

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate 111.75 linear feet of a 16-foot wide north/south alley adjacent to Lots 4-7, Block B, Blackwood's Subdivision. The area of the right-of-way proposed for vacation is depicted on the attached map (see Attachment A) and sketch and description (see Attachment B). The applicant's goal is to vacate a portion of the existing alley in order to consolidate the property for redevelopment to construct a new restaurant with a drive-thru window.

Discussion. The application submittal for this request proposed a public access easement connecting the alley that is to remain to 4th Street North in-lieu of providing a new alley connection. However, Section 16.40.140.4.3. – Alleys, Subsection 3, states that no dead-end alleys shall be permitted unless provided with a turnaround. As a result, a condition of approval has been included that the proposed public access easement shown on the Site Plan (see Attachment C) will be required to be provided as an alley.

While conducting research of the request to vacate a portion of the northern section of the T-shaped alley located within Block B of the Blackwood's Subdivision staff identified an error on the Geographic Information System (GIS) maps provided online by the City of St. Petersburg and Pinellas County Property Appraiser's Office indicating that the southern section of the T-shaped alley had been previously vacated. On August 10, 1981 a request to vacate the north/south alley east of 4th Street North for a distance of 127-feet north of 39th Ave N (File: V-25) went before the Environmental Development Commission. A condition of approval requiring replatting was included within the Staff Report for V-25 dated August 10, 1981 (see Attachment D). However, the property was never replatted. Through additional research conducted by the City Clerk's Office it was determined that this request for an alley vacation was never heard before City Council. The City's Real Estate and Property Management Department did a comprehensive title search and did not find any official recorded documents vacating this section of the alley.

Whether the southern section of the T-shaped alley has, or has not, been vacated does not affect the review of the current request to vacate a portion of the northern section of the T-shaped alley. This is due to the fact that the applicant's request does not include the entirety of the northern section of the T-shaped alley. The proposed request leaves an approximately 15-foot long segment of the northern portion of the T-shaped alley as a dead-end alley, which the City Code does not permit. As a result, the existence, or lack thereof, of the southern section of the T-shaped alley does not impact staff's review of the request to vacate a portion of northern section of the T-shaped alley.

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

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

Applicants bear the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant (see Attachment C) **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's contains the criteria for reviewing proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

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

The application was routed to City Departments and Private Utility Providers for review and comments. Engineering and Water Resources identified a sanitary sewer main running through the portion of the alley to be vacated which will require either a dedicated easement if it is to remain; or, a terminal clean out will be required to be installed if it will be abandoned, see Attachments E and F. Duke Energy and Frontier Communications both provided letters indicating that they have facilities within the portion of the alley to be vacated and that they will require an easement to be provided, see Attachments G and H.

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

The requested vacation of a portion of the alley will not cause a substantial detrimental effect or deny access to any lots of record. The applicants are the owners of the abutting properties to the east and west of the portion of the alley proposed for vacation.

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

The existing T-shaped alley network within the block includes an east-west segment of the alley that is currently unimproved and is not traversable. As proposed, the vacation of a portion of the platted alley will create a dead-end right-of-way at the northern terminus of the north/south segment of the alley. City Code Section 16.40.140.4.3. – Alleys, subsection 3 states that, "No dead-end alleys shall be permitted unless provided with a turnaround which meets the minimum specified City standards." To resolve the issue Staff has included a condition of approval that the applicant provide a new alley connection to 4th Street North.

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

This request was routed to the Transportation and Parking Management Department for review and comments and they indicated in their response that they do not object as long as the request does not create a dead-end alley (see Attachment I). Public and private utilities exist within the segment of the alley requested for vacation. Conditions of approval are included at the end of this staff report requiring a new alley connection to 4th Street North and requiring easements to be provided over existing utilities.

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

No other factors have been raised for consideration.

B. Comprehensive Plan

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

The portion of the right-of-way to be vacated is currently being utilized as an alley serving as access to the applicants' properties. The applicant will be dedicating a new alley segment connecting to the existing alley to 4th Street North to retain access to the existing alley network. The request satisfies Comprehensive Plan Policy T2.4 as the applicant will be dedicating a replacement alley to provide access to the existing alley network within the block.

