

Aug. 27, 1991

ORDINANCE NO. 91-43

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE MELBOURNE DOWNTOWN REDEVELOPMENT AREA; MAKING FINDINGS; AMENDING SECTION 10-101(b), CITY CODE, BY CHANGING THE DEFINITION OF THE DOWNTOWN REDEVELOPMENT PLAN; ADOPTING AMENDMENTS TO THE DOWNTOWN REDEVELOPMENT PLAN; PROVIDING FOR THE REPEAL OF CERTAIN INCONSISTENT ORDINANCES OR RESOLUTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR AN ADOPTION SCHEDULE.

WHEREAS, the City Council of the City of Melbourne has created the 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 a portion of the corporate limits of the City; and

WHEREAS, the City Council has adopted a Community Redevelopment Plan pursuant to Ordinance No. 82-58 for the Melbourne Downtown Redevelopment Area, codified in Section 10-101, City Code; and

WHEREAS, the City Council previously amended the Community Redevelopment Plan by adoption of Ordinance No. 89-36; and

WHEREAS, the City Council of the City of Melbourne has determined that the Community Redevelopment Plan should be amended to include additional redevelopment and rehabilitation improvements, a description of which is attached to this Ordinance as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the City's Local Planning Agency has reviewed the August 1, 1991 amendments to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area depicted in Exhibit "A" attached hereto and found said amendments to be consistent with the City's Comprehensive Plan as adopted in Section 10-124, City Code; and

WHEREAS, the City Council finds that the August 1, 1991 amendments to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area depicted in Exhibit "A" attached hereto meet the following requirements of Section 163.360(6), Florida Statutes:

(a) The, amendments do not contemplate the relocation of any families in that the implementation of the amendments will not cause any families to be displaced with the Melbourne Downtown Redevelopment Area;

(b) The amendments conform to the general plan of the municipality as a whole;

(c) The amendments will afford the maximum opportunity consistent with the sound needs of the municipality as a whole for rehabilitation or redevelopment of the Melbourne Downtown Redevelopment Area by private enterprise; and

(d) The community redevelopment plan give 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;

WHEREAS, the City Council finds that the amendments to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area depicted in Exhibit "A" attached hereto, if adopted, will promote the public health, safety, welfare, economic order, convenience and aesthetics; 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 August 1, 1991 Amendment to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, that:

SECTION 1. Section 10-101(b) of the City Code of Melbourne is hereby amended to read as follows:

(b) Adoption. The Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area consists of the document entitled Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area adopted by Ordinance No. 82-58 on December 28, 1982, together with amendments entitled July 1, 1989 Amendment to Community Redevelopment Plan adopted by Ordinance No. 89-36 adopted on August 8, 1989 and August 1, 1991 Amendment to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area adopted by Ordinance No. 91-43 adopted on August 27, 1991.

SECTION 2. Attached hereto as Exhibit "A" and incorporated herein by this reference are the amendments to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area entitled August 1, 1991 Amendment to the Community Redevelopment Plan for the Melbourne Downtown Redevelopment Area, which amendments are hereby adopted as amendments to the official

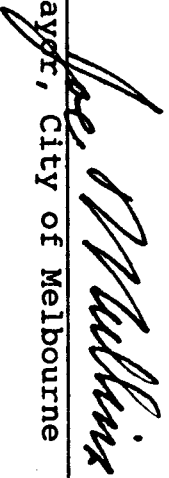
Community Redevelopment Plan for the Melbourne Downtown
Redevelopment Area for and of the City.

SECTION 3. Severability Clause. 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 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.

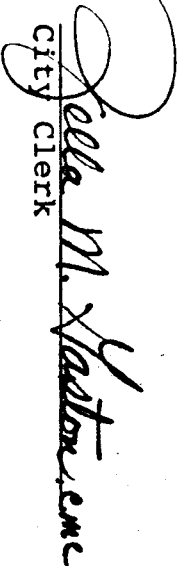
SECTION 4. Ordinances and Resolution in Conflict. All
Ordinances or Resolutions or parts thereof that may be determined
to be in conflict herewith are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become in
full force and effect in accordance with the Charter of the City of
Melbourne, Brevard County, Florida.

SECTION 6. This Ordinance was duly passed by the City Council
of the City of Melbourne on first reading the 13th day of August,
1991, and adopted by the City Council of the City of Melbourne,
Florida on the second and final reading on the 27th day of August,
1991.

