



## Legislation Text

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**File #:** 171039., **Version:** 1

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### **Vacation of Public Right-of-Way - Alley Between SE 1st Avenue and East University (B)**

Ordinance No. 171039

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way between lots 3 and 4 of the G.B. Crawford Addition Subdivision and located between SE 1st Avenue and East University Avenue, as more specifically described in this ordinance; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission adopt the proposed ordinance.

#### STAFF REPORT

This ordinance vacates an 8-foot wide alley that lays between lots 3 and 4 of the G.B. Crawford Addition Subdivision, between East University Avenue and SE 1st Avenue. The distance the alley runs between the avenues is approximately 205 feet, and the right-of-way to be vacated is approximately 0.04 acres in total. Each of the property owner(s) with property abutting this subject public right-of-way have signed the application requesting this vacation.

Vacation of this right-of-way will facilitate the redevelopment of the adjoining properties on either side of the alley. The right-of-way is primarily paved and was part of the parking and vehicular use area of the former ABC alcoholic beverage store that is adjacent to the right-of-way on the east side. The two ends of the alley right-of-way are unimproved. The driveway for the former ABC store provided through access from East University Avenue to SE 1st Avenue, thus rendering the right-of-way unnecessary for providing access for the general public. The right-of-way did provide additional vehicle space for the patrons of the privately owned abutting business.

Pursuant to Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan and Section 30-3.41 of the Land Development Code, public street right-of-ways may only be vacated by the City Commission upon its finding that the following criteria have been met:

1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest.
2. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use.
3. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops.
4. The loss of the street is necessary for the construction of a high-density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses.
5. There is no reasonably foreseeable need for any type of transportation corridor for the area.

Staff recommends approval of this vacation of public right-of-way based on the criteria. The City Plan Board,

on April 26, 2018, held a public hearing and voted to recommend that the City Commission approve this public right-of-way vacation.

CITY ATTORNEY MEMORANDUM

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