



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, **Commission member Tim Clemmons** 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 **scheduled on Wednesday, September 9, 2020 at 2:00 P.M.**, by means of communications media technology pursuant to Executive Order 20-192 issued by the Governor on August 5, 2020, and Executive Order 2020-30 issued by the Mayor on July 8, 2020. Authorization for a virtual meeting has been extended through October 1st by Governor's executive order. The City's Planning and Development Services Department requests that you visit the City website at www.stpete.org/meetings and/or contact the case planner for up-to-date information pertaining to this case.

CASE NO.: 20-33000011 PLAT SHEET: F-3

REQUEST: Approval to vacate a portion of street right-of-way approximately 17 feet wide and 339 feet long along the west side of 5th Street South between 6th and 7th Avenues South.

OWNER: All Children's Hospital, Inc.
ATTN: Dept. 9010-Finance
550 9th Ave S
St. Petersburg, FL 33701-5210

AGENT: Stantec Consulting Services
ATTN: R. Adam Carnegie
777 S. Harbour Island Blvd, Suite 600
Tampa, FL

ADDRESS: 601 5th Street South

PARCEL ID NO.: 19-31-17-00388-001-0010, 19-31-17-00388-001-0011

ZONING: Employment Center-2 (EC-2)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate a portion of street right-of-way approximately 17 feet wide and 339 feet long along the west side of 5th Street South between 6th and 7th Avenues South (see Attachment A for the Project Location Map, Attachment B for Sketch & Legal Description and Attachment C for Overall Plan and Cross-Sections).

The purpose of the vacation is to relocate the Hospital's underground steam and chiller line above ground because it has been damaged by groundwater intrusion. The steam and chilled water provides HVAC services to the Hospital's buildings and originates in their Central Energy Plant located at the northeast corner of 5th Street South and 8th Avenue South. For this segment, the structural supports for the overhead line cannot be placed on private property due to insufficient private land area and are therefore proposed in the City right-of-way. The applicant has been directed by the City's Engineering and Legal staff to apply for a right-of-way vacation. The applicant has also requested approval for a Site Plan Modification (DRC Case No. 20-31000006) for this project.

The subject right-of-way segment is located adjacent to Hospital-owned buildings located in the Employment Center Zone. See Attachment D for the Application including Project Narrative and Attachment E for Photos.

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 right-of-way. In this case, the material submitted by the applicant does provide background or analysis 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 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 were no objections to the vacation request by City Departments. City Engineering and Transportation staff have requested that the right-of-way of 5th Street South to be vacated be retained as a ***Public Sidewalk and Public Utility Easement***, and Engineering also has construction-related comments in their Engineering Review Memo dated September 2, 2020, which is located in Attachment F and is recommended as a Condition of Approval. The applicant will be required to amend the License Agreement between the City of St. Petersburg and All Children's Hospital, Inc., which was executed for the original underground chiller system.

Duke Energy and Spectrum/Bright House Networks have reported facilities in the area to be vacated. It is a Condition of Approval at the end of this report that relocation or removal of these facilities be coordinated with the utility companies. The applicant has been working with the utility companies to accomplish this.

2. ***Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.***
 - Access to the street 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 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.
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 City still has need for this right-of-way because it provides for public sidewalk and underground utilities. A public easement will be required over a portion of the right-of-way for sidewalk and utility purposes.
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 right-of-way would facilitate the construction of the proposed above-ground chiller line, which the Hospital sees as a benefit to its operations. The project will also benefit the City as a whole if the proposed structure provides shade for the adjacent sidewalk and if it advances the streetscape plans of the Innovation District.
 - A replat of the area is not required per 16.40.140.2.1.F because the application entails only a partial vacation of the right-of-way.

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;*
- *(5) Attain the highest level of economic well-being possible for the city and its citizens.*

Response to LU Goals 1 and 5: The application would advance these goals by facilitating the development of a facility improvement at the Hospital and by advancing the streetscape plans of the Innovation District. According to the Project Narrative submitted with the Application, the rebuilt line will better serve the Hospital than the existing system.

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 effective impact to the right-of-way with the implementation of the required easement and streetscape improvements will be minimal.

C. Adopted Neighborhood or Special Area Plans

The area is located in the Innovation District. According to a letter of support from the District dated May 20, 2020, the “design of this project aligns to the Innovation District’s Streetscape and Connectivity Plan of March 2017.” The streetscape plan followed the completion of the St. Petersburg Innovation District Visioning Summary of 2015. See the full letter in Attachment D – Application.

D. Comments from Organizations and the Public

As of September 2, 2020, City Staff received no comments on the application from the public or the Downtown Residents Civic Association, the Downtown Neighborhood Association, the Historic Roser Park Neighborhood Association, the Council of Neighborhood Associations (CONA) or the Federation of Inner-City Community Organizations (FICO).

The Public Participation Report submitted with the application indicates that the applicant met with the Innovation District Board on May 13, 2020 to discuss the project. See the letter of support from the District in Attachment D.

RECOMMENDATION. Staff recommends **APPROVAL** of the proposed right-of-way vacation, and the following conditions of approval:

1. Approval shall be conditioned upon the receipt of approval of the requested Site Plan Modification application (DRC Case No. 20-31000006).
2. Prior to recording of the vacation ordinance, the applicant shall coordinate with Duke Energy and Spectrum/Bright House Networks to obtain Letters of No Objection from them.
3. The applicant shall comply with the comments in the Engineering Review Memo dated September 2, 2020. Prior to initiation of construction of the above ground utility system, the License Agreement between the City of St. Petersburg and All Children’s Hospital, Inc., executed for the original underground chiller system, shall be amended to reflect the new project.
4. Any required easements and relocation of existing City utilities shall be at the expense of the applicant. 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.

REPORT PREPARED BY:

/s/Cheryl Bergailo

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

9/2/20

DATE

REPORT APPROVED BY:


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

9.3.2020

DATE

Attachments: A – Location Map, B – Sketches & Legal Descriptions, C – Overall Plan & Cross-Sections,
D – Application, E – Photos, F – Engineering Memo dated September 2, 2020