BY: 
Mayor, City of Melbourne

ATTEST:


City Clerk

Ordinance No. 91-43

Attachment: August 1, 1991 Amendment to the Community
Redevelopment Plan

EXHIBIT "A"

AMENDMENT TO THE COMMUNITY REDEVELOPMENT PLAN

AUGUST 1, 1991

PURPOSE AND BACKGROUND

Efforts to revitalize Melbourne's downtown and urban waterfront began in 1979 with the establishment of the Melbourne Downtown Redevelopment Committee. This committee, working in cooperation with the City of Melbourne and consultants employed by the City to assist in the planning effort, developed the Community Redevelopment Plan which was adopted by the City Council in 1982. This plan outlined the initial stages of the physical development plan and implementation program aimed at creating a better environment which would stimulate private sector investment opportunities. Designed in compliance with Chapter 163 of the Florida Statutes, this Plan outlined specific short-range public sector projects which have subsequently been completed.

The initial stages of the physical development plan and implementation program included in the original plan were aimed at revitalization of the commercial core downtown area. Revitalization efforts of the surrounding mixed commercial/residential downtown areas that were identified for redevelopment in the revised July 1, 1989 Amendment to the Community Redevelopment Plan, are currently being implemented. Completion of Holmes Park, Crane Creek Promenade, Lincoln Avenue Overlook Park and Melbourne Avenue Streetscaping will be accomplished in 1991.

The purpose of this amendment is to update the Plan to include additional improvements. The Amendment will address the following:

- A) An update of existing conditions in the Downtown Redevelopment area.
- B) A physical development plan for proposed improvements, maintenance, and protection.

C) A proposed financing plan for the implementation of #B.

A. DOWNTOWN PROJECTS AND EXISTING CONDITIONS.

Initial improvement projects in the Downtown Redevelopment Area were aimed at the beautification of downtown streets and parks, and acquisition and development of parking lots. Streetscape, which was accomplished in four phases as described below, included sidewalk, curbing and road repair with the addition of walk areas and ramps at corners; utilization of angle parking; brick trim; landscaping; park benches; waste receptacles; and lighting. Revenue bonds, financed through tax increment revenues, paid for engineering and construction. Notes which provided partial funding for Phase IV improvement were retired in the 1990-1991 fiscal year. A review of phases follows:

Phase I

Improvements included streetscaping improvements on New Haven Avenue from Grant Place to the Florida East Coast Railway, on both sides of Vernon Place to the south edge of the parking lots, on Municipal Lane and portions of Melbourne Court. Total cost including design was \$235,387.

Phase II/III

These phases were developed simultaneously. Improvements included streetscaping improvements on New Haven Avenue from the Florida East Coast Railway to U.S. 1, and the west side of U.S. 1 between Strawbridge and New Haven Avenues. Also included in this phase was the purchase, improvement and landscaping of two parking lots on Vernon Place, and the purchase, improvement and landscaping of the parking lot on Strawbridge Avenue. Total cost of phases II and III was \$364,807.

Phase IV

Improvements include development of Holmes Park as a center for passive recreation with shelters, picnic tables, serpentine walls

and a manatee sculpture. The Crane Creek promenade on Melbourne Avenue provides a pedestrian boardwalk to view the manatees in Crane Creek in their natural environment. The Indian River Overlook at the east end of Lincoln Avenue provides a passive park area with a gazebo and parking to permit a view of the Indian River Lagoon. The total improvement cost is \$481,228.

A number of other improvements have been undertaken without downtown tax increment financing. Campbell Park, located in the heart of Downtown Melbourne, was improved at a cost of \$30,254 in 1982 as a demonstration project to show the type of image the development effort should portray. Bean Park and the Claude Edge Front Street Park were improved in 1984 with grant funding assistance from the Department of Natural Resources totaling \$435,469 and City funds of \$92,165. The Claude Edge Front Street Civic Center was expanded in 1985 at a cost of \$331,973 and is now being used on a continuous basis for a wide variety of groups. It is a very popular site for wedding receptions.

Conditions in the downtown area have improved considerably. This is evidenced by the improvement in assessed value. In 1983-84 the assessed value increment was about \$710,000. By 1990-91, it was over \$30 million. The success of the new downtown investment is evidenced by a more attractive downtown, lower vacancy rates, higher rents, and an improvement in the caliber of the businesses located in the area.

