

ORDINANCE NO. 2005-77

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE OLDE EAU GALLIE RIVERFRONT COMMUNITY REDEVELOPMENT AREA; MAKING FINDINGS; PROVIDING FOR JURISDICTIONAL FINDINGS, AREA AFFECTED, FINDINGS OF BLIGHT AND NECESSITY; PROVIDING FOR THE PROVISIONS OF ARTICLE IX, CHAPTER 10 TO BE EFFECTIVE WITHIN AN EXPANDED AREA OF THE CITY; AMENDING THE OLDE EAU GALLIE RIVERFRONT COMMUNITY REDEVELOPMENT PLAN; AMENDING SECTION 10-200, CITY CODE, WITH REGARD TO THE EXPANDED BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA; AMENDING SECTION 10-202, CITY CODE, PROVIDING A LEGAL DESCRIPTION OF THE ADDITIONAL AREA TO BE INCLUDED WITHIN THE COMMUNITY REDEVELOPMENT AREA; AMENDING SECTION 10-210, CITY CODE, TO INCLUDE THE APRIL 2005 AMENDMENT TO THE COMMUNITY REDEVELOPMENT PLAN; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS INCONSISTENT HERewith; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, pursuant to Section 163.410, Florida Statutes, on August 29, 2000, the Board of County Commissioners of Brevard County, Florida, adopted Brevard County Resolution No. 2000-249, delegating authority to the City Council of the City of Melbourne to create and operate a Chapter 163, Florida Statutes, Community Redevelopment Agency generally known as the Olde Eau Gallie Riverfront Community Redevelopment Agency within the area described in Section 10-153, City Code; and

WHEREAS, pursuant to Section 163.361, Florida Statutes, and Sections 1.b., f., g., and j. of the aforesaid Resolution No. 2000-249, the boundaries of the Olde Eau Gallie Riverfront Community Redevelopment Agency may be adjusted; and

WHEREAS, Resolution No. 1657 was approved by the Melbourne City Council on September 12, 2000, including findings of necessity for the expansion of the district; and

WHEREAS, the Melbourne City Council approved the Olde Eau Gallie Riverfront

Community Redevelopment Plan (the redevelopment plan) by Ordinance No. 2001-23 on May 22, 2001; and

WHEREAS, the redevelopment plan amendment will expand the boundaries of the district and include new transportation projects in the expansion areas; and

WHEREAS, the Melbourne City Council and the Local Planning Agency have found the proposed amendment to the redevelopment plan to be consistent with the Comprehensive Plan; and

WHEREAS, the rehabilitation, conservation and redevelopment or a combination thereof of the aforesaid area is necessary in the interest of the public health, safety, morals and welfare of the residents of the City of Melbourne, and in the interest of implementing the intent of the Florida Legislature as expressed in the Community Redevelopment Act of 1969, as amended, by revitalizing the area economically and socially, thereby improving the tax base, promoting sound growth and providing infrastructure; and

WHEREAS, the State of Florida has found and declared that the preservation or enhancement of the tax base from which a taxing authority realizes tax revenues is essential to its existence and financial health; that tax increment financing is an effective method of achieving such preservation and enhancement in areas in which such tax base is declining; that community redevelopment in such areas, when complete, will enhance such tax base and provide increase tax revenues to all affected taxing authorities, increasing their ability to accomplish their other respective purposes.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. Jurisdictional Findings and Area.

(a) That the area of Melbourne more fully described in Section 1.(b) of this ordinance, which area is wholly within the corporate limits of the City of Melbourne, is and has been

found by virtue of the adoption of Resolution No. 1657 and declared to be a "blighted area," as defined and within the purpose and intent of Chapter 163, Part III, Florida Statutes.

(b) The area subject to this ordinance is described as lying and situate in the State of Florida, County of Brevard, to-wit:

(1) NORTH EXPANSION LEGAL DESCRIPTION

A series of Lots, Parcels, and Rights-of-Way located within Township 27 South, Range 37 East, Section 16, Melbourne, Brevard County, Florida being more particularly described as follows:

Commence and Begin at the intersection of the South right-of-way of Creel Street (50' R/W) and the East right-of-way line of the Florida East Coast Railroad (FECRR - R/W Varies); thence run North along the East right-of-way of said FECRR for a distance of 1,320 feet more or less to a point, said point being the intersection of the East right-of-way line of the FECRR and the North right-of-way line of Aurora Road (R/W varies); thence run Easterly along the North right-of-way of said Aurora Road for a distance of 45 feet more or less to a point, said point being the intersection of the North right-of-way line of Aurora Road and the centerline of that certain abandoned portion of Cypress Avenue (66' R/W); thence run North along the centerline of the abandoned portion of said Cypress Avenue for a distance of 100 feet more or less to a point, said point lying along the East right-of-way of the FECRR; thence run North along said East right-of-way for a distance of 25 feet more or less to a point, said point being the intersection of the East right-of-way of the FECRR and the Westerly extension of the North line of Lot 2, Block 47, Village Plat of Eau Gallie as recorded in Plat Book 1, Page 47; thence run East along said Westerly extension and the North line of said Lot 2 and Eastern extension thereof for a distance of 170 feet more or less to a point, said point being the Southwest corner of Lot 14, Block 47, Village Plat of Eau Gallie; thence run North 132 feet more or less to a point, said point being the Northwest corner of Lot 13, Block 47; thence run East along the North line of said Lot 13 for a distance of 85 feet more or less to a point, said point being the intersection of the North line of said Lot 13 and the West right-of-way line of US Highway #1 (R/W Varies); thence run North along the West R/W of US Highway #1 for a distance of 250 feet more or less to a point, said point being the intersection of the West right-of-way of Highway US #1 and the South right-of-way of McClendon Street (50' R/W); thence run West along the South line of McClendon Street for a distance of 90 feet more or less to a point, said point being the intersection of the South line of McClendon Street and the East right-of-way line of the FECRR; thence run North along the East right-of-way line of the FECRR for a distance of 60 feet more or less to a point, said point being the intersection of the East line of the FECRR and the North right-of-way line of McClendon Street; thence run East along the North right-of-way line of McClendon Street for a distance of 80 feet more or less to a point, said point being the intersection of the North right-of-way line of McClendon Street and the West right-of-way line of Highway US #1; thence run North along the West right-of-way line of Highway US #1 for a distance of 250 feet more or less to a point, said point being the intersection of the West right-of-way of Highway US #1 and the East right-of-way line of the FECRR;