C. Adopted Neighborhood or Special Area Plans

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

Comments from Agencies and the Public. The request to vacate the alley was routed to City Departments and Private Utility Providers for comments. The City's Transportation and Parking Management Department reviewed the proposed vacation and has no objection. The Engineering Department's Memorandum dated January 20, 2021 and the Water Resources Department's Memorandum dated January 15, 2021 both state that they have no objection to the proposed vacation provided that easements are dedicated over existing utilities and that Engineering's Special Conditions of Approval are included as conditions of approval, see Attachments E and F. Duke Energy and Frontier Communications both provided letters indicating that they have facilities within the portion of the alley to be vacated and that they will require an easement to be provided, see Attachments G and H. A condition of approval is included requiring utility easements over existing facilities addressing private utility concerns.

At the time of writing of the Staff Report there were no comments received from the public for or against the requested vacation of public right-of-way.

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

1. Prior to the recording of the vacation ordinance the vacated right-of-way, along with the abutting properties, shall be replatted.
2. Prior to recording the vacation ordinance, the applicant(s) shall dedicate a new alley connection from the existing alley to 4th Street North through replatting.

3. Prior to recording the vacation ordinance, the applicant(s) shall address the location of public and private utilities and services by providing private or public utility easements as requested, relocating City and private utilities at the applicant's expense or obtain letters of no objection from utility providers. In either case a written letter of no objection from the utility providers is required stating that the easement is sufficient for their interest, that the facilities have been relocated, or that there is no conflict.
4. As required City Code Section 16.70.050.1.1 G, approval of right-of-way vacations requiring replat shall lapse unless a final plat based thereon is recorded in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

REPORT PREPARED BY:

Scot Bolyard
Scot Bolyard, AICP, Deputy Zoning Official
Development Review Services Division
Planning & Development Services Department

2/24/2021
DATE

REPORT APPROVED BY:

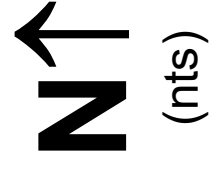
Jennifer Bryla
Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

2.24.21
DATE

Attachments: A – Location Map, B – Sketch and Legal Description, C – Applicant's Narrative, D – Environmental Development Commission Staff Report for Case V-25, E – Engineering Memorandum dated January 20, 2021, F – Water Resources Memorandum dated January 15, 2021, G – Duke Energy Letter dated January 13, 2021, H – Frontier Communications Letter dated January 4, 2021, I – Correspondence from Transportation dated January 25, 2021



Project Location Map
 City of St. Petersburg, Florida
 Planning and Development Services
 Department
 Case No.: 20-33000023
 Address: 3939 4th Street North



40TH AVENUE NORTH

S 89°54'26"E 117.00'

S89°54'26"E

P.O.B.

NORTHEAST CORNER
 LOT 6, BLOCK B

NORTHWEST CORNER
 LOT 7, BLOCK B

LOT 6

45'(P)

N 00°07'47"E 111.75'

45'(P)

LOT 5

21.75'(P)

LOT 4

N 89°54'26"W 117.00'

BLOCK 'B'
BLACKWOOD'S SUB-DIVISION
 PLAT BOOK 5, PAGE 82

N89°54'26"W

23.25'

16.00'

16' ALLEY

S00°07'47"W 111.75'



0 10 20



SCALE: 1"=20'

LOT 7
 BLOCK B

LEGEND

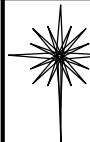
- BNDY = BOUNDARY
- COR = CORNER
- OR = OFFICIAL RECORDS BOOK
- PB = PLAT BOOK
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- R/W = RIGHT-OF-WAY
- SR = STATE ROAD
- US = UNITED STATES

NOT A SURVEY

SHEET 1 OF 2

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	11-17-20	DHR	DHR
H:\JN\5165\DWG\5165 S&D ALLEY.DWG			

EXHIBIT "A"



POLARIS ASSOCIATES INC.