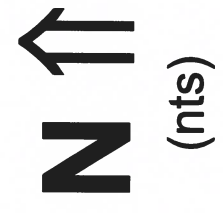


Parcel 4



ATTACHMENT - A

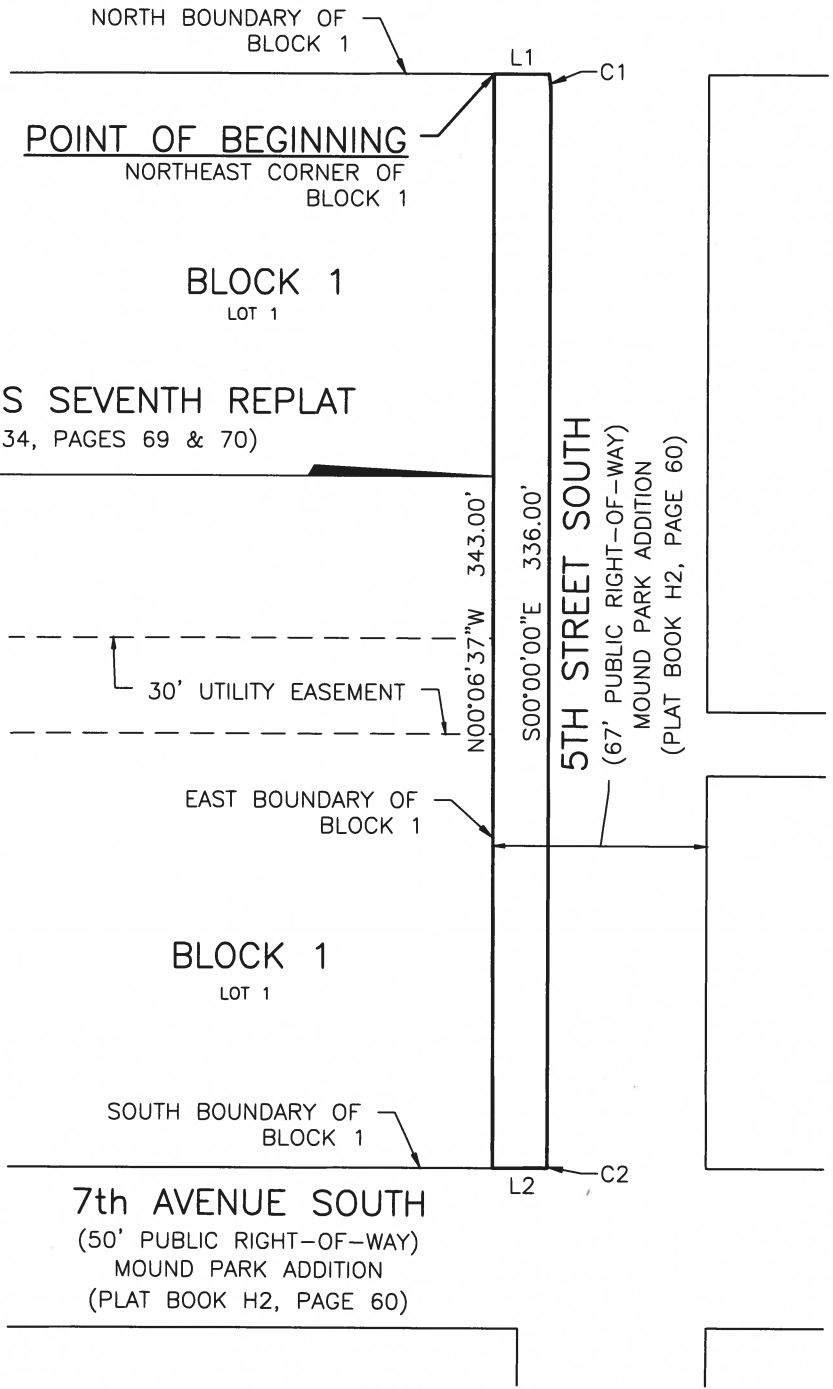
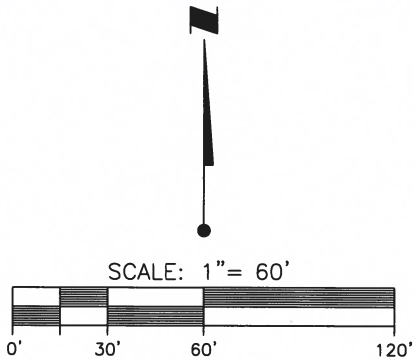
Project Location Map
City of St. Petersburg, Florida
Planning and Development Services Department
Case No.: 20-3300011
Address: 601 5th Street South



PARCEL No.4
(COMPLETE VACATE)

ATTACHMENT - B

6th AVENUE SOUTH
(100' PUBLIC RIGHT-OF-WAY
(PLAT BOOK H2, PAGE 60)



ALL CHILDREN'S SEVENTH REPLAT
(PLAT BOOK 134, PAGES 69 & 70)

BLOCK 1
LOT 1

7th AVENUE SOUTH
(50' PUBLIC RIGHT-OF-WAY)
MOUND PARK ADDITION
(PLAT BOOK H2, PAGE 60)

LEGEND:

H2= PLAT BOOK 2 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°56'22"E	17.07'
L2	S89°56'22"W	16.99'

CURVE TABLE							
CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING	
C1	11°08'44"	32.00'	6.22'	6.22'	3.12'	S05°34'22"E	
C2	2°32'05"	18.50'	0.82'	0.82'	0.41'	S01°16'03"W	

NOT A SURVEY

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SCALE: 1"=60'	<p>One Team, Infinite Solutions 777 S. Harbour Island Blvd., STE 600, Tampa, FL 33602 800.643.4336 • 813-223-9500 • F 813-223-0009 • www.Stantec.com Stantec Consulting Services Inc. • Certificate of Authorization L.B 7866</p>	TITLE PARCEL No.4 (COMPLETE VACATE)	PROJECT NO. 215615477
LEAD TECH. DMD		PROJ: J.H.A.C.H. STEAM/CHILLED WATER LINE REPLACEMENT	INDEX NO: SV-215615477-SK04
SEC-TWP-RGE 19-31S-17E		CLIENT: VOLTAIR, INC.	DATE: 05-08-2020
REV NO. DATE			SHEET NO: 1 OF 2

PARCEL No.4 (COMPLETE VACATE):

A parcel of land being a portion of 5th Street South, of MOUND PARK ADDITION, according the map or plat thereof, as recorded in Plat Book 2, page 60 of the Public Records of Hillsborough County, Florida, of which Pinellas County was formerly a part, being more particularly described as follows:

Begin at the Northeast corner of Block 1, ALL CHILDREN'S SEVENTH REPLAT, according the map or plat thereof, as recorded in Plat Book 134, pages 69 & 70 of the Public Records of Pinellas County, Florida and run thence N.89°56'22"E., along the easterly extension of the North boundary line of said Block 1, a distance of 17.07 feet to a point on the arc of a curve; thence departing said easterly extension, 6.22 feet along the arc of a curve to the right through a central angle of 11°08'44", said curve having a radius of 32.00 feet and being subtended by a chord which bears S.05°34'22"E., 6.22 feet to a point of tangency; thence S.00°00'00"E., 336.00 feet to a point of curvature; thence 0.82 foot along the arc of a curve to the right through a central angle of 02°32'05", said curve having a radius of 18.50 feet and being subtended by a chord which bears S.01°16'03"W., 0.82 foot to a point of intersection with the easterly extension of the South boundary line of aforementioned Block 1; thence S.89°56'22"W., along said extension, 16.99 feet to the Southeast corner of aforementioned Block 1; thence N.00°06'37"W., along the East boundary of said Block 1, a distance of 343.00 feet to the point of beginning.

Containing 0.137 acre (5,947 square feet), more or less.

NOTES:


1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY OR OWNERSHIP OTHER THAN THOSE INDICATED HEREON WERE PROVIDED TO OR PURSUED BY THE UNDERSIGNED.
2. PAPER COPIES OF THIS DOCUMENT ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER INDICATED BELOW. ELECTRONIC VERSIONS OF THIS DOCUMENT ARE NOT VALID UNLESS THEY CONTAIN AN ELECTRONIC SIGNATURE AS PROVIDED FOR BY CHAPTER 5J-17.062, FLORIDA ADMINISTRATIVE CODE.
3. BEARINGS SHOWN HEREON ARE BASED ON THE EAST BOUNDARY LINE OF BLOCK 1, ALL CHILDREN'S SEVENTH REPLAT (PLAT BOOK 134, PAGES 69 & 70), HAVING A GRID BEARING OF N.00°06'37"W., (NORTH AMERICAN DATUM OF 1983 - 2011 ADJUSTMENT) FLORIDA STATE PLANE COORDINATE SYSTEM.

