



**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, **Commissioner Clemmons** has a direct or indirect ownership interest in real property located within 2,000 linear feet of real property contained with the application (measured in a straight line between the nearest points on the property lines). All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on **Wednesday, September 7, 2022 at 10:00 A.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida.

CASE NO: 19-33000002

PLAT SHEET: D-2, D-4

REQUEST: Approval of a one-year extension to a request to vacate 2nd Avenue NE from the east boundary of Bayshore Drive NE to the main ship channel of Tampa Bay.

OWNER: City of St. Petersburg
c/o Real Estate and Property Management
P.O. Box 2842
St. Petersburg, FL 33731

AGENT: Raul Quintana
City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731

ADDRESSES AND
PARCEL ID NOS.: 335 2nd Avenue NE; 19-31-17-74466-000-0030
800 2nd Avenue NE; 20-31-17-00000-240-0100
300 2nd Avenue NE; 19-31-17-74466-000-0041

ZONING: Downtown Center (DC-3 and DC-P)

DISCUSSION:

Request. The applicant is requesting a one-year extension of the request to vacate 2nd Avenue NE from the east Boundary of Bayshore Drive Northeast to the main ship channel of Tampa Bay (see Attachment A - Location Map). The original vacation request was recommended for denial by the DRC in a 6 to 1 decision on April 3, 2019 (see Attachment B – DRC Decision Letter and Attachment C – 2019 Staff Report), due to concerns regarding parking for the adjacent marina. City Council later approved the vacation through the adoption of Ordinance 1114-V on July 18, 2019.

Ordinance 1114-V contains the following three conditions of approval (see Attachment D):

1. Prior to recording the vacation ordinance, the applicant shall grant a specific easement to TECO Peoples Gas, Frontier Communications, Bright House and Duke Energy or obtain a letter of no objection from these utility providers.
2. 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 commission designated in the Decisions and Appeals Table or, if appealed, by the City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one year. The vacation ordinance shall be recorded after any conditions precedent have been compiled with.
3. Prior to recording of the vacation ordinance, the applicant shall file an application to rezone all vacated street right-of-way westerly of the waterline to Downtown Center – Parks (DC-P).

The applicant has not yet satisfied Condition Number 1, insofar as easements with the private utilities have been substantially completed, however have not yet been finalized. The applicant anticipates finalization of the easements to be completed within the next three to six months.

Condition Number 3 was created after the original Staff Report was issued, to address concerns at the time regarding potential development of the vacated right-of-way; the rezoning has been completed.

Land Development Regulation Criteria for Vacation of Public Rights-of-Way.

The approval criteria for granting a vacation of public right-of-way have not changed since the original Staff Report (see Attachment C). Staff continues to support the application. Staff asked the applicant about the status of marina parking; the applicant responded that there are no issues, there are dedicated parking spaces for the marina users at The Pier.

Public Comments.

At the time of writing of this Staff Report, Staff has received no comments on the application from the public, the Downtown Neighborhood Association, CONA or FICO.

RECOMMENDATION: Staff recommends **APPROVAL** of the one-year extension.

REPORT PREPARED BY:

/s/Cheryl Bergailo

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

8/24/22

DATE

REPORT APPROVED BY:

/s/ Corey Malyszka

Corey Malyszka, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

8/24/22

DATE

Attachments: A – Location Map, B – DRC Decision Letter, C – 2019 Staff Report, D – Ordinance 1114-V