PROFESSIONAL SURVEYING LB 6113
 2165 SUNNYDALE BOULEVARD, SUITE D
 CLEARWATER, FLORIDA 33765
 (727) 461-611

DESCRIPTION

THAT PORTION OF THE 16 FOOT ALLEY IN BLOCK B, BLACKWOOD'S SUBDIVISION AS RECORDED IN PLAT BOOK 5, PAGE 82 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND BEING A PORTION OF SECTION 6, TOWNSHIP 31 SOUTH, RANGE 17 EAST, PINELLAS COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 6, BLOCK B OF BLACKWOOD'S SUBDIVISION; THENCE S.89°54'26"E., 16.00 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF 40TH AVENUE NORTH TO THE NORTHWEST CORNER OF LOT 7, BLOCK B OF SAID BLACKWOOD'S SUBDIVISION; THENCE LEAVING SAID LINE ALONG THE WEST LINE OF SAID LOT 7, BLOCK B, S.000°07'47"W., 111.75 FEET; THENCE LEAVING SAID LINE, N.89°54'26"W., 16.00 FEET TO THE EAST LINE OF LOT 4, BLOCK B, BLACKWOOD'S SUBDIVISION; THENCE ALONG THE EAST LINE OF LOTS 4, 5 AND 6, BLOCK B, N.00°07'47"E., 111.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,788 SQUARE FEET MORE OR LESS.

NOTES

1. BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 31 SOUTH, RANGE 17 EAST, SAID LINE BEING ASSUMED AS N.00°07'47"E.
2. LEGAL DESCRIPTION WAS PREPARED BY POLARIS ASSOCIATES, INC.
3. RE-USE OF THIS SKETCH FOR PURPOSES OTHER THAN WHICH IT WAS INTENDED, WITHOUT WRITTEN VERIFICATION, WILL BE AT THE RE-USERS SOLE RISK AND WITHOUT LIABILITY TO THE SURVEYOR. NOTHING HEREIN SHALL BE CONSTRUED TO GIVE ANY RIGHTS OR BENEFITS TO ANYONE OTHER THAN THOSE CERTIFIED TO.
4. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.
5. THIS SKETCH WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD.

CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

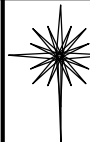
 DAN H. RIZZUTO
 PROFESSIONAL LAND SURVEYOR
 LS 5227, STATE OF FLORIDA

SHEET 2 OF 2

NOT A SURVEY

ITEM	DATE	BY	QC
SKETCH & DESCRIPTION	11-17-20	DHR	DHR
H:\JN\5165\DWG\5165 S&D ALLEY.DWG			

EXHIBIT "A"



POLARIS ASSOCIATES INC.

PROFESSIONAL SURVEYING LB 6113
 2165 SUNNYDALE BOULEVARD, SUITE D
 CLEARWATER, FLORIDA 33765
 (727) 461-6113



December 11, 2020

City of St. Petersburg
Dept of Development Review Services, Attn: Jennifer Bryla
One 4th Street North, First Floor
St. Petersburg, Florida 33701

RE: Application to Vacate Alley between 3939 4th Street North and 340 40th Avenue North, St Petersburg

Dear Ms. Bryla,

Following up our pre-application meetings on October 15, 2020 and November 18, 2020, we are pleased to submit our application for vacation of a portion of the north south alley between 39th and 40th Avenues North between 3rd and 4th Streets. Our application is to vacate only that portion of the alley bordering the east property boundary of 3939 4th Street North (Parcel ID # 06-31-17-09162-002-0050).

The applicants (Zipzea Holdings LLC, Beach to Bay LLC and 201 Pine Oak LLC) are related entities controlled by Mr. Abraham Reichbach and family. Zipzea is the recent purchaser of 3939 4th street North (the closing on the acquisition occurred on December 10, 2020). 201 Pine Oak and Beach to Bay own the property at 340 40th Avenue North on the other side of the subject alley to be vacated.

The purpose of the vacation is to accommodate redevelopment of 3939 4th and the western 111.5 (+/-) feet of 340 40th Avenue North for a quick serve restaurant with a drive thru. A portion of the parking for the restaurant will be located on the western 111 feet of 340 40th and available for the restaurant use via an irrevocable easement.

There is an existing sanitary sewer line running underneath this portion of the alley and we will provide an easement to the City in order to service the line. In addition, we will continue to provide vehicular access to 40th from the south (39th) through the drive aisle in the new parking lot.

Attached please find the proposed concept site plan for the new restaurant use illustrating the location of the alley to be vacated, proposed location of the sanitary sewer easement along with a sketch of survey and legal description of the portion of the alley to be vacated.

Should you have any questions, please don't hesitate to contact me.

