

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

DEVELOPMENT REVIEW COMMISSION STAFF REPORT

VACATION OF RIGHT-OF-WAY PUBLIC HEARING

According to Planning & Development Services Department records, **no Commission** member or his or her spouse has a direct or indirect ownership interest in real property located within 1,000 linear feet of real property contained with the application (measured in a straight line between the nearest points on the property lines). 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, May 3, 2023 at 1:00 P.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida.

CASE NO:	22-33000024
PLAT SHEET:	F-2
REQUEST:	Approval to vacate a 20-foot-wide north-south alley generally located at 685 and 699 1 st Avenue N and 694 Arlington Avenue N, between Lot 15 of Wright's Addition to Orange Park Addition and Lots 22 and 25 of the Gulf Peninsula Improvement Co.'s Subdivision.
OWNER:	SPGRP II, LLC 1273 E Putnam Avenue Riverside, CT 06878-9203
AGENT:	R. Donald Mastry, Trenam Law 200 Central Avenue, Suite 1600 St. Petersburg, FL 33701
ADDRESS:	685 and 699 1st Avenue North and 694 Arlington Avenue North
PARCEL ID NUMBERS:	19-31-17-99180-000-0152, 19-31-17-34218-000-0230, 19-31-17-99180-000-0150
ZONING:	Downtown Center – 1 (DC-1)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a 20-foot-wide north-south alley generally located at 685 and 699 1st Avenue North and 694 Arlington Avenue North, between Lot 15 of Wright's Addition to Orange Park Addition and Lots 22 and 25 of the Gulf Peninsula Improvement Co.'s Subdivision in the Downtown Center – 1 (DC-1) Zoning District (see Attachment A - Location Map and Attachment B - Legal Description and Sketch). The Applicant owns the land on both sides of the alley (see Attachment C – Photos).

The purpose of the vacation according to the application narrative is to consolidate commonlyowned lots and redevelop the property (see Attachment D - Application). The Applicant has submitted an application for Site Plan approval (DRC Case #22-31000024) of a mixed-use building with 200 dwelling units, over 10,000 square feet of commercial space and a parking garage.

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.

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. Engineering has no objection, however has provided construction-related comments in their Engineering Memo dated April 17, 2023, which is a recommended Condition of Approval (see Attachment E). The vacation will require a replat of the lots abutting the alley; additional right-of-way dedications along Arlington Avenue North and 1st Avenue North will be required at that time.
 - Private utilities have been identified in the right-of-way. The applicant will be required to obtain a Letter of No Objection from, or grant an easement to, TECO, Frontier Communications and Duke Energy.
- 2. Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.
 - Access will not be substantially impaired or denied 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, create dead-end rights-of-way, or substantially alter utilized travel patterns. The block and structures thereon are not locally designated historic landmarks or districts. They are, however, located in the Downtown National Register Historic District. The vacation of this alley has not been determined to undermine the integrity of the applicable plats.

- 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.
 - The area is not needed as right-of-way by the City.
- 5. The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.
 - No other factors were considered.

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:

- (1) Protect the public health, safety and general welfare;
- (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

Response to LU Goals 1, 2 and 4: The application, in accordance with recommended conditions of approval, would not impair the foregoing goals of the Land Use Element.

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 vacation would not impair the intent and purpose of this policy because the alley is not required for present or future public use. This alley has a north-south orientation, is only 129.5 feet long and does not serve the entire block; it appears to have been dedicated via the Gulf Peninsula plat in 1910 (see Attachment F – Plats), prior to the establishment of 1st Avenue North which reinforced the east-west orientation of the area. There are other north-south alleys in the area, however they are not the predominant pattern.

C. Comments from Organizations and the Public

As of April 18, 2023, City Staff received no comments from the public, the Downtown Neighborhood Association, Council of Neighborhood Associations (CONA) or the Federation of Inner-City Community Organizations (FICO).

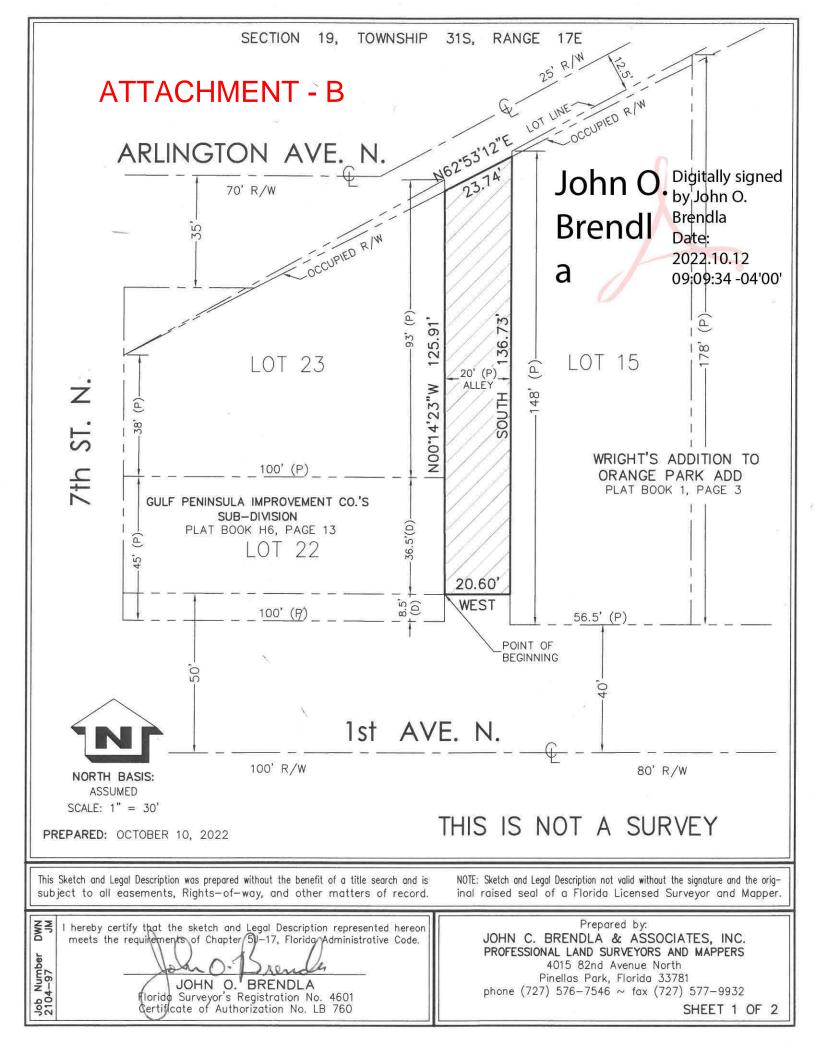
<u>RECOMMENDATION.</u> Staff recommends **APPROVAL** of the vacation with the following conditions of approval:

- 1. The Applicant shall comply with the Engineering Review Memo dated April 17, 2023.
- 2. Prior to recordation of the vacation ordinance, the Applicant shall a) obtain letters of no objection from, or grant easements to, TECO, Frontier Communications and Duke Energy, b) receive DRC approval of the related Site Plan (DRC Case #22-31000024), and c) receive final approval of a replat of the lots abutting the <u>alley</u>.
- 3. The Applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s). Any required easements and relocation of existing City utilities shall be at the expense of the Applicant.
- 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, by the 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:

/s/Cheryl Bergailo	4/18/23	
Cheryl Bergailo, AICP, LEED Green Assoc., Planner II	DATE	
Development Review Services Division		
Planning & Development Services Department		
REPORT APPROVED BY:		
REFORT AFFROVED BT.		
/s/ Corey Malyszka	4/18/23	
Corey Malyszka, AICP, Zoning Official (POD)	DATE	
Development Review Services Division		
Planning & Development Services Department		

Attachments: A – Location Map, B – Legal Description and Sketch, C – Photos, D - Application, E - Engineering Memo, F - Plats



SECTION 19, TOWNSHIP 31S, RANGE 17E

SKETCH AND LEGAL DESCRIPTION OF A PORTION OF A 20 FOOT WIDE ALLEY TO BE VACATED:

THAT PORTION OF A 20 FOOT ALLEY ADJACENT TO THE EAST SIDE OF

LOT 22, LESS THE SOUTH 8.5 FEET THEREOF CONVEYED FOR STREET PURPOSES; AND ALL OF LOT 23, IN **GULF PENINSULA IMPROVEMENT CO.'S SUB-DIVISION**, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 13, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART,

BOUNDED ON THE NORTH BY THE OCCUPIED SOUTH RIGHT-OF-WAY LINE OF ARLINGTON AVENUE NORTH AND ON THE EAST BY THE WEST BOUNDARY OF LOT 15, WRIGHT'S ADDITION TO ORANGE PARK ADD., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 8.5' NORTH OF THE SOUTHEAST CORNER OF AFOREMENTIONED LOT 22 FOR A POINT OF BEGINNING, RUN THENCE NO0'14'23"W 125.91' TO THE OCCUPIED SOUTH RIGHT-OF-WAY LINE OF ARLINGTON AVENUE NORTH; THENCE N62'53'12"E 23.74' ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 136.73' ALONG THE WEST BOUNDARY OF AFOREMENTIONED LOT 15; THENCE WEST 20.60' TO THE POINT OF BEGINNING.

CONTAINING 2,741 SQUARE FEET MORE OR LESS

LEGEND:

(D) = DEED(P) = PLATR/W = RIGHT-OF-WAY John O, Brendla Brendl a Joigitally signed by John O. Brendla Date: 2022.10.12 09:10:14 -04'00'

THIS IS NOT A SURVEY

PREPARED: OCTOBER 10, 2022

This Sketch and Legal Description was prepared without the benefit of a title search and is subject to all easements, Rights-of-way, and other matters of record.

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

JOHN O. BRENDLA Florida Surveyor's Registration No. 4601 Certificate of Authorization No. LB 760	Prepared by: JOHN C. BRENDLA & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS AND MAPPERS 4015 82nd Avenue North Pinellas Park, Florida 33781 phone (727) 576-7546 ~ fax (727) 577-9932 SHEET 2 OF 2
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View looking northward along alley.



View looking southward along alley.



ATTACHMENT - C Photos Planning and Development Services Department City of St. Petersburg, Florida

Page 1 of 1

ATTACHMENT - D



SUBDIVISION DECISION Application

Application No. 23-33000024

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.

Appl	ication	Type:
Per:	16.40.1	40 &

16.70.050

□ Lot Line Adjustment

- Lot Split
 - Lot Refacing
 - Street Name Change
- Street Closing

- Vacating Street Right-of-Way
- x Vacating Alley Right-of-Wav
- Vacating Walkway Right-of-Way
- **Vacating Easement**
- Vacating Air Rights

		GENERAL INFOR	MATION	
NAME of APPLICAN	IT (Property Owner)	: SPGRP II, LLC		
Street Address:	1273 E PUTNAM	AVE, PO BOX 991		
City, State, Zip:	RIVERSIDE CT ()6878		
Telephone No:		Email Address:	founders@gravelrd.com	
NAME of AGENT or	REPRESENTATIVE	: R. Donald Mastry,	Trenam Law	
Street Address:	200 Central Avenu	e, Suite 1600		
City, State, Zip:	St. Petersburg, FL	33701		
Telephone No:	727-824-6140	Email Address:	dmastry@trenam.com	
PROPERTY INFORM	IATION:			
Street Address o	r General Location:	699 1st Ave. N, 685	1st Ave. N., and 694 Arlington	Ave. N.
			80-000-0152, and 19-31-17-99	
DESCRIPTION OF R	EQUEST: alley and	d easement vacation		
PRE-APPLICATION	DATE: 1/18/22	PLANNER:	SKB	
		FEE SCHEDU	lF	
Lot Line & Lot Split Ad	djustment Administrat		– Vacating Streets & Alleys	\$1,000.00
Lot Line & Lot Split Ad			Vacating Walkway	\$400.00
Lot Refacing Administ		\$300.00	Vacating Easements	\$500.00
Lot Refacing Commis		\$500.00	Vacating Air Rights	\$1,000.00
Variance with any of t	he above	\$350.00	Street Name Change	\$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: + a once of	asty	hee	int
*Affidavit to Authorize Agent required, if signed by Agent.	V	0	

Dec. 1, 2022 Date:

\$1,000.00

Typed name of Signatory: R. Donald Mastry, as agent

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Street Closing

City of St. Petersburg - One 4th Street North - PO Box 2842 - St. Petersburg, FL 33731-2842 - (727) 893-7471 www.stpete.org/ldr



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.

NEIGHBORHOOD WORKSHEET				
699 1st Ave. N, 685 1st Ave. N., Street Address: and 694 Arlington Ave. N. Case No.:				
Description of Request: alley and easement vacation				
The underside a discout memory of the set of the condition the set of the set				
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:				
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:				



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: 699 1st Ave. N, 685 1st Ave. N., and 694 Arlington 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
N/A
(b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other publications
On 11/21/22, this application was sent to Downtown Neighborhood Assn., CONA and FICO
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located
N/A
2. Summary of concerns, issues, and problems expressed during the process
N/A
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) (variance@stpetecona.org) and to Federation of Inner-City Community Organizations (FICO)
(kleggs11@outlook.com) 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: <u>11/21/22</u>
 Date Notice of Intent to File sent to Associations within 300 feet, CONA and FICO

NARRATIVE IN SUPPORT OF SUBDIVISION DECISION APPLICATION (VACATION OF EASEMENT)

SPGRP II, LLC (the "<u>Applicant</u>") is the owner of 699 1st Ave. N, 685 1st Ave. N., and 694 Arlington Ave. N. (collectively, the "<u>Property</u>").

A 10 ft wide utility easement lies on the east side of the Property (the "<u>Easement</u>"). This Easement was created by the Perpetual and Exclusive Easement recorded in Official Records Book 15179, Page 1816, Public Records of Pinellas County, Florida.

The Applicant is requesting to vacate the Easement to allow for the redevelopment of the Property.

