



Legislation Text

File #: 060414., **Version:** 3

STREET VACATION - JEFFERSON 2ND AVENUE (B)

Ordinance No. 0-06-108, Petition 96SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 5th Terrace located in the vicinity between Southwest 2nd Avenue and Southwest 3rd Avenue, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 petitioner is proposing to develop a 4.55-acre site with a mixed-use development consisting of 275 apartments, 8,404 square feet of retail space, an approximately 4,000-square foot clubhouse and amenity center, and a six-story parking garage with 846 parking spaces. The site is located along the western edge of the Central City District, and is located within the Traditional City Special Area Plan. The subject property, consisting of seven parcels, is generally bounded by Southwest 2nd Avenue to the north, Southwest 4th Avenue to the south, Southwest 6th Street to the west and Southwest 5th Street to the east. The seven parcels, however, are currently divided by two local streets, Southwest 3rd Avenue and Southwest 5th Terrace. In an effort to combine the parcels into no more than two separated sites, the petitioner is requesting to vacate, abandon and close that portion of Southwest 5th Terrace located between Southwest 2nd Avenue and Southwest 3rd Avenue. Southwest 5th Terrace is considered a minor local street because it dead-ends into both Southwest 2nd Avenue and Southwest 3rd Avenue in that area and is only one block long (5th Terrace is off-set north of Southwest 2nd Avenue), and functions more as an access/service drive than a local street.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the site plan for the Jefferson 2nd Avenue multi-family development must be approved by the City; 2) the second reading of the ordinance approving the street vacation of Southwest 5th Terrace shall be coordinated with the final sign-off of the site plan for Jefferson 2nd Avenue; 3) the petitioner shall not remove Southwest 5th Street or its infrastructure until the petitioner has received a building permit for Jefferson 2nd Avenue and begun actual construction of the multi-family development; and 4) in the event Jefferson 2nd Avenue is not constructed and completed within five years of sign-off of the finalized site plan by planning staff, then the street vacation ordinance may be repealed and the vacation, abandonment and closure of the right-of-way shall be of no further force and effect. At this point the Development Review Board has approved the preliminary site plan.

Public notice was published in the Gainesville Sun on August 1, 2006. Letters were mailed to surrounding property owners on August 2, 2006. The Plan Board held a public hearing August 17, 2006.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of September 25, 2006, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance vacating the public right-of-way. The vacation of the right-of-way is subject to the terms of a Vacation of Right-of-Way Agreement between the City and the applicant.

