

Dec. 25, 1982

ORDINANCE NO. 82-58

AN ORDINANCE OF THE CITY OF MELBOURNE, FLORIDA, ADOPTING A COMMUNITY REDEVELOPMENT PLAN FOR THE MELBOURNE DOWNTOWN REDEVELOPMENT AREA AS DEFINED BY RESOLUTION NO. 775; DIRECTING THE PROPERTY APPRAISER OF BREVARD COUNTY TO ESTABLISH THE 1982 TAX ASSESSMENT AS A BASE FOR THE INCREMENT AS REQUIRED BY SECTION 163.387 FOR FUNDING OF THE REDEVELOPMENT TRUST FUND ESTABLISHED PURSUANT TO ORDINANCE NO. 82-53 OF THE CITY OF MELBOURNE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 775, the City of Melbourne, declared that a blighted area existed within the corporate limits of said City, said area being more specifically described in said Resolution and in Exhibit A attached hereto and made a part hereof for all purposes, and known as the Melbourne Downtown Redevelopment Area, and

WHEREAS, the City Council of the City of Melbourne, has created a Melbourne Community Redevelopment Agency pursuant to the provisions of Ordinance No. 82-38 of the City of Melbourne, to carry out the community redevelopment purposes of the Community Redevelopment Act of 1969 as amended, within the corporate limits of said City, and

WHEREAS, the Planning and Zoning Board of the City of Melbourne has reviewed the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area, and after conducting public hearings required by law, recommended to the City of Melbourne City Council approval of the Melbourne Downtown Community Redevelopment Plan, and

WHEREAS, after due consideration and public hearings as required by law, the City Council of the City of Melbourne, Florida, deems it appropriate to approve the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area.

NOW THEREFORE, be it ordained by the City Council of the City of Melbourne, Florida:

SECTION 1. That in accordance with Section 163.3606 of the Florida Statute, the City Council of the City of Melbourne makes the following findings with respect to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area:

- A) That the Plan does not contemplate the relocation of any families in that the implementation of the Plan will not cause any families to be displaced within the Community Redevelopment Area.
  - B) That the Community Redevelopment Plan conforms to the general plan of the County and the municipality as a whole.
  - C) That the Community Redevelopment 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.
  - D) The Community Redevelopment Plan will afford maximum opportunity consistent with the sound needs of the municipality as a whole for the rehabilitation or the redevelopment of the Melbourne Downtown Community Redevelopment Area by private enterprise.
- SECTION 2. The City Council of the City of Melbourne, Florida, hereby approves and adopts the Community Redevelopment Plan for the Melbourne Downtown Area, a copy of said Plan is hereby attached hereto and made a part hereof by this specific reference.

SECTION 3. That the Community Redevelopment Plan for the Melbourne Downtown area shall be deemed in full force and effect upon the effective date of this Ordinance.

SECTION 4. In order to implement and facilitate the Plan hereby approved and adopted, it is found and determined that certain official action may be required by this Council with reference, among other things, to changes in zoning, the closing or vacating of streets, alleys, and other public walkways, relocation of public facilities, the establishment of traffic patterns, the possible location or relocation of public utilities, lighting and utility lines and other public facilities, and the construction or addition of public parks and other public action, and accordingly the Council hereby:

- A) Pledges its cooperation in helping to carry out such plan;
- B) Request the various official departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with such plan.
- C) Stands ready to consider to take appropriate action upon specific proposals, projects and measures designed to effectuate said plan; and
- D) Intends to undertake and complete any proceedings necessary to be carried out by the Community under the provisions of said Plan.


SECTION 5. As a result of the public hearings before the City Council, the City Council finds that the public and citizens of the City of Melbourne are concerned that the powers conferred by Sections 163.370, 163.375, and 163.380 are sufficient to allow the City to use its eminent domain power to acquire by condemnation real property in the Community Redevelopment Area for the purposes of resale of said property to private developers for redevelopment purposes. The City


Council specifically finds that the Plan adopted hereby does not contemplate or provide for any said exercise of the eminent domain power of the City of Melbourne for such purposes, and specifically disavows any approval by implication or otherwise of such power by the adoption of this Plan. Further, the City Council of the City of Melbourne specifically disavows its intention to exercise any such power in the Community Redevelopment Area, and that passage of this Ordinance approving the Plan is specifically conditioned upon no such power being exercised by the City Council in the future. In the event that City Council in the future shall endeavor to exercise any power of eminent domain for the purpose of acquiring private property for reconveyance to private developers for redevelopment purposes, the approval of the Plan encompassed by this Ordinance shall be automatically repealed.