To the Applicant's knowledge, there are no public utilities in the Easement other than a sewer line which serves the Property.

Discussion of Matters for Consideration for Vacations

(Sec. 16.40.140.2.1.E of the Land Development Code)

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.

There is no need for easements as there are no public utilities within the Easement, other than a sewer line which serves the Property.

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

The vacation would not have this effect, as the Easement is for public utilities, not access.

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 would not have this effect, as the Easement is for public utilities, not access.

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.

The Easement is not needed for the purpose for which the City has a legal interest, as it only serves the Property owned by the Applicant.

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

Discussion of Standards of Review for Subdivision Decisions, Generally (Sec. 16.70.050.1(D) of the Land Development Code)

D. Standards for review. In reviewing the application for a subdivision decision, the POD, commission or the City Council shall consider whether 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.

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.

N/A

NARRATIVE IN SUPPORT OF SUBDIVISION DECISION APPLICATION (VACATION OF ALLEY)

SPGRP II, LLC (the "<u>Applicant</u>") is the owner of 699 1st Ave. N, 685 1st Ave. N., and 694 Arlington Ave. N. (collectively, the "<u>Property</u>").

A 20 ft wide alley bisects the Property (the "<u>Alley</u>"). The Alley was created by the plat of Gulf Peninsula Improvement Co's Subdivision recorded in Plat Book 6, Page 13, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

The Applicant is requesting to vacate the Alley to allow for the redevelopment of the Property.

To the Applicant's knowledge, there are no public utilities in the Alley other than those which serve the Property. The Applicant owns 100% of the lineal frontage of the Alley.

Discussion of Matters for Consideration for Vacations

(Sec. 16.40.140.2.1.E of the Land Development Code)

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.

There is no need for easements as there are no public utilities within the Alley, other than those which serve the Property.

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

The vacation would not have this effect, as the Alley does not provide 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 would not have this effect, as the Alley is not used as part of the roadway network.

The Alley runs approximately 130 ft through the Property from Arlington Ave. N. to 1st Ave. N. No other property abuts it and it does not connect to any other alleys.

The Property is within the Downtown St. Petersburg National Register Historic District. However, as the Alley has no connectivity to any other alley and solely serves this Property, its vacation will have no impact on any historic landmarks or districts. Further, the City previously vacated the portion of this Alley extending south of 1st Ave. N., and has vacated numerous other alleys and rights of way within downtown over the years.

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.

The Alley is not needed for the purpose for which the City has a legal interest, as it only serves the Property owned by the Applicant. There is no present or future need for the Alley for public vehicular or pedestrian access, or for public utility corridors, as it does not provide access or connectivity to any other property other than the Applicant's.

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

N/A

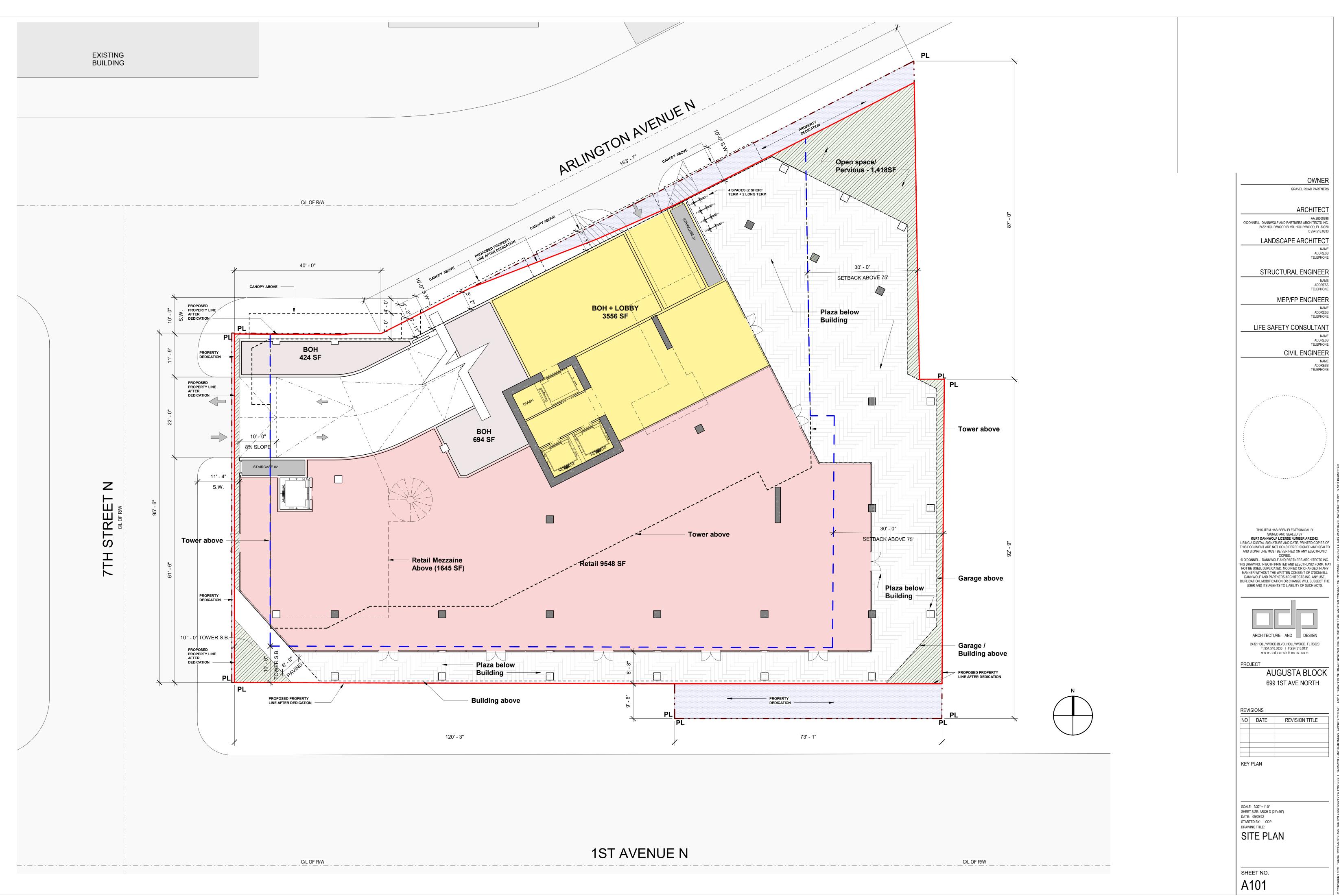
Discussion of Standards of Review for Subdivision Decisions, Generally (Sec. 16.70.050.1(D) of the Land Development Code)

D. Standards for review. In reviewing the application for a subdivision decision, the POD, commission or the City Council shall consider whether 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.

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.

The Property lies within the Intown Community Redevelopment Area. A significant emphasis in the Intown Redevelopment Plan (IRP) is block consolidation, which is a strategy that the City has been promoting and undertaking throughout downtown for decades.

