

CITY  
 OF  
 GAINESVILLE

INTER-OFFICE COMMUNICATION

Item No. 6

**TO:** City Plan Board   **DATE:** February 17, 2005

**FROM:** Planning Division Staff

**SUBJECT:** Petition 196SVA-04 PB, City of Gainesville. Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon and close a 15-foot alley running west of Southeast 11<sup>th</sup> Street (Williston/Waldo Road) to the abandoned railroad (bike path) in Block 28 New Gainesville recorded in PB A, page 65. Related to Petitions 199LUC-04PB and 200ZON-04 PB.

**Recommendation**

Planning Division staff recommends approval of Petition 196SVA-04 PB, with the condition that an easement be retained over the vacated area.

**Explanation**

The purpose of this request is to vacate a 15-foot wide right-of-way west of S E. 11<sup>th</sup> Street (also known as Williston Road and/or Waldo Road) to allow for the future expansion of the existing Education Child Care Center located north of the right-of-way. South of the right-of-way is vacant, unclassified land. The right-of-way runs for approximately 115 feet west into the bicycle rail trail. The owner of the child care center would like to purchase the unclassified land for the purpose of expansion after the right-of-way is vacated. The right-of-way is a "paper street," that consists of several trees and other vegetation. It provides no public service and would best be used as taxable land.

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 is a paper street.

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

Staff has recommended approval of this petition as long as an easement is retained over the vacated area. This proposal is consistent with the City's desire to encourage mixed-use development, where appropriate. The vacated land along with the adjoining unclassified land to the south will be designated with a land use of MU-L (Mixed-Use Low Intensity, 8-30 units per acre) and MU-1 (8-30 units/acre mixed-use low intensity) zoning, if approved.

**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 cannot be used as a public thoroughfare.

**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. A condition of approval of this proposal is that an easement be retained over the vacated area.

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

GRU will be maintaining an easement over the vacated area. There should be no problem relocating any utilities, if needed.

**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 being used as a public thoroughfare.

**The recommended approval of Petition 196SVA-04PB, with conditions, is based on the recommendations/conditions from the following departments:**

1. **BellSouth:** BellSouth has no objections to this action.
2. **GRU:** Approved as submitted. There are no existing or proposed electric, water, sanitary sewer or gas facilities located within the 15 foot alley.
3. **GRU Real Estate:** Okay to vacate as long as easement is retained over vacated area. There appears to be an existing overhead electric line in the alley.
4. **Police:** No comments; recommend approval.
5. **Public Works:** Petition was initiated by Public Works. Approved as submitted.
6. **Fire:**
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. The City has several large shade trees planted on the bike path and these trees should be preserved. (Preserve the heritage Live Oak on the SW corner of SE 11 Avenue & 2 Street). No impact on the Urban Forest

**Condition:**

Vacate as long as easement is retained over vacated area, for utilities.

