



Legislation Details (With Text)

**File #:** 150559.      **Version:** 4      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 11/19/2015      **In control:** City Attorney

**On agenda:** 1/21/2016      **Final action:** 2/4/2016

**Title:** VACATION OF PUBLIC RIGHT-OF-WAY - UNIMPROVED PUBLIC RIGHT-OF-WAY IN THE 500-700 BLOCK OF SW 6TH STREET (B)

Ordinance No. 150559; Petition PB-15-121 SVA  
 An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way on property currently used as the SW 5th Avenue Stormwater Park that is generally located in the 500-700 block of SW 6th Street, as more specifically described in this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. PB-15-121 SVA\_staff report\_20121202.pdf, 2. PB-15-122 SVA\_AppA Comp Plan GOPs\_20151202.pdf, 3. PB-15-122 SVA\_AppB Supplemental Docs\_20151202.pdf, 4. PB-15-122 SVA\_AppC Application\_20151202.pdf, 5. 150559A\_staff report\_20160107.pdf, 6. 150559B\_AppA Comp Plan GOPs\_20160107.pdf, 7. 150559C\_AppB Supplemental Docs\_20160107.pdf, 8. 150559D\_AppC Application\_20160107.pdf, 9. 150559E\_CPB minutes\_20160107.pdf, 10. 150559F\_staff ppt\_20160107.pdf, 11. 150559A\_draft ordinance\_20160121.pdf, 12. 150559A\_draft ordinance\_20160204.pdf, 13. 150559\_ordinance\_20160204.pdf

Date	Ver.	Action By	Action	Result
2/4/2016	4	City Commission	Adopted on Final Reading, as revised (Ordinance)	Pass
1/21/2016	3	City Commission	Adopted on First Reading, as revised (Ordinance)	Pass
1/7/2016	2	City Commission	Approved (Petition)	Pass

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The City Commission adopt the proposed ordinance as revised.

**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

This ordinance vacates an unimproved public right-of-way within a 5.5-acre, City-owned property that is used as a passive recreation park (SW 5th Avenue Stormwater Park) and is located southwest of the intersection of SW 5th Avenue and SW 6th Street. 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 to the southwest across Tumblin Creek.

The public right-of-way to be vacated consists of segments of platted streets with a combined area of approximately 1.27 acres. These street segments are "paper streets" that were never improved or maintained as public right-of-way, and there are no prospects for them to become local streets. Staff recommends approval of this vacation of public right-of-way based on criteria for the vacation of public streets or public places found in Section 30-192 of the Land Development Code and Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan. The City Plan Board held a public hearing on December 1, 2015, and recommended approval of this request to vacate the subject public right-of-way. On January 7, 2016, the City Commission approved the petition to vacate the subject public right-of-way.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two readings and will become effective immediately upon adoption.