

MEMORANDUM

TO: A. William Moss, City Manager

FROM: Greg Niles, CDD

RE: Property Acquisition – Rezoning Issue

At a recent City Council meeting several members spoke in favor of acquiring additional land for open/public use with the caveat that no rezoning would be involved in the process. With that underlying principle I offer the following for your review and consideration.

In working with the Master Park, Recreation and Open Space Consultant we have sought opportunities to expand and enhance the park and open space network for the community. During the planning process five strategies have emerged, and all five are being researched and refined. The first involves a thorough review of our existing (City owned) park facilities. The analysis concerns the prudent use of land and facilities and the identification of opportunities to enhance/upgrade those sites to maximize their use. The four City owned parks, Mackle, Leigh Plummer, Winterberry Ballfield, and the Racquet Center are all zoned P (Public Use).

The second strategy involves identification of opportunities to expand/enlarge existing park facilities through adjoining properties. Analysis involves identifying contiguous vacant property, and determining potential use(s) of that property to enhance the facility. For example, there is a lot on Heathwood Drive that could be acquired to provide a new entrance into Mackle Park. Should that lot be incorporated to provide the primary entry into the park, then a portion of the existing driveway could be closed and used for active recreation purposes. Opportunities are limited, and in general, the lots adjoining the park facilities are mostly zoned RSF (Residential Single Family). The tracts along Winterberry Drive are another example.

The third strategy involves partnership opportunities, in which the City can advance the City's recreational and open space system without actual fee simple ownership. Existing partnerships include Tommie Barfield elementary school and the YMCA. Other opportunities exist, including Tract K, the State owned property at the base of the Jolley Bridge, and at local churches. The YMCA is zoned CF (Community Facilities), the school properties are zoned RSF, and the State land at the base of the bridge is zoned A (Agriculture) on the north side, and CON (Conservation) on the south side.

The fourth strategy involves identification of areas that are not currently served with convenient access to recreational/open space facilities. Here opportunities are being investigated to establish a park/open space presence in those areas that are not served. What is envisioned is the acquisition of lots to create new parks or open space areas. The general rule of thumb will be acquisition of sufficient property to accommodate a small neighborhood park, including space for parking, equipment, and amenities. Opportunities are being sought in which the lots identified about both residential and multifamily properties. In general, the underlying zoning of such lots is RSF.

The final strategy involves the location of new, special use facilities. Examples may include a new boat launching facility or a civic center. These special use facilities are more difficult to address due to specific site considerations (i.e., access to water). Partnership opportunities, such as at the base of the bridge, may provide ideal locations to accommodate special use facilities.

Most of our opportunities to acquire land for park and open space use will occur on lands zoned RSF. In reviewing the Land Development Code I call your attention to the purpose and intent statement which reads in part..."Certain structures and uses designed to serve the immediate needs of the single-family residential development in the RSF district such as governmental, educational, religious, and non-commercial recreational uses are permitted as conditional uses as long as they preserve, and are compatible with the single-family residential character of the RSF district(s)..." Further under the conditional use subsection item 9 reads as follows:

Recreational facilities intended to serve an existing and/or developing residential community as represented by all of the properties/lots/parcels included in an approved preliminary subdivision plat, or site development plan. The use of said recreational facilities shall be limited to the owners of property or occupants of residential dwelling units and their guests within the area of approved preliminary subdivision plat, or site development plan.

Based on the initial development plan and subsequent platting of Marco Island, a large residential community was created through the unit system. That residential community continues to develop, and the recreational system initially allocated may not be sufficient to provide for the needs and desires of its residents. I believe this line of reasoning could withstand a challenge, and thus RSF zoned properties could be acquired or improved for recreational purposes upon conditional use approval, and without the need of rezoning to P (public use).

The conditional use process provides safeguards for both the public and the City. Conditional use approval can only be granted after public hearings and the

preparation of a detailed site plan. Neighbors would be noticed of the hearings, and have opportunities to comment on the plan and/or intended use. Conditions, such as hours of operation, location of parking, et cetera could be imposed on the site to mitigate potential conflicts.

For the City the land would be used for the desired purpose, with conditions. Without rezoning, the underlying residential zoning would remain in effect. The City would have the ability to determine when a site would be brought forward for consideration, or the land could be subsequently resold or swapped for another location. If zoned for P (Public Use), then only another governmental agency could own or use that property. With the land zoned RSF the City could resell or swap the land with anybody.