Best regards,



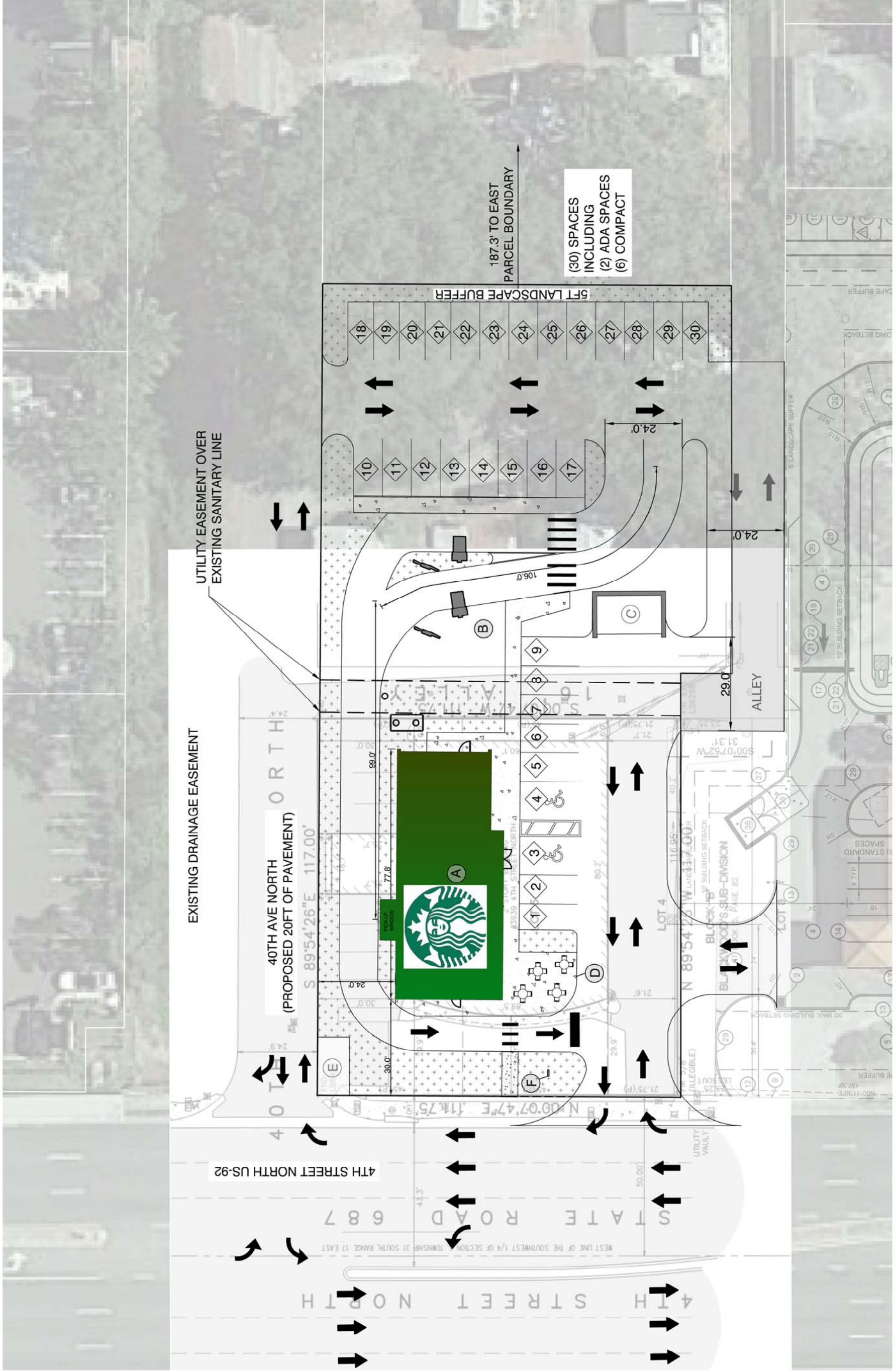
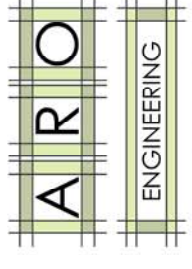
Jay Miller, President
J Square Developers, Authorized Agent

Cc: Dustin Rood, Abe Reichbach



- (A) 2,500 SF BUILDING
- (B) ORDER POINT (MENU BOARD ±120 FT FROM PICK-UP WINDOW)
- (C) DUMPSTER ENCLOSURE
- (D) 18' x 18' PATIO AREA
- (E) 10' x 18' DISTRICT SIGN LOCATION
- (F) STARBUCKS SIGN

NOTE: THE DISTANCE FROM THE PICK-UP WINDOW, TO THE FIRST CONFLICT OF PARKING IS ±220 FT



V-25
1981

According to Planning Division records, the following member resides or has a place of business within 2,000 feet of the subject property: RAZOOK. All other possible conflicts should be declared upon the announcement or the item.