Respectfully submitted,

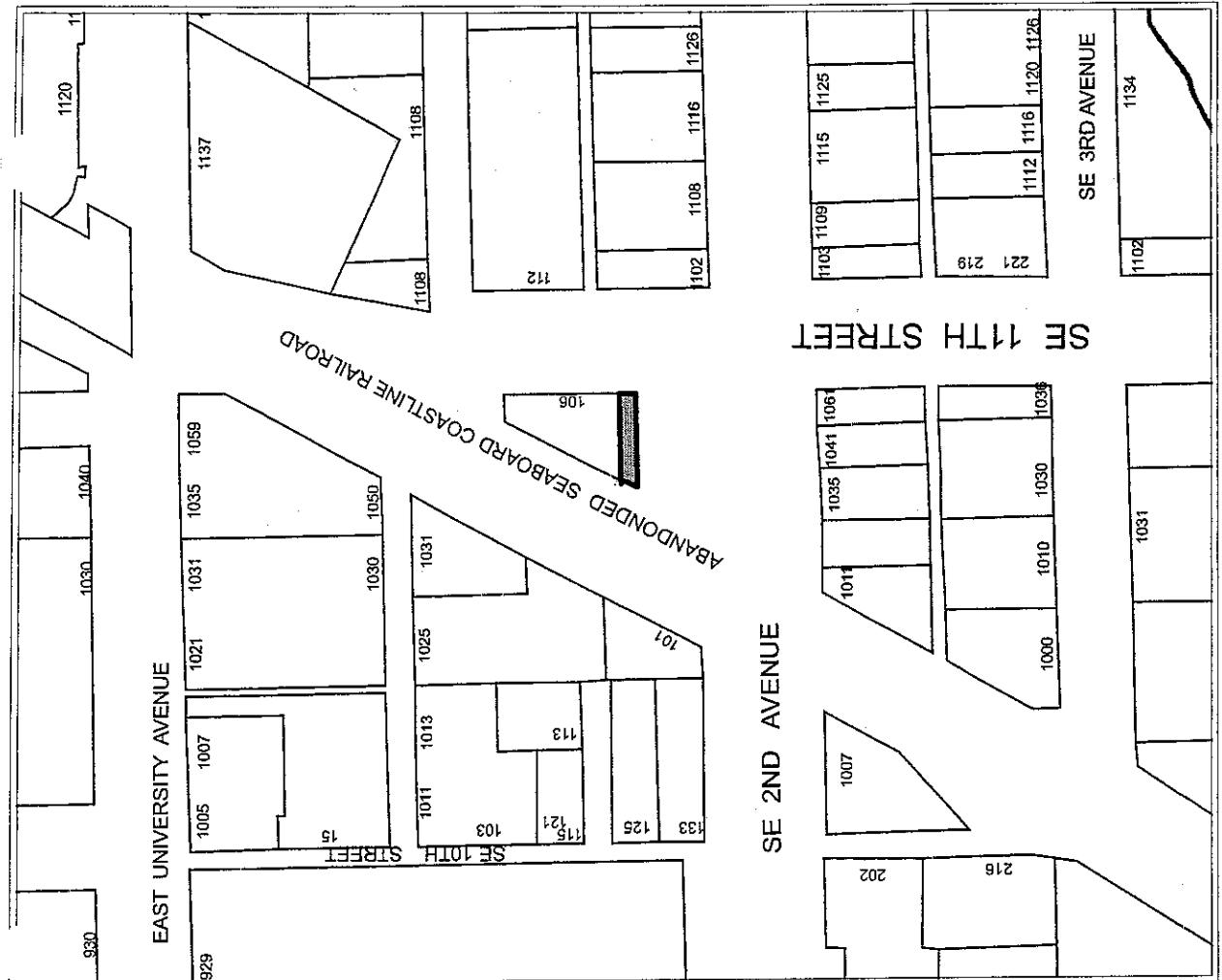
A handwritten signature in cursive script that reads "Ralph Hilliard".

Ralph Hilliard  
Planning Manager

RH: JS

# Street Closing

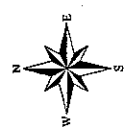
City Limits



Area under petition consideration

## STREET CLOSING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville Public Works	Street Vacation	4053	196SVA-04PB



No Scale

6. **Petition 196SVA-04 PB** City of Gainesville. Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon and close a 15-foot alley running west of Southeast 11th Street (Williston/Waldo Road) to the abandoned railroad (bike path) in Block 28 New Gainesville recorded in PB A, page 65. Related to Petition 199LUC-04 PB and 200ZON-04 PB.

Discussed with Petition 199LUC-04 PB.

<u>Motion By:</u> Mr. Gold	<u>Seconded By:</u> Mr. Reiskind
<u>Moved to:</u> Approve Petition 196SVA-04 PB, with the stated GRU condition regarding maintenance of an easement.	<u>Upon Vote:</u> Motion Carried 6 - 0 Ayes: Cohen, Gold, Rwebyogo, Reiskind, Pearce, Tecler.