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CITY  
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GAINESVILLE

INTER-OFFICE COMMUNICATION

Item No. 7

TO: City Plan Board DATE: October 19, 2006

FROM: Planning Division Staff

SUBJECT: Petition 155SVA-06 PB, City of Gainesville/Public Works Department. Vacate, Abandon and Close that portion of Southeast 23<sup>rd</sup> Street (approximately 242 feet) located between the new north right-of-way line of Southeast 23<sup>rd</sup> Street and the east right-of-way line of Southeast 8<sup>th</sup> Avenue.

**Recommendation**

Planning Division staff recommends approval of Petition 155SVA-06 PB, with the condition that a utility easement be retained over the vacated area.

**Explanation**

The purpose of this request is to vacate the abandoned northerly portion of Southeast 23<sup>rd</sup> Street running north from the new north right-of-way line of Southeast 23<sup>rd</sup> Street to the east right-of-way line of Southeast 8<sup>th</sup> Avenue. The approximately 0.11 acre right-of-way to be vacated was platted as 30 feet wide per the New Gainesville plat, Plat Book "A", page 66 of the Public Records of Alachua County, Florida. This northerly portion of Southeast 23<sup>rd</sup> Street was abandoned as part of the Southeast 8<sup>th</sup> Avenue Extension project as other right-of-way was acquired to properly align the new Southeast 8<sup>th</sup> Avenue at the Hawthorne Road and Southeast 24<sup>th</sup> Street Extension. As a result, this northerly portion serves no public use but it does serve as access to the privately owned abutting business. Upon vacation of the right-of-way, the adjacent business owner would be responsible for maintenance of this paved right-of-way.

The City Plan Board shall consider the following criteria in determining whether the public interest 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 has been abandoned as part of a road extension project.

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

Staff recommends approval of this petition. This proposal is consistent with the City's Concurrency Management Policy 1.2.1, concerning vacating streets only under certain conditions. The closure of the subject right-of-way will not foreclose reasonably foreseeable future bicycle/pedestrian use, will not foreclose non-motorized access to adjacent land uses or transit stops, and there is no reasonably foreseeable need for this segment of right-of-way to be any type of transportation corridor for the area in the future.

**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 no impact on traffic circulation since the subject right-of-way was abandoned with the completion of the Southeast 8<sup>th</sup> Avenue Extension project.

**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 will not be impacted by this proposal.

**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 adversely impact municipal services in the area. Trip circulation in the area will not be altered since the proposed vacated right-of-way is not being used as a public thoroughfare.

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

There are existing electric and sewer utilities located within the right-of-way to be vacated. The reservation of a public utilities easement is a condition for approval of this request.

**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.

**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 now being used as a public thoroughfare.

**The recommended approval of Petition 155SVA-06PB, is based on the recommendations/conditions from the following departments:**

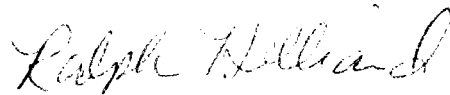
1. **BellSouth:** Bell South has no objection to the proposed street closure/vacation as long as the utility easements are retained as noted.
2. **GRU:** See GRU Real Estate Department comments below.
3. **GRU Real Estate:** Okay to vacate with the reservation of a public utilities easement. There are existing electric and sewer utilities within the right-of-way.

4. **Police:** Approvable as submitted.
5. **Public Works:** Approvable as submitted. Petition was initiated by Public Works with the request to retain a public utility easement.
6. **Fire:** Approvable as submitted.
7. **Planning Division:** Approvable as submitted.
8. **Building:** The Building Department has no problem with the proposed street vacation.
9. **City Arborist:** Approved as submitted.

**Condition:**

Approvable with the condition that a public utility easement be retained over the area to be vacated.

