ORDINANCE NO. 93-7014

AN ORDINANCE APPROVING REZONE PETITION 93-R6, REZONING PROPERTY SOUTH OF 3RD AVENUE NORTH AND WEST OF 12TH STREET NORTH AS DESCRIBED IN EXHIBIT "A" FROM "I" INDUSTRIAL TO "PD" PLANNED DEVELOPMENT FOR THE DEVELOPMENT OF AFFORDABLE HOUSING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Council solicited proposal to develop this site for affordable housing; and

WHEREAS, rezoning the site to "PD" Planned Development brings the subject site into compliance with the City's Comprehensive Plan; and

WHEREAS, Robb, Dering & Associates and Wilder Property Companies, Inc. proposes to develop 72 units of rental housing in a mix of 1, 2, and 3 bedrooms together with accessory uses; and

WHEREAS, the Planning Advisory Board, having heard the petitioner and all interested parties at a public hearing, recommended approval of this rezoning;

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

Section 1. That Rezone Petition 93-R6 is hereby approved, rezoning property located south of 3rd Avenue North, west of 12th Street North and east of the alley, legally described as Lots 11 and 12, Seaboard Downtown Subdivision and a parcel of land in the Northwest 1/4 of Section 3, Township 50 South, Range 25 East as more fully described in Exhibit "A" attached hereto and made a part hereof.

Section 2. The rezoning of the site is subject to substantial conformance with the following documents and conditions:


b. Planned Development Narrative for Jasmine Cay
Affordable Housing Project dated July 9, 1993.

Ordinance No. 93-7014

| c. The developer will coordinate with the Natural Resources Manager and the Naples Police Department on the retention of some native vegetation while ensuring the safety of the residents. |
| d. A lighting plan be provided to the Planning Staff and Police Department for future review and input. |
| e. No solid wood on wood fencing be allowed which would obscure visibility into the development. |

Section 3. The Zoning Atlas of the City of Naples shall be amended to reflect said rezoning.

Section 4. This ordinance shall take effect upon the developer providing satisfactory documentation to the City of Naples which demonstrates that the necessary financing has been secured to develop the 72 units of affordable housing.

APPROVED AT FIRST READING THIS 1ST DAY OF SEPTEMBER, 1993.


Paul W. Muenzer, Mayor

Attest: Approved as to form and legality:

Janet Cason, City Clerk

Maria J. Chiaro, City Attorney

Prepared by: Susan Golden, Community Development Department

<table>
<thead>
<tr>
<th>93-7014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson</td>
</tr>
<tr>
<td>Herm</td>
</tr>
<tr>
<td>Korest</td>
</tr>
<tr>
<td>Penningto</td>
</tr>
<tr>
<td>Sullivan</td>
</tr>
<tr>
<td>VanArsdale</td>
</tr>
<tr>
<td>Muenzer</td>
</tr>
</tbody>
</table>

(6-0)

M=Motion S=Second
Y=Yes N=No A=Absent
CITY OF NAPLES
REZONE TO PLANNED DEVELOPMENT PETITION

Date received 7-12-93  File Number 93-R10

Petitioner/Owner  Robb, Dering & Associates / Wilder Property Companies, Inc.

Address  570 Taxter Road, Suite 430, Elmsford, N.Y. Phone 914-347-3333

Agent  Edward L. Dering, Robb, Dering & Assoc. 5508 Thomas Jefferson Courr, Naples, FL

Name, Address, and Telephone Number  33963

813-592-0180

Address/Location of Property Involved between Second Avenue North and Third Avenue
North, east of Tenth Street North

Legal Description of Property Involved attached to Planned Development Narrative
as Exhibit 'A'

Existing Zoning  Industrial  Requested Zoning  Planned Development

Reason for request (proposed use)  to construct a 72 unit affordable housing rental complex with supporting uses.

Signature of Petitioner

7/12/93

NOTE: If the petitioner wishes to have an agent represent him, the following power of attorney must be properly executed.

KNOW ALL MEN that I do hereby constitute and appoint my true and lawful attorney to execute the foregoing instrument in my name, place, and stead this day of , 199.

Sworn to and subscribed before me this day of , 199.

My commission expires:

Notary Public

MISCR/Rezonedpet
ACKNOWLEDGEMENT OF NOTIFICATION

I do hereby acknowledge that the City staff in the Community Development Department has explained to me that I have the ability to rezone my property to either a conventional zoning district or to a PD. I understand that conventional zoning provides me with certain automatic rights if that zoning is approved by the City Council, and also understand that PD zoning limits my ability to use the property to those uses and to the site plan specifically approved by the City Council.

With this statement of acknowledgement, I do hereby select:

_____ Conventional zoning to _____ zoning district,

or

_____ PD zoning

[Signature]

Petitioner

[Date] 7/12/93
PLANNED DEVELOPMENT NARRATIVE

JASMINE CAY
AFFORDABLE HOUSING PROJECT

NAPLES, FLORIDA

EDWARD L. DERING
ROBB, DERING & ASSOCIATES
6508 THOMAS JEFFERSON COURT
NAPLES, FLORIDA 33963
813-592-0180

JULY 9, 1993
GENERAL PROJECT DESCRIPTION:

This Planned Development to be called "Jasmine Cay" is located east of Tenth Street North between Second Avenue North and Third Avenue North with access off Second Avenue North. The proposed use is a 72 unit affordable housing rental complex plus supporting uses of a management office, community room, a small resident only laundry room, and maintenance storage.

