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**CITY OF ST. PETERSBURG
PLANNING & ECONOMIC DEVELOPMENT DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION**

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**VACATION OF RIGHT-OF-WAY
PUBLIC HEARING**

According to Planning & Economic Development Department records, **no Commission member** resides or has a place of business within 2,000 feet of the subject property. All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT, for Public Hearing and Executive Action on **July 2, 2014 at 2:00 P.M.** in Council Chambers, City Hall, 175 Fifth Street North, St. Petersburg, Florida.

CASE NO.: 14-33000005 **PLAT SHEET:** I-68

REQUEST: Approval to vacate a portion of Carillon Parkway West lying south of Ulmerton Road in order to realign the existing median and construct an additional north-bound left-turn lane.

APPLICANT: Carillon Common LLC
235 3rd Street South
Suite 300
Saint Petersburg, Florida 33701-4242

AGENT: H.W. Lochner, Inc.
John J. Kenty, PE
4350 W. Cypress Street , Suite 800
Tampa, Florida 33607

PARCEL ID NO.: 11/30/16/13461/022/0010/

LEGAL DESCRIPTION: Lot 1, Block 22, Replat of Carillon
(Plat Book 96, Pages 29-36)

ZONING: EC

BACKGROUND AND ANALYSIS:

Request

The request is to vacate a portion of the Carillon Parkway West right-of-way in order to accommodate realignment of the existing privately-owned and maintained landscaping median which divides north- and south-bound traffic.

Background

The area of the right-of-way proposed for vacation is depicted on the attached maps and survey sketches (Attachments "A" through "E"). The vacated area will be used to realign the private median to accommodate a third northbound left-turn lane for Carillon Parkway West. The proposed vacation is consistent with the plan being coordinated with the Florida Department of Transportation and the City's Transportation Planning Department.

Median realignment does not usually require vacation of existing right-of-way because medians are typically part of the public right-of-way and not private property. The medians within this subdivision (Replat of Carillon, Plat Book 96, Pages 29-36) were platted as privately-owned parcels. The owner maintains the associated landscaping and street lighting. The proposed realignment requires partial elimination of the existing median to accommodate the additional northbound left-turn lane. The eliminated portion of the existing median will be reconstructed to the north of the new left-turn lane within the area proposed for vacation (Attachment "E").

Analysis

Staff's review of a vacation application is guided by the City's Land Development Regulations (LDR's), the City's Comprehensive Plan and any adopted neighborhood or special area plans. In this case, Staff finds that the requested vacation can be supported and **recommends approval**, subject to the special conditions of approval suggested at the end of this report. This recommendation is based upon the following findings.

A. Land Development Regulations

Section 16.40.140.2.1E of the LDR's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. Easements for public utilities including stormwater drainage and pedestrian easements may be retained or required to be dedicated as requested by the various departments or utility companies.

The appropriate easement to accommodate the proposed left-turn lane was previously recorded in 1997 (Instrument # 97-379300, Official Record Book 9950, Pages 2158 – 2160). No additional easements appear to be necessary.

2. The vacation shall not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record as shown from the testimony and evidence at the public hearing.

The proposed vacation will improve traffic circulation through the associated intersection and is not anticipated to have any type of detrimental effect upon access to any other lot of record.

3. The vacation shall not adversely impact the existing roadway network, such as to create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods.

The proposed vacation will have a positive impact upon the existing roadway network by increasing the left-turn capacity of the intersection for vehicles existing the Carillon site.

4. *The easement is not needed for the purpose for which the City has a legal interest and, for rights-of-way, there is no present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.*

The area proposed for vacation will be used to replace the portion of the original landscaped median which will be eliminated to construct the proposed street improvements.

5. *The POD, Development Review Commission, and City Council shall also consider any other factors affecting the public health, safety, or welfare.*

In most cases, these types of projects do not require the extra step of vacation because the street pavement and the medians are public right-of-way. In this case, the vacation is necessary because the applicant intends to continue providing privately-owned and maintained throughout the Carillon development.

B. Comprehensive Plan

There are no policies in the City's Comprehensive Plan which apply to this request.

C. Adopted Neighborhood or Special Area Plans

There are no neighborhood or special area plans which affect vacation of right-of-way in this area of the City.