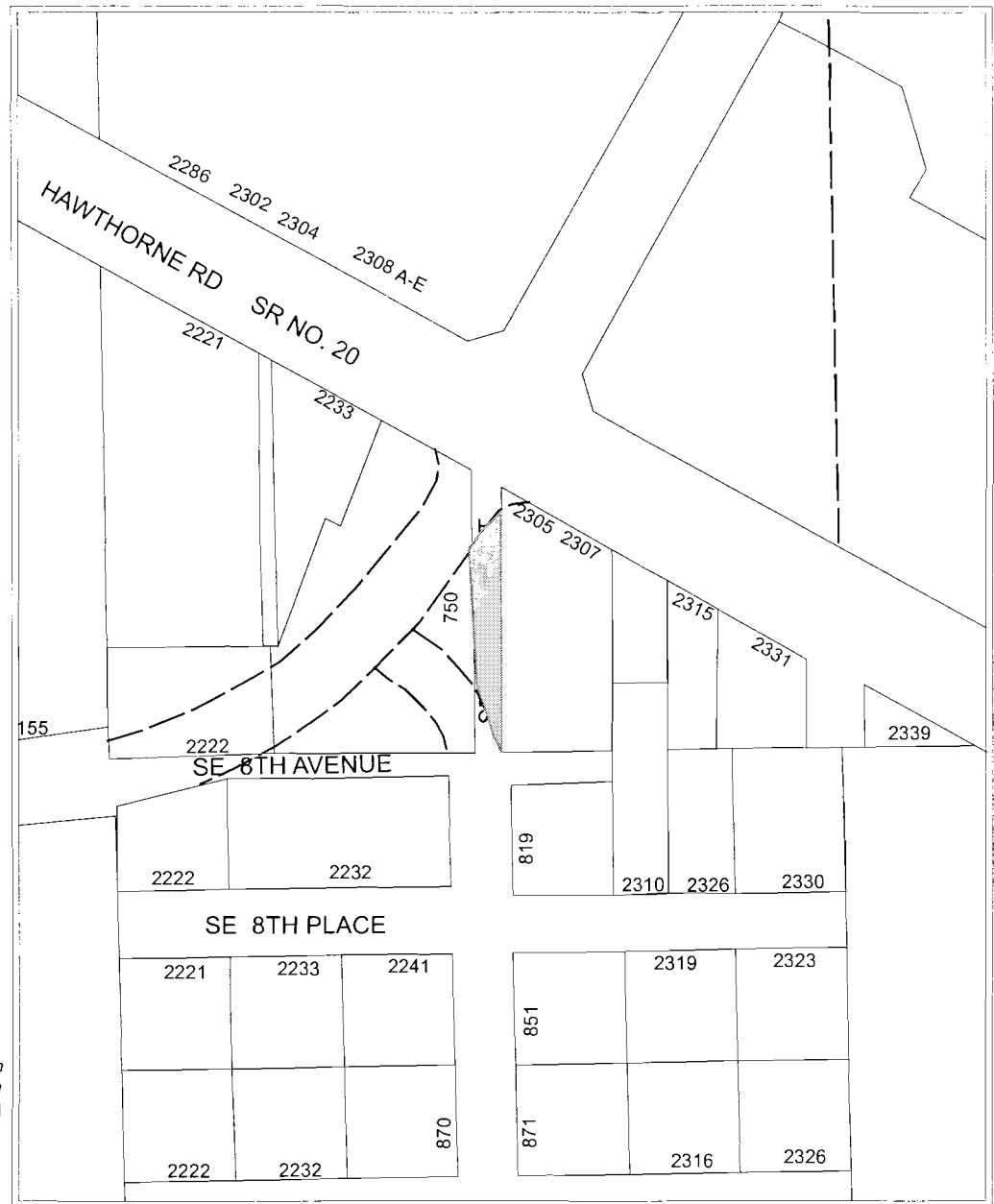
Respectfully submitted,



Ralph Hilliard  
Planning Manager

RH: JS

# Street Vacation



— City Limits

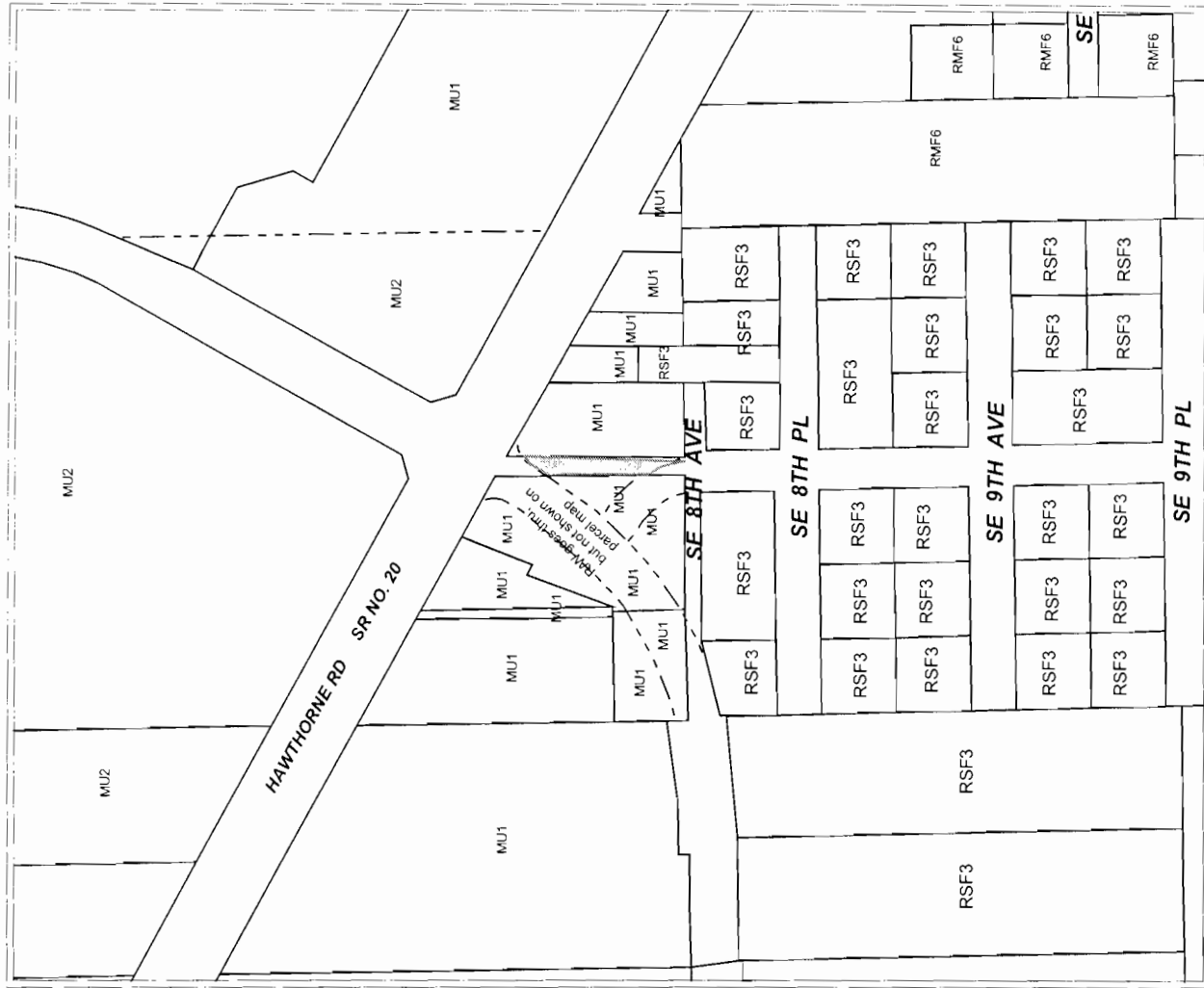
Area under petition consideration

## STREET VACATION

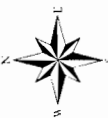
	Name	Petition Request	Map(s)	Petition Number
 No Scale	City of Gainesville Public Works, applicant	Vacate Portion of SE 23rd Street Between SE 8th Ave & Hawthorne Rd	4055	155SVA-06PB

# 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
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- Area under petition consideration



