Staff Report to the St. Petersburg Development Review Commission
Prepared by the Planning & Development Services Department,
Urban Planning and Historic Preservation Division

For Public Hearing on Wednesday, February 5, 2020
at 2:00 p.m. in the auditorium of the Sunshine Center,
330 5th St North, St. Petersburg, Florida.

City File: LDR 2020-02
Tenant Notice of Intent to Develop

This is a City-initiated application requesting that the Development Review Commission (DRC), in its capacity as the Land Development Regulations Commission (LDRC), make a finding of consistency with the Comprehensive Plan and recommend to City Council APPROVAL of the following text amendment to the City Code, Chapter 16, Land Development Regulations (LDRs) pertaining to Applications and Procedures requiring a Notice of Intent to Develop to tenants of multi-family units being displaced for projects subject to Planning and Zoning Decisions in Section 16.70.040, City Code.

APPLICANT INFORMATION

APPLICANT: City of St. Petersburg
175 5th Street North
St. Petersburg, Florida 33712

STAFF CONTACT: Ann Vickstrom, AICP, RLA, Planner II
Urban Planning and Historic Preservation Division
Planning and Development Services Department
One – 4th Street North
St. Petersburg, Florida 33711
Ann.Vickstrom@stpete.org
(727) 892-5807

INTRODUCTION

Based on discussions concerning redevelopment of multi-family structures and tenants’ rights by City Council in March 2019, the City Council unanimously voted to refer five (5) tenants’ rights issues to the Housing, Land Use and Transportation (HLUT) Committee to proactively protect tenants’ rights. These issues include informing tenants of their rights when entering into rental agreements; a ban on housing discrimination based on income; notification of late fees and additional rents; notification of
tenant displacement; and, a tenant relocation policy. The proposed LDR amendment relates to the fourth item, notification of tenant displacement.

At the October 24, 2019 HLUT Committee meeting, additional information was requested and the item was continued to the November 14, 2019 meeting. A Tenants’ Rights Stakeholders meeting was held on October 31, 2019 and this item requiring landlord notification to tenants was included in the discussion.

At the November 14, 2019 HLUT Committee meeting, Staff reported that the requirement for landlords to give notification was discussed at the Tenants’ Rights Stakeholders meeting and that there were no objections expressed. Councilmember Foster indicated that she had received written correspondence from the Bay Area Apartment Association and, based on information provided at the meeting, the Bay Area Apartment Association is recommending a 60-day notice timeframe, similar to the U.S. Department of Housing & Urban Development (HUD). The Association indicated the 120-day notice provided in the information material at the meeting was too long and could impact a developer’s decision to invest in St. Petersburg. The HLUT committee directed Staff to draft an Ordinance requiring notice and bring it back to HLUT.

The LDR amendment was presented to the DRC at a January 7, 2020 workshop. The DRC discussed the timeline of the 90-day notice in comparison to the typical time for the review and approval of a planning and zoning decision. Staff indicated that the timeline was established to be comparable to the planning and zoning decisions so that the review process would not be extended.

The proposed LDR amendment was reviewed at the HLUT Committee meeting on January 16, 2020. The committee voted to direct staff to revise the amendment to be limited to projects involving demolition with four or more existing on-site multi-family units, include tenants of mobile homes and to move the amendment forward to public hearings.

**REQUEST**

The proposed amendment to the LDRs relates to the Applications and Procedures (Section 16.70.010) for projects subject to Planning and Zoning Decisions (Section 16.70.040). The amendment requires that landlords of multi-family units provide a Notice of Intent to Develop to tenants when being displaced by development. The amendment will add a new Section 16.70.010.14, titled Tenant Notice of Intent to Develop. The proposed notification period is 90-days prior to the City issuance of a building permit. The applicant will be required to provide the City with evidence of the notice sent to the tenants with the building permit application submittal. The Planning and Zoning Decisions include: bonus approvals in the Downtown Center, Target Employment Overlay areas and Workforce Housing, as well as applications for: site plan review; special exceptions; variances; exemptions for demolition of structures of general public interest within the DC and CCT-2 zoning districts; variance design standards; variances for drainage and surface water management; variances for floodplain management; reinstatements of abandoned uses; redevelopment of grandfathered uses; and transfer of development rights.
16.70.010. - APPLICATIONS AND PROCEDURES

16.70.010.14. – Tenant Notice of Intent to Develop.

Projects subject to a Planning and Zoning decision under 16.70.040 which involve demolition of four or more existing occupied multi-family dwelling units at time of application shall provide a written Notice of Intent to Develop to all tenants residing on the subject property at least 90 days prior to issuance of a building permit. Evidence of notice shall be provided at time of building permit application. No permits shall be issued for the subject property until such time as the 90-day period has expired. For purposes of this subsection, multi-family shall include tenancies in which both a mobile home and a mobile home lot are rented or leased by the mobile home resident, but not those mobile homes otherwise regulated by Chapter 723, F.S.

A Notice of Intent to Develop shall comply with the requirements set forth herein. A written notice shall be on paper and indicate the Intent to Develop with a planned date for demolition of structures and commencement of construction and shall be delivered via certified mail to all tenants residing on the subject property. Notice shall be mailed by U.S. mail with a U.S. postal service certificate of mailing returned to the City. Evidence of notice shall be a copy of the notice letter, the list of tenants residing on the subject property at time of mailing, and a copy of the U.S. postal service certificate of mailing.

CONSISTENCY with the COMPREHENSIVE PLAN

The following objectives and policies from the City’s Comprehensive Plan are applicable to the proposed Land Development Regulations amendment:

LU1.2 The City will continue to recognize the City Administration’s policy responses, incorporated into the St. Pete Vision 2020 Plan as The General Policy Implementations but not made a part of the Vision Element to the Comprehensive Plan, with the objective of supporting and improving the neighborhoods, community appearance, the environment, education, economic development, parks and recreation, transportation, personal security, and public safety, to the extent that the resources of the City will allow.

LU8.1 Pursuant to the requirements of Section 163.3202 F.S. the land development regulations (Chapter 16, City Code of Ordinances) will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan.

H1.3 Review ordinances, codes, regulations and the permitting process for the purpose of eliminating excessive and overlapping requirements and resolving conflicting requirements and amending or adding other requirements in order to increase private sector participation in meeting housing needs, while continuing to insure the health, welfare and safety of the residents.
H9.1 Institute new efforts at informing housing services agencies and the general public regarding fair housing rights and responsibilities.

H11.3 The review of the redevelopment alternative shall include a review of the necessary legal and regulatory mechanisms to complement a redevelopment plan and propose amendments to the appropriate legislation or city codes.

PUBLIC HEARING PROCESS

The proposed ordinance associated with the LDR text amendment requires one (1) public hearing before the Development Review Commission (DRC) and one (1) City Council public hearing.

RECOMMENDATION

Staff recommends that the Development Review Commission, in its capacity as the Land Development Regulation Commission, make a finding of consistency with the Comprehensive Plan and recommend to City Council APPROVAL of the City Code, Chapter 16 LDR text amendment described herein.
City of St. Petersburg
Housing Affordability Impact Statement

Each year, the City of St. Petersburg receives approximately $2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that increase the cost of housing construction, or of housing redevelopment, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1–June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. **Initiating Department:** Planning & Development Services Development

II. **Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:**

See attached amendment to Chapter 16, City Code of Ordinances (City File LDR 2020-02).

III. **Impact Analysis:**
A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

   No  X  (No further explanation required.)
   Yes  ___  Explanation:

   If Yes, the per unit cost increase associated with this proposed policy change is estimated to be: $__________________.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

   No  X  (No further explanation required)
   Yes  ___  Explanation:

IV: **Certification**
It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community’s ability to provide affordable housing, please explain below:

X) The proposed regulation, policy, procedure, or comprehensive plan amendment will not result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material and provide a copy to Housing and Community Development department.)

[Signature]
Director, Planning & Development Services (signature) 01.22.2020

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development

City File: LDR 2020-02
Page 5
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Development Services 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 & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on February 5, 2020 at 2:00 P.M. at the Sunshine Center Auditorium, 330 5th Street North, St. Petersburg, Florida.

CASE NO.: 19-33000015
PLAT SHEET: E-54

REQUEST: Approval of a vacation of a 30-foot wide north/south portion of 2nd Street North between Gandy Boulevard North and 104th Avenue North, adjacent to Lots 1-11 of Block 3 of the Bridgeview Subdivision.

OWNER: Davis Townhomes, LLC
288 Beach Drive Northeast, Unit 12B
Saint Petersburg, Florida 33701

AGENT: Cliff Davis
288 Beach Drive Northeast, Unit 12B
Saint Petersburg, Florida 33701

ADDRESS: 10338 2nd Street North

PARCEL ID NO.: 18-30-17-11322-007-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Multifamily (NSM-1)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 30-foot wide unimproved north/south portion of 2nd Street North, between Gandy Boulevard North and 104th Avenue North, adjacent to Lots 1-11. The applicant’s goal is to vacate the platted street to consolidate the property for townhome redevelopment.
The area of the right-of-way proposed for vacation is depicted on the attached maps (Attachment “A” and “B”) and Sketch and Description (Exhibit “A”).

**Analysis.** Staff’s review of a vacation application is guided by:

A. The City’s Land Development Regulations (LDR’s);
B. The City’s Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (Attachment “C”) does provide background supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

Section 16.40.140.2.1.E 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 application was routed to the standard list of City Departments and Private Utility providers. The City does have sanitary sewer and stormwater facilities within the 2nd Street North right-of-way. A condition of approval of this vacation included in the Engineering Memorandum dated October 17, 2019 (Attachment “E”), requires that the subject right-of-way be retained as public drainage and utility easement. Century Link, Duke Energy, and Frontier Communications have indicated that they have facilities in the right-of-way which require easements to be dedicated. Bright House Networks and TECO Peoples Gas have provided no comments regarding the request. A condition of approval has been added to this staff report requiring easements over all effected utilities located in the subject right-of-way.

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.**

   Per the Engineering Memorandum dated October 17, 2019, the applicant shall, as a condition of approval, provide a public ingress/egress easement to allow an existing driveway located in 2nd Street North to remain. The dedication of this ingress/egress easement will ensure access to Gandy Boulevard North for the adjacent Gateway Mobile Home Park. If approved, this vacation will not deny access to any 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.**

   As a condition of approval, the applicant will preserve the existing vehicular connection from Gandy Boulevard North by dedicating an ingress/egress easement over the existing drive isle present in the subject right-of-way.
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.

Although there is no need for the subject right-of-way as a roadway connection, there is a need to retain existing utilities in the area. The Water Resources Memorandum dated October 16, 2019 (see attached), is requiring a public utility easement be provided over the sanitary sewer services which extend from Gandy Boulevard North to 104th Avenue North. Additionally, per the Engineering Memorandum dated October 17, 2019 (see attached), the subject right-of-way shall have a public drainage and utility easements dedicated over it for utility preservation.

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

No other factors were raised for consideration.

B. Comprehensive Plan

Transpiration Element Policy T2.4 states, “The City should preserve the historical grid street pattern, including alleys and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use”

The proposed vacation will not result in the interruption of the historical grid pattern, as the subject right-of-way is mostly unimproved and is not actively used to facilitate traffic between Gandy Boulevard North and 104th Avenue North. The conditional dedication of an ingress/egress easement will preserve the existing driveway connection of the adjacent mobile home community to Gandy Boulevard North. Future use of the right-of-way may be maintained with easements granted by the applicant for existing utilities in the affected area. These easements have been added as conditions of approval.

C. Adopted Neighborhood or Special Area Plans

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

Comments from Agencies and the Public

The request to vacate the subject right-of-way was routed to City Departments and Private Utility Providers for comments. Two City Departments and three private utility providers have indicated that they have facilities located in the subject right-of-way. The Water Resources Department Memorandum dated October 16, 2019 (Attachment “D”), states no objection to the request, provided that the right-of-way retains an easement to maintain existing sanitary sewer facilities which run the length of the right-of-way. The City’s Engineering Department Memorandum dated October 17, 2019 (Attachment “E”), states no objection to the vacation, provided that the right-of-way retains public drainage and utility easements, and an ingress/egress easement for the portion of the mobile home community’s driveway present in 2nd Street North. Additionally, the same memo requires additional easement dedications for the property’s drainage ditch on private property in the event the ditch cannot be contained in the
right-of-way if relocated. Century Link has disclosed the relative location of its facilities within the right-of-way. Duke Energy has indicated the presence of facilities, which may be relocated at the applicant’s expense or may have an easement dedicated. Frontier Communications has indicated the presence of facilities in the subject right-of-way which, requires the dedication of a utility easement to maintain. Conditions of Approval have been included to address these concerns. There have been no public inquiries regarding this vacation request.

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

1. Prior to the recording of the vacation ordinance, the vacated right-of-way, along with the abutting properties owned by the applicant, shall be replatted.

2. Prior to the recording of the vacation ordinance, as a part of the replat process, the applicant shall obtain letters of no objection from the following City Departments: Water Resources Department, and Engineering and Stormwater Department. Additionally, letters of no objection shall be obtained from the following private utility providers: Bright House Networks, Century Links Communications, Duke Energy, Frontier Communications, and TECO (Peoples Gas).

3. Prior to the recording of the vacation ordinance, the applicant shall comply with the conditions of the Engineering Memorandum dated October 17, 2019, including: the dedication of an ingress/egress easement for the portion of the mobile home park present in the subject right-of-way; and the relocation of the drainage ditch to the right-of-way or the dedication of a public drainage easement for the ditch if retained on private property.

