

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

Item No. 8

**TO: City Plan Board                      DATE: January 20, 2005**

**FROM: Planning Division Staff**

**SUBJECT: Petition 150SVA-04 PB, City of Gainesville. Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon and close all the right of way of Southeast Veitch Street lying north of Southeast 10<sup>th</sup> Avenue and approximately 100 feet west of Southeast 4<sup>th</sup> Street.**

**Recommendation**

Planning Division staff recommends approval of Petition 150SVA-04 PB, with condition(s).

**Explanation**

The purpose of this request is to vacate a portion of Veitch Street right-of-way so that the City of Gainesville's Regional Transit System (RTS) can incorporate it into the bus compound. RTS uses a portion of Veitch Street for the parking of buses and ingress/egress from the bus compound. This portion of right-of-way was improved with some asphalt and the remainder has graded and compacted lime-rock or dirt. The right-of-way to be vacated crosses a marshy area just west of the RTS parking area. This portion of Veitch Street is not an improved connector between Southeast 4<sup>th</sup> Street and Southeast 10<sup>th</sup> Avenue, so the general public does not use it. Public traffic goes .1 miles further south on Southeast 4<sup>th</sup> Street and connects to Southeast 10<sup>th</sup> Avenue. Crossing this existing portion of Veitch Street right-of-way, RTS has use of adjacent properties acquired from CSX Transit and Depot Fuels for expansion of the bus compound. Veitch Street now severs the RTS operation.

The City Plan Board 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 subject right-of-way because it bisects RTS operations and it is gated in order to limit access to RTS buses and facilities after hours.

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

Staff has recommended approval of this petition as long as no trees or structures are permitted in the vacated area and GRU crews and equipment can access the site to maintain the existing facilities. This proposed action would be consistent with the City's comprehensive plan objectives and policies concerning expanded and enhanced bus service.

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

Staff finds that the proposed action does not violate any individual property rights. No properties shall be made landlocked or inaccessible.

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

The subject right-of-way is currently not being used as a public thoroughfare. No alternative action is needed.

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

There will be little impact on traffic circulation since the subject right-of-way is not being used as a public thoroughfare. Southeast 10<sup>th</sup> Avenue is the roadway that is used to travel from Southeast 4<sup>th</sup> Avenue west to connect to the remainder of Veitch Street.

**6. The effect of the proposed action on crime.**

There should be no negative impact associated with this petition.

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

The safety of pedestrians and vehicular traffic may be improved with this proposal. Vacating the subject right-of-way will allow RTS to incorporate it into their compound, thus properly securing it at all times of the day and limiting access to the area by pedestrians and stray vehicles.

**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 effect of the proposed action should not adversely impact municipal services in the area. Trip circulation in the area will not be altered since the proposed vacated right-of-

way is currently not being used as a public thoroughfare. A condition of approval of this proposal is that GRU be able to access the area with crews and equipment to maintain and operate the existing electric transmission and distribution, water, reclaimed water and communications facilities.

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

GRU will be maintaining access for crews and equipment and will have assurances that no structures or trees will be permitted in the vacated area. There should be no problem relocating any utilities if desired.

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

The proposed street vacation should not have any negative impact on the property values in the surrounding neighborhood.

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

The proposed street vacation should have little impact on the geographic area in which it is located. The view of a bus maintenance area is unlikely to change.

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

The proposed street vacation should not have any negative impact on the design and character of the neighborhood. The right-of-way is not being used as a public thoroughfare.

**The recommended approval of Petition 150SVA-04PB, with conditions, is based on the recommendations/conditions from the following departments:**

- 1. BellSouth:** BellSouth has no objections to proposed street closing (as shown).
- 2. GRU:** GRU must have assurances that no structures or trees will be permitted in order to provide operation and maintenance rights over the existing electric transmission and distribution, water, reclaimed water and communications facilities. This space needs to remain accessible (ingress and egress) to GRU crews and equipment.
- 3. GRU Real Estate:** Okay. Any new construction affecting existing utilities needs to be coordinated with GRU.
- 4. Police:** No comments; recommend approval.

5. **Public Works:** Petition was initiated by Public Works. Approved as submitted.
6. **Fire:** Approved as submitted.
7. **Planning Division:** Approvable as submitted.
8. **Building:** The Building Inspection Department has no problem with the proposed street closing, as described.
9. **City Arborist:** Approved as submitted.

**Conditions**

No structures or trees to be permitted in the vacated area in order to provide operation and maintenance rights over the existing electric transmission and distribution, water, reclaimed water and communications facilities. This space needs to remain accessible (ingress and egress) to GRU crews and equipment.