Without the vacation, the Property will not be able to be redeveloped and will continue to be underutilized, with outdated, low intensity development. The vacation will allow for the construction of a new mixed-use project, bringing much needed housing to the City and will continue the desired growth of downtown.



ATTACHMENT - E

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

TO: Cheryl Bergailo, Planner II

FROM: Kyle Hurin – Engineering Civil Permit Examiner

DATE: April 17, 2023

SUBJECT: Vacate Alley – Revised ECID Narrative

FILE: 22-33000024 R1

LOCATION AND PIN: 685 and 699 1st Avenue North and 694 Arlington Avenue North 19-31-17-99180-000-0150; 19-31-17-99180-000-0152; 19-31-17-99180-000-0150

ATLAS: F-2 Zoning: DC-1

REQUEST: Approval to vacate a 20-foot-wide north-south alley generally located at 685 and 699 1st Avenue N and 694 Arlington Avenue N, between Lot 15 of Wright's Addition to Orange Park Addition and Lots 22 and 25 of the Gulf Peninsula Improvement Co's Subdivision.

SPECIAL CONDITIONS OF APPROVAL: The Engineering and Capital Improvements Department (ECID) has revised our narrative comments for the alley vacation based on continued discussions and revised plans received from the developer which are contained within the attached email Responses and Exhibits. City ECID has no objection to the proposed alley vacation with the following special conditions of approval.

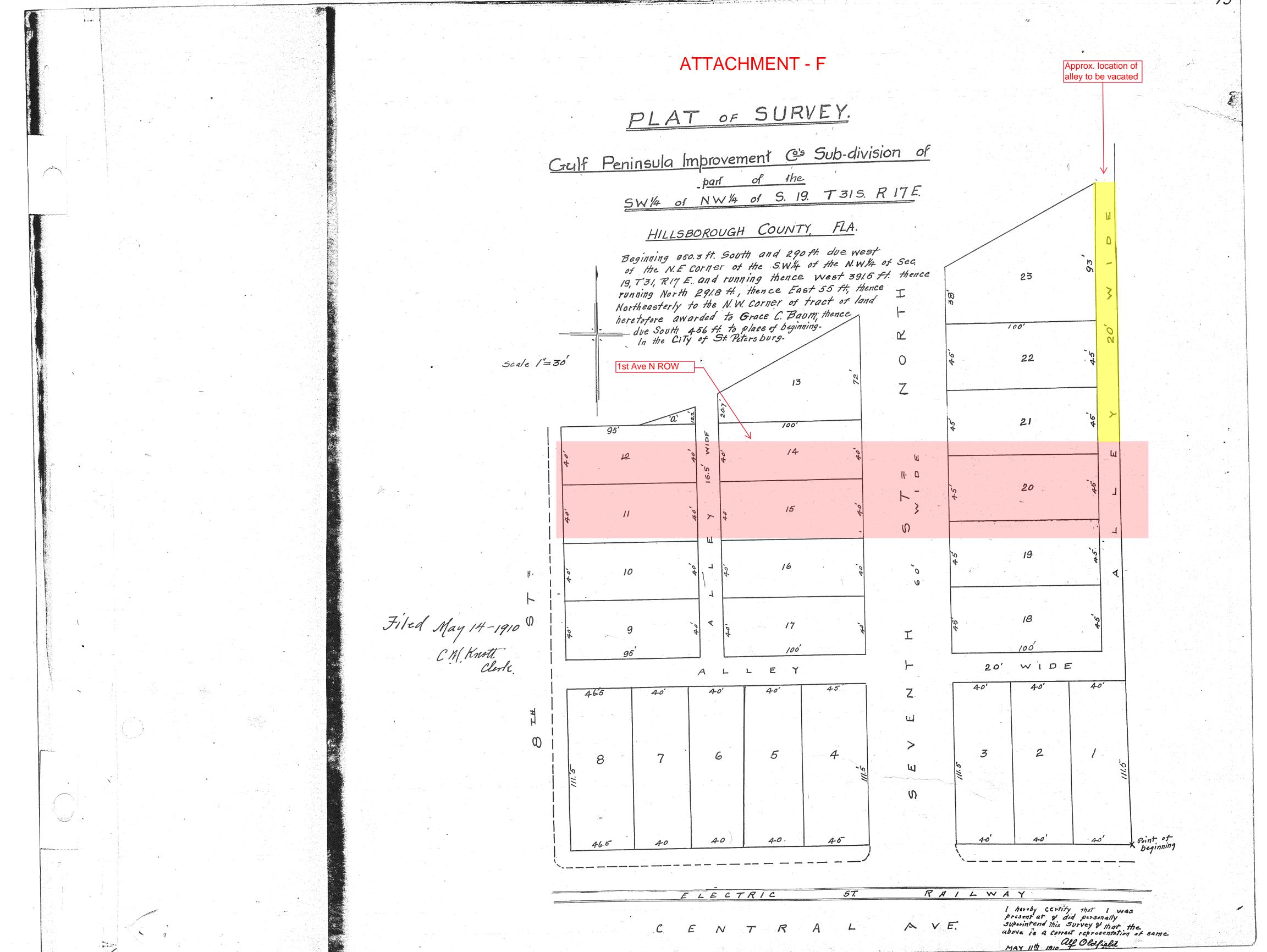
- 1. All brick, granite curbing and/or hexagon block pavers which exist within the vacated alley shall remain the property of the City of St. Petersburg and shall be removed by the applicant and returned to the City as part of the redevelopment of this site. Granite curb, brick and hexagon block removed shall be neatly stacked, palletized by the developer / contractor, and delivered to the City at the Contractor's cost. Contact the City Stormwater, Pavement, and Traffic Operations department at 727-893-7421 to coordinate delivery.
- 2. Approaches to the vacated alley shall be removed upon redevelopment of the site and road curb restored to an appropriate raised curb to match existing adjacent conditions. The applicant's Engineer shall assure that removal of the alley does not impact any historical drainage flow of adjacent public roadways.
 - City records indicate a stormwater grate inlet at the south end of the proposed alley vacation which is connected to a north-south 12-inch RCP crossing 1st Avenue North and terminating at another grate inlet on the south side of 1st Avenue North. During the site plan design process, the applicant's engineer shall further investigate the functioning of this drainage system to assure that historical drainage flow is not impacted with the site redevelopment. Any necessary modifications to the public stormwater system to maintain historical flow shall be by and at the sole expense of the developer.