STANTEC CONSULTING SERVICES INC.
 CERTIFICATE OF AUTHORIZATION No.L.B.7866

MARK H. FOSTER, PSM
 FLORIDA LICENSE No.L.S.5535

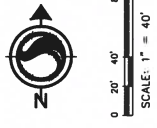
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SCALE:	N/A	 <p>One Team, Infinite Solutions 777 S. Harbour Island Blvd., STE 600, Tampa, FL 33602 800.643.4336 • 813-223-9500 • F 813-223-0009 • www.Stantec.com Stantec Consulting Services Inc. • Certificate of Authorization L.B.7866</p>	TITLE	PARCEL No.4 (COMPLETE VACATE)	PROJECT NO.	215615477
LEAD TECH.	DMD		PROJ:	J.H.A.C.H. STEAM/CHILLED WATER LINE REPLACEMENT	INDEX NO:	SV-215615477-SK04
SEC-TWP-RGE	19-315-17E		CLIENT:	VOLTAIR, INC.	DATE:	05-08-2020
REV NO. DATE					SHEET NO:	2 OF 2

REVISION	BY	DATE

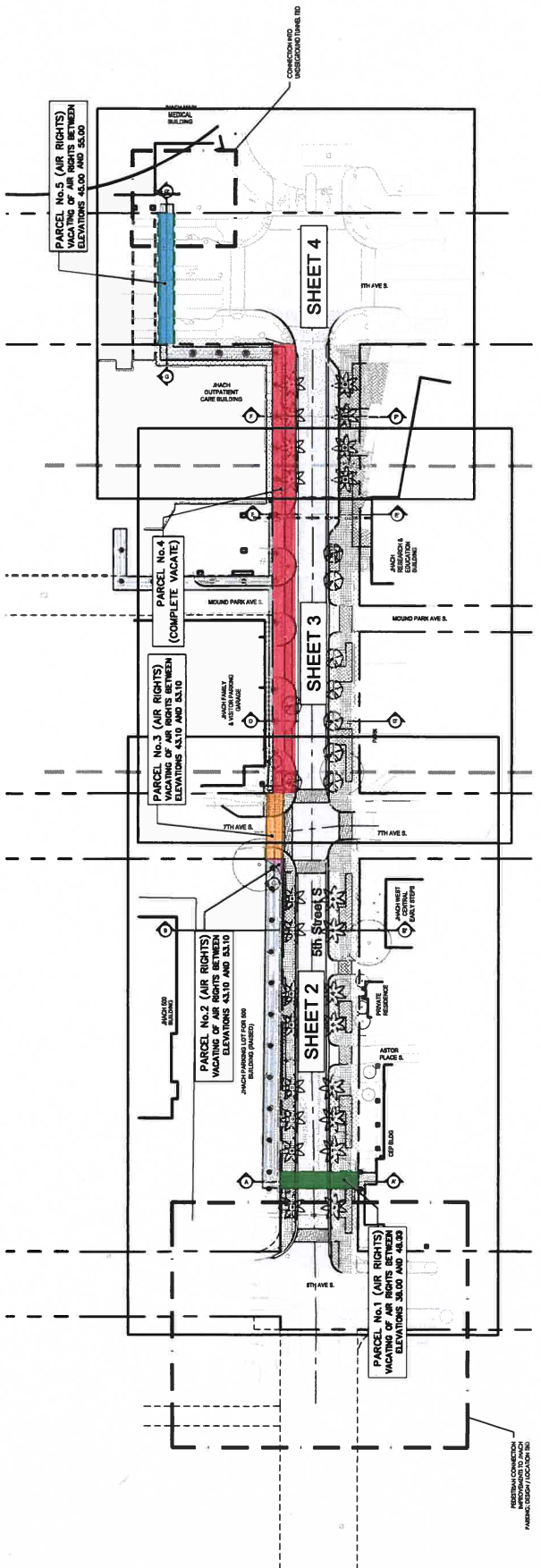
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Drawn By	
Checked By	
Design No.	
Revision	0

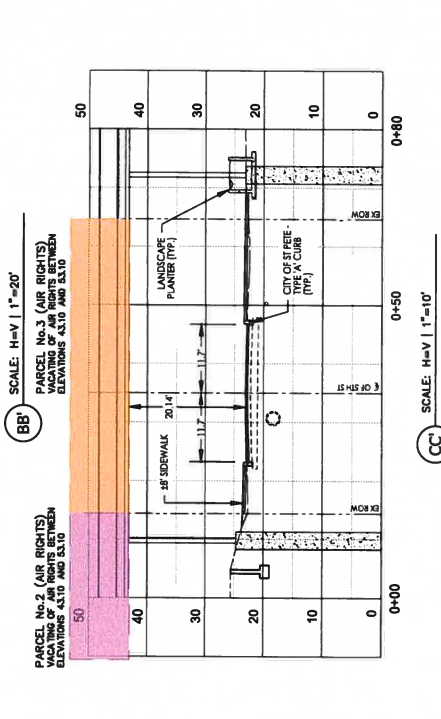
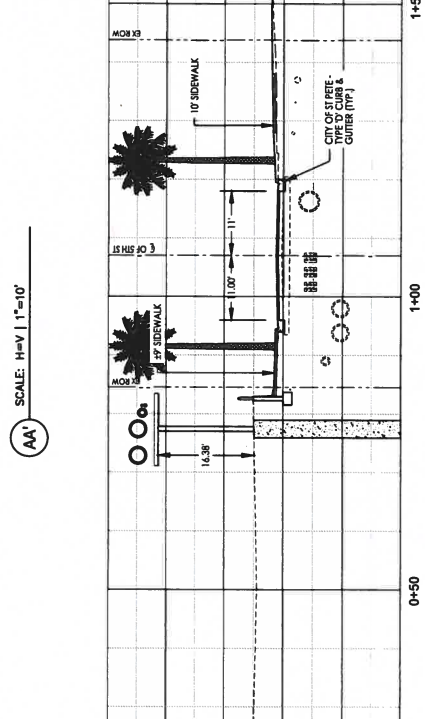
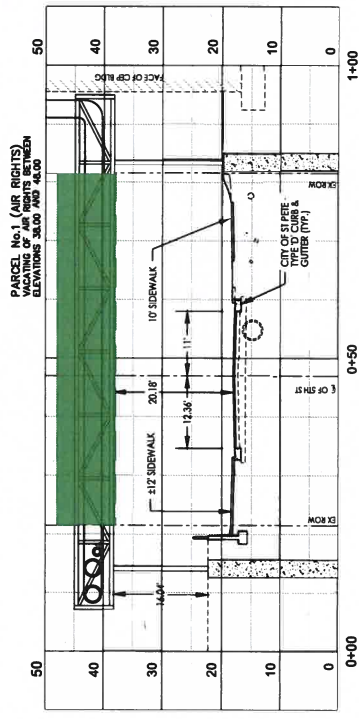
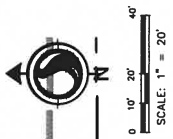
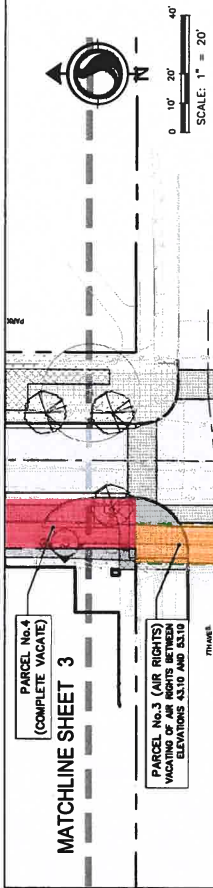


