



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

**DEVELOPMENT REVIEW COMMISSION
STAFF REPORT**

**VACATION OF RIGHTS-OF-WAY
PUBLIC HEARING**

According to Planning & Development Services Department records, **no Commission member** or his or her spouse has a direct or indirect ownership interest in real property located within 1,000 linear feet of real property contained with the application (measured in a straight line between the nearest points on the property lines). All other possible conflicts should be declared upon the announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on **February 1, 2023, at 1:00 P.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida.

CASE NO.: 22-33000023 PLAT SHEET: F-3

REQUEST: Approval of a vacation of multiple street corner easements generally located at 750 5th Ave S.

OWNER: Orlando Health, Inc.
1414 Kuhl Avenue MP71
Orlando, FL 32806

APPLICANT: Timothy Rankin, George F. Young
299 Dr. MLK Jr. St. N.
St. Petersburg, FL 33701

ADDRESSES: 750 5th Avenue S.
St. Petersburg, FL 33701

PARCEL ID NO.: 19-31-17-03481-001-0010

LEGAL DESCRIPTION: On File

ZONING: Employment Center (EC-2)

DISCUSSION AND RECOMMENDATION:

Request. The request is to vacate three (3) street corner easements generally located at 750 5th Ave S. The applicant's goal is to vacate the rights-of-way in order to consolidate the property for redevelopment. The area of the rights-of-way proposed for vacation are depicted on the Location Map (Attachment A) and Sketch and Legal Description (Attachment B).

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 (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 16.40.140.2.1E 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's Memorandum dated January 12, 2023 (see Attachment D) and Water Resources' Memorandum dated January 5, 2023 (see Attachment E) both state that they have no objections. Staff has received letters of no objection from Frontier Communications and Lumen Technologies. At time of Staff Report publication staff has not received letters from TECO or Duke Energy. A condition of approval has been included requiring letters of no objection from TECO and Duke Energy prior to recording of the vacation ordinance.

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.*

Approval of the vacation will not deny access to any lot of record.

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 requested vacation will not result in adverse impacts to the existing roadway network. Allowing these obsolete rights-of-way easements to be vacated will facilitate redevelopment of the block with a new project that is consistent with the overall goals of the EC zoning district.

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.*

The subject street corner easements were dedicated to accommodate future intersection widening projects which are no longer planned. The subject rights-of-way easements are no longer necessary.

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 City's Transportation and Parking Management Department has reviewed the proposed vacation and has no objection (see Attachment F). The proposed vacation of the alley will foster redevelopment which is a goal of the Comprehensive Plan.

C. Adopted Neighborhood or Special Area Plans

The subject rights-of-way are within the boundaries of the Downtown Residents Civic Association and the Innovation Business Association. The Downtown Residents Civic Association does not have any special area plans which affect vacation of right-of-way in this area of the City. The Innovation Business Association does have a St. Pete Innovation District Streetscape and Connectivity Concept Plan; however, the street corner easements requested to be vacated are located entirely on private property and will have no impact on the planned streetscape improvements identified in the Plan.

Comments from Agencies and the Public. The request was routed to City Departments and Private Utility Providers for review and comments. Engineering and Water Resources both stated that they have no objections. Staff has received letters of no objection from Frontier Communications and Lumen Technologies. At time of Staff Report publication staff has not received letters from TECO or Duke Energy. Letters of no objection from TECO and Duke Energy are required to be obtained prior to recording of the vacation ordinance.