SECTION 6. The Property Appraiser of Brevard County is hereby directed to establish the 1982 tax assessment as the base for the increment as required by Section 163.387, Florida Statutes, and City of Melbourne Ordinance 82-53.

SECTION 7. This Ordinance shall become effective immediately upon its passage.

SECTION 8. This Ordinance was passed on the first reading at a Regular Meeting of the City Council on the 14th day of December, 1982, and passed on the second and final reading at a Regular Meeting of the City Council on the 28th day of December, 1982.

Attest:  Jella M. Gaston, c.m.c.  
City Clerk

  
Mayor, City of Melbourne,  
Florida

## RESOLUTION NO. 775

A RESOLUTION OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, FINDING THAT A BLIGHTED AREA EXISTS, WITHIN A SPECIFIC BOUNDARY AROUND THE DOWNTOWN BUSINESS DISTRICT, THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, OR COMBINATION THEREOF, IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE RESIDENTS OF A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT REDEVELOPMENT ACTIVITIES WITHIN THE BLIGHTED AREA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida in 1969 duly enacted the Community Redevelopment Act of 1969 as amended, codified as and consisting of Sections 163.330 through 163.450, Florida Statutes, 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 objectives of such workable programs;

and

WHEREAS, there exists a specifically bounded area in and around the downtown business district described in Exhibit A, attached hereto, which shall be known as the Melbourne Downtown Redevelopment Area; and

WHEREAS, in the area described in Exhibit A there exists faulty or inadequate street layout; inadequate parking facilities incapable of handling the volume of traffic flow into or through the area, either present or following proposed construction, and thus meeting the criteria of a blighted area as defined in Section 163.340(8)(b), Florida Statutes; and

WHEREAS, the Melbourne Downtown Redevelopment

Committee, which has been in operation since August, 1979, has made factual findings of blight as described in the paragraph above, on the basis of Committee work done, and on the basis of a study done by GLE AND JENSON-LAND DESIGN/RESEARCH-MOSS FLEMING EPPLER, JOINT VENTURE; 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, 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 improved housing conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, THAT:

SECTION 1. The area of Melbourne more fully described in Exhibit A is hereby found and declared to be a blighted area as defined by and within the purpose and intent of Florida Statutes, Chapter 163, Part III.

SECTION 2. Pursuant to the provisions of Section 163.355, Florida Statutes, it is hereby found and declared that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area described in Exhibit A is necessary in the interest of public health, safety, and welfare of the citizens of the City of Melbourne, and that such area is an appropriate area for a community redevelopment project.

SECTION 3. There is a need for a community redevelopment agency to carry out community redevelopment activities as specified in Florida Statutes, Chapter 163, toward the amelioration of conditions in this blighted area.

SECTION 4. This resolution shall become effective upon adoption. Passed and adopted this 10th day of

August, 1982.

Attest: Rella M. Stanton  
City Clerk

Henry C. [Signature]  
Mayor, City of Melbourne, Florida

Res. 975

MELBOURNE DOWNTOWN REDEVELOPMENT AREA

All properties fronting on and/or located within the following described boundaries:

Begin at the intersection of the projection of the east R/W line of Franklin Street with the north R/W line of Strawbridge Avenue; then proceed easterly along the north R/W line of Strawbridge Avenue (SR 500) to the east R/W line of McQuaid Street; thence northerly on the east R/W line of McQuaid Street to the south R/W line of Palmetto Avenue; thence easterly along the south R/W line of Palmetto Avenue to Livingston Street; then continue easterly along the north R/W line of Palmetto to the east R/W line of Tangerine Street, thence north on the east R/W line of Tangerine Street to the south R/W line of Lincoln; thence east on the south R/W line of Lincoln to Harbor City Blvd (U.S. Hwy. #1); thence northerly along the west R/W line of Harbor City Boulevard to the south R/W line of Silver Palm Avenue; thence easterly along the south R/W line of Silver Palm Avenue to the east R/W line of Riverview Drive; thence easterly along the projection of the south R/W line of Silver Palm Avenue to the west bank of the Indian River; thence southerly along the west bank of the Indian River to the north bank of the mouth of Crane Creek (also known as Stewart Point); thence westerly along the north bank of Crane Creek to the east boundary of Hallwood Place S/D (PB2-33B); thence northerly along said boundary line to the intersection with the south R/W line of New Haven Avenue; thence westerly along the south R/W line of New Haven Avenue to the east R/W of Franklin Street; thence northerly along the east R/W line of Franklin Street to the point of beginning.