Vacancy rates before the Downtown Project began were estimated at 15% (based on an on-site survey of 57 storefronts). An on-site survey in March, 1991 of commercial businesses fronting on New Haven Avenue between U.S. 1 and Oak Street indicated a 10.6% vacancy rate (113 business, 12 vacancies).

The physical improvements financed through the redevelopment program have greatly improved the image of the downtown area. Area

merchants report improved business conditions including increased patronage, reduced vandalism, improved quality of business located downtown and better cooperation among local merchants.

B. PUBLIC SECTOR STRATEGIES, PROJECT DESCRIPTION, AND OBJECTIVE OF FUTURE IMPROVEMENTS.

The projects identified in this Plan amendment include the following:

- 1) The objectives of these projects are to:
 - a) Interconnect and unify the core Downtown with Melbourne Harbor, Claude Edge Front Street Park and the Riverview area by improving walkways which allow pedestrians to walk from the Riverview area to the harbor and from the harbor to the core downtown.
 - b) Increase the parking facilities in the Downtown area to encourage utilization of the area by the public through the development of additional public parking areas.
 - c) Work with other groups/agencies to promote the Downtown area. These will include the Downtown Progress Association, Downtown Redevelopment Committee and the Brevard Regional Arts Group (BRAG).
 - d) Enhance the Downtown environment to stimulate private sector investment. This will be done by improving the visual images in the area, improving travel facilities both for vehicles and for pedestrians, and by providing additional parking areas.

- 2) There are a number of projects included in this Amendment. Three of these projects were included in the 1989 Amendment but were not funded.

The four projects previously included in the 1989 updated Amendment include: (All cost estimates are based on 1991 dollars).

- a) Improvements to Brecht Court including new pavement, curb gutter, sidewalk, lighting, landscaping and drainage.

Cost: \$33,000 (Special assessments may be used to finance all or part of this cost).

- b) Improvements to Henley Court including imprinted concrete walkway, curb and gutter, lighting, landscaping, and drainage;

Cost: \$47,000.

- c) Improvement to the Trysting Steps (including Strawbridge Avenue access) including sidewalk, lighting, landscaping, and street furniture.

Cost: \$21,000.

New projects include:

- d) Complete the remainder of the promenade project which was not included in the 1990-91 Improvement (manatee and educational pavilion).

Cost: \$112,000

- e) Provide a 75 car parking lot in front of the Henegar Building which would be used to provide public parking for the downtown area, and especially for the Post Office which is a prime factor in bringing people into the downtown area. This would be done on the condition the property is deeded to the City guarantee that it is in public ownership. The project will include paving, drainage, landscaping, curb and gutter.

Cost: \$150,000.

f) Design and construct the Riverview area project to include improved pavement with parallel parking, streetscaping, sidewalk, and drainage for Riverview Drive, Columbus, Seminole, Palmetto and Lincoln Avenues. (This project will be phased and special assessments may be used to finance part of the cost.)

Palmetto Avenue (U.S. 1 to Riverview) - Pavement, curb and gutter, sidewalk, lighting, landscaping and drainage. \$84,000

Lincoln Avenue (U.S. 1 to Riverview) - Pavement, curb and gutter, sidewalk, lighting, landscaping and drainage. \$81,000

Columbus Avenue (U.S. 1 to Riverview) - Pavement, curb and gutter, sidewalk, lighting, landscaping and drainage. \$78,000

Columbus Avenue Parking (Street end of Riverview to the Indian River Lagoon) - Pavement, curb and gutter, sidewalk, lighting, landscaping, drainage and park furniture. \$34,000

Seminole Avenue (U.S. 1 to Riverview) - Pavement, curb and gutter, sidewalk, lighting, landscaping and drainage. \$75,000

Seminole Avenue Parking (Street end - Riverview to the Indian River Lagoon) - Lighting. \$2,500
Riverview Drive (U.S. 192 - U.S. 1) - Pavement, curb and gutter, sidewalk, lighting, landscaping and drainage. \$443,000

Palmetto Avenue Parking - Lighting and park furniture. \$6,000

g) Fund a study of the downtown area to expand the boundaries to consider new areas, determining what impact this would have on the current downtown redevelopment area and on the City in general.

This study will review boundaries of the current Downtown Redevelopment Area and determine the impact of revising these boundaries. The study will also consider rezoning within these boundaries.

