

APPENDIX B
FINDING OF NECESSITY REPORT

FINDING OF NECESSITY

Englewood Community Redevelopment Area

Englewood, Florida



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INTRODUCTION

The unincorporated Englewood community is located in two counties, south Sarasota County and north Charlotte County. The information in this report, however, relates only to that portion of Englewood located in Sarasota County. This area is characterized as having a small-town atmosphere -- generally slow-paced, with many retirees, great boating opportunities, affordable housing, and beautiful beaches. Several important changes are presently occurring in Englewood, such as the widening of State Road 776, the primary north-south artery through Englewood, and the installation of central sewers.

The development of large shopping centers, primarily in the Charlotte County portion of Englewood, has changed the shopping habits of the Englewood residents through the years. Within the immediate vicinity of the downtown Englewood area, the commercial focus has shifted from the historical downtown area along Dearborn Street, to strip centers along State Road 776. The local business owners and residents of Englewood have indicated through surveys, a strong desire to improve their community and strengthen its economic viability while maintaining its small-town atmosphere.

Two planning studies have been completed for the Englewood area by the Sarasota County Planning Department. The Englewood Sector Plan was adopted in 1986 and was the first general plan prepared for the overall area. The second plan was the Englewood Town Center Revitalization Plan, adopted in 1997. One of the actions included in Ordinance No. 97-015, which adopted the Revitalization Plan, was for the establishment of a Community Redevelopment Area with Tax Increment Financing.

This study documents that "blighted" conditions exist in the Englewood Community Redevelopment Area (CRA), as defined by Section 163.340(8), Florida Statutes, and provides the basis for recommending that the Sarasota County Board of County Commissioners create a Community Redevelopment Agency to carry out the community redevelopment purposes of Chapter 163, Part III, Florida Statutes (1997).

HISTORY OF AREA

Englewood celebrated its centennial in August 1996. Englewood's original plat was filed and recorded 100 years ago by the Nichols brothers from Chicago in what was then, Manatee County. The original plat had one acre lots for residences, ten acre lots surrounding the town for lemon groves, and twenty foot right-of-way for roads. The Nichols hoped that Englewood would become famous for growing lemons, however, freezes in 1894 and 1895 destroyed the immature groves. Englewood prospered in the 1920's promoting itself as a resort area featuring hunting, fishing, and sailboating, but struggled through the depression era mainly supporting itself through the fishing industry. The community has slowly grown from a population of 50 in 1896 to 12,061 in 1990 and an unofficial estimation by the Planning Department of 14,849 in 1997.

Dearborn Street, west of State Road 776, was historically Englewood's commercial center with the original post office, general store, pier, and a boarding house. The area struggles to remain economically viable because of competing commercial development on State Road 776 and the larger commercial centers in Charlotte County, problems with parking on Dearborn Street, and the relocation of the post office out of the commercial center.

PURPOSE OF ESTABLISHING A COMMUNITY REDEVELOPMENT AREA

In 1969, the Florida Legislature enacted Chapter 163, Part III, Florida Statutes, known as the “Community Redevelopment Act”. This legislation enables local units of government to set up Community Redevelopment Areas (CRAs) where conditions of slum or blight exist. The overall goal of the legislation was to encourage local initiative in revitalizing older downtown areas and declining residential neighborhoods. The Community Redevelopment Act also provides to the creation of a Community Redevelopment Agency. The local redevelopment agencies are established to carry out two major activities. The first activity is to prepare a Community Redevelopment Plan for a slum or blighted area. This plan would identify the major factors causing physical, economic, and social decline in the CRA and then identify those actions needed to arrest the decline. Second, a local government is empowered to establish a redevelopment trust fund pursuant to Section 163.387 Florida Statutes. This trust fund would serve as a depository for tax increment revenues generated through increased property values in the designated CRA.

Although revitalization efforts are currently, or soon to be underway by both the private and public sector as part of the Revitalization Plan adopted in 1997, many of the projects identified in the Revitalization Plan require a funding mechanism. The establishment of tax increment financing in the CRA allows for the area to pay for its own projects.

STEPS TO ESTABLISHING A COMMUNITY REDEVELOPMENT AREA

Chapter 163, Part III, Florida Statutes (1997), outlines specific required steps for establishing a Community Redevelopment Area. A summary of the required steps are listed below in the order they must be completed:

1. Provide public notice of proposed action to each taxing authority within the CRA (Section 163.346).
2. Make a “Finding of Necessity” and establish the boundaries of the CRA (Section 163.355), adopted by resolution.
3. Find the need for establishing a Community Redevelopment Agency (Section 163.356), adopted by resolution.
4. Create the Community Redevelopment Agency (Section 163.357), adopted by resolution, if governing body is the agency.
5. Develop a Community Redevelopment Plan (Section 163.360), adopted by resolution.
6. Establish a redevelopment trust fund (Section 163.387), adopted by ordinance.