4. As required City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.
REPORT PREPARED BY:

Shervon Chambliss, Planner I
Development Review Services Division
Planning & Development Services Department

DATE
1/29/2020

REPORT APPROVED BY:

Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning and Development Services Department

DATE
1/29/2020

Project Location Map
City of St. Petersburg, Florida
Planning and Development Department
Case No.: 19-33000015
Address: 0 2nd Street North
Attachment A
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 19-33000015
Address: 10338 2nd Street North
Attachment B
Attachment E

Baypoint Luxury Townhomes
Vacation Request Narrative
18-30-17-11322-007-0010

Eastern Right of Way
The subject property has a 30' closed right of way on the East side of the property. This 30' represents half of the original 60' Eastern right of way. One half of the right of way has already been vacated for the benefit of the land owner to the East.
TO: Jennifer Bryla, Zoning Official

FROM: Kirsten Corcoran, Engineering Clerk, Water Resources

DATE: October 16, 2019

SUBJECT: Approval of a vacation of a 30-foot wide north/south portion of 2nd Street North between Gandy Boulevard North and 104th Avenue North, adjacent to Lots 1-11 of Block 3 of the Bridgeview Subdivision.

PLAT: E-54

CASE: 19-33000015

LOCATION: 10338 2nd Street North

REMARKS: Water Resources has no objection to the above referenced subject provided that the same is retained as a utility easement so that sanitary sewer service may be retained to 10501 3RD ST N.

Project file
Attachment G

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

TO: Iris Winn, Administrative Clerk, Development Services
    Jennifer Bryla, Zoning Official, Development Review Services
    Shervon Chambliss, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: October 17, 2019

SUBJECT: Easement Vacations

FILE: 19-33000015

LOCATION AND PIN: 10338 2nd Street North
                   18/30/17/11322/007/0010

ATLAS: E-54 Zoning: Neighborhood Suburban Multifamily (NSM-1)

REQUEST: Approval of a vacation of a 30-foot wide north/south portion of 2nd
         Street North between Gandy Boulevard North and 104th Avenue North,
         adjacent to Lots 1-11 of Block 3 of the Bridgeview Subdivision.

COMMENTS: The Engineering & Capital Improvements Department (ECID) has no objection to vacation
          request provided the following comments are included as conditions of the approval:

1. The entire vacated right-of-way is retained as a public drainage and utility easement.

2. A public ingress/egress easement is retained over the portion of the mobile home park driveway
   located within the right-of-way to be vacated.

3. We request that the applicant provide a survey of the existing drainage ditch location and dedicate
   additional public drainage easement over the section of the drainage ditch located outside of the existing
   right-of-way or relocate the ditch to the right-of-way.

NED/MJR/meh

pc: Kelly Donnelly
    Correspondence File
Legal Description

ALL OF THE RIGHT OF WAY LING EAST OF BLOCK 7, BRIDGEVIEW SUBDIVISION, AS RECORDED IN PLAT BOOK 7, PAGE 25, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 7, PAGE 25, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THENCE N.00º00'00"E. ALONG SAID BLOCK 7 A DISTANCE OF 485.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF 106TH AVENUE NORTH; THENCE ALONG A PROJECTION OF SAID RIGHT OF WAY 5.89º59'46"W. A DISTANCE OF 30.00 FEET; THENCE S.00º00'01"W. ALONG A LINE PARALLELL AND 30 FEET EAST OF THE EAST LINE OF SAID BLOCK 7 A DISTANCE OF 485.00; THENCE N.89º59'46"W. A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 14,550 SQUARE FT.

NOTES:
1. BEARINGS ARE BASED ON THE WEST RW LINE OF NORTH 2nd STREET N.00º00'00"E. (ASSUMED)
2. ALL MEASUREMENTS ARE IN U.S. FEET
3. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE THERE MAY BE OTHER EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS OR OTHER SIMILAR MATTERS OF PUBLIC RECORD NOT DEPICTED ON THIS SURVEY
4. THIS IS NOT A SURVEY
5. INFORMATION NOT COMPLETE WITHOUT THE ACCOMPANYING SKETCH

CERTIFIED TO:
Davis Development
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Development Services 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 & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on February 5, 2020 at 2:00 P.M. at The Sunshine Center Auditorium, 330 5th Street North, St. Petersburg, Florida.

CASE NO.: 19-33000021  PLAT SHEET: G-20
REQUEST: Approval to vacate 492 square-feet of street right-of-way in front of the house on 36th Avenue North, and 492 square-feet of street right-of-way behind the house on 36th Terrace North.

OWNER: Amanda L. Frick
1215 36th Avenue North
Saint Petersburg, Florida 33704

ADDRESS: 1215 36th Avenue North

PARCEL ID NO.: 12-31-16-09495-001-0010

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Traditional Single-Family (NT-3)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate two (2) 10-foot wide by 49.22-foot long, 492 square-foot unimproved street rights-of-way (ROW) located in front of and behind 1215 36th Avenue North. The vacation request was initiated by City Council Member Darden Rice. The property is located in the Magnolia Heights neighborhood and is part of the Boardman & Goetz Subdivision; the ROW was obtained by the City as part of the Lot 34 Replat in 1979 (see Attachment A). The additional ROW was not obtained from the western and eastern 50.54-foot portions of original
Lot 34, or from any other lots in the block. The areas proposed for vacation are depicted on the attached maps (see Attachments B and C) and the Sketch and Legal Descriptions (Attachment D).

The application for the request, (see Attachment E), cites the lack of usability of the areas as a primary reason for the vacation, particularly in the rear yard where there is limited land for parking spaces. The Applicant’s goal for the vacation is to incorporate the land into her property. If the ROW to the rear of the house is vacated, there will be sufficient space to parallel park two vehicles completely on private property, consistent with the on-site parking requirements of LDR Section 16.40.090.3.3.6.

The ROW was inspected by City Staff prior to preparation of this Staff Report. It was found to be unimproved by the City. The rear ROW is, however, currently utilized for parking by the applicant and contains a thin layer of gravel. See photos in Attachment F.

**Analysis.** Staff’s review of a vacation application is guided by:

A. The City’s Land Development Regulations (LDR’s);
B. The City’s Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

The Applicant bears the burden of demonstrating compliance with the applicable criteria for vacation of public rights-of-way. In this case, the material submitted by the applicant does provide background or analysis supporting a conclusion that vacating the subject rights-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

**A. Land Development Regulations**

Section 16.40.140.2.1.E of the LDR sets forth the criteria for the review of proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

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

   The application was routed to City Departments and Private Utility Providers. There are no City utilities in the ROW for which easements are required to be obtained. No City Department objects to the application, although Engineering recommends that a 3-foot sidewalk easement be provided on 36th Terrace North in the event that sidewalk is installed on both sides of the street (see Engineering Review Memo dated January 15, 2020 in Attachment G).

   However, because 36th Terrace North is only about an eighth of a mile in length, unpaved and substandard in platted width, the Transportation and Parking Management Department believes the cost of upgrading this road to City standards for width and pavement and providing sidewalks on both sides would exceed the benefit for pedestrian travel (see correspondence in Attachment H dated January 17, 2020). A sidewalk on the southern side of 36th Terrace North adjacent to the subject property and neighboring properties would be along the rear yards, where motor vehicles are parked, which would create a potential
conflict between parked cars and pedestrians along this narrow road. Sidewalks exist along nearby roads such as 14th Street and 36th Avenue North which provide longer walking distances in the grid network. For these reasons, the requirement for a 3-foot pedestrian easement is not recommended by the Transportation Department and is also not supported by the authors of this staff report.

No private utility objected to the application, although TECO, WOW! and CenturyLink have yet to respond to the request for comment. A Condition of Approval has been added to this report requiring an easement to these utilities should any be identified within the area of vacation.

2. **Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.**

The areas to be vacated are unimproved. Primary access to the surrounding properties will continue to be via public streets. The vacation will not deny access to any lot of record.

3. **Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.**

The ROW vacations will not impact the existing roadway network or 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 property in question is not located in a designated historic neighborhood.

4. **Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.**

No City Department or current planning document has identified these small pieces of ROW as needed for present or future public vehicular or pedestrian access, or for public utility corridors.

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

Vacation of the rear ROW would facilitate the creation of two (2) off-street parallel parking spaces, bringing the lot more into compliance with the LDR. It would also create a lot which is more consistent with the dimensions of surrounding lots and the lot standards for the zoning district.

**B. Comprehensive Plan**

The City’s current Comprehensive Plan contains Goals, Objectives and Policies related to land use and transportation. Those applicable to the subject application have been identified below in italics. Commentary regarding whether the application advances the Goals, Objectives and Policies, or hinders achievement of same is provided after.
1. Goals, Objectives and Policies from the Land Use Element applicable to the subject application include:

   **Land Use Element Goals:**
   - 2. Protect and enhance the fabric and character of neighborhoods.

   Response to LU Goal 2: The application would advance this goal by creating a lot more consistent with those in the block and surrounding the lot. This is the only lot which has two ten-foot ROW dedications.

2. Goals, Objectives and Policies from the Transportation Element applicable to the subject application include:

   **Obj. T2: The City shall protect existing and future transportation corridors from encroachment.**

   **Policy T2.4 The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use.**

   Response to TE Policy T2.4: Approval of the application would not impair the intent and purpose of this policy because the ROW is not planned for future use or improvement.

**C. Adopted Neighborhood or Special Area Plans**

The Magnolia Heights Neighborhood Plan (July 14, 2005) is the only Neighborhood or Special Area Plan which covers the general area in which the ROW is located. This plan does not identify the ROW for improvement, or 36th Avenue North or 36th Terrace North for widening. These streets are identified as local streets in the plan, and it is noted that "roads are generally 24 feet in paved width with the exception of 30th, 32nd and 34th Avenues." 36th Avenue North has a 24-foot pavement width, which is consistent with most streets in the neighborhood, and 36th Terrace North is approximately 12-feet wide, however is not targeted in this document for widening.

A streetprint speed hump is recommended in front of the house on the subject lot (Page 30), in the existing pavement width. The plan also proposes sidewalk on the southern side of 36th Avenue North (Page 32), which has been constructed. 36th Terrace North is not a street recommended for sidewalk in this plan.

In summary, the application as proposed does not impair or conflict with the intent and purpose of the Magnolia Heights Neighborhood Plan.

**Comments from Agencies and the Public.** As of January 17, 2020, City Staff received five (5) inquiries about the application from residents who received notice. The residents requested clarification about the nature of the application however had no objection to it.
City Staff received no comments from the Magnolia Heights Neighborhood Association, the Council of Neighborhood Associations (CONA) or the Federation of Inner-City Community Organizations (FICO).

**RECOMMENDATION.** Staff recommends APPROVAL of the proposed ROW vacations, and the following conditions of approval:

1. Any required relocation of existing utilities shall be at the expense of the Applicant.

2. The applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s).

3. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

4. Prior to recording the vacation ordinance, the Applicant shall provide to Development Review Staff, a letter of no objection from TECO, WOW! and CenturyLink. If these entities do have facilities in the rights-of-way, the Applicant shall either relocate the facilities or provide an easement acceptable to the respective utilities.

**REPORT PREPARED BY:**

Cheryl Bergaft, AICP, LEED Green Assoc., Planner II  
Development Review Services Division  
Planning & Development Services Department

**REPORT APPROVED BY:**

Jennifer Bratla, AICP, Zoning Official (POD)  
Development Review Services Division  
Planning and Development Services Department

LEGAL DESCRIPTION:
BEGIN AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, BOARDMAN AND GOETZ SUBDIVISION LOT 34 REPLAT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGE 19, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND RUN THENCE S.89°25'11"W. 49.22 FEET; THENCE RUN N.00°22'36"W. 10.00 FEET; THENCE RUN N.89°25'11"E. 49.22 FEET; THENCE RUN S.00°22'36"E. A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 492 SQUARE FEET.

AND

BEGIN AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, BOARDMAN AND GOETZ SUBDIVISION LOT 34 REPLAT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGE 19, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND RUN THENCE S.00°22'36"E. 10.00 FEET; THENCE RUN S.89°25'11"W. 49.22 FEET; THENCE RUN N.00°22'36"W. 10.00 FEET; THENCE RUN N.89°25'11"E. A DISTANCE OF 49.22 FEET TO THE POINT OF BEGINNING.

CONTAINING 492 SQUARE FEET.

THIS DESCRIPTION AND SKETCH IS BASED ON THE RECORDED PLATS

FOR: AMANDA L. FRICK

PREPARED: 12/04/19

NOTE: Description and Sketch not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

Prepared by:
JOHN C. BRENDA AND ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS AND MAPPERS
4015 82nd Avenue North
Pinellas Park, Florida 33781
phone: (727) 576-7546 ~ fax: (727) 577-9932

This Description and Sketch was prepared without the benefit of a title search and is subject to all easements, covenants, restrictions and other matters of record.
ATTACHMENT E

SUBDIVISION DECISION
Application

Application No. 19-33000021

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg’s Development Review Services Division, located on the 1st floor of the Municipal Services Building, One 4th Street North.

Application Type:
- Lot Line Adjustment
- Lot Split
- Lot Refacing
- Street Name Change
- Street Closing
- Vacating – Street Right-of-Way
- Vacating – Alley Right-of-Way
- Vacating – Walkway Right-of-Way
- Vacating – Easement
- Vacating – Air Rights

Per: 16.40.140 & 16.70.050

GENERAL INFORMATION

NAME of APPLICANT (Property Owner): Amanda Frick
Street Address: 1215 36th Ave. N.
City, State, Zip: St. Petersburg, FL 33704-1025
Telephone No: 727.439.8154 Email Address: ALF01@gmail.com

NAME of AGENT or REPRESENTATIVE:
- Street Address:
- City, State, Zip:
- Telephone No:
- Email Address:

PROPERTY INFORMATION:
- Street Address or General Location: 1215 36th Ave. N. ROW on North & South 36th Ter. N., Ten feet on both sides, to improve usability
- Parcel ID#: 12-31-6-09495-001-0010

DESCRIPTION OF REQUEST: Vacation of right of way on both 36th Ave. N. and 36th Ter. N., Ten feet on both sides, to improve usability

PRE-APPLICATION DATE: PLANNER:

FEE SCHEDULE

Lot Line & Lot Split Adjustment Administrative Review $200.00 Vacating Streets & Alleys $1,000.00
Lot Line & Lot Split Adjustment Commission Review $300.00 Vacating Walkway $400.00
Lot Refacing Administrative Review $300.00 Vacating Easements $500.00
Lot Refacing Commission Review $500.00 Vacating Air Rights $1,000.00
Variance with any of the above $350.00 Street Name Change $1,000.00
Street Closing $1,000.00

Cash, credit, and checks made payable to the "City of St. Petersburg"

AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City’s Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: Amanda L. Frick Date: 12/3/2019
*Affidavit to Authorize Agent required, if signed by Agent.