ATTACHMENT - C

LEGEND

- EXISTING CURB LINE
- PROPOSED AIR RIGHTS





AA' SCALE: H=V | 1"=10'

BB' SCALE: H=V | 1"=20'

CC' SCALE: H=V | 1"=10'

B' Existing Planting/Trees
Typical

- (P) Trees: 30' O.C. in 5x5 Tree Grate
- Small ornamental trees
- Opportunities for:
 - Shade/Non-aggressive roof systems
 - Innovation District Standards
 - Streetscape with banners and signs

Stantec
Stantec Consulting Services Inc.
777 S. Florida Avenue, Suite 300
Tampa, Florida 33602
Tel: (813) 223-9500
www.stantec.com

Florida Professional Engineer License No. 12345
Professional Seal

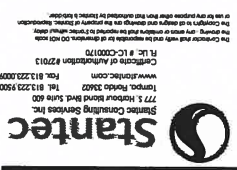
JOHNS HOPKINS
All Children's Hospital

VOLT AIR

Client/Project: **JOHNS HOPKINS All Children's Hospital**
Permit/Seal: **STREET CORRIDOR IMPROVEMENTS**
CITY OF ST. PETERSBURG, FLORIDA
R/W VACATING EXHIBIT

Project Number: **215115477**
Scale: **1"=20'**

Sheet: **2 of 4**

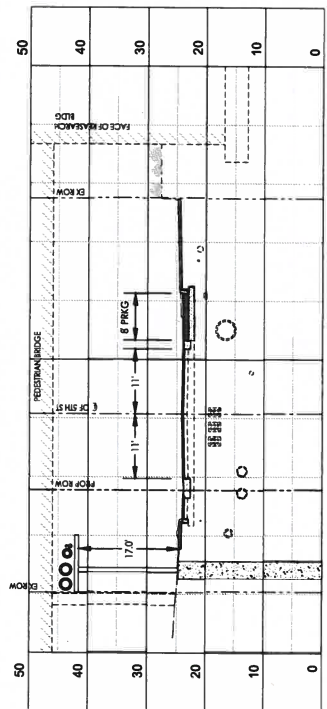
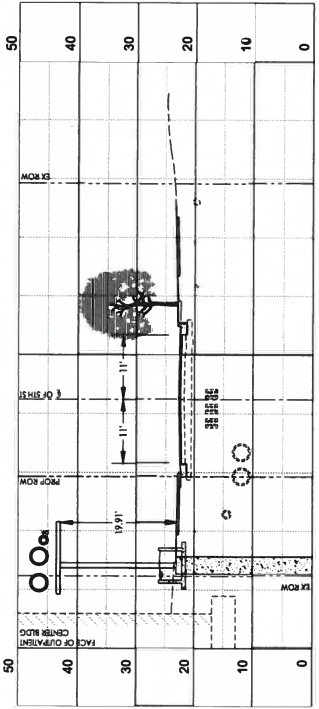
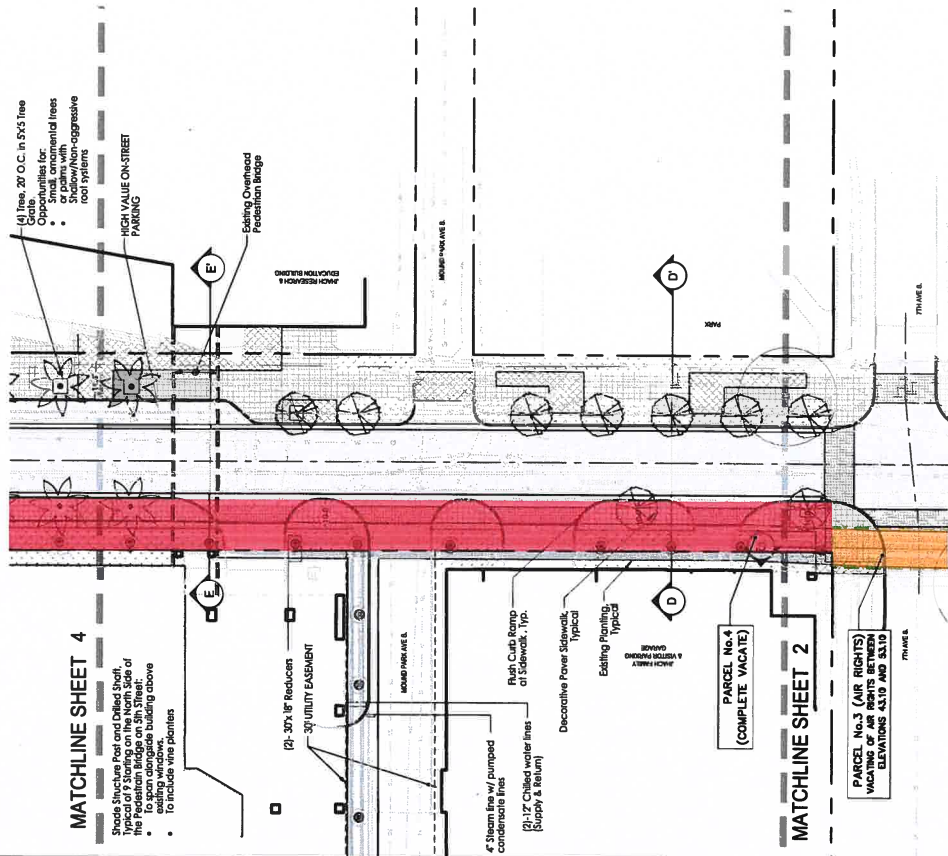
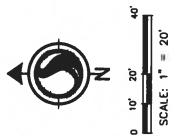


Rev	By	Date	Description



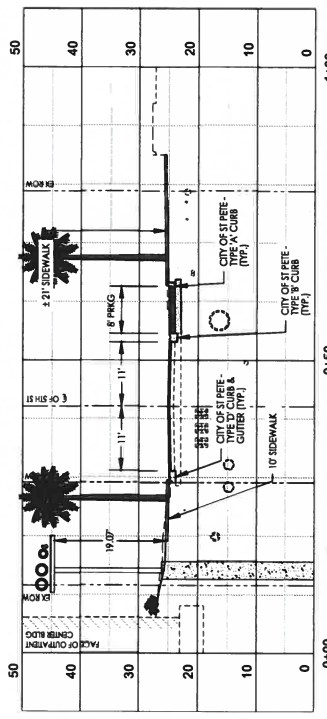
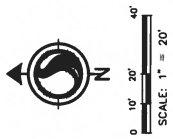
Client/Project
 JOHN HOPKINS
 ALL CHILDREN'S HOSPITAL
 5TH STREET CORRIDOR IMPROVEMENTS
 STREETS/CAFÉ/ ABOVE GROUND UTILITIES
 CITY OF ST PETERSBURG, FLORIDA
 R/W VACATING EXHIBIT
 Permit/Serial

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1" = 10'	3 of 4
Drawing No.	Revision No.