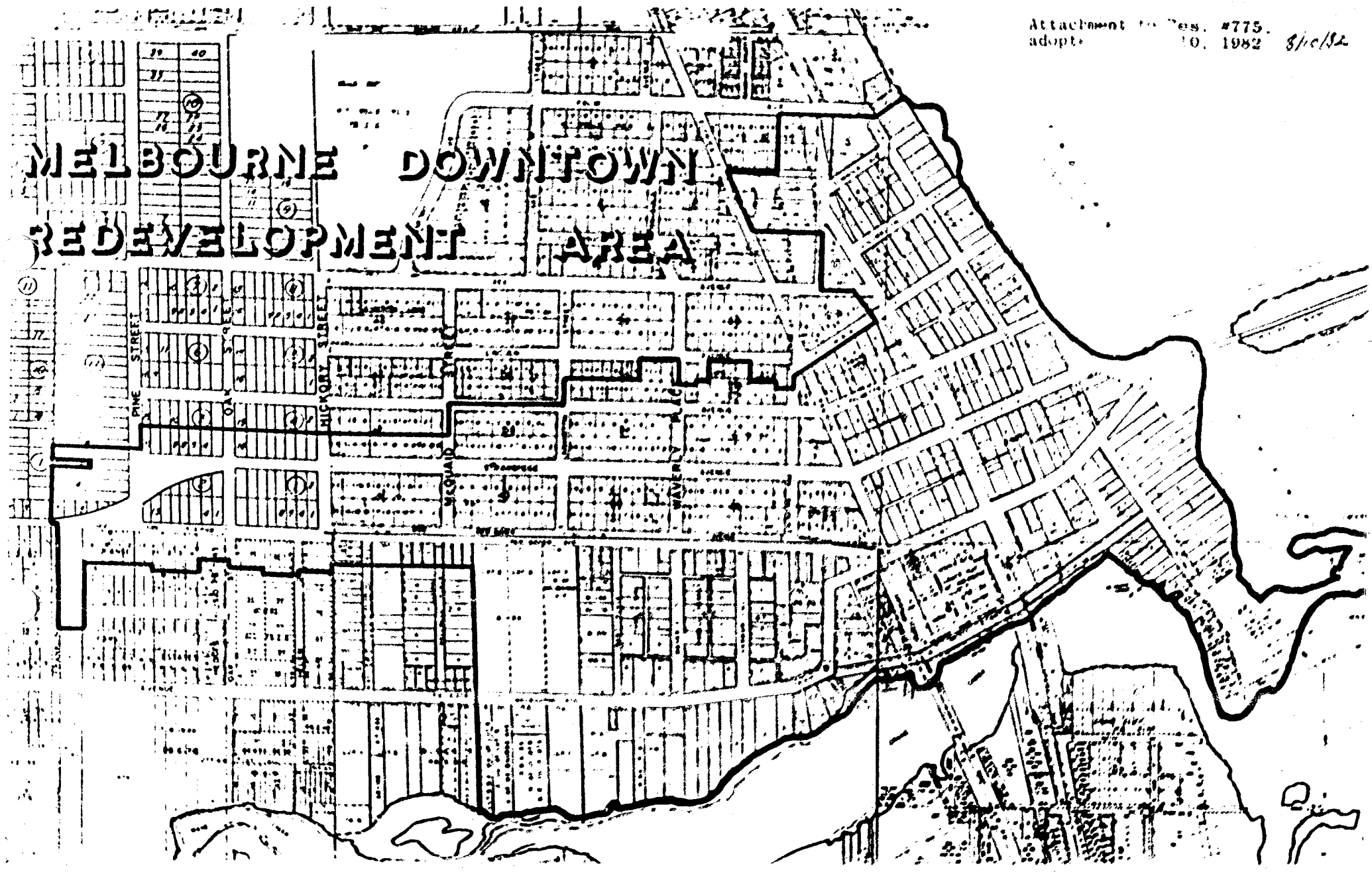
Approved: *[Signature]*

Date: 8/10/82

Legal description  
of area (Res. #775)  