REPORT TO THE ENVIRONMENTAL DEVELOPMENT COMMISSION FROM ZONING AND SUBDIVISIONS, DIVISION OF PLANNING for Public Hearing and Executive Action on August 19, 1981, 2:00 P.M., Council Chambers, Municipal Building, 175 Fifth Street North, St. Petersburg, Florida.

SUBJECT: Alley Vacation August 10, 1981
Our File: V-25 Item No. 8
100-Scale Sheet: E-22

APPLICANT: Cora A. Stoll Family Trust

ZONE: CG

LOCATION: North/south alley east of 4th St. No. for a distance of 127 ft. north of 39th Ave. No.

REQUEST: Approval of alley vacation.

ACTION: Public Hearing and Executive

REMARKS: The applicant is requesting this vacation to accommodate development of a restaurant. This alley is open, but not paved. Vacation of this section of the alley will not affect access.

Staff recommends approval subject to:

1. Replatting

cc: Donald G. Cheney
Ellis National Bank

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

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

FROM: Nancy Davis, Engineering Plan Review Supervisor

DATE: January 20, 2021

SUBJECT: Alley Vacation

FILE: 20-33000023

LOCATION AND PIN: 3901 4th Street North; 06/31/17/09162/002/0010
3939 4th Street North; 06/31/17/09162/002/0050
340 40th Avenue North; 06/31/17/09162/002/0070

ATLAS: E-22

Zoning: CCS-1 & NMH

REQUEST: Approval of a vacation of 111.75 linear feet of a 16-foot wide north/south alley adjacent to Lots 4-7, Block B, Blackwood's Subdivision.

The Engineering and Capital Improvements Department (ECID) has no objection to the proposed vacation provided the following special conditions are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:

1. If the property is to be replatted into one lot, the vacated alley is not needed by the City as a public utility easement. The existing City sanitary sewer main located within the vacated alley will be abandoned to the property owner for ownership and maintenance. The applicant will be required to install a terminal clean out on the existing sewer main at the new north end of the alley right-of-way.

If the property is not to be replatted into one lot, there may be a need to retain an easement over the vacated alley. In this case, the existing 6" sanitary sewer could only be used as a service lateral for a single lot of record. An 8" main would be required to provide service to multiple lots of record.

2. The alignment of the proposed access easement does not follow the standard grid system as required by City Code 16.40.140.4.1(B) and the public alley is being used for routine business traffic circulation (cars will use the public alley to access the drive thru). If this realignment of the alley via dedication of a "public access path" as shown on this plan is approved by the City Council, as a minimum the applicant will need to provide the following:

- a. The Engineer of Record shall provide a truck turning diagram to show that trucks have sufficient area provided to make the unusual turn while remaining within the remaining alley right of way and within the proposed access easement. Additional radius easement to be dedicated if necessary. The access easement must be dedicated as **Public Ingress/Egress Easement** and pavement surfaces and all directional markings or signage within the easement will remain the maintenance responsibility of the applicant via issuance of a minor easement permit.
- b. The Engineer of record must further refine the striping and parking lot geometry and signage plan during the development of construction plans as necessary to mitigate traffic conflicts caused by the double 90 degree bend in the travel path between the remaining public alley and

- the proposed E/W access easement. Vehicles backing into the area of the degree bends should be eliminated to minimize further vehicular conflicts.
- c. Because the public alley, the E/W access easement are incorporated into this site design and will be used for routine business circulation and parking lot access, ECID will require the issuance of a minor easement permit to clarify that the pavement, pavement markings, and all necessary signage shall be maintained by the property owner within both the access easement and the alley.
 - d. It is noted that the remainder of the E/W alley to the east of this site does not appear to be passible, not used for vehicles or pedestrians (blocked by trees and other encroachments) and appears to contain a drainage ditch. Because the historical drainage pattern of this area is unknown, the Engineer of Record must provide topographical information sufficient to verify that no historical drainage patterns in the area will be blocked as a result of the redevelopment of this site.
 - e. Because the 40th Avenue North right of way contains a drainage channel, it appears only the south half of the right of way is available for the roadway and the roadway has been constructed as a 20-foot wide alley cross section without road curb as is standard for roadway construction. The Engineer of Record must perform an evaluation of this roadway to verify adequate condition and adequate surface drainage for use by the proposed development and if necessary the developer shall be required to mill and overlay the surface as part of the redevelopment process.

