



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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**VACATION OF RIGHT-OF-WAY
PUBLIC HEARING**

According to Planning & Development Services Department records, **no Commission** member or his or her spouse has a direct or indirect ownership interest in real property located within 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, August 3, 2022 at 10 A.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida.

CASE NO: 22-33000008

PLAT SHEET: G-2

REQUEST: Approval to vacate four street corner easements on 1st Avenue N., 13th Street N. and Central Avenue in Block 1 of the Police Complex Replat.

OWNER: City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL 33731

APPLICANT: Edge Central Development Partners, LLC
248 Mirror Lake Drive N.
St. Petersburg, FL

ADDRESS: 1300 1st Avenue N.

PARCEL ID NUMBER: 24-31-16-72477-001-0010

ZONING: Downtown Center – 1 (DC-1)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate four (4) platted street corner easements on 1st Avenue North, 13th Street North and Central Avenue in Block 1 of the Police Complex Replat in the Downtown Center – 1 (DC-1) Zoning District (see Attachment A - Location Map, Attachment B - Plat and Attachment C - Legal Descriptions and Sketches).

The purpose of the vacation according to the application narrative is to effectuate redevelopment of the site per the Orange Station project (see Attachment D - Application). Orange Station received DRC approval of the site plan on October 6, 2021 (DRC Case No. 21-31000020). That approval was for a site plan to construct a multi-phased mixed-use development consisting of a 16-story building with 103-dwelling units, 106,500 square-feet of office space, 21,400 square-feet of commercial space and a 590-space parking garage. The applicant requested a height bonus and a variance to distance between buildings from 30-feet to 4-feet for a portion of the building above 62-feet. The Orange Station project also received approval from the Intown West Community Redevelopment Agency on January 13, 2022 (City File IWRP 21-5A).

The proposed building and finished plaza areas would be located in the platted street corner easements, so they need to be vacated. The Vacation Narrative in the application states the vacation will not adversely impact the roadway network or alter travel patterns. Orange Station includes a public plaza that will enhance pedestrian circulation in the neighborhood.

Street corner easements are considered public right-of-way requiring a DRC hearing and the adoption of a vacation ordinance by City Council.

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

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

A. Land Development Regulations

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

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

- The application was routed to City Departments and Private Utility Providers. Engineering has no objection, however has provided a construction-related comment regarding sidewalk in their Engineering Memo dated July 1, 2022, which is a recommended Condition of Approval (see Attachment E).
- Private utilities have been identified in the alley and street corners. The applicant will be required to obtain a Letter of No Objection from Frontier Communications and Lumen/CenturyLink.

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

- Access will not be substantially impaired or denied to any lot of record.

3. ***Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.***
 - The vacation will not impact the existing roadway network, create dead-end rights-of-way, or substantially alter utilized travel patterns. The block is not historic.
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 easements are not needed by the City.
5. ***The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.***
 - No other factors were considered.

B. Comprehensive Plan

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

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

Land Use Element Goals:

- *(1) Protect the public health, safety and general welfare;*
- *(2) Protect and enhance the fabric and character of neighborhoods;*
- *(4) Assure that services and facilities are provided at the adopted level of service concurrent with existing and future demand; and*
- *(5) Attain the highest level of economic well-being possible for the city and its citizens.*

Response to LU Goals 1, 2, 4 and 5: The application, in accordance with recommended conditions of approval, would not impair the foregoing goals of the Land Use Element. Because vacation of the easements is associated with a development project, the application would advance economic development goal #5.

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

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

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

Response to TE Policy T2.4: Approval of the vacation would not impair the intent and purpose of this policy because the easement areas are not required for present or future public vehicular or pedestrian use.

C. Comments from Organizations and the Public

As of July 21, 2022, City Staff received no comments from the public, the Downtown Neighborhood Association, the Central Avenue Council, The Edge District, the Council of Neighborhood Associations (CONA) or the Federation of Inner-City Community Organizations (FICO).

RECOMMENDATION. Staff recommends **APPROVAL** of the vacation with the following conditions of approval:

1. The Applicant shall comply with the Engineering Review Memo dated July 1, 2022.
2. Applicant shall obtain letters of no objection from the following private utilities before the vacation ordinance is recorded: Frontier Communications and Lumen/CenturyLink.
3. The applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s). Any required easements and relocation of existing City utilities shall be at the expense of the Applicant.
4. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, 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

7/21/22

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

DATE

REPORT APPROVED BY:

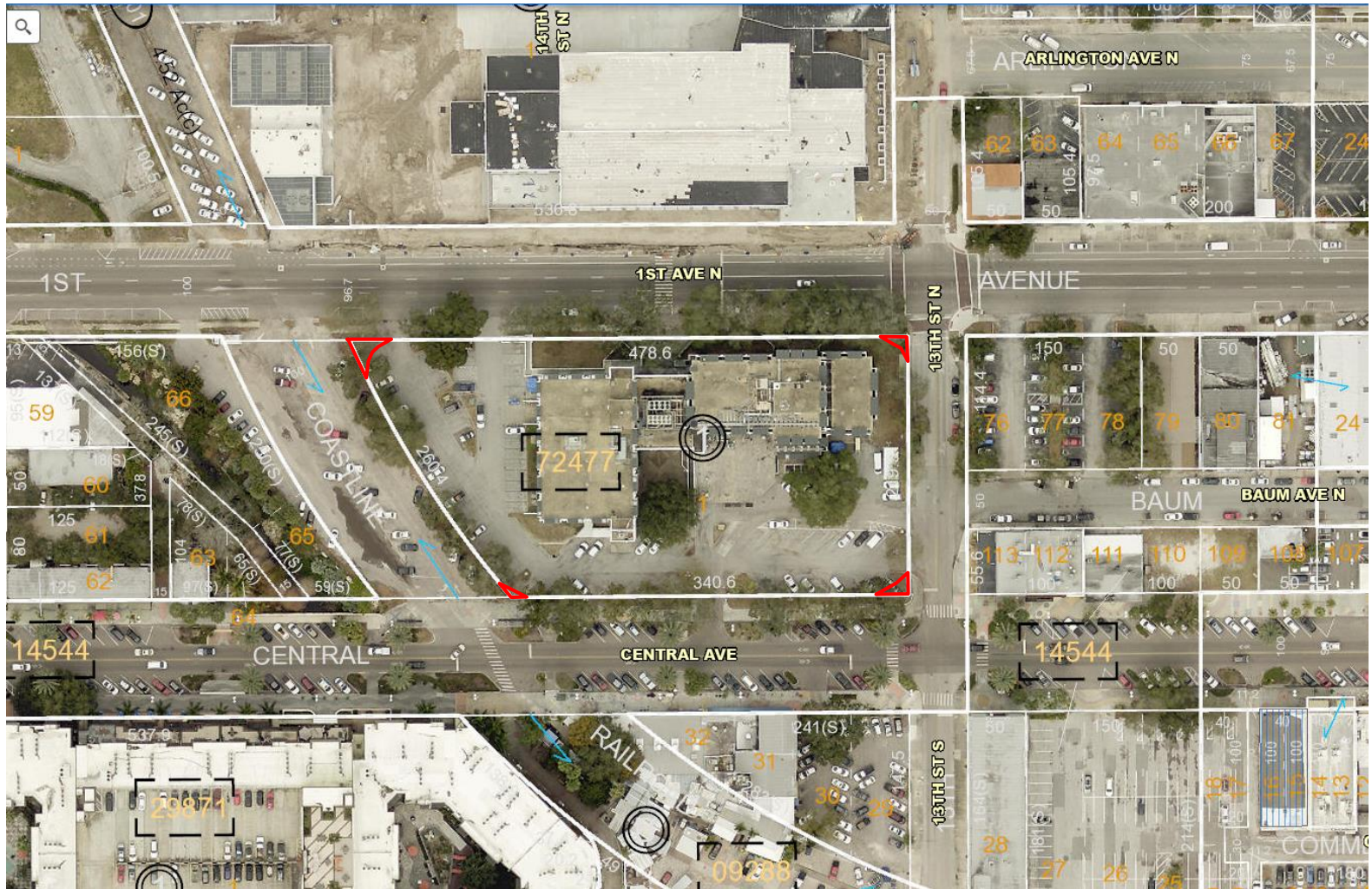
/s/Joseph Moreda

07/25/2022

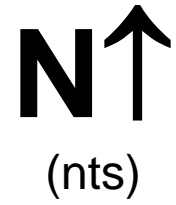
Joseph Moreda, III, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