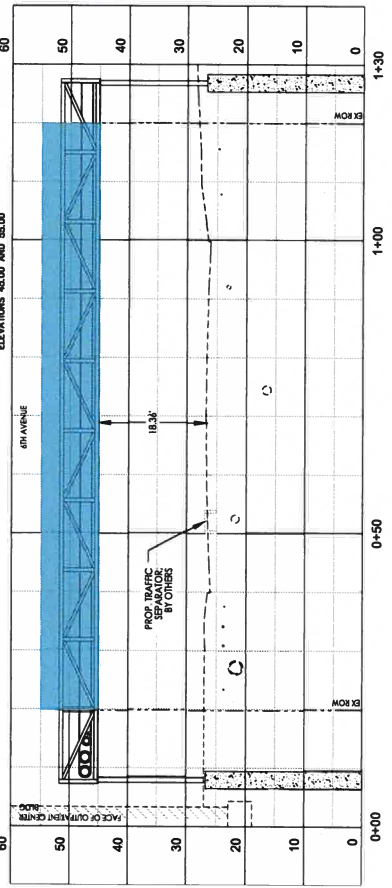


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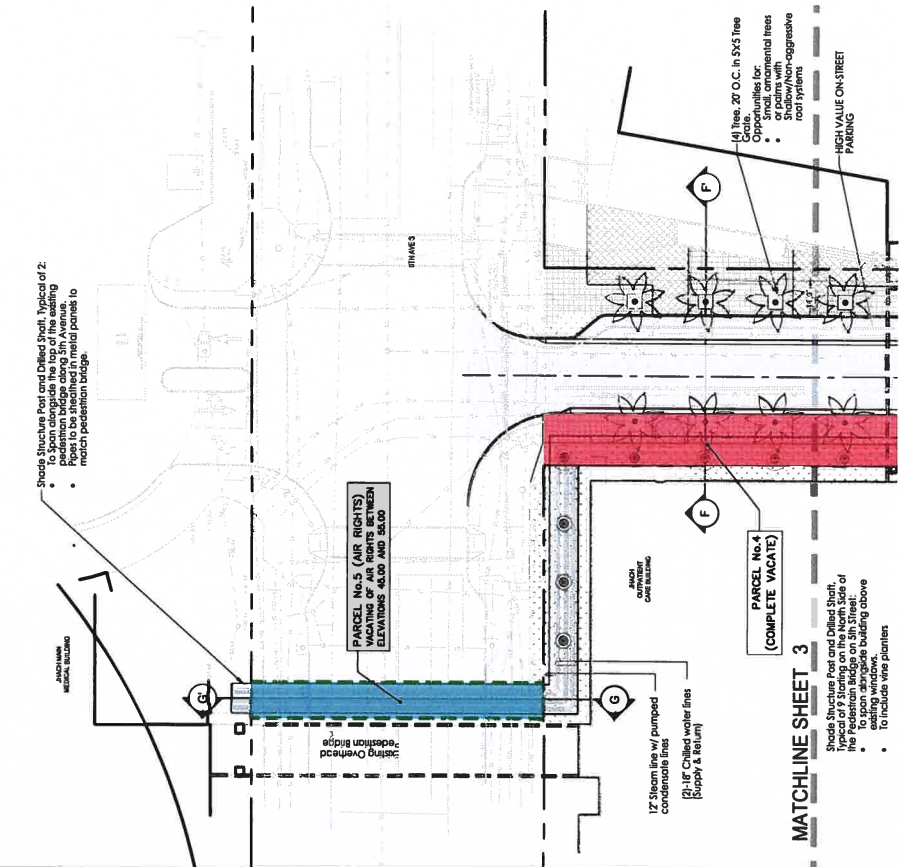
NO.	REVISION	DATE



FF SCALE: H=V | 1"=10'



GG SCALE: H=V | 1"=10'



MATCHLINE SHEET 3

Shade Structure Post and Dilled Shaft
 Typical of 8 Spacing on the North Side of
 the Pedestrian Bridge on 5th Street.
 • To include vine planters
 • To include vine planters

PARCEL No. 4
 (COMPLETE VACATE)

PARCEL No. 5 (AIR RIGHTS)
 (COMPLETE VACATE)
 ELEVATIONS: 46.00 AND 36.00

- (4) Trees, 20' O.C. in 5x5 Tree
 Grids.
 Opportunities for:
 • Shallow/non-aggressive
 root systems
 • HIGH VALUE ON-STREET
 PARKING



ATTACHMENT - D

SUBDIVISION DECISION Application

Application No. 20-33000011

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:
Per: 16.40.140 &
16.70.050 | <input type="checkbox"/> Lot Line Adjustment
<input type="checkbox"/> Lot Split
<input type="checkbox"/> Lot Refacing
<input type="checkbox"/> Street Name Change
<input type="checkbox"/> Street Closing | <input checked="" type="checkbox"/> Vacating – Street Right-of-Way
<input type="checkbox"/> Vacating – Alley Right-of-Way
<input type="checkbox"/> Vacating – Walkway Right-of-Way
<input type="checkbox"/> Vacating – Easement
<input type="checkbox"/> Vacating – Air Rights |
|---|--|---|

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): All Children's Hospital Inc.	
Street Address: 550 9th Ave. S.	
City, State, Zip: St. Petersburg, FL. 33701-5210	
Telephone No: (813) 841-3223	Email Address: ghodgso2@jhmi.edu
NAME of AGENT or REPRESENTATIVE: Stantec Consulting Services Inc. / R. Adam Carnegie	
Street Address: 777. S. Harbour Island Blvd., Suite 600	
City, State, Zip: Tampa, FL. 33602	
Telephone No: (813) 449-2822	Email Address: Adam.Carnegie@stantec.com
PROPERTY INFORMATION:	
Street Address or General Location: A portion of 5th Street S. right-of-way between 6th Ave. S. & 7th Ave. S. 601 5th St S	
Parcel ID#(s): 19-31-17-00388-001-0011 & 19-31-17-00388-001-0010	
DESCRIPTION OF REQUEST: Petition to vacate a portion of the 5th Street S. right-of-way between 6th Ave. S. & 7th Ave. S. to accommodate JHACH's proposed above ground utility system. See attached detailed narrative.	
PRE-APPLICATION DATE: 04/27/2020	PLANNER: Corey Malyszka

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: Robert A. Carnegie
 *Affidavit to Authorize Agent required, if signed by Agent.

Date: 05/27/2020

Typed name of Signatory: R. Adam Carnegie, AICP



**Johns Hopkins All Children's Hospital
Above Ground Utility Implementation & 5th Street South Streetscape Improvements
*Right-of-Way Vacation (Subdivision Review Application)***

**Full ROW Vacate for Parcel No. 4
Narrative / Request**

This application to vacate right-of-way ("ROW") is one of several applications, including four other applications to vacate air rights over City ROWs, being filed by Johns Hopkins All Children's Hospital ("JHACH"). These applications are to secure City approval for, and to implement, a steam and chilled water above ground utility system along the 5th Street South corridor in the City of St. Petersburg's Innovation District. This new above ground system is needed by JHACH to address the present deterioration and failing of a parallel underground utility system.