thence run North along the East right-of-way line of the FECRR for a distance of 1,650 feet more or less to a point, said point being the intersection of the East right-of-way line of the FECRR and the North right-of-way line of Coleman Street (partially vacated R/W); thence run Easterly along the North right-of-way line of Coleman Street for a distance of 800 feet more or less to a point, said point being the intersection of the Easterly extension of the North line of Coleman Street and the East right-of-way line of Pineapple Avenue (R/W Varies); thence run South along the East right-of-way line of Pineapple Avenue for a distance of 735 feet more or less to a point, said point being the Northwest Corner of Lot 1, Block "A", Village Plat of Eau Gallie as recorded in Plat Book 1, Page 47; thence run East along the North line of Block "A" for a distance of 500 feet more or less to a point, said point being the Northeast corner of Lot 10, Block "A", Village Plat of Eau Gallie; thence run South 100 feet more or less to the Southeast corner of said Lot 10; thence run West along the South line of Lots 10 and 9, Block "A", for a distance of 75 feet more or less to a point, said point being the intersection of the South line of Lot 9, Block "A", and the West bank of the Indian River; thence run South along the West bank of the Indian River for a distance of 350 feet more or less to a point, said point being the intersection of the West bank of the Indian River and the South line of lands described in ORB 1456, Page 0761; thence run West along the South line of said (1456/0761) for a distance of 380 feet more or less to a point, said point being the intersection of the South line of (1456/0761) and the East right-of-way line of Pineapple Avenue; thence run South along the East right-of-way of Pineapple Avenue for a distance of 2,360 feet more or less to a point, said point being the intersection of the East right-of-way line of Pineapple Avenue and the Eastern extension of the South right-of-way of Creel Street (50' R/W); thence run West along the East extension and the South right-of-way line of Creel Street for a distance of 2,340 feet more or less to a point, said point being the intersection of the South right-of-way line of Creel Street and the Easterly right-of-way for the FECRR, and also said point being the Point-of-Beginning.

(2) SOUTH EXPANSION AREA LEGAL DESCRIPTION:

A series of Lots, Parcels, and Rights-of-Way located within Township 27 South, Range 37 East, Section 16 and 21, Melbourne, Brevard County, Florida being more particularly described as follows:

Commence and Begin at the intersection of the South right-of-way line of Eau Gallie Boulevard (SR 518 - R/W Varies) and the East right-of-way line of the Florida East Coast Railroad (FECRR), said point also being the Northwest corner of Lot 72, Sunset Terrace Subdivision as recorded in Plat Book 10, Page 6, public records of Brevard County, Florida; thence run East along the South right-of-way line of Eau Gallie Boulevard and the North line of said Lot 72 for a distance of 510 feet more or less to a point, said point being the Northeast corner of said Lot 72; thence run South along the East line of said Lot 72 and Lots 14-19, Sunset Terrace Subdivision for a distance of 499.81 feet more or less to a point, said point being the Southeast corner of Lot 19, Sunset Terrace Subdivision and also said point being along the North right-of-way line of Orange Street (60' R/W); thence run East along the North right-of-way line of Orange Street for a distance of 615 feet more or less to a point, said point being the intersection of the North right-of-way line of said Orange Street and the West right-of-way line of US Highway #1 (R/W Varies); thence run North along the West right-of-way

line of US Highway #1 for a distance of 85 feet more or less to a point, said point being the intersection of the West right-of-way line of US Highway #1 and the Westerly extension of the North right-of-way line of Shady Lane (30' R/W); thence run East along the Western extension of the North right-of-way line of Shady Lane for a distance of 210 feet more or less to a point, said point being the Southwest corner of Lot 19, Creel's Subdivision as recorded in Plat Book 2, Page 10; thence run North along the West lines of Lot 19 and Lot 14 and across Old Oak Street (R/W Varies), for a distance of 208 feet more or less to a point, said point lying along the North right-of-way line of Old Oak Street; thence run East along the North right-of-way line of Old Oak Street for a distance of 253 feet more or less to a point, said point being the Southwest corner of Lot 8, Creel's Subdivision; thence run North 89 feet more or less to the Northwest corner of said Lot 8; thence run East 52 feet more or less to the Northeast corner of said Lot 8; thence run South 79 feet more or less to the North right-of-way line of Old Oak Street; thence run East along said North right-of-way for a distance of 66 feet more or less to a point, said point being the Southwest corner of Lot 5, Block "D", Roesch's Addition to Eau Gallie as recorded in Plat Book 1, Page 55; thence run North 96.67 feet more or less to the Northwest corner of Lot 5, Block "D"; thence run East along the North line of Lots 5 and 6, Block "D", Desoto Street (40' R/W) and Lot 5, Block "C", of Roesch's Addition to Eau Gallie for a distance of 238 feet more or less to a point, said point being the Northeast corner of Lot 5, Block "C", Roesch's Addition to Eau Gallie; thence run South 96.67 feet more or less to the North right-of-way line of Old Oak Street; thence run East along said North right-of-way line of Old Oak Street for a distance of 66 feet more or less to a point, said point being the Southwest corner of Lot 7, Block "C"; thence run North 96.67 feet more or less to the Northwest corner of Lot 7, Block "C"; thence run East along the North lines of Lots 7, 8, and Water Street right-of-way (40' R/W) for a distance of 172 feet more or less to the Northwest corner of Lot 5, Block "B", Roesch's Addition to Eau Gallie; thence run South 96.67 feet more or less to the Southwest corner of Lot 5, Block "B", and also being along the North right-of-way line of the aforementioned Old Oak Street; thence run East along the North right-of-way line of Old Oak Street for a distance of 198 feet more or less to the Southwest corner of Lot 8, Block "B", Roesch's Addition to Eau Gallie; thence run North along the West line of Lot 8 for a distance of 45.33 feet more or less to a point; thence run Northeasterly for a distance of 94.66 feet to a point, said point being 92 feet more or less North of the Southeast corner of said Lot 8, Block "C", said point also lying along the West right-of-way line of Highland Street (40' R/W); thence run Northwesterly along the West right-of-way line of Highland Street for a distance of 118 feet more or less to a point, said point lying along the South right-of-way line of Eau Gallie Boulevard and also being along the North line of the Southeast $\frac{1}{4}$ of said Section 21; thence run East along said North line of the Southeast $\frac{1}{4}$ for a distance of 80 feet more or less to a point, said point being the intersection of the North line of the Southeast $\frac{1}{4}$ and the East right-of-way line of Highland Avenue (66' R/W); thence run Northwesterly along the East right-of-way of Highland Avenue for a distance of 100 feet more or less to a point, said point being the intersection of the East right-of-way line of Highland Avenue and the North right-of-way line of Hector Street (50' R/W); thence run Northeasterly along the North right-of-way line of Hector Street for a distance of 132 feet more or less to a point, said point being the Southeast corner of Lot 1, Block 1, Village Plat of Eau Gallie as recorded in Plat Book 1, Page 47; thence run Northwesterly along the Eastern property line of said Lot 1 for a distance of 66 feet more or less to a point, said point being along the Southern right-of-