RECOMMENDATION. Staff recommends **APPROVAL** of the proposed vacation of multiple street corner easements. If the DRC is inclined to support the vacation, Staff recommends the following special conditions of approval:

1. Prior to recording the vacation ordinance, the applicant shall obtain letters of no objection from TECO and Duke Energy.
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 Development Review Commission or, if appealed, by the City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

REPORT PREPARED BY:*/s/ Scot Bolyard*

01/18/2023

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

Date

REPORT APPROVED BY:*/s/ Corey Malyszka*

01-18-2023

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

Date

Attachments: A – Location Map, B – Sketch and Legal Description, C – Applicant's Narrative, D – Engineering Memorandum dated January 12, 2023, E – Water Resources' Memorandum dated January 5, 2023, F – Transportation Memorandum dated January 18, 2023

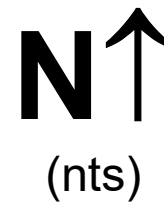


PROJECT LOCATION MAP

Case No.: 22-3300023

Addresses: 750 5th Avenue South

City of St. Petersburg, Florida
Planning & Development Services Department



SKETCH AND DESCRIPTION: NOT A SURVEY
NOT COMPLETE WITHOUT THE ATTACHED SKETCH

25' RADIUS STREET EASEMENT NW CORNER

DESCRIPTION:

THAT CERTAIN PART OF BAYFRONT MEDICAL CENTER SUBDIVISION FIRST ADDITION REPLAT AND ADDITION AS RECORDED IN PLAT BOOK 111, PAGE 101 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, AFORESAID BAYFRONT MEDICAL CENTER SUBDIVISION FIRST ADDITION REPLAT AND ADDITION; THENCE ALONG THE SOUTH RIGHT-OF-WAY OF 5TH AVENUE SOUTH, N89°26'11"E, 25.00 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00' FEET, A CENTRAL ANGLE OF 89°58'07", A CHORD BEARING S44°25'14"W FOR 35.35 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 39.26 FEET TO THE EAST RIGHT-OF-WAY OF 8TH STREET SOUTH; THENCE ALONG SAID EAST RIGHT-OF-WAY, N00°35'42"W, 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 134 SQUARE FEET, OR 0.003 ACRES MORE OR LESS.


DATA SOURCES:

1. BASIS OF BEARING IS THE SOUTH RIGHT-OF-WAY OF 5TH AVENUE SOUTH, BEING N89°26'11"E. (ASSUMED PER DATA SOURCE #2)
2. PLAT OF BAYFRONT MEDICAL CENTER SUBDIVISION FIRST ADDITION REPLAT AND ADDITION, RECORDED PLAT BOOK 111, PAGE 101, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.
3. LEGAL DESCRIPTION PREPARED BY BULLSEYE SURVEYING, INC.

NOTES:

1. 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.
2. THIS SKETCH IS NOT INTENDED TO SHOW THE LOCATION OR EXISTENCE OF ANY JURISDICTIONAL, HAZARDOUS OR ENVIRONMENTALLY SENSITIVE AREAS.

