



Legislation Text

File #: 070820., **Version:** 2

STREET VACATION - POLICE DEPARTMENT AREA (B)

Ordinance No. 0-08-06, Petition 122SVA-07PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of the right-of-way of N.W. 7th Place between N.W. 4th Street and N.W. 5th Street, and a portion of N.W. 5th Street located south of the CSX Railroad right-of-way to a point 10 feet south of the northeast corner of Lot 26 of Brush's Addition to Gainesville, as more specifically described in this Ordinance; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

COMMUNITY DEVELOPMENT STAFF REPORT

The purpose of this request is to vacate the right-of-way of Northwest 5th Street from the CSX railroad right-of-way to a point ten (10) feet south of the northwest corner of Lot 26 of Brush's Addition to Gainesville as per plat recorded in Plat Book "A," page 88 of the Public Records of Alachua County and vacate Northwest 7th Place from Northwest 5th Street to Northwest 4th Street. This action is being pursued as, the Gainesville Police Department has expansion plans for the area. The rights-of-way are not paved or maintained and have occasionally become overgrown with vegetation. They also separate some Gainesville Police Department properties from others.

The right-of-way to be vacated for Northwest 5th Street does not extend south completely to Northwest 7th Place because of the requirement to maintain the minimum lot width for tax parcel 14409. The property is currently vacant but may be built upon at some point in the future, requiring access to be provided to the lot. The lot is zoned MU-1 (Mixed use low intensity district), which allows residential use in accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts (8-15, 8-21 or 8-30 units/acre multiple-family residential). A single-family lot in these districts must be a minimum of 50 feet in width. Only the amount of Northwest 5th Street right-of-way that can be vacated while maintaining at least 50 feet of width for parcel 14409 can be allowed.

The City Plan Board reviewed the criteria in determining whether the public interest would be best served by the proposed street vacation and recommended approval, Plan Board vote 7-0.

Public notice was published in the Gainesville Sun on October 31, 2007. The Plan Board held a public hearing on November 15, 2007.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of January 28, 2008, authorized the City Attorney to draft and the Clerk of the Commission to advertise the proposed ordinance.