(1) The following issues will be addressed in the study:

- (a) What will be the economic impact of the change?
- (b) What will the impact of the change to on land use?
- (c) How will such a change effect parking and traffic circulation?
- (d) Consider changing the zoning in the downtown area from C-2 to C-3 and from C-1 to C-3.
 - (1) What will be the economic impact of this change on property values?
 - (2) What will the impact of the change be on land use.
 - (3) What nonconformities will be created and how should such nonconformities be treated?

Cost of study: \$16,000.

- h) Provide new sidewalks and/or sidewalk improvement where needed between the 500 and 1000 block of New Haven Avenue. Provide, in conjunction with the new sidewalks, underground electric lines and low level lighting. The project will include replacement of sidewalk and brick pavers, replacement of light poles and underground PVC conduit.

Cost: \$475,000. (Because of the high cost this project may be phased.)

I) Provide signal improvements on Waverly/New Haven and Municipal/New Haven. These signals will include pedestrian walk signals which will aid and encourage pedestrian travel in the downtown core area.

Cost: \$74,000.

J) Purchase appropriate downtown property for public purposes as property becomes available to provide for: public access to waterfront areas, parking areas, park areas, historical sites and facilities which are for public and/or municipal use in the downtown district. The cost of such purchase cannot be determined until the property becomes available but such purchase must be approved by the governing body following public hearing.

K) Address by ordinance the hazardous conditions resulting from the collection of vending machines in front of commercial and residential properties. This ordinance shall not restrict the rights of the media to place newspaper vending machines in the area. The ordinance will regulate placement to insure that the placement does not cause a safety problem, and to assure that the vending units are maintained in a manner and at a location that is aesthetically pleasing.

lm) Provide streetscape improvements on Strawbridge Avenue for existing planter areas between U.S. 1 and Waverly Place according to DOT specifications.

Cost: \$24,000.

m) Increase services to the downtown area above those required by the City for parks maintenance and police protection. The amount of these services should not exceed 50% of the tax increment financing money.

Holmes Park and the Creekside Promenade. These are all special use parks that were constructed for the benefit of the community along the Indian River Lagoon and its tributaries. The parks in the downtown far exceed the number in other areas. City-wide there are 2 acres of parks per 1,000 residents; in the downtown area, there are 4 acres of parks per 1,000 residents. Additionally, because of the type of park (waterfront and/or waterview), extra maintenance is required above other parks in the city. The quality of maintenance exceeds the maintenance necessary because of the type of vegetation and the importance of keeping these parks attractive to encourage activity in the downtown area. The extraordinary requirements should be funded by the downtown tax increment financing revenues.

The City is divided up into patrol districts for police patrol areas. Because of the unique quality of the downtown area which includes very intense development in a restricted area, additional police patrols are needed that are not necessary in other parts of the City. The cost of the additional officers will insure that the investment into the downtown is protected and will provide a safe area for residential and commercial occupancy as well as a safe area for patrons and visitors to the downtown. It is anticipated that additional vehicular patrols and foot patrols will be necessary in the area.

Tax Increments:

Cost: Police - \$65,000; Parks Maintenance -
\$35,000

C. FINANCING.

A combination of funding techniques has been used to finance some of the Downtown Redevelopment Program. In addition to tax increment funds, grant funds were used for recreation improvements from the Department of Natural Resources' Florida Recreation and Development Assistance Program (FDRAP) and Land and Water Conservation Fund (LWCF) Program, and the Florida Inland Navigational District (FIND).

It is anticipated that future projects also will be funded by tax increment cash, bonds, grants, property assessments or other new sources. Financial arrangements will be determined annually through the budgeting process.