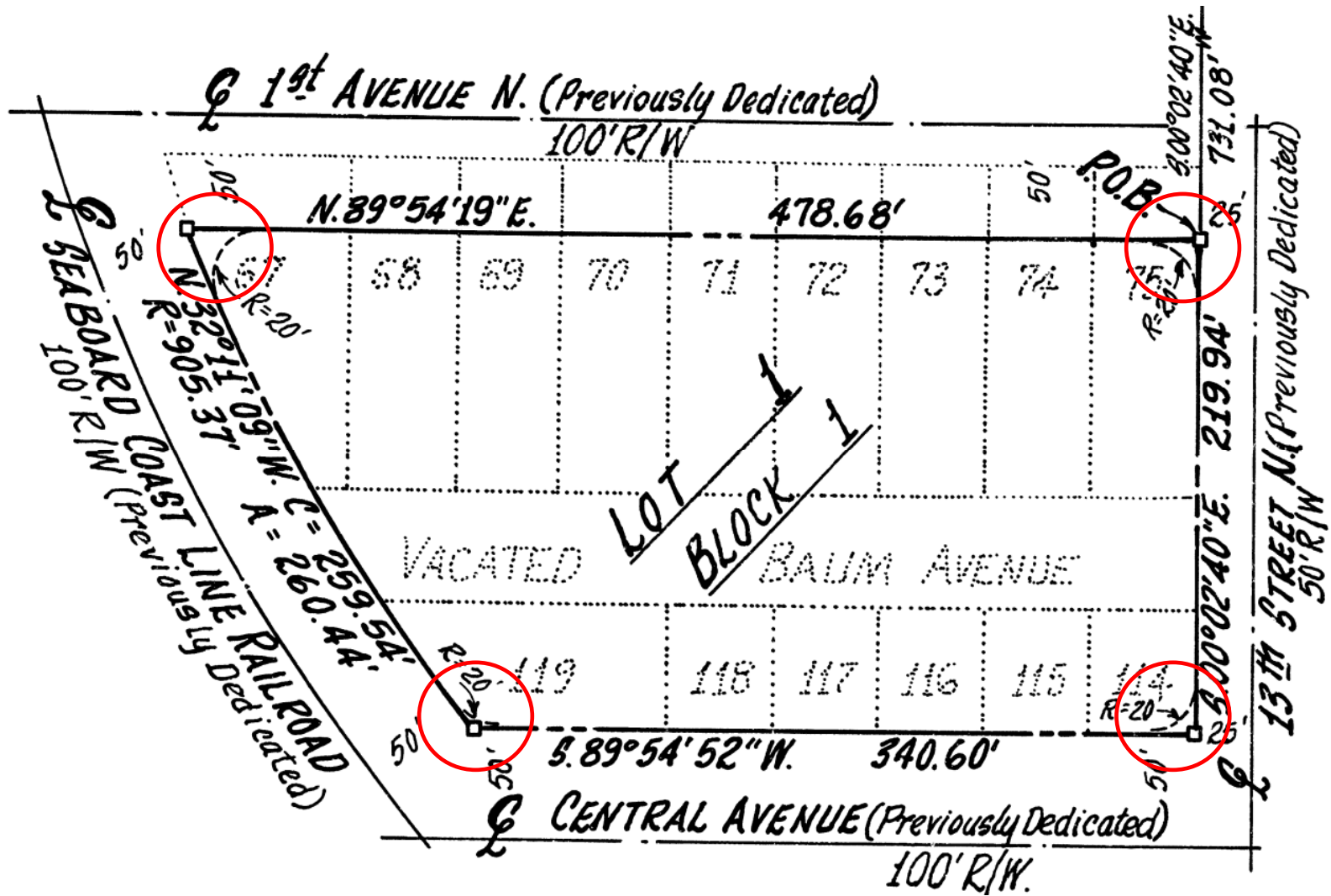
DATE

Attachments: A – Location Map, B - Plat, C – Legal Descriptions and Sketches, D - Application, E – Engineering Memo



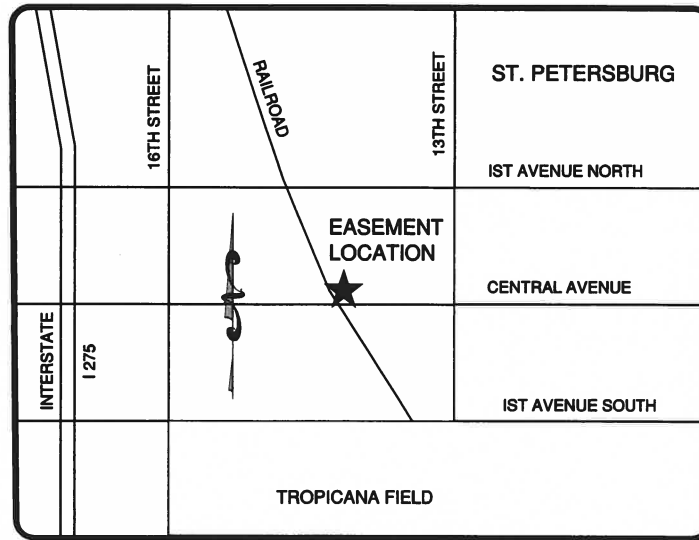
ATTACHMENT – A
 Project Location Map
 City of St. Petersburg, Florida
 Planning and Development Services Department
 Case No.: 22-33000008
 Address: 1300 1st Avenue N.





