

RESOLUTION NO. 94-7098

A RESOLUTION OF THE CITY OF NAPLES, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; DELINEATING THE COMMUNITY REDEVELOPMENT AREA; FINDING THE EXISTENCE OF CERTAIN SLUM AND BLIGHTED CONDITIONS; FINDING A SHORTAGE OF AFFORDABLE HOUSING; DECLARING THAT THE DATA CONTAINED IN THE "REPORT ON THE DETERMINATION OF THE FINDING OF NECESSITY FOR THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY" PREPARED BY THE CITY OF NAPLES COMMUNITY DEVELOPMENT DEPARTMENT IS A PROPER FACTUAL BASIS UPON WHICH THE CITY COUNCIL DETERMINED THE REDEVELOPMENT AREA TO HAVE SLUM AND BLIGHTED CONDITIONS PURSUANT TO SECTION 163.355, FLORIDA STATUTES AND THAT A SHORTAGE OF AFFORDABLE HOUSING EXISTS; PROVIDING A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida (Legislature) in 1969 duly enacted the Community Redevelopment Act of 1969 as amended (Act), codified as and consisting of Florida Statutes 163.330 through 163.450, in which Act the legislature found that there existed in counties and municipalities of the state slum and blighted areas which constituted a serious and growing menace to the public health, safety morals and welfare of the residents of the state constituting an economic and social liability and authorized counties and municipalities in the state to formulate workable programs for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight, to encourage needed community rehabilitation, to provide for the redevelopment of slum and blighted areas, or to undertake such of the aforesaid activities or other feasible county or municipal activities as may be suitably employed to achieve the objective of such workable program; and

WHEREAS, the City Council of the City of Naples, Florida, finds the need for affordable housing within the City and the existence of certain slum and blighted areas within the boundary of the Community Redevelopment Area (the "Area"), and determines that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area by a redevelopment agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Naples; and

the primary factual basis for such determination considered by the City Council has been compiled by the Community Development Department in the "Report on the Determination of the Finding of Necessity for the Creation of a Community Redevelopment Agency", a copy of which is attached hereto for reference; and

WHEREAS,

a substantial number of deteriorated or deteriorating structures or conditions exist which endanger life or property by fire or other causes or one or more of the factors listed below exist which substantially impairs or arrests the sound growth within the Area and adjacent territory and which are detrimental to the public health, safety, morals and welfare in their present conditions and use:

- (i) a predominance of inadequate or defective street layout within the Area; and
- (ii) faulty and inadequate lot layout in the Area in relation to size, adequacy, accessibility, or usefulness; and
- (iii) unsanitary or unsafe conditions within the Area; and
- (iv) a deterioration of site or other improvements within the Area; and
- (v) diversity of ownership which prevents the free alienability of land within the Area; and
- (vi) inadequate parking facilities within the Area; and

WHEREAS,

action must be taken immediately to prevent further blight and deterioration and to protect and enhance public expenditures previously made by the City in the Area; and

WHEREAS,

a shortage of housing affordable to low and moderate income residents exists, including the elderly, as documented in the City of Naples Comprehensive Plan; and

WHEREAS,

the City desires to proceed under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Area; and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that a community redevelopment agency be created and a redevelopment plan be prepared.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA:

- SECTION 1.** The City Council, based upon evidence presented to it and in the public record does hereby expressly find that slum or blighted areas as defined in Section 163.340(7) and (8), Florida Statutes (1991), exist within the Community Redevelopment Area as defined in Section 163.340(10), Florida Statutes (1991), as described in Exhibit A, attached hereto.
- SECTION 2.** The City Council, based upon the City of Naples Comprehensive Plan and evidence presented to it and in the public record does hereby expressly find a shortage of housing affordable to residents of low or moderate income, including the elderly.
- SECTION 3.** For the purpose of this resolution and any community redevelopment project undertaken pursuant hereto, the Community Redevelopment Area shall be that area more particularly described in Exhibit A, attached hereto.
- SECTION 4.** The City Council does hereby expressly find that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Section Three hereof is necessary in the interest of the public health, safety, morals or welfare of the residents of the City of Naples.
- SECTION 5.** The City Council does hereby expressly find that it is necessary, appropriate, proper and timely that a Community Redevelopment Agency be created to carry out the community redevelopment purposes of the provisions of Part III, Chapter 163, Florida Statutes and other resolutions, ordinances and laws that may be utilized to further redevelopment within the area described in Exhibit A.
- SECTION 6.** The findings and statements contained in the "WHEREAS" clauses above are hereby confirmed as if restated in their entirety.
- SECTION 7.** That all sections or parts of sections of the Code of Municipal Ordinances, all ordinances or parts of

ordinances, Resolution No. 93-6860, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 8. This resolution shall take effect upon the repeal of Ordinance No. 93-6868.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 5th DAY OF JANUARY, 1994.