Comments from Agencies and the Public

The application was routed to all affected City departments and non-City utilities. No objections were noted. The applicant also provided mailed public notices in advance of the DRC hearing. No public inquires or comments have been received as of the date of this report.

RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed partial street vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording the vacation ordinance, the applicant shall obtain all necessary permits and pass all required inspections.

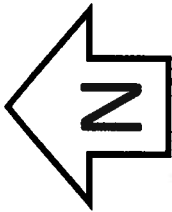
REPORT PREPARED BY:



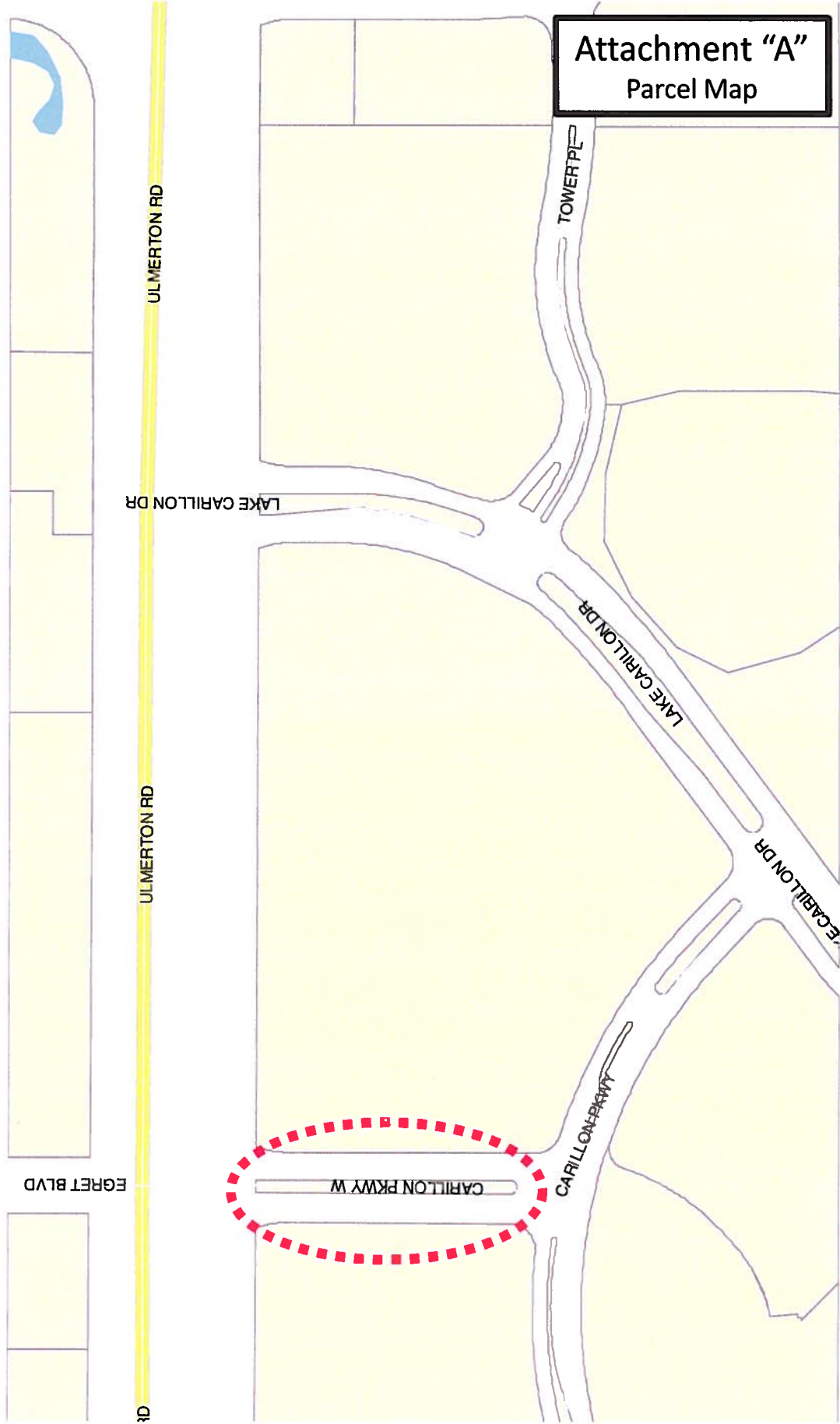
PHILIP T. LAZZARA, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Economic Development Department

