by Jeffrey C. Sweet, Esq., Korey Sweet McKinnon & Simpson, on behalf of SIG Global Family LP, to vacate the entirety of Coates Street right-of-way located between International Speedway Boulevard and 5th Avenue.

PROJECT DESCRIPTION

The purpose of the right-of-way (ROW) vacation process is to establish a uniform mechanism for vacating developed and undeveloped public rights-of-way when they are no longer required or needed by the City or designated on the comprehensive plan. The subject property includes all of the improved ROW of Coates Street located between International Speedway Boulevard and 5th Avenue.

The applicant is requesting the street vacation to consolidate its ownership of properties along both sides of Coates Street and create a planned development in two stages. First, the applicant plans to demolish the vacant buildings on these lots, including the former Shell's restaurant, and improve the land for temporary overflow parking for the Streamline Hotel and for public parking. Improvements would include a graded stabilized surface with perimeter fencing and landscaping to improve the appearance of the area. Second, the applicant intends to redevelop the property in a cooperative partnership with the City that promotes the community's vision for improving the intersection of A1A and ISB.

The segment subject to the vacation has an approximate length of 380 feet and an approximate width ranging from 25 to 35 feet (*Attachment A*). The applicant requesting the vacation is the owner of all the property adjacent to the proposed vacated right-of-way, except a narrow unbuildable parcel located at the northwest corner of Coates Street and 5th Avenue which is owned by the City of Daytona Beach. The applicant intends to acquire the City's parcel concurrent with the vacation of Coates Street and combine the parcels to eliminate the existing nonconforming lots.

PROJECT ANALYSIS

The City’s Land Development Code (LDC), Section 3.4.AA.4 states:

An application for vacation of a public street right-of-way shall be approved only on a finding there is competent substantial evidence in the record that:

- a. The right-of-way is not now, or in the foreseeable future, needed for a public purpose for the city or its inhabitants; and*
- b. Vacation of the right-of-way is consistent with the comprehensive plan.*

The applicant intends to provide letters of ‘no objection’ to the vacation from all utility providers prior to the City Commission meeting. The City’s Technical Review Team (TRT) offers no objection to vacating the right-of-way contingent on the applicant providing easements for existing utilities. All required easements must be identified and approved by the City Commission concurrent with the ROW vacation request.

Approval of the total vacation of the public street right-of-way and recording of a survey showing the vacation shall extinguish any right or title the City has or may have in or to the area vacated, except for those rights established by any easements for utilities. Any right or title to such area shall be released to the owners of abutting properties in such pro rata proportions, to such extent, and in such manner as provided by State law. In this case the applicant will be the only abutting property owner at the time of final plat approval provided the applicant closes on purchase of the property owned by the City of Daytona Beach. A map depicting relevant ownership adjacent to the section of Coates Street proposed to be vacated is attached (*Attachment B*).

RECOMMENDATION

Staff recommends approval of the request to vacate Coates Street right-of-way located between International Speedway Boulevard and 5th Avenue.

The item is tentatively scheduled for a public hearing and consideration of a resolution for approval by the City Commission on May 16, 2018.

A majority vote of the Planning Board members present and voting is required to recommend approval to the City Commission.

Coates Street Vacation

Between ISB and 5th Avenue

PARCEL MAP

March 30, 2018

Main Street Redevelopment Area



Streamline
Hotel

5TH AVE.




OCEAN AV S

S. GRANDVIEW AVE.

S. ATLANTIC AVE.

ISB BLVD.

MAP KEY

-  SIG GLOBAL FAMILY LP
-  COATES STREET
-  CITY-OWNED PARCEL