for Melbourne Redevelopment

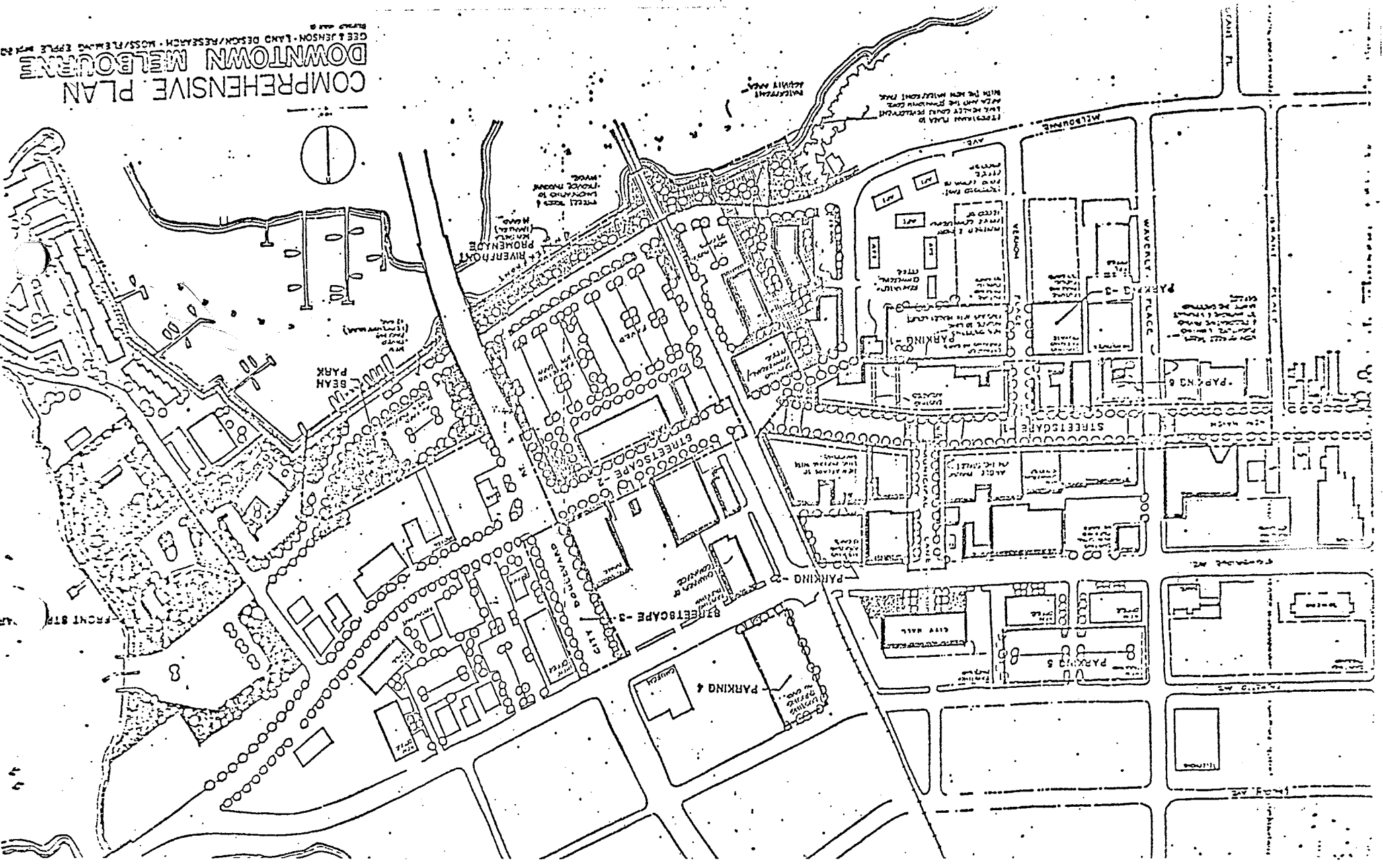
Attachment to Res. #775  
adopted 10/10/1982 *8/10/82*