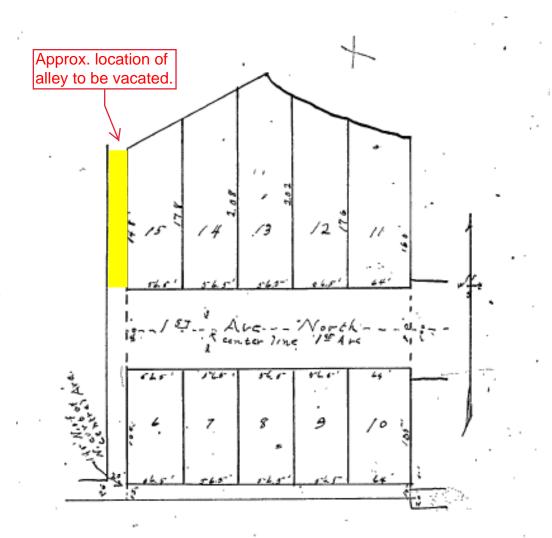
Application 22-33000024 4/17/2023 ECID Review Narrative Page **2** of **2**

- 3. The alley vacation will trigger a replat. The applicant is advised the following ECID special conditions will be applicable to the replat.
 - 10-feet of right of way shall be dedicated along the southern boundary of lots 14 and 15 for 1st Avenue North.
 - Additional right of way shall be dedicated along Arlington Avenue North as necessary to provide adequate space for the required 10-foot wide public sidewalk. Modifications to the final plan will be required during site plan review for construction permits to assure that the 10-foot wide sidewalk can be accommodated entirely within the right of way at the northwest corner of the site, at the intersection of 7th Street & Arlington. The current restrictions at this location could be accommodated with modifications to the road curb to include curb line bump out to provide adequate space for the 10-foot public sidewalk and to shift the 7th Street cross walk and northbound stop bar to the north of the proposed driveway approach.
 - The east-west 6" sanitary sewer main east of public manhole F002-M105 is not available for connection and must be properly abandoned per current City standards as part of the redevelopment of the site.
 - A sanitary sewer main extension is required to provide service to the redevelopment. The applicant's Engineer must provide signed and sealed plan and profile for the main extension for City ECID review and approval. All required improvements shall be installed in accordance with the standards, specifications, and policies adopted by the City. Design and construction shall be by and at the sole expense of the applicant/developer. An FDEP Wastewater Collection system permit will be required.
 - The applicant shall provide CCTV of the 24" storm sewer located in the southern boundary of Arlington Avenue North for City review prior to ECID approval of construction permits. Any need for repair or lining prior to permit issuance would be a City expense as it is the ROW, and would have predated the work on the site. However, due to proximity of the asset to the proposed construction, the assets need to be protected during construction, and a post construction CCTV (prior to final ROW completion) would be required to verify no damage. If damage is discovered, the permitee will be required to repair or replace.

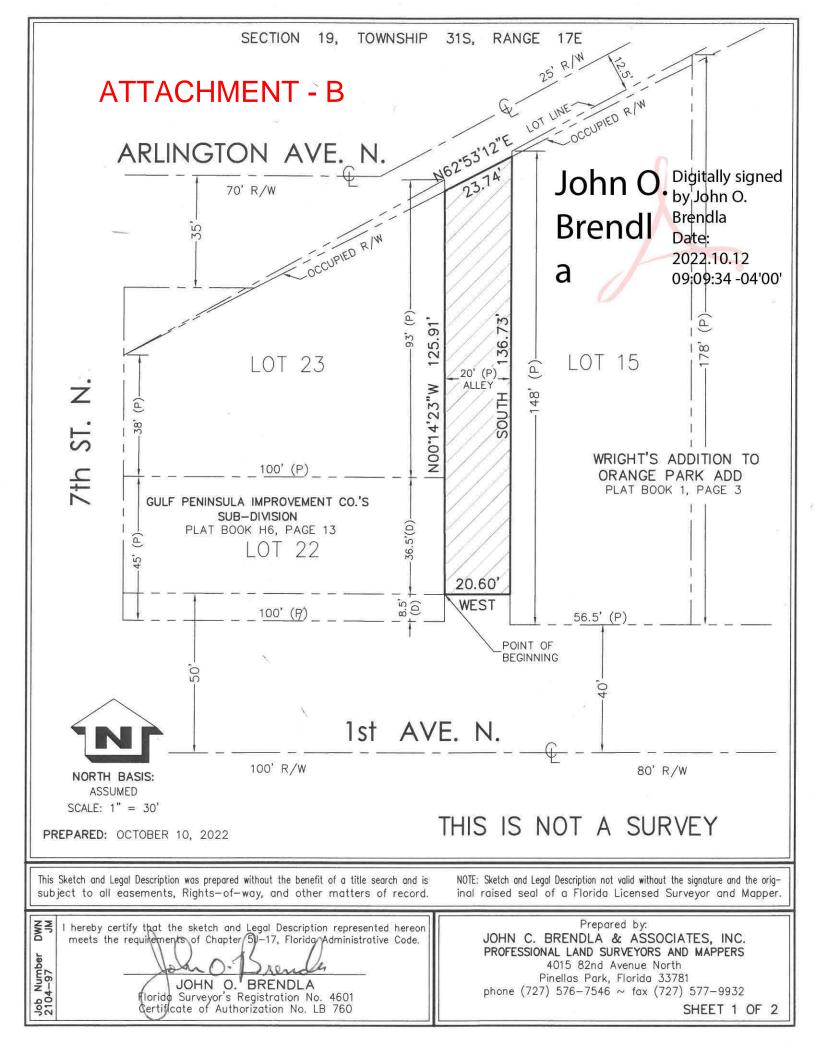
KJH/mk

ec: Sean McWhite – WRD Kayla Eger – Development Review Services





WRIGHT'S ADDITION To Orange Park Add. The City of St. Petersburg Florida. Scale:-1"=100' Feb. 12, 1912 W.S. Merred Eng. Co. Surreyors Filea Imarch 13" 1912 C. Trucicing Clark Count Court



SECTION 19, TOWNSHIP 31S, RANGE 17E

SKETCH AND LEGAL DESCRIPTION OF A PORTION OF A 20 FOOT WIDE ALLEY TO BE VACATED:

THAT PORTION OF A 20 FOOT ALLEY ADJACENT TO THE EAST SIDE OF

LOT 22, LESS THE SOUTH 8.5 FEET THEREOF CONVEYED FOR STREET PURPOSES; AND ALL OF LOT 23, IN **GULF PENINSULA IMPROVEMENT CO.'S SUB-DIVISION**, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 13, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, OF WHICH PINELLAS COUNTY WAS FORMERLY A PART,

BOUNDED ON THE NORTH BY THE OCCUPIED SOUTH RIGHT-OF-WAY LINE OF ARLINGTON AVENUE NORTH AND ON THE EAST BY THE WEST BOUNDARY OF LOT 15, WRIGHT'S ADDITION TO ORANGE PARK ADD., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 8.5' NORTH OF THE SOUTHEAST CORNER OF AFOREMENTIONED LOT 22 FOR A POINT OF BEGINNING, RUN THENCE NO0'14'23"W 125.91' TO THE OCCUPIED SOUTH RIGHT-OF-WAY LINE OF ARLINGTON AVENUE NORTH; THENCE N62'53'12"E 23.74' ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 136.73' ALONG THE WEST BOUNDARY OF AFOREMENTIONED LOT 15; THENCE WEST 20.60' TO THE POINT OF BEGINNING.