BLIGHT AS DEFINED BY CHAPTER 163, PART III, FLORIDA STATUTES (1997)

As noted above, the first step in establishing a CRA is to make a finding and declaration of necessity. The purpose of this report is to present evidence of the conditions in Englewood as a basis for a finding by the Sarasota Board of County Commissioners, that one or more slum or blighted areas exist within Englewood. A preliminary look at qualifying Englewood as a CRA centered on conditions of blight. Section 163.340(8), Florida Statutes provides the following two definitions for “blighted areas”:

“Blighted area” means either

(a). An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:

1. Predominance of defective or inadequate street layout;
2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
3. Unsanitary or unsafe conditions;
4. Deterioration of site or other improvements;
5. Tax or special assessment delinquency exceeding the fair market value of the land; and
6. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(b). An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction.

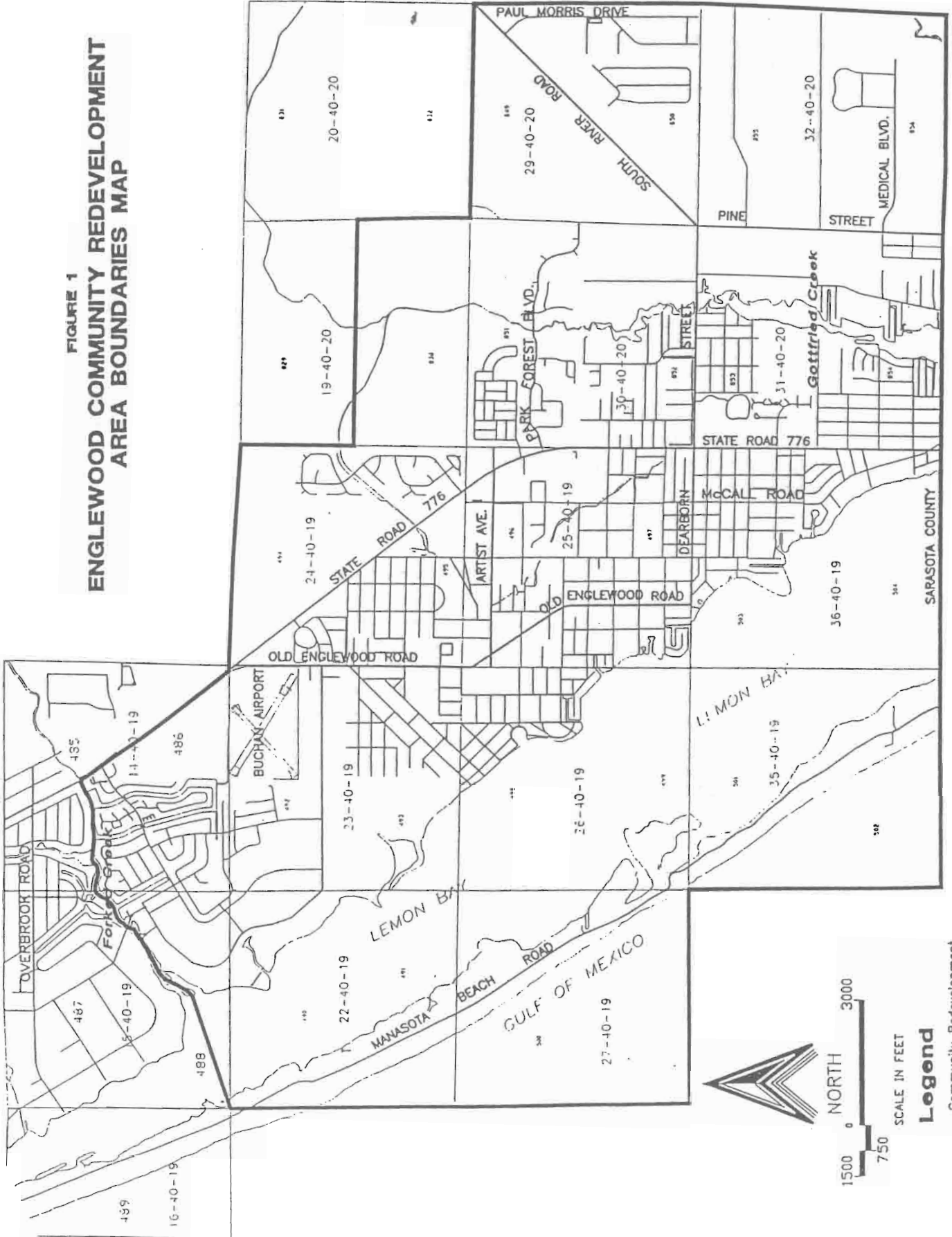
METHODOLOGY

A number of information sources and analytical techniques were used in the determination of need for the Englewood CRA. The County Property Appraiser’s maps were used to examine rights-of-way widths and lot layouts. The County’s Phase I Government Information System (GIS) Parcel Map (1997) was used to determine the number of lots, their existing uses, and the size of the Redevelopment Area. The Gottfried Creek and Forked Creek Master Drainage Basin Plans (1996) by Parsons Engineering Science, Inc. were used to gather information about the drainage systems. Both the County’s Land Development Regulations (1995), and the Zoning Regulations (1989) were used in the evaluation of lot size, rights-of-way widths, and parking facility adequacy. Field surveys were conducted between May and August, 1997 throughout the CRA to assess the location of sidewalks and the type of drainage systems. Other than the Planning Department, several County Departments were used to assess the above information including the Transportation Department, Property Appraiser’s Department, and the Land Development Coordination Department.

ENGLEWOOD COMMUNITY REDEVELOPMENT AREA BOUNDARIES

The proposed boundaries recommended for the Englewood CRA are illustrated in **Figure 1**. The boundaries generally extend from the centerline of Forked Creek on the north, Paul Morris Drive on the east, the Sarasota/Charlotte County line on the south, and the Gulf of Mexico on the west. A legal description of the Englewood CRA is located in Exhibit B. The CRA, comprising approximately 5,162 acres, is approximately three miles long by four miles wide and contains 6,736 lots. The CRA contains approximately 5,346 residential structures, 232 commercial buildings, and 906 vacant lots. Areas were included within the CRA based upon the overall need for physical redevelopment and revitalization, following research by the Planning Department to determine the presence of one or more factors contained in the statutory definition of blight. Other areas are included were necessary to the achievement of the

FIGURE 1
ENGLEWOOD COMMUNITY REDEVELOPMENT
AREA BOUNDARIES MAP



1500 0 NORTH 3000
 SCALE IN FEET
 750

Legend

- Community Redevelopment Area Boundaries
- Area Boundaries

SARASOTA COUNTY
 COLLEGE COUNTY

