



## Public Works/Engineering Department Approval Checklist

**Document Title:** Vacation - VAC2026-07 – S Garden Ave

**Item Description:** Approve the Right of Way Vacation request from the Church of Scientology Flag Service Organization to the Southern platted Right of Way portion of S Garden Avenue as Statute owned in fee-simple by the City of Clearwater as further defined “Less and except the Southern Right-of-Way portion of Garden Avenue abutting Lots 6-11 together with that Portion abutting the vacated 15 foot alley lying between Lots 10 and 11 of Court Square Subdivision” as recorded in Plat Book 5, Page 53 of the Public Records of Pinellas County, as containing 0.65 acres ±,” and pass Ordinance 9907-26 on first reading.

**Deadline:** **TODAY @ 5:00 PM.**

Name	Title	Initials	Review Date	Comments
Marcus Williamson	Public Works Director	MW		Garden has potential <i>limited</i> use as detour route during planned Osceola Street Improvements, Fort Harrison Street Improvements or future repairs; however, due to non-contiguous roads, it is limited benefit. Osceola St Improvements and Ft Harrison St Improvement Project along this stretch are estimated FY27-29 timeframe.
Tara Kivett	City Engineer	TK	4/22/26	There are concerns regarding PSTA’s identification of this segment of Garden Avenue as part of a future bus route upon relocation of the multimodal transit center Court Street and Myrtle Avenue. The City and FDOT have required that no bus turning movements be permitted onto or off Myrtle Avenue at Franklin Street. As a result, buses will need to utilize this segment of Garden Avenue to access Court Street. An alternative access route to Court Street would be via Franklin Street to Fort Harrison Avenue; however, this option would require buses to cross opposing traffic in order to travel westbound on Court Street. In addition, this area contains City stormwater conveyance system. Given these constraints, staff prefers the applicant’s previous site plan, which retained Garden Avenue. Traffic volume from downtown development under construction (approved/permitted projects) is not considered in the applicants traffic analysis as is typically evaluated.
Jeremy Alleshouse	Public Works Asst Director	JA	4/21/26	Multiple stormwater lines traverse this area, including a 48-inch storm pipe. Any development of the site will need to account for current and future stormwater demands. To maintain the required stormwater capacity for assets owned by both the City and FDOT, the project will require new private infrastructure, easements, or a

				<p>combination of private infrastructure improvements and easements for existing facilities.</p> <p>Parking- This vacation will eliminate 22 public parking spaces. Per Ord, Appendix A, Schedule of Fees XIX Street, Sidewalks, Other places section 4,5 an assessed fee of \$114,450 will need paid to the Parking System for these lost spaces.</p> <p>Their application indicates a 2013 parking study done by the City when downtown was less activated.</p>
Jeremy Brown	Deputy City Engineer	JB		No further comments
Jerrod Simpson	Senior Asst City Attorney	JS		
Annabella Hullen	Transport Eng Div Manager	AH	5/15/26	<p>Based on the data provided, the northbound approach at Fort Harrison is projected to change from Level of Service D to Level of Service E. This operational change should be considered – though southbound approach is already at LOS E in the no-build condition, and will remain within LOS E threshold.</p> <p>The study evaluates AM and PM peak-hour conditions; however, it does not appear to include an evaluation of the midday peak hour. The traffic count data provided in the study appears to show that the highest traffic volumes occurred during the midday period. For that reason, inclusion of a midday peak-hour analysis would help ensure that the review reflects the most relevant traffic conditions.</p> <p>In addition, the study does not appear to address a five-year post-buildout traffic scenario accounting for background traffic and annual growth rates, as referenced in Section 4-803.A.5 of the Clearwater Code.</p> <p>The analysis also does not appear to include vested trips from nearby proposed or approved developments that are expected to be completed and that may affect projected traffic volumes, or overlaps with large attendance events at Coachman Park / Cleveland St.</p> <p>For these reasons, we may wish to request a revised or supplemental traffic analysis that includes midday peak-hour conditions, applicable future-year traffic projections, and any relevant vested development trips.</p>
Raymond Dresch	PW Eng III	RD	5/15/26	Multiple utilities exist within the right of way and shall require relocation at the applicant’s expense and/or the establishment of easements over each utility of which no permanent structure shall be construction within the easement. Telecom also exists within the right of way with prior objections noted from Frontier.
Kyle Vaughn	City Surveyor & Mapper	KV	4/23/26	No issues
Mike Flanigan	Public Utilities Director	MF		
Mike Vacca	Public Utilities Div Manager	MV	4/28/2026	Public Utilities has Identified an active 8-inch VCP sewer main, this pipe segment will require to be provided a utility easement extended over the entire length of the sewer main, or, at the expense of others, to re-route the sewer main and manholes, following City of Clearwater's engineering details and standards.