Typed name of Signatory: Amanda L. Frick

Page 3 of 6 City of St. Petersburg – One 4th Street North – PO Box 2842 – St. Petersburg, FL 33731-2842 – (727) 893-7471 www.stpete.org/ldr
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

### NEIGHBORHOOD WORKSHEET

<table>
<thead>
<tr>
<th>Street Address:</th>
<th>Case No.:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1215 36th Ave N</td>
<td></td>
</tr>
</tbody>
</table>

**Description of Request:** request to vacate right-of-way on 36th Ave N and 36th Terr N, to improve usability of property

The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):

1. **Affected Property Address:** 1223 36th Ave N  
   **Owner Name (print):** Alice J. Scott  
   **Owner Signature:**  

2. **Affected Property Address:** 1209 36th Ave N  
   **Owner Name (print):** Jeremiah Hartman  
   **Owner Signature:** Rental Property said they've grandfathered and didn't care  

3. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

4. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

5. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

6. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

7. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**  

8. **Affected Property Address:**  
   **Owner Name (print):**  
   **Owner Signature:**
PUBLIC PARTICIPATION REPORT

Application No.____________________

In accordance with LDR Section 16.70.040.1.F., "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a decision requiring a streamline review or public hearing. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, (except when the application is for a local historic district) but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

NOTE: This Report may be updated and resubmitted up to 10 days prior to the scheduled Public Hearing.

APPLICANT REPORT

Street Address: 1215 36th Ave N.

1. Details of techniques the applicant used to involve the public

(a) Dates and locations of all meetings where citizens were invited to discuss the applicant’s proposal

Talked to neighbors, sent application to Magnolia Hts Neighborhood, CONA and FICO.

(b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other publications

(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located

2. Summary of concerns, issues, and problems expressed during the process

No one had a concern.

NOTICE OF INTENT TO FILE

A minimum of ten (10) days prior to filing an application for a decision requiring Streamline or Public Hearing approval, the applicant shall send a copy of the application by email to the Council of Neighborhood Associations (CONA) (c/o Jennifer Joern at variance@stpetecona.org), by standard mail to Federation of Inner-City Community Organizations (FICO) (c/o Kimberly Frazier-Leggett at 3301 24th Ave. S., St. Pete 33712) and by email to all other Neighborhood Associations and/or Business Associations within 300 feet of the subject property as identified in the Pre-Application Meeting Notes. The applicant shall file evidence of such notice with the application.

☐ Date Notice of Intent to File sent to Associations within 300 feet, CONA and FICO: 12/4/2019
☐ Attach the evidence of the required notices to this sheet such as Sent emails.
View to front Right-of-Way from 36th Ave. N.

View to rear right-of-way from 36th Terrace N.

View along 36th Terrace N. Right-of-way in question is in right background of photo.
ATTACHMENT G

MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

TO: Iris Winn, Administrative Clerk, Development Services
     Jennifer Bryla, Zoning Official, Development Review Services
     Scot Bolyard, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: January 15, 2020

SUBJECT: Right of Way Vacations

FILE: 19-33000021

LOCATION AND PIN: 1215 36th Avenue North
12/31/16/09495/001/0010

ATLAS: G-20
Zoning: Neighborhood Traditional Single-family (NT-3)

REQUEST: Approval to vacate 492 square feet of street right-of-way in front of the
house on 36th Avenue North, and 492 square feet of street right-of-way
behind the house on 36th Terrace North to increase usability of lot.

COMMENTS: The Engineering & Capital Improvements Department (ECID) has no objection to vacation
request. Per City utility records the City has no public infrastructure within the right-of-way to be vacated.
However the following issues should be considered by Zoning and the DRC in reviewing this vacation request:

1. Per City Code 16.40.140.4.1, local streets should have a minimum right of way width of 50-feet.
   a. The right of way width of 36th Terrace North adjacent to this single property is 40-feet, but
      along the remainder of this block and along the adjacent block to the east, the right of way
      width is only 30-feet. It appears the additional 10-feet was originally dedicated on this
      property to provide the required width for the south half of the the right of way as required by
      the City Code, but was not dedicated on the remainder of the lots having northern frontage
      along the south side of 36th Terrace North, from 12th Street to 14th Street.
   b. Similarly, the existing right of way width of 36th Avenue North adjacent to this single property
      is 50-feet, which meets the City Code right of way width requirement. However, the remainder
      of the lots on the north side of 36th Avenue North between 12th Street North and 14th Street
      North never dedicated the additional 10-feet of right of way required by Code.

*The dedication of the full right of way width for 36th Avenue North and 36th Terrace North is unlikely
unless replats occur for each property between 36th Avenue North and 36th Terrace North from 12th
Street to 14th Street.

2. Per City Code 16.40.140.4.2, within the NT zoning district a 4-foot wide sidewalk is required in the
southern parkway of 36th Terrace North and within the northern parkway of 36th Avenue North, though
none currently exists.
a. Since 36th Terrace North is currently unpaved, construction of a standard paved road with City Type “B” curb in the future would require 24-feet of the existing 30-foot right of way of 36th Terrace North, leaving insufficient space for a future sidewalk on both sides of the roadway. For this reason, it is recommended that either the northern 3-feet of the requested right of way vacation (along the 36th Terrace North frontage) be retained as public right of way and excluded from this vacation request -OR- as an option, the northern 3-feet of the vacated right of way be retained as Public Street and Sidewalk Easement along the north boundary of the vacated right of way, to retain sufficient space for construction of a future roadway and public sidewalk. *Privately owned above-grade encroachments into this easement area (including but not limited to fences) should not be permitted by the City if the encroachment would block the path of the future public sidewalk.

b. The 40-foot right of way of 36th Avenue North could accommodate the Code required sidewalk, so no additional Sidewalk Easement would be required.

NED/MJR/meh

pc: Kelly Donnelly
Correspondence File
Cheryl,

The Transportation and Parking Management Department discussed the proposed right of way vacations and review by the Engineering and Capital Improvements Department. Since 36th Terrace North is only about an eighth of a mile in length, unpaved and substandard in platted width, we believe the cost of upgrading this road to City standards for width and pavement and providing sidewalks on both sides would exceed the benefit for pedestrian travel. A sidewalk on the southern side of 36th Terrace North adjacent to the subject property and neighboring properties would be along the rear yards, where motor vehicles are parked, which would create a potential conflict between parked cars and pedestrians along this narrow road. Sidewalks exist along nearby roads such as 14th Street and 36th Avenue North that provide longer walking distances in the grid network. We have no objections to the proposed right of way vacations on 36th Avenue North and 36th Terrace North.

Tom Whalen, AICP CTP, ENV SP
Planner III
City of St. Petersburg
727-893-7883
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Development Services Department records, Commissioners Calvin Samuel, Jessica Ehrlich, and Tim Clemmons reside or have 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 & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on February 5, 2020 at 2:00 P.M. at The Sunshine Center Auditorium, 330 5th Street North, St. Petersburg, Florida.

CASE NO.: 19-3300022
PLAT SHEET: E-1

REQUEST: Approval of a vacation of a 20-foot wide public utility and access easement located on Lots 1 and 2 in Block 1 of the 334 St. Pete Subdivision recorded in Book 143, pages 96-98.

OWNERS: A L V 334 St. Pete, LLC
800 Brickell Avenue, Unit PH1
Miami, Florida 33131

Echelon Realty Investments, LLC
235 3rd Street South, Suite 200
Saint Petersburg, Florida 33701

AGENT: Catherine Bosco
George F. Young
1604 East 4th Avenue
Tampa, Florida 33605

ADDRESSES AND PARCEL ID NOS.: 352 2nd Avenue South; 19-31-17-90465-001-0010
235 3rd Street South, Suite 200; 19-31-17-90465-001-0020

LEGAL DESCRIPTION: On File

ZONING: Downtown Center (DC-1)
DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 20-foot wide public utility and access easement located on Lots 1 and 2 in Block 1 of the 334 St. Pete Subdivision.

The area of the right-of-way proposed for vacation is depicted on the attached map (see Attachment A) and description and sketch (see Attachment B). The applicant’s goal is to vacate the public utility and access easement and to replace it with a private utility easement. The existing public utility and access easement was required as a condition of approval of Ordinance 1077-V (see Attachment C), which originally vacated the alley (DRC Case 15-33000023), approved by City Council on February 18, 2016.

Analysis. Staff’s review of a vacation application is guided by:
A. The City’s Land Development Regulations (LDR’s);
B. The City’s Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant does provide background supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

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 application was routed to City Departments and Private Utility Providers for review and comment. Engineering and Water Resources identified an existing sanitary sewer line located within the public utility easement requested to be vacated, see Attachments D and E. Private Utility Providers indicated that they have facilities in the area to be vacated and that an easement will be required to be dedicated, or facilities will be required to be relocated at the owner’s expense. As a result of the issues identified, conditions of approval have been included at the end of this report requiring relocation of the public sanitary sewer out of the public easement to be vacated; and, a private utility easement be recorded covering the entire area to be vacated, or relocate private utilities at the owner’s expense.

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.

   Approval of the easement vacation will not deny access to any lot of record. All properties will continue to have access to abutting public rights-of-way. The vacation of the alley that previously existed in the same location as the easement was recommended for approval by the Development Review Commission and approved by City Council via Ordinance 1077-V.
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.

This vacation, if approved, will not create any dead-end rights-of-way or alter existing utilized travel patterns. Both of the adjacent blocks to the east and west have had their alloys vacated. As a result, this request is not anticipated to have any impacts to the existing roadway network.

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.

There is a present and future need for the easement for existing public and private facilities within the area proposed for vacation. Engineering and Water Resources both identified that there is a sanitary sewer located within the area to be vacated. Bright House, Duke Energy and Frontier Communications indicated that they have private facilities that would be affected by the request. As a result, conditions of approval have been included requiring the applicant to relocate the sanitary sewer and either provide a private utility easement or relocate private utilities.

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

The subject block is included in the Intown Activity Center area. Please see comments below under Special Area Plans.

B. Comprehensive Plan

Future Land Use Element Policy T1.6 The City shall support high-density mixed-use developments and redevelopments in and adjacent to Activity Centers, redevelopment areas and locations that are supported by mass transit to reduce the number and length of automobile trips and encourage transit usage, bicycling and walking.

Future Land Use Element Policy T2.4 The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use.

The vacation of this easement will promote redevelopment within an Activity Center which is a policy of the Comprehensive Plan. The easement is presently being used for sanitary sewer service. Staff has included conditions of approval requiring the applicant to relocate the existing sanitary sewer and provide a private utility easement or relocate private utilities, if necessary, to address this.
C. Adopted Neighborhood or Special Area Plans

The subject right-of-way is within the boundaries of the Downtown Neighborhood Association. There are no adopted neighborhood plans which affect vacation of right-of-way in this area of the City.

The subject property is within the boundaries of the Intown Activity Center. The Intown Activity Center plan has three elements which may apply to the vacation of right-of-way:

One Objective is to provide greater accessibility to Intown activity areas and visual assets through the development of an integrated movement system for vehicles, transit, pedestrians and parking and one of those elements is to "utilize existing sidewalks and alleys for establishing a pedestrian system base".

The vacation of the subject easement will not enhance pedestrian options. However, the blocks directly to the east and west of the subject block have both been previously vacated. As a result, there does not exist a network of alleys that could be utilized to establish a linked pedestrian system.

Under the Residential Development Program it is noted that the "City may initiate vacation of alleys and streets for development".

While this is not a City initiated vacation, the policy allows vacation of alleys specifically for residential development.

One of the Development Guidelines is to "To encourage consolidation of blocks and promote a unified development concept, the City will consider the closing of selected streets and alleyways in accordance with an appropriate proposal".

This proposed vacation is in support of redevelopment of the block. The northern half of the block is proposed for a 24-story apartment building with 217-units and a parking garage. The southern half of the block is planned for redevelopment; however, a plan has yet to be submitted.

Comments from Agencies and the Public. Staff did not receive any correspondence from the public regarding the requested vacation of right-of-way.

The request to vacate the easement was routed to City Departments and Private Utility Providers for comments. The Engineering Department’s Memorandum dated January 14, 2020 (see Attachment D) states that they have conditions of approval including that the applicant relocate the existing public sanitary sewer out of the easement and provide a private easement for any portion of the sanitary sewer, potable water or fire services that will be required for servicing the property located at 235 3rd Street South. Water Resources provided a letter of no objection to the request, provided that certain conditions are met when relocating the existing sanitary sewer (see Attachment E). Private Utility Providers also indicated that they have facilities within the easement to be vacated (see Attachment F). As a result, conditions of approval have been included requiring the applicant to relocate the existing sanitary sewer and provide a private utility easement or relocate private utilities, if necessary.
RECOMMENDATION. Staff recommends APPROVAL of the proposed public utility and access easement vacation. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording of the vacation ordinance, the applicant shall relocate the public sanitary sewer out of the public easement to be vacated and provide a private easement for any portion of the sanitary sewer, potable water or fire services that will be required for servicing the property located at 235 3rd Street South.

2. Prior to recording of the vacation ordinance, the applicant shall obtain letters of no objection from all private utility providers and address the location of private utilities by providing a private utility easement covering the entire area to be vacated, or relocate private utilities at the owner’s expense.