06.12.2014

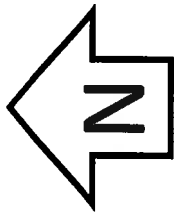
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Partial Vacation of Carillon Parkway West
Left-turn Lane and Private Median Realignment Project
City File No. 14-33000005



Attachment "A"
Parcel Map



Partial Vacation of Carillon Parkway West
Left-turn Lane and Private Median Realignment Project
City File No. 14-33000005

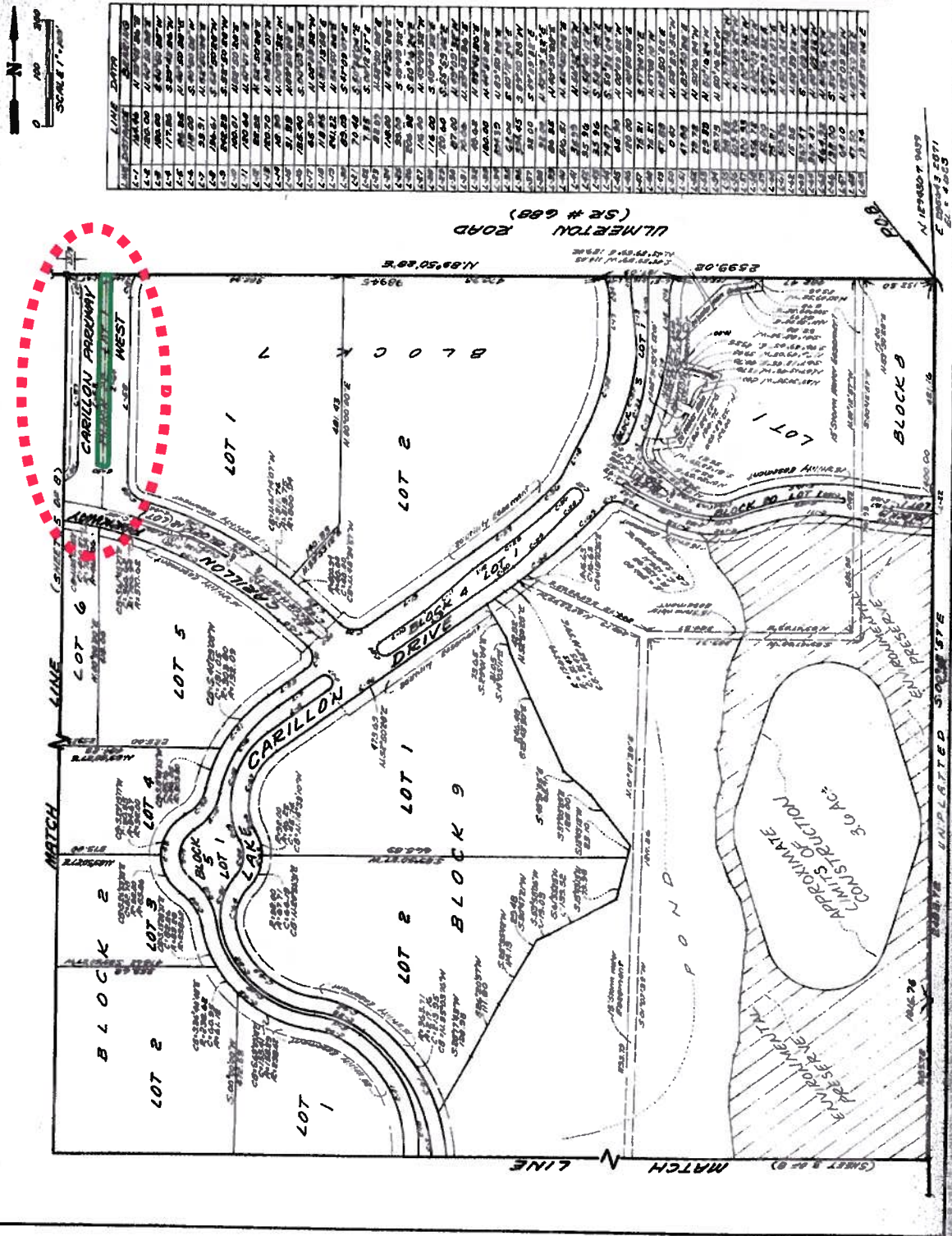


Attachment "C"
Recorded Plat

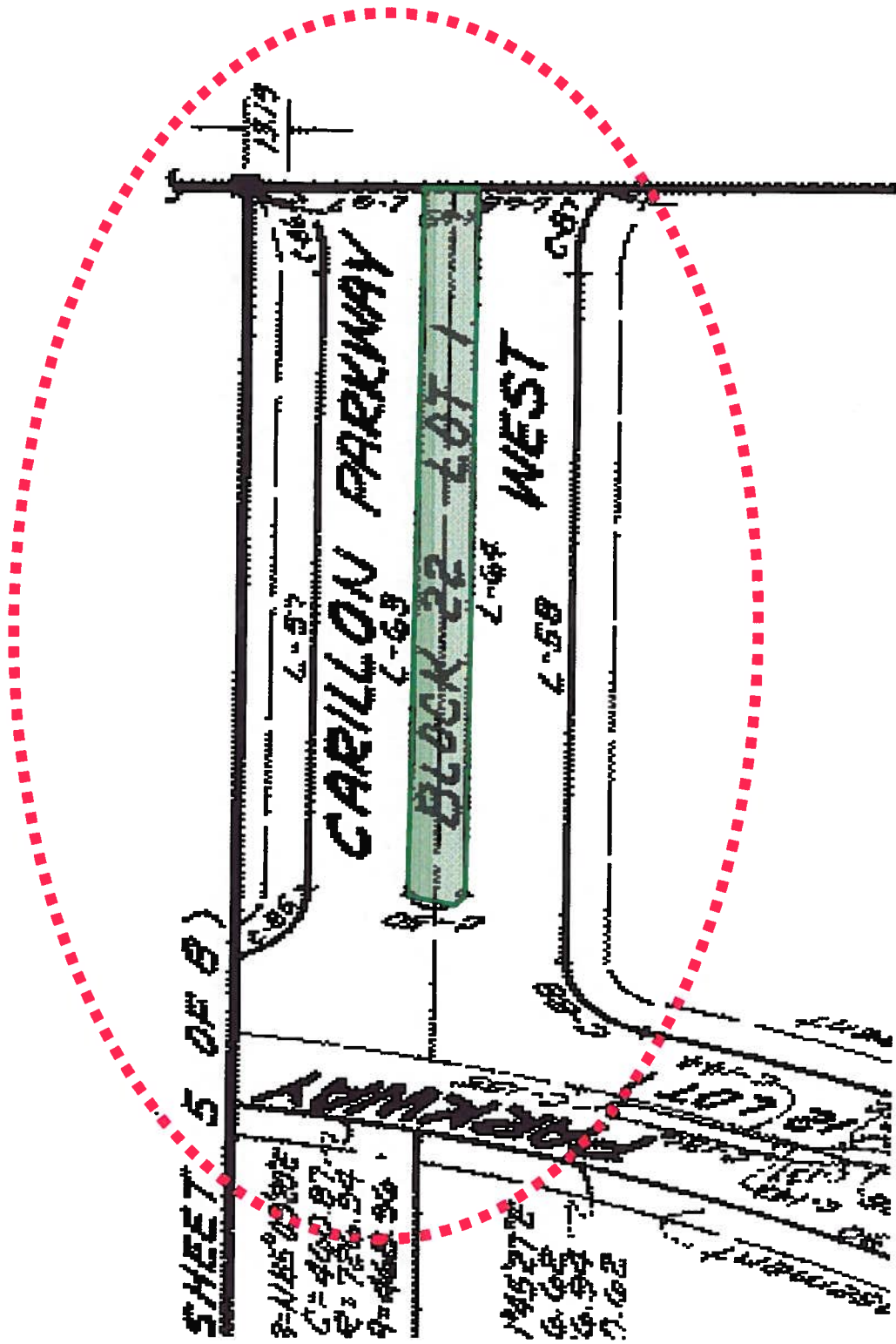
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PLATS 96

