

060414

CITY
-----OF----- INTER-OFFICE COMMUNICATION
GAINESVILLE

Item No. 7

TO: City Plan Board

DATE: August 17, 2006

FROM: Planning Division Staff

SUBJECT: Petition 96SVA-06 PB, George F. Young, Inc., agent for Jefferson 2nd Avenue, L.P. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of Southwest 5th Terrace located between Southwest 2nd Avenue and Southwest 3rd Avenue.

Recommendation

Staff recommends approval of Petition 96SVA-06PB, with conditions.

Explanation

With the support of the Community Redevelopment Agency (CRA), the petitioner is proposing to develop a 4.55-acre site with a mixed-use development consisting of 275 student-housing units (869 total bedrooms), 8,404 sq.ft. of retail space, approximately 4,000 sq.ft. for a clubhouse and amenity center and a 6 story parking garage with 846 vehicle parking spaces. The site is located along the western edge of the Central City District, and is also located within the City's Traditional City Special Area Plan. The subject property, consisting of seven parcels, is generally bounded by Southwest 2nd Avenue to the north, Southwest 4th Avenue to the south, Southwest 6th Street to the west and southwest 5th Street to the east. Two local streets, Southwest 3rd Avenue and Southwest 5th Terrace, however, currently divide the seven parcels. In an effort to combine the parcels into no more than two separated sites, the petitioner is requesting to vacate, abandon and close that portion of Southwest 5th Terrace that is located between Southwest 2nd Avenue and Southwest 3rd Avenue. Southwest 5th Terrace is considered a minor local street because it dead-ends into both Southwest 2nd Avenue and Southwest 3rd Avenue.

The City Plan Board and City Commission shall consider the following criteria in determining whether the public welfare would 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 gains minimal benefit from the right-of-way in question due the extremely short one block long local street. Southwest 5th Terrace dead-ends into both Southwest 2nd Avenue and also Southwest 3rd Avenue. There are presently no major traffic generators in the immediate area of the requested street vacation. The street has acted more as an interior driveway than it has as a local street.

2. Whether the proposed action is consistent with the City's comprehensive plan.

Staff finds that the proposed action would be consistent with the City's Comprehensive Plan objective to revitalize the downtown.

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

Staff finds that the proposed action should not violate any individual property rights. The petitioner has assembled title to all of the properties within the area surrounding the requested street vacation. No property shall be made landlocked or inaccessible after the 2nd and final reading of the ordinance vacating Southwest 5th Terrace.

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

If the street were not vacated, the viability of the project would be jeopardized because of the lack of contiguous land needed for the development.

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

The vacation, abandonment, and closure of this street should have minimal impact on the vehicular circulation in the immediate area. At best it was used for access to former businesses that operated on the blocks and parcels that are now going to be one development.

6. The effect of the proposed action on crime.

The construction of a new mixed-use development of this size should provide the neighborhood with a positive impact as it relates to criminal activity. There should also be more private security and "eyes on the street" in the area associated with this project. The deletion of vacant or underutilized warehousing facilities and land should be a plus for the area. The closure of the street will not have an adverse impact on the area.

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

The closing of Southwest 5th Terrace, with respect to the new development, should improve the safety of pedestrian and bicycle circulation throughout the new mixed-use development. Sidewalks and bike routes should be widened and improved in and around the new facility. Except for Southwest 3rd Avenue, vehicular traffic will be limited to the exterior perimeter of the development

and within the parking garage. Conflicts between pedestrians, bicycles, and motorized vehicles should be minimized.

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

The effect of the proposed action should not adversely impact municipal services in the area.

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

The petitioner will be relocating, as needed, all existing utilities located within the current right-of-way at their expense.

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

The action of the street vacation, along with the proposed site improvements, should greatly increase the land values in the surrounding areas.

11. The effect of the proposed action on geographic areas, which may be impacted.

The existing vista associated with Southwest 5th Terrace will be altered with the proposed street vacation and subsequent development of the Jefferson 2nd Avenue project. The newly created vista should be greatly enhanced with the architecture of the new development.