An alternate option for consideration by the developer would be to vacate the N/S alley and a portion of the E/W alley west of the parking lot drive isle at the east side of the site, and to dedicate a N/S public ingress easement between the alley and 40th Avenue North through the eastern parking lot drive isle. However, this may not be possible if the vacation of the alley would result in the south half of the E/W alley and a portion of the the west half of the N/S transferring to the ownership of the adjacent property to the south subsequent to vacation unless the developer of this site could coordinate with that property owner to retain ownership of the full alley right of way when vacated. However, this would eliminate the need for the unusual double 90 degree turn in the alley travel path and the dedication of the E/W access easement currently shown on the site plan.

3. Proposed connections to public infrastructure including potable water, reclaimed water, and sanitary sewer must receive prior approval from the City's Water Resources department. Coordinate a review via email to WRD-UtilityReviewRequest@stpete.org.

4. The proposed 10' X 18' District Sign shall not block intersection visibility and shall meet roadside offset criteria per FDOT Design Manual roadside offset criteria.

5. All modifications which impact the adjacent FDOT right of way of 4th Street North shall meet applicable FDOT requirements and standards. A copy of associated FDOT permit(s) shall be submitted for City ECID files.

6. 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. City standard details are available on the City's website at the following link:

https://www.stpete.org/city_departments/engineering_and_capital_improvements/facility_design_and_development.php

STANDARD COMMENTS: Since a site plan is included with this right of way vacation application, the following standard items must be addressed as construction plans are developed for building & site construction permitting:

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

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

Wastewater reclamation plant and pipe system capacity will be verified prior to development permit issuance. Any necessary sanitary sewer pipe system upgrades or extensions (resulting from proposed new service or significant increase in projected flow) as required to provide connection to a public main of adequate capacity and condition, shall be performed by and at the sole expense of the applicant. Proposed design flows (ADF) must be provided by the Engineer of Record on the wastewater Concurrency Form (ECID Form Permit 005), available upon request from the City Engineering department, phone 727-893-7238. If an increase in flow of over 3000 gpd is proposed, the ADF information will be forwarded for a system analysis of public main sizes 10 inches and larger proposed to be used for connection. The project engineer of record must provide and include with the project plan submittal 1) a completed wastewater Concurrency Form, and 2) a capacity analysis of public mains less than 10 inches in size which are proposed to be used for connection. If the condition or capacity of the existing public main is found insufficient, the main must be upgraded to the nearest downstream manhole of adequate capacity and condition, by and at the sole expense of the developer. The extent or need for system improvements cannot be determined until proposed design flows and sanitary sewer connection plan are provided to the City for system analysis of main sizes 10" and larger. Connection charges are applicable and any necessary system upgrades or extensions shall meet current City Engineering Standards and Specifications and shall be performed by and at the sole expense of the developer.

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

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

Prior to approval of a plan, the owner's engineer of record shall verify that existing public infrastructure has sufficient capacity or will have sufficient capacity prior to issuance of a certificate of occupancy, to

convey the drainage flow after considering the current and proposed infrastructure demand.

Plan and profile showing all paving, drainage, sanitary sewers, and water mains (seawalls if applicable) to be provided to the Engineering Department for review and coordination by the applicant's engineer for all construction proposed or contemplated within dedicated right of way or easement.

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.

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

Per land development code 16.40.140.4.6 (9), habitable floor elevations for commercial projects must be set per building code requirements to at least two feet above the FEMA elevation. The construction site upon the lot shall be a minimum of one foot above the average grade crown of the road, which crown elevation shall be as set by the engineering director. Adequate swales shall be provided on the lot in any case where filling obstructs the natural ground flow. In no case shall the elevation of the portion of the site where the building is located be less than an elevation of 103 feet according to City datum. *It is noted that meeting required building floor elevations often necessitates elevating existing public sidewalks. Please note that transitions to adjacent public sidewalks shall be smooth, consistent, and ADA compliant with maximum cross slope of 2% and maximum longitudinal slope of 5%. Ramps may only be used at driveways and intersections, not mid-block in the main sidewalk path.