Ted Kozak	Development Rev Manager	TK	4/27/26	<p>The proposed vacation of Garden Avenue would remove an established street frontage type from the Downtown Code regulating plan, potentially affecting frontage standards and build-to requirements for adjacent parcels. Pursuant to CDC Section C-902, amendments to street types and designated key corners constitute a text amendment to the Downtown Code and therefore require City Council approval through a Level Three review process.</p> <p>Pursuant to the CDC, Section C-502 Development Pattern:  A) Existing Street Preservation  The existing street network shall be maintained. The vacation of existing public streets and alleys shall be discouraged unless new public streets and alleys are constructed to replace and serve the function of those vacated.</p> <p>Clearwater 2045 Mobility Policy:  - M 1.1.15 sets forth that vacations of rights-of-way requests need to ensure that vehicular and pedestrian connectivity are not reduced, nor are superblocks created should a request be approved.  - M 1.1.14 states that the city should be evaluating opportunities to re-reestablish a transportation grid and improve pedestrian connectivity. There is also policy direction related to transforming Downtown as a regional center and promoting reinvestment and revitalization through the Downtown Redevelopment Plan and the Downtown District &amp; Development Standards.</p> <p>Downtown Redevelopment Plan, Goal 2:  - addresses Accessibility, stating Downtown will have a connected network with mobility choices.  - Objective 2A discourages the vacation of streets and alleys, recognizing the importance of maintaining the Downtown Street grid. One of the guiding principles is “Primarily Pedestrian” with walkable block sizes and street grids. The Downtown District states that the existing street grid shall be retained and expanded where possible. Vacations of existing streets shall be discouraged “unless new public streets and alleys are constructed to replace and serve the function of those vacated.”</p> <p>Comprehensive Plan and the Redevelopment Plan - Policy documents that are implemented through the Code. While the vacation of this right-of-way would be inconsistent with certain policies, the purpose of the request would support other policies. The conceptual site plan appears to maintain access across Garden Avenue for pedestrians, although this would be privatized space and the current design does not necessarily “read” as something that anyone could use/traverse. There may be modifications that could be made to better meet the Downtown District standards.</p>
Rebecca Mulder	Plan & Dev Asst Director	RM	4/30/26	See Ted Kozak’s comments.
Jacinta Corcoba	Gas Section Manager	JC	4/22/26	CGS does not maintain facilities within this ROW. No objection to the proposed ROW vacation.

Maj. Burnside	CLW-PD	NB	4/24/26	There is no public safety concerns associated with this development. However, access to and from the area both for pedestrians and vehicular traffic will need to be carefully addressed, particularly as surrounding development continues to grow.
Mike Shille	Parking Division Mgr	MS	4/22/26	This vacation will eliminate 22 public parking spaces. Per Ord, Appendix A, Schedule of Fees XIX Street, Sidewalks, Other places section 4,5 an assessed fee of \$114,450 will need paid to the Parking System for these lost spaces.
Kervin St. Aimie	CLW-SW Dir	KA	4/29/26	Solid Waste has no issues with this request.
Lauren Matzke	Plan & Dev Dir	LM	4/30/26	See Ted Kozak's comments.
Chief. Barber	CLW-FD	TB		
Todd Kuhnel	PU-Asst Mgr	TK	4/24	No potable water within the area of Garden shown on the map