way line of Eau Gallie Boulevard (R/W Varies); thence run Northeasterly along the South right-of-way line of Eau Gallie Boulevard for a distance of 260 feet more or less to a point, said point being the intersection of the South right-of-way line of Eau Gallie Boulevard and the Northwest corner of Lot 37, Block "B", Village Plat of Eau Gallie; thence run East along the North line of said Lot 37 for a distance of 185 feet more or less to a point, said point lying along the Westerly right-of-way of the Eau Gallie Causeway (SR 518 – 650' R/W); thence run South along the Westerly right-of-way of the Eau Gallie Causeway for a distance of 200 feet more or less to the Southwest corner of the Eau Gallie Causeway right-of-way; thence run East along said South right-of-way for a distance of 90 feet more or less to a point, said point being the intersection of the South right-of-way of Eau Gallie Causeway and the West bank of the Indian River; thence run Southeasterly along the West bank of the Indian River for a distance of 1,200 feet more or less to a point, said point being the intersection of the West bank of the Indian River and the South right-of-way line of Young Street (32' R/W); thence run West along the South right-of-way line of said Young Street for a distance of 1,200 feet more or less to a point, said point being 52.62 feet more or less West of the Northeast corner of the West 267.62 feet more or less of Lot 3, Houston's Addition to Eau Gallie, as recorded in Plat Book 1, Page 48; thence run South along the East line of lands described in ORB 3714, Page 3030, for a distance of 150.00 feet more or less; thence run Southwesterly along the Southeast line of said (3714/3030) for a distance of 91.77 feet more or less; thence run West along the South line of (3717/3030) for a distance of 43.00 feet more or less; thence run Southeast along an East line of lands described in ORB 4055, Page 0215, for a distance of 68.64 feet more or less; thence run South along an East line of (4055/0215) for a distance of 257.00 feet more or less; thence run East along a line of (4055/0215) for a distance of 55.00 feet more or less; thence run South along an East line of (4055/0215) for a distance of 47 feet more or less to a point, said point being along the Northerly bank of the Eau Gallie River; thence meander Westerly along the North bank of the Eau Gallie River for a distance of 3,500 feet more or less to a point, said point being the intersection of the North bank of the Eau Gallie River and the East right-of-way of the Florida East Coast Railroad (FECRR – R/W Varies); thence run North along the East right-of-way line of the FECRR for a distance of 1,560 feet more or less to a point, said point being the Northwest Corner of Lot 72, Sunset Terrace Subdivision as recorded in Plat Book 10, Page 6, and also being the Point of Beginning.

SECTION 2. That pursuant to the provisions of Section 163.355, Florida Statutes, it is hereby found and declared that:

(a) The rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Section 1.(b) of this ordinance is necessary in the interest of public health, safety, morals, and welfare of the citizens of the City of Melbourne;

(b) That blighted areas exist within the area described in Section 1.(b) of this ordinance; and

(c) That area described in Section 1.(b) of this ordinance is appropriate to be included within, and is immediately and substantially contiguous to, the Olde Eau Gallie Riverfront Community Redevelopment Agency boundaries pursuant to Chapter 163, Part III, Florida Statutes.

SECTION 3. That there is a need for a community redevelopment agency to function and carry out the community redevelopment purposes as specified in Chapter 163, Part III, Florida Statutes.

SECTION 4. That the City Council of the City of Melbourne, Florida, hereby declares that the areas described in Section 1.(b) of this ordinance:

(a) Shall be included within the boundaries of the Olde Eau Gallie Riverfront Community Redevelopment Agency;

(b) Shall be subject to the jurisdiction of the existing governing body of the Olde Eau Gallie Riverfront Community Redevelopment Agency; and

(c) Shall be subject to all provisions of Article IX., Chapter 10, City Code of Melbourne, Florida.

SECTION 5. Adoption of amendment to community redevelopment plan.

(a) The April 2005 amendment to the Olde Eau Gallie Riverfront Community Redevelopment Plan attached hereto as Exhibit "A" be and the same is hereby adopted as an amendment to the official community redevelopment plan for the Olde Eau Gallie Riverfront Community Redevelopment Agency.

(b) The City Council, after a public hearing, hereby determines that the proposed April 2005 amendment to the Olde Eau Gallie Riverfront Community Redevelopment Plan for the Olde Eau Gallie Riverfront Community Redevelopment Area depicted in Exhibit "A" attached hereto meets the following requirements of Section 163.360(6), Florida Statutes:

(1) The proposed plan does not contemplate the relocation of any families in that the implementation of the plan will not cause any families to be displaced from the Olde Eau Gallie Riverfront Community Redevelopment Area;

(2) The proposed plan conforms to the general plan of the municipality as a whole;

(3) The proposed plan will afford the maximum opportunity consistent with the sound needs of the municipality as a whole for rehabilitation or redevelopment of the Olde Eau Gallie Riverfront Community Redevelopment Area by private enterprise; and

(4) The proposed plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.

(5) The proposed plan addresses the necessity of additional non-residential properties within this area of the district; and

(6) The proposed plan contemplates the acquisition of properties to facilitate redevelopment due to the outmoded street patterns, deterioration of site, economic disuse, lack of correlation of the area with other areas of the city by streets and modern traffic requirements and factors which will retard the future development of the area.

SECTION 6. That Section 10-200 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 10-200. Olde Eau Gallie Riverfront Community Redevelopment Agency created.

