

# *Continuance*

Tab 2

**MANATEE SCHOOL FOR THE ARTS VACATION  
OF RIGHT-OF-WAY  
VAC-2011-01**

**Staff Report**  
**Right-of-way Vacation (VAC-2011-01)**  
**Manatee School of the Arts**  
**700 Haben Boulevard**

**REQUEST**

Renaissance Arts and Education, Inc./DBA Manatee School for the Arts (MSA) petitioned the City to vacate the main ingress and egress into the school property in order to acquire the existing public rights-of-way (R-O-W) for private use.

**BACKGROUND**

Manatee School of the Arts recently expanded its boundaries (currently 21.6 acres) and buildings (approved for 213,370 sq. ft.) by revising its adopted General Development Plan (GDP 2011-01). As part of this expansion plan, the school is interested in improving (paving and restriping etc.) the primary ingress and egress onto the school campus for better overall circulation. MSA is requesting that the City vacate these two strips of rights-of-way which the City has owned since the construction of the original bowling establishment. The property was owned by two different owners and the right-of-way would provide ingress and egress for both. Now that the school owns all of the property the need for the right-of-way no longer exists.

**LOCATION/PARCEL SIZE OF SUBJECT PROPERTIES**

R-O-W Parcel ID: 2579600053 (Manatee County Property Appraiser's website currently shows Renaissance Arts and Education, Inc. as the owner. They are in the process of correcting this information.)

Location: 700 Haben Boulevard

Size: 0.4 acres (two strips approximately 446 feet long)

Total School Site: 21.587 acres

**OWNERSHIP TRANSFER:** From the City of Palmetto to Renaissance Arts and Education, Inc. /DBA Manatee School for the Arts (MSA)

**PLAN/ZONING OF SUBJECT PROPERTIES**

School: PC (Planned Community)/PD-MU (Planned Development-Multi Use)

**PLAN/ZONING/USES OF SURROUNDING AREA**

North: PC/ PD-MU/SF house; PC/CHI/Riviera Palms nursing home; PC/CG & PD-MU/vacant commercial

South: PC/PD-MU/Riviera Dunes (Hammocks)

East: COUNTY: RES-6/RSF-4.5/SF houses along 15<sup>th</sup> Ave Drive

West: PC/ PD-H/Courtney Assisted Living

## SUMMARY

Generally the City should consider the following before weighing the public trust and land use effects of a vacation mitigating measures and the public benefit provided by the vacation to determine whether or not the vacation is in the public interest.

1. impact of the proposed vacation upon the circulation, access, utilities, open space and views provided by the right-of-way;
2. land use impacts of the proposed vacation to insure that the vacation would be consistent with City land use policies for the area in which the right-of-way is located;
3. provision of a long-term benefit to the general public.

Manatee School of the Arts (MSA) was established in 1998 when it acquired the original 8 acre tract (with a vacated bowling alley building) located approximately 700 feet from Haben Boulevard. The ownership pattern of the immediate area surrounding the subject rights-of-way changed over time as MSA acquired additional property for school expansions. In 2008, the first GDP (08-07) for MSA was approved and in 2011, it was revised incorporating two additional parcels (6.89 acre and 3.8 acre tracts) fronting on Haben Boulevard (previously Riviera Walk East). The major effect of MSA's acquisition of properties on both sides of the City owned R-O-W is that this R-O-W now serves MSA exclusively.

Land use impacts are minimal because the land use potential of the subject property is limited to a R-O-W by virtue of its configuration. Besides, the City's Public Works Department, Manatee County, Peace River Electric Cooperative Inc., Verizon, Bright House Networks and North River Fire District have reviewed the proposed R-O-W vacation and have no objections.

The proposal meets the following Plan Policy 2.10.2:

*The City shall not vacate public rights-of-way until it has been determined that the right-of-way is not required for future mobility, utility infrastructure or stormwater needs.*