OWNERSHIP AND CONTROL:

The subject property is currently under the ownership of the City of Naples with a sale or lease to the developer to be completed once planning, loan, and subsidy approvals have been secured.

The developer is to be a to be formed Florida limited partnership which will construct the project as proposed herein and operate the project according to all requirements and conditions of the Planned Development rezone. On behalf of the to be formed limited partnership, co-managers of this development are:

Edward L. Dering  
Robb, Dering & Associates  
6508 Thomas Jefferson Court  
Naples, Florida 33963  
813-592-0180

Robert H. Wilder  
Wilder Property Companies, Inc.  
570 Taxter Road  
Elmsford, New York 10523  
914-347-3333

ATTORNEY:

Mr. David N. Morrison will prepare all necessary legal documents required for approval of this Planned Development.

Mr. David N. Morrison  
Morrison & Conroy  
975 Sixth Avenue South  
Naples, Florida 33940  
813-649-5200
Mr. Van A. Miller AIA has been retained as agent to prepare the Planned Development planning documentation for this project.

Van A. Miller AIA  
5551 Ridgewood Drive  
Naples, Florida 33963  
813-597-5082

SURVEY AND ENGINEERING:

The firm of McAnly, Asher and Associates, P.A. has been retained to conduct a survey of the subject site and to prepare engineering studies for this project.

Mr. John P. Asher, P.E.  
McAnly, Asher and Associates, P.A.  
5101 Tamiami Trail East  
Naples, Florida 33962  
813-775-0723

LEGAL DESCRIPTION:

"Exhibit A" attached to this narrative contains a legal description of the subject site.

PROPOSED LEGAL CONVENANTS:

Land convenants may be required per the Comprehensive Development Code under affordable housing provisions and may be part of the Planned Development approval conditions.

PROJECT DATA:

<table>
<thead>
<tr>
<th>Site Data:</th>
<th>GSF</th>
<th>Acres</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Site Area</td>
<td>217,300</td>
<td>4.9</td>
<td>100%</td>
</tr>
<tr>
<td>Total Parking &amp; Drives</td>
<td>62,950</td>
<td>1.4</td>
<td>29.0%</td>
</tr>
<tr>
<td>Sidewalks &amp; Basketball</td>
<td>5,850</td>
<td>.1</td>
<td>2.7%</td>
</tr>
<tr>
<td>Building Coverage</td>
<td>42,932</td>
<td>1.0</td>
<td>19.8%</td>
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<tr>
<td>Total Impervious</td>
<td>111,732</td>
<td>2.6</td>
<td>51.4%</td>
</tr>
<tr>
<td>Total Pervious</td>
<td>105,566</td>
<td>2.4</td>
<td>48.6%</td>
</tr>
</tbody>
</table>
PROPOSED BUILDINGS:

<table>
<thead>
<tr>
<th>Bldg. Type</th>
<th>Bldgs.</th>
<th>No. of Units</th>
<th>Unit Type</th>
<th>Liv. Area</th>
<th>Lanai/Storage</th>
<th>Area Per Unit</th>
<th>Area/ Bldg.</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;A&quot;</td>
<td>2 (16 units)</td>
<td>8</td>
<td>1br/1bath</td>
<td>668</td>
<td>96</td>
<td>764</td>
<td>6,112</td>
</tr>
<tr>
<td>&quot;B&quot;</td>
<td>2 (16 units)</td>
<td>8</td>
<td>2br/2bath</td>
<td>964</td>
<td>96</td>
<td>1,060</td>
<td>8,480</td>
</tr>
<tr>
<td>&quot;C&quot;</td>
<td>2 (24 units)</td>
<td>12</td>
<td>2br/2bath</td>
<td>964</td>
<td>96</td>
<td>1,060</td>
<td>12,720</td>
</tr>
<tr>
<td>&quot;D&quot;</td>
<td>1 (8 units)</td>
<td>8</td>
<td>3brm/2bath</td>
<td>1115</td>
<td>96</td>
<td>1,211</td>
<td>9,688</td>
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<tr>
<td>&quot;E&quot;</td>
<td>1 (8 units)</td>
<td>8</td>
<td>2-1brm/1ba</td>
<td>668</td>
<td>96</td>
<td>764</td>
<td>7,888</td>
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<tr>
<td>&quot;F&quot;</td>
<td>1</td>
<td></td>
<td>Commons Bldg.</td>
<td></td>
<td></td>
<td>1850</td>
<td>1,850</td>
</tr>
</tbody>
</table>

TOTAL PROJECT BLDG AREA: = 74,050 sq. ft.
DWELLING UNITS PER ACRE: = 14.7

PARKING DATA:

<table>
<thead>
<tr>
<th>Type</th>
<th>Space per Unit</th>
<th>Total Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Residential</td>
<td>1.5 @ 54 units</td>
<td>= 81 spaces</td>
</tr>
<tr>
<td>Elderly Residential</td>
<td>1.0 @ 18 units</td>
<td>= 18 spaces</td>
</tr>
<tr>
<td>Project office</td>
<td>700 gsf 1 space per 175 gsf</td>
<td>= 3 spaces (3 spaces)</td>
</tr>
</tbody>
</table>

TOTAL = 102 spaces (102 TOTAL)

WATER AND SEWER SERVICE:

Water and sewer service shall be provided by the City of Naples. The developer will pay for on-site work as needed to complete the project. The water supply, storm water and sanitary sewer systems will be completed so as to comply with all City, County, and State requirements.

FIRE PROTECTION:

All new construction will be provided with fire protection sprinkler systems as required and new water lines and hydrants will be installed in accordance with City of Naples requirements at the developer’s expense.