City of Largo
Agenda Item 17

Presenter: Jerald Woloszynski, P.E., Director
Department: EN – Engineering Services

TITLE:

CHANGES FROM FIRST READING:
No changes.

PREVIOUS ACTION:
Approved on first reading October 16, 2018 (vote 7-0).

Budgeted Amount: $0.00 Budgeted Amount: $0.00
Budget Page No(s.): NA Available Amount: $0.00 Expenditure Amount: $0.00
Additional Budgetary Information: Not applicable

Funding Source(s): NA Sufficient Funds Available: { ○ Yes ○ No
Budget Amendment Required: { ○ Yes ○ No Source: N/A
City Attorney Reviewed: { ○ Yes ○ No ○ N/A Advisory Board Recommendation: { ○ For ○ Against ○ N/A
Consistent With: { ○ Yes ○ No ○ N/A

Potential Motion/Direction Requested:
I MOVE TO ADOPT/DENY ORDINANCE NO. 2019-01 ON SECOND AND FINAL READING.

Staff Contact: Ann Rocke, Engineer III x4425 arocke@largo.com
Attachments:
First Reading memo, Ordinance No. 2019-01, Location Map
The purpose of this memorandum is to request approval for the vacation of rights-of-way adjacent to 1159 Clearwater-Largo Road. The applicant, Anthony M. Everett of Pollack Shores Real Estate Group, authorized agent for the property owners, Biltmore Trails LLC and Largo Belleair LLC, is requesting the vacations for the development of the Rosery Apartments at 1159 Clearwater-Largo Road.

The vacations are being processed in accordance with Section 4.10 Level V, Vacation or Dedication of Right-of-Way or Easements, of the City Comprehensive Development Code (CDC). The applicant is requesting the vacation of a 281 foot x 60 foot segment of the 10th Street NW right-of-way, a 613 foot x 60 foot portion of the 11th Avenue NW right-of-way and a 653 foot x 10 foot portion of the 11th Avenue NW right-of-way, all adjacent to 1159 Clearwater-Largo Road. An easement for roadway use across the 10th Street NW vacated area will be dedicated to the public as part of the platting process. The remaining right-of-way on the west end of 11th Avenue NW will meet the City’s minimum 50 foot width requirement for the existing roadway. The unimproved right-of-way on the east end of 11th Avenue NW currently contains a drainage ditch and will be modified to provide drainage through a piped system.

The proposed vacation of rights-of-way meets the appropriate standards of the CDC and has been reviewed with no objections by City Departments including the Public Works Department and the Engineering Services Department. City staff has determined that the rights-of-way to be vacated are no longer necessary for public purpose. Adjacent property owner and outside utility agencies have been notified, including but not limited to: Pinellas County Utilities, Duke Energy, TECO Peoples Gas, Wide Open West, Frontier, Clearwater Gas System, Bright House Networks and Level 3 Communications, all of which provided no objections.

I MOVE TO APPROVE/DISAPPROVE ORDINANCE NO. 2019-01 ON FIRST READING AND SCHEDULE A SECOND READING AND PUBLIC HEARING ON NOVEMBER 6, 2018.
ORDINANCE NO. 2019 - 01

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, VACATING A SEGMENT OF THE 10TH STREET NW RIGHT-OF-WAY AND PORTIONS OF THE 11TH AVENUE NW RIGHT-OF-WAY, ALL ADJACENT TO 1159 CLEARWATER LARGO ROAD, LARGO, FLORIDA, WITHIN SECTION 28, TOWNSHIP 29 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Biltmore Trails LLC and Largo Belleair LLC requested that the City vacate a segment of the 10th Street NW right-of-way and portions of the 11th Avenue NW right-of-way, all adjacent to 1159 Clearwater Largo Road; and

WHEREAS, the City Commission has reviewed the request for vacation of rights-of-way and finds that it meets the criteria established in Section 4.10 of the Comprehensive Development Code; and

WHEREAS, the City Commission finds that the vacation of rights-of-way is consistent with the City of Largo Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property (without the consent of the affected property owner or unless provisions have been made to pay damages); and

WHEREAS, the City Commission has determined said rights-of-way are no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the following described rights-of-way, lying and being in the County of Pinellas, State of Florida, to wit:

AREA 1:

A PORTION OF A 60.00 FEET WIDE RIGHT-OF-WAY OF 11TH AVENUE NW (LEXINGTON AVENUE, RE-PLAT OF ALTA VISTA, ACCORDING TO PLAT BOOK 12, PAGE 76, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA) LYING IN SECTION 28, TOWNSHIP 29 SOUTH, RANGE 15 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 5, BLOCK B, RE-PLAT OF ALTA VISTA, ACCORDING TO PLAT BOOK 12, PAGE 76, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE SOUTH 04°30'55" WEST ALONG THE SOUTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF 10TH STREET NW (PALMER STREET PER PLAT), A DISTANCE OF 10.02 FEET; THENCE NORTH 89°07'31" WEST, A DISTANCE OF 653.00 FEET TO THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF THE PINELLAS TRAIL (RAILROAD RIGHT-OF-WAY PER PLAT); THENCE NORTH 04°02'24" EAST ALONG SAID SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.02 FEET TO THE SOUTHWEST CORNER OF LOT 15, BLOCK B, SAID RE-PLAT OF ALTA VISTA; THENCE SOUTH 89°07'31" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF 11TH AVENUE NW (LEXINGTON AVENUE PER PLAT), A DISTANCE OF 653.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 6530 SQUARE FEET OR 0.150 ACRES.