CONTAINING 2,741 SQUARE FEET MORE OR LESS

LEGEND:

(D) = DEED(P) = PLATR/W = RIGHT-OF-WAY John O, Brendla Brendl a Joigitally signed by John O. Brendla Date: 2022.10.12 09:10:14 -04'00'

THIS IS NOT A SURVEY

PREPARED: OCTOBER 10, 2022

This Sketch and Legal Description was prepared without the benefit of a title search and is subject to all easements, Rights-of-way, and other matters of record.

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

JOHN O. BRENDLA Florida Surveyor's Registration No. 4601 Certificate of Authorization No. LB 760	Prepared by: JOHN C. BRENDLA & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS AND MAPPERS 4015 82nd Avenue North Pinellas Park, Florida 33781 phone (727) 576-7546 ~ fax (727) 577-9932 SHEET 2 OF 2
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View looking northward along alley.



View looking southward along alley.



ATTACHMENT - C Photos Planning and Development Services Department City of St. Petersburg, Florida

Page 1 of 1

ATTACHMENT - D



SUBDIVISION DECISION Application

Application No. 23-33000024

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.

Appl	ication	Type:
Per:	16.40.1	40 &

16.70.050

□ Lot Line Adjustment

- Lot Split
 - Lot Refacing
 - Street Name Change
- Street Closing

- Vacating Street Right-of-Way
- x Vacating Alley Right-of-Wav
- Vacating Walkway Right-of-Way
- **Vacating Easement**
- Vacating Air Rights

		GENERAL INFOR	MATION	
NAME of APPLICAN	IT (Property Owner)	: SPGRP II, LLC		
Street Address:	1273 E PUTNAM	AVE, PO BOX 991		
City, State, Zip:	RIVERSIDE CT ()6878		
Telephone No:		Email Address:	founders@gravelrd.com	
NAME of AGENT or	REPRESENTATIVE	: R. Donald Mastry,	Trenam Law	
Street Address:	200 Central Avenu	e, Suite 1600		
City, State, Zip:	St. Petersburg, FL	33701		
Telephone No:	727-824-6140	Email Address:	dmastry@trenam.com	
PROPERTY INFORM	IATION:			
Street Address o	r General Location:	699 1st Ave. N, 685	1st Ave. N., and 694 Arlington	Ave. N.
			80-000-0152, and 19-31-17-99	
DESCRIPTION OF R	EQUEST: alley and	d easement vacation		
PRE-APPLICATION	DATE: 1/18/22	PLANNER:	SKB	
		FEE SCHEDU	lF	
Lot Line & Lot Split Ad	djustment Administrat		– Vacating Streets & Alleys	\$1,000.00
Lot Line & Lot Split Ad			Vacating Walkway	\$400.00
Lot Refacing Administ		\$300.00	Vacating Easements	\$500.00
Lot Refacing Commis		\$500.00	Vacating Air Rights	\$1,000.00
Variance with any of t	he above	\$350.00	Street Name Change	\$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: + a once of	asty	hee	int
*Affidavit to Authorize Agent required, if signed by Agent.	V	0	

Dec. 1, 2022 Date:

\$1,000.00

Typed name of Signatory: R. Donald Mastry, as agent

Page 3 of 6

Street Closing

City of St. Petersburg - One 4th Street North - PO Box 2842 - St. Petersburg, FL 33731-2842 - (727) 893-7471 www.stpete.org/ldr



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.

NEIGHBORHOOD WORKSHEET
699 1st Ave. N, 685 1st Ave. N. Street Address: and 694 Arlington Ave. N. Case No.:
Description of Request: alley and easement vacation
The underside a discout mean why compare understand the meture of the complicant's nervoet and do not
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:
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:



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: 699 1st Ave. N, 685 1st Ave. N., and 694 Arlington 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
N/A
(b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other publications
On 11/21/22, this application was sent to Downtown Neighborhood Assn., CONA and FICO
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located
N/A
2. Summary of concerns, issues, and problems expressed during the process
N/A
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) (variance@stpetecona.org) and to Federation of Inner-City Community Organizations (FICO)
(kleggs11@outlook.com) 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: <u>11/21/22</u>
Attach the evidence of the required notices to this sheet such as Sent emails.

NARRATIVE IN SUPPORT OF SUBDIVISION DECISION APPLICATION (VACATION OF EASEMENT)

SPGRP II, LLC (the "<u>Applicant</u>") is the owner of 699 1st Ave. N, 685 1st Ave. N., and 694 Arlington Ave. N. (collectively, the "<u>Property</u>").

A 10 ft wide utility easement lies on the east side of the Property (the "<u>Easement</u>"). This Easement was created by the Perpetual and Exclusive Easement recorded in Official Records Book 15179, Page 1816, Public Records of Pinellas County, Florida.

The Applicant is requesting to vacate the Easement to allow for the redevelopment of the Property.

To the Applicant's knowledge, there are no public utilities in the Easement other than a sewer line which serves the Property.

Discussion of Matters for Consideration for Vacations

(Sec. 16.40.140.2.1.E of the Land Development Code)

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.

There is no need for easements as there are no public utilities within the Easement, other than a sewer line which serves the Property.

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

The vacation would not have this effect, as the Easement is for public utilities, not access.

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 would not have this effect, as the Easement is for public utilities, not access.

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.

The Easement is not needed for the purpose for which the City has a legal interest, as it only serves the Property owned by the Applicant.

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

Discussion of Standards of Review for Subdivision Decisions, Generally (Sec. 16.70.050.1(D) of the Land Development Code)

D. Standards for review. In reviewing the application for a subdivision decision, the POD, commission or the City Council shall consider whether 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.

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.

N/A

NARRATIVE IN SUPPORT OF SUBDIVISION DECISION APPLICATION (VACATION OF ALLEY)

SPGRP II, LLC (the "<u>Applicant</u>") is the owner of 699 1st Ave. N, 685 1st Ave. N., and 694 Arlington Ave. N. (collectively, the "<u>Property</u>").

A 20 ft wide alley bisects the Property (the "<u>Alley</u>"). The Alley was created by the plat of Gulf Peninsula Improvement Co's Subdivision recorded in Plat Book 6, Page 13, Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part.

The Applicant is requesting to vacate the Alley to allow for the redevelopment of the Property.

To the Applicant's knowledge, there are no public utilities in the Alley other than those which serve the Property. The Applicant owns 100% of the lineal frontage of the Alley.

Discussion of Matters for Consideration for Vacations

(Sec. 16.40.140.2.1.E of the Land Development Code)

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.

There is no need for easements as there are no public utilities within the Alley, other than those which serve the Property.

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

The vacation would not have this effect, as the Alley does not provide 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 would not have this effect, as the Alley is not used as part of the roadway network.

The Alley runs approximately 130 ft through the Property from Arlington Ave. N. to 1st Ave. N. No other property abuts it and it does not connect to any other alleys.

The Property is within the Downtown St. Petersburg National Register Historic District. However, as the Alley has no connectivity to any other alley and solely serves this Property, its vacation will have no impact on any historic landmarks or districts. Further, the City previously vacated the portion of this Alley extending south of 1st Ave. N., and has vacated numerous other alleys and rights of way within downtown over the years.

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.