3. The applicant shall comply with all conditions of approval provided within the Engineering Memorandum dated January 14, 2020.

4. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

REPORT PREPARED BY:

[Signature]
Scot Bolyard, AICP, Deputy Zoning Official
Development Review Services Division
Planning and Development Services Department

DATE 1/29/20

REPORT APPROVED BY:

[Signature]
Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning and Development Services Department

DATE 1.29.2020

Project Location Map
City of St. Petersburg, Florida
Planning and Development Services
Department
Case No.: 19-33000022
Address: 352 2nd Avenue South and 235 3rd Street South
LEGAL DESCRIPTION

That certain 20-foot East-West Public Utility Easement and Public Ingress/Egress Easement lying within Lot 1 and Lot 2, Block 1, 334 ST PETE, according to the Plat thereof as recorded in Plat Book 143, Pages 96 through 98 inclusive, Public Records of Pinellas County, Florida, being described as follows:

Commence at the Northwest corner of said Lot 1; thence along the West line of said Lot 1, South 00°01’15” East, 100.00 to a point lying 10.00 feet North of the Southwest corner of said Lot 1, said point being the POINT OF BEGINNING; thence continuing along the said West line of Lot 1 and the West line of aforesaid Lot 2, South 00°01’15” East, 20.00 feet to a point lying 10.00 feet South of the Northwest corner of said Lot 2; thence, leaving the West line of said Lot 2, North 90°00’00” East, along a line being 10.00 feet South of and parallel with the North line of said Lot 2, 350.00 feet to a point on the East line of said Lot 2, said point being 10.00 feet South of the Northeast corner of said Lot 2; thence along the East line of said Lot 2 and the East line of aforesaid Lot 1, North 00°01’15” West, 20.00 feet to a point lying 10.00 feet North of the Southeast corner of said Lot 1; thence South 90°00’00” West, along a line being 10.00 feet North of and parallel with the South line of said Lot 1, 350.00 feet to the POINT OF BEGINNING.

St. Petersburg Florida

Containing 7,300 square feet or 0.16 acre, more or less.

NOTES

1. Basis of Bearings: SOO°01’15”E along the West line of Lot 1, Block 1, 334 ST PETE, as recorded in Plat Book 143, Page 96, Public Records of Pinellas County, Florida.

2. NOT A BOUNDARY SURVEY.

3. This sketch is a graphic illustration for informational purposes only and is not intended to represent a field survey.

4. This sketch is made without the benefit of a title report or commitment for title insurance.

5. Additions or deletions to survey maps and reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.

6. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.

LEGEND

| LB | Licensed Business |
| LS | Land Surveyor |
| PSM | Professional Surveyor and Mapper |

PREPARED FOR: AMERICAN LAND VENTURES, LLC.

334 ST PETE
DESCRIPTION AND SKETCH

SECTION 19, TOWNSHIP 31S, RANGE 17E

Catherine Bosco PSM LS 6257
NOVEMBER 15, 2019

George F. Young, Inc.
290 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701
PHONE (727) 822-4017 FAX (727) 822-2891
BUSINESS ENTITY LBP: WWW.GEORGEFYOUING.COM
CIVIL & TRANSPORTATION ENGINEERING, ECOLOGY, GIS, LANDSCAPE ARCHITECTURE, PLANNING & SURVEYING, SUBSURFACE UTILITY ENGINEERING, GAINESVILLE • LAKEWOOD RANCH • ORLANDO • ST. PETERSBURG • TAMPA

JANUARY 15, 2019 10:31 AM
PDF FILE: 11/15/2019 1:03:01 AM
L331: Kime, Greg
ORDINANCE NO. 1077-V

AN ORDINANCE APPROVING A VACATION OF A TWENTY (20) FOOT EAST/WEST ALLEY IN THE BLOCK BOUNDED BY 2ND AVENUE SOUTH AND 3RD AVENUE SOUTH BETWEEN 3RD STREET SOUTH AND 4TH STREET SOUTH; 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 on January 6, 2016 (City File No. 15-33000023):

That certain 20 foot alley lying between Lots 1 through 9, Block 54 and Lots 12 through 20, Block 54, REVISED MAP OF THE CITY OF ST. PETERSBURG, as recorded in Plat Book 1, Page 49 of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part. See attached Exhibit “A” – 2 pages.

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. Prior to recording of the vacation ordinance, the applicant shall address the location of public utilities and services by providing a public utility easement covering the entire area to be vacated, or relocating City and private utilities at the owner’s expense. In either case a written letter of no objection from the utility providers is required stating that the easement is sufficient for their interest, or that the facilities have been relocated.

2. Prior to recording of the vacation ordinance, the applicant shall provide an alternative approved by the City of St Petersburg’s Sanitation Department for sanitation pickup locations. Future sanitation locations shall be located behind proposed structures and shall not be visible from Avenues and shall not be located in the City right-of-way.


4. Prior to the recording of the vacation ordinance, provide written correspondence from the City’s Fire Department that access has been ensured or the required fire department connections on the alley have been relocated at the owner’s expense.

5. Prior to the recording of the vacation ordinance, the alley along with the abutting properties shall be replatted.

6. As required City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.
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.

First Reading held on the 4th day of February, 2015.

Adopted by St. Petersburg City Council on second and final reading on the 18th day of February, 2016.

ATTEST: [Signature]
Chan Srinivasa, City Clerk

Amy Foster, Chair-Councilmember
Presiding Officer of the City Council

(City File: 15-33000014)
Title Published: Times 1-t 2/5/16

Not vetoed. Effective date Thursday, February 25, 2016 at 5:00 p.m.
TO: Iris Winn, Administrative Clerk, Development Services
    Jennifer Bryla, Zoning Official, Development Review Services
    Scot Bolyard, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: January 14, 2020

SUBJECT: Easement Vacations

FILE: 19-33000022

LOCATION AND PIN: 352 2nd Avenue South; 19/31/17/90465/001/0010
235 3rd Street South, Suite 200; 19/31/17/90465/001/0020

ATLAS: E-1

Zoning: Downtown Center (DC-1)

REQUEST: Approval of a vacation of a 20-foot wide public utility and access
easement located on Lots 1 and 2 in Block 1 of the 334 St. Pete
Subdivision recorded in Book 143, pages 96-98.

COMMENTS: The Engineering & Capital Improvements Department (ECID) has no objection to the vacation request with the following conditions of approval:

1. The easement vacation shall not be finalized until after the public sanitary sewer has been relocated out of the public easement to be vacated and the work has been accepted by the City. Per conditions of the associated right of way vacation case number 15-33000023, the applicant is required to relocate the 8" public sanitary sewer currently located with the Public Utility and Access Easement, around the subject site. All construction shall be in compliance with current City Engineering Standards and Specifications and subject to City approval. Necessary design, permitting and construction for the abandonment of the existing sanitary main and reconstruction of the new sanitary main shall be by and at the sole expense of the applicant / developer.

   *Abandoned portions of the existing sanitary sewer main within the public right of way of 3rd Street and 4th Street shall be completely removed from the public right of way or filled with excavatable flowable fill and grout tubes as part of the sanitary sewer relocation plan.

2. A private sanitary sewer easement must be provided for any portion of the service lateral servicing the existing property located at 235 3rd Street South (parcel #19/31/17/90465/001/0020) which must cross private property in the ownership of another. Submit a copy of the location of the private sewer lateral and the recorded private easement instrument for City records. This water/fire service is located in the easement to be vacated just west of 4th Street South.

3. A private water service easement must be provided for any portion of the potable water or fire service servicing the existing property located at 235 3rd Street South (parcel #19/31/17/90465/001/0020) which must cross private property in the ownership of another. Submit a copy of the location of the water/fire services and the recorded private instrument for City records. The water/fire services are located in the vacated easement just west of 4th Street South.
4. Existing alley brick and granite curb within the vacated easements shall remain the property of the City of St. Petersburg and shall be removed, neatly stacked and palletized for return to the City Maintenance Yard located at 1635 3rd Avenue North by and at the sole expense of the developer. The brick and granite are historic features owned by the public which must be returned to the City since all public interest in this area is being vacated.

   a. Redundant vacated alley approaches (to 3rd Street and 4th Street) shall be removed from the public right of way if not to be used as private access for the redevelopment site. Roadway curb to be restored to a raised curb to match existing adjacent curb type.

   b. If the vacated public easement is continued to be used for private access by the north and/or south half of the block, private ingress/egress easement must be dedicated to maintain a legal access for any travel path which traverses property in the ownership of another. Provide evidence of the private ingress/egress easement if applicable, for City files.

   c. If there is no intent to dedicate private ingress egress easement the vacation of the public easement will eliminate the northern access to the southern half of the block. Without the benefit of a private ingress/egress easement, the parking lots south of the vacated easements must be redesigned for access only from 3rd Avenue South.

5. Any construction within the 3rd Street or 4th Street rights-of-way will require approval/permitting through FDOT. The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for future development on this site. Plans and specifications are subject to approval by the Florida state board of Health.

NED/MJR/meh

pc: Kelly Donnelly
   Correspondence File
MEMORANDUM
CITY OF ST. PETERSBURG
Water Resources Department

TO: Jennifer Bryla, Zoning Official

FROM: Kirsten Corcoran, Engineering Clerk, Water Resources

DATE: January 10, 2020

SUBJECT: Approval of a vacation of a 20-foot wide public utility and access easement located on Lots 1 and 2 in Block 1 of the 334 St. Pete Subdivision recorded in Book 143, pages 96-98.

PLAT: E-1

CASE: 19-33000022

LOCATION: 352 2nd Avenue South; 19-31-17-90465-001-0010
235 3rd Street South, Suite 200; 19-31-17-90465-001-0020

REMARKS: Water Resources has no objection to the above referenced subject, provided that the existing 8" sanitary sewer in the alley will be properly abandoned (grouted or removed) and that the neighbor's sanitary service lateral services are connected to the new proposed sewer system /manhole. Also, the neighbor's water/fire utility services are preserved.
January 9, 2020

Iris Winn  
Administrative Clerk  
Planning and Development Services  
City of St. Petersburg

RE:  20' Utility Easement Vacate  
Section 19, Township 31 South, Range 17 East, Pinellas County, Florida  
Case #: 19-33000022  
Address: 352 2nd Ave S. and 235 3rd St. S., St. Petersburg  
Parcel ID: 19-31-17-90465-001-0010 and 19-31-17-90465-001-0020

Dear Ms. Winn:

Please be advised that DUKE ENERGY FLORIDA, LLC., d/b/a DUKE ENERGY Distribution Department and Transmission Department have “OBJECTIONS” to the approval of a vacation of a 20' Utility Easement, as shown on accompanying Exhibit.

This is due to Overhead facilities in the area. No Objection letter would be provided upon the removal/relocation of existing facilities OR granting of a Duke Energy easement over the described property. Removal or relocation will need to be handled by a Duke Energy Engineer.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Jonathan Kasper

Jonathan Kasper  
Research Specialist-Land Services  
Duke Energy Florida
12/30/2019

Attn: Scot Bolyard
Planner I, Planning & Development Services
City of St. Petersburg
One 4th St N
St. Petersburg, FL 33701

RE: 19-33000022 – Vacate Easement – 352 2nd Ave S and 235 3rd St S

Dear Mr. Bolyard,

☐ Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided.

☐ Frontier Communications has no objection to the above referenced request as per the attachment.

☑ Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W.

☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project.

☐ Frontier Communications has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier Communications facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier Communications facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley
Frontier Communications
Regional Rights of Way & Municipal Affairs Manager
December 30-19-19

RE: 19-33000022

___ Bright House Networks has no objections.

XXX Bright House Networks has no objections provided easements for our facilities are Retained / granted

Bright House has no objections provided applicant bears the expense for relocation of any Bright House facilities to maintain service to customers affected by the proposed Vacate.

___ In order to properly evaluate this request, Bright House will need detailed plans of facilities proposed for subject areas.

___ Bright House has facilities within this area, which may conflict with subject project Please call 811 for locating. SEE NOTES

___ Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES:

Sincerely,
Ted Bingham
Bright House Networks
Field Engineer
Pinellas County
727-329-2847
VACATION OF RIGHT-OF-WAY
PUBLIC HEARING

According to Planning & Development Services Department records, Commissioner Calvin Samuel 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 & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on February 5, 2020 at 2:00 P.M. at The Sunshine Center Auditorium, 330 5th Street North, St. Petersburg, Florida.

CASE NO.: I9-33000023 PLAT SHEET: G-2
REQUEST: Approval of a vacation of an 11-foot alley between Commercial Avenue South and the CSX Transportation, Inc. property north of 1st Avenue South, between Lots 20 and 21 of McAdoo’s Replat.

OWNER: Collective Edge, LLC
c/o PTM Partners, LLC
6619 South Dixie Highway, Unit 589
South Miami, Florida 33143

AGENT: Craig Taraszki
Johnson, Pope, Bokor, Ruppel & Burns, LLP
333 3rd Avenue North, Suite 200
Saint Petersburg, Florida 33701

ADDRESS AND PARCEL ID NOS.: Southwestern Terminus of Commercial Avenue South
24-31-16-53478-000-0170 and 24-31-16-53478-000-0210

ZONING: Downtown Center (DC-1)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate an 11-foot-wide alley between Lots 20 and 21 of McAdoo’s Replat of 1921. The alley is located just south of Commercial Avenue South in the EDGE District, within the Intown West Redevelopment Area. The alley is adjoined by Lots 20 and 21
which are both owned by the Applicant. The CRA unanimously approved the site plan related to this vacation at its hearing on December 12, 2019.

The area proposed for vacation is depicted on the attached maps (see Attachment A and B) and the Sketch and Description (Attachment C). The alley is 83.27 feet long by 11 feet wide (982 square feet). See photos of the area in Attachment D.

The purpose of the vacation is to effectuate a commercial site plan for the property to include property owned by the applicant to the east and west of the alley in accordance with the CRA approval (see Attachment E for the site plan reference drawing).