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

The effect of the street vacation and subsequent development will be the elimination of numerous derelict or underutilized buildings that only lend themselves to criminal activities. The new development will create a new presence in an area between the University of Florida and the Central City District that will help link the two diverse and distinct areas.

The recommendation to approve Petition 96SVA-06PB, with conditions, is based, in part, on the comments from the following departments.

City Departments and Utilities

1. GRU - Real Estate Division: There are existing sewer and water facilities that will require an easement to be reserved. The existing gas facilities will be capped and abandoned in place. There are no electric facilities. GRU must retain a PUE over roadway to cover existing water and sewer utility facilities unless or until the petitioner relocates the facilities at their own expense.

2. BellSouth: BellSouth has no objections to closing the following street after all customers have disconnected service. We have working lines in one of the two cables feeding from 3rd Avenue north to 2nd Avenue.

3. Cox: Cox Communications has highlighted the area that Cox has aerial coax cables in the area. SW 3rd Avenue is in the new area that is a major factor to be redone from aerial to underground. The owner is aware of all costs in this area. Any coax cable going underground needs 4" conduit.

4. Public-Works Department: The City Surveyor has reviewed the ALTA/ACSM survey prepared by George F Young, which accompanied the application to vacate the right-of-way and find it to be consistent with the requirements for such surveys. After having seen the petition description of the portion of SW 5th Terrace to be vacated, Public Works have no objections regarding the street vacation criteria with regard to those matters concerning the Public Works Department (items 2 (a), 3, 7, 8, 9 & 10).

5. Fire: Approvable

6. Police: Approvable

7. Alachua County Environmental Protection Department: Approvable with the following information: The proposed development/street has been impacted by petroleum contamination and Vertex Environmental Services, Inc. is developing a Remedial Action Plan to address on site petroleum contamination. Although ACDEP is not requiring active cleanup at this time, upon completion of any cleanup efforts on this property, ACEPD will make any necessary recommendations to the developer. Based on an initial screening, there does not appear to be significant environmental or historical resource concerns with this request.

8. Planning Division: Approval of the street vacation is conditional upon the following: 1.) The site plan for "Jefferson 2nd Avenue" multi-family development must be approved by the City of Gainesville. 2.) The second reading of the ordinance approving the street vacation of Southwest 5th Terrace shall be coordinated with the final sign-off of the site plan for "Jefferson 2nd Avenue". 3.) The petitioner shall not remove Southwest 5th Street or its infrastructure until they have pulled their approved building permit for "Jefferson 2nd Avenue" and begin actual construction of the multi-family development. 4.) If Jefferson 2nd Avenue is not constructed and completed within 5 years of staff sign-off of the finalized site plan, then the street vacation ordinance may be repealed and the vacation, abandonment and closure of the right-of-way shall be of no further force and effect.

Respectfully submitted,



Ralph Hilliard
Planning Manager

Reviewing Department: GRU REAL ESTATE
Checking Official: KRISTIE BEWER, GRU LAND RIGHTS COORDINATOR
Phone No.: 393-1231
Return to: Planning Division - Box 12
P.O. Box 490, Gainesville, FL 32602
Room 158, Thomas Center B
Phone 334-5023; Fax 334-3259

PETITION #: 96SVA-06-PB Response due date:
(Jefferson at 2nd - SW 5th Terrace)

Planner:

RECOMMENDATION:

Based upon the below criteria and any other relevant considerations, please indicate your recommendation concerning this request.

There are existing sewer + water facilities that will require an easmt. to be reserved.

The existing gas facilities will be capped + abandoned in place. There are no electric facilities.

** Retain a PUE over roadway to cover existing water + sewer utility facilities.*

Checking Official Signature Kristie R. Brewer Date: 8/1/06

Francis, Gene G.