ATTACHMENT - C

SECTION 24 , TOWNSHIP 31 SOUTH, RANGE 16 EAST
 CITY OF ST. PETERSBURG
 PINELLAS COUNTY, FLORIDA



LOCATION MAP
 (NOT TO SCALE)

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING WITHIN LOT 1, BLOCK 1 OF POLICE COMPLEX REPLAT AS RECORDED IN PLAT BOOK 65, PAGE 40 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 1, POLICE COMPLEX REPLAT, SAID POINT LYING ON THE EAST RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD, THENCE RUN N. 40°07'33" W, ALONG SAID EAST RIGHT OF WAY LINE FOR 9.42 FEET TO THE POINT OF CUSP OF A CURVE CONCAVE TO THE NORTHEAST; THENCE LEAVING SAID RIGHT OF WAY LINE ALONG THE ARC OF SAID CURVE CONCAVE TO THE NORTHEAST, SAID CURVE HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 17.54 FEET, A CENTRAL ANGLE OF 50°15'18", AND A CHORD BEARING AND DISTANCE OF S. 64°57'19" E, 16.99 FEET TO THE SOUTH BOUNDARY OF SAID LOT 1, BLOCK 1 AND THE NORTH RIGHT OF WAY LINE OF CENTRAL AVENUE; THENCE RUN S. 89°55'02" W ALONG SAID NORTH RIGHT OF WAY LINE FOR 9.32 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 12 SQUARE FEET, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS A TRUE REPRESENTATION OF A SKETCH AND LEGAL DESCRIPTION, PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE INTENT OF THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17.052 , FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DRAFT

5-05-22

WILLIAM C. WARD
 PROFESSIONAL LAND SURVEYOR NO. 4815
 STATE OF FLORIDA

DATE

NOT A BOUNDARY SURVEY
 Legal Description to Accompany Sketch

ORANGE STATION STREET EASEMENT VACATION

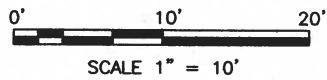
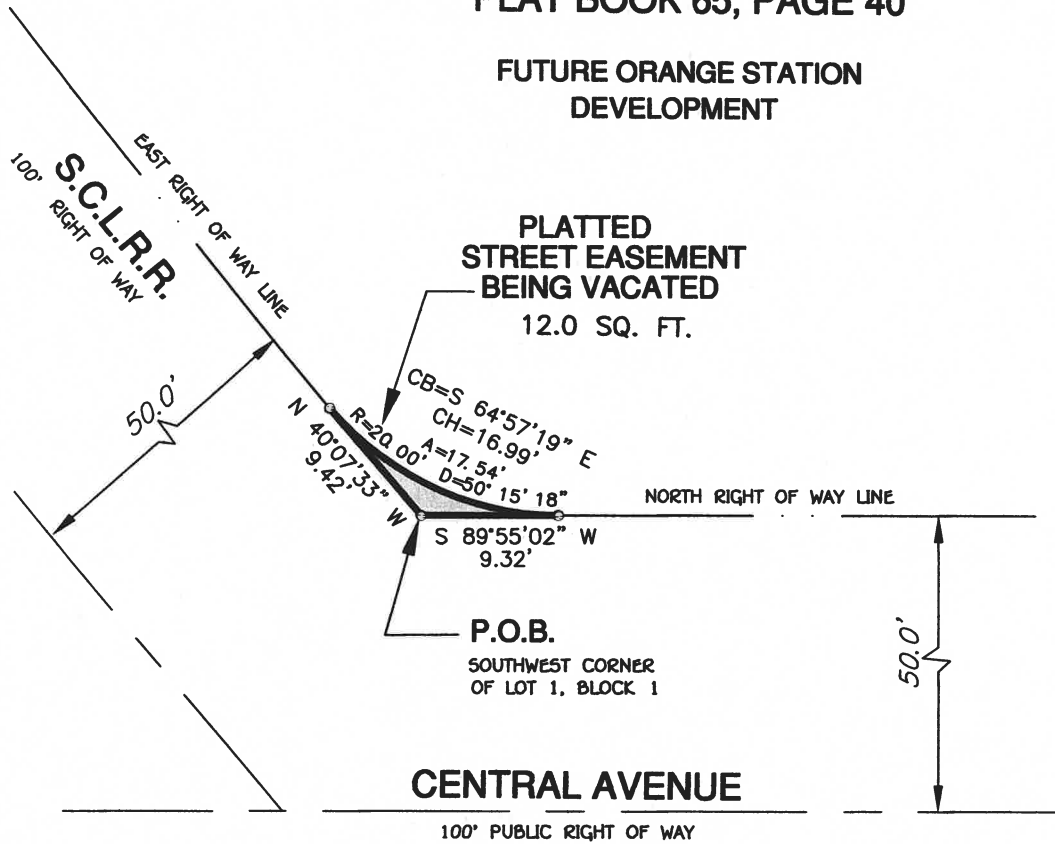
TERRAMETRIX, LLC
 SURVEYING - PLANNING - MAPPING
 State of Florida LB No. 8168
 5353 GULF BLVD, SUITE 204 A, ST. PETE BEACH, FL 33706 727-289-2113

DRAWN BY:	AAW
APPROVED BY:	WCW
DATE:	5-01-22
FILE LOCATION:	22032.DWG
JOB NUMBER:	22032
SHEET NO.:	1 OF 2

SECTION 24 , TOWNSHIP 31 SOUTH, RANGE 16 EAST
 CITY OF ST. PETERSBURG
 PINELLAS COUNTY, FLORIDA

LOT 1, BLOCK 1
 POLICE COMPLEX REPLAT
 PLAT BOOK 65, PAGE 40

FUTURE ORANGE STATION
 DEVELOPMENT



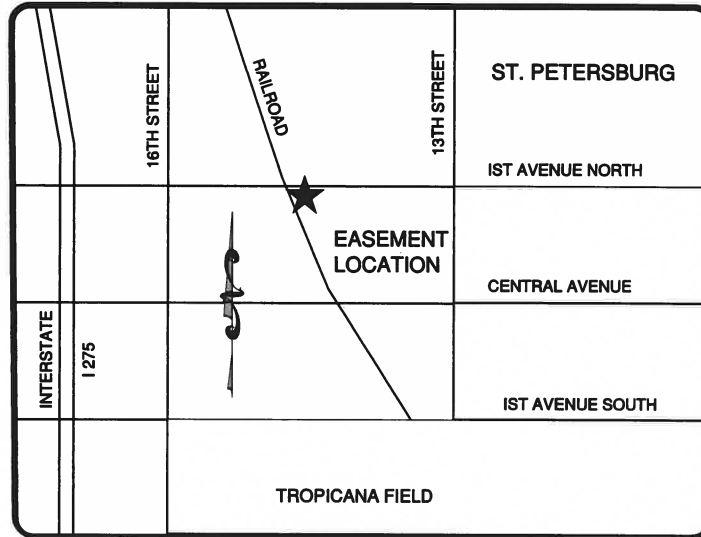
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BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1, POLICE COMPLEX REPLAT, SAID POINT LYING ON THE SOUTH RIGHT OF WAY LINE OF 1ST AVENUE NORTH, THENCE RUN N. 89°54'29" E, ALONG SAID SOUTH RIGHT OF WAY LINE FOR 31.30 FEET TO THE POINT OF CUSP OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE LEAVING SAID RIGHT OF WAY LINE ALONG THE ARC OF SAID CURVE CONCAVE TO THE SOUTHEAST, SAID CURVE HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 40.44 FEET, A CENTRAL ANGLE OF 115°51'13", AND A CHORD BEARING AND DISTANCE OF S. 31°58'53" W, 33.89 FEET TO THE WEST BOUNDARY OF SAID LOT 1, BLOCK 1 AND THE EAST RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD; THENCE RUN N. 24°56'38" W ALONG SAID EAST RIGHT OF WAY LINE FOR 31.65 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 228 SQUARE FEET, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS A TRUE REPRESENTATION OF A SKETCH AND LEGAL DESCRIPTION, PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE INTENT OF THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17.052 , FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

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 PINELLAS COUNTY, FLORIDA

1ST AVENUE NORTH

100' PUBLIC RIGHT OF WAY

P.O.B.
 NORTHWEST CORNER
 OF LOT 1, BLOCK 1

50.0'

N 89°54'29" E 31.30'

N 24°56'38" W 31.65'

R=20.00' D=115° 51' 13"
 A=40° 44'
 CB=S 31° 58' 53" W
 CH=33.89'

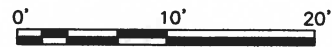
**PLATTED
 STREET EASEMENT
 BEING VACATED**
 228.0 SQ. FT.

**LOT 1, BLOCK 1
 POLICE COMPLEX REPLAT
 PLAT BOOK 65, PAGE 40**

**FUTURE ORANGE STATION
 DEVELOPMENT**

100' RIGHT OF WAY
S.C.L.R.R.

50.0'



SCALE 1" = 10'

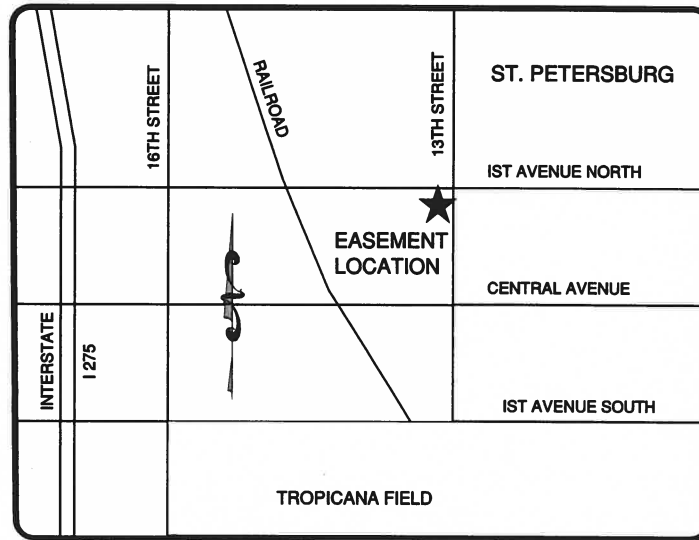
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CONTAINING 86 SQUARE FEET, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS A TRUE REPRESENTATION OF A SKETCH AND LEGAL DESCRIPTION, PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE INTENT OF THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 5J-17.052 , FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

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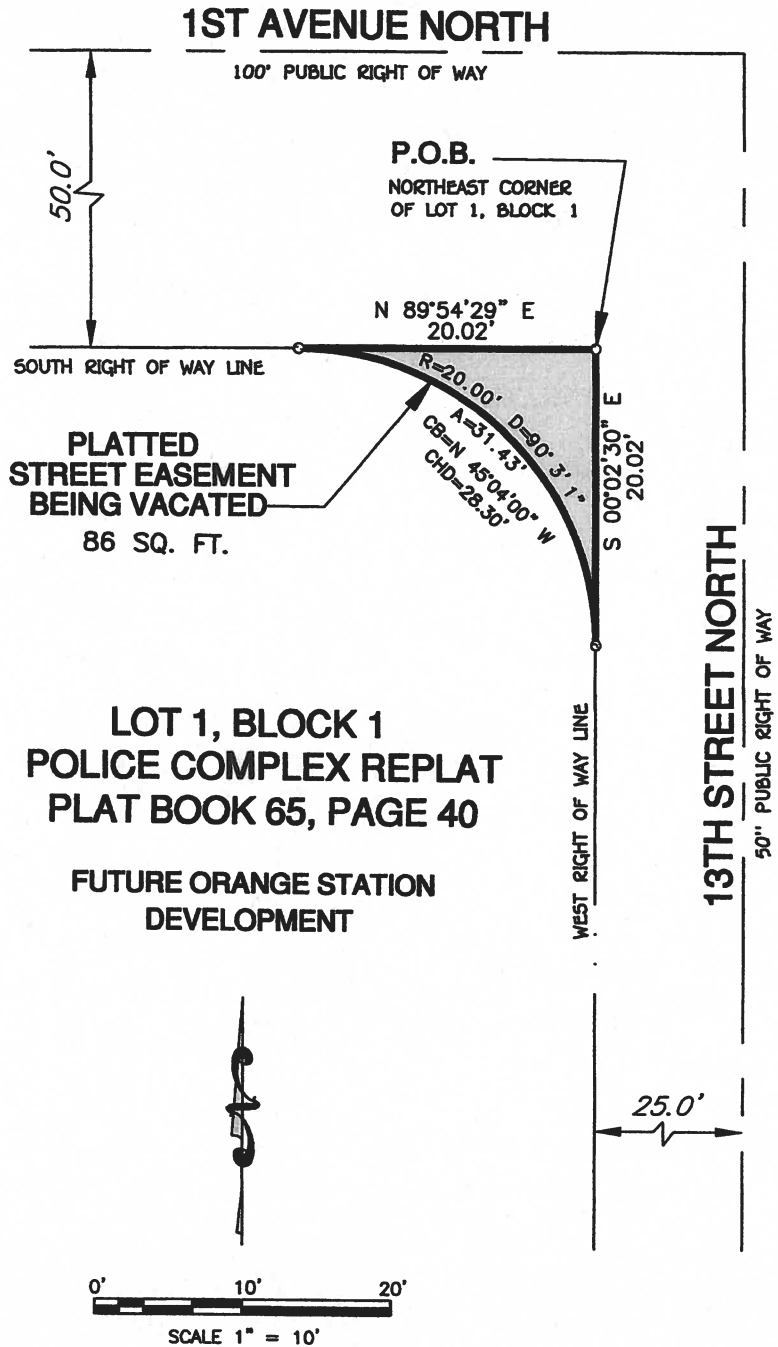
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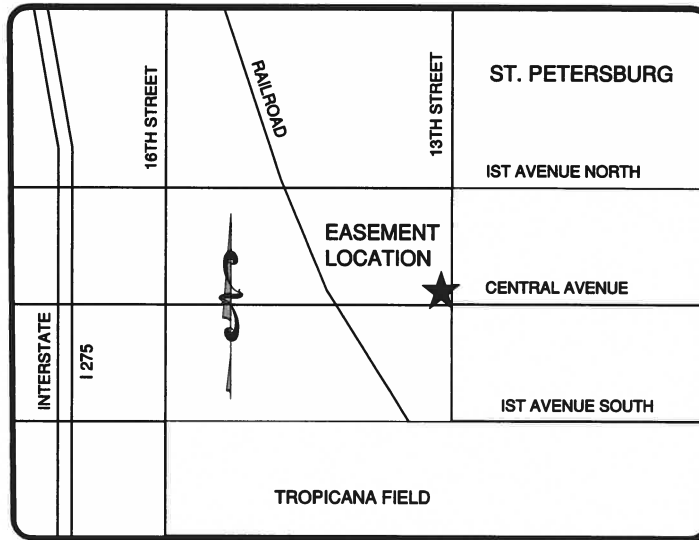
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CONTAINING 85.7 SQUARE FEET, MORE OR LESS.