By virtue of City of Melbourne Resolution No. 1657, adopted on September 12, 2000, the Olde Eau Gallie Riverfront Community Redevelopment Agency, was created within the city. The North Expansion and South Expansion areas became a part of the community redevelopment area by virtue of the adoption of Resolution No. 1939 adopted June 28, 2005

making a finding of blighted conditions, and Ordinance No. 2005-77. Pursuant to sections

163.356(1) and 163.357(1)(b), Florida Statutes (2000), while the city council sits as the governing body of the community redevelopment agency, the community redevelopment agency is constituted as a public body, corporate and politic, and as a legal entity, separate, distinct, and independent from the city council.

SECTION 7. That Section 10-202 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 10-202. Jurisdictional area of the Olde Eau Gallie Riverfront Community Redevelopment Agency.

The jurisdictional boundaries of the Olde Eau Gallie Riverfront Community Redevelopment Agency are within the City of Melbourne as follows:

Commencing at the Indian River Lagoon where it meets the Northeast corner of the South 16' of Lot 20, Block B, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida for a POINT OF BEGINNING; Thence run Westward along the North line of the South 16' of said Lot 20 to its intersection with the East right-of-way line of Pineapple Avenue; Thence run Northwesterly along the East right-of-way line of Pineapple Avenue to a point at which said right-of-way intersects with the North right-of-way line of Creel (7th) Street; thence run Westerly along the North right-of-way line of Creel Street to the intersection of the North right-of-way of the Creel (7th) Street right-of-way with the East line of the Florida East Coast Railway right-of-way; Thence run Southerly along said East line of the Florida East Coast Railway right-of-way to its intersection with the South line of the St. Clair (8th) Street right-of-way; Thence run Southwesterly along the South line of the St. Clair (8th) Street right-of-way to its intersection with the North right-of-way line of Montreal Avenue (State Road 518); Thence run Easterly along the North right-of-way line of Montreal Avenue to the East line of the Florida East Coast Railway right-of-way; Thence run Southerly along the East line of the Florida East Coast Railway right-of-way to the Southwest corner of Lot 72, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 6, Public Records of Brevard County, Florida; Thence run Easterly along the South line of said Lot 72, Sunset Terrace, to the West line of Block B, Replat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 8, Page 29, Public Records of Brevard County, Florida; Thence run Southerly along the West line of said Block B, Replat of Eau Gallie and the West line of Lot 6, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 19, Public Records of Brevard County, Florida, to the intersection of the West line of said Lot 6 and North right-of-way line of Orange Street; Thence run Easterly along said North right-of-way line of Orange Street to the East line of U.S. Highway No. 1, also being the west line of Lot 32, Creel's Subdivision of Lot 26, Houston's Addition, according to the plat thereof, as recorded in Plat Book 2, Page 10, Public Records of Brevard County, Florida; Thence run Northerly along the East line of said U.S. Highway No. 1 and said plat (Creel's Subdivision) to the intersection of said East line with the North right-of-way line of Shady Lane; Thence run East along the North right-of-way line of

Shady Lane which also forms the South line of Lots 17 and 18, Creel's Subdivision of Lot 26, Houston Addition, according to the plat thereof, as recorded in Plat Book 2, Page 10, Public Records of Brevard County, Florida, to the southeast corner of said Lot 18; Thence run Northerly along the East line of Lots 18 and 15 of said Creel's Subdivision of Lot 26, Houston's Addition, and across the Old Oak Street right-of-way to the intersection with the North right-of-way line of Old Oak Street at a point which also forms the Southwest corner of Lot 3 of said Creel's Subdivision; Thence run East along the North right-of-way line of said Old Oak Street to the Southeast corner of Lot 8, Creel's Subdivision; Thence run North along the East line of said Lot 8 to the Southwest corner of Lot 4, Block D, Roesch's Addition to Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 55, Public Records of Brevard County, Florida; Thence run East to the Southeast corner of said Lot 4, Block D, Roesch's Addition to Eau Gallie; Thence run North along the East line of said Lot 4, Block D, to the Southwest corner of Lot 2, Block D, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run Easterly along the South line of Lots 2 and 3, Block D, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55, to the Southeast corner of said Lot 3; Thence continue Easterly from said Southeast corner of Lot 3 across the DeSoto Street right-of-way to the Southwest corner of Lot 1, Block C, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run Easterly along the South line of said Lot 1 to the Northwest corner of Lot 6, Block C, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run South along the West line of said Lot 6 to the North right-of-way line of Old Oak Street; Thence run Easterly along the North right-of-way line of Old Oak Street to the Southeast corner of said Lot 6, Block C; Thence run Northerly along the East line of Lot 6, Block C, to the Southwest corner of Lot 3, Block C, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run East along the South line of Lots 3 and 4, Block C, of said Roesch's Addition to the intersection of said South line of Lot 4, Block C, and the West right-of-way line of Water Street; Thence continue Easterly across the Water Street right-of-way along a line that represents a projection Eastward of the South line of Lots 3 and 4, Block C, Roesch's Addition, Plat Book 1, Page 55, to the West line of Block B, Roesch's Addition, Plat Book 1, Page 55; Thence run Southerly along the West line of said Block B to the intersection of said West line with the North right-of-way line of Old Oak Street; Thence run Easterly along the North right-of-way line of Old Oak Street to the Southwest corner of Lot 8, Block B, Roesch's Addition to Eau Gallie, Plat Book 1, Page 55; Thence run Northerly to a point on the West line of said Lot 8 which represents the Northwest corner of the land described in Deed Book TT, Page 266, Public Records of Brevard County, Florida; Thence run Northeasterly across Lot 8, Block B, along the North line of said land described in Deed Book TT, Page 266, to the intersection of said line with the West right-of-way line of Highland Avenue; Thence run North/Northwesterly along the West right-of-way of Highland Avenue to its intersection with the South right-of-way line with Montreal Avenue (State Road 518); Thence run East along the South right-of-way line of Montreal Avenue to a point intersecting with the Southwest corner of Lot 1, Block 1, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida; Thence run Northeasterly along the South line of said Lot 1, Block 1 to Southeast corner of Lot 1, Block 1; Thence run Northwesterly along the East line of Lot 1, Block 1 to the South right-of-way line of Montreal Avenue (State Road 518); Thence run Northeasterly along the South right-of-way line of Montreal Avenue to intersection of said South right-of-way line with the East right-of-way line of Houston Street; Thence run Northeasterly along the South right-of-way line of Montreal Avenue and crossing the Pineapple Avenue right-of-way along an imaginary line to the Southwest corner of Lot 36, Block B, Village Plat of Eau Gallie, Plat Book 1, Page 47; Thence run East/Northeasterly along the South line of Lot 36 to the Indian River Lagoon; Thence meander Northeasterly and

Northwesterly along the West bank of the Indian River Lagoon from the Southeast corner of Lot 36, Block B, to the Northeast corner of the South 16' of Lot 20, Block B, Village Plat of Eau Gallie, and the POINT OF BEGINNING containing 73.13 acres, more or less.