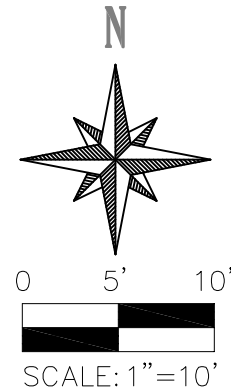
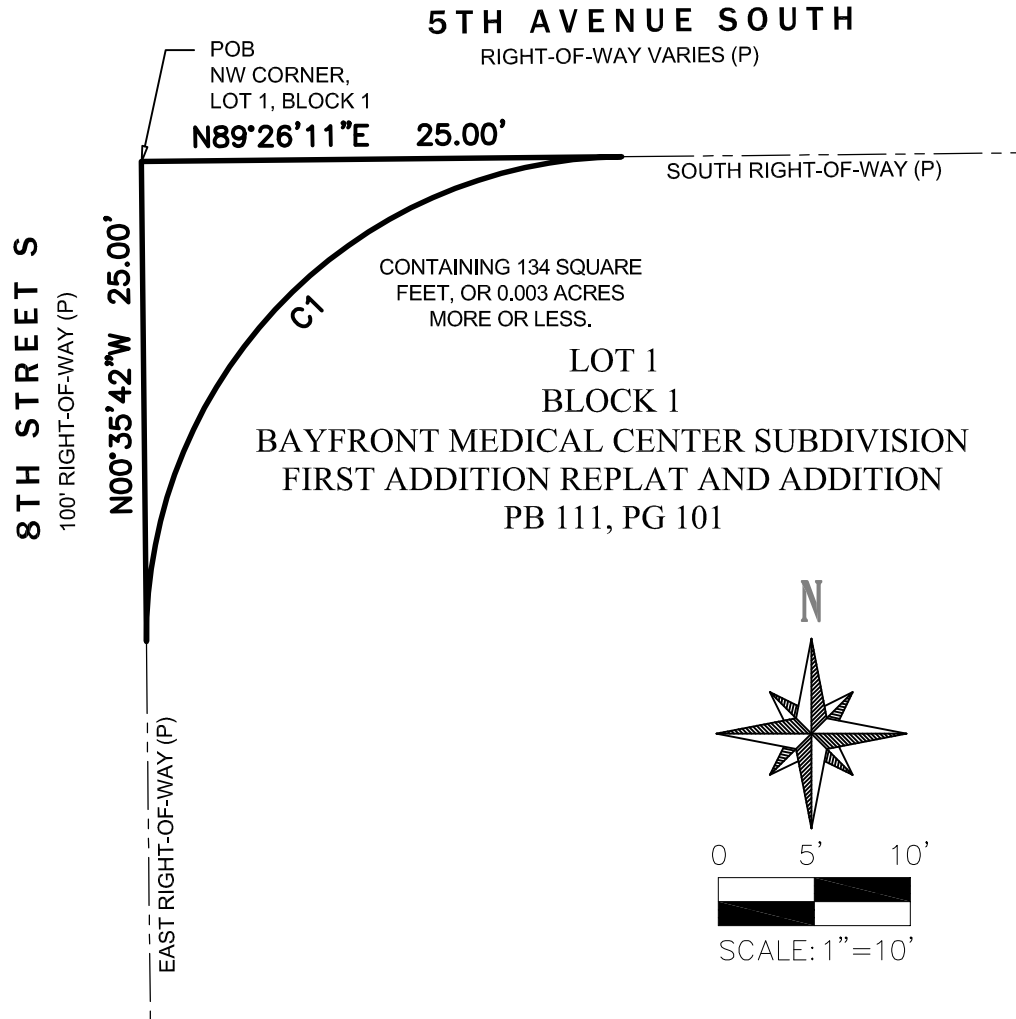
REVISIONS		
#	DATE	DETAILS
1	12/2/2022	CHANGED POB DESCRIPTION LEGAL TEXT

BULLSEYE SURVEYING, INC.	LB 7818 2198 NE COACHMAN ROAD, UNIT F CLEARWATER, FL 33765 PHONE: 727-475-8088	SHEET NUMBER	1 OF 2	
		SCALE	SKETCH DATE	FILE NAME
		N/A	10/7/2022	22-058.DWG

SKETCH:

SKETCH AND DESCRIPTION: NOT A SURVEY
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25' RADIUS STREET EASEMENT NW CORNER



Curve Table					
Line #	Length	Radius	Delta	Chord Direction	Chord Length
C1	39.26'	25.00'	89°58'07"	S44°25'14"W	35.35'

REVISIONS		
#	DATE	DETAILS
1	12/2/2022	CHANGED POB DESCRIPTION LEGAL TEXT

BULLSEYE SURVEYING, INC.
LB 7818
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ABBREVIATIONS

DENOTES

- BNDY= BOUNDARY
- LB= LICENSED BUSINESS
- LS= LICENSED SURVEYOR
- OR= OFFICIAL RECORDS BOOK
- (P)= PLAT
- PG= PAGE
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- POC= POINT OF COMMENCEMENT

