RESOLUTION 08-11926

A RESOLUTION DETERMINING CONDITIONAL USE PETITION 07-CU13 TO ALLOW CONSTRUCTION OF A NEW PUBLIC PARKING GARAGE IN THE C-2 GENERAL COMMERCIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF 6TH AVENUE SOUTH AND 8TH STREET SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EXPIRATION DATE AND AN EFFECTIVE DATE.

WHEREAS, the subject property is located in the Fifth Avenue South Special Overlay District with an underlying zoning of C-2 General Commercial District, which governs the use of the property; and

WHEREAS, Section 58-593 of the Land Development Code allows parking garages as a conditional use in the C-2 General Commercial District; and

WHEREAS, the Regulating Plan of the Fifth Avenue South Special Overlay District provides a "G" on the subject property indicating that this site is intended for use as a parking garage to support redevelopment efforts in the district; and

WHEREAS, the City of Naples, has requested conditional use approval to construct a new parking garage at the northeast corner of 6th Avenue South and 8th Street South; and

WHEREAS, Andrea Clark Brown and David Poorman Architects, P.A., have been authorized to act as agents on this petition; and

WHEREAS, the Planning Advisory Board, following an advertised public hearing, considered the public input, the recommendation of the staff, and the standards and guidelines of Subsection 46-34, Conditional Uses, and recommended by a vote of 6 to 0 that Conditional Use Petition 07-CU13 be approved, finding that the criteria had been met; 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 criteria for conditional uses, set forth in Subsection 46-34 of the Comprehensive Development Code, have been met and that the petition should be granted;

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

Section 1. That Conditional Use Petition 07-CU13 is hereby approved to allow the construction of a new public parking garage in the C-2 General Commercial District on property located at the northeast corner of 6th Avenue South and 8th Street South, and more fully described as:

LOTS 22 TO 29, INCLUSIVE, OF BLOCK 15, TIER 9, IN TOWN OF NAPLES, ACCORDING TO REPLAT THEREOF RECORDED IN PLAT BOOK 1 AT PAGE 59, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA
AND;
ALL THAT PORTION OF A CERTAIN NORTH-SOUTH ALLEY, 15 FEET IN WIDTH, LYING WEST OF AND CONTIGUOUS WITH SAID LOT 27 OF BLOCK 15, TIER 9, WHICH ALLEY WAS VACATED AND ABANDONED ON FEBRUARY 3RD, 1965 BY CITY OF NAPLES ORDINANCE NO. 1101.
AND;
LOTS 30, 31 AND 32, BLOCK 15, TIER 9, CITY OF NAPLES, AS PER NAPLES SEABOARD REPLAT AS SHOWN IN PLAT BOOK 1, PAGE 59, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.
AND;
VACATED 15 FOOT ALLEY LYING CONTIGUOUS TO THE EAST LINE OF LOT 32, BLOCK 15, TIER 9, CITY OF NAPLES, PREVIOUSLY VACATED BY ORDINANCE 526.

Section 2. That this approval shall expire on January 9, 2009, unless a building permit based upon and incorporating the conditional use is issued before that date.

Section 3. This resolution shall take effect immediately upon adoption.


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: 2/6/08