The Olde Eau Gallie Riverfront Community Redevelopment Agency District shall include all rights-of-way, streets, and alleys within the above-described area, together with the following properties:

- 1) Blocks 2, 3, 21, 22, 23, 24, 25, 26, 40, 41, 42, 43, 44, 54, and 55, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida;
- 2) All of Block 1, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida, excepting Lot 14 South of Montreal Avenue (State Road 518) and Lots 15 and 16;
- 3) The South 16' of Lot 20 and all of Lots 21 through 36, Block B, Village Plat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 47, Public Records of Brevard County, Florida;
- 4) Blocks B and D, Bonner Heights, according to the plat thereof, as recorded in Plat Book 6, Page 20, Public Records of Brevard County, Florida;
- 5) Lots A through H, Sunset Terrace No. 3 and the vacated Sunset Circle right-of-way, according to the plat thereof, as recorded in Plat Book 10, Page 47, Public Records of Brevard County, Florida;
- 6) Lot 72, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 6, Public Records of Brevard County, Florida;
- 7) Blocks B (except as described in Judgment Lien Book 1, Page 193) and E, Replat of Eau Gallie, according to the plat thereof, as recorded in Plat Book 8, Page 29, Public Records of Brevard County, Florida;
- 8) Lots 1 through 6, Sunset Terrace, according to the plat thereof, as recorded in Plat Book 10, Page 19, Public Records of Brevard County, Florida;
- 9) Triangular lot not numbered lying immediately West of the Florida East Coast Railway right-of-way, as described in Official Records Book 529, Page 893, Public Records of Brevard County, Florida;
- 10) Part of Outlot 2, as described in Deed Book 165, Page 250, and Official Records Book 2445, Page 1479, Public Records of Brevard County, Florida, lying East of the Florida East Coast Railway right-of-way;
- 11) Lot 9 and triangular lot not numbered East of the Florida East Coast Railway right-of-way, as described in Official Records Book 542, Page 593, Public Records of Brevard County, Florida, and part of lot as described in Official Records Book 3815, Page 771, Public Records of Brevard County, Florida, and a triangular lot not numbered, also known as Block

55.1, located West of the Florida East Coast Railway right-of-way as described in Official Records Book 529, Page 893, Public Records of Brevard County, Florida;

12) Lots 1 through 8 and 15 through 18, Creel's Subdivision of Lot 26, Houston's Addition, according to the plat thereof, as recorded in Plat Book 2, Page 10, Public Records of Brevard County, Florida;

13) Lots 1 through 7, Block B; Lot 8 except as described in Deed Book TT, Page 266; Lots 1 through 4 and 6, Block C; and Lots 1 through 4, Block D, all in Roesch's Addition to Eau Gallie, according to the plat thereof, as recorded in Plat Book 1, Page 55, Public Records of Brevard County, Florida; and

North Expansion area: A series of Lots, Parcels, and Rights-of-Way located within Township 27 South, Range 37 East, Section 16, Melbourne, Brevard County, Florida being more particularly described as follows:

Commence and Begin at the intersection of the South right-of-way of Creel Street (50' R/W) and the East right-of-way line of the Florida East Coast Railroad (FECRR - R/W Varies); thence run North along the East right-of-way of said FECRR for a distance of 1,320 feet more or less to a point, said point being the intersection of the East right-of-way line of the FECRR and the North right-of-way line of Aurora Road (R/W varies); thence run Easterly along the North right-of-way of said Aurora Road for a distance of 45 feet more or less to a point, said point being the intersection of the North right-of-way line of Aurora Road and the centerline of that certain abandoned portion of Cypress Avenue (66' R/W); thence run North along the centerline of the abandoned portion of said Cypress Avenue for a distance of 100 feet more or less to a point, said point lying along the East right-of-way of the FECRR; thence run North along said East right-of-way for a distance of 25 feet more or less to a point, said point being the intersection of the East right-of-way of the FECRR and the Westerly extension of the North line of Lot 2, Block 47, Village Plat of Eau Gallie as recorded in Plat Book 1, Page 47; thence run East along said Westerly extension and the North line of said Lot 2 and Eastern extension thereof for a distance of 170 feet more or less to a point, said point being the Southwest corner of Lot 14, Block 47, Village Plat of Eau Gallie; thence run North 132 feet more or less to a point, said point being the Northwest corner of Lot 13, Block 47; thence run East along the North line of said Lot 13 for a distance of 85 feet more or less to a point, said point being the intersection of the North line of said Lot 13 and the West right-of-way line of US Highway #1 (R/W Varies); thence run North along the West R/W of US Highway #1 for a distance of 250 feet more or less to a point, said point being the intersection of the West right-of-way of Highway US #1 and the South right-of-way of McClendon Street (50' R/W); thence run West along the South line of McClendon Street for a distance of 90 feet more or less to a point, said point being the intersection of the South line of McClendon Street and the East right-of-way line of the FECRR; thence run North along the East right-of-way line of the FECRR for a distance of 60 feet more or less to a point, said point being the intersection of the East line of the FECRR and the North right-of-way line of McClendon Street; thence run East along the North right-of-way line of McClendon Street for a distance of 80 feet more or less to a point, said point being the intersection of the North right-of-way line of McClendon Street and the West right-of-way line of Highway US #1; thence run North along the West right-of-way line of Highway US #1 for a distance of 250 feet more or less to a point, said point being the intersection of the West right-of-way of Highway US #1 and the East right-of-way line of the FECRR; thence run North along the East right-of-way line of the FECRR for a