# MELBOURNE DOWNTOWN REDEVELOPMENT AREA





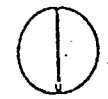
COMPREHENSIVE PLAN  
DOWNTOWN MELBOURNE  
GEE & JENSON - LAND DESIGN/RESEARCH - MOSS/RELAND EPRIE W 22  
1970



STREETSCAPE 1  
STREETSCAPE 2  
STREETSCAPE 3  
STREETSCAPE 4  
STREETSCAPE 5

PARKING 4  
PARKING 5  
PARKING 6

BEACH PARK



WATERWAY

MILBOURNE AVE

WATER PLACE

STREETSCAPE 1

STREETSCAPE 5

PARKING

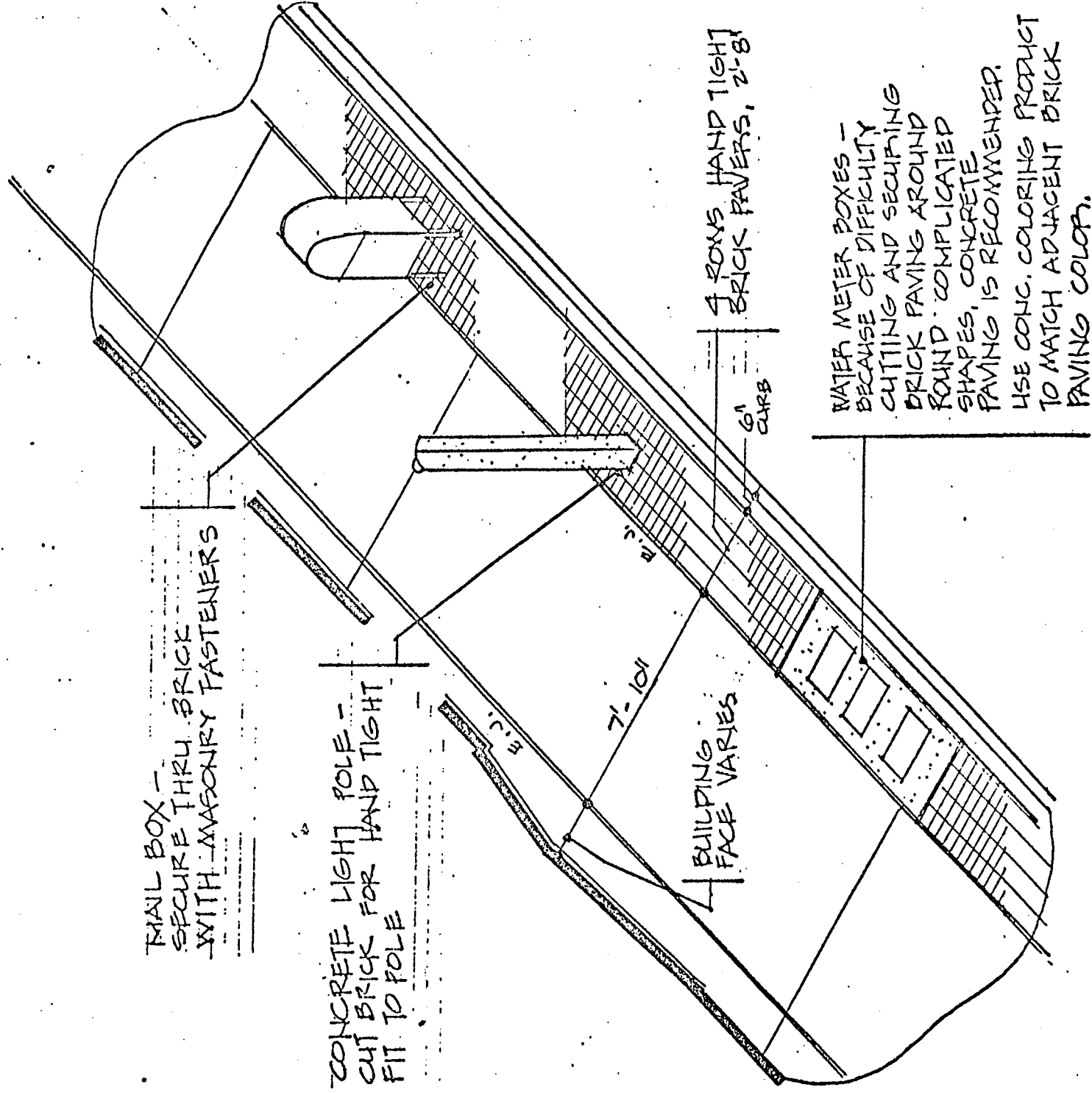
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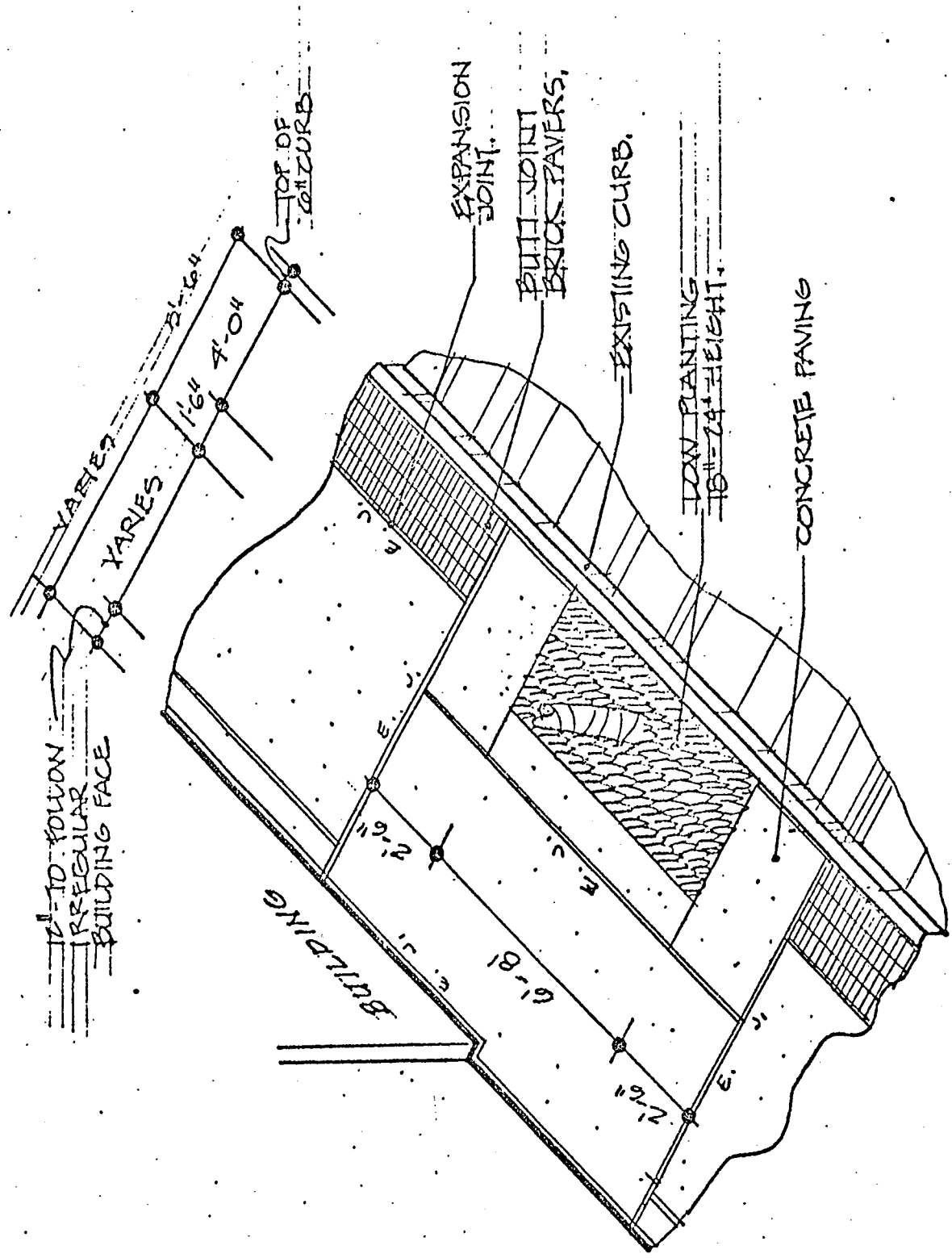
PARKING 6