The above ground utility system will extend along the 5th Street South corridor between 8th Avenue South and 6th Avenue South. In addition to this proposed vacating of a portion of the 5th Street South ROW, the project also requires the vacating of certain air rights to effect above ground crossings of 5th Street South, 7th Avenue South and 6th Avenue South. The vacating of these air rights is addressed in other applications being filed concurrently, along with applications for other City approvals needed for project approval.

As explained in more detail below, this application proposes a full vacating of the westerly 16.99' of the 67' of platted ROW for 5th Street South, for only that area between 6th Avenue South and 7th Ave. South. This area proposed for the full vacating of a portion of the 5th Street South ROW (i.e., "Parcel No. 4" in these applications to vacate) is shown colored in red on Sheets 1 – 4 of the attached "R/W Vacating Exhibit." The area to be vacated is also indicated on the Sketch and Legal for Parcel No. 4 provided as a part of this application.

More specifically, the area of ROW being vacated extends from the western limits of the existing ROW for 5th Street South, east to a new / proposed westerly back-of-curb that is being re-set as a result of proposed modifications and improvements to the 5th Street vehicle travel lanes and streetscape. Approval of these travel lane and streetscape improvements is being proposed through JHACH's concurrent filing of a Site Plan Review application to the City. This related application is to enhance the walkability of 5th Street South as a central spine for the JHACH Campus / Area and to better integrate and complement the proposed above ground utility system into the 5th Street South corridor.

[Note: Applicant's proposed street reconfiguration and streetscape improvements illustrated throughout the "R/W Vacating Exhibit" include certain changes to Plans already developed by the Innovation District for the 5th Street South corridor. These changes have been discussed with City staff and are supported by the Board of the Innovation District as further advancing the objectives of, the March 2017 St. Pete Innovation District "Streetscape and Connectivity Concept Plan: Final Report."]



The proposed above ground utility is an important element of the JHACH campus. JHACH operates a state-of-the-art medical campus designed to withstand a Category Five hurricane and to operate independently of surrounding utilities and infrastructure in a post-disaster scenario. This unique capability is partially due to JHACH's Central Energy Plant ("CEP"), a facility located at the northeast quadrant of the 5th Street South / 8th Avenue South intersection. Presently, this CEP provides HVAC services to the Hospital and its facilities via underground chilled water and steam lines that run northward within the 5th Street right-of-way towards and across 6th Avenue South to serve the main hospital building. The system also serves other JHACH buildings on or adjacent to 5th Street South. Together, this CEP and its associated chilled water and steam lines comprise a private utility service wholly owned and operated by JHACH. In 2007 the City executed a utility License Agreement with JHACH to accommodate this private utility system underground within City ROWs.

Damage to certain portions of this JHACH underground system has been experienced, in large part, due to water intrusion. While JHACH has implemented certain measures to limit the risk of total system failure as much as possible, replacement and upgrades to the system are necessary. To avoid complete system failure and maintain the resiliency afforded to the hospital by the CEP and the private utility system, JHACH is now required to replace their underground steam and chilled water utilities, along with related condensate return lines.

Conditions underground, including the location and congestion of existing utilities within the 5th Street S. right-of-way, mandate that replacement of and upgrades to JHACH's private utility system must occur entirely above ground. This project, including this ROW vacating, is essential to implement these critical above ground utilities within the 5th Street South corridor, including significant streetscape improvements to such corridor.

Applicant and its consultants engaged in extensive coordination over several months with City staff, including reviewing various utility routing options for the proposed steam / chilled water system. During this process, applicant and the City have determined and agreed that the most suitable and viable location of this above ground replacement utility corridor is along the western side of 5th Street South. City staff also determined that such above ground corridor and related support columns must be generally located outside of public right-of-way. The above ground system will be routed onto JHACH's private property for two segments:

- within the site of JHACH's "500 (Administration) Building," for that part of the system to be installed parallel to 5th Street South, for the block between 7th Ave. South and 8th Ave. South; and
- within the northern portion of JHACH's Outpatient Care Building site, to allow the above ground system to run south of and adjacent to the 6th Avenue South ROW before crossing that City street.

Other portions of the proposed system will be located in areas presently within City ROW, either:

- within the westerly portion of the 5th Street South ROW (the area back-of-curb) for the block between 7th Avenue South and 6th Avenue South; or

- as perpendicular air rights crossings above 5th Street South, 7th Avenue South and 6th Avenue South.

These areas identified to be vacated, along with the overall routing of the new above ground utility are detailed on Sheet 1 of the attached "R/W Vacating Exhibit."

With the present need to implement a replacement system above ground, and with the City staff's stated preference for not having support columns within City ROWs, the proposed vacating of the western portion of City 5th Street S. ROW is imperative to allow JHACH to continue to provide health care services at these facilities to the St. Petersburg community and to other communities. The vacating of air rights over other City ROWs are also required, and are addressed in other applications to vacate, being filed concurrent with this application to vacate a portion of the 5th Street S. ROW. In the same manner as the 2007 Utility License Agreement was executed to accommodate an essential facility for a health care campus that serves an important public purpose, this ROW vacating (and the other proposed vacating of air rights) are necessary to serve the same public purpose.

MATTERS FOR CONSIDERATION

Section 16.40.140.2.1E. of the City's Code identifies several "matters for consideration" during review of applications to vacate. These are stated below with applicant's comments.

- 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.**

Applicant would propose to the City, and anticipates the reservation of, easements within the area of ROW to be vacated for:

- (a) a pedestrian easement in favor of the City / general public over only that portion (but not all) of the vacated ROW that will be improved as sidewalk area as the 5th Street South streetscape improvements are implemented; and
- (b) limited easements exclusive only those specific utilities currently in place within the area proposed to be vacated, not to be extended generally to all utilities, so as to facilitate the continued existence and maintenance of those existing utility facilities.

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

The proposed ROW vacating has no detrimental effect on access to any lot of record. The proposed vacating with maintain City ROW over the 5th Street South travel lanes as proposed to be reconfigured by the streetscape improvements. Pedestrian access is also

being preserved by the reservation of a proposed pedestrian easement on the area of ROW to be vacated.

- 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 proposed ROW vacating has no adverse impact on the City's roadway network, as City ROW over the 5th Street South travel lanes as proposed to be reconfigured by the streetscape improvements will be unaffected. Existing pedestrian access on both sides of 5th Street South will also be preserved after reservation of a pedestrian easement over vacated ROW to be improved as proposed sidewalk.

- 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 ROW being vacated is needed and valuable for pedestrian sidewalk access, and for certain subsurface utilities located on the west side of 5th Street South. Those pedestrian access and utility rights would be fully preserved during this vacating by the reservation of limited pedestrian and utility easements as described above.

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

Vacating the limited area of ROW along the west side of 5th Street South protects and advances the public health, safety and welfare as follows:

- (a) this ROW vacating is necessary to allow for installation of above ground steam and chilled water systems that are critical to JHACH, and JHACH's providing of essential hospital and other medical services to the community and the wider public
- (b) Vacating the west side of the 5th Street South ROW allows for the replacement of JHACH's critical infrastructure while moving the above ground system to the west side of 5th Street South, thereby maximizing separation between the above ground system and the only private property on 5th Street South not owned by JHACH (Parcel No. 30-31-17-66690-000-0060), located on the east side of 5th Street South.