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

It is the developer's responsibility to file a CGP Notice of Intent (NOI) (DEP form 62- 21.300(4)(b)) to the NPDES Stormwater Notices Center to obtain permit coverage if applicable.

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

Public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 unless specifically limited by the DRC approval conditions. Existing sidewalks and new sidewalks will require curb cut ramps for physically handicapped and truncated dome tactile surfaces (of contrasting color to the adjacent sidewalk, colonial red color preferred) at all corners or intersections with roadways that are not at sidewalk grade and at each side of proposed and existing driveways per current City and ADA requirements. Concrete sidewalks must be continuous through all driveway approaches. All existing public sidewalks must be restored or reconstructed as necessary to be brought up to good and safe ADA compliant condition prior to Certificate of Occupancy.

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

MEMORANDUM
CITY OF ST. PETERSBURG
Water Resources Department

TO: Jennifer Bryla, Zoning Official

FROM: Adam Iben, Designer II, Water Resources

DATE: January 15, 2021

SUBJECT: Vacation of 111.75 linear feet of a 16-foot wide north/south alley adjacent to Lots 4-7

PLAT: E-22

CASE: 20-33000023

LOCATION: 3939 4th Street North

REMARKS: Water Resources objects to the above referenced subject due to the presence of an existing 6" VCP sanitary service main located in the alley.

Project file

2401 25th St. N.
St. Petersburg, FL 33713
SP-15
Jonathan.Kasper@duke-energy.com
o: 727-893-9262



January 13, 2021

Scot Bolyard
City of St. Petersburg
One Fourth Street North
St. Petersburg, FL 33701

RE: Approval of a 16' alley Right of Way Vacation
Parcel ID: 06-31-17-09162-002-0050 and 06-31-17-09162-002-0070
Owner: BEACH TO BAY LLC and SOUTHERN TELEPHONE CORP
Address: 3939 4TH ST N., ST PETERSBURG
Case No.: 20-33000023

Dear Mr. Bolyard,

Please be advised that Duke Energy Florida, LLC., *Distribution Department* and *Transmission Department* has "**OBJECTIONS**" to the approval of the proposed 16' alley Right of Way Vacation, shown on enclosed Exhibit.

Duke Energy objects to the alley Right of Way Vacation until the developer or property owner collaborates with Duke Energy Engineering regarding the future development of the site and the future required installation of any permanent electrical facilities within the site.

Duke Energy's builder line
866.372.4663

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

Sincerely,

Jonathan Kasper

Jonathan Kasper
Land Representative
Duke Energy Florida



Frontier Communications
3712 W Walnut St.
Tampa, FL USA 33607
Office: (727) 462-1760
Fax: (727) 562-1175
Mobile: (941) 266-9218
Email: stephen.waidley@ftr.com

1/4/2021

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

RE: 20-33000023 – Vacation of Alley – 3939 4th St N, St Petersburg, FL

Dear Mr. Bolyard,

- Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided.
- Frontier Communications has no objection to the above referenced request as per the attachment.
- Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W.
- Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.
- Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project.
- Frontier Communications has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier Communications facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier Communications facilities needed to accommodate the proposed construction project.

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

Sincerely,

Stephen Waidley
Frontier Communications
Regional Rights of Way & Municipal Affairs Manager

Scot K. Bolyard

From: Thomas M Whalen
Sent: Monday, January 25, 2021 1:37 PM
To: Scot K. Bolyard
Cc: Kyle Simpson; Michael J. Frederick
Subject: Partial Alley Vacation at 3939 4th St N (DRC 20-33000023)

Scot,

The Transportation and Parking Management Department does not object to the proposed partial alley vacation as long as it does not cause the east-west alley in block to become a dead-end alley. A public access easement should be provided through the subject property that will connect the east-west alley to 4th Street or 40th Avenue North. The applicant will need to develop more detailed design plans for this connection to the east-west alley during the permitting phase to ensure safe and efficient travel and turning movements. Please let me know if you have any questions.

Tom Whalen, AICP CTP
Planner III
City of St. Petersburg
727-893-7883