Please advise if this memorandum requires additional clarification or detail.

MEMORANDUM

TO: A. William Moss, City Manager
FROM: Greg Niles, CDD
DATE: October 17, 2003
RE: Three Lots Along Auburndale Avenue

With the acquisition of the water system, desired improvements to Winterberry Park, and pending construction of the pathway project, I ask for your approval to investigate acquisition of three vacant lots on Auburndale Avenue. I have attached a map for your reference.

To date I have been pursuing Lot #1 in conjunction with the pathway project. We have an appraisal, but the owner has been unwilling to agree to an offered price of \$85,000.

Pursuing the three lots could provide the following benefits:

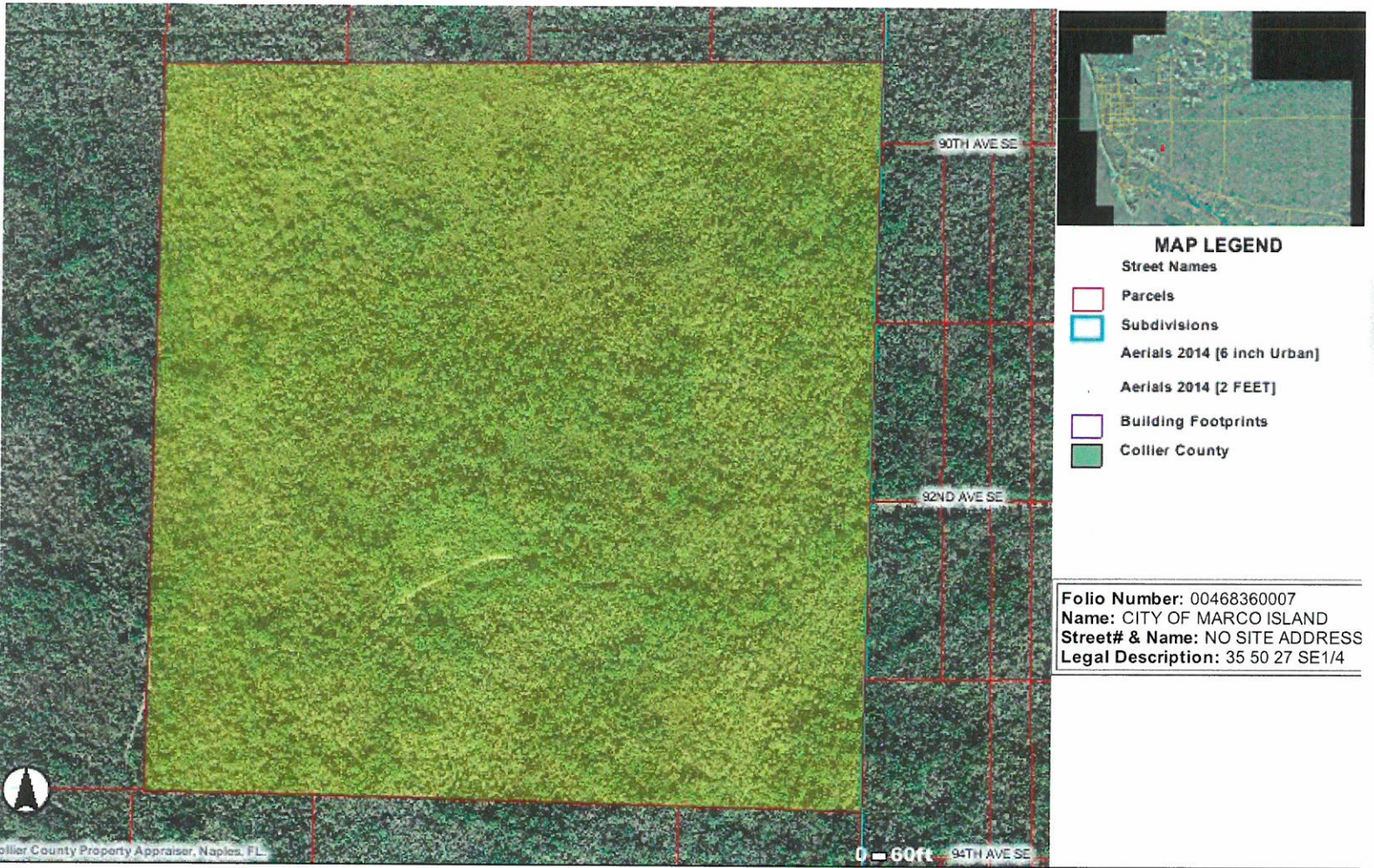
1. Needed connection point for the pathway system.
2. Possible alternative entrance to the water plant.
3. Additional parking for Winterberry Park.