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:

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
Meeting with Innovation District Board - May 13, 2020

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

Applications mailed and electronically sent to CONA, FICO, Downtown Residents Civic Assoc., and Downtown Neighborhood Assoc. pursuant to the City's "Notice of Intent to File" Policy on May 27, 2020.

(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

Innovation District Board expresses desire for public art by local artists be integrated into final plans.

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@stpetecon.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: May 27, 2020

Attach the evidence of the required notices to this sheet such as Sent emails. See Attached



May 20, 2020

St. Petersburg City Staff
City Hall
175 5th Street N
St. Petersburg, Florida 33701

RE: Johns Hopkins All Children's Hospital - 5th Street South Above Ground Utility / Streetscape Improvements

Sir or Madam:

On behalf of the St. Petersburg Innovation District Board of Directors, I would like to share our support for the Johns Hopkins All Children's Hospital - 5th Street South Above Ground Utility / Streetscape Improvement proposal.

The design of this project aligns to the Innovation District's Streetscape and Connectivity Plan of March 2017. It accentuates the playful, modern and innovative character we have devised for the District. We appreciate the planning team's consideration of art and encourage the incorporation of work by local artists in the final plans. The creativity of the design has transformed this project from a standard infrastructure improvement plan to an engaging experience for District members and adds to the overall vision for the area.

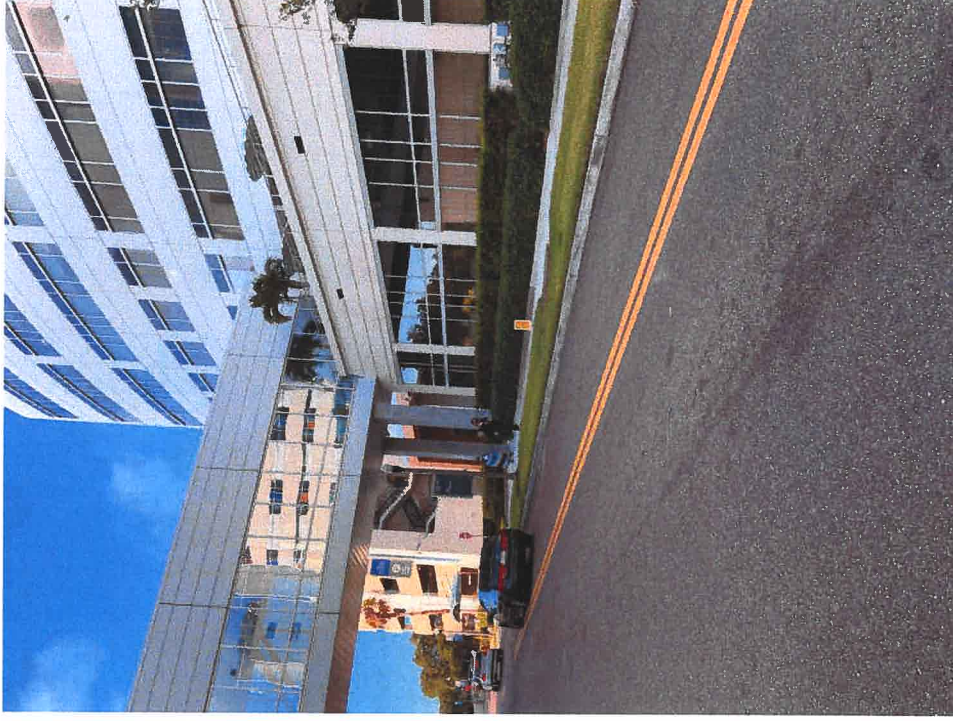
Sincerely,

A handwritten signature in black ink, appearing to read "Alison Barlow", written in a cursive style.

Alison Barlow
Executive Director
St. Petersburg Innovation District



Northerly view from 5th St. S. toward Parcel 4.



Southerly view from 5th St. S. toward Parcel 4.

ATTACHMENT - F

**MEMORANDUM
CITY OF ST. PETERSBURG
ENGINEERING AND CAPITAL IMPROVEMENTS DEPARTMENT**

TO: Iris Winn, Administrative Clerk, Development Services Department
Jennifer Bryla, Planning & Development Services Zoning Official, Development Services
Corey Malyszka, Zoning, Development Services Department

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: September 2, 2020 (*Revised Narrative*)

SUBJECT: Site Plan Modification All Children's Hospital

FILE: 20-31000006 (also applicable to related case #20-33000011 & #20-33000010)

LOCATION 777 4th Street South; 30/31/17/58104/001/0140
925 4th Street South; 30/31/17/00387/002/0040
957 4th Street South; 30/31/17/00387/002/0042
1001 4th Street South; 30/31/17/12114/000/0370
600 5th Street South; 19/31/17/59256/007/0040
601 5th Street South; 19/31/17/00388/001/0010
651 5th Street South; 19/31/17/00388/001/0011
900 5th Street South; 30/31/17/00387/002/0041
429 6th Avenue South; 19/31/17/99642/000/0010
501 6th Avenue South; 19/31/17/59257/001/0010
500 6th Street South; 30/31/17/00362/000/0000
801 6th Street South; 30/31/17/00387/001/0010
801 6th Street South; 30/31/17/00387/001/0013
801 6th Street South; 30/31/17/00387/002/0010
461 7th Avenue South; 19/31/17/59256/007/0100
500 7th Avenue South; 19/31/17/59274/001/0010
460 8th Avenue South; 30/31/17/00387/001/0011
739 8th Avenue South; 30/31/17/76914/002/0080
401 9th Avenue South; 30/31/17/00387/001/0012
500 9th Avenue South; 30/31/17/00387/002/0030
550 9th Avenue South; 30/31/17/00387/002/0020

ATLAS: F-3, F-5 **ZONING:** Corridor Commercial Suburban (CCS-1)

REQUEST: Approval of a Site Plan modification to allow construction of a steam and chilled water above ground utility system in the EC-2 zoning district. The applicant is requesting variances for: 1) Ancillary equipment visible from the street, 2) Exterior greenyard requirements, and 3) Encroachment into the required visibility triangles.

The Engineering and Capital Improvements Department has no objection to the proposed site plan modification, provided the following special conditions and standard comments are added as conditions of approval. These revised comments have been updated based on subsequent meetings and discussions with the applicant and therefore may also be applied to associated right-of-way vacation case #20-3300011 and associated air rights vacation case #20-3300010 as the most up to date comments.

1. The eastern 10-feet of the proposed 5th Street right of way vacation shall be retained as **Public Sidewalk and Public Utility Easement** and the legal description & sketch for the retained easement must exclude an above grade envelope which contains all portions of the support structure which overhangs the retained easement. The intent being that the retained public easement must fully encompass the required 10-foot wide public sidewalk while excluding the support columns and excluding the air rights necessary to encompass the portion of the support structure for the steam and chilled water system that overhangs the easement being dedicated.

2. Plans show a 4” steam line, two 12” water lines (supply and return) and three support columns extending west within the north side of the 30-foot utility easement described as Mound Park Avenue South (west of 5th Street South). A portion of the Mound Park Avenue Easement must be vacated to assure that the columns supporting the steam line structure remain completely outside the retained easement. Additionally, an air rights envelope must be vacated as necessary to contain all portions of the support structure which overhang the retained easement.