FRONT ST

46

MELBOURNE  
STREETSCAPE STUDY  
LDP MARCH 23, 82





MELBOURNE  
STREETScape STUDY

LDR 001, 82

KIRBOURNE  
LANDSCAPE STUDY  
PARALLEL PARKING

RAMP

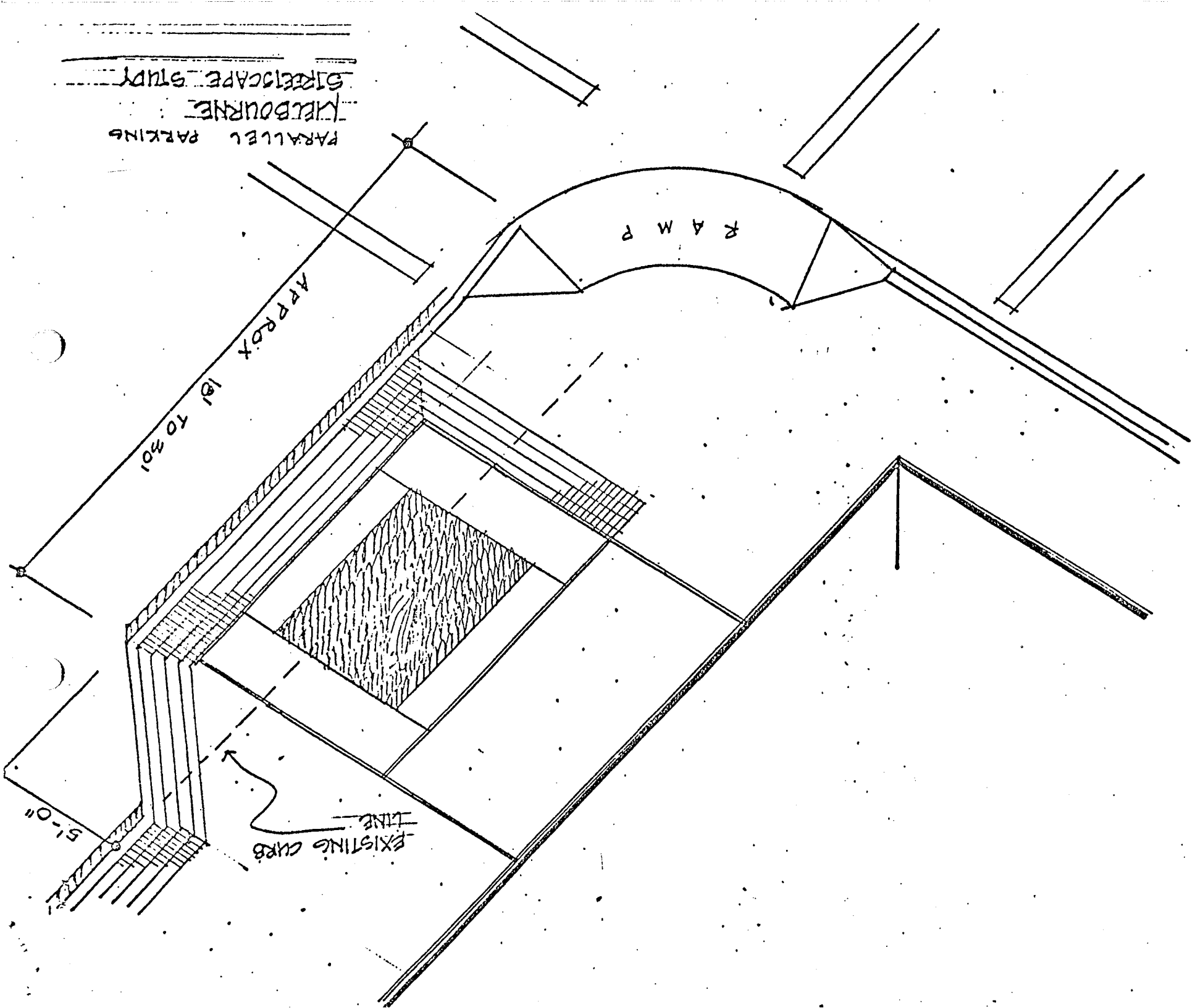
APPROX

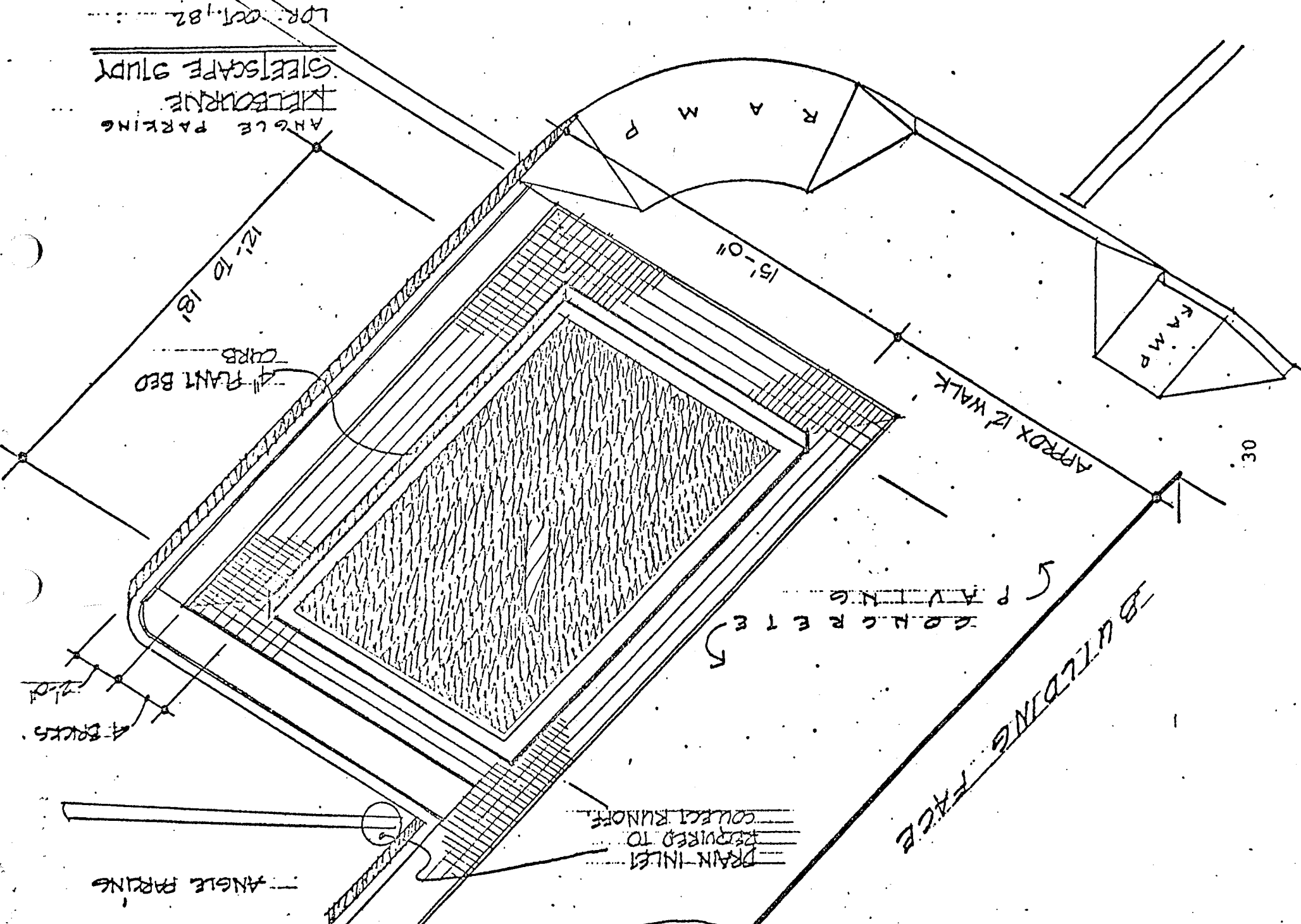
181

TO 301

EXISTING CURB  
LINE

5'-0"





ANGLE PARKING  
 KIRKBOURNE  
 LANDSCAPE STUDY  
 LOR: OCT-82

RAMP

RAMP

12'-10 1/8"  
 15'-0"  
 PLANT BED  
 CURB

APPROX 12' WALK

30'

PAVING  
 CONC RETE

BUILDING FACE

DRAIN INLET  
 REQUIRED TO  
 COLLECT RUNOFF

ANGLE PARKING

4 BRICKS