SCALE: 1" = 10'
SHEET NUMBER: 2 OF 2
SKETCH DATE: 10/7/2022
FILE NAME: 22-058.DWG

SKETCH AND DESCRIPTION: NOT A SURVEY
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25' RADIUS STREET EASEMENT NE CORNER

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BEGINING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1, AFORESAID BAYFRONT MEDICAL CENTER SUBDIVISION FIRST ADDITION REPLAT AND ADDITION; THENCE ALONG THE WEST RIGHT-OF-WAY OF 7TH STREET SOUTH, S00°35'42"E 25.00 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°01'53", A CHORD BEARING N45°34'46"W FOR 35.37 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 39.28 FEET TO THE SOUTH RIGHT-OF-WAY OF 5TH AVENUE SOUTH; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, N89°26'11"E, 25.00 FEET TO THE POINT OF BEGINNING.

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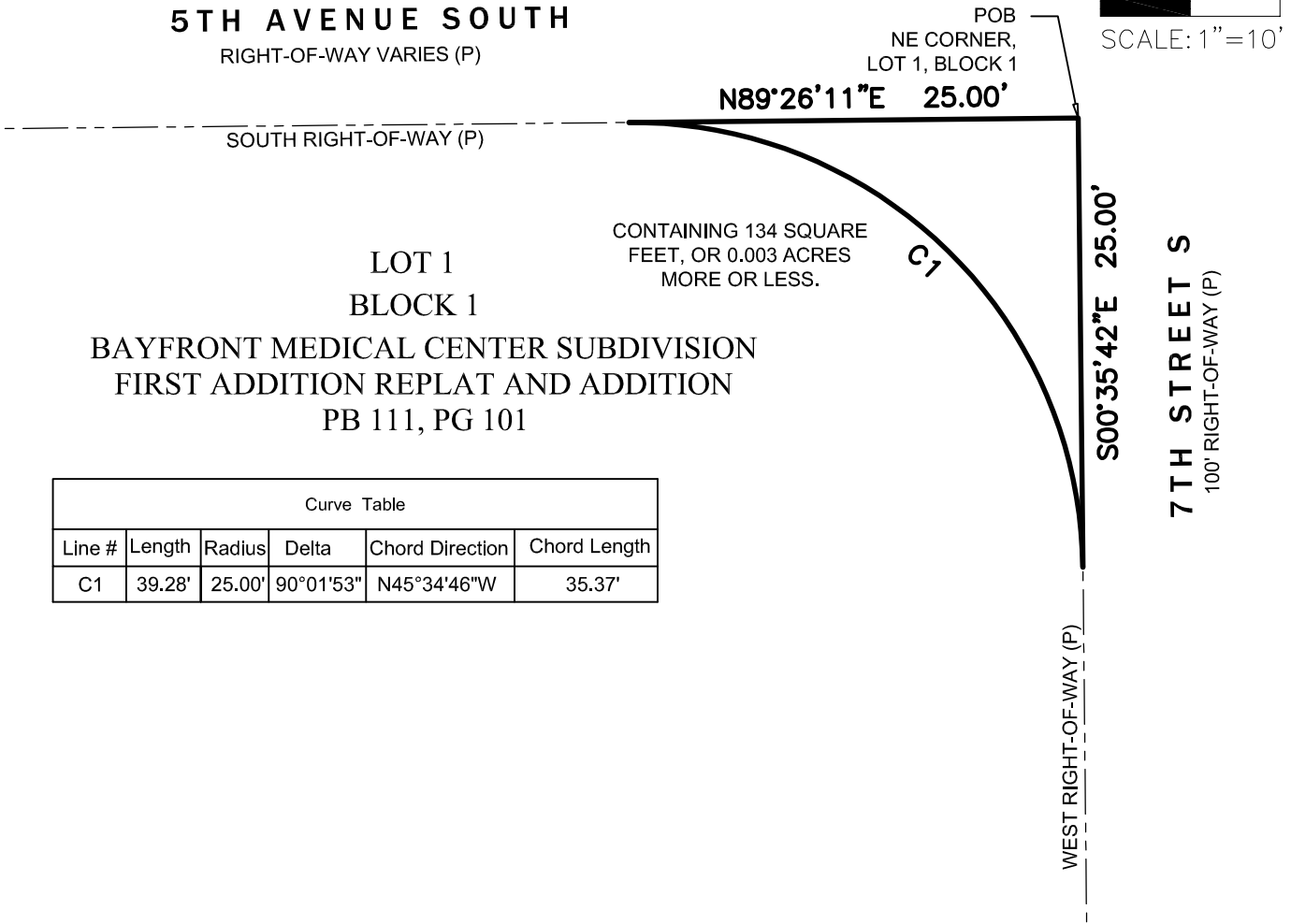
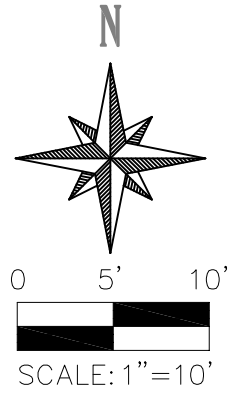
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BULLSEYE SURVEYING, INC.	LB 7818 2198 NE COACHMAN ROAD, UNIT F CLEARWATER, FL 33765 PHONE: 727-475-8088		SCALE	N/A	SHEET NUMBER	1 OF 2
	GEORGE R. MARTIN PROFESSIONAL SURVEYOR & MAPPER LICENSE NUMBER LS 6019 STATE OF FLORIDA		SKETCH DATE	10/7/2022	FILE NAME	22-058.DWG