REPLAT OF CARILLON

A RESUBDIVISION OF CARILLON IN SECTION 11, TOWNSHIP 30 SOUTH, RANGE 16 EAST
CITY OF ST. PETERSBURG, PINELLAS COUNTY, FLORIDA

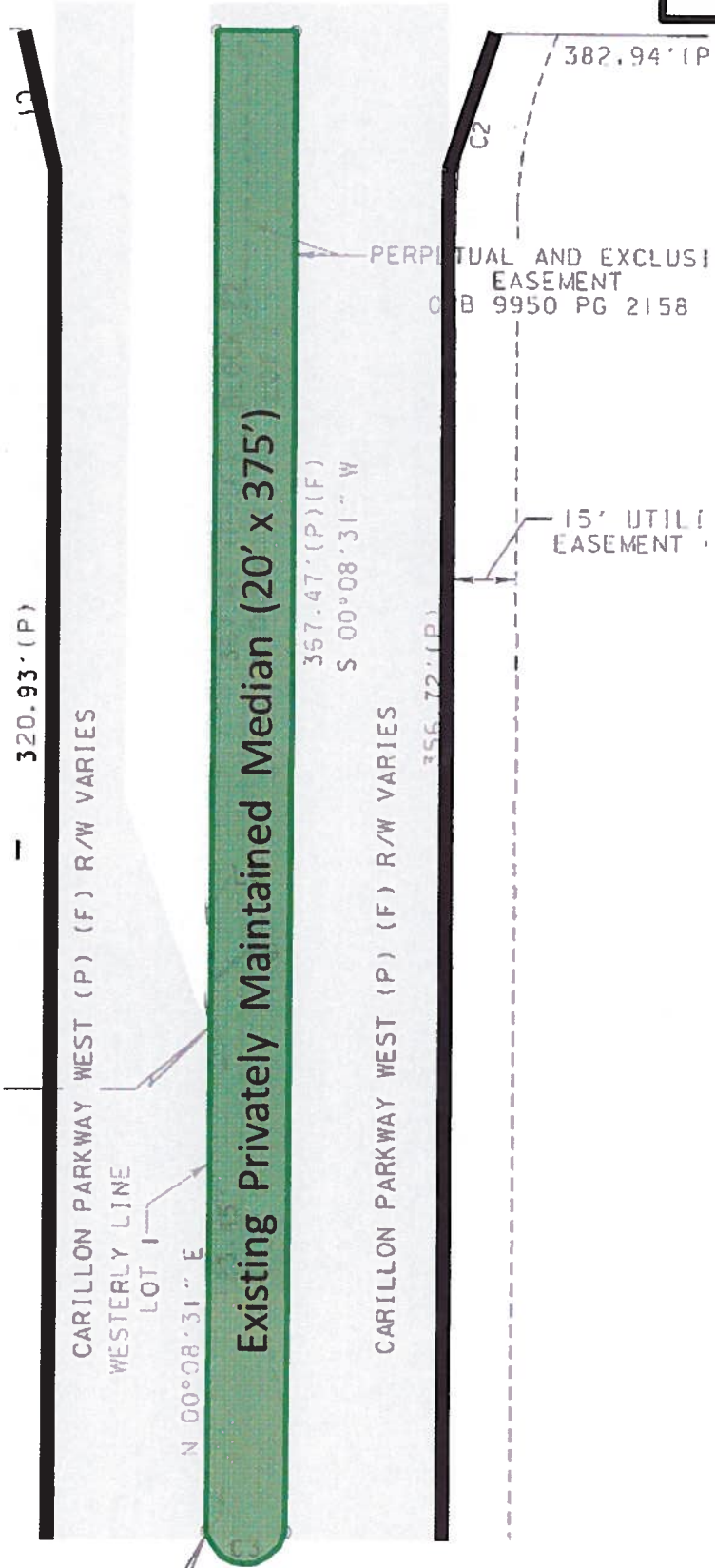


Attachment "D"
Recorded Plat
(enlarged view)



ULMERTON ROAD (P)(F)
SR 688 (P)(F)

