

**TO: City Plan Board**

**Item Number: 3**

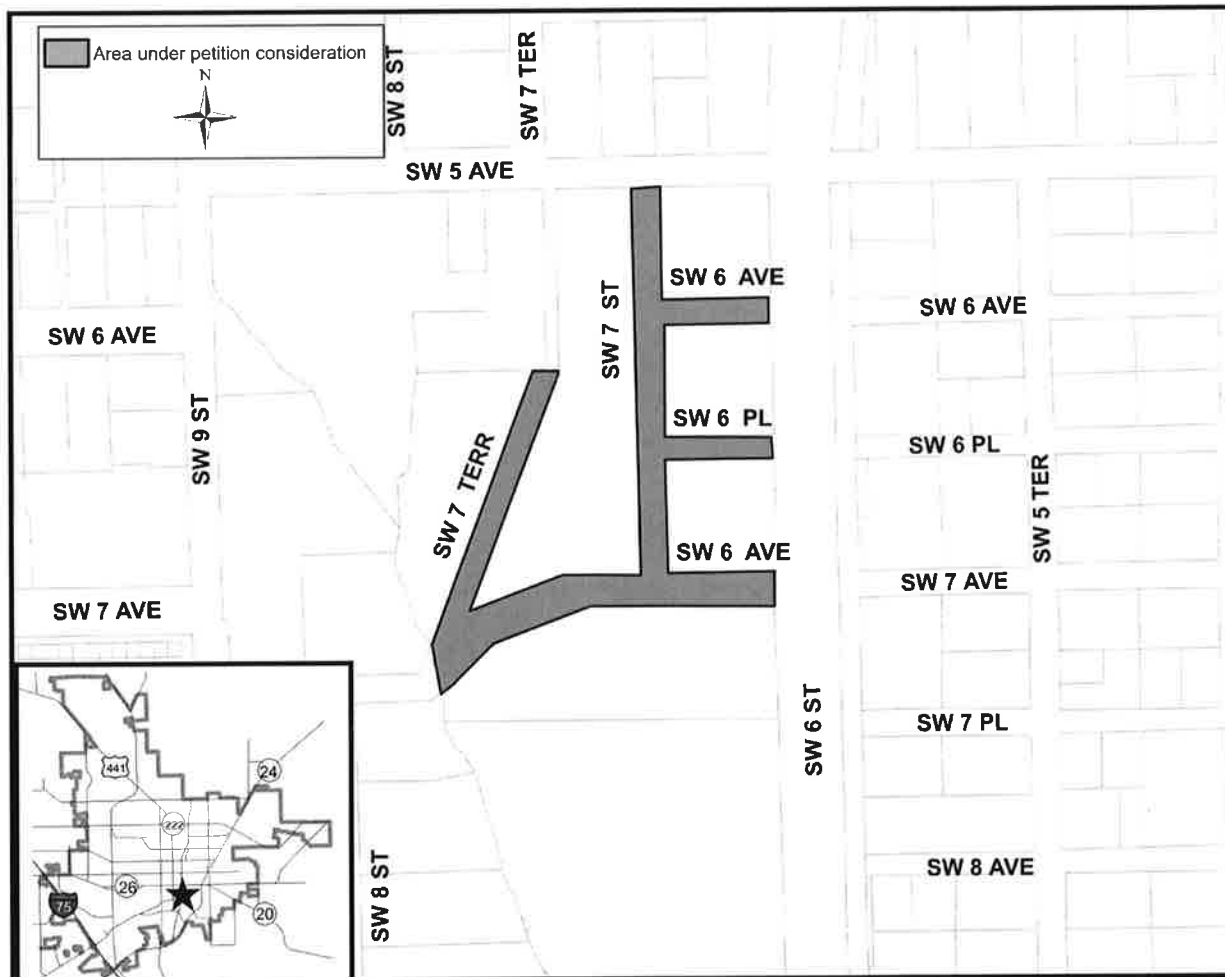
**FROM: Planning & Development Services Department**

**DATE: Dec. 1, 2015**

**SUBJECT: Petition PB-15-121 SVA.** City of Gainesville. Vacation of right-of-way to remove platted streets on a property that is currently used as a public park and stormwater basin. Located in the 500-700 block west of SW 6<sup>th</sup> Street.