**Analysis.** Staff's review of a vacation application is guided by:

A. The City's Land Development Regulations (LDR's);
B. The City's Comprehensive Plan; and
C. Any adopted neighborhood or special area plans.

The Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public rights-of-way. In this case, the material submitted by the applicant does provide background or analysis supporting a conclusion that vacating the subject rights-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

**A. Land Development Regulations**

Section 16.40.140.2.1.E of the LDR sets forth the criteria for the review of proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

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

The application was routed to City Departments and private utility providers. No City Department, including the Sanitation, Fire or Transportation Departments, has objected to the application. Engineering has identified two issues to be addressed prior to redevelopment of the site (see Attachment F for the Engineering Review Memo dated January 14, 2020).

In terms of private utility providers, there were also no objections to the application, however CenturyLink has not yet responded to a request for comment. A Condition of Approval has been added requiring an easement to this utility should any of their assets be identified within the area of vacation.

2. **Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.**

If the alley is vacated, primary access to the surrounding properties will continue to be via public streets including Central Avenue and Commercial Avenue South. The vacation will not deny access to any lot of record.
3. Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.

The vacation will not impact the existing roadway network or 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 area is not located in a designated historic neighborhood.

The subject alley is currently a dead-end right-of-way which extends from Commercial Avenue South to the CSX Transportation property just north of 1st Avenue South. It is not currently utilized as an alley, it is part of a striped parking lot (see photos in Attachment D). Commercial Avenue South is an existing dead-end street connected to the subject alley as well as an 11-foot alley to the north which connects to Central Avenue. If the subject alley is vacated, the street system will continue to function as it currently does. The northern alley is not proposed for vacation.

4. Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.

No City Department or current planning document has identified the alley as necessary for present or future public vehicular or pedestrian access. This is discussed in further detail in Section B, below.

All utility companies with facilities within the right-of-way will require easements for maintenance and access to their assets if the alley is vacated.

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

The applicant's site plan, which includes a depiction of a vacated alley, has been approved by the CRA and is supported by the EDGE District. This is discussed in further detail in Section B, below.

B. Comprehensive Plan

The City's current Comprehensive Plan contains Goals, Objectives and Policies related to land use and transportation. Those applicable to the subject application have been identified below in italics. Commentary regarding whether the application advances the Goals, Objectives and Policies, or hinders achievement of same is provided after.

1. Goals, Objectives and Policies from the Land Use Element applicable to the subject application include:

   Land Use Element Goals:
   • (2) Protect and enhance the fabric and character of neighborhoods;
   • (4) Assure that services and facilities are provided at the adopted level of service concurrent with existing and future demand; and
(5) Attain the highest level of economic well-being possible for the city and its citizens.

Response to LU Goals 2, 4 and 5: The application would not impair the foregoing goals of the Land Use Element. Because vacation of the alley is associated with a commercial redevelopment project, the application would advance economic development goal #5 by providing the type of redevelopment project the City seeks for this area.

2. Goals, Objectives and Policies from the Transportation Element applicable to the subject application include:

Obj. T2: The City shall protect existing and future transportation corridors from encroachment.

Policy T2.4 The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use.

Response to TE Policy T2.4: Approval of the application would not impair the intent and purpose of this policy because it has been determined that the alley is not required for present or future public use as an alley. Approval of the site plan for the property by the CRA indicates that the proposed use of the alley for private development in this redevelopment area is a suitable use.

C. Adopted Neighborhood or Special Area Plans

This area is included in the Intown West Redevelopment Plan and the EDGE District Improvement Plan (2016). As previously noted, the proposed project’s site plan was approved by the CRA as a redevelopment project suitable for the area. The EDGE District Improvement Plan shows the alley in several of its renderings, however the renderings appear to be simply acknowledging the existing nature of the alley. There is no specific reference to the alley or its retention. The Improvement Plan does, however, appear to call out the area along Brooker Creek to the west of this site, were it to become public land in the future, as the place where a pedestrian connection between Central Avenue and 1st Avenue South is preferred.

The two concept plans for the Tropicana Field area also do not show a pedestrian or other connection between the stadium area and the subject alley. See Attachment G for images from the EDGE District Improvement Plan and the Tropicana Field area plans.

Comments from Agencies and the Public. The EDGE District supports the application (see Attachment H for the application including signed Public Participation Report). As of January 17, 2020, City Staff has received no other comments from the public on the application, including CONA and FICO.

RECOMMENDATION. Staff recommends APPROVAL of the proposed alley vacation, and the following conditions of approval:

1. A replat of the area is required. Per 16.40.140.2.1.F, all vacated rights-of-way and abutting properties shall be replatted, prior to the vacation becoming effective.
2. The comments in the Engineering Review Memo dated January 14, 2020 shall be addressed prior to redevelopment of the site.

3. Any required relocation of existing utilities shall be at the expense of the applicant.

4. The applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s).

5. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

6. Prior to recording the vacation ordinance, the Applicants shall provide a letter of no objection from WOW! and CenturyLink. If these entities do have facilities in the rights-of-way, the Applicants shall either relocate the facilities or provide an easement acceptable to the respective utilities.

REPORT PREPARED BY:

Cheryl Bergaño, AICP, LEED Green Assoc., Planner II
Development Review Services Division
Planning & Development Services Department

DATE
1/24/20

REPORT APPROVED BY:

DATE
1/23/20

11 FOOT ALLEY TO BE VACATED

THAT PORTION OF AN 11 FOOT ALLEY LYING EASTERLY OF LOT 20, SOUTHERLY OF COMMERCIAL AVENUE SOUTH, WESTERLY OF LOT 21 AND NORTHERLY OF THE NORTH RIGHT OF WAY LINE OF 1ST AVENUE SOUTH, ALL AS SHOWN IN MCADOO'S REplat, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 31, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

THE ABOVE DESCRIBES AN AREA OF 0.023 ACRES OR 982 SQUARE FEET. MORE OR LESS.

NOTES:

1. I, MARK G. LEIST, HEREBY CERTIFY THAT THIS SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO CHAPTER 472 OF THE FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

2. THE USE OF THIS DOCUMENT'S FORMAT IS STRICTLY PROHIBITED AND CONTINGENT UPON THE WRITTEN CONSENT AND PERMISSION OF BOCK & CLARK CORPORATION, AN NV5 COMPANY. © 2019 BOCK AND CLARK CORPORATION, AN NV5 COMPANY

MARK G. LEIST
REGISTRATION NO. PSM 5836
IN THE STATE OF FLORIDA
DATE OF SKETCH: APRIL 4, 2019
DATE OF LAST REVISION: AUGUST 9, 2019
SKETCH & DESCRIPTION PREPARED BY:
BOCK & CLARK CORP., AN NV5 COMPANY L.B. 7386
8111 BLAIKIE COURT, SUITE B
SARASOTA, FL 34240
PHONE: (800) 787-8395
FAX: (941) 379-3083
EMAIL: mvukoder@bockandclark.com
NOT VALID UNLESS SIGNED, DATED AND STAMPED WITH SURVEYOR'S EMBOSSED SEAL

Bock & Clark Corporation
an NV5 Company

NV5

Transaction Services 1-800-SURVEYS (787-8397)
3550 W. Market Street, Suite 200, Akron, Ohio 44333
www.BockandClark.com maywehelpyou@bockandclark.com www.NV5.com
SURVEY • ZONING • ENVIRONMENTAL • ASSESSMENT

SHEET 1 OF 2
NETWORK PROJECT NO. 201805552-001
SKETCH AND DESCRIPTION
NOT A BOUNDARY SURVEY
SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION

COMMERCIAL AVENUE SOUTH
11 PLATTED ALLEY TO BE VACATED
±0.023 ACRES

1ST AVENUE SOUTH
NO PUBLIC RIGHT OF WAY
ASPHALT ROAD

Bock & Clark Corporation
an NV5 Company

NV5
Transaction Services 1-800-SURVEYS (787-8397)
3550 W. Market Street, Suite 200, Akron, Ohio 44333
www.BockandClark.com maywehelpyou@bockandclark.com www.NV5.com

SURVEY • ZONING • ENVIRONMENTAL • ASSESSMENT

SCALE: 1" = 80'

0'  40'  80'  120'  160'

SHEET 2 OF 2
NETWORK PROJECT NO. 201805552-001
ATTACHMENT F
MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING & CAPITAL IMPROVEMENTS DEPARTMENT (ECID)

TO: Iris Winn, Administrative Clerk, Development Services
     Jennifer Bryla, Zoning Official, Development Review Services
     Cheryl Bergailo, Development Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: January 14, 2020

SUBJECT: Alley Vacations

FILE: 19-33000023

LOCATION AND PIN: Southwestern terminus of Commercial Ave. South
                  24/31/16/53478/000/0170
                  24/31/16/53478/000/0210

ATLAS: G-2  Zoning: Downtown Center (DC-1)

REQUEST: Approval to vacate the 11-foot alley between Commercial Avenue South
           and the CSX Transportation, Inc. property north of 1st Avenue South,
           between Lots 20 and 21 of McAdoo’s Replat to facilitate redevelopment
           of the parcel.

COMMENTS: The Engineering & Capital Improvements Department (ECID) has no objection to the vacation
           request provided the following comments are addressed as part of the redevelopment plan for this site:

1. City utility records indicate that the City does not have public infrastructure within the portion of the
   north/south alley south of Commercial Avenue South, so there is no public need to retain easement over
   this vacated alley.

2. However, it is noted that the remaining north/south alley north of Commercial Avenue South, is also only
   11-feet wide. City Land Development Code Section 16.40.140.4.3 requires downtown district alleys to have a
   minimum width of 20-feet, and to be paved. Prior to redevelopment of this site, ECID recommends that an
   additional 9-feet of alley right of way be dedicated adjacent to the western boundary of this remaining
   alley extending from Commercial Avenue South to Central Avenue to meet this code
   requirement. Additional corner radius right of way shall also be provided at the intersection of the
   north/south alley with Commercial Avenue South sufficient to accommodate the turning radius for
   sanitation vehicles. With submittal of the redevelopment plan, the applicant’s Engineer of Record must
   provide a pavement design for the alley connection to Commercial Avenue South with overlay showing
   the paving can accommodate the truck turning motions and the applicant shall pave the north south alley
   to meet current City ECID standards and specifications as necessary to accommodate this vehicular
   movement. Necessary design, permitting, and construction shall be at the sole expense of the developer.

3. The widening of the north/south alley right of way noted in #2 above, will also provide additional needed
   easement for the existing north/south 8” public sanitary sewer main and public manhole structure G2-170,
   which are located within the north/south alley, north of Commercial Avenue South. City standards
   requires the dedication of a minimum 20-foot wide easement centered over sanitary sewer mains to
   provide adequate space for sanitary sewer maintenance and replacement in the future.
The Engineer of Record the City has no utilities within the alley and has no need for a utility easement in place of the vacated alley right-of-way.

NED/MJR/meh

pc: Kelly Donnelly
    Correspondence File
ATTACHMENT G—RELEVANT PLANNING DOCUMENTS

The Edge District Improvement Plan, December 2016.

Tropicana Field Concept Master Plan (Scenario 1), March 2017.

The District Concept Master Plan (Scenario 2), November 2018.
**ATTACHMENT H**

**SUBDIVISION DECISION Application**

Application No. **14-33000023**

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1st floor of the Municipal Services Building, One 4th Street North.

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<td>Vacating - Air Rights</td>
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</table>

| Per: | 16.40.140 & 16.70.050 |

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### GENERAL INFORMATION

**NAME of APPLICANT (Property Owner):** Collective Edge LLC

**Street Address:** c/o PTM Partners LLC, 6619 S. Dixie Hwy, Unit 589

**City, State, Zip:** Miami, FL 33143

**Telephone No:** 201-725-8591 | **Email Address:** nicholas@ptmpartners.com (Nick Pantuliano)

**NAME of AGENT or REPRESENTATIVE:** Craig Taraszki (Johson, Pope, Bokor, Ruppel & Burns, LLP)

**Street Address:** 333 3rd Ave North, Suite 200

**City, State, Zip:** St Petersburg, FL 33701

**Telephone No:** 727-800-5980 | **Email Address:** craigt@jpfirm.com

### PROPERTY INFORMATION:

**Street Address or General Location:** Block bounded by Central Ave, 11th St S, 13th St S and 1st Ave S

**Parcel ID#(s):** 24-31-16-53478-000-00210 & 24-31-16-53478-000-0170

### DESCRIPTION OF REQUEST:

**Vacation of approximately 11-foot wide north-south alley south of Commercial Ave S**

**PRE-APPLICATION DATE:** August 16, 2019 | **PLANNER:** Jennifer Bryla and Corey Malyszka

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### FEE SCHEDULE

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<tr>
<td>Street Closing</td>
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</table>

Cash, credit, and checks made payable to the "City of St. Petersburg"

---

### AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City’s Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

**NOTE:** IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: ____________________________

*Affidavit to Authorize Agent required, if signed by Agent.

Typed name of Signatory: Craig Taraszki (as Agent)

Date: November 25, 2019

Page 3 of 6 | City of St. Petersburg – One 4th Street North – PO Box 2842 – St. Petersburg, FL 33731-2842 – (727) 893-7471

www.stpete.org/idr
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

### NEIGHBORHOOD WORKSHEET

<table>
<thead>
<tr>
<th>Street Address:</th>
<th>Case No.:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Request:</td>
<td>Vacation of north-south alley, south of Commercial Ave South.</td>
</tr>
</tbody>
</table>

The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):

1. **Affected Property Address:** 1100, 1120, 1122, 1126 Central Ave  
   Owner Name (print): Tricera 1100 Block LLC  
   Owner Signature: [Signature]

2. **Affected Property Address:**  
   Owner Name (print):  
   Owner Signature:  

3. **Affected Property Address:**  
   Owner Name (print):  
   Owner Signature:  

4. **Affected Property Address:**  
   Owner Name (print):  
   Owner Signature:  

5. **Affected Property Address:**  
   Owner Name (print):  
   Owner Signature:  

6. **Affected Property Address:**  
   Owner Name (print):  
   Owner Signature:  

7. **Affected Property Address:**  
   Owner Name (print):  
   Owner Signature:  

8. **Affected Property Address:**  
   Owner Name (print):  
   Owner Signature:
In accordance with LDR Section 16.70.040.1.F.2. “It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a permit requiring review and public hearing. The applicant, at his option, may elect to include neighborhood mediation as a preparatory step in the development process. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process.”

