

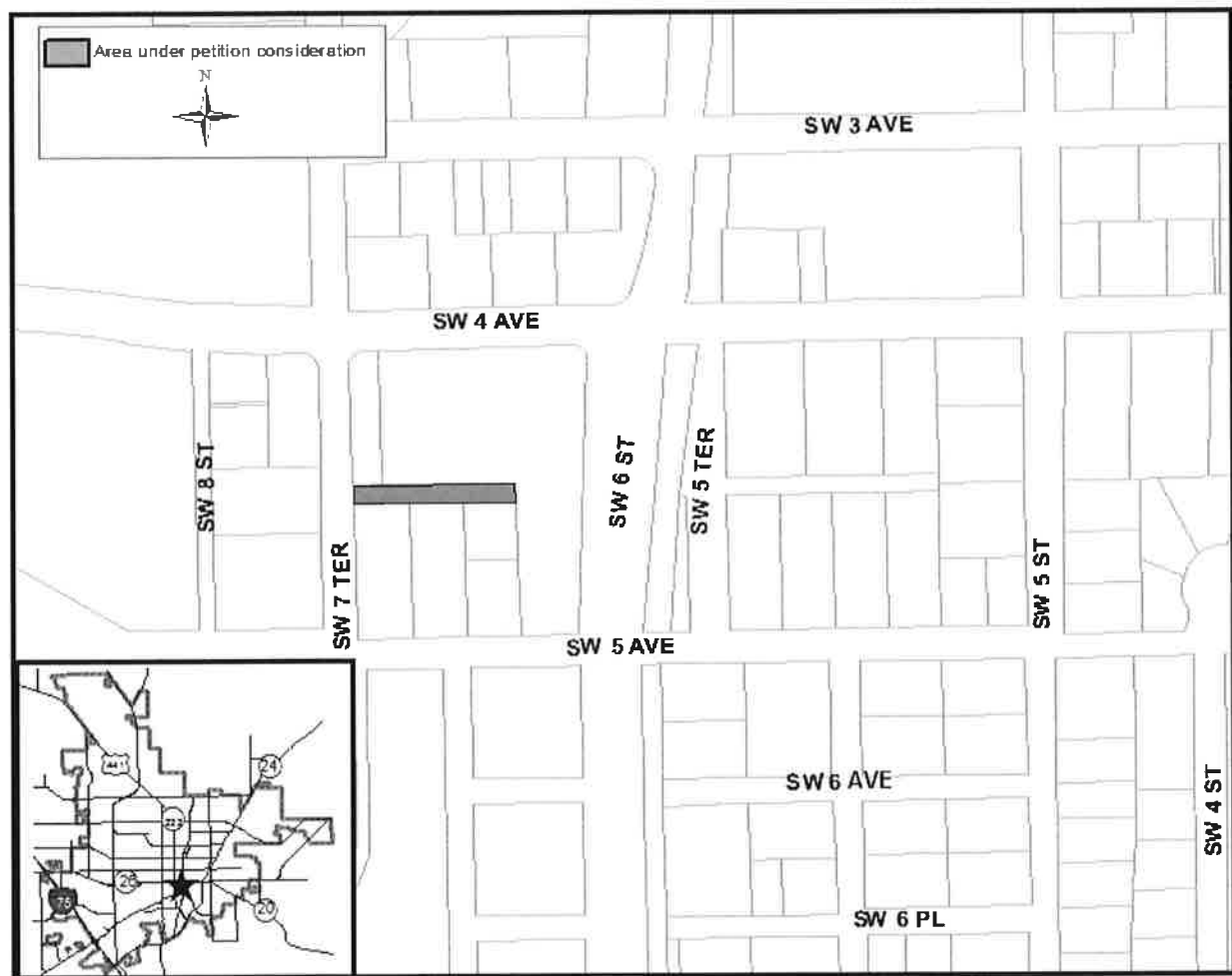
TO: City Plan Board **Item Number:** 1

FROM: Planning & Development Services Department **DATE:** August 27, 2015

SUBJECT: Petition PB-15-63 SVA, eda engineers-surveyors-planners, inc., agent for Heritage Investment Group of Gainesville, LLC. Vacate approximately 207 ft. of an alley between SW 7th Terrace and SW 6th Street, south of SW 4th Avenue.

Recommendation

Staff recommends approval of Petition PB-15-63 SVA with the staff condition stated in this report.