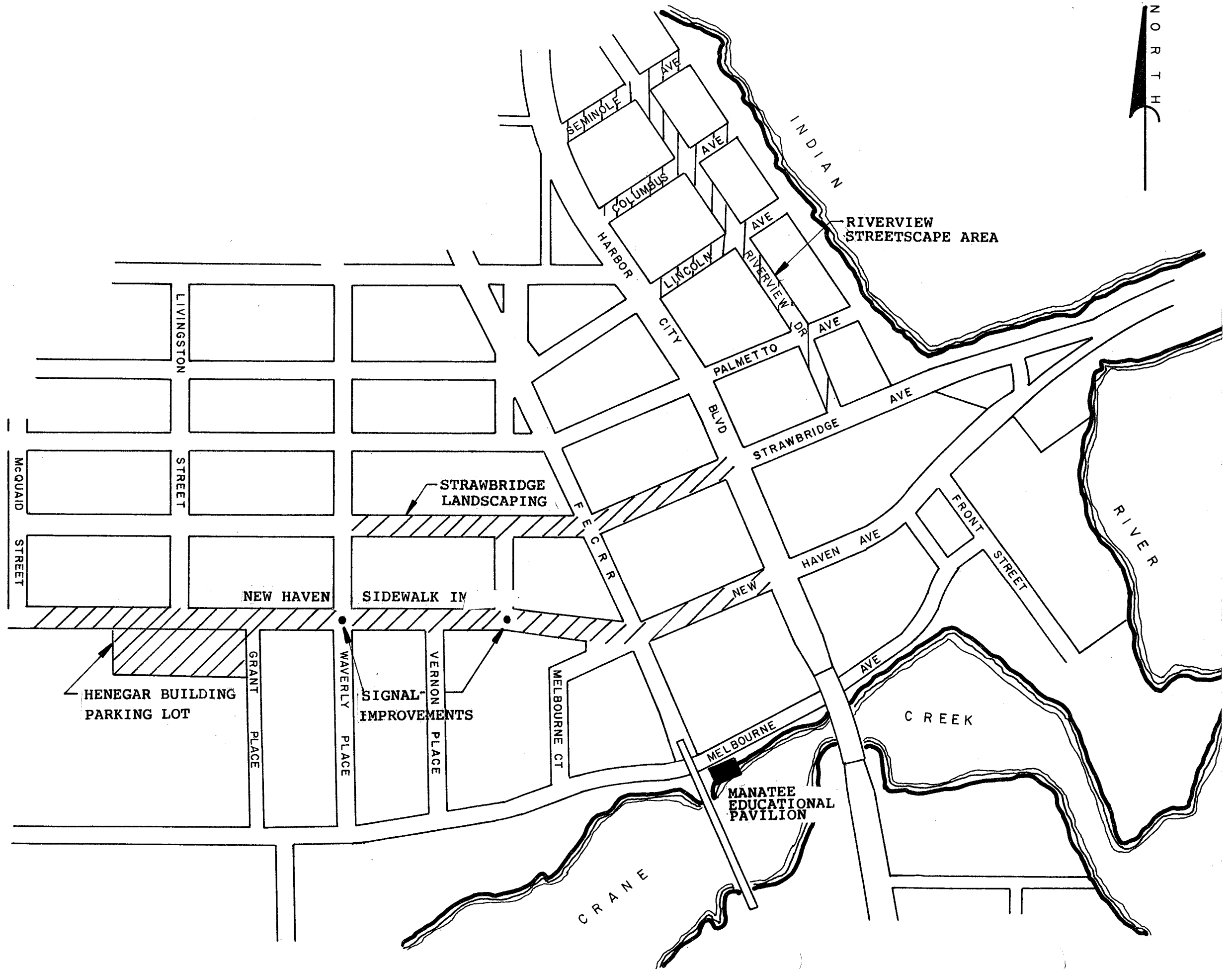
Tax Increment Financing provided by the City and Brevard County will continue to be a method of financing projects. The table below shows tax increment revenues to date (base year is the 1982-1983 fiscal year.)

Fiscal Year	Tax Increment	City-County Mill Levy	Annual Tax Increment Revenue	Cumulative Tax Increment Revenue
1983-84	\$ 710,190	.009046	\$ 6,103	\$ 6,103
1984-85	6,413,890	.008484	51,695	57,798
1985-86	16,404,110	.007763	120,978	178,776
1986-87	21,289,090	.007445	150,572	329,348
1987-88	24,178,900	.007552	173,469	502,817
1988-89	25,001,460	.007524	178,705	681,522
1989-90	25,454,500	.0076633	185,312	866,834
1990-91	30,083,940	.0079215	226,394	1,093,288
1991-92	34,867,870	.0080093	265,303	1,358,591

The tax increment revenue bond issues for Phases I, II and III have been retired. Phase IV tax increment revenue notes were retired in fiscal year 1990-1991. Improvements will be scheduled to obtain the most favorable financing. All bonds or notes will be repaid from tax increment revenue.

PB/sn

downt.1-11



CITY OF MELBOURNE
 Engineering Division
 900 E. Strawbridge Avenue
 MELBOURNE, FLORIDA 32901

**PROJECTS TO BE ADDED TO
 DOWNTOWN PLAN IN THE
 AUGUST 1991 AMENDMENT**