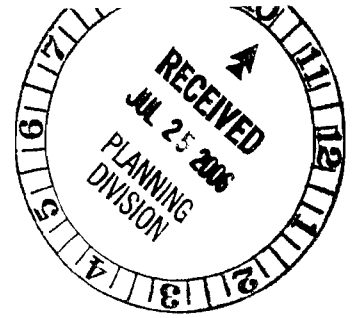
From: Durbin, Patrick R.
Sent: Wednesday, July 26, 2006 12:23 PM
To: Francis, Gene G.
Cc: Melzer, Richard A.
Subject: Street vacation 96SVA-06PB

Gene,

As per our discussion this morning, I have reviewed the ALTA/ACSM survey prepared by George F. Young which accompanied the application to vacate Public Right of Way, Petition No. **96SVA-06PB** and find it to be consistent with the requirements for such surveys. After having seen the petition description of the portion of SW 5th Terrace to be vacated I have no objections regarding the street vacation criteria with regard to those matters concerning the Public Works Department (items 2 (a), 3, 7, 8, 9 & 10). Given the relative short distance between the existing 5th Terrace and 6th Street (150' +/-), pedestrian and vehicular traffic can be accomplished between 2nd and 3rd avenues via 5th & 6th Streets with minimal inconvenience (total east to west distance approximately 400 feet, similar to a typical city block in this neighborhood). Please let me know if you have any questions or concerns regarding this petition.

Sincerely, Pat

Patrick R. Durbin, PSM
Surveyor, Public Works Department
City of Gainesville
Office: (352) 334-2062
E-mail: durbinpr@ci.gainesville.fl.us



Reviewing Department: Cox Communications – 6020 NW 43rd Street, 32653
Checking Official: Weslev Benton
Phone No.: 337-2171 (mobile 339-1396)
Return to: Planning Division - Box 12
P.O. Box 490, Gainesville, FL 32602
Room 158, Thomas Center B
phone 334-5023; fax 334-3259

PETITION NO. 96SVA-06PB

Response due date: Aug. 17, 06

Planner: Gene Francis 334-5022

Staff discussion of proposed street closing at Development Review Staff Meeting in the First Step Center, Room 119, Thomas Center B, Gainesville, Florida on Monday, August 22, 2005.

RECOMMENDATION:

Based upon the below criteria and any other relevant considerations, please indicate your recommendation concerning this request.

COX COMMUNICATIONS HAS HIGHLIGHTED THE
AREA THAT COX HAS COAX CABLES AERIAL
IN AREA. SW 3RD AVE IS IN THE
NEW AREA THAT IS A MAJOR FACTOR
TO BE REDONE FROM AERIAL TO UNDERGROUND
OWNERS AWARE OF ALL COST IN THIS
AREA. ANY COAX CABLE GOING UNDERGROUND NEEDS
4" CONDUIT,

Checking Official Signature: _____

Date: 7-24-06

7/21/06

Gene Francis,

Bell South has no objections to closing the following streets and alleys after all customers have disconnected service.

1. 111 SVA-06 PB-
2. 112 SVA-06 PB
3. 113 SVA-06 PB
4. 114 SVA-06 PB
5. 115 SVA-06 PB
6. 116 SVA-06 PB

Also Detention # 96 SVA-06 PB we have working lines in one of the two cables feeding from 3rd Ave North to 2nd Avenue. When all workers are disconnected (by customer) we will retire cables. We have a fiber cable leaving SW 13th St west on SW 14th Ave then south on SW 14th Street. We can not close 14th Ave or SW 14th Street in these areas of our fiber cable unless developer wants to pay for relocating cable.

Thanks

Everett M. Sparks

(352) 331-9147

fax # 352 331-9021

July 18, 2006

To: Lawrence Calderon,
City of Gainesville Community Development Department
Current Planning Division
306 NE 6th Ave. Gainesville, FL. 32602

From: Betty Levin, Senior Environmental Specialist and
Eliana Bardi, Senior Planner

Re: Site Plan Review – July agenda
Please circulate the following comments to the appropriate planners.

12. Petition # 95SPL-06DB

Type of review: Preliminary

Agent: George F Young

Owner: Jefferson 2nd Avenue, L.P.

Project name: Jefferson 2nd Avenue

Project description: Mixed use residential, retail and parking garage

Zoning: CCD (Central City District)

Location: 503 SW 2nd Avenue

Planner: Gene

Time of TRC review:

AND

13. Petition # 96SVA-06PB

Type of review: Street Vacation

Agent: George F Young

Owner: Jefferson 2nd Avenue, L.P.

