AN ORDINANCE DETERMINING REZONE PETITION 08-R2 TO REZONE THE COLLIER PARK OF COMMERCE FROM COLLIER COUNTY ZONING DESIGNATIONS OF INDUSTRIAL AND C5, HEAVY COMMERCIAL TO A CITY OF NAPLES DESIGNATION OF BUSINESS PARK COMMERCIAL FOR APPROXIMATELY 112.82 ACRES LOCATED ALONG HORSESHOE DRIVE, ON THE WEST SIDE OF AIRPORT PULLING ROAD NORTH OF NAPLES MUNICIPAL AIRPORT, MORE FULLY DESCRIBED HEREIN; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, Section 46-32 of the Code of Ordinances of the City of Naples establishes the process for rezoning of property; and

WHEREAS, Collier Park of Commerce Owner's Association represents the owners of the property and petitioner for this rezone; and

WHEREAS, Laura DeJohn, AICP, Johnson Engineering, Inc., has been authorized by the Collier Park of Commerce Owner's Association to act as the agent for this petition; and

WHEREAS, the petitioner has requested to rezone the Collier Park of Commerce from Collier County zoning designations of Industrial and C5, Heavy Commercial to a City of Naples designation of Business Park Commercial; and

WHEREAS, the Planning Advisory Board, following an advertised public hearing, considered public input, the recommendation of the staff, and the standards and guidelines in the Code, and recommended by a vote of 5 to 0 that Rezone Petition 08-R2 be approved; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and after providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council finds that the petition should be approved;

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

Section 1. That Rezone Petition 08-R2 is hereby approved for the rezone of Collier Park of Commerce from Collier County zoning designations of Industrial and C5, Heavy Commercial to a City of Naples designation of Business Park Commercial for approximately 112.82 acres located along Horseshoe Drive, on the West side of Airport Pulling Road North of Naples Municipal Airport, more fully described in Exhibit "A" attached hereto.

Section 2. That the Zoning Atlas of the City of Naples shall be amended to reflect said rezoning.

Section 3. If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.
Ordinance 08-12227

Section 4. That all sections or parts of sections of the Code of Ordinances, City of Naples, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 1ST DAY OF OCTOBER, 2008.


Bill Barnett, Mayor

Attest:

Tara A. Norman, City Clerk

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 11-6-08
Exhibit "A"

Legal Description

1) All of East Naples Industrial Park, according to the plat thereof recorded in Plat Book 10, Pages 114 and 115, of the Public Records of Collier County, Florida.

2) All of East Naples Industrial Park, Replat No. 1, according to the plat thereof recorded in Plat Book 17, Pages 38 and 39, of the Public Records of Collier County, Florida.

3) The Northerly 200 feet of the Southerly 510 feet of the Easterly 250 feet of the Northeast ¼ of Section 35, Township 49 South, Range 25 East, Collier County, Florida, less and excepting the Easterly 50 feet thereof.
I hereby certify that this page in the official records of the City of Naples was intentionally left blank.

[Signature]
Deputy City Clerk