The Alley is not needed for the purpose for which the City has a legal interest, as it only serves the Property owned by the Applicant. There is no present or future need for the Alley for public vehicular or pedestrian access, or for public utility corridors, as it does not provide access or connectivity to any other property other than the Applicant's.

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

N/A

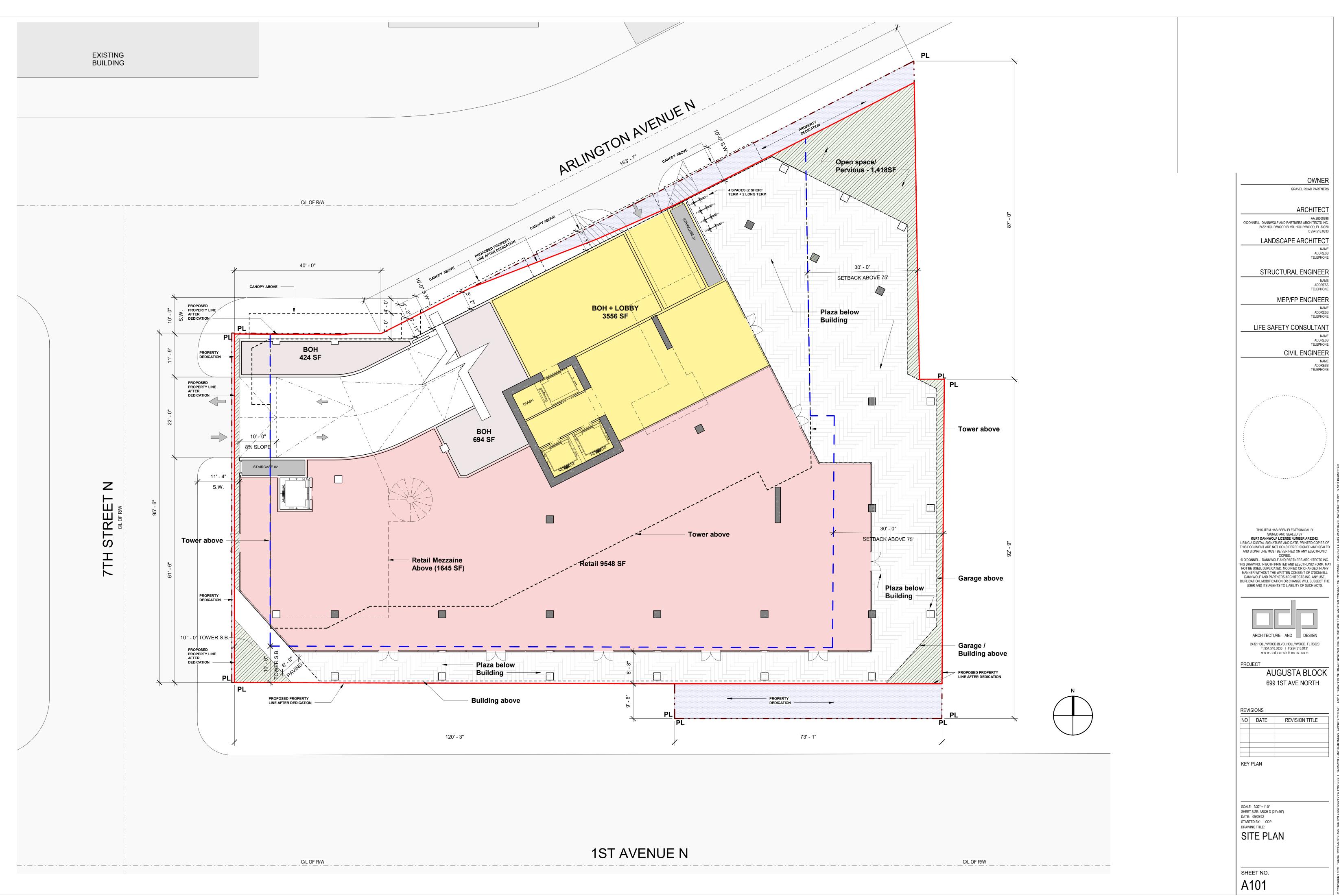
Discussion of Standards of Review for Subdivision Decisions, Generally (Sec. 16.70.050.1(D) of the Land Development Code)

D. Standards for review. In reviewing the application for a subdivision decision, the POD, commission or the City Council shall consider whether 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.

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.

The Property lies within the Intown Community Redevelopment Area. A significant emphasis in the Intown Redevelopment Plan (IRP) is block consolidation, which is a strategy that the City has been promoting and undertaking throughout downtown for decades.

Without the vacation, the Property will not be able to be redeveloped and will continue to be underutilized, with outdated, low intensity development. The vacation will allow for the construction of a new mixed-use project, bringing much needed housing to the City and will continue the desired growth of downtown.



ATTACHMENT - E

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

TO: Cheryl Bergailo, Planner II

FROM: Kyle Hurin – Engineering Civil Permit Examiner

DATE: April 17, 2023

SUBJECT: Vacate Alley – Revised ECID Narrative

FILE: 22-33000024 R1

LOCATION AND PIN: 685 and 699 1st Avenue North and 694 Arlington Avenue North 19-31-17-99180-000-0150; 19-31-17-99180-000-0152; 19-31-17-99180-000-0150

ATLAS: F-2 Zoning: DC-1

REQUEST: Approval to vacate a 20-foot-wide north-south alley generally located at 685 and 699 1st Avenue N and 694 Arlington Avenue N, between Lot 15 of Wright's Addition to Orange Park Addition and Lots 22 and 25 of the Gulf Peninsula Improvement Co's Subdivision.

SPECIAL CONDITIONS OF APPROVAL: The Engineering and Capital Improvements Department (ECID) has revised our narrative comments for the alley vacation based on continued discussions and revised plans received from the developer which are contained within the attached email Responses and Exhibits. City ECID has no objection to the proposed alley vacation with the following special conditions of approval.