SKETCH:

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25' RADIUS STREET EASEMENT NE CORNER



5TH AVENUE SOUTH
RIGHT-OF-WAY VARIES (P)

LOT 1
BLOCK 1
BAYFRONT MEDICAL CENTER SUBDIVISION
FIRST ADDITION REPLAT AND ADDITION
PB 111, PG 101

CONTAINING 134 SQUARE FEET, OR 0.003 ACRES MORE OR LESS.

7TH STREET S
100' RIGHT-OF-WAY (P)

Curve Table					
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C1	39.28'	25.00'	90°01'53"	N45°34'46"W	35.37'

REVISIONS		
#	DATE	DETAILS

BULLSEYE SURVEYING, INC.

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SCALE	SHEET NUMBER
1" = 10'	2 OF 2
SKETCH DATE	FILE NAME
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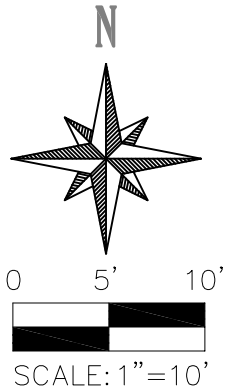
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GEORGE R. MARTIN PROFESSIONAL SURVEYOR & MAPPER LICENSE NUMBER LS 6019 STATE OF FLORIDA		SCALE N/A SKETCH DATE 10/7/2022 FILE NAME 22-058.DWG