Paul W. Muenzer
Paul W. Muenzer, Mayor

Attest:

Approved as to form and legality:

Janet Cason
Janet Cason, City Clerk

Maria J. Chiaro
Maria J. Chiaro, City Attorney

Approved as to accuracy:

Ann Walker
Ann Walker, AICP, Planner I
Community Development Dept.
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94-7098		
Anderson	S	Y
Herns		Y
Korest	M	Y
Pennington		Y
Sullivan		Y
VanArsdale		Y
Muenzer		Y
(7-0)		
M=Motion S=Second		
Y=Yes N=No A=Absent		

Exhibit A
Resolution 94-7098

That part of the City of Naples, Collier County, Florida situated in Section 34 Township 49 South, Range 25 East and Section 3, Township 50 South, Range 25 East described as follows:

Begin at the point of the intersection of the west right-of-way line of Goodlette Frank Road with the south right-of-way line of 7th Avenue North;

thence Westerly along said south right-of-way line of 7th Avenue North to the west right-of-way line of 8th Street North;

thence Southerly along said west right-of-way line of 8th Street North to the north right-of-way line of 4th Avenue North;

thence Westerly along said north right-of-way line of 4th Avenue North to the west right-of-way line of 6th Street North;

thence Southerly along said west right-of-way line of 6th Street North to the north right-of-way line of 4th Avenue South;

thence Westerly along said north right-of-way line of 4th Avenue South to the west right-of-way line of 3rd Street South;

thence Southerly along said west right-of-way line of 3rd Street South to the south right-of-way line of 6th Avenue South;

thence Easterly along said south right-of-way line of 6th Avenue South to the east right-of-way line of West Lake Drive;

thence continue Easterly along a line extending to the intersection of the east right-of-way line of East Lake Drive and the south right-of-way line of 6th Avenue South;

thence continue Easterly along said south right-of-way line of 6th Avenue South to the west right-of-way line of Park Street South;

thence Southerly along said west right-of-way line of Park Street South to the north right-of-way line of 8th Avenue South;

thence Easterly along said north right-of-way line of 8th Avenue South to the west right-of-way line of 8th Street South;

thence Northerly along said west right-of-way line of 8th Street South to the south right-of-way line of 7th Avenue South;

thence Easterly along said right-of-way line of 7th Avenue South to the east right-of-way line of 10th Street South; thence Northerly along said east right-of-way line of 10th Street South

to the south right-of-way line of 6th Avenue; thence Easterly along said south right-of-way line of 6th Avenue South to the east right-of-way line of 12th Street South;

thence North along said east right-of-way line of 12th Street South to the south right-of-way line of 5th Avenue South (S.R. 45 marked U.S. 41);

thence East along said south right-of-way line of 5th Avenue South to the center line of the western branch of the Gordon River;

thence south along said center line of the western branch of the Gordon River approximately 580 feet;

thence Easterly approximately 200 feet; thence South 155 feet; thence East 150 feet to the centerline of River Point Drive; thence North and Northeasterly along said centerline of River Point Drive 260 feet to the south line of Lot 1 of Beaumaris Subdivision;

thence Southeasterly along said south line of Lot 1 of Beaumaris Subdivision approximately 500 feet to the center line of the easterly branch of the Gordon River;

thence Northeasterly along said center line approximately 300 feet to the north right-of-way line of U.S. 41; Northwesterly along said right-of-way line 450 feet; Northeasterly 385 feet to the waters of the Gordon River;

thence generally Northerly along the center line of the Gordon River to the intersection with a line being the easterly prolongation of the north line of the River Park East Subdivision;

thence Westerly along said north line of the River Park East Subdivision extended westerly to intersect the west right-of-way line of Goodlette-Frank Road;

thence Northerly along said west right-of-way line of Goodlette Frank Road to the Point of Beginning.