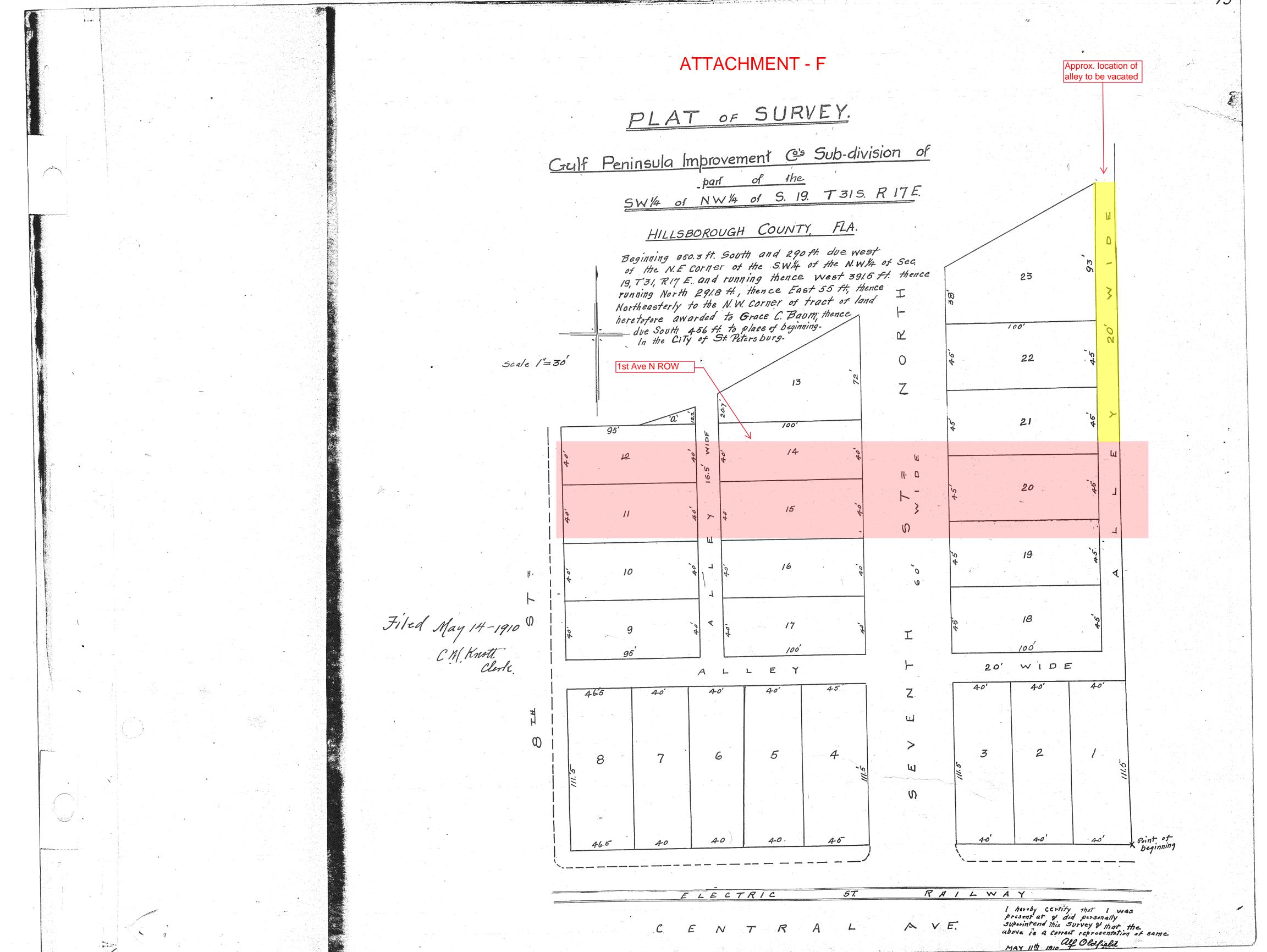
- 1. All brick, granite curbing and/or hexagon block pavers which exist within the vacated alley shall remain the property of the City of St. Petersburg and shall be removed by the applicant and returned to the City as part of the redevelopment of this site. Granite curb, brick and hexagon block removed shall be neatly stacked, palletized by the developer / contractor, and delivered to the City at the Contractor's cost. Contact the City Stormwater, Pavement, and Traffic Operations department at 727-893-7421 to coordinate delivery.
- 2. Approaches to the vacated alley shall be removed upon redevelopment of the site and road curb restored to an appropriate raised curb to match existing adjacent conditions. The applicant's Engineer shall assure that removal of the alley does not impact any historical drainage flow of adjacent public roadways.
 - City records indicate a stormwater grate inlet at the south end of the proposed alley vacation which is connected to a north-south 12-inch RCP crossing 1st Avenue North and terminating at another grate inlet on the south side of 1st Avenue North. During the site plan design process, the applicant's engineer shall further investigate the functioning of this drainage system to assure that historical drainage flow is not impacted with the site redevelopment. Any necessary modifications to the public stormwater system to maintain historical flow shall be by and at the sole expense of the developer.

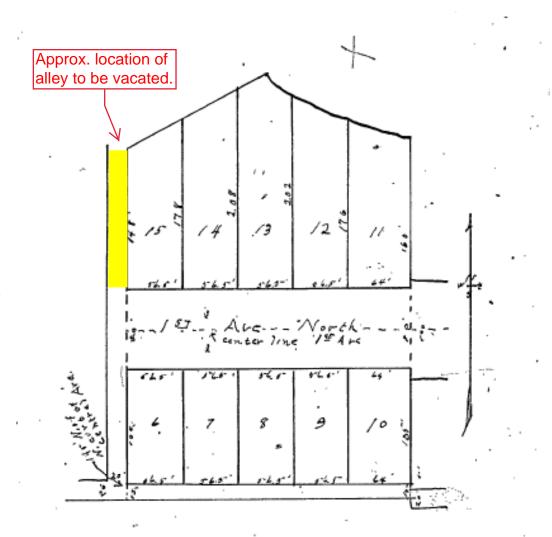
Application 22-33000024 4/17/2023 ECID Review Narrative Page **2** of **2**

- 3. The alley vacation will trigger a replat. The applicant is advised the following ECID special conditions will be applicable to the replat.
 - 10-feet of right of way shall be dedicated along the southern boundary of lots 14 and 15 for 1st Avenue North.
 - Additional right of way shall be dedicated along Arlington Avenue North as necessary to provide adequate space for the required 10-foot wide public sidewalk. Modifications to the final plan will be required during site plan review for construction permits to assure that the 10-foot wide sidewalk can be accommodated entirely within the right of way at the northwest corner of the site, at the intersection of 7th Street & Arlington. The current restrictions at this location could be accommodated with modifications to the road curb to include curb line bump out to provide adequate space for the 10-foot public sidewalk and to shift the 7th Street cross walk and northbound stop bar to the north of the proposed driveway approach.
 - The east-west 6" sanitary sewer main east of public manhole F002-M105 is not available for connection and must be properly abandoned per current City standards as part of the redevelopment of the site.
 - A sanitary sewer main extension is required to provide service to the redevelopment. The applicant's Engineer must provide signed and sealed plan and profile for the main extension for City ECID review and approval. All required improvements shall be installed in accordance with the standards, specifications, and policies adopted by the City. Design and construction shall be by and at the sole expense of the applicant/developer. An FDEP Wastewater Collection system permit will be required.
 - The applicant shall provide CCTV of the 24" storm sewer located in the southern boundary of Arlington Avenue North for City review prior to ECID approval of construction permits. Any need for repair or lining prior to permit issuance would be a City expense as it is the ROW, and would have predated the work on the site. However, due to proximity of the asset to the proposed construction, the assets need to be protected during construction, and a post construction CCTV (prior to final ROW completion) would be required to verify no damage. If damage is discovered, the permitee will be required to repair or replace.

KJH/mk

ec: Sean McWhite – WRD Kayla Eger – Development Review Services





WR I G.HT'S A.DD/TION To Orange Park Add. The City of St. Petersburg Florida. Scale:-1"=100' Feb. 12, 1912 W.S. Merred Eng. Co. Surreyors Filea Imarch 13" 1912 C.M. Truisling Class Carcing Const.