distance of 1,650 feet more or less to a point, said point being the intersection of the East right-of-way line of the FECRR and the North right-of-way line of Coleman Street (partially vacated R/W); thence run Easterly along the North right-of-way line of Coleman Street for a distance of 800 feet more or less to a point, said point being the intersection of the Easterly extension of the North line of Coleman Street and the East right-of-way line of Pineapple Avenue (R/W Varies); thence run South along the East right-of-way line of Pineapple Avenue for a distance of 735 feet more or less to a point, said point being the Northwest Corner of Lot 1, Block "A", Village Plat of Eau Gallie as recorded in Plat Book 1, Page 47; thence run East along the North line of Block "A" for a distance of 500 feet more or less to a point, said point being the Northeast corner of Lot 10, Block "A", Village Plat of Eau Gallie; thence run South 100 feet more or less to the Southeast corner of said Lot 10; thence run West along the South line of Lots 10 and 9, Block "A", for a distance of 75 feet more or less to a point, said point being the intersection of the South line of Lot 9, Block "A", and the West bank of the Indian River; thence run South along the West bank of the Indian River for a distance of 350 feet more or less to a point, said point being the intersection of the West bank of the Indian River and the South line of lands described in ORB 1456, Page 0761; thence run West along the South line of said (1456/0761) for a distance of 380 feet more or less to a point, said point being the intersection of the South line of (1456/0761) and the East right-of-way line of Pineapple Avenue; thence run South along the East right-of-way of Pineapple Avenue for a distance of 2,360 feet more or less to a point, said point being the intersection of the East right-of-way line of Pineapple Avenue and the Eastern extension of the South right-of-way of Creel Street (50' R/W); thence run West along the East extension and the South right-of-way line of Creel Street for a distance of 2,340 feet more or less to a point, said point being the intersection of the South right-of-way line of Creel Street and the Easterly right-of-way for the FECRR, and also said point being the Point-of-Beginning.

South Expansion Area: A series of Lots, Parcels, and Rights-of-Way located within Township 27 South, Range 37 East, Section 16 and 21, Melbourne, Brevard County, Florida being more particularly described as follows:

Commence and Begin at the intersection of the South right-of-way line of Eau Gallie Boulevard (SR 518 - R/W Varies) and the East right-of-way line of the Florida East Coast Railroad (FECRR), said point also being the Northwest corner of Lot 72, Sunset Terrace Subdivision as recorded in Plat Book 10, Page 6, public records of Brevard County, Florida; thence run East along the South right-of-way line of Eau Gallie Boulevard and the North line of said Lot 72 for a distance of 510 feet more or less to a point, said point being the Northeast corner of said Lot 72; thence run South along the East line of said Lot 72 and Lots 14-19, Sunset Terrace Subdivision for a distance of 499.81 feet more or less to a point, said point being the Southeast corner of Lot 19, Sunset Terrace Subdivision and also said point being along the North right-of-way line of Orange Street (60' R/W); thence run East along the North right-of-way line of Orange Street for a distance of 615 feet more or less to a point, said point being the intersection of the North right-of-way line of said Orange Street and the West right-of-way line of US Highway #1 (R/W Varies); thence run North along the West right-of-way line of US Highway #1 for a distance of 85 feet more or less to a point, said point being the intersection of the West right-of-way line of US Highway #1 and the Westerly extension of the North right-of-way line of Shady Lane (30' R/W); thence run East along the Western extension of the North right-of-way line of Shady Lane for a distance of 210 feet more or less to a point, said point being the Southwest corner of Lot 19, Creel's Subdivision as recorded in Plat Book 2, Page 10; thence run North along the West lines of Lot 19 and Lot 14 and across

Old Oak Street (R/W Varies), for a distance of 208 feet more or less to a point, said point lying along the North right-of-way line of Old Oak Street; thence run East along the North right-of-way line of Old Oak Street for a distance of 253 feet more or less to a point, said point being the Southwest corner of Lot 8, Creel's Subdivision; thence run North 89 feet more or less to the Northwest corner of said Lot 8; thence run East 52 feet more or less to the Northeast corner of said Lot 8; thence run South 79 feet more or less to the North right-of-way line of Old Oak Street; thence run East along said North right-of-way for a distance of 66 feet more or less to a point, said point being the Southwest corner of Lot 5, Block "D", Roesch's Addition to Eau Gallie as recorded in Plat Book 1, Page 55; thence run North 96.67 feet more or less to the Northwest corner of Lot 5, Block "D"; thence run East along the North line of Lots 5 and 6, Block "D", Desoto Street (40' R/W) and Lot 5, Block "C", of Roesch's Addition to Eau Gallie for a distance of 238 feet more or less to a point, said point being the Northeast corner of Lot 5, Block "C", Roesch's Addition to Eau Gallie; thence run South 96.67 feet more or less to the North right-of-way line of Old Oak Street; thence run East along said North right-of-way line of Old Oak Street for a distance of 66 feet more or less to a point, said point being the Southwest corner of Lot 7, Block "C"; thence run North 96.67 feet more or less to the Northwest corner of Lot 7, Block "C"; thence run East along the North lines of Lots 7, 8, and Water Street right-of-way (40' R/W) for a distance of 172 feet more or less to the Northwest corner of Lot 5, Block "B", Roesch's Addition to Eau Gallie; thence run South 96.67 feet more or less to the Southwest corner of Lot 5, Block "B", and also being along the North right-of-way line of the aforementioned Old Oak Street; thence run East along the North right-of-way line of Old Oak Street for a distance of 198 feet more or less to the Southwest corner of Lot 8, Block "B", Roesch's Addition to Eau Gallie; thence run North along the West line of Lot 8 for a distance of 45.33 feet more or less to a point; thence run Northeasterly for a distance of 94.66 feet to a point, said point being 92 feet more or less North of the Southeast corner of said Lot 8, Block "C", said point also lying along the West right-of-way line of Highland Street (40' R/W); thence run Northwesterly along the West right-of-way line of Highland Street for a distance of 118 feet more or less to a point, said point lying along the South right-of-way line of Eau Gallie Boulevard and also being along the North line of the Southeast ¼ of said Section 21; thence run East along said North line of the Southeast ¼ for a distance of 80 feet more or less to a point, said point being the intersection of the North line of the Southeast ¼ and the East right-of-way line of Highland Avenue (66' R/W); thence run Northwesterly along the East right-of-way of Highland Avenue for a distance of 100 feet more or less to a point, said point being the intersection of the East right-of-way line of Highland Avenue and the North right-of-way line of Hector Street (50' R/W); thence run Northeasterly along the North right-of-way line of Hector Street for a distance of 132 feet more or less to a point, said point being the Southeast corner of Lot 1, Block 1, Village Plat of Eau Gallie as recorded in Plat Book 1, Page 47; thence run Northwesterly along the Eastern property line of said Lot 1 for a distance of 66 feet more or less to a point, said point being along the Southern right-of-way line of Eau Gallie Boulevard (R/W Varies); thence run Northeasterly along the South right-of-way line of Eau Gallie Boulevard for a distance of 260 feet more or less to a point, said point being the intersection of the South right-of-way line of Eau Gallie Boulevard and the Northwest corner of Lot 37, Block "B", Village Plat of Eau Gallie; thence run East along the North line of said Lot 37 for a distance of 185 feet more or less to a point, said point lying along the Westerly right-of-way of the Eau Gallie Causeway (SR 518 – 650' R/W); thence run South along the Westerly right-of-way of the Eau Gallie Causeway for a distance of 200 feet more or less to the Southwest corner of the Eau Gallie Causeway right-of-way; thence run East along said South right-of-way for a distance of 90 feet more or less to a point, said point being the intersection of the South right-of-way of Eau Gallie Causeway