Even the ability to acquire one of the three lots could help achieve two of the above-mentioned benefits.

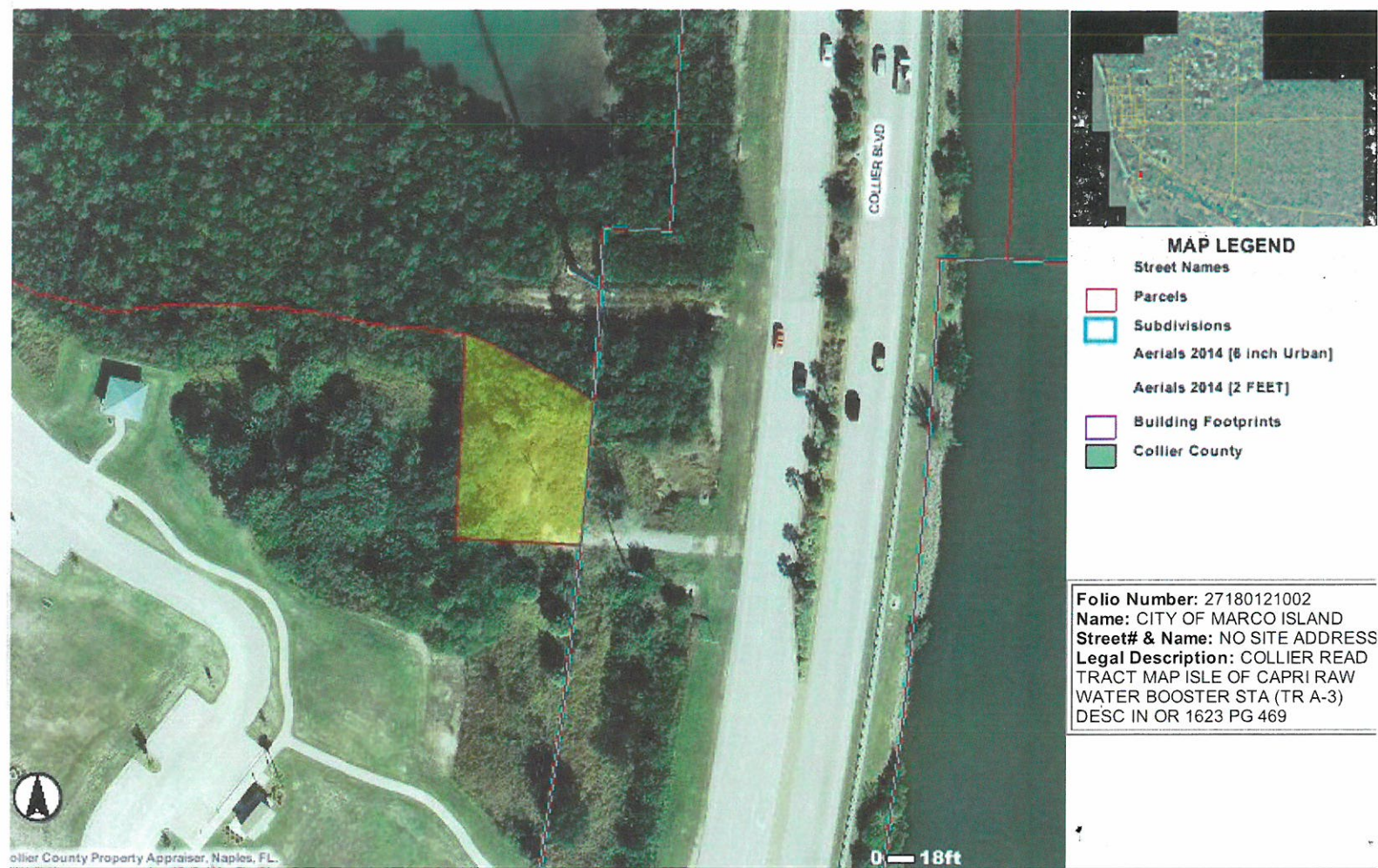
With your concurrence I will begin contacting property owners of lot #2 and #3, and continue dialogue with the owner of lot #1.