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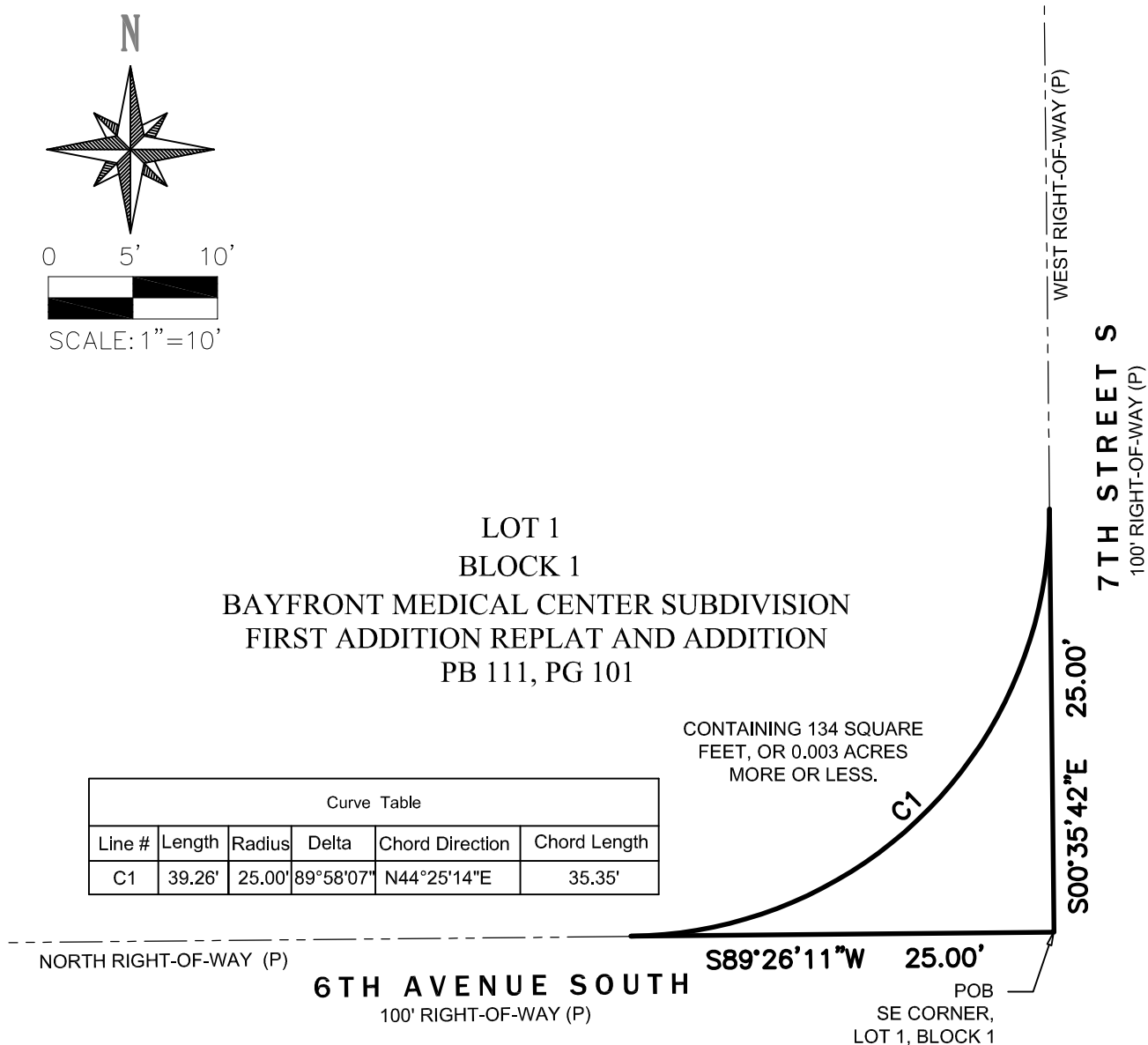
25' RADIUS STREET EASEMENT SE CORNER



LOT 1
BLOCK 1
BAYFRONT MEDICAL CENTER SUBDIVISION
FIRST ADDITION REPLAT AND ADDITION
PB 111, PG 101

CONTAINING 134 SQUARE
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REVISIONS		
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BULLSEYE SURVEYING, INC.