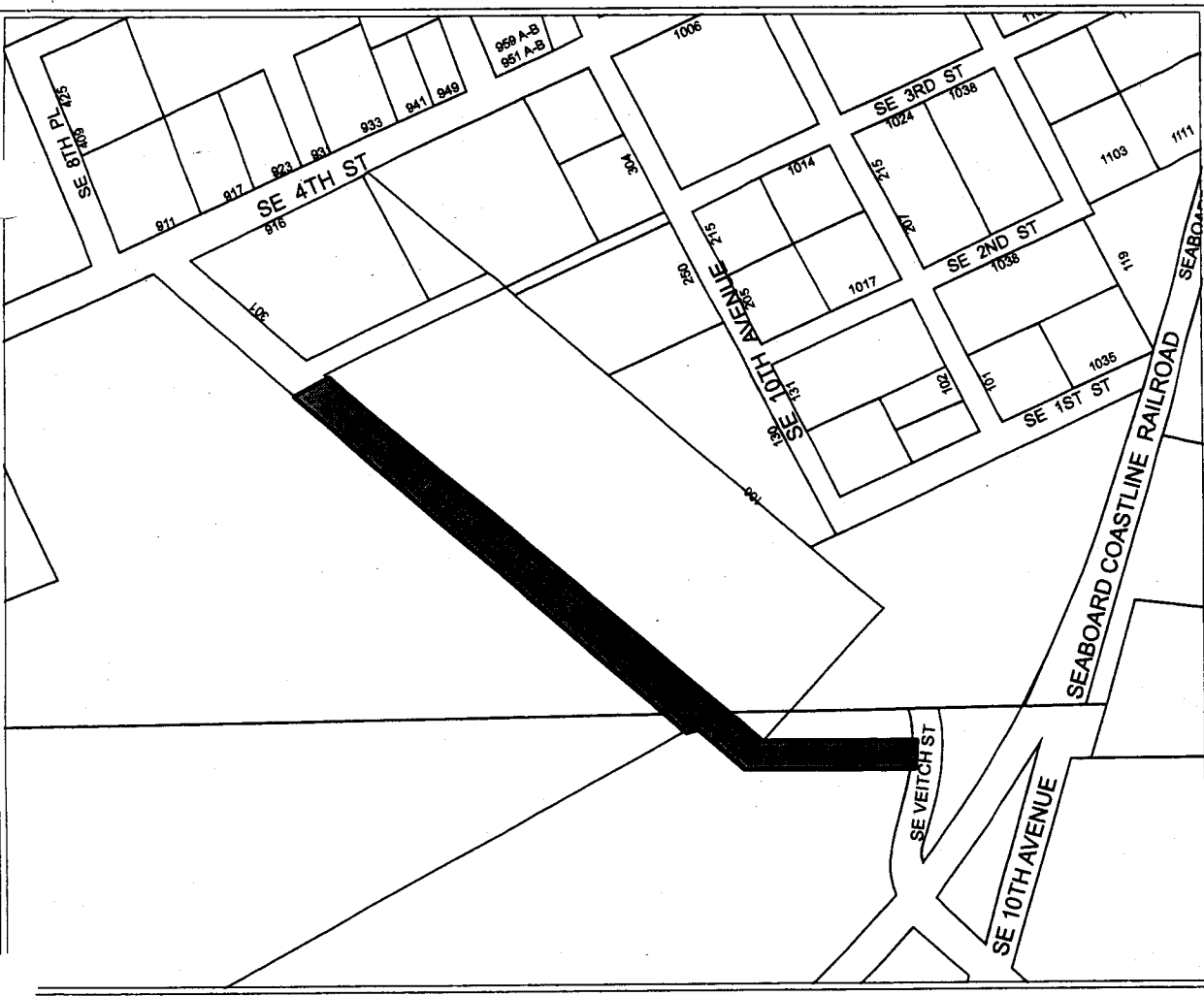
Respectfully submitted,

Ralph Hilliard  
Planning Manager

RH: JS

# Street Closing

City Limits



Area under petition consideration



## STREET CLOSING

Name	Petition Request	Map(s)	Petition Number
Regional Transit System (RTS) / Public Works	Street Vacation	4152	150SVA-04PB



8. **Petition 150SVA-04 PB** City of Gainesville. Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon and close all the right of way of Southeast Veitch Street lying north of Southeast 10<sup>th</sup> Avenue and approximately 100 feet west of Southeast 4<sup>th</sup> Street.

Mr. Jason Simmons was recognized. Mr. Simmons presented a map of the site and described it and the surrounding uses in detail. He explained that the intent was to incorporate the right-of-way into the Regional Transit Service (RTS) compound. He presented aerial photographs and slides of the right-of-way and the RTS facility. He noted that part of the right-of-way was a paper street down to SE 10<sup>th</sup> Avenue. He indicated that the general public did not use the right-of-way and RTS used it for bus storage. He stated that staff did not believe closing the right-of-way would negatively impact traffic flow in the area. Mr. Simmons indicated that staff had provided recommended findings in the board's packets. He noted that there was a condition from GRU that no structures or trees will be permitted in order to provide ingress and egress for operation and maintenance of the existing electric transmission and distribution, water and reclaimed water, and communications facilities. Mr. Simmons indicated that staff recommended approval of the petition.

Chair Pearce opened the floor to public comment.

Mr. Bobby Powell, property owner adjacent to the site, was recognized. Mr. Powell pointed out his property on the map and noted that there was a gate across the street at the present time. He noted that there was a rear exit to his property and he cited a concern about that exit being closed off.

Mr. Simmons indicated that 100 feet of SE Veitch Street adjoining Mr. Powell's property would not be vacated; therefore, Mr. Powell would retain access to the right-of-way.

Mr. Powell asked why the vacation did not state to the property line rather than approximately 100 feet.

Mr. Simmons pointed out that the 100-foot unvacated portion of Veitch Street went further than the actual property line.

Mr. Powell indicated that the existing fence closed off his access to Veitch Street. He noted that Code Enforcement and Public Works were aware of the situation.

Chair Pearce suggested that the matter of the fence be referred to the Community Development Department.

Mr. Mimms indicated that staff would speak with the Public Works Department on the matter.

Mr. Simmons indicated that it was not staff's intent to vacate property adjacent to Mr. Powell's property.

Chair Pearce closed the floor to public comment.

<u>Motion By:</u> Mr. Cole	<u>Seconded By:</u> Mr. Reiskind
<u>Moved to:</u> Approve Petition 150SVA-04 PB with staff conditions.	<u>Upon Vote:</u> Motion Carried 7 - 0 Ayes: Cohen, Gold, Rwebyogo, Reiskind, Cole, Pearce, Tecler.

*These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.*