and the West bank of the Indian River; thence run Southeasterly along the West bank of the Indian River for a distance of 1,200 feet more or less to a point, said point being the intersection of the West bank of the Indian River and the South right-of-way line of Young Street (32' R/W); thence run West along the South right-of-way line of said Young Street for a distance of 1,200 feet more or less to a point, said point being 52.62 feet more or less West of the Northeast corner of the West 267.62 feet more or less of Lot 3, Houston's Addition to Eau Gallie, as recorded in Plat Book 1, Page 48; thence run South along the East line of lands described in ORB 3714, Page 3030, for a distance of 150.00 feet more or less; thence run Southwesterly along the Southeast line of said (3714/3030) for a distance of 91.77 feet more or less; thence run West along the South line of (3717/3030) for a distance of 43.00 feet more or less; thence run Southeast along an East line of lands described in ORB 4055, Page 0215, for a distance of 68.64 feet more or less; thence run South along an East line of (4055/0215) for a distance of 257.00 feet more or less; thence run East along a line of (4055/0215) for a distance of 55.00 feet more or less; thence run South along an East line of (4055/0215) for a distance of 47 feet more or less to a point, said point being along the Northerly bank of the Eau Gallie River; thence meander Westerly along the North bank of the Eau Gallie River for a distance of 3,500 feet more or less to a point, said point being the intersection of the North bank of the Eau Gallie River and the East right-of-way of the Florida East Coast Railroad (FECRR – R/W Varies); thence run North along the East right-of-way line of the FECRR for a distance of 1,560 feet more or less to a point, said point being the Northwest Corner of Lot 72, Sunset Terrace Subdivision as recorded in Plat Book 10, Page 6, and also being the Point of Beginning.

SECTION 8. That Section 10-210 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 10-210. Community redevelopment plan approved.

The Olde Eau Gallie Riverfront Urban Infill and Community Redevelopment Plan adopted by Ordinance No. 2001-23, as amended by Ordinance No. 2005-77, shall constitute the community redevelopment plan for the Olde Eau Gallie Riverfront Community Redevelopment Agency.

SECTION 9. Severability/Interpretation Clause.

(a) That in the event that any term, provision, clause, sentence or section of this ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this ordinance, and this ordinance shall be read and/or applied as if

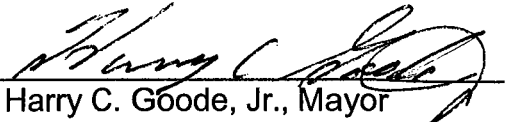
the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) That in interpreting this ordinance, underlined words indicate additions to existing text.

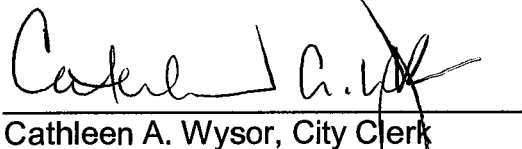
SECTION 10. Ordinances and Resolutions in Conflict. That all ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 11. Effective Date. That this ordinance shall become effective immediately upon its adoption in accordance with the City Charter of the City of Melbourne.

SECTION 12. Adoption Schedule. That this ordinance was passed on the first reading at a regular meeting of the City Council on the 28th day of June, 2005, and adopted on the second/final reading at a regular meeting of the City Council on the 12th day of July, 2005.

BY: 
Harry C. Goode, Jr., Mayor

ATTEST:


Cathleen A. Wysor, City Clerk

Ordinance No. 2005-77

Attachment: "Exhibit A" – April 2005 amendment to the Olde Eau Gallie Riverfront Community Redevelopment Plan

**AMENDMENT TO THE OLDE EAU GALLIE RIVERFRONT
COMMUNITY REDEVELOPMENT PLAN
EXPANSION AREA
APRIL, 2005**

INTRODUCTION

The Olde Eau Gallie Community Redevelopment District was established in 2000 by the Melbourne City Council and has begun to show signs of success during the past several years. Due to further deterioration of the areas north and south of the current CRA, it has been determined that a expansion of the district is necessary to include these areas.

The Community Redevelopment Act, Florida Statutes 163.361, allows for the modification of the community redevelopment plan, including a modification to the boundary of the district. The findings on the following pages are based upon the criteria outlined in Florida Statutes 163.340 for the designation of an area as "blighted".

An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions that lead to economic distress or endanger life or property by fire or other causes or one or more of the following factors that substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use.

OR

An area which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or other public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction.

The proposed expansion area contains conditions that meet all or a portion of the two definitions listed above. Additionally, the following criteria are contained within Florida Statutes 163.340 and more specifically describe the definition of "blighted".

Defective/Inadequate Street Layout & Inadequate Transportation and Parking Facilities

The corridor has been widened several times in the last 25 years to accommodate increased traffic volumes. The widening projects have carved up frontage properties, eliminated parking, and disturbed accessibility. In addition, traffic speeds do not enable the traveler to identify what businesses are available in the area. They move through, but do not stop.

Conversions of land uses that once thrived on the traveling public have given way to more service or quasi-industrial uses---offices, plumbing supply, roofing materials and storage, tile/carpet stores, contractor storage yards, and other similar uses. Still remaining are the uncontrolled access points, lack of parking, poor signage, poor or non-existent drainage,

unpaved alleys, faulty street lay-out, no curb and gutter, and other factors which cause blight. Excessive utility poles and overhead lines, archaic system of signalization, nonconforming access points, vacant property, aged buildings, and unappealing facades, together detract from potential development of the corridor.

