

# (A Portion of) SW 8<sup>th</sup> Lane & SW 8<sup>th</sup> Road ROW Vacation

*LD23-000167 SVA: Right of Way Vacation*



City of Gainesville  
City Commission  
July 18, 2024

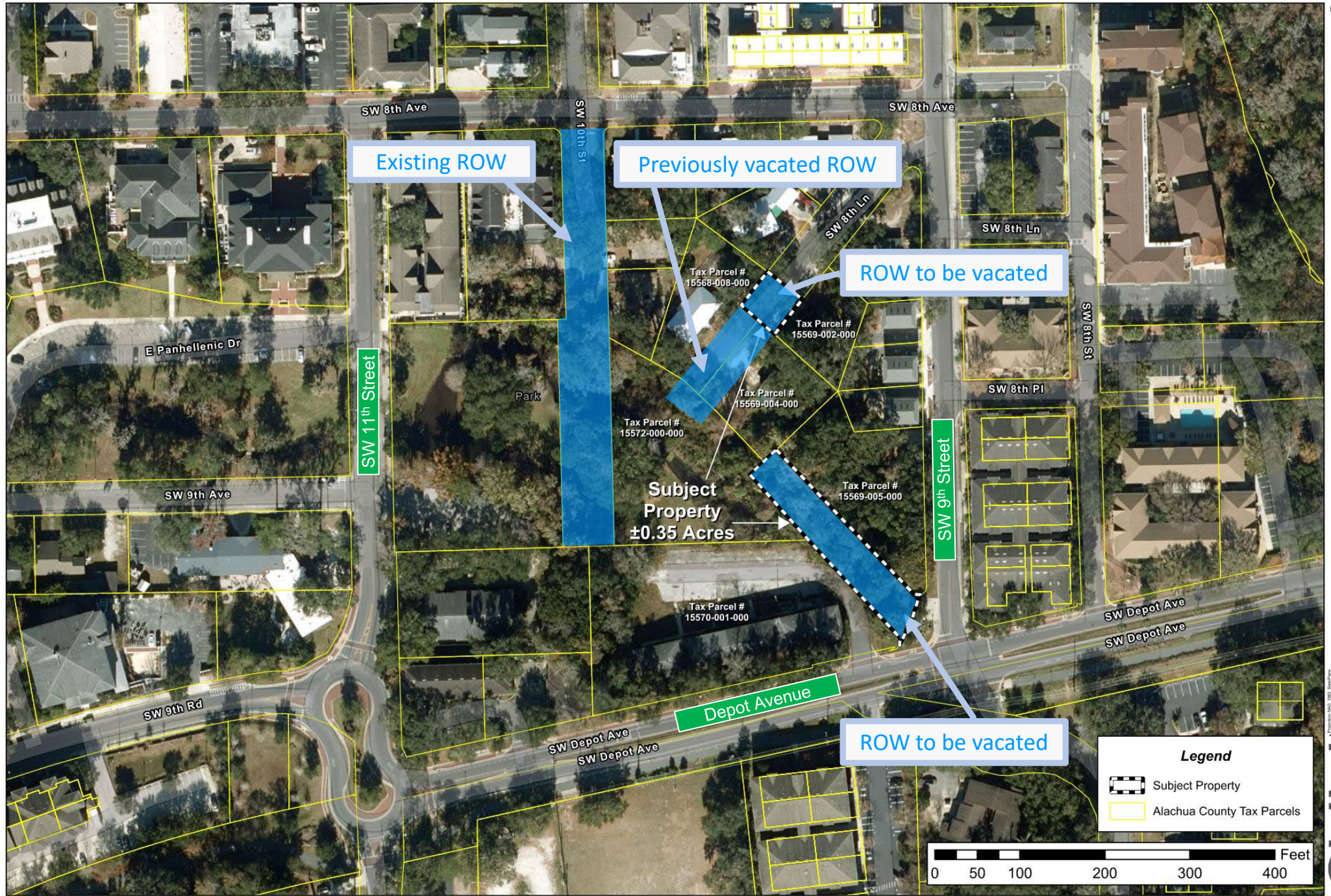


# REQUEST:

- Vacate two (2) right-of-way (ROW) as the **first step** in pursuing a multi-family housing project.
- ROW vacation applications are **consistent** with City of Gainesville's Comprehensive Plan & Land Development Code (LDC) **Sec. 30-3.41**.

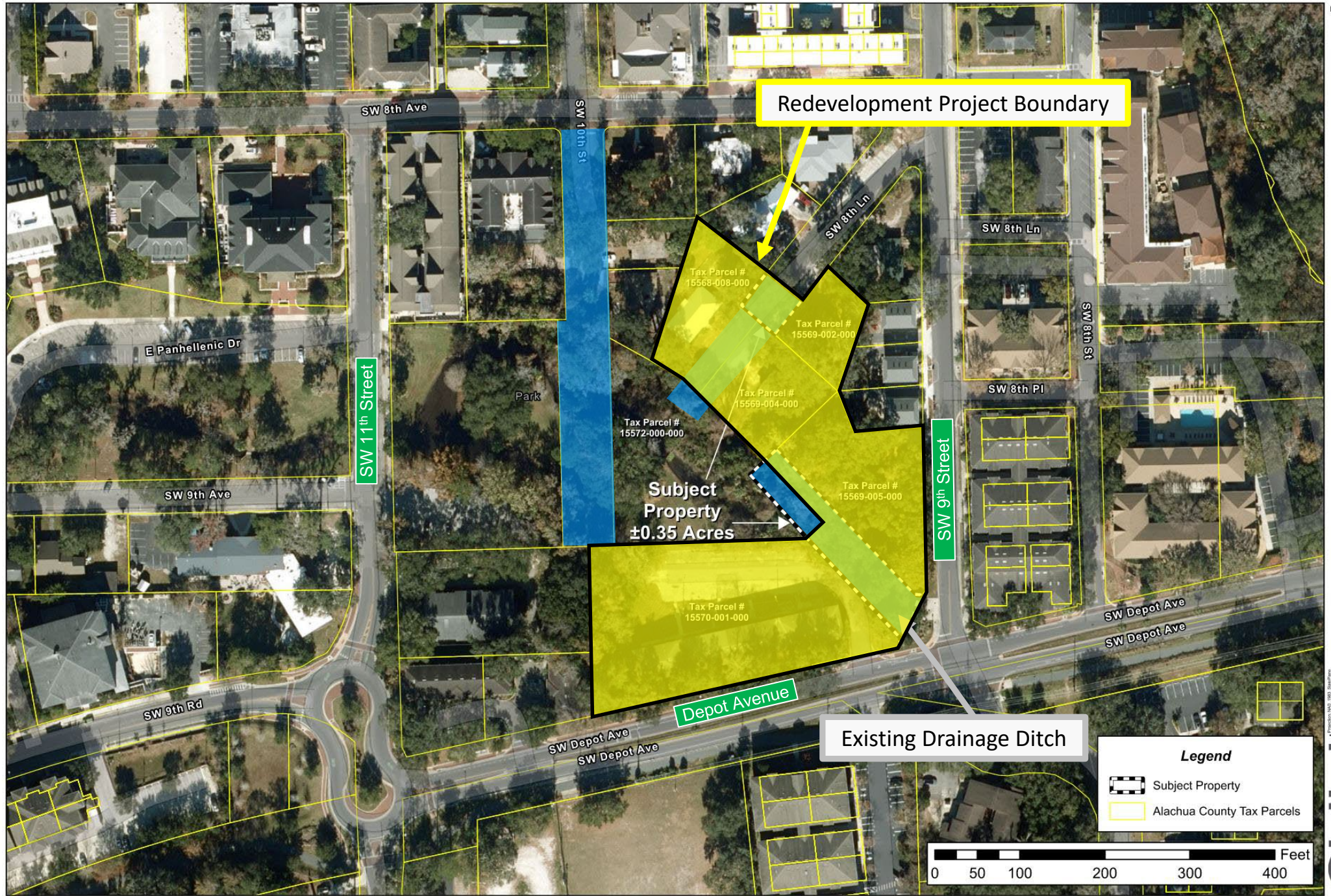






**SW Depot Avenue/9th Street  
Right-of-way Vacation**





**Legend**

- Subject Property
- Alachua County Tax Parcels



# 908 GROUP:

The Monarch (under construction)

- 149 Units
- Completing in 2024

Stadium House

- 181 Units
- Completed in 2022

The Griffin

- 85 Units
- Completed in 2022

The Nine

- 179 Units
- Completed in 2018



# PUBLIC NOTIFICATION:

What's going on?

*A right-of-way vacation for unimproved right-of-way in the northwest quadrant of SW Depot Avenue and SW 9th Street, & approximately 52-feet of the SW 8th Lane right-of-way.*

**Meeting Date/Time**

*November 29 2023/ 6:00 PM*

**Location** ZOOM Virtual Meeting  
<https://bit.ly/DepotROW>  
Call-in: +1 305 224 1968  
Meeting ID: 896 9877 3127

VIRTUAL

# NEIGHBORHOOD WORKSHOP


Want to learn more?

 Craig Brashier, AICP

 (352) 331-1976

 [Live@CHW-inc.com](mailto:Live@CHW-inc.com)

**NEIGHBORHOOD WORKSHOP NOTIFICATION**  
PW 23-0194



**To:** Neighbors of SW Depot Avenue, SW 9th Street, and SW 8th Lane  
**From:** Braxton Linton, Project Planner  
**Date:** Tuesday, November 14, 2023  
**RE:** Neighborhood Workshop Public Notice

A Neighborhood Workshop will be held to discuss a right-of-way vacation for unimproved right-of-way in the northwest quadrant of SW Depot Avenue and SW 9th Street, & approximately 52-feet of the SW 8th Lane right-of-way.

**Meeting Details**


**Date:** Wednesday, November 29th, 2023  
**Time:** 6:00 p.m.  
**Link:** <https://bit.ly/DepotROW>  
**Call-in Number:** +1 305 224 1968  
**Meeting ID:** 896 9877 3127  
**Contact:** Craig Brashier, AICP  
11801 Research Drive  
Alachua, FL 32615  
(352) 331-1976  
[Live@CHW-inc.com](mailto:Live@CHW-inc.com)

This is not a public hearing. The purpose of the workshop is to discuss the proposal and seek their comments.

**Directions to Attend Meeting:** Using your web browser, visit the web address link above. Please note, the link is case-sensitive. For best performance, Google Chrome, Safari, Microsoft Edge, or Mozilla Firefox are recommended. The meeting can also be attended by phone. To attend the meeting by phone, call the call-in number above, and enter the Meeting ID number followed by the pound sign (“#”) when prompted.


If you are unable to attend the meeting, please contact CHW using the information above and we will provide materials after the meeting is held. Comments may also be submitted in writing to the address or email above or by phone at the phone number above.

N:\2023\23-0194\Admin & Information\06\_NHWSAd and Mailing\MAL\_908 Depot Ave ROW Vacation 23114.docx

 OFFICES | GAINESVILLE, OCALA, JACKSONVILLE, FORT MYERS

[www.chw-inc.com](http://www.chw-inc.com)

**NEIGHBORHOOD MEETING MINUTES**



**908 Group**  
23-0194

**Event:** Neighborhood Meeting  
**Date/Time:** November 29, 2023 @ 6:00 PM  
**Place:** Zoom Virtual Meeting  
**Re:** Vacate 8th Road (Green Street) Right-of-Way (ROW) and a portion of SW 8th Lane ROW

CHW (Agent) Attendees: Craig Brashier, AICP; Margot Maurer  
Public Attendees: 3

CHW, on behalf of the adjacent property owners, hosted the required Neighborhood Meeting and presented the following: the meeting's purpose; the application's request and intent; regulatory requirements for vacating public right-of-way (ROW); and maps illustrating the ROW location and physical characteristics.

# RIGHT-OF-WAY (ROW) VACATION TIMELINE





# Comprehensive Plan, Transportation Mobility Element, Policy 10.2.1.

The City shall not close or vacate streets except under the following conditions:

- a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;  
*SW 8th Lane is an existing dead-end with no potential for connection. Loss of 52-feet of SW 8th Lane accompanied by vacating 8th Road (Green Street) ROW will allow for redevelopment including plans for improved sidewalk and bike lanes around the SW Depot Avenue / 9th Street intersection.*
- b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;  
*Land uses adjacent to SW 8th Lane ROW and 8th Road (Green Street) ROW will be redeveloped in unified fashion, inclusive of improved pedestrian facilities, improving nonmotorized access to area land uses and transit stops.*
- c. 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;  
*Necessary for urban form redevelopment, placing multifamily residential proximate to educational and other non-residential uses. Redevelopment, facilitated by vacation of the two ROW, will increase the housing supply in the City's urban core and will provide residents enhanced access to education, retail, employment, and more without private automobile use.*
- d. There is no reasonably foreseeable need for any type of transportation corridor for the area.  
*The core area of the City is well connected by the existing gridded roadway network. No reasonable need for a dead-end connector and drainage ditch. SW 8th Lane ROW is a dead-end and a portion of the ROW was previously vacated, while 8th Road (Green Street) ROW is an open drainage swale not subject to the above policy.*

*Additional Comp Plan consistencies: increased density near UF; multimodal connectivity; enhanced pedestrian realm.*

# Future Land Use Map

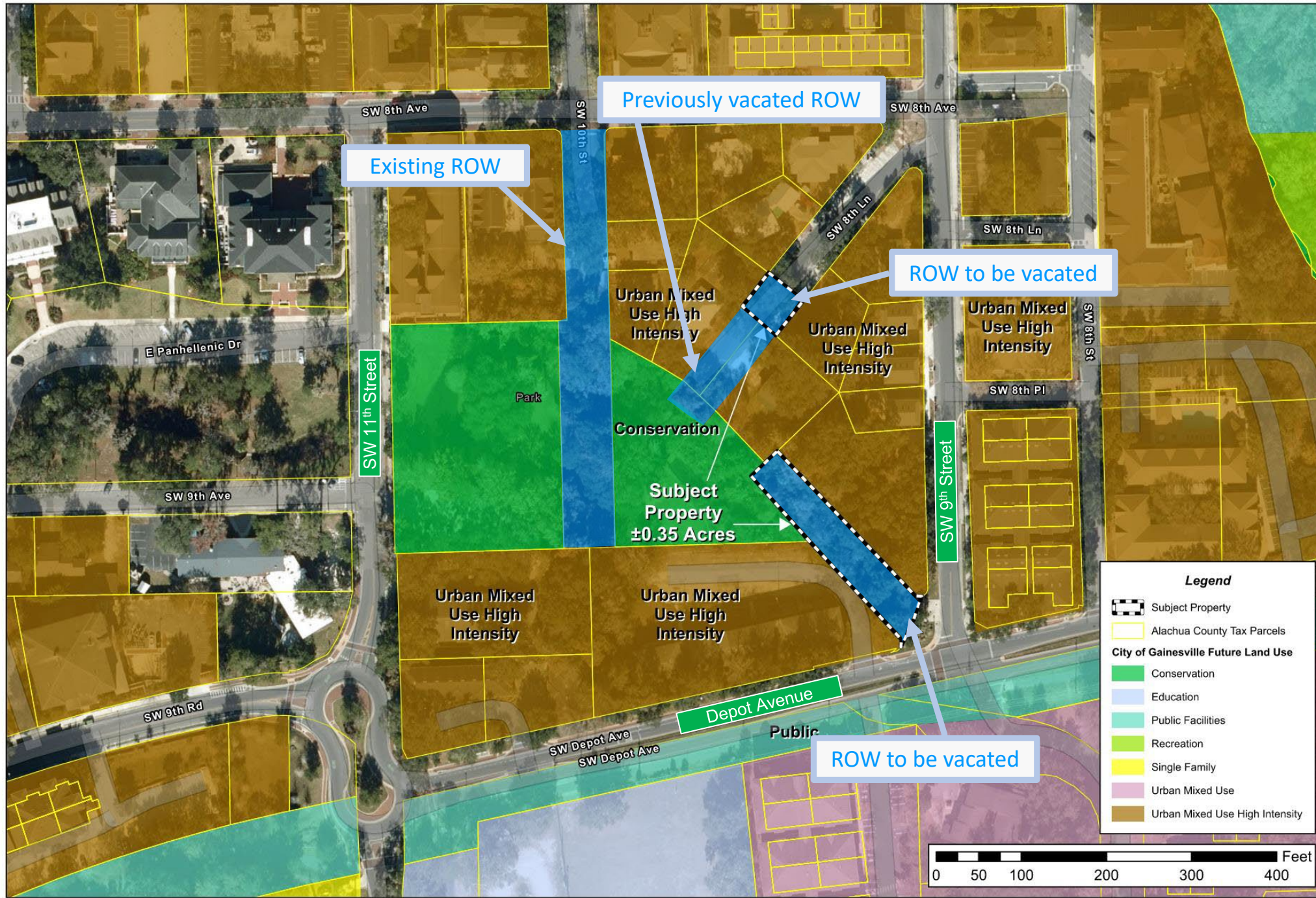


ILLUSTRATION 2A:  
FLU MAP

## SW Depot Avenue/9th Street Right-of-way Vacation

**CHW**

Professional Consultants  
 1601 Chaw-hi-cow-lake-road-2323-219-Admin & Information/07\_Maps/05-04-2024/Planning\_Maps/05-04-2024\_Depot Ave Project/05-04-2024\_Depot Ave Project.aprx  
 Date: 2/27/2024  
 User: jay@chwx.com

**NORTH**





# BENEFITS OF ROW VACATION:

- *Promotes* GOPs of the City's Comprehensive Plan & LDC Transect Zone design standards;
- *Allows* redevelopment that *enhances* the public realm;
- *Redevelopment supports* public safety;
- *Improves* connectivity for pedestrian access; &
- *Enhances* stormwater system.

# CRITERIA FOR ROW VACATION:

1. Whether the public benefits from the use of the subject right-of-way as part of the city street system.
2. Whether the proposed action is consistent with the City's Comprehensive Plan.
3. Whether the proposed action would violate individual private property rights.
4. The availability of alternative action to alleviate the identified problems.
5. The effect of the proposed action upon traffic circulation.
6. The effect of the proposed action upon crime.
7. The effect of the proposed action upon the safety of pedestrians & vehicular traffic.
8. The effect of the proposed action upon the provision of municipal services including but not limited to emergency services and waste removal services.
9. The necessity to relocate utilities both public and private.
10. The effect the proposed action will have upon property values in the immediate and surrounding areas.
11. The effect of the proposed action on geographic areas which may be impacted.
12. The effect of the proposed action on the design and character of the area.



# Land Development Code Sec. 30-3.41.B.- Review Criteria.

Rights-of-way may only be vacated by the City Commission upon its finding that the criteria in both 1. and 2. as provided below 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, 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;

*Enhances infill development of adjacent property by converting ROW to developable private lands; improves stormwater conveyance by replacing open swale with a stormwater pipe; and increases public safety by improving connectivity through redevelopment in accordance with Transect Zone design standards.*

b. Whether the proposed action is consistent with the Comprehensive Plan;

*Per the staff report, applicant's justification report, and this presentation, the proposed ROW vacation is consistent with the Comprehensive Plan GOP regarding multimodal transportation, transportation choice, interconnectivity, infill redevelopment, and enhancement of the pedestrian realm.*

c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;

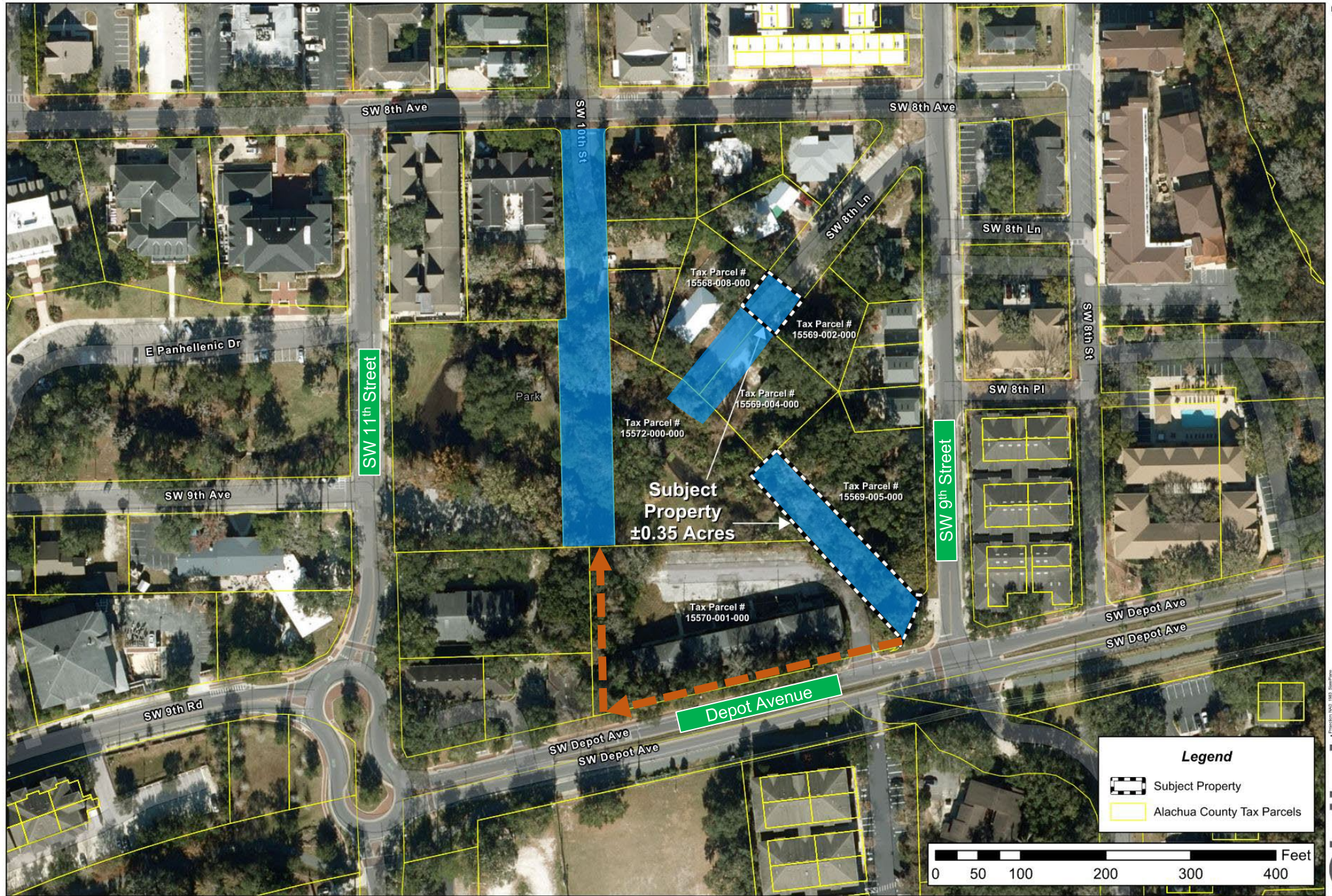
*Proposal eliminates dead-end street; redevelopment will all result in reduced overall block size for pedestrians and in accordance with Transect Zone Standards prioritizing connectivity and access to multi-modal transportation.*

d. Whether the proposed action would deny access to private property;

*Access to properties backing up to 8<sup>th</sup> Road ROW will be maintained via SW 9<sup>th</sup> Street, Depot Ave, and SW 11<sup>th</sup> Street; properties abutting 8<sup>th</sup> Lane will be brought under common ownership for development.*

e. The effect of the proposed action upon public safety;

*Enhances pedestrian realm within the UF Context Area; improved stormwater conveyance along SW Depot Avenue.*



## SW Depot Avenue/9th Street Right-of-way Vacation



**Legend**

- Subject Property
- Alachua County Tax Parcels





# Land Development Code Sec. 30-3.41.B.- Review Criteria.

Rights-of-way may only be vacated by the City Commission upon its finding that the criteria in both 1. and 2. as provided below have been met:

f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;

*Pedestrian realm improvements in redevelopment, reduction in number of curb cuts and conflict points.*

g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;

*No public utilities are located in the 8th Road (Green Street) ROW; neither ROW supports emergency access.*

h. The necessity to relocate utilities both public and private; and

*No public utilities are located in the 8th Road (Green Street) ROW; the 8th Lane ROW cannot be used for sanitary sewer, potable water, or electric services.*

i. The effect of the proposed action on the design and character of the area.

*Vacation will allow unified urban redevelopment, consistent with and furthering the GOPs of the Plan to promote redevelopment within the UF Context Area and compatible with surrounding area.*

# Land Development Code Sec. 30-3.41.B.- Review Criteria.

Rights-of-way may only be vacated by the City Commission upon its finding that the criteria in both 1. and 2. as provided below have been met:

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;  
*SW 8th Lane terminates in a dead-end with no potential for future bicycle/pedestrian use; 8th Road (Green Street) is an open drainage swale not subject to the above policy.*

b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;  
*Land uses adjacent to SW 8th Lane and 8th Road (Green Street) will be redeveloped in unified fashion, inclusive of improved pedestrian facilities, improving nonmotorized access to adjacent land uses and 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 development that includes 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  
*Necessary for redevelopment, increasing the number of multifamily housing opportunities in close proximity to UF's main campus and the City' downtown core; increases housing supply in urban core allows greater segment of population to access education, employment, and more without private automobile use.*

d. There is no reasonably foreseeable need for any type of transportation corridor for the area.  
*No reasonable need for a dead-end connector. A portion of SW 8th Lane was previously vacated and the remaining ROW terminates into two residential properties that are intended for redevelopment within a unified site; 8th Road (Green Street) is an open drainage swale and not subject to the above policy.*

*What is reasonable: need for increased urban housing in growing city; need for improved multimodal access and connectivity; need for enhanced area pedestrian realm.*

*TME Policy 10.2.1.c.  
& LDC Sec. 30-3.41.B  
“The vacation 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.”*



# OPPORTUNITIES:

- *Redevelop* an under-utilized site in the urban core;
- *Realize* highest & best use of a valuable urban location;
- *Enhance* pedestrian realm in the urban core, in form & safety;
- *Improve* stormwater conveyance; &
- *Promote* infill redevelopment.



# RECOMMENDATION & PLAN BOARD APPROVAL:

2024-130A



City of Gainesville  
Department of Sustainable Development  
Planning Division

PO Box 490, Station 11  
Gainesville, FL 32627-0490  
306 NE 6<sup>th</sup> Avenue  
P: (352) 334-5022  
F: (352) 334-2648

## CITY PLAN BOARD STAFF REPORT

**PUBLIC HEARING DATE:** February 22, 2024  
**PROJECT NAME AND NUMBER:** LD23-000167 SVA  
**APPLICATION TYPE:** Right-of-Way Vacation (Quasi-Judicial)  
**RECOMMENDATION:** Approve

### RECOMMENDATION

Staff recommends approval of Petition LD23-000167 SVA.

### DRAFT MOTION FOR CONSIDERATION

I move to approve Petition LD23-000167 SVA.

### POST-APPROVAL REQUIREMENTS:

The subject petition is required to be heard by the City Commission at a public hearing where it will be considered for further action.

**Address:** Portion of SW 8<sup>th</sup> Lane abutting three tax parcels located in the 500 block of SW 8<sup>th</sup> Lane and the SW 8<sup>th</sup> Road right-of-way that abuts four tax parcels

**Parcel Number(s):** 15568-008-000, 15569-002-000 and 15569-004-000 abut SW 8<sup>th</sup> Lane; SW 8<sup>th</sup> Road abuts 15569-004-000, 15572-000-000, 15570-001-000, and 15569-005-000

**Acreage:** 0.35 +/- acres of Right-of-Way

**Existing Use(s):** Public Right-of-Way

**Land Use Designation(s):** Surrounding properties are UMH (Urban Mixed-Use High-Intensity)

**Zoning Designation(s):** Surrounding properties are Urban 9 (U9)

**Overlay District(s):** N/A

**Transportation Mobility Program Area (TMPA):** Zone A

2024-130C



City of Gainesville  
City Plan Board Meeting  
MINUTES

February 22, 2024, 6:30 p.m.  
City Hall Auditorium  
200 East University Avenue  
Gainesville, FL 32601

2024-130C

a Ney, Jason Sanchez, and

Approved (5 to 0)

2024-130C

**Moved by** Joshua Ney  
**Seconded by** Jason Sanchez

**Recommendation:** The City Plan Board approve Petition LD23-000167 SVA.

**Aye (5):** Robert Ackerman, Robert Mermer, Joshua Ney, Jason Sanchez, and Stephanie Sutton

Approved (5 to 0)

Stephanie Sutton

Approved (5 to 0)

### C. APPROVAL OF THE MINUTES

**Moved by** Stephanie Sutton  
**Seconded by** Joshua Ney

CHW  
Professional Consultants