City Owned Vacant Lots

[illegible]



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MAP LEGEND

Street Names

Parcels

Subdivisions

Aerials 2014 [6 inch Urban]

Aerials 2014 [2 FEET]

Building Footprints

Collier County

Folio Number: 56657320006
Name: CITY OF MARCO ISLAND
Street# & Name: 239 TAHITI RD
Legal Description: MARCO BCH
UNIT 1 BLK 11 LOT 3

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Folio Number: 56944640004
Name: CITY OF MARCO ISLAND
Street# & Name: 986 BARFIELD DR N
Legal Description: MARCO BCH
UNIT 4 BLK 131 LOT 1

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Building Footprints

Collier County

Folio Number: 57383200004
Name: CITY OF MARCO ISLAND
Street# & Name: 21 SOUTH SEAS CT
Legal Description: MARCO BCH UNIT 6 BLK 248 LOT 24 NOW WATERWAY

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Building Footprints

Collier County

Folio Number: 57393440003
Name: CITY OF MARCO ISLAND
Street# & Name: 1042 GOLDENROD AVE
Legal Description: MARCO BCH UNIT 6 BLK 256 LOT 4 - NOW WATERWAY

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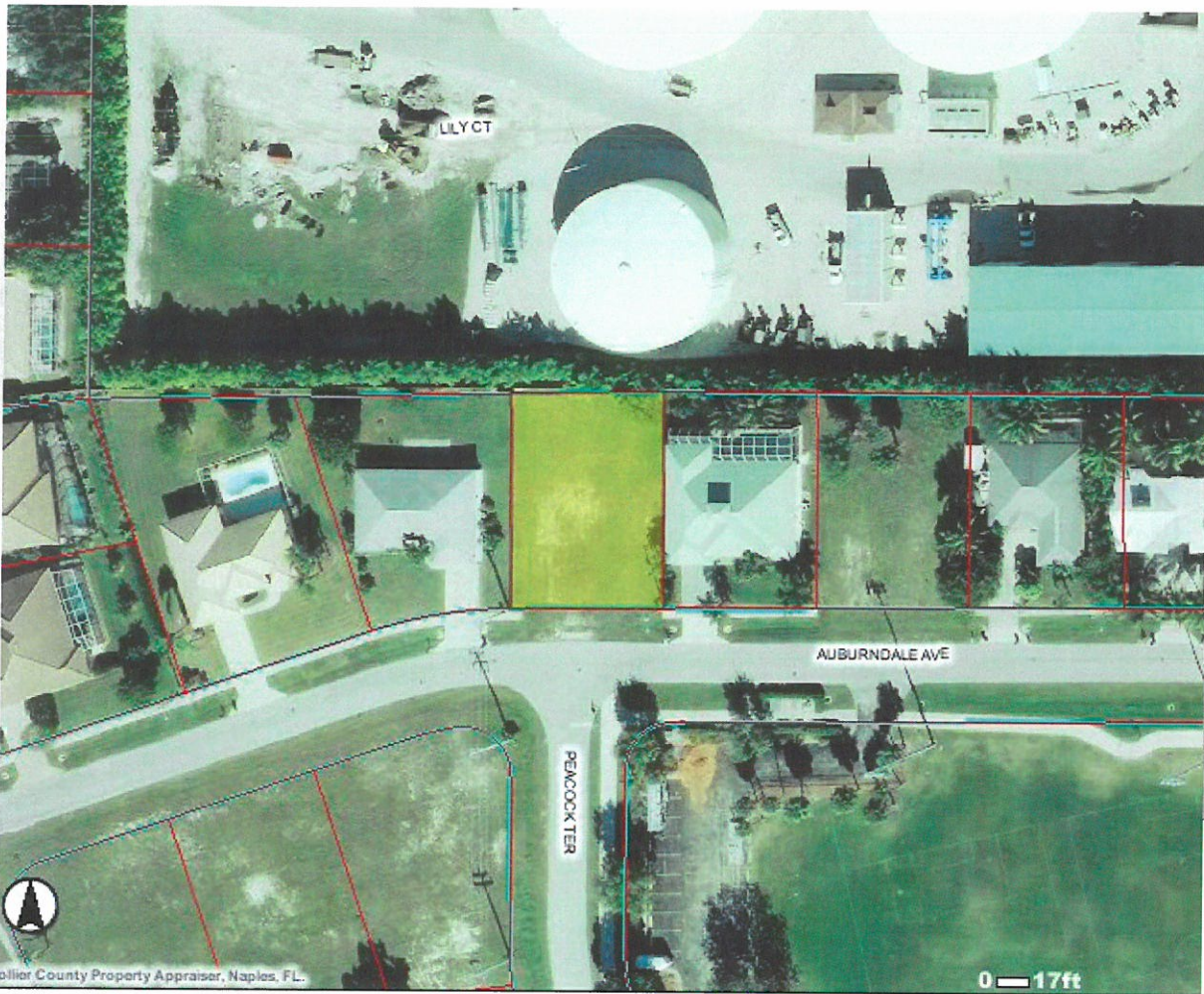
Aerials 2014 [2 FEET]

