



2023-827

City of
Gainesville



Alachua County Courts Complex
Right-of-Way Vacation
LD23-000082 SVA

City Commission
November 16, 2023
Jason Simmons



Right-of-Way Vacation Request

Location: West side of S. Main Street, south of SW 2nd Avenue, east of SW 2nd Street, and north of SW 4th Avenue.

Address: 220 S. Main Street, 376 S. Main Street, and 118 SW 4th Avenue.

Size: Approximately 0.58± acres for ROW; 6.53± acres for Courts Complex

Land use: Urban Core (UC)

Zoning: Planned Development (PD)

Request: Vacate the right-of-way of SW 3rd Avenue and SW 1st Street within the Court Complex area as shown

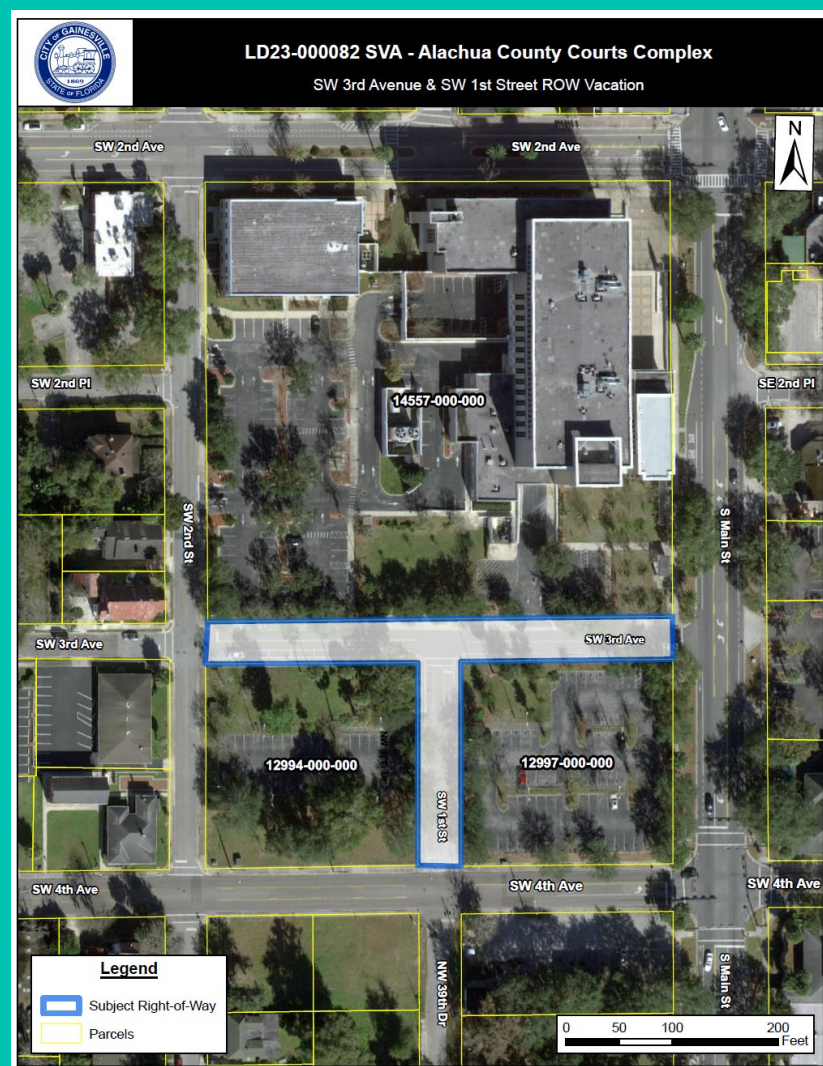
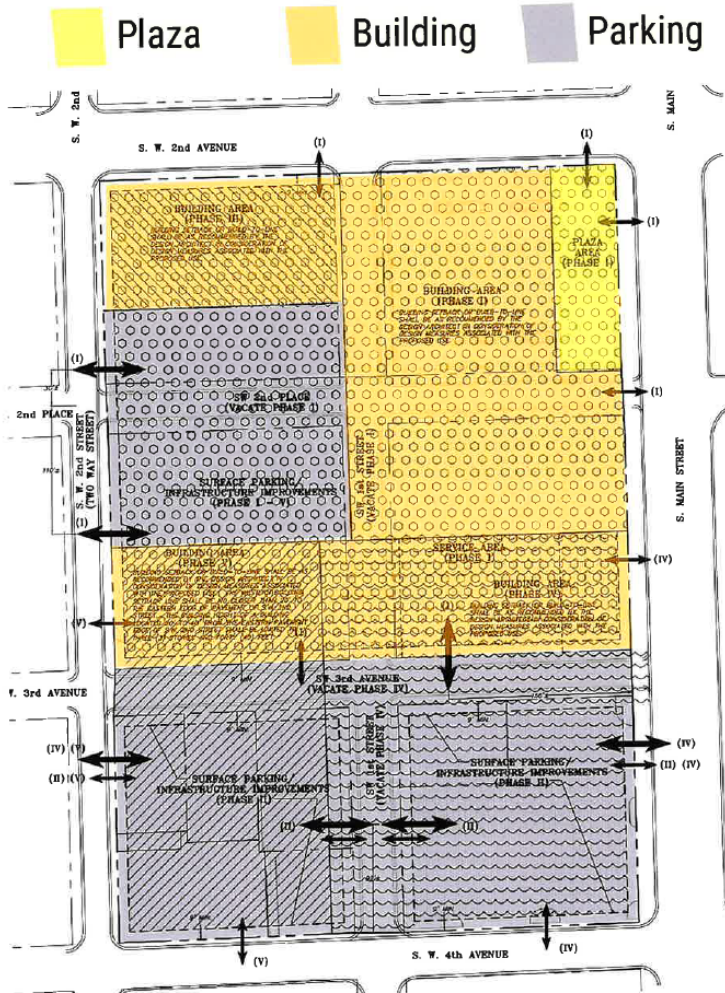


Figure 2: Existing 2001 Planned Development Layout Plan / Map



2001 Layout Plan / Map

A portion of SW 1st Street was part of a right-of-way vacation for Phase 1 of the Courts Complex development.

The map called for the right-of-way vacation of SW 3rd Avenue and SW 1st Street for Phase IV.



The staff recommendation is based on the review criteria stated in Section 30-3.41. Right-of-way vacation in the Land Development Code and in Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan. The following review criteria are stated below:

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, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;
 - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;
 - d. Whether the proposed action would deny access to private property;
 - e. The effect of the proposed action upon public safety;
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic ;
 - g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;
 - h. The necessity to relocate utilities both public and private; and
 - i. The effect of the proposed action on the design and character of the area.



2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
 - c. For public right-of-way abutting any property located within the U4 through U9 transect zones or any property within a mixed-use zoning district, 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; and
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.

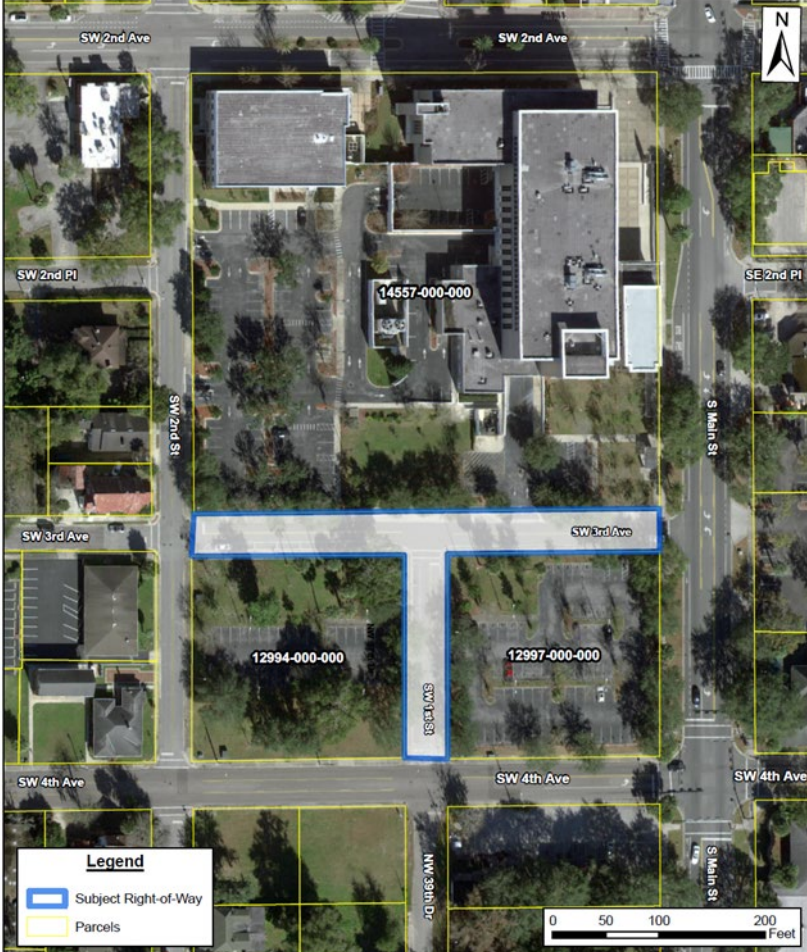
The proposed PD amendment to Ordinance 001607 includes a condition that the vacated portions of SW 3rd Avenue and SW 4th Street will remain open for pedestrian and bicycle use prior to development or construction and that part of any development plan approval will include construction of a walkway that will connect SW 2nd Street to S. Main Street.

Gainesville Regional Utilities (GRU) has indicated that there are existing utilities in the right-of-way to be relocated. The applicants will be responsible for the relocation of any utilities (Public and private) and the ordinance to vacate the right-of-way will provide an easement over the vacated area for public utilities.



LD23-000082 SVA - Alachua County Courts Complex

SW 3rd Avenue & SW 1st Street ROW Vacation



**Staff Recommends
Approval of Petition
LD23-000082 &
Ordinance 2023-827**

Thank You