## PROPOSED ZONING

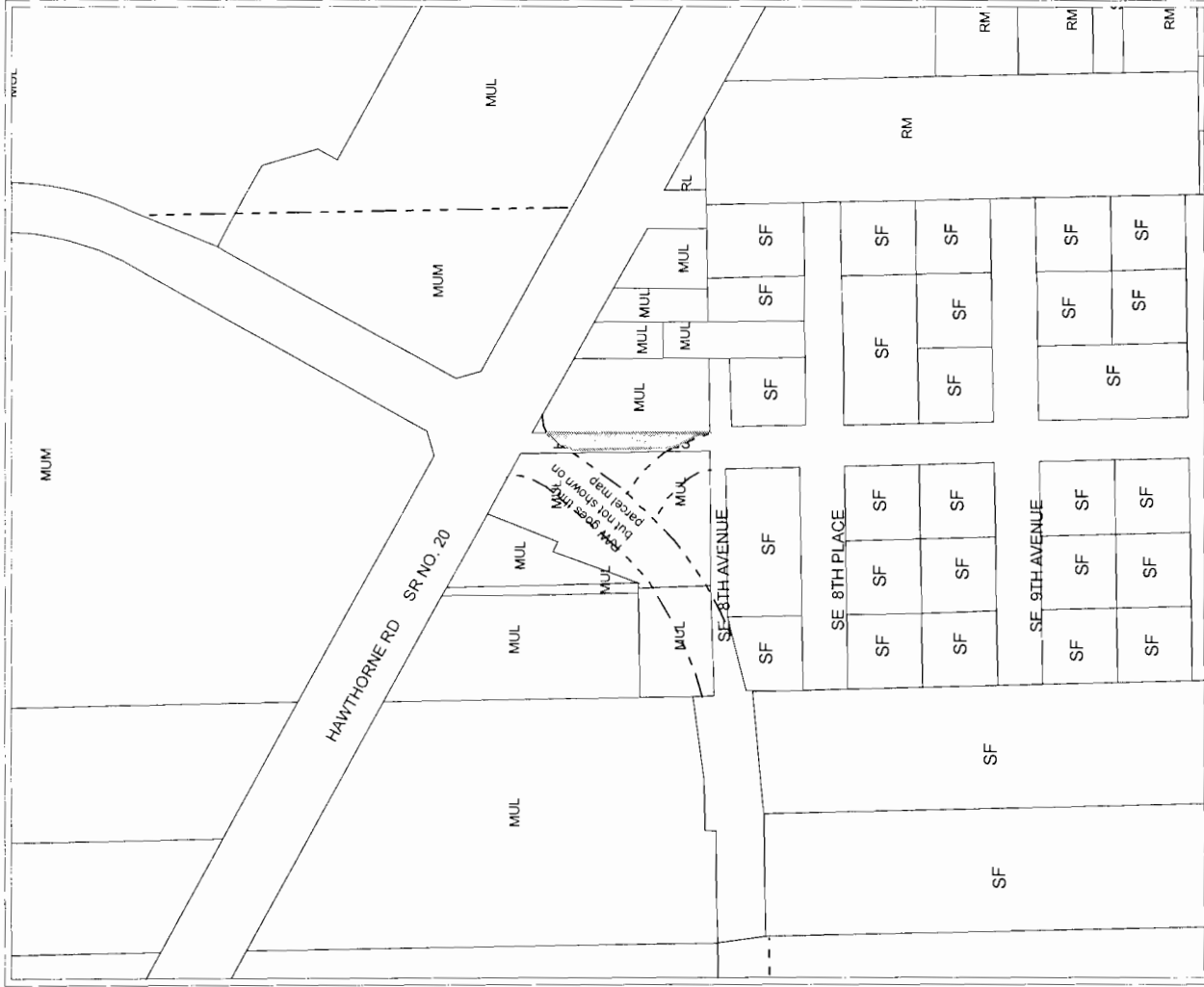
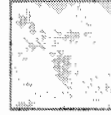
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# Land Use Designations


- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- RH Residential High Density (8-100 du/acre)
- MUR Mixed Use Residential (up to 75 du/acre)
- MUL Mixed Use Low Intensity (10-30 du/acre)
- MUM Mixed Use Medium Intensity (14-30 du/acre)
- MUH Mixed Use High Intensity (up to 150 du/acre)
- UMU1 Urban Mixed Use 1 (up to 75 du/acre)
- UMU2 Urban Mixed Use 2 (up to 100 du/acre)
- O Office
- C Commercial
- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District

--- Division line between two land use districts  
 — City Limits

Area under petition consideration




## LAND USE

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 <p>No Scale</p>	Vacate a Portion of SE 23rd Street Between SE 8th Ave & Hawthorne Rd	4055	155SVA-06PB



**AERIAL PHOTOGRAPH**

 No Scale	<b>Name</b> City of Gainesville Public Works, applicant	<b>Petition Request</b> Vacate Portion of SE 23rd Street Between SE 8th Ave & Hawthorne Rd	<b>Map(s)</b> 4055	<b>Petition Number</b> 155SVA-06PB
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**Petition 155SVA-06PB City of Gainesville/Public Works Department. Vacate, Abandon and Close that portion of Southeast 23rd Street (approximately 242 feet) located between the new north right-of-way line of Southeast 23<sup>rd</sup> Street and the east right-of-way line of Southeast 8<sup>th</sup> Avenue.**

Jason Simmons, Planner gave the Staff presentation and stated the right of way no longer serves a purpose for the public but does provide access to the convenience store located in that area, as the owner will be responsible for the maintenance of the right of way upon vacation of the right of way. Mr. Simmons further stated Staff is recommending approval with conditions.

Lauren McDonnell inquired if the right of way needs to be paved by Gainesville Regional Utilities. Mr. Simmons stated GRU and the Public Works Department have requested a public utility easement be maintained by the business owner, as it does not have to be painted, but GRU has to be able to readily get into the right of way to maintain the utilities as needed.

Motion By: Jack Walls	Seconded By: Bob Cohen
Moved To: Approve with Staff conditions.	Upon Vote: Carried 7 – 0.