Building Footprints

Collier County

Folio Number: 57730520007
Name: CITY OF MARCO ISLAND
Street# & Name: 1271 SAN MARCO RD
Legal Description: MARCO BCH UNIT 8 BLK 261 LOT 11

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Folio Number: 57747440002
Name: CITY OF MARCO ISLAND
Street# & Name: 1330 AUBURNDALE AVE
Legal Description: MARCO BCH UNIT 8 BLK 295 LOT 5

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Building Footprints

Collier County

Folio Number: 58049880000
Name: CITY OF MARCO ISLAND
Street# & Name: 535 SPINNAKER DR
Legal Description: MARCO BCH UNIT 12 BLK 390 THAT PORT OF LOT 1 AS DESC IN OR 722 PG 555

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Folio Number: 58050120005
Name: CITY OF MARCO ISLAND
Street# & Name: 515 HERNANDO DR
Legal Description: MARCO BCH UNIT 12 BLK 390 LOT 7 OR 730 PG 1576

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Folio Number: 58051080005
Name: CITY OF MARCO ISLAND
Street# & Name: 537 BLACKMORE CT.
Legal Description: MARCO BCH UNIT 12 BLK 391 THAT PART OF LOT 8 DESC IN OR 715 PG 1304

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Folio Number: 58052680006
Name: CITY OF MARCO ISLAND
Street# & Name: 538 BLACKMORE CT
Legal Description: MARCO BCH UNIT 12 BLK 394 THAT PART OF LOT 1 DESC IN OR 723 PG 1319

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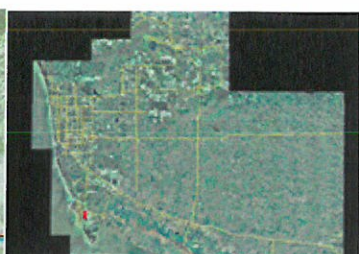
Collier County

Folio Number: 58055360006
Name: CITY OF MARCO ISLAND
Street# & Name: 522 BLACKMORE CT
Legal Description: MARCO BCH UNIT 12 BLK 395 A PORT OF LOT 40 DESC AS FOLL: BEG NE CNR LOT 40, N 63DEG W 100FT, S 26DEG E 100FT,

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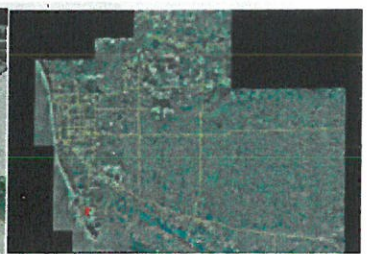
Building Footprints

Collier County

Folio Number: 59020128104
Name: CITY OF MARCO ISLAND
Street# & Name: NO SITE ADDRESS
Legal Description: MARCO BCH
UNIT 25 REPLAT THAT PORTION OF
TR RB DESC IN OR 2507 PG 288
BEING THE 50FT LYING N OF LOT 1
BLK 779

Collier County Property Appraiser, Naples, FL

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Folio Number: 59020130008
Name: CITY OF MARCO ISLAND
Street# & Name: NO SITE ADDRESS
Legal Description: MARCO BCH
UNIT 25 REPLAT THAT PORTION OF
TR RB DESC IN OR 3575 PG 1291
BEING THE N 10FT OF THE 50FT
LYING N OF LOT 8

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