Project name: Jefferson 2nd Avenue

Project description: Street Vacation

Zoning: N/A

Parcel#: N/A

Location: A portion of SW 5th Terr between SW 2nd Ave and SW 3 Ave

Planner: Gene

Time of TRC review:

Comments: The proposed development has been impacted by petroleum contamination and Vertex Environmental Services, Inc. is developing a Remedial Action Plan to address on site petroleum contamination. Although ACEPD is not requiring active cleanup at this time, upon completion of any cleanup efforts on this property, ACEPD will make any necessary recommendations to the developer. Contact Tim Ramsey (264-6843) at ACEPD if you have any questions.

Other than that, based on an initial screening, there do not appear to be significant environmental or historical resource concerns with this request.

SITE PLAN EVALUATION SHEET

FIRE PROTECTION/LIFE SAFETY REVIEW

Petition No.: 96SVA-06PB

Due Date: 7/20/2006

Review Type:

Preliminary Final

Review for: Technical Review Staff Meeting

Review Date: 7/18/2006

Project Planner:

Gene Francis

Description: SW 5th Terrace

Approvable

Approvable
Subject to Comments

Disapproved

Concept

- Plan meets fire protection requirements of Gainesville's Land Development Code Section 30-160 as submitted.
- Revisions are necessary for plan to meet the requirements of Gainesville's Land Development Code Section 30-160.
- Revisions are necessary for compliance with related codes and ordinances and are submitted for applicant information prior to further development review.

Comments By:

M. F. Wilder





MF Wilder, #233

Fire Inspector

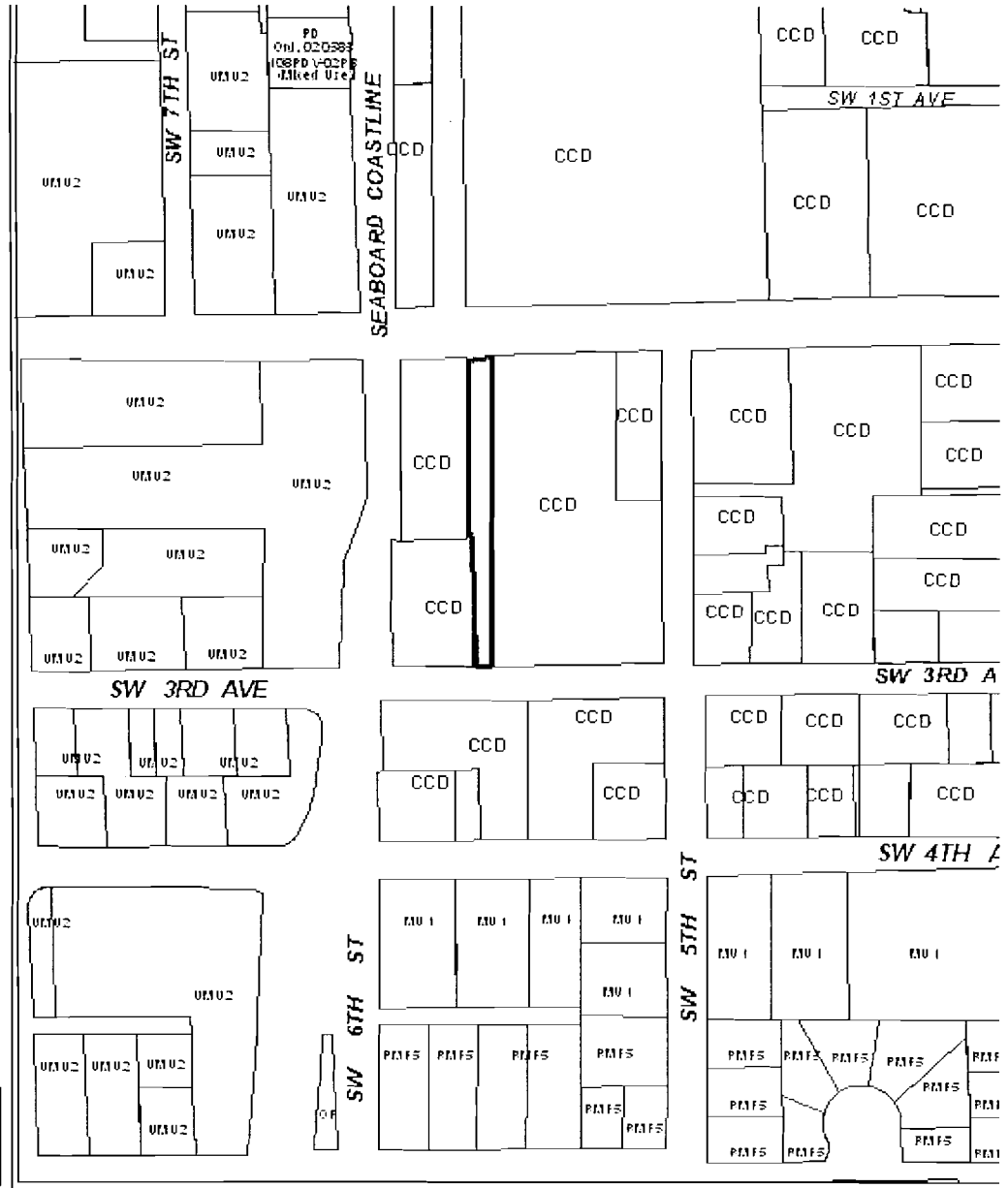
Revisions/Recommendations:

Zoning District Categories


- RSF1 Single-Family Residential (3.5 du/acre)
- RSF2 Single-Family Residential (4.6 du/acre)
- RSF3 Single-Family Residential (5.8 du/acre)
- RSF4 Single-Family Residential (8 du/acre)
- RMF5 Residential Low Density (12 du/acre)
- RC Residential Conservation (12 du/acre)
- MH Mobile Home Residential (12 du/acre)
- RMF6 Multiple-Family Medium Density Residential (8-15 du/acre)
- RMF7 Multiple-Family Medium Density Residential (8-21 du/acre)
- RMF8 Multiple-Family Medium Density Residential (8-30 du/acre)
- RMU Residential Mixed Use (up to 75 du/acre)
- RH1 Residential High Density (8-43 du/acre)
- RH2 Residential High Density (8-100 du/acre)
- OR Office Residential (up to 20 du/acre)
- OF General Office
- PD Planned Development
- BUS General Business
- BA Automotive-Oriented Business
- BT Tourist-Oriented Business
- MU1 Mixed Use Low Intensity (10-30 du/acre)
- MU2 Mixed Use Medium Intensity (14-30 du/acre)
- UMU1 Urban Mixed Use District 1 (up to 75 du/acre)
- UMU2 Urban Mixed Use District 2 (up to 100 du/acre)
- CCD Central City District
- W Warehousing and Wholesaling
- I1 Limited Industrial
- I2 General Industrial
- AGR Agriculture
- CON Conservation
- MD Medical Services
- PS Public Services and Operations
- AF Airport Facility
- ED Educational Services
- CP Corporate Park

-  Historic Preservation/Conservation District
-  Special Area Plan
-  Division line between two zoning districts
-  City Limits

Area under petition consideration

EXISTING ZONING

	Name	Petition Request	Map(s)	Petition Number
	Jefferson 2nd Avenue LP, applicant	Vacate SW 5th Terrace from SW 2nd Avenue to SW 3rd Avenue	4051	96SVA-06PB

- 7) **Petition 96SVA-06PB – George F. Young, Inc., agent for Jefferson 2nd Avenue, L.P. pursuant to Section 30-192(b) of the city of Gainesville Land Development Code, to vacate, abandon and close that portion of Southwest 5th Terrace located between Southwest 2nd Avenue and Southwest 3rd Avenue.**

Gene Francis, Planner, gave the Planning staff presentation. Mr. Francis stated this petition is related to the petition that was sent to the Development Review Board last week.

David Gold inquired about the height of the parking garage and stated that GRU is requesting a public utility over the roadway to cover the existing water and sewer facilities. Mr. Francis stated that it will be done when the underground services have been disconnected at the cost of the petitioner.

Motion By: David Gold	Seconded By: Adam Tecler
Moved To: Approve with Staff conditions.	Upon Vote: Carried 5 – 0.