**Recommendation**

Staff recommends approval of Petition PB-15-121 SVA and finds that the right-of-way for these platted public streets no longer serves a public purpose.



## **Description**

The purpose of this request is to vacate the right-of-way to remove platted streets within a 5.5-acre, City-owned property that is used as a City passive park (SW 5th Avenue Stormwater Park). This park contains a master stormwater basin that provides water quality treatment. The property is undeveloped except for the master stormwater basin that is surrounded by a paved pedestrian path. It is adjacent to the City's Tumblin Creek Park to the south, which has active and passive recreation components. It is adjacent to multi-family development to the northwest, and to multi-family development that is across Tumblin Creek to the southwest. SW 5th Avenue (2-lane local street) is to the north, and SW 6th ST (4-lane, undivided thoroughfare) is to the east. See map on previous page and see the Exhibit B-1 (Aerial Photograph).

The right-of-way to be vacated (see Street Vacation Description in Exhibit C-1 – Application) consists of segments of platted streets that range in width from 31 to 35 feet and have a combined area of approximately 1.27 acres. These street segments are “paper streets” that were never built, and there are no prospects for them to become local streets. They were never improved or maintained as public right of way, and they do not serve a public purpose as right of way.

Authorization from the abutting property owners is included with the application (see Exhibit C-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 benefit from use of the subject right-of-way as part of the city street system, because the area to be vacated is not used as part of the city street system. Although the subject right of way within this City-owned property was platted as public right of way for several local street segments, these platted street segments were never built, and there are no prospects for them to become part of the city street system.

**2. Whether the proposed action is consistent with the Comprehensive Plan.**

This proposal is consistent with Policy 10.2.1 of the Transportation Mobility Element, which requires that the City shall only vacate streets under certain conditions. The proposed removal of platted streets (i.e., vacation of right-of-way) within this City-owned property will not foreclose reasonably foreseeable future bicycle or pedestrian use, and will not foreclose non-motorized access to adjacent land uses or transit stops.

**3. Whether the proposed action would deny access to private property.**

The proposed action will have no impact upon access to adjacent or nearby private (or public) property.

**4. The effect of the proposed action upon public safety.**

The proposed vacation of right of way within this City-owned property will have no effect upon public safety.

**5. 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 by this proposed vacation of right of way. The platted street segments that are to be vacated are not used for vehicular traffic. Portions of the paved path that surrounds the master stormwater basins are traversed by several of the platted street segments, and are used (and will continue to be used) by walkers and joggers.

**6. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal.**

The proposed vacation of right of way will have no effect upon the provision of municipal services (including, but not limited to, emergency service and waste removal) for this property or for adjacent or other nearby properties. The master stormwater basin that is traversed by several of the platted street segments that are to be vacated will not be affected by the proposed action.

**7. The necessity to relocate utilities, both public and private.**

No need to relocate utilities has been cited by GRU staff, which has reviewed the proposed vacation of right of way and has deemed it approvable.

**8. The effect of the proposed action on the design and character of the area.**

The proposed vacation of right of way will have no impact upon the design and character of the area (the property is within the University Heights Special Area Plan and is within the College Park/University Heights Redevelopment District).

Respectfully submitted,



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## **List of Appendices**

### **Appendix A Comprehensive Plan GOPs**

Exhibit A-1 Comprehensive Plan GOPs

### **Appendix B Supplemental Documents**

Exhibit B-1 Aerial Photograph

Exhibit B-2 Map: Existing Land Use

Exhibit B-3 Map: Existing Zoning

Exhibit B-6 Sec. 30-192 – Supplemental provisions

### **Appendix C Application**

Exhibit C-1 Application