Description

The purpose of this request is to vacate the right-of-way of an unimproved alley (0.105 acre) located between SW 7th Terrace and SW 6th Street, and running for approximately 207 feet south of SW 4th Avenue (see Exhibit B-1). The right-of-way lies south of Lots 37, 38, and 39 and north of Lots 58, 59, and 60 and east of the east right-of-way line of S.W. 7th Terrace within F. X. Millers Addition to Gainesville. The remainder of this originally platted alley right-of-way has been previously vacated. Most recently, the portion of the alley directly to the east of this section was vacated by the City in 1972.

The right-of-way to be vacated is 22 feet wide and approximately 206 feet in length, and is not improved and is not utilized for public access. Currently, large trees and site improvements (parking areas) exist within or closely adjacent to this section of right-of-way.

Vacation of this right-of-way will allow for the future redevelopment of a unified city block. Therefore, the redevelopment of the adjacent property will not be able to occur as proposed without prior approval of this vacation. Authorization from the abutting property owners is included with the application (see Exhibit A-1).

Basis for Recommendation

The City Plan Board shall consider the following criteria in determining whether the public interest will be best served by the proposed action:

1. Whether the public benefits from the use of the subject right-of-way as part of the City street system.

The public does not utilize the existing right-of-way. It was originally intended as a right-of-way for an alley, but was not developed and currently provides no access to the adjacent properties and does not connect to SW 6th Street.

2. Whether the proposed action is consistent with the City's Comprehensive Plan.

This proposal is consistent with Policy 10.2.1 of the Transportation Mobility Element, which states that the City shall only vacate streets under certain conditions. The closure of the right-of-way will not foreclose reasonably foreseeable future bicycle or pedestrian use, and it will not foreclose non-motorized access to adjacent land uses or transit stops. Consistent with Policy 10.2.1, the vacation of the alley right-of-way is necessary for the construction of a redevelopment project and there is no reasonably foreseeable need for any type of transportation corridor for the area.

3. Whether the proposed action would violate individual property rights.

Staff finds that the proposed action will not violate existing property rights, and specifically that the vacation of the right-of-way will not make any properties landlocked or inaccessible.

4. The availability of alternative action to alleviate the identified problems.

There is a development proposal that will utilize the existing right-of-way once it is vacated, and the street vacation is necessary in order for this development to proceed as planned. Since the alley is unimproved and is not used today or proposed for future use, there is no need to explore alternative actions. Petition DB-15-71 proposes a 4-story office building on the surrounding site.

5. The effect of the proposed action on traffic circulation.

Since the right-of-way is not utilized today for vehicular traffic and does not connect to SW 6th Street, the vacation will not have any effect on traffic circulation.

6. The effect of the proposed action on crime.

There should be no impact on crime in the area. The street vacation will facilitate the redevelopment of currently vacant properties.

7. The effect of the proposed action upon the safety of pedestrians and vehicular traffic.

The safety of pedestrians and vehicular traffic will not be affected.

8. The effect of the proposed action on the provision of municipal services including, but not limited to, emergency services and waste removal services.

The proposed action will not affect municipal services, since the right-of-way is not utilized by these services today.

9. The necessity to relocate utilities, both public and private.

There are existing electric lines overhead and underground along SW 7th Terrace (easement shown on the south side from pole 14747 to pole 28445) . These lines may be relocated with the redevelopment on the adjacent properties, and so a permanent utility easement will not be necessary. However, Gainesville Regional Utilities is requesting that the existing public utility easement be retained until the overhead and underground electric lines are relocated and out of service.

10. The effect the proposed action will have on property values in the immediate and surrounding areas.

Since the right-of-way is not developed, its removal should have no direct effect on the property values in the surrounding area. The vacation will actually facilitate new redevelopment on the adjacent properties.

11. The effect of the vacation on geographic areas that may be impacted.

The proposed street vacation will not negatively affect this part of the City.

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12. The effect of the vacation on the design and character of the neighborhood.

Specifically, the vacation will not negatively affect the University Heights neighborhood.

Conditions:

Condition 1. The existing public utility easement for the overhead and underground electric lines within the right-of-way shall be retained until the overhead and underground electric line is relocated and out of service.

Respectfully submitted,



Ralph Hilliard
Planning Manager

Prepared by:



D. Henrichs
Planner

List of Exhibits

Exhibit A-1 Authorization from the abutting property owners

Exhibit B-1 Survey

Exhibit C-1 Aerial Map

Exhibit D-1 Land Use Map

Exhibit E-1 Zoning Map

Exhibit F-1 Technical Review Committee Comments