- Prior to approval of a partial easement vacation and the partial air rights envelope vacation, JHACH must provide dimensioned utility cross sections drawn to scale through the Mound Park 30-foot public easement showing the locations of all utilities (underground and at grade) along with the location of the drilled shafts, the pile caps, and the overhang of the support structure at each of the support column locations along with a narrative from the Engineer of Record explaining how a standard excavation of the sanitary sewer main could be accomplished within the reduced easement area and under the vacated easement envelope containing the steam line structure which overhangs the retained easement area. It is acknowledged that the applicant has verified the depth and location of the existing sanitary sewer main within the easement but has not yet provided the needed detailed dimensioned cross sections for ECID review. The applicant shall be required to initiate City review and approval of this analysis through via email of the requested information to Nancy.Davis@stpete.org.
- Based on the 10” size and 4-foot depth of the sanitary sewer main in the Mound Park Easement, a minimum **20-foot Public Utility Easement** must be retained centered over the pipe. This easement must be shown on the construction plans or cross sections requested above to verify that columns and pile caps do not encroach into this easement.
- If columns and pile caps do encroach into the 20-foot easement being retained, to evaluate accepting an easement which is not centered over the pipe, ECID will need to review the dimensioned cross sections drawn to scale through the Mound Park 30-foot public easement showing the locations of all utilities (underground and at grade) along with the drilled shafts, the pile caps and the overhang of the support structure and to review the Engineer of Records explanation of how an excavation of the main

could be accomplished within the reduced easement area not centered over the sanitary sewer main and under the vacated easement envelope. The applicant shall be required to initiate City review and approval of this analysis through via email of the requested information to Nancy.Davis@stpete.org.

- Alternatively, the Engineer of Record may evaluate the feasibility of relocating City infrastructure outside the Mound Park Easement.

3. ECID recommends that City Legal & Risk Management consider the need for the applicant to provide a hold harmless and indemnity agreement and to maintain a certificate of insurance as part of the approval to allow the additional private infrastructure to be placed within or over public easement or right of way. This was addressed in the original chiller license agreement and should also be considered for the new elevated private infrastructure as well.

4. As construction plans are developed, the applicant will be required to provide detailed utility cross sections drawn to a standard engineering scale at each support structure. The cross-section details must show all existing utilities and denote clearances from the proposed structure foundations all relative to the right-of-way boundary and/or public easement boundary as applicable. Subsurface utility exploration shall be performed by the applicant's Engineer as part of the design phase to assure accurate utility information is provided on the construction plans. Adequate vertical and horizontal clearance shall be maintained from all existing City infrastructure as necessary to allow maintenance/ replacement excavation using standard excavation equipment. Columns for pipe support must be designed with bearing below all existing public infrastructure. Any necessary City infrastructure relocations shall be performed by and at the sole expense of the applicant in compliance with current City Engineering standards and details.

5. During construction plan review, the Engineer's design plans shall be evaluated to assure clear sight triangles at intersections and driveways per FDOT FDM (part 2) section 212.1.

6. Trees proposed along 5th Street South and any other above ground fixed objects must observe minimum clear width separations from the face of the road curb per FDOT Design Manual Section 215.

7. At the 6th Avenue South crossing, the minimum vertical clearance over the roadway to the bottom of the truss support structure shall not be any lower than the bottom of the existing sky bridge. The applicants Engineer has confirmed that this condition will be met and ECID will verify during construction plans review.

8. Vertical clearance over driveways and at garage entrances will be reviewed as plans are developed.

9. The applicant is responsible to coordinate a review and approval of the plan aesthetics through the City's Development Review Services and Transportation divisions prior to right of way permit issuance. The structure will also require review and permitting through City Construction Services and Permitting to assure compliance with building codes and wind analysis prior to right of way permit issuance

10. Unless otherwise agreed by City Administration, a minor easement permit will be required for all streetscape pavers, landscaping, and irrigation systems placed within the public right of way or within public utility easement. The minor easement permit is a recorded document that clarifies and documents private ownership, liability, and maintenance responsibility by the applicant. It is acknowledged that the applicant has reached out to Bresh Prayman regarding this issue.

11. The root ball of proposed trees shall remain a minimum horizontal clearance of 5-feet from existing underground public infrastructure.

12. JHACH and Stantec's design deviates from prior approved direction in the Innovation District Streetscape Plans (Project No. 17103-110) and changes the final intersection design at 6th Avenue South. The design change to the intersection impacts the ongoing 6th Avenue South Separated Bikeway project (Project No. 1808-112) and necessitates design revisions and additional services be added to that contract. Mitigation of the financial impacts to these City projects must be resolved. Please contact the City Project Manager, Nicholas A. Head to initiate discussions (phone 727-893-7851, email Nicholas.Head@stpete.org).

13. A work permit issued by the City Engineering & Capital Improvements Department must be obtained prior to the commencement of construction within City controlled 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:

The project Engineer will be required to develop a site-specific Temporary Traffic Control (TTC) plan in compliance with FDOT "Uniform Traffic Control Devices for Streets and Highways" and "Roadways and Traffic Design Standards for City approval prior to initiating construction. The plan shall provide for pedestrian and vehicular safety during the construction process and shall minimize the use of the public right of way for construction purposes. Approval of proposed roadway travel lane closures is discouraged and will be at the discretion of the City's Engineering director pending receipt of adequate justification. The TTC plan shall be prepared in compliance with City Engineering's "Temporary Traffic Control Plan Requirements", available upon request from the City Engineering & Capital Improvements department. Proposed use of on-street public parking spaces for construction purposes must receive prior approval from the City's Transportation and Parking Management division. Refer to the City's "Parking Meter Removal & Space Rental Policy During Construction" procedure, available upon request from the City Transportation and Parking Management department. 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.

Note that contractor introduction letters must be sent to all surrounding businesses, associations, and property owners prior to implementing any Temporary Traffic Control plan. As a minimum, the letter must give a description of the project, provide a list of all right of way impacts (parking impacts, travel lane impacts, sidewalk closures and temporary pedestrian paths, etc.), a schedule for each phase of the TTC implementation, and what to expect with regard to noise, delivery trucks, concrete trucks & pumps, as well as contact information for the on-site contractors representative with 24 hour availability who is responsible for addressing any and all concerns of impacted citizens. The contractor must personally visit each operating business around the construction site and make direct contact with any active business association or neighborhood association and personally introduce themselves to the business owners and association presidents. The contractor must also meet with any association representatives and property owners periodically to address any concerns that may develop as the project proceeds. The contractor is required to provide a copy of the letter and summary of when and who was contacted prior to implementing any City approved TTC plan.

Use of on-street public parking spaces for construction purposes must receive prior approval from the City's Transportation and Parking Management division. Refer to the City's "Parking Meter Removal & Space Rental Policy During Construction" procedure, available upon request from the City Transportation and

Parking Management department.

Development plans shall include a grading plan to be submitted to the Engineering Department including street crown elevations. A grading plan showing the roadway and parkway surface drainage shall be submitted to ECID for review/approval.

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. 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 City Construction Services and Permitting (CSP), SWFWMD, etc. as may be required for this project.

NED/MJR/meh
pc: Kelly Donnelly
Correspondence File