Most of the sites along US 1 have access to a sidewalk system installed as part of the recent widening by FDOT. However, few of the interior sites have a pedestrian connection to the commercial area. There is no formal pedestrian connection to the river amenities. One of the major benefits of the pedestrian system internal to the residential area is that it brings people out and contributes to a natural surveillance. This often leads to crime reduction. Pedestrian accessibility provides alternatives to vehicular transportation as well. On both sides of the corridor, commercial lands front the roadway and to the rear are residential and mixed-use areas.

Many of the commercial sites have parking lots which are less than adequate, particularly those older sites along the Corridor, as a result of the widening. Parking lots are deficient in one or more of the following areas:

1. Improper location of parking stalls
2. Insufficient number of parking stalls
3. Insufficient or non-existing pavement
4. Inadequate number of handicap parking spaces as well as a deficiency in width and a lack of access aisles.
5. Lack of drainage and retention
6. If paved, it is cracked and requires resurfacing
7. Needs striping or re-striping
8. Insufficient/no curbing
9. Insufficient/no lighting
10. Insufficient/no landscaping

On-site parking and its related problem of access management, within the area is an element that requires considerable attention. The lack of coordination among the sites from small lots and small individual developments contributes to the overwhelming problem of access management and numerous driveways and curb cuts. The parking conditions as described have contributed to the overall blight of the area. The real or perceived lack of parking and the real or perceived accessibility problems have also caused the demise of many of the businesses on the corridor.

The roadways in the Sunset Terrace area, Azalea, Orange, Jasmine, are inadequate, poorly maintained, and need repair. Crumbled pavement, no curb and gutter, no sidewalks, poor signage, and general conditions are problematic. The appearance and condition of these roads, which serve primarily residential areas or are feeders to the rear parking lots, detracts from the potential development of the area. Lack of curb and gutter also contributes to stormwater management problems, an issue that could be addressed through improvements to a regional stormwater management system.

Faulty Lot Layout – Size, Accessibility, Usefulness/Diversity of Ownership

The Community Redevelopment Act recognizes that faulty lot sizes and configurations affect development patterns and often impair the sound economic growth of a given area. This area was platted in the late 1800's and early 1900's. While this has not affected the residential uses as much, the commercial areas are affected by a lack of land for parking, stormwater, small buildable areas, not enough land to expand, incompatible adjacent uses, and problematic access. Residences still occupy commercially zoned lands, creating non-conformities. Changing the land development regulations will be needed to address these issues, creating a new plan and zoning system in the area will aid in attracting new development.

Due to the FDOT widening of US 1, buildings on the Corridor sit flush against the sidewalk, which is desirable in a main street setting where there is parking behind the structures or in a centralized location. That is not the case here since most of the parking was formerly in the front. The nature of retail and business along this corridor has changed dramatically. Small-scale sites are sometimes at a disadvantage. Today, the original platted lots have insufficient area to meet standard development requirements desired for today's commerce.

In the Sunset Terrace area alone, which includes Jasmine St., Azalea Courts, Orange St., and the north side of Sunset Drive, there are a total of 63 properties, most consisting of between .09 to .2 acres. Forty-three (43) or 68% are rentals. This area is devoid of sidewalks and good roadways. A majority of the homes are substandard and many code violations exist in this area. The houses consist of small bungalows that if cared for, could revitalize the area into a quaint neighborhood. City or CRA investments of infrastructure, sidewalks, landscaping, stormwater management, paving, and the like, could re-energize this decaying area. Otherwise, the crime and decay will continue, until someone aggregates the parcels for other commercial or mixed-uses.

Deterioration of Site or Other Improvements

In all areas of the proposed expansion, there are many homes and commercial structures in need of repair. Some of the damage may be due to the recent hurricanes of 2004, but some might also have been existing decay made worse by the three storms that hit this area.

Approximately 35% of the structures or sites in the area are substandard or dilapidated. Many code violations are existing, including:

- junk
- overgrown yards
- illegal cars/boats/vehicles
- building code violations

There are several "non-conforming" parcels in the northern part of this area due to the incongruity between zoning, which is C-1 and actual use, which is residential.

The majority of the infrastructure, buildings and site improvements within the BSA range in age from two (2) to over one hundred (100) years old.

) Current assessed values of the area show the lack of investment as they relate to the City as a whole. The total non-exempt assessed value of the City is over \$2 Billion. The expansion

areas assessed value of over \$57M amounts to less than 2% of the City total. While recognizing that the City is many times the size of this area, this is still a very low number considering it is a major transportation corridor and is along two river fronts-the Eau Gallie River and the Indian River Lagoon. The low values speak to the lack of investment (dis-investment), little use of existing amenities such as the riverfront and new roadway system, and lack of an "attractor" or catalyst in this area to stimulate economic vitality

DISTRICT BOUNDARY MODIFICATION/MAP:

The boundaries of the district will be modified to include the properties shown on the attached map, which consist of 486 parcels, approximately 144.74 acres. The proposed expansion area which should carry a base year of 2006 for the calculation of tax increment funds.

EAU GALLIE PLAN AMENDMENT RECOMMENDATIONS:

Expanding the district and amending the existing Eau Gallie Redevelopment Plan is a visionary decision on the part of the City. Including the entire area within the community redevelopment area will enable the City to address blighting forces that are evident and increasing both west and north of the current district. Many potential projects can be undertaken to arrest the decline and rehabilitate the conditions of the area:

1. Transportation and Infrastructure improvements, including roadway upgrades, repaving, drainage improvements, and sidewalks in the residential neighborhoods west of US 1 and north between US 1 and Pineapple Avenue
2. Expanding code enforcement to target junk, maintenance issues, non-conforming uses, and other physical problems within the area
3. Providing more on-site, targeted community policing efforts, particularly in the area around Aurora Road, north between US 1 and Pineapple Avenue.
4. Working with property owners on creating alley-ways and side and rear entry points would aid access management along US 1.

CONCLUSION:

The district should capitalize on its proximity to the river, the historic Eau Gallie Downtown, historic downtown Melbourne to the south, and its close proximity to the Atlantic Ocean, and other existing public and private amenities. Vacant lands could become new housing opportunities or new mixed-use projects. Reconnecting and re-invigorating the riverfront and creek front with the residential, commercial, mixed-use, entertainment, fitness, or boating/recreational areas on both sides of US 1 would create an unbreakable connection between all land uses and populations. New housing opportunities could reach a diverse clientele. Recreating commercial opportunities along the US1 Corridor would bring new life, economic development, and help the continued restoration of the existing CRA.