

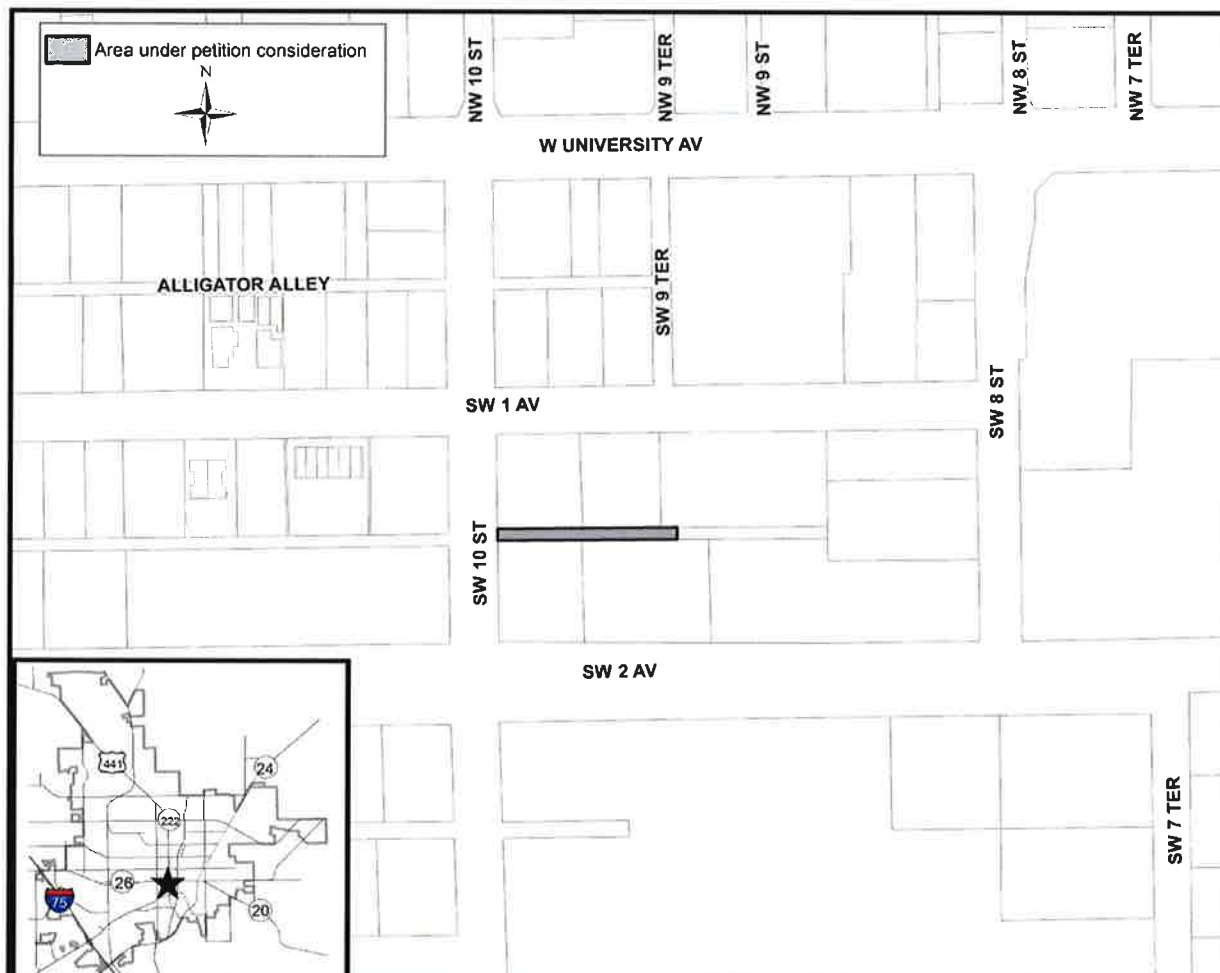
TO: City Plan Board **Item Number: 2**

FROM: Planning & Development Services Department **DATE: Apr. 24, 2014**

SUBJECT: Petition PB-14-39 SVA. Causseaux, Hewett, & Walpole, Inc., agent for Innovation Square, LLC and Capital Assets Group. Request to vacate a 15 foot alley lying in Block 6 of University Place Subdivision. Located south of SW 1st Avenue, north of SW 2nd Avenue, and running 210 feet east of SW 10th Street.

Recommendation

Staff recommends approval of Petition PB-14-39 SVA with the staff conditions recommended in this report.



Description

The purpose of this request is to vacate the right-of-way of an unimproved alley located between SW 1st and 2nd Avenues, and running for approximately 210 feet east from SW 10th Street (as shown on Attachment B). The right-of-way is lying south of Lots 6-9 and north of Lots 10-13 within Block 6 of the University Place Subdivision. 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 1990 with Ordinance 3660 0-90-50.

The right-of-way to be vacated is 15 feet wide, and is not improved and is not utilized for public access. Currently, large trees and site improvements (parking areas) exist within this section of right-of-way.

Vacation of this right-of-way will allow for the proposed development of Infinity Hall. This development is designed to serve as a dormitory for a University of Florida entrepreneurship program, and the proposed development plans depict a building that will span across the existing alley right-of-way. Therefore, the development will not be able to occur as proposed without prior approval of this vacation. Authorization from the two adjacent property owners is included with the application (see Attachment A).

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.

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 or other transportation corridor in the area, 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 project that will create close proximity of residential and non-residential uses.

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.

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

Since the right-of-way is not utilized today for vehicular traffic, 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 development 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 is an existing gas line that runs through the alley right-of-way. This line will be relocated with the proposed development 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 gas line is 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 development 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.

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:

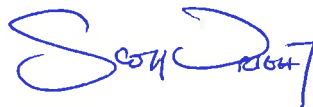
Condition 1. The existing public utility easement for the gas line within the right-of-way shall be retained until the gas line is relocated and out of service.

Respectfully submitted,



Ralph Hilliard
Planning Manager

Prepared by:



Scott Wright
Senior Planner

List of Attachments

Attachment A	Application
Attachment B	Survey