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SHEET NUMBER
2 OF 2

SKETCH DATE
10/7/2022

FILE NAME
22-058.DWG



SUBDIVISION DECISION Application

Application No. _____

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

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): Orlando Health, Inc.	
Street Address: 1414 Kuhl Avenue MP71	
City, State, Zip: Orlando, FL 32806	
Telephone No: 321-843-9511	Email Address: Tyler.Johnson2@orlandohealth.com
NAME of AGENT or REPRESENTATIVE: Timothy Rankin, George F. Young, Inc.	
Street Address: 299 Dr. MLK Jr. St. N	
City, State, Zip: St. Petersburg, FL, 33701	
Telephone No: 727-822-4317	Email Address: trankin@georgefyoung.com
PROPERTY INFORMATION:	
Street Address or General Location: 750 5TH AVENUE SOUTH	
Parcel ID#(s): 19-31-17-03481-001-0010	
DESCRIPTION OF REQUEST: Vacating 3 Right of Way 25' Radius Corner Easement	
PRE-APPLICATION DATE: 10/05/2022	PLANNER: SKB

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: Matthew S. Taylor Date: 11/17/2022
 *Affidavit to Authorize Agent required, if signed by Agent.

Typed name of Signatory: Matthew S. Taylor, Senior Vice President, Asset Strategy

750 5TH AVENUE SOUTH SITE – STREET CORNER EASEMENT VACATION NARRATIVE

The site is located at 750 5th Avenue South, St. Petersburg FL 33701 and is zoned EC-2 with parcel ID of 19/31/17/03481/001/0010. The project site is approximately 3.34 +/- acres and bordered by 5th avenue South to the North, 6th avenue South to the South, 8th street South to the West and 7th street South to the East in the City of St. Petersburg, FL. The site contains 5 public utility easements and 3 street corner radius easements throughout the site.

This request is to vacate three (3) Public 25-ft radius street corner easements. Under separate applications five (5) Utility Easement will also be submitted for vacation. The Easement locations, easement dimensional/directional details, and the Legal Descriptions are attached herein for reference. A survey depicting 7 of the 8 easements has been provided with the application. One additional utility easement exists on site but was not shown on the survey. The city was able to produce documentation of the easement.

The property owner would like to clear the site of all easements and public utilities to have a clean site for future development. The property owner and their representatives will work with the public and private utility providers to relocate the existing facilities prior to the vacations being recorded in public record. It is understood the corner easements are considered public right of way and therefore will require DRC and City council approvals.

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

TO: Scot Bolyard, Deputy Zoning Official
FROM: Nancy Davis, Engineering Plan Review Supervisor
DATE: January 12, 2023
SUBJECT: Vacate Corner Easement
FILE: 22-33000023

LOCATION AND PIN: 750 5th Avenue South; 19-31-17-03481-001-0010

ATLAS: F-3 **Zoning:** EC-2

REQUEST: Approval of a vacation of multiple street corner easements generally located at 750 5th Ave S.

The Engineering and Capital Improvements Department (ECID) has no objection to the proposed corner easement vacations.

NED/mk

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

MEMORANDUM
CITY OF ST. PETERSBURG
Water Resources Department

TO: Corey Malyszka, Zoning Official

FROM: Thomas Whitman, Designer I, Water Resources

DATE: January 5, 2023

SUBJECT: Approval of a vacation of multiple street corner easements generally located at 750 5th Ave S.

PLAT: F-3

CASE: 22-33000023

LOCATION: 750 5th Avenue S.;19-31-17-03481-001-0010

REMARKS: Water Resources has no objection to the above referenced subject.

Project file



CITY OF ST. PETERSBURG

Transportation and Parking Management Department

MEMORANDUM

TO: Scot Bolyard, Deputy Zoning Official, Planning and Development Services Department

FROM: Tom Whalen, Planner III, Transportation and Parking Management Department

DATE: January 18, 2023

SUBJECT: Approval of a vacation of multiple street corner easements generally located at 750 5th Avenue South.

CASE: 22-33000023

The Transportation and Parking Management (“Transportation”) Department has reviewed the proposed vacation of multiple street corner easements generally located at 750 5th Avenue South. The Transportation Department has no objections or comments on the proposed vacation. Please let me know if you have any questions about the Transportation Department’s review.