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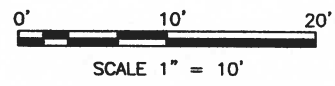
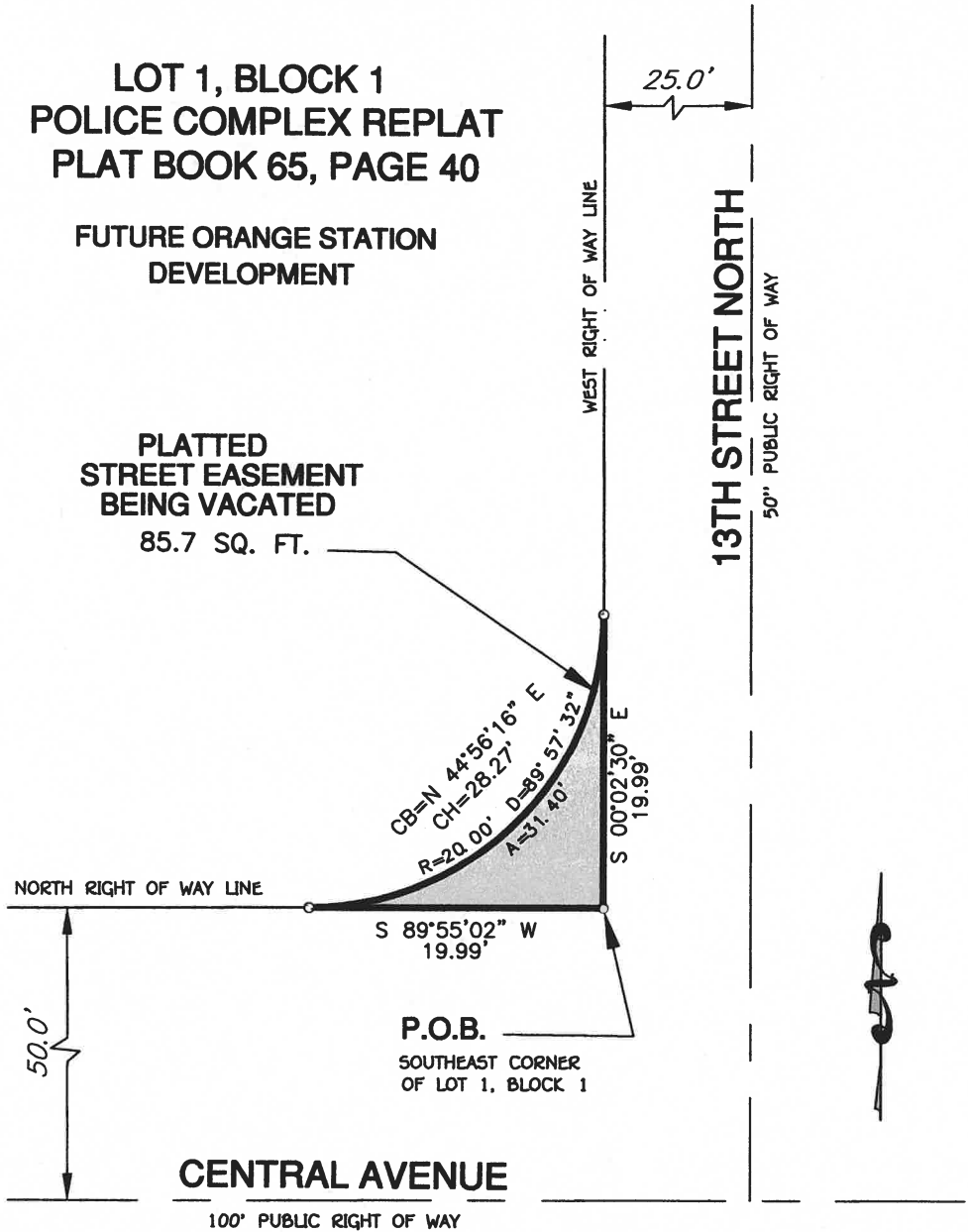
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SECTION 24 , TOWNSHIP 31 SOUTH, RANGE 16 EAST
 CITY OF ST. PETERSBURG
 PINELLAS COUNTY, FLORIDA