### APPLICANT REPORT

**Street Address:** Parcel Nos. 24-31-16-53478-000-0210 & 24-31-16-53478-000-0170

1. **Details of techniques the applicant used to involve the public**
   - (a) Dates and locations of all meetings where citizens were invited to discuss the applicant’s proposal
   - (b) Content, dates mailed, and number of mailings, including letters, meeting notices, newsletters, and other publications
   - Application emailed to Another Little Central Avenue Building LLC (owner of 1180 Central Ave) and Tricera 1100 Block LLC (owner of 1100, 1120, 1122 and 1126 Central Ave) on November 25, 2018.

   Application emailed to Barbara Voglwedde, the Executive Director of EDGE Business District Association on November 25, 2019.

   - (c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located

2. **Summary of concerns, issues, and problems expressed during the process**

3. **Signature or affidavit of compliance – President or vice-president of any neighborhood associations**
   - Check one:  
     - [X] Proposal supported
     - [ ] Do not support the Proposal
     - [ ] Unable to comment on the Proposal at this time
     - [ ] Other comment(s):

   Association Name: EDGE Business District

   President or Vice-President Signature

   If the president or vice-president of the neighborhood association are unavailable or refuse to sign such certification, a statement as to the efforts to contact them and (in the event of unavailability or unwillingness to sign) why they were unable or unwilling to sign the certification.
SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Development Services 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 & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on February 5, 2020 at 2:00 P.M., at The Sunshine Center Auditorium, 330 5th Street North, St. Petersburg, Florida.

CASE NO.: 19-32000021      PLAT SHEET: I-11

REQUEST: Approval of a modification to a previously approved Special Exception and related Site Plan to increase the number of children from 77 to 134 for a child care facility in the NSM-1 zoning district.

OWNER: James B. Sanderlin Family Service Center, Inc.
2335 22nd Avenue South
Saint Petersburg, Florida 33712

AGENT: Celeste Thomas
2335 22nd Avenue South
Saint Petersburg, Florida 33712

ADDRESS: 2335 22nd Avenue South

PARCEL ID NOS.: 26-31-16-00000-440-1200

LEGAL DESCRIPTION: On File

ZONING: Neighborhood Suburban Multifamily (NSM-1)

SITE AREA TOTAL: 202,120 square feet or 4.64 acres

GROSS FLOOR AREA:
Existing: 23,281 square feet 0.12 F.A.R.
Proposed: 23,281 square feet 0.12 F.A.R.
Permitted: 101,060 square feet 0.50 F.A.R.

BUILDING COVERAGE:
Existing: 23,281 square feet 12% of Site MOL
Proposed: 23,281 square feet 12% of Site MOL
Permitted: N/A

IMPERVIOUS SURFACE:
Existing: 46,756 square feet 23% of Site MOL
Proposed: 48,053 square feet 24% of Site MOL
Permitted: N/A

OPEN GREEN SPACE:
Existing: 155,364 square feet 77% of Site MOL
Proposed: 154,067 square feet 76% of Site MOL

PAVING COVERAGE:
Existing: 23,475 square feet 12% of Site MOL
Proposed: 24,772 square feet 12% of Site MOL

PARKING:
Existing: 22; including 2 handicapped spaces
Proposed: 38; including 4 handicapped spaces
Required: 26; including 1 handicapped space

BUILDING HEIGHT:
Existing: 13 feet
Proposed: 13 feet
Permitted: 48 feet

APPLICATION REVIEW:

I. PROCEDURAL REQUIREMENTS: The applicant has met and complied with the procedural requirements of Section 16.10.020.1 of the Municipal Code for a child-care facility which is a Special Exception use within the NSM-1 Zoning District.

II. DISCUSSION AND RECOMMENDATIONS:

The Request:
The applicant seeks approval a modification to a previously approved Special Exception and related Site Plan to increase the number of children from 77 to 134 for a child care facility in the NSM-1 zoning district. The subject property is currently developed with the James B. Sanderlin Family Service Center, Inc. The subject property is located on the north side of 22nd Avenue South between Walton Street South and 23rd Street South.

Current Proposal:
The center is a neighborhood service center, with the mission of cultivating a community where children and families are valued, loved and destined to succeed. The applicant is seeking to modify a previously approved Special Exception that was approved by the Development Review Commission on September 4, 2019, for a child-care facility use for 77 children. The existing facility offers an after-care program for children ages 6 to 14 years old, GED program, computer
faculties, community garden, summer camp, food pantry, clothing, office, event and community meeting spaces targeting our underserved populations. There is an existing 988 square foot mulched playground located east of the existing building that will be used by the child-care facility. Located to the east of the subject property is a private school. The location of the play ground should not have an impact to the adjacent single-family residences. The applicant is in for permitting for a new parking lot on the southside of the existing building. The new parking lot and the large parking lot on the west side of the building will provide ample area for vehicle stacking and drop-off and pick-up. No other changes to the site are proposed at this time.

Special Exception
The proposed use, as mentioned above, is a Special Exception use in the NSM-1 zoning district. The DRC is required to review the project for any possible adverse impacts such as noise, light, traffic circulation, traffic congestion and compatibility. The subject property has been developed with a community center which has been in place since 1990 and is located along a major street that is serviced by mass transit. The City’s Transportation Planner has reviewed the proposal and determined that the existing road network is adequate to support the proposed use. The properties to the north and west are developed with residential uses, the property to the east is developed with a private school and the property to the south is developed with a public school. Staff finds that the proposed use complies with the Special Exception criteria as outlined in Section 16.70.040.1.5.

Public Comments:
No comments or concerns were expressed to staff at time this report was prepared.

III. RECOMMENDATION:
A. Staff recommends APPROVAL of the Special Exception and related site plan subject to the Special Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:
1. This Special Exception/Site Plan approval shall be valid through February 5, 2023. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.
2. The plans submitted for permitting shall comply with the child care section of the code, Section 16.50.070.
3. The construction plans submitted for permitting shall comply with the lighting section of the code, Section 16.40.070.
4. The plans submitted for permitting shall comply with the bicycle parking section of the code, Section 16.40.090.4.1.
5. There shall be no amplification of sound after 10 p.m.

C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT
SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:
1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:
1. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
2. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
3. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad.

Engineering Requirements:
1. The site shall be in compliance with all applicable drainage regulations (including regional and state permits) and the conditions as may be noted herein. The applicant shall submit drainage calculations and grading plans (including street crown elevations), which conform with the quantity and the water quality requirements of the Municipal Code (Chapter 16, Article 16.40, Section 16.40.030), to the City's Engineering Department for approval. Please note that the entire site upon which redevelopment occurs shall meet the water quality controls and treatment required for development sites. Stormwater runoff release and retention shall be calculated using the rational formula and a 10-year, one-hour design storm.
2. All other applicable governmental permits (state, federal, county, city, etc.) must be obtained before commencement of construction. A copy of other required governmental permits shall be provided to the City Engineering & Capital Improvements Department prior to requesting a Certificate of Occupancy. Issuance of a development permit by the City does not in any way create any rights on the part of the applicant to obtain a permit from a governmental agency and does not create any liability on the part of the City of St. Petersburg for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by other governmental agencies or undertakes actions that result in a violation of state or federal law.
3. A work permit issued by the Engineering Department shall be obtained prior to commencement of construction within dedicated rights-of-way or easements.
4. The applicant shall submit a completed Storm Water Management Utility Data Form to the City's Engineering Department for review and approval prior to the approval of any permits.
5. Curb-cut ramps for the physically handicapped shall be provided in sidewalks at all corners where sidewalks meet a street or driveway.

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled “Landscaping and Irrigation.”

2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

**IV. CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):**

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections.
Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is **not within** an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is **not within** a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:

   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
d. Parks and recreation.
e. Drainage.

The land use of the subject property is: Intuitive
The land uses of the surrounding properties are:
North: Planned Redevelopment – Residential
South: Institutional
East: Institutional and Residential Medium
West: Planned Redevelopment – Residential

REPORT PREPARED BY:

Corey Malyszka, AICP, Urban Design and Development Coordinator
Development Review Services Division
Planning and Development Services Department

DATE: 1.24.20

REPORT APPROVED BY:

Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning and Development Services Department

DATE: 1.24.20
Good Morning Ms. Joern and Ms. Jackson,
I am writing to inform you that I plan to submit a special exception application (attached) to increase the number of kids that can be enrolled in childcare from 77 kids to 134 kids. We recently completed a wall demo that enabled us to increase enrollment. Please let me know if you have any questions, thanks.
SPECIAL EXCEPTION
PUBLIC HEARING

According to Planning & Development Services 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 & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on Wednesday, February 5, 2020 at 2:00 P.M. at The Sunshine Center Auditorium, 330 5th Street North, St. Petersburg, Florida.

CASE NO.: 19-32000022  PLAT SHEET: H-28

REQUEST: Approval of a Special Exception and related Site Plan to expand an existing cemetery within the NS-1 zoning district.

OWNER: F P G Florida, LLC
5305 20th Street North
Saint Petersburg, Florida 33714

AGENT: R. Donald Mastry, Trenam Law
200 Central Avenue, Suite 1600
Saint Petersburg, Florida 33701

REGISTERED OPPONENT: John Herr
2020 Billmar Lane North
Saint Petersburg, Florida 33714

Brenda Stewart
5300 20th Street North
Saint Petersburg, Florida 33714

ADDRESS: 5305 20th Street North

PARCEL ID NO.: 01-31-16-08820-000-0160

LEGAL DESCRIPTION: On File
**ZONING:** Neighborhood Suburban Single-Family (NS-1)

**SITE AREA TOTAL:** 31,115 square feet or 0.7143 acres

**GROSS FLOOR AREA:**

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<td>0.06 F.A.R.</td>
<td>0.00 F.A.R.</td>
<td>0.35 F.A.R.</td>
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**BUILDING COVERAGE:**

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<tr>
<td>0.063 % of Site MOL</td>
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**IMPERVIOUS SURFACE:**

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<tr>
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**OPEN GREEN SPACE:**

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**PAVING COVERAGE:**

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**PARKING:**

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**BUILDING HEIGHT:**

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</table>

**APPLICATION REVIEW:**

I. **PROCEDURAL REQUIREMENTS:** The applicant has met and complied with the procedural requirements of Section 16.70.040.1.5.C of the Municipal Code for the expansion of a cemetery which is a Special Exception use within the Neighborhood Suburban-1 (NS-1) Zoning District.

II. **DISCUSSION AND RECOMMENDATIONS:**

**The Request:** The Applicant seeks approval of a special exception and related site plan to expand an existing cemetery into a residentially zoned property. The proposed use as a cemetery on the NS-1 zoned subject property is allowed by special exception.
Current Proposal: The Applicant proposes expanding an existing cemetery into the subject property. The Applicant represents the subject property owner. The property owner is the owner of the immediately adjacent property to the north, northwest, and east. The subject property is currently developed with a single-family residence. The Applicant proposes the demolition of the residential structures and the redevelopment of the property as a component of the existing cemetery to the north and northwest. There is one property immediately adjacent to the subject property not owned by the subject property’s owner. The owner of this property does not object to the request as evidenced by the neighborhood worksheet provided in the application packet.

Special Exception: The proposed cemetery on the NS-1 zoned lot is considered a Special Exception use requiring the DRC’s review and approval, subject to the applicable criteria, which focus on the potential for adverse impacts such as noise, light, compatibility and traffic circulation and congestion. The proposed redevelopment of the site will change the use from single-family residential to a low-intensity commercial use. The existing cemetery property utilizes parkways throughout the property to accommodate vehicular traffic. The request was routed to and reviewed by the City’s Water Resources, Engineering & Capital Improvements, Sanitation, Transportation & Parking Management, Real Estate & Property Management Departments as well as Duke Energy. The Engineering & Capital Improvements Department has conditions of approval outlined in the attached memorandum dated January 14, 2020.

Public Comments: Staff has received phone calls and emails inquiring about the application. Two nearby property owners have objected to the application by email and are both Registered Opponents to the request. The Greater Grovemont Neighborhood Association does not have any comment. The owner of the immediately adjacent residential property to the south has signed the neighborhood worksheet page of the application indicating no objection to the expansion of the cemetery.

III. RECOMMENDATION:
A. Staff recommends APPROVAL of the Special Exception and related site plan subject to the Special Conditions of Approval and Standard Conditions of Approval.

B. SPECIAL CONDITIONS OF APPROVAL:
1. This Special Exception approval shall be valid through February 5, 2023. Substantial construction shall commence prior to this expiration date, unless an extension has been approved by the POD. A request for extension must be filed in writing prior to the expiration date.
2. A 6-foot tall masonry wall shall be installed along the southern east-west property line of the subject property where permissible by Code.
3. Amplified sound, musical instruments and other machine or device that produces, reproduces, or amplifies sound shall be subject to the regulations in Chapter 11 of the City’s Land Development Regulations.
4. Hours of Operation shall not precede nor extend past dawn-to-dusk hours.
5. The subject property shall be landscaped in accordance to Section 16.40.060 of the City’s Land Development Regulations.
6. If a replat of the subject property is found to be necessary for the proposed use, a complete application for replat must be submitted by February 5, 2021.
C. STANDARD CONDITIONS OF APPROVAL

(All or Part of the following standard conditions of approval may apply to the subject application. Application of the conditions is subject to the scope of the subject project and at the discretion of the Zoning Official. Applicants who have questions regarding the application of these conditions are advised to contact the Zoning Official.)

