



TO: Development Review Board **Item Number:** 3

FROM: Planning & Development Services Department **DATE:** April 11, 2013

SUBJECT: Petition CC-13-37 SUB. Eng, Denman and Associates, Inc., agent for Elizabeth P. Alsobrook. Reversion of subdivided land to acreage. Zoned: MU-1 (8—30 units/acre mixed use low intensity). Located at 2225 NW 13th Street. Related to AD-13-38 SUB.

Recommendation

Staff recommends that the DRB forward a recommendation of approval of Petition CC-13-37 SUB to the City Commission.



Description

This is a request to vacate a portion of an existing platted subdivision, thereby returning it to unplatted acreage. Specifically, the proposal would vacate Lots 5-19 of Block L, and Lots 3-9 of Block M of the Oak Park subdivision, along with the intervening rights-of-way for alleys (see Attachment B). The purpose of the request is to clarify the boundaries of existing commercial properties and facilitate redevelopment of the site. An associated minor subdivision is being reviewed administratively, and would create three new commercial lots from the resulting unplatted acreage. The property is located on the southeast corner of the intersection of NW 23rd Avenue and NW 13th Street, and is currently developed with a vacant gas station, a drive-through bank, and a small office complex (see Attachment C boundary survey). A former public street (NW 22nd Avenue) originally bisected the property, but has since been vacated. An easement now exists at the former location of the NW 22nd Avenue right-of-way which provides access into the site and to the adjacent properties.

Basis for Recommendation

The Land Development Code states that the reversion of subdivided land to acreage shall be in accordance with the provisions of F.S. Section 177.101 (see Attachment C). Staff has reviewed this statute and made the following findings in accordance with its requirements:

1. The City intends to adopt a resolution vacating a portion of the Oak Park subdivision, and will request that Alachua County adopt a similar resolution.
2. The application includes documentation indicating that Elizabeth P. Alsobrook owns fee simple title to the portion of Oak Park subdivision to be vacated.
3. The requested plat vacation will not affect the ownership or right of convenient access of persons owning other parts of the subdivision, since it will remove relict residential lots and the unbuilt alleyways that exist within the subject property.
4. Proper notice for the public hearing has been provided in the form of a neighborhood meeting, with mailed notice to surrounding property owners and posted notice on the property. Additional notice will be provided prior to the City Commission hearing for the required resolution.
5. The applicant has provided documents attesting to the payment of all state and county taxes.
6. The resolution of the City Commission will be presented to Alachua County as evidence that the City has officially vacated the subject portion of the subdivision.
7. The associated streets or alleys to be vacated as part of the plat are not necessary for use by the traveling public.

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Staff also finds that the proposed plat vacation is consistent with the general goals, objectives, and policies of the Comprehensive Plan. Specifically, it will facilitate Goal 2 of the Future Land Use Element, which is to “redevelop areas within the City, as needed, in a manner that promotes quality of life, transportation choice, a healthy economy, and discourages sprawl.” It is also consistent with Policy 1.2.1 of the Future Land Use Element, which allows for the City to vacate street right-of-way where it does not prevent reasonable connection for existing and future public transit, pedestrian, bicycles, and automobiles. From a practical standpoint, the existing platted lots (sized for single-family residential) are not appropriate for property that is located at a major intersection and which has a Commercial land use designation (as described in Policy 4.1.1 of the Future Land Use Element).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott A. Wright", with the date "4/11/13" written below it.

Scott A. Wright
Senior Planner

List of Attachments

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| Attachment A | Application and Neighborhood Workshop Info |
| Attachment B | Plat of Oak Park Subdivision (showing lots subject to vacation) |
| Attachment C | Boundary Survey of Property |
| Attachment D | Florida Statutes Section 177.101 |