Attachment "E"
Existing Median

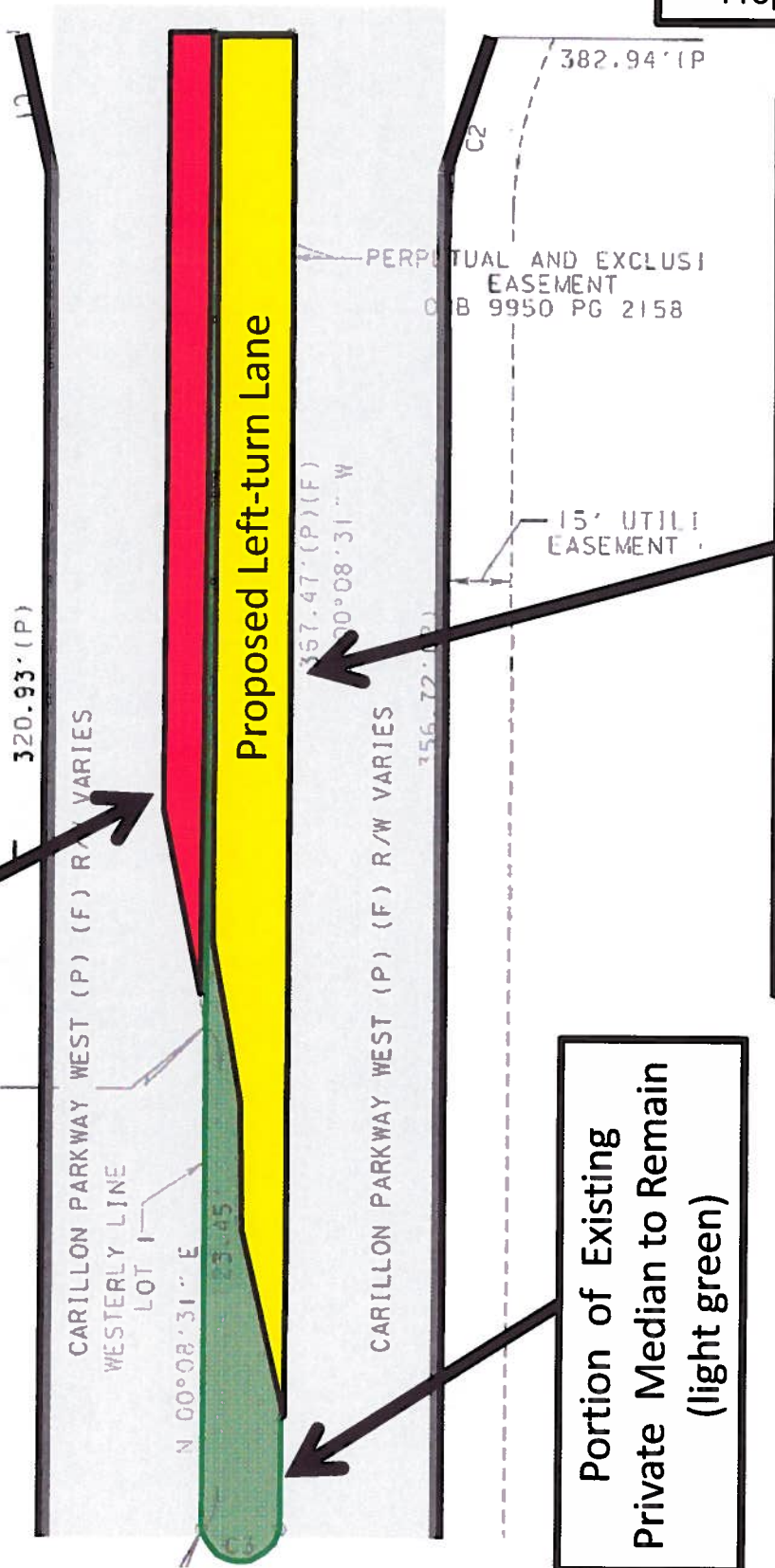


ULMERTON ROAD (P)(F)
SR 688 (P)(F)

Attachment "F"
Proposed Plan



Area to be Vacated (red)
Construct realigned private median in this area



Portion of Private Median to be Converted
to 3rd left-turn land (yellow)

Portion of Existing
Private Median to Remain
(light green)

Proposed Left-turn Lane