AREA 2:

A PORTION OF A 60.00 FEET WIDE RIGHT-OF-WAY OF 10TH STREET NW (PALMER STREET, RE-
PLAT OF ALTA VISTA, ACCORDING TO PLAT BOOK 12, PAGE 76, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA) LYING IN SECTION 28, TOWNSHIP 29 SOUTH, RANGE 15 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1, BLOCK B, RE-PLAT OF ALTA VISTA, ACCORDING TO PLAT BOOK 12, PAGE 76, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE SOUTH 89°03'54" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF ROSEMARY ROAD, A DISTANCE OF 60.12 FEET TO THE NORTHWEST CORNER OF LOT 18, BLOCK A, OF SAID RE-PLAT OF ALTA VISTA; THENCE SOUTH 04°30'55" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF 10TH STREET NW (PALMER STREET PER PLAT) AND A SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 280.87 FEET; THENCE NORTH 89°07'31" WEST, A DISTANCE OF 60.12 FEET TO THE SOUTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF SAID 10TH STREET NW; THENCE NORTH 04°30'55" EAST ALONG SAID SOUTHERLY EXTENSION AND THE WEST RIGHT-OF-WAY LINE OF SAID 10TH STREET NW, A DISTANCE OF 280.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 16854 SQUARE FEET, OR 0.387 ACRES.

AREA 3:

A PORTION OF A 60.00 FEET WIDE RIGHT-OF-WAY OF 11TH AVENUE NW (LEXINGTON AVENUE, RE-PLAT OF ALTA VISTA, ACCORDING TO PLAT BOOK 12, PAGE 76, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA) LYING IN SECTION 28, TOWNSHIP 29 SOUTH, RANGE 15 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 5, BLOCK A, RE-PLAT OF ALTA VISTA, ACCORDING TO PLAT BOOK 12, PAGE 76, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE SOUTH 05°08'05" WEST ALONG THE SOUTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF CLEARWATER-LARGO ROAD (SUNSET BOULEVARD PER PLAT), A DISTANCE OF 30.08 FEET; THENCE NORTH 89°07'31" WEST, A DISTANCE OF 612.54 FEET TO THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF 10TH STREET NW (PALMER STREET PER PLAT); THENCE NORTH 04°30'35" EAST ALONG SAID SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE, A DISTANCE OF 30.06 FEET TO THE SOUTHWEST CORNER OF LOT 14, BLOCK A, SAID RE-PLAT OF ALTA VISTA; THENCE SOUTH 89°07'31" EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF 11TH AVENUE NW (LEXINGTON AVENUE PER PLAT), A DISTANCE OF 612.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 18381 SQUARE FEET OR 0.422 ACRES.

AREA 4:

A PORTION OF A 60.00 FEET WIDE RIGHT-OF-WAY OF 11TH AVENUE NW (LEXINGTON AVENUE, GRENELLYN, BLOCK A, REPLAT, ACCORDING TO PLAT BOOK 109, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA) LYING IN SECTION 28, TOWNSHIP 29 SOUTH, RANGE 15 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 1, GRENELLYN, BLOCK A, REPLAT, ACCORDING TO PLAT BOOK 109, PAGE 42, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 89°07'31" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF 11TH AVENUE NW (LEXINGTON AVENUE PER PLAT), A DISTANCE OF 612.21 FEET TO THE NORTHWEST CORNER OF LOT 2; OF SAID GRENELLYN, BLOCK A, REPLAT; THENCE NORTH 04°30'55" EAST ALONG THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF 10TH STREET NW (PALMER STREET PER PLAT), A DISTANCE OF 30.06 FEET; THENCE SOUTH 89°07'31" EAST, A DISTANCE OF 612.54 FEET TO THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF CLEARWATER-LARGO ROAD (SUNSET BOULEVARD PER PLAT); THENCE SOUTH 05°08'05"
WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 30.08 FEET TO THE POINT OF
BEGINNING.

CONTAINING 18371 SQUARE FEET OR 0.422 ACRES.

be and the same are vacated.

Section 2. That a certified copy of this ordinance shall be furnished to Biltmore Trails LLC and
Largo Belleair LLC, property owners, whose mailing address is 1821 Bayshore Blvd, Tampa, Florida
33606-3210, and to the City of Largo Public Works Department.

Section 3. That it is the intention of the City Commission that each provision hereof be
considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is
held invalid, the remainder of the ordinance shall not be affected.

Section 4. That this ordinance shall take effect immediately upon its final passage and adoption.

APPROVED ON FIRST READING
PASSED AND ADOPTED ON
SECOND AND FINAL READING

CITY OF LARGO, FLORIDA

Mayor

ATTEST:

City Clerk
Project Location Map:
Vacation of Right-of-Way, 1959 Clearwater-Largo Rd

Jerald Woloszynski, P.E.
Assistant Director

Rafal Cieslak, P.E.
Engineering Services Director

Vacation of Right-of-Way, 1959 Clearwater-Largo Rd

Proposed Vacation of Right-of-Ways