objective to prevent the spread of blighting conditions, specifically, some physically sound areas were included in the CRA based on the need to recognize the existence of functional relationships in the area that produce a sense of neighborhood. The necessity to nurture the growth of existing mutually supportive relationships and linkages was also taken into account. For example, the Morris Industrial Park on South River Road provides potential employment opportunities for Englewood residents, and is located on a primary entrance road into the community.

CONDITIONS OF ENGLEWOOD'S COMMUNITY REDEVELOPMENT AREA

Although all of the criteria listed in the definition of blighted area in Section 163.340(8) are present in the CRA to some degree, this report concentrates on finding conditions pertaining to: a predominance of defective or inadequate street layout; faulty lot layout in relation to size or usefulness; unsanitary or unsafe conditions; and inadequate parking facilities within the CRA, as listed under subsection (a) and as listed under subsection (b).

Predominance of Defective or Inadequate Street Layout:

The lack of adequate right-of-way for roads, based upon the minimum County standards set forth in the Sarasota County Land Development Regulations (Ordinance No. 95-021), was used in this study to determine a predominance of defective or inadequate street layout. The required minimum rights-of-way for roadways with an open drain system (prevalent in Englewood) are as follows:

<u>FDOT Road Classification</u>	<u>Minimum Right-of-Way</u>
Minor Arterial	120'
Collector	100'
Local (non-residential)	70'
Local (residential)	60'

Staff evaluated the current street network against the minimum standard and found that approximately 223,230 linear feet, or 48% of the roads in the CRA have insufficient right-of-way. These roads with insufficient right-of-way are evenly distributed throughout the CRA. The narrow roadways present a difficult and unsafe situation for vehicular and pedestrian traffic to pass each other, especially when a deep open ditch is present alongside the road, as is common in the area.

Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness:

Although the County Zoning Regulations do not set minimum lot size requirement for commercial property, a small or narrow lot may be economically infeasible to develop or redevelop because of other County requirements, such as parking, landscaping, and retention. The lots are not large enough to support the requirements plus a building of suitable size. Small or narrow lots do not allow for redevelopment and modernizing of existing development, while at the same time, adhering to new site development requirements. This results in commercial buildings that are outdated and in need of repair. Approximately 50 lots that are zoned CG (Commercial General) are potentially too narrow ($\geq 75'$) for development or redevelopment in the CRA. The majority of these are located on Dearborn Street.

Another impediment to development on small lots is providing cross access to adjacent parcels. Cross access allows for internal access between parcels, thereby minimizing traffic on the major roadways. Approximately 64% of the existing commercial properties on State Road 776 and 50% of the existing

commercial properties on Dearborn Street do not provide cross access between parcels. The County Land Development Regulations and the Englewood Revitalization Plan encourage cross access on new development. However, limited lot sizes make it difficult to include cross access, along with the other County requirements mentioned above.

