



SAINT PETERSBURG CITY COUNCIL

Meeting of February 19, 2009

TO: The Honorable Jeff Danner, Chair, and Members of City Council

SUBJECT: Ordinance _____ approving the vacation of Fairfield Avenue South between 45th and 46th Streets South, 7th Avenue South between 43rd and 46th Streets South, and certain street, drainage and utility easements within the boundaries of the Child's Park Athletic Field Complex (City File No.: 08-33000004).

RECOMMENDATION: The Administration and the Development Review Commission recommend **APPROVAL**.

Discussion: The request is to vacate Fairfield Avenue South between 45th and 46th Streets South, 7th Avenue South between 43rd and 46th Street South, and certain street, drainage and utility easements as depicted on Ordinance Exhibit "A" and specifically described by Ordinance Exhibit "B". The vacations will clarify the public records regarding the consolidation of land for the City-owned Childs Park Athletic Field Complex. The Complex is already developed with athletic fields, concession and maintenance buildings, and the recently completed Childs Park YMCA on the east side of the property. None of the right-of-way being vacated is improved or used as a public street. The City Council previously approved this vacation on February 1, 2001. The previous approval became void because a replat was not approved and recorded within two years as required by Code. A replat of the property is being processed in concert with this vacation application. The replat has already been reviewed and is being scheduled for approval by the City Council on the same date as the public hearing for this vacation ordinance.

Agency Review: The request has been reviewed by appropriate City departments and public utility agencies. No objections have been received. Existing utilities will be protected by easements being dedicated by the pending replat (City File No. 08-20000003).

DRC Action/Public Comments: The Development Review Commission (DRC) held a public hearing on the subject application. There were no public comments. After the public hearing, the DRC voted 7 - 0 to recommend approval of the proposed vacation. No public inquires or comments have been received between the DRC approval and date of this report.

RECOMMENDATION:

The Administration recommends **APPROVAL** of the vacation, subject to the following conditions:

1. The vacated rights-of-way, easements and abutting property shall be replatted.
2. The replat shall dedicate:
 - a. A public utility easement 20 feet in width centered over the 12-inch water main within the Fairfield Avenue South right-of-way proposed for vacation.
 - b. A public drainage easement over the entire section of 7th Avenue South right-of-way proposed for vacation.
 - c. A public drainage easement 30 feet in width centered over the existing 30-inch storm sewer pipe to the south of the southern terminus of the 45th Street South right-of-way, extending south and connecting to the drainage easement to be dedicated over the vacated portion of 7th Avenue South.
 - d. Public utility easements, as necessary, to protect any remaining infrastructure operated by franchised utilities.

Ordinance Exhibit "A"

VICINITY MAP



LEGAL DESCRIPTION

BOUNDARY AND TOPOGRAPHIC SURVEY OF LOT 1 and Lot 2, Block 1, WOODSTOCK SUBDIVISION, BLOCK C REPLAT as recorded in Plat Book 85A, Page 51, Public Records of Pinellas County, Florida and Lot 1, Block 1, WOODSTOCK SUBDIVISION, BLOCK C REPLAT as recorded in Plat Book 85A, Page 74, Public Records of Pinellas County, Florida St. Petersburg, Pinellas County, Florida

EXISTING ZONING

1 THIS FIELD LIGHTING AREA IS ZONED UNDER EXISTING ZONING ORDINANCE.

FIELD LIGHTING

1 FIELD LIGHTING TO BE INSTALLED UNDER EXISTING ZONING ORDINANCE.

TREE LEGEND	SYMBOL	COMMON NAME	SPECIFICATION
1	(Symbol)	1. 10' TALL PALM	1. 10' TALL PALM
2	(Symbol)	2. 10' TALL PALM	2. 10' TALL PALM
3	(Symbol)	3. 10' TALL PALM	3. 10' TALL PALM
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NOTE: (1) REFER TO SHEET 1010 FOR FIELD LIGHTING TO BE INSTALLED UNDER EXISTING ZONING ORDINANCE.

to be vacated.

FAIRFIELD AVE SW BY BE VACATED BETWEEN 46th AND 48th STS TO BE INSTALLED UNDER EXISTING ZONING ORDINANCE. OVERLAP SHALL BE 10' (SEE SHEET 1010).

DOUBLE GATEWAY SERVICE ACCESS DRIVE SW BY

FAIRFIELD AVENUE SOUTH (60' R/W) (PLAT)

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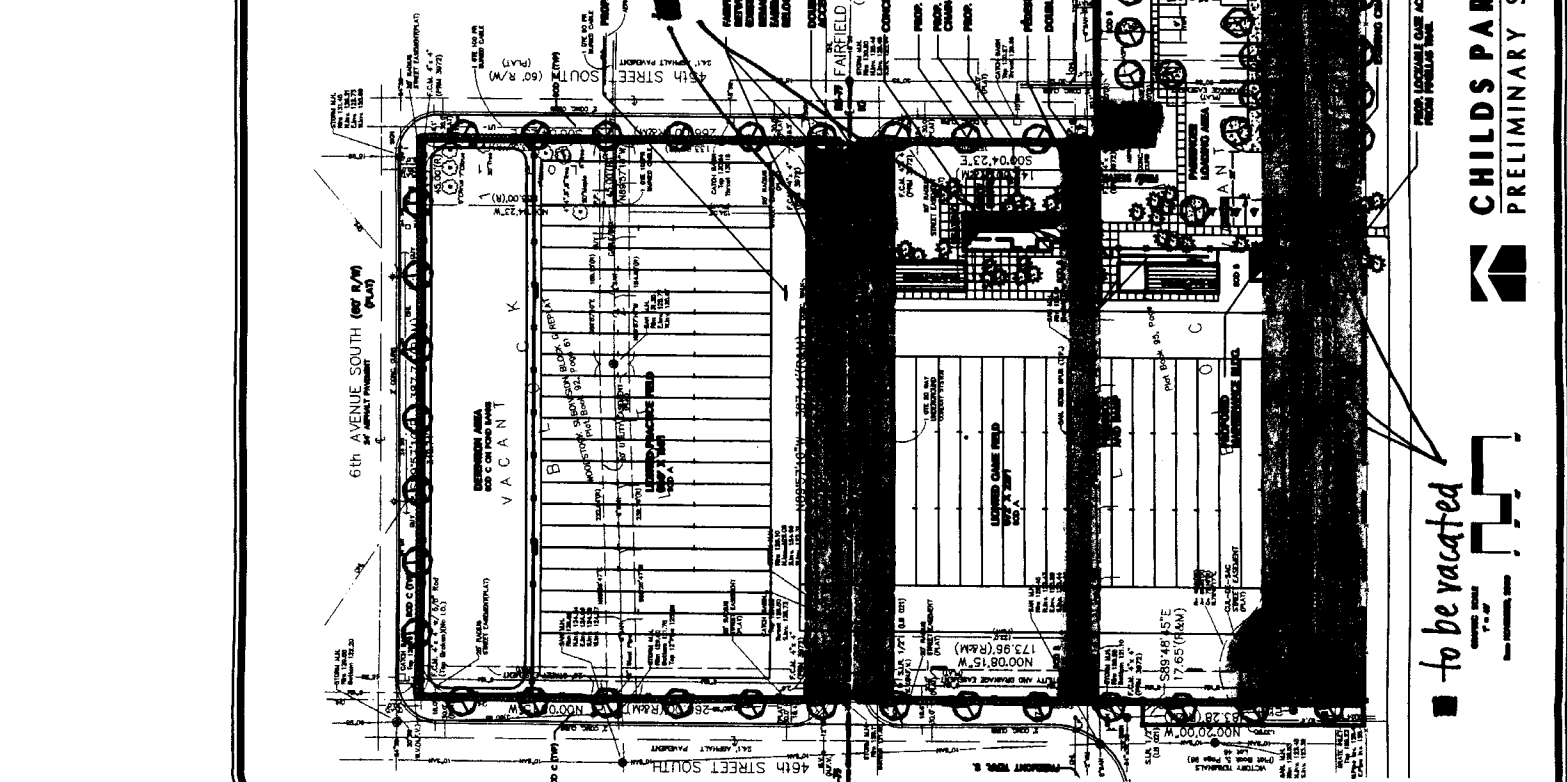
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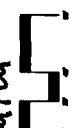
FIELD LIGHTING SW BY

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FIELD LIGHTING SW BY



CHILD'S PARK ATHLETIC COMPLEX
PRELIMINARY SITE PLAN



to be vacated

to be vacated

Ordinance Exhibit "B"

DESCRIPTION

The Fairfield Avenue South right of way lying between the East right of way of 46th Street South and the west right of way of 45th Street South

Together with

The North 70.00 feet of the 7th Avenue South right of way lying between the Westerly-most line extended of Lot 1, Block 1, WOODSTOCK SUBDIVISION ANDERSON REPLAT, as recorded in Plat Book 95, Page 74, Public Records of Pinellas County, Florida and the West right of way of 43rd Street South

Together with

The two 25-foot radius street easements located at the Southeast and Southwest corners of Lot 2, Block 1, WOODSTOCK SUBDIVISION BLOCK G REPLAT, as recorded in Plat Book 92, Page 61, Public Records of Pinellas County, Florida.

Together with

The following easements within Lot 1, Block 1, WOODSTOCK SUBDIVISION ANDERSON REPLAT, as recorded in Plat Book 95, Page 74, Public Records of Pinellas County, Florida:

The 20 foot radius street easement located at the corner of 46th Street South and Avenue South.

The 20 foot radius street easement located at the corner of 45th Street South and Fairfield Avenue South.

The 20 foot east-west utility easement located between 46th Street South and 45th Street South

The cul-de-sac street easement located at the Southwest corner of said Lot 1.

The 60 foot by 40 foot street easement located at the Southerly extension of 45th Street South.

The 60 foot by 40 foot street easement located at the Southerly extension of 44th Street South.

The 60 foot drainage easement located between the aforesaid street easement (44th Street South) and the North right of way of 7th Avenue South as shown on said plat.

The 20 foot radius street easement located at he corner of 43rd Street South and 7th Avenue south.

St. Petersburg, Florida

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE VACATION OF FAIRFIELD AVENUE SOUTH BETWEEN 45TH AND 46TH STREETS SOUTH, 7TH AVENUE SOUTH BETWEEN 43RD AND 46TH STREETS SOUTH, AND CERTAIN STREET, DRAINAGE AND UTILITY EASEMENTS WITHIN THE BOUNDARIES OF THE CHILD'S PARK ATHLETIC FIELD COMPLEX; SETTING FORTH CONDITIONS FOR THE VACATION TO BECOME EFFECTIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The following rights-of-way and easements are hereby vacated as recommended by the Administration and the Development Review Commission:

See Ordinance Exhibits "A" and "B".

SECTION 2. The above-mentioned right-of-way and easements are not needed for public use or travel.

SECTION 3. The vacation is subject to and conditional upon the following:

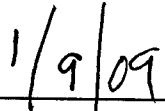
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2. The replat shall dedicate:
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 - b. A public drainage easement over the entire section of 7th Avenue South right-of-way proposed for vacation.
 - c. A public drainage easement 30 feet in width centered over the existing 30-inch storm sewer pipe to the south of the southern terminus of the 45th Street South right-of-way, extending south and connecting to the drainage easement to be dedicated over the vacated portion of 7th Avenue South.
 - d. Public utility easements, as necessary, to protect any remaining infrastructure operated by franchised utilities.


SECTION 4. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in

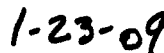
SECTION 4. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

APPROVED AS TO FORM AND SUBSTANCE:

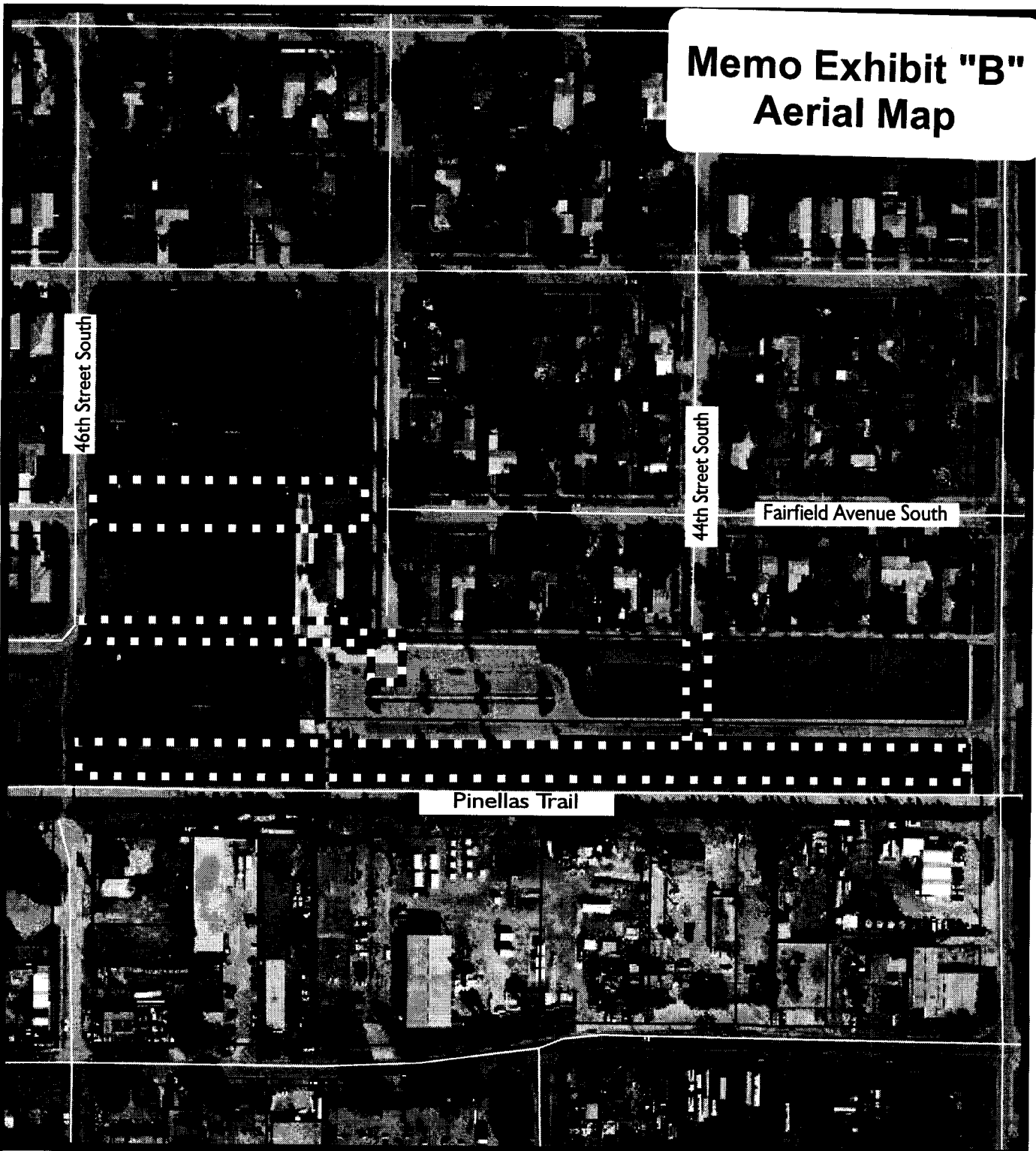

Development Services


Date


City Attorney (Designee)


Date

Memo Exhibit "B" Aerial Map



SUBJECT AREA FOR CITY FILE

CASE NUMBER:

08-33000004

Not to scale

AREA TO BE APPROVED
SHOWN IN 