ALL SITE PLAN MODIFICATIONS REQUIRED BY THE DRC SHALL BE REFLECTED ON A FINAL SITE PLAN TO BE SUBMITTED TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT BY THE APPLICANT FOR APPROVAL PRIOR TO THE ISSUANCE OF PERMITS.

Building Code Requirements:
1. The applicant shall contact the City's Construction Services and Permitting Division and Fire Department to identify all applicable Building Code and Health/Safety Code issues associated with this proposed project.
2. All requirements associated with the Americans with Disabilities Act (ADA) shall be satisfied.

Zoning/Planning Requirements:
1. The applicant shall submit a notice of construction to Albert Whitted Field if the crane height exceeds 190 feet. The applicant shall also provide a Notice of Construction to the Federal Aviation Administration (FAA), if required by Federal and City codes.
2. All site visibility triangle requirements shall be met (Chapter 16, Article 16.40, Section 16.40.160).
3. No building or other obstruction (including eaves) shall be erected and no trees or shrubbery shall be planted on any easement other than fences, trees, shrubbery, and hedges of a type approved by the City.
4. The location and size of the trash container(s) shall be designated, screened, and approved by the Manager of Commercial Collections, City Sanitation. A solid wood fence or masonry wall shall be installed around the perimeter of the dumpster pad, if necessary.

Engineering Requirements:
1. An existing 8" VCP public sanitary sewer main exists along the north and east boundary of 5305 20th Street North. City utility records indicate that a 5-foot wide easement exists along these property boundaries. The minimum easement width for an 8" main is 20-feet centered over the main per current City standards. The applicant must dedicate additional Public Utility Easement along the north and eastern boundary of this property sufficient to provide 10 feet of easement to the south of the centerline of the east/west sanitary sewer main (along the northern property boundary) and 10-feet to the east of the centerline of the north south sanitary sewer main (along the east property boundary). This easement is necessary to provide sufficient space for sanitary sewer main repair or replacement without disturbance of the cemetery burial lots. Burial lots and structures must remain outside this public easement area. To initiate new Easement dedication the applicant must:
A. Provide a legal description and sketch of the required easement. If the easement spans multiple parcels a separate legal description must be provided for each easement within each parcel.

B. Provide property ownership information (including the property owner's name, address, contact person, phone number).

C. Provide a check made out to the "City of St. Petersburg" in the amount of *$800.00 to cover the minimum cost of title insurance and recording fees necessary for a single easement dedication on a single parcel. However, please note that the developer/property owner is responsible to pay ALL costs associated with granting of the easement(s) to the City so if costs are more the developer will be required to pay the additional costs.

*If multiple easements are required, or if multiple parcels/ownerships are involved, the $800 minimum fee will not cover dedication costs. In this case contact Alfred Wendler of the Real Estate and Property Management division (phone 727-893-7186, email Aaron.Fisch@stpete.org) to obtain a site-specific estimate of the required up-front payment. The above listed information and the check for easement dedication should be provided to the City issuance. Any necessary sanitary Zoning division (contact Michael Larimore, phone 727-892-5226, email Michael.Larimore@stpete.org) who will in turn forward it to the City's Real Estate and Property Management department (c/o Aaron Fisch) who will draft the required easement instrument, obtain necessary signatures, and ultimately record the document.

2. All existing redundant (abandoned) driveway approaches, paving, or drop curbing which exist within the public right-of-way around the perimeter of the project redevelopment shall be removed as part of the project. Pavement surfaces associated with these approaches shall be completely removed from within the right-of-way and any existing drop curbing shall be removed and replaced with a raised curb to match existing curb type.

3. A 3000 sf site modification will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030 as may be applicable. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and comingling with the runoff from that portion of the site which is redeveloped. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1 hour design storm.

Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body's impairment. The BMPTTains model shall be used to verify compliance with Impaired Water Body and TMDL criteria. Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

All required improvements shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior
to the commencement of construction within dedicated right-of-way or public easement.

4. Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City's stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

5. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant's expense in accordance with the standards, specifications, and policies adopted by the City.

Water service is available to the site. The applicant's Engineer shall coordinate potable water and/or fire service requirements through the City's Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.

Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined
until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

Per land development code 16.40.140.4.6 (9), habitable floor elevations must be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP when applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the NS zoning district, this project would no require public sidewalk construction. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.

**Landscaping Requirements:**

1. The applicant shall submit a revised landscape plan, which complies with the plan approved by the DRC and includes any modifications as required by the DRC. The DRC grants the Planning & Development Services Department discretion to modify the approved landscape plan where necessary due to unforeseen circumstances (e.g. stormwater requirements, utility conflicts, conflicts with existing trees, etc.), provided the intent of the applicable ordinance(s) is/are maintained. Landscaping plans shall be in accordance with Chapter 16, Article 16.40, Section 16.40.060 of the City Code entitled "Landscaping and Irrigation."
2. Any plans for tree removal and permitting shall be submitted to the Development Services Division for approval.

3. All existing and newly planted trees and shrubs shall be mulched with three (3) inches of organic matter within a two (2) foot radius around the trunk of the tree.

4. The applicant shall install an automatic underground irrigation system in all landscaped areas. Drip irrigation may be permitted as specified within Chapter 16, Article 16.40, Section 16.40.060.2.2.

5. Concrete curbing, wheelstops, or other types of physical barriers shall be provided around/within all vehicular use areas to protect landscaped areas.

6. Any healthy existing oak trees over two (2) inches in diameter shall be preserved or relocated if feasible.

7. Any trees to be preserved shall be protected during construction in accordance with Chapter 16, Article 16.40.060.5 and Section 16.40.060.2.1.3 of City Code.

IV. RESPONSES TO RELEVANT CONSIDERATIONS BY THE DEVELOPMENT REVIEW COMMISSION FOR REVIEW (Pursuant to Chapter 16, Section 16.70.040.1.4 (D)):

A. The use is consistent with the Comprehensive Plan.

B. The property for which a Site Plan Review is requested shall have valid land use and zoning for the proposed use prior to site plan approval;

C. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and County roads shall be based on the latest access management standards of FDOT or Pinellas County, respectively;

D. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;

E. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

F. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval, of a drainage plan as required by city ordinance, County ordinance, or SWFWMD;

G. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

H. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the
neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

I. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City’s Comprehensive Plan;

J. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;

K. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;

L. Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;

M. Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;

N. Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;

O. Sensitivity of the development to on-site and adjacent (within two-hundred (200) feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;

1. The site is not within an Archaeological Sensitivity Area (Chapter 16, Article 16.30, Section 16.30.070).

2. The property is not within a flood hazard area (Chapter 16, Article 16.40, Section 16.40.050).

P. Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;

Q. Meets adopted levels of service and the requirements for a Certificate of Concurrency by complying with the adopted levels of service for:
   a. Water.
   b. Sewer (Under normal operating conditions).
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The land use of the subject property is: **Residential Urban**

The land uses of the surrounding properties are:

North: Institutional

South: Residential Urban

East: Institutional

West: Residential Urban
REPORT PREPARED BY:

Michael W. Larimore, Planner I
Planning and Development Services Department
Development Review Services Division

DATE
JAN. 29, 2020

REPORT APPROVED BY:

Jennifer Bixla, AICP, Zoning Official (POD)
Planning and Development Services Department
Development Review Services Division

DATE
1.29.2020

Attachments: Location Map; Special Exception Application, Site Plan, Survey, & Renderings of Proposed Development; Engineering Memorandum dated January 14, 2020
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 19-32000022
Address: 5303 20th Street North
**SPECIAL EXCEPTION SITE PLAN REVIEW**

Application No. 19-32000022

All applications are to be filled out completely and correctly. The application shall be submitted to the Development Review Services Division, located on the 1st floor of the Municipal Services Building, One Fourth Street North.

### GENERAL INFORMATION

**NAME of APPLICANT (Property Owner):** FPG Florida, LLC  
Street Address: 4901 Vineland Rd., Suite 300  
City, State, Zip: Orlando, FL 32811  
Telephone No.: 407-680-2690  
Email: Brian.Tarnecki@foundationpartners.com

**NAME of AGENT OR REPRESENTATIVE:** R. Donald Mastry, Trenam Law  
Street Address: 200 Central Ave., Suite 1600  
City, State, Zip: St. Petersburg, FL 33701  
Telephone No.: 727-824-8140  
Email: dmastry@trenam.com

**NAME of ARCHITECT or ENGINEER:**  
Company Name:  
Telephone No.:  
Website:  
Email:

**PROPERTY INFORMATION:**  
Address/Location: 5305 20th St. N.  
Email:  
Parcel ID(s): 01-31-18-08820-000-0160

**DESCRIPTION OF REQUEST:** Special exception

**PRE-APP MEETING DATE:** 11/4/19  
**STAFF PLANNER:** Jennifer Bryla and Michael Larimore

### FEE SCHEDULE

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Exception (SE), General Application</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>Special Exception (SE), Modification</td>
<td>$500.00</td>
</tr>
<tr>
<td>Concurrency</td>
<td>$25.00</td>
</tr>
<tr>
<td>VARIANCES</td>
<td></td>
</tr>
<tr>
<td>Each Variance Requested for SE/SPR</td>
<td>$200.00</td>
</tr>
<tr>
<td><strong>SITE PLAN REVIEW (SPR)</strong></td>
<td></td>
</tr>
<tr>
<td>Site Plan Review (SPR), General, By Commission</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>Site Plan Review (SPR), General, By POD</td>
<td>$500.00</td>
</tr>
<tr>
<td>Site Plan Review (SPR), General, Related to SE</td>
<td>$0.00</td>
</tr>
<tr>
<td>Site Plan Review (SPR), Modification, By Commission</td>
<td>$500.00</td>
</tr>
<tr>
<td><strong>SITE PLAN REVIEW (SPR)</strong></td>
<td></td>
</tr>
<tr>
<td>Site Plan Review (SPR), Modification, By POD</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

*Cash, credit, and checks made payable to the “City of St. Petersburg”*

**AUTHORIZATION**

City staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department. The applicant, by filling this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed and that the applicant understands that processing this application may involve substantial time and expense. Filling an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

**NOTE:** IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: R. Donald Mastry, as agent  
Date: 12/9/19

*Affidavit to Authorize Agent required, if signed by Agent.*
AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name:
FPG Florida, LLC

"This property constitutes the property for which the following request is made

Property Address: 5305 20th St. N.

Parcel ID#: 01-31-16-0820-000-0160

Request: All approvals needed in connection with the development of the property as a cemetery.

"The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): R. Donald Mastry, Trenam Law

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property

I(we), the undersigned authority, hereby certify that the foregoing is true and correct

Signature (owner): [Signature]  [Signature]  Robert Bukala

Sworn to and subscribed on this date: __________________________

Identification or personally known: [Identification]  Personally Known

Notary Signature: [Signature]  Date: 12/5/19

Commission Expiration (Stamp or date): [Stamp]  [Date]

[Notary Public Seal]
### SPECIAL EXCEPTION

#### SITE PLAN REVIEW

**DATA SHEET**

**ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED. FAILURE TO COMPLETE THIS FORM WILL RESULT IN DEFERRAL OF YOUR APPLICATION.**

<table>
<thead>
<tr>
<th>DATA TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Zoning Classification:</td>
</tr>
<tr>
<td>2. Existing Land Use Type(s):</td>
</tr>
<tr>
<td>3. Proposed Land Use Type(s):</td>
</tr>
<tr>
<td>4. Area of Subject Property:</td>
</tr>
<tr>
<td>5. Variance(s) Requested:</td>
</tr>
<tr>
<td>6. Gross Floor Area (total square feet of building(s))</td>
</tr>
<tr>
<td>Existing:</td>
</tr>
<tr>
<td>Proposed:</td>
</tr>
<tr>
<td>Permitted:</td>
</tr>
<tr>
<td>7. Floor Area Ratio (total square feet of building(s) divided by the total square feet of entire site)</td>
</tr>
<tr>
<td>Existing:</td>
</tr>
<tr>
<td>Proposed:</td>
</tr>
<tr>
<td>Permitted:</td>
</tr>
<tr>
<td>8. Building Coverage (first floor square footage of building)</td>
</tr>
<tr>
<td>Existing:</td>
</tr>
<tr>
<td>Proposed:</td>
</tr>
<tr>
<td>Permitted:</td>
</tr>
<tr>
<td>9. Open Green Space (include all green space on site; do not include any paved areas)</td>
</tr>
<tr>
<td>Existing:</td>
</tr>
<tr>
<td>Proposed:</td>
</tr>
<tr>
<td>10. Interior Green Space of Vehicle Use Area (include all green space within the parking lot and drive lanes)</td>
</tr>
<tr>
<td>Existing:</td>
</tr>
<tr>
<td>Proposed:</td>
</tr>
<tr>
<td>11. Paving Coverage (including sidewalks within boundary of the subject property; do not include building footprint(s))</td>
</tr>
<tr>
<td>Existing:</td>
</tr>
<tr>
<td>Proposed:</td>
</tr>
</tbody>
</table>
**DATA TABLE (continued page 2)**

<table>
<thead>
<tr>
<th>12. Impervious Surface Coverage (total square feet of all paving, building footprint and other hard surfaced areas)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing: 3,456 Sq. ft.</td>
</tr>
<tr>
<td>Proposed: 5,500 Sq. ft.</td>
</tr>
<tr>
<td>Permitted: 18,669 Sq. ft.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>13. Density / Intensity</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Units</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>Existing: 1</td>
</tr>
<tr>
<td>Proposed: 0</td>
</tr>
<tr>
<td>Permitted: n/a</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>14 a. Parking (Vehicle) Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing: 0</td>
</tr>
<tr>
<td>Proposed: 0</td>
</tr>
<tr>
<td>Permitted: n/a</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>14 b. Parking (Bicycle) Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing: 0</td>
</tr>
<tr>
<td>Proposed: 0</td>
</tr>
<tr>
<td>Permitted: n/a</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>15. Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing: 13 Feet</td>
</tr>
<tr>
<td>Proposed: n/a Feet</td>
</tr>
<tr>
<td>Permitted: 36 Feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>16. Construction Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is the estimate of the total value of the project upon completion? $600,000</td>
</tr>
</tbody>
</table>

Note: See Drainage Ordinance for a definition of “alteration.” If yes, please be aware that this triggers Drainage Ordinance compliance. Please submit drainage calculations to the Engineering Department for review at your earliest convenience. The DRC must approve all Drainage Ordinance variances.
NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

<table>
<thead>
<tr>
<th>NEIGHBORHOOD WORKSHEET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Address:</strong> 5305 20th St. N.</td>
</tr>
<tr>
<td><strong>Description of Request:</strong> Special exception to permit cemetery</td>
</tr>
</tbody>
</table>

The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):

1. **Affected Property Address:** 5305 20th St. N.
   - **Owner Name (print):**
   - **Owner Signature:**

2. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

3. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

4. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

5. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

6. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

7. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**

8. **Affected Property Address:**
   - **Owner Name (print):**
   - **Owner Signature:**
NARRATIVE IN SUPPORT OF SPECIAL EXCEPTION APPLICATION

FPG Florida, I.L.C ("Owner") is the owner of the property located at 5305 20th St. N., St. Petersburg (the "Property"). The Property is zoned NS-1, which permits cemeteries as special exceptions.