LOT 1, BLOCK 1
 POLICE COMPLEX REPLAT
 PLAT BOOK 65, PAGE 40

FUTURE ORANGE STATION
 DEVELOPMENT

PLATTED
 STREET EASEMENT
 BEING VACATED
 85.7 SQ. FT.



NOT A BOUNDARY SURVEY
 Sketch to Accompany Legal Description

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TERRAMETRIX, LLC
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 State of Florida LB No. 8168
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SHEET NO.:	2 OF 2



SUBDIVISION DECISION Application

Application No. 22-33000008

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

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

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): City of St. Petersburg	
Street Address: P.O. Box 2842	
City, State, Zip: St. Petersburg, FL 33731	
Telephone No:	Email Address:
NAME of AGENT or REPRESENTATIVE: Edge Central Development Partners LLC	
Street Address: 248 Mirror Lake Drive N	
City, State, Zip:	
Telephone No:	Email Address:
PROPERTY INFORMATION:	
Street Address or General Location: 1300 First Avenue N, FL	
Parcel ID#(s): 24-31-16-72477-001-0010	
DESCRIPTION OF REQUEST: Vacation of Lot Corner Radii	
PRE-APPLICATION DATE:	PLANNER:

FEE SCHEDULE

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

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

AUTHORIZATION

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

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

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

Signature of Owner/Agent: *Jay Miller*

Date: 5-20-2022

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

Typed name of Signatory: Jay Miller

NARRATIVE

APPLICATION TO VACATE CORNER STREET EASEMENTS FOR 1300 1ST AVENUE N.

The subject application is to vacate street corner easements (corner radii) at each corner of the parcel formerly used as the St. Petersburg Police Station (before it was relocated to the north side of First Avenue N). In tandem with the building permit application for the proposed mixed use Orange Station project, the City has informed us that we must vacate the street corner easements at each corner of the property first put in place in the 1976 replat of the parcel.

The vacation is necessary to permit us to build (both buildings and finished plaza areas) to the corners. The radii on the northwest and southwest corners of the parcel abut the CSX right of way (currently used as a temporary dirt parking lot). The corners on the east side of the parcel abut 13th Street but are not required for public utilities or sidewalks (in fact, we will by separate application dedicate a portion of the site on the east side to widen the current sidewalk along 13th Street to 10'). The vacation will not adversely impact the roadway network or alter travel patterns. Orange Station includes a public plaza that will enhance pedestrian circulation in the neighborhood and specifically at the western terminus of Baum Avenue and 13th Street.



RESIDENTIAL LOBBY	Light Purple
OFFICE LOBBY	Light Blue
RETAIL	Light Orange
RESTAURANT	Light Blue
PARKING GARAGE	Light Yellow

N
 SITE PLAN
 SCALE: 1" = 40'-0"

ATTACHMENT - E

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

TO: Cheryl Bergalio, Planner II, Development Review Services
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: July 1, 2022
SUBJECT: Easement Vacation
FILE: 22-33000008

LOCATION AND PIN: 1300 1st Avenue North; 24-31-16-72477-001-0010

ATLAS: G-2 **Zoning:** DC-1

REQUEST: Approval to vacate four street corner easements on 1st Avenue N., 13th Street N. and Central Avenue in Block 1 of the Police Complex Replat.

The Engineering and Capital Improvements Department (ECID) has no objection to the proposed vacation or the street corner easements provided that the following special conditions and standard comments are added as conditions of approval:

SPECIAL CONDITIONS OF APPROVAL:

1. Upon redevelopment, public sidewalks are required by City of St. Petersburg Municipal Code Section 16.40.140.4.2 and within the DC zoning district, a 10-foot wide public sidewalk is required along and within all right of way frontages. The applicant shall dedicated additional public easement for public sidewalk as may be needed around the site perimeter to allow sufficient space to meet the public sidewalk requirements of the City Code. Though it appears clear that additional easement is required along the entire eastern property boundary, the specific need and locations of additional public sidewalk easement will be determined during site plan review and the applicant will be required to provide a legal description and sketch of areas to be dedicated. The cost of public easement dedication shall be at the sole expense of the applicant and easements documents will be prepared by the City Real Estate and Property Management division.

NED/mk

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