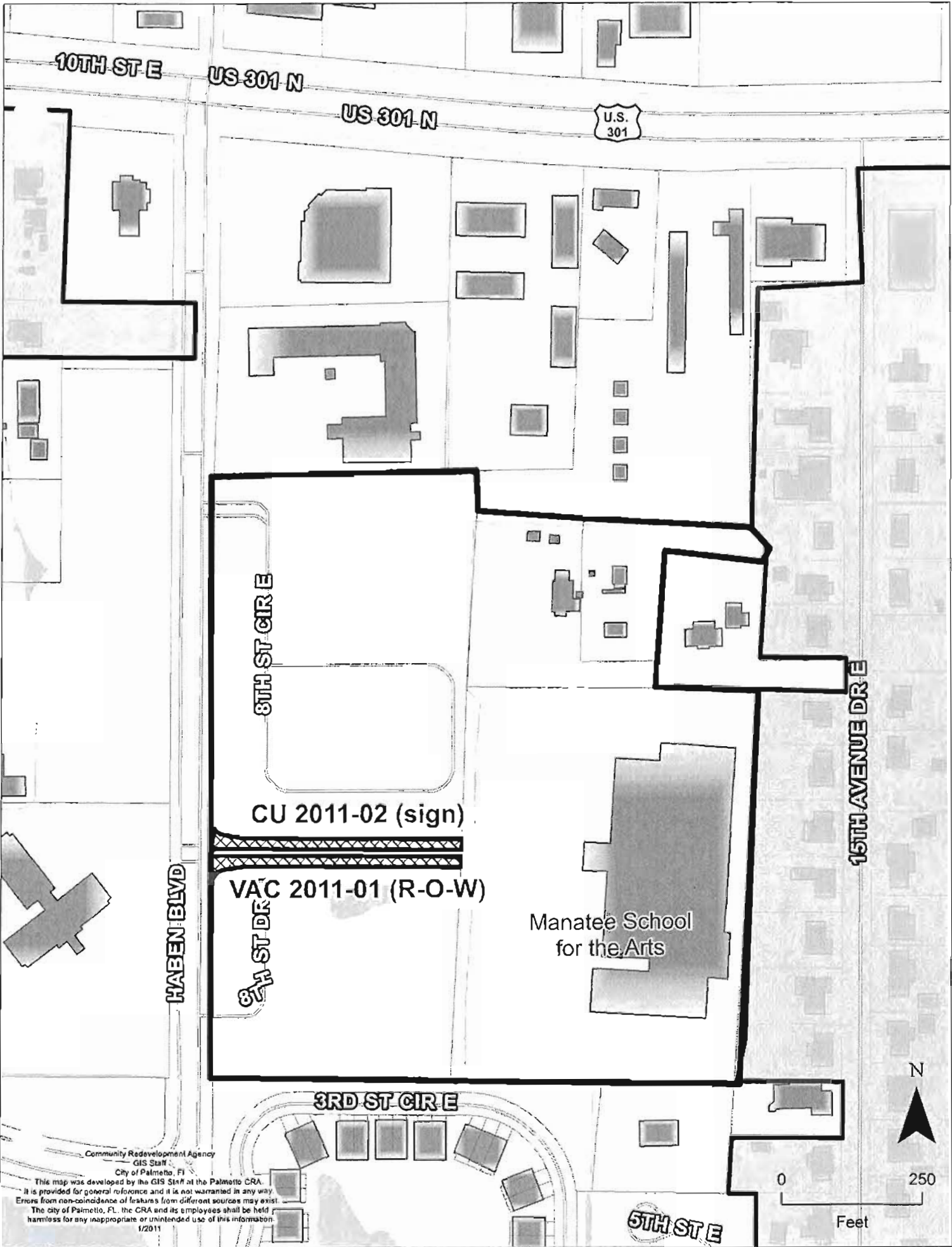
In summary, the impact of the proposed vacation upon the overall circulation, access, utilities, open space and views provided by this R-O-W as well as its long-term benefit to the general public is negligible.

## STAFF RECOMMENDATION:

Staff recommends approval of the proposed right-of-way vacation for the above stated reasons.

## PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board must vote to recommend **APPROVAL**, **APPROVAL WITH CONDITION(S)** or **DENIAL** of the proposed R-O-W vacation.



10TH ST E

US 301 N

US 301 N

U.S.  
301

8TH ST CIR E

CU 2011-02 (sign)

VAC 2011-01 (R-O-W)

8TH ST DR

Manatee School  
for the Arts

15TH AVENUE DR E

3RD ST CIR E

5TH ST E

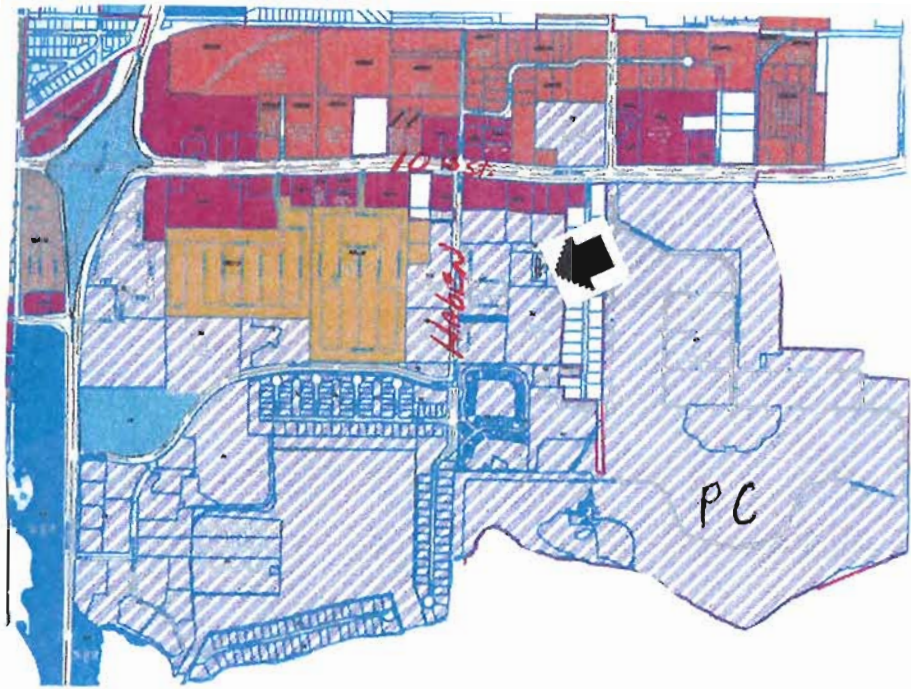
HABENS BLVD

Community Redevelopment Agency  
GIS Staff  
City of Palmetto, FL

This map was developed by the GIS Staff at the Palmetto CRA.  
It is provided for general reference and it is not warranted in any way.  
Errors from non-coincidence of features from different sources may exist.  
The City of Palmetto, FL, the CRA and its employees shall be held  
harmless for any inappropriate or unintended use of this information.  
1/2011



# CITY OF PALMETTO LAND USE PLAN MAP



# CITY OF PALMETTO ZONING MAP