The Owner is requesting special exception approval to allow the Property to be redeveloped as a cemetery.

Project

The Property is currently developed with a single-family dwelling. The north and east boundaries of the Property abut Owner’s existing cemetery known as Sunnyside Cemetery. The Owner is proposing to expand the cemetery onto the Property.

Discussion of Standards of Review for Special Exceptions
(Sec. 16.70.040.1.5 of the Land Development Code)

1. The use is consistent with the Comprehensive Plan:

   The proposed use is consistent with the Comprehensive Plan, including, without limitation, those provisions listed on Exhibit A.

2. The property for which a special exception is requested shall have valid land use and zoning for the proposed use prior to the public hearing:

   The land use and zoning for the Property permit the proposed use.

3. Ingress and egress to the property and proposed structures with particular emphasis on automotive and pedestrian safety, separation of automotive and bicycle traffic and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe and emergency. Access management standards on State and county roads shall be based on the latest access management standards of FDOT or the county, respectively;

   The proposed use complies with these items. Access to the Property is provided on 20th St. N., which is a city road.

4. Location and relationship of off-street parking, bicycle parking, and off-street loading facilities to driveways and internal traffic patterns within the proposed development with particular reference to automotive, bicycle, and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping;
The proposed use complies with these items and is not expected to generate more than de minimis traffic impacts. Off street parking is provided on the existing cemetery property.

5. Traffic impact report describing how this project will impact the adjacent streets and intersections. A detailed traffic report may be required to determine the project impact on the level of service of adjacent streets and intersections. Transportation system management techniques may be required where necessary to offset the traffic impacts;

The proposed use is not expected to generate more than de minimis traffic impacts.

6. Drainage of the property with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the use of on-site retention systems. The Commission may grant approval of a drainage plan as required City ordinance, county ordinance, or SWFWMD;

The proposed use will result in the vast majority of the Property being pervious, green space and is not expected to have any negative impact on drainage.

7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility and harmony with adjacent properties;

The proposed use does not involve any signage or exterior lighting.

8. Orientation and location of buildings, recreational facilities and open space in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the building with adjacent development and surrounding landscape;

No buildings are proposed. The proposed use will result in the vast majority of the Property being pervious, green space.

9. Compatibility of the use with the existing natural environment of the site, historic and archaeological sites, and with properties in the neighborhood as outlined in the City's Comprehensive Plan;

There are no known environmental, historic or archaeological features on or near the Property. The proposed use is a very low intensity use and is not expected to cause adverse impacts on the surrounding neighborhood.

10. Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on property values in the neighborhood;
The proposed use is not expected to cause any detrimental effects on property values in the neighborhood. Sunnyside Cemetery has existed in the neighborhood for decades without causing any negative impacts. Compared to other uses potentially permitted on the property, a cemetery is a very low impact use and will likely enhance property values in the neighborhood given its park-like appearance.

11. **Substantial detrimental effects of the use, including evaluating the impacts of a concentration of similar or the same uses and structures, on living or working conditions in the neighborhood;**

The proposed use is not expected to cause any detrimental effects on living or working conditions in the neighborhood. Sunnyside Cemetery has existed in the neighborhood for decades without causing any negative impacts. Compared to other uses potentially permitted on the property, a cemetery is a very low impact use.

12. **Sufficiency of setbacks, screens, buffers and general amenities to preserve internal and external harmony and compatibility with uses inside and outside the proposed development and to control adverse effects of noise, lights, dust, fumes and other nuisances;**

The proposed use meets or exceeds all Code requirements regarding the above items. No adverse effects of noise, lights, dust, fumes and other nuisances is expected given the low intensity nature of a cemetery.

13. **Land area is sufficient, appropriate and adequate for the use and reasonably anticipated operations and expansion thereof;**

The Property is of sufficient size for the development proposed and is appropriate and adequate, especially given that it abuts the Owner’s existing cemetery on two sides.

14. **Landscaping and preservation of natural manmade features of the site including trees, wetlands, and other vegetation;**

The Property will be heavily landscaped with the vast majority of the Property being pervious, green space.

15. **Sensitivity of the development to on-site and or adjacent (within 200 feet) historic or archaeological resources related to scale, mass, building materials, and other impacts;**

There are no known historic or archaeological features on or within 200 ft of the Property.

16. **Availability of hurricane evacuation facilities for developments located in the hurricane vulnerability zones;**
The Property is not located within a hurricane vulnerability zone.

17. Meets adopted levels of service and the requirements for a certificate of concurrency by complying with the adopted levels of service for:

   a. Water.
   b. Sewer.
   c. Sanitation.
   d. Parks and recreation.
   e. Drainage.

The proposed use will meet all adopted levels of service.

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**Discussion of Standards of Review for Planning and Zoning Decisions, Generally**

*(Sec. 16.70.040.1.E of the Land Development Code)*

**E. Standards for review.** In reviewing the application for a planning and zoning decision in addition to the standards of review applicable to the decision, the POD, commission or the City Council shall consider whether the proposed amendment is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the plan.

The application is consistent with and furthers the purpose of the Land Development Regulations and other City ordinances and actions designed to implement the Comprehensive Plan, specifically the promotion of redevelopment and those provisions listed on Exhibit A.
**EXHIBIT A**
Comprehensive Plan Provisions

**LU3.5**  The tax base will be maintained and improved by encouraging the appropriate use of properties based on their locational characteristics and the goals, objectives and policies within this Comprehensive Plan.

**LU3.6**  Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.

**OBJECTIVE LU23:**

The City shall support sustainable land development patterns through the LDRs and the Comprehensive Plan.

**LU23.1**  The City’s development review policies and procedures shall continue to integrate land use and transportation planning so that land development patterns support mobility choices and reduced trip lengths.
DESCRIPTIO

LOT 15 COUNTY ROAD X, COMMUNITY PARK. 1970/02/06

APPROVED ACTUARIAL REPORT FOR THE COUNTY PARK
REPORT OF RECEIPTION IN THIS BOOK AT PAGE 75 OF
OUT 15 ON 07/30/1970, BUILDING SUBDIVISION

LOT 15 COUNTY ROAD X, COMMUNITY PARK

1970/02/06
CITY OF ST. PETERSBURG
MEMORANDUM
ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT

TO: Iris Winn, Administrative Clerk, Development Review Services
    Jennifer Bryla, Planning & Development Services Department, Zoning Official
    Michael Larimore, Planning & Development Services, Development Review Services

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: January 14, 2020

FILE: 19-32000022

LOCATION 5305 20th Street North
& PIN 01/31/16/08820/000/0160
ATLAS: H-28
PROJECT: Special Exception

REQUEST: Approval of a Special Exception and related Site Plan to construct a cemetery on an NS-1 zoned property.

CONDITIONS OF APPROVAL: The Engineering and Capital Improvements Department has no objection to the Special Exception. The following special conditions and standard comments must be addressed with construction permit submittal:

SPECIAL CONDITIONS OF APPROVAL:
1. An existing 8" VCP public sanitary sewer main exists along the north and east boundary of 5305 20th Street North. City utility records indicate that a 5-foot wide easement exists along these property boundaries. The minimum easement width for an 8" main is 20-feet centered over the main per current City standards. The applicant must dedicate additional Public Utility Easement along the north and eastern boundary of this property sufficient to provide 10 feet of easement to the south of the centerline of the east/west sanitary sewer main (along the northern property boundary) and 10-feet to the east of the centerline of the north south sanitary sewer main (along the east property boundary). This easement is necessary to provide sufficient space for sanitary sewer main repair or replacement without disturbance of the cemetery burial lots. Burial lots and structures must remain outside this public easement area.

To initiate new Easement dedication the applicant must:

A. Provide a legal description and sketch of the required easement. If the easement spans multiple parcels a separate legal description must be provided for each easement within each parcel.

B. Provide property ownership information (including the property owners name, address, contact person, phone number).

C. Provide a check made out to the “City of St. Petersburg” in the amount of *$800.00 to cover the minimum cost of title insurance and recording fees necessary for a single easement dedication on a single parcel. However, please note that the developer/property owner is responsible to pay ALL costs associated with granting of the easement(s) to the City so if costs are more the developer will be required to pay the additional costs.
*If multiple easements are required, or if multiple parcels/ownerships are involved, the $800 minimum fee will not cover dedication costs. In this case contact Alfred Wendler of the Real Estate and Property Management division (phone 727-893-7186, email Aaron.Fisch@stpete.org) to obtain a site-specific estimate of the required up-front payment.

The above listed information and the check for easement dedication should be provided to the City issuance. Any necessary sanitary Zoning division (contact Michael Larimore, phone 727-892-5226, email Michael.Larimore@stpete.org) who will in turn forward it to the City’s Real Estate and Property Management department (c/o Aaron Fisch) who will draft the required easement instrument, obtain necessary signatures, and ultimately record the document.

2. All existing redundant (abandoned) driveway approaches, paving, or drop curbing which exist within the public right-of-way around the perimeter of the project redevelopment shall be removed as part of the project. Pavement surfaces associated with these approaches shall be completely removed from within the right-of-way and any existing drop curbing shall be removed and replaced with a raised curb to match existing curb type.

3. A 3000 sf site modification will trigger compliance with the Drainage and Surface Water Management Regulations as found in City Code Section 16.40.030. Submit drainage calculations which conform to the water quantity and the water quality requirements of City Code Section 16.40.030 as may be applicable. Please note the volume of runoff to be treated shall include all off-site and on-site areas draining to and comingling with the runoff from that portion of the site which is redeveloped. Stormwater runoff release and retention shall be calculated using the Rational formula and a 10-year 1 hour design storm.

Stormwater systems which discharge directly or indirectly into impaired waters must provide net improvement for the pollutants that contribute to the water body’s impairment. The BMPTrains model shall be used to verify compliance with Impaired Water Body and TMDL criteria. Prior to approval of a plan, the owner’s engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to convey the drainage flow after considering the current and proposed infrastructure demand.

All required improvements shall be installed at the applicant’s expense in accordance with the standards, specifications, and policies adopted by the City. A work permit issued by the City Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement.

4. Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. Lots shall be graded in such a manner that all surface drainage shall be in compliance with the City’s stormwater management requirements. A grading plan showing the building site and proposed surface drainage shall be submitted to the engineering director.

5. A work permit issued by the Engineering Department must be obtained prior to the commencement of construction within dedicated right-of-way or public easement. All work within right of way or public utility easement shall be in compliance with current City Engineering Standards and Specifications and shall be installed at the applicant’s expense in accordance with the standards, specifications, and policies adopted by the City.

**STANDARD COMMENTS:**

Water service is available to the site. The applicant’s Engineer shall coordinate potable water and / or fire service requirements through the City’s Water Resources department. Recent fire flow test data shall be utilized by the site Engineer of Record for design of fire protection system(s) for this development. Any necessary system upgrades or extensions shall be performed at the expense of the developer.
Water and fire services and/or necessary backflow prevention devices shall be installed below ground in vaults per City Ordinance 1009-g (unless determined to be a high hazard application by the City's Water Resources department or a variance is granted by the City Water Resources department). Note that the City's Water Resources Department will require an exclusive easement for any meter or backflow device placed within private property boundaries. City forces shall install all public water service meters, backflow prevention devices, and/or fire services at the expense of the developer. Contact the City's Water Resources department, Kelly Donnelly, at 727-892-5614 or kelly.donnelly@stpete.org. All portions of a private fire suppression system shall remain within the private property boundaries and shall not be located within the public right of way (i.e. post indicator valves, fire department connections, etc.).

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the City's Wastewater Tracking Form (available upon request from the City Engineering department, phone 727-893-7238). If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed Wastewater Tracking form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

Redevelopment within this site shall be coordinated as may be necessary to facilitate any City Capital Improvement projects in the vicinity of this site which occur during the time of construction.

Per land development code 16.40.140.4.6 (9), habitable floor elevations must be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum.

Development plans shall include a copy of a Southwest Florida Water Management District Management of Surface Water Permit or Letter of Exemption or evidence of Engineer's Self Certification to FDEP when applicable.

Submit a completed Stormwater Management Utility Data Form to the City Engineering Department.

Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Within the NS zoning district, this project would not require public sidewalk construction. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.
The applicant will be required to submit to the Engineering Department copies of all permits from other regulatory agencies including but not limited to FDOT, FDEP, SWFWMD and Pinellas County, as required for this project. Plans specifications are subject to approval by the Florida state board of Health.