Unsanitary or Unsafe Conditions:

The criteria used to determine unsanitary or unsafe conditions was the lack of sidewalks, the location of the existing sidewalks on Dearborn Street, and the storm drainage system.

A windshield field survey by Planning staff on August 23, 1997, was used to locate the existing sidewalks. Relatively few sidewalks were found in the CRA. Sidewalk locations include the Park Forest subdivision, both sides of Dearborn Street west of State Road 776, the north side of Perry Lane east of McCall Road, the west side of Old Englewood Road, and both sides of State Road 776 south of Dearborn Street. Approximately 25,400 linear feet of roadways have sidewalks. Conversely, this equates to about 95% of the roadways in the CRA being without sidewalks. Because of this lack of sidewalks, many students take the bus to the Englewood Elementary School, located at McCall Road and Wentworth Avenue, who would otherwise walk to school if sidewalks were available. Sidewalks are also not available to serve the area parks (Englewood Community Center, Indian Mound Park, Pine Street Park, and Lemon Bay Park).

The location of the sidewalks along Dearborn Street also creates a potentially unsafe condition. In 1987, the County installed sidewalks and curbs along Dearborn Street. The sidewalks, however, were located behind the parking stalls adjacent to the road. A car exiting a parking stall must, therefore, back over the sidewalk, potentially interfering with a pedestrian on the sidewalk. This situation is most prevalent west of Elm Street.

The storm drainage system in the Englewood area creates another unsafe condition. The predominate storm drainage system is open ditches alongside roadways. As mentioned previously under Inadequate Street Layout, the combination of narrow roads, lack of sidewalks, and open ditches is unsafe for both pedestrians and vehicles.

The CRA lies within three drainage basins; the Gottfried Creek, the Forked Creek, and the Coastal Basins. The Gottfried Creek Basin Master Plan prepared by Parsons Engineering Science, Inc., dated March, 1996, identified five areas that experience flooding problems, water quality problems, or both, in the CRA. The problems are due to lack of maintenance, inadequate culverts, and inadequate outfall elevations. The Gottfried Creek Basin Master Plan also identified twelve proposed improvements within the CRA. To date, these improvements have not been implemented, although they are included in the 1998 County Capital Improvements Plan. The Forked Creek Basin Master Plan dated March, 1996, also prepared by Parsons Engineering, identified one problem area and proposed improvement within the CRA. This proposed improvement is scheduled for completion by March, 1998. The Coastal Basin does not have a Master Plan scheduled for completion.

Existence of Inadequate Parking Facilities:

The primary area experiencing inadequate parking is on West Dearborn Street. Traditionally, shoppers parked on Dearborn Street in front of each store at a 45° angle. The transition from the street to the parking area was smooth as the merchants paved the entire front yard. In 1987, curbs and sidewalks were installed with curb cuts provided for driveway entrances in front of each parcel or store. The numerous driveways

left several areas with minimal curbs which are easily overlooked. The new curbs and sidewalks resulted in shoppers having to back over sidewalks and drive over the unseen curbs to exit the parking spaces. In addition to the safety factor, the outcome of driving over the unseen curbs resulted in cars requiring repairs after scraping the undersides of the vehicle on the curbs.

An analysis by the Sarasota County Planning Department for the Town Center Revitalization Plan indicated there is an overall deficit of about 45 parking spaces for the existing businesses along Dearborn Street. Some blocks have deficits and others have excess parking. Deficits are particularly evident in the west end of Dearborn Street, between Cedar Street and Elm Street/Magnolia Avenue.

CONCLUSIONS AND RECOMMENDATIONS

The purpose of this report is to document the existence of conditions in the Englewood CRA, as shown in **Figure 1**, which would support a finding by the Sarasota Board of County Commissioners that the area is "blighted" based upon Section 163.40(8), Florida Statutes (1997). Inadequate street layout, faulty lot layout, unsafe and unsanitary conditions, and inadequate parking facilities are evident throughout the Englewood CRA. Community redevelopment assistance is necessary within the area to remove blighting conditions, encourage economic growth, and improve living conditions.

Based upon the findings of this report, the staff recommends that the Board accepts the "Finding of Necessity " Report.

RESOLUTION NO. 98-064

A RESOLUTION OF THE COUNTY OF SARASOTA ACCEPTING A "FINDING OF NECESSITY" REPORT FOR THE ENGLEWOOD COMMUNITY REDEVELOPMENT AREA; FINDING THAT A BLIGHTED AREA, AS DEFINED IN SECTION 163.340(8), FLORIDA STATUTES (1997), EXISTS IN ENGLEWOOD IN CERTAIN GEOGRAPHICAL AREAS AS GENERALLY BOUNDED BY THE CENTER OF FORKED CREEK ON THE NORTH, PAUL MORRIS INDUSTRIAL PARK ