



SAINT PETERSBURG CITY COUNCIL

Meeting of August 6, 2009

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

SUBJECT: Ordinance approving a vacation of Yale Street South, between 8th Avenue South and the northern boundary of Interstate – 275 (City File No.: 09-33000003).

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

The Request: The request is to vacate Yale Street between 8th Avenue South and the northern right-of-way boundary for Interstate-275. The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachments “A” and “B”) and survey (Attachment “C”). The applicants’ goal is to increase the size of the adjacent properties for future use. **Staff is recommending approval**, as the request is consistent with the criteria in the City Code, the Comprehensive Plan, and the Dome Industrial Park Community Redevelopment Area (DIP CRA) Plan.

Discussion: The subject right-of-way was dedicated via the plat for “Prather’s Third Royal Subdivision” in 1921 for a public street (26th Street South). Construction of the Interstate disrupted the street grid established by the original plat (Attachment “D”). The subject right-of-way proposed for vacation is a dead-end and measures only 83-feet in length between 8th Avenue South and the northern side of Interstate-275. Since the construction of Interstate-275, the subject segment of right-of-way is no longer necessary for public travel. Vacation would not impair or deny access to any other lot. The lots and blocks in this area were platted in the 1920’s and originally zoned and developed as single-family homes and duplexes. The original plat is no longer appropriate for the context of the area, which has changed significantly with the construction of the Interstate and the area being rezoned for industrial development.

Approval of the requested vacation will facilitate implementation of the Plan for the Dome Industrial Park Community Redevelopment Area, which is consistent with the City’s Comprehensive Plan. The subject right-of-way is within the boundaries of the Dome Industrial Park Community Redevelopment Area (DIP CRA). The Plan for this area was adopted in 2007 by the City Council. The Plan recognizes the existence of inadequate lot sizes throughout the CRA. The Plan identifies vacations of streets, alleys, and utility easements, where appropriate,

to assemble parcels of adequate size to accomplish the established redevelopment goals. The Plan identifies this segment of Yale Street South as a deficient street (Map 4-1). Objective 1.5 of the Plan directs promotion of block consolidation through vacation of deficient streets and alleys, provided such vacation does not negatively impact the level of service or street network within the CRA (Objective 3.3).

Comments from Agencies: The Engineering Department notes the existence of an eight-inch public sanitary sewer main running diagonally through the subject right-of-way. The Engineering Department does not object to the vacation, provided the area of the vacation is retained as a public utility easement and provided the applicant be responsible for all work and costs associated with closure of the street to public access. The utility easement can be dedicated by the plat.

DRC Action/Public Comments: On May 6, 2009, the Development Review Commission (DRC) held a public hearing on the subject application. No person spoke in opposition to the request. After the public hearing, the DRC voted 6 - 0 to recommend approval of the proposed vacation. In advance of this report, no additional public comments or concerns were received.

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

1. The entire area of right-of-way to be vacated shall be retained as a public utility easement. The applicant shall coordinate dedication of the necessary easement with the City's Real Estate and Property Management Department.
2. Prior to recording the vacation ordinance, the applicant shall dedicate the necessary utility easement and complete any required permitting, work, and inspections required by the Engineering Department associated with closure of Yale Street South to the South of 8th Avenue South. The applicant shall be required for all associated permits, work, inspections and costs.

ORDINANCE NO. _____

AN ORDINANCE APPROVING A VACATION OF YALE STREET SOUTH, BETWEEN 8TH AVENUE SOUTH AND THE NORTHERN BOUNDARY OF INTERSTATE – 275; 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 right-of-way is hereby vacated as recommended by the Administration and the Development Review Commission:

That portion of Yale Street South lying between the southern boundary of 8th Avenue South and the northern boundary of Interstate – 275, and which was dedicated by the plat for Prather's Third Royal Subdivision, as recorded in Plat Book 5, Page 46 of the Official Records of Pinellas County, Florida.

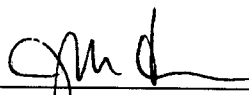
SECTION 2. The above-mentioned right-of-way is not needed for public use or travel.

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

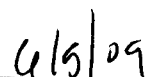
1. The entire area of right-of-way to be vacated shall be retained as a public utility easement. The applicant shall coordinate dedication of the necessary easement with the City's Real Estate and Property Management Department.
2. Prior to recording the vacation ordinance, the applicant shall dedicate the necessary utility easement and complete any required permitting, work, and inspections required by the Engineering Department associated with closure of Yale Street South to the South of 8th Avenue South. The applicant shall be required for all associated permits, work, inspections and costs.

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

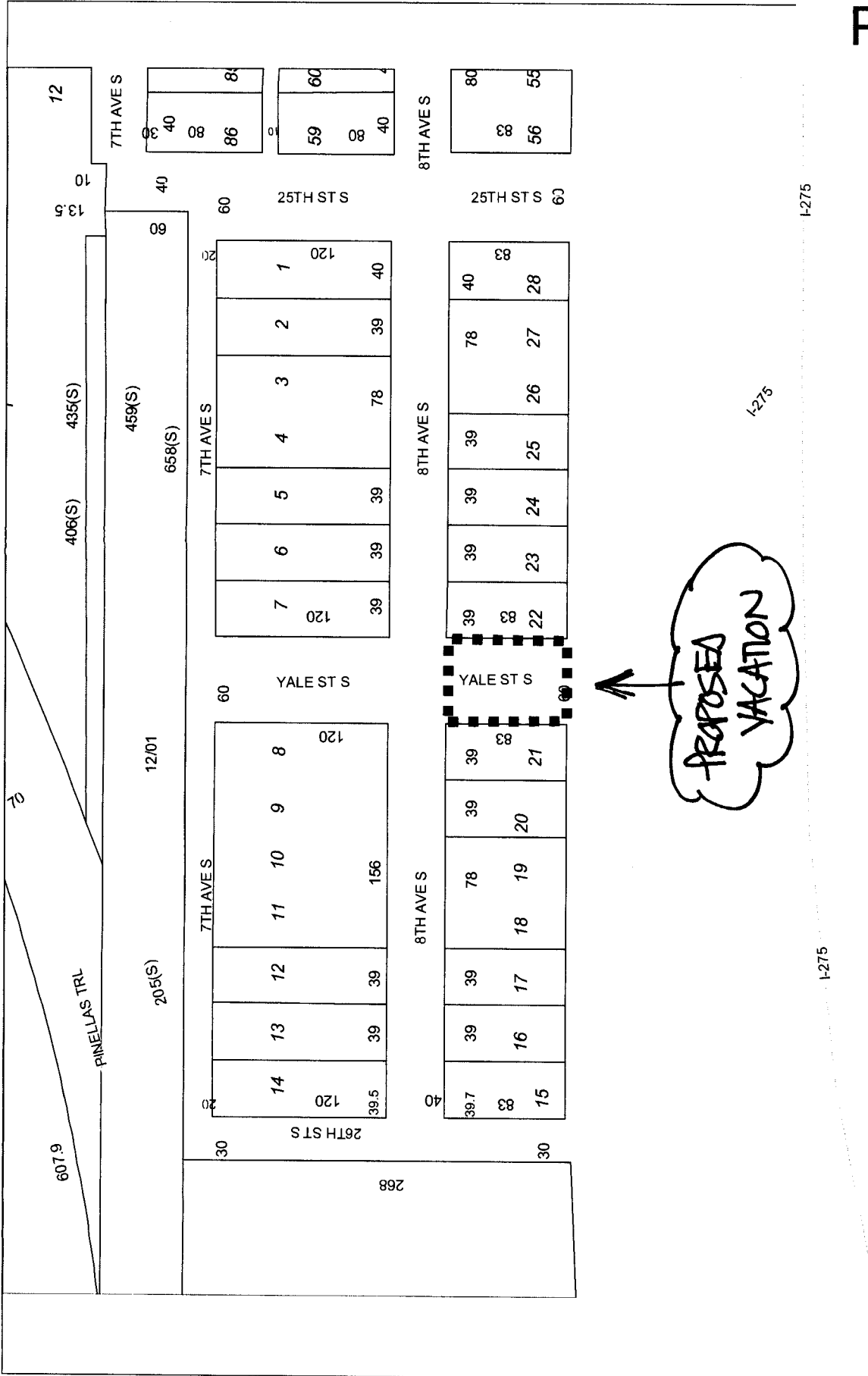


City Attorney (Designee)

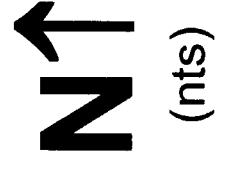


Date

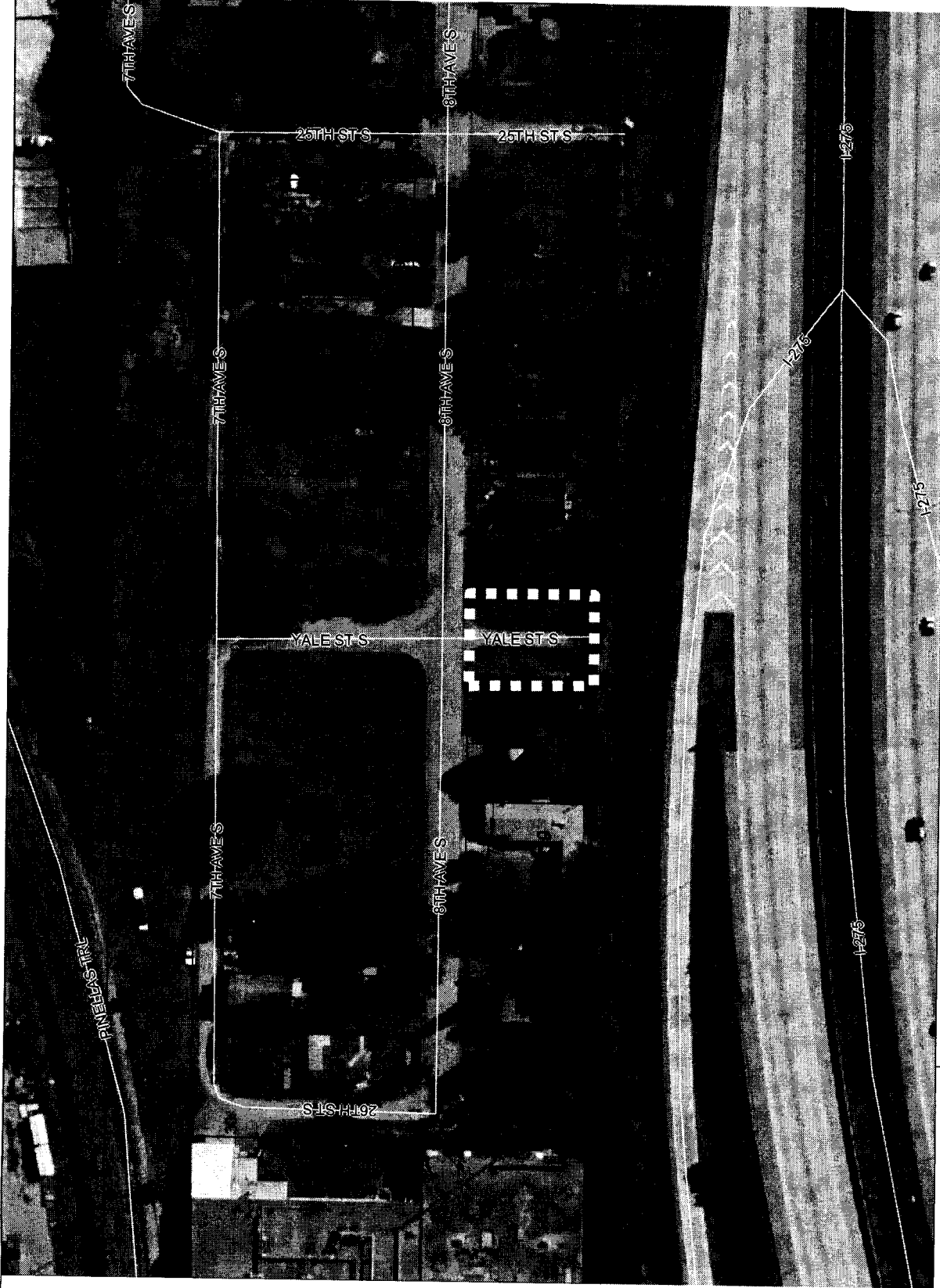
Attachment "A" Parcel Map



Development Services Department
Case No.: 09-33000003
Address: 2550 – 8th Avenue South



Attachment "B" Aerial Map



Development Services Department
Case No.: 09-3300003
Address: 2550 – 8th Avenue South



st.petersburg
www.stpete.org

Attachment "C" Survey



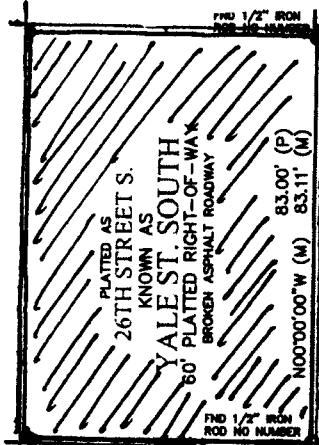
Boundary Survey

PLATTED AS
TENTH AVENUE S.
KNOWN AS
8TH AVE. S.
40' PLATTED RIGHT-OF-WAY
ASPHALT ROADWAY

N90°00'00"E (M)
39.07' (M)
39.00' (P)

FENCE IS .3" W. & 1.5" S.
FND 1/2" IRON
ROD NO NUMBER

N89°34'25"E (M)
38.76' (M)
39.00' (P)



Parcel ID

28/31/16/72900/000/0220

VACANT

LOT 23

LOT 22

83.00' (P)
83.77' (M)

N89°02'40"W (M)
39.21' (M)
39.00' (P)

FENCE IS .7" ON
POWER POLE IS 1.7" ON
FND 4"X4" CONCRETE
MONUMENT NO NUMBER
FENCE IS 9.5' OFF

10' PLATTED ALLEY

**RIGHT-OF-WAY
TO BE
VACATED**



1" = 30'
GRAPHIC SCALE
0 15 30

RLS #:	08-06-0352
CLIENT #:	21871936220
FIELD DATE:	06/12/08
DRAFTER:	SDS
APPROVED:	BRD
SCALE:	1" = 30'

ADDRESS

Parcel ID 28/31/16/72900/000/0220
ST. PETERSBURG, FLORIDA 33701

LEGAL DESCRIPTION: (AS FURNISHED)

LOT 22, GEORGE C. PRATHER'S THIRD ROYAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 5, PAGE(S) 46, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BASIS OF BEARINGS: BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 22, BEING N90°00'00"E, ASSUMED

LIST OF POSSIBLE ENCROACHMENTS:

SURVEYOR INFORMATION:



SURVEYOR FILE NUMBER: 08-06-0352

CERTIFIED TO: (AS FURNISHED)
BRUCE MESAGRO
FIRST AMERICAN TITLE INSURANCE CO.

NOTES

- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE.
- UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY.
- UNLESS NOTED OR DEPICTED OTHERWISE, ALL PROPERTY CORNERS SHOWN HAVE BEARS OR IS IDENTIFICATION.
- THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

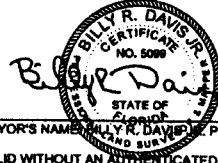
- LEGEND
- AC: AIR CONDITIONER
 - BLDG.: BUILDING
 - C.I.: CALCULATED
 - C.B.: CHORD BEARING
 - CONW: CONCRETE BLOCK WALL
 - CL: CENTERLINE
 - C.N.A.: CORNER NOT ACCESSIBLE
 - CONC.: CONCRETE
 - COV.: COVERED
 - CON: CONCRETE SLAB
 - D.S.: DESCRIPTION
 - D.W.: DRIVEWAY
 - M.S.: MEASURED
 - M.B.: MASONRY
 - M.H.D.: MAIL & DECK
 - O.H.L.: OVERHEAD UTILITY LINE
 - P.P.: PLATTED
 - P.C.: POINT OF CURVATURE
 - P.O.B.: POINT OF BEGINNING
 - P.O.C.: POINT OF COMMENCEMENT
 - P.P.: POWER POLE
 - P.R.C.: POINT OF REVERSE CURVATURE
 - P.R.M.: PERMANENT REFERENCE MONUMENT
 - R.W.: RIGHT OF WAY
 - S.W.: SIDEWALK
 - CLP: CHAIN LINK FENCE
 - W.F.: WOOD FENCE
 - FND: FOUND
 - TYP: TYPICAL

(FOR INFORMATIONAL PURPOSES ONLY)
SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE X, AREA OUTSIDE OF THE 100 YEAR FLOODING, PER F.I.A.M. PLAN NUMBER 125148 0218 D, LAST REVISION DATE 02/20/03. THIS SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.I.A.M. AGENT SHOULD BE CONTACTED FOR FURTHER INFORMATION.

RESIDENTIAL FOR ALL INQUIRIES CONTACT:
LAND SERVICES, INC. info@tenow.com (405)791-1100 Form 8.7FL

SURVEYOR'S CERTIFICATE

I hereby certify that we have performed a field survey of the herein described property, this drawing is a representation of that survey and meets the minimum technical standards set forth by the Florida board of professional land surveyors and mappers in Chapter 61G 17-6, Florida administrative code, Pursuant to Chapter 472.022, Florida Statutes.



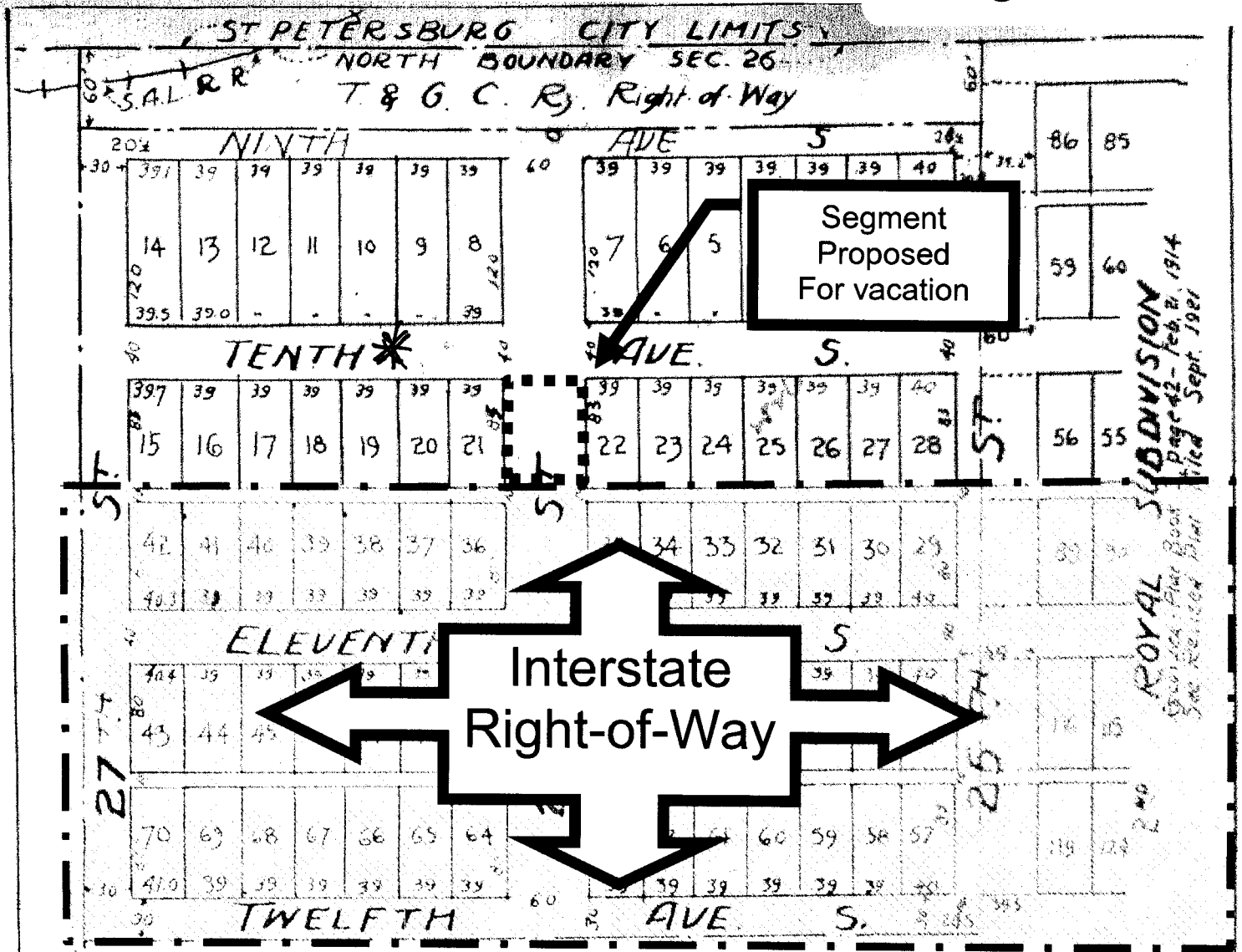
SURVEYOR'S NAME: BILLY R. DAVIS PSM #5096 LBF# 7656

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

DATE	REVISION	DATE	REVISION

Reviewed & Accepted by: _____ Date _____ / _____ Date _____

Attachment "D" Original Plat



GEORGE C. PRATHER'S
THIRD ROYAL SUBDIVISION
 OF THE NE 1/4 OF THE NW 1/4 OF THE NE 1/4 OF SEC. 26, T. 31 S., R. 16 E
 PINELLAS COUNTY, FLORIDA
 SCALE 1" = 100'

FILED FOR RECORD IN THE OFFICE OF THE CLERK OF THE
 CIRCUIT COURT OF THE COUNTY OF PINELLAS STATE OF
 FLORIDA ON THE 23 DAY OF Sept. 1921
 AT 3 O'CLOCK P M
 AND RECORDED IN Plat RECORD
 ON PAGE 77 AND RECORD VERIFIED

* PLATTED AS 10TH AVE. SOUTH
 KNOWN AS 8TH AVE. SOUTH

J. N. BROWN CLERK
 by Lucile F. Russell D.C.

ROYAL SUBDIVISION
 Page 42 - Feb. 21, 1914
 See Revised Plat Sept. 1921