



Legislation Text

File #: 160566, **Version:** 3

Vacation of Public Right-of-Way - Portion of SE 3rd Terrace Near the Intersection of SE 4th Street and Williston Road (B)

Ordinance No. 160566

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way that includes a portion of SE 3rd Terrace lying between blocks 19 and 20 of the Norwood Heights Subdivision and located south of SE 14th Lane, west of SE 4th Street, north of SE Williston Road, and east of SE 2nd Terrace, 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.

STAFF REPORT

This ordinance vacates an unimproved public right-of-way that is an approximately 30'x230' portion of SE 3rd Terrace located near the intersection of SE 4th Street and SE Williston Road. The subject platted portion of SE 3rd Terrace lies between blocks 19 and 20 of the Norwood Heights Subdivision recorded in 1925. The property adjacent to both sides of the subject public right-of-way is owned by the same person, and the owner's authorization has been included with the application. Vacation of this public right-of-way will facilitate the planned improvements to SE 4th Street to the east.

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 January 26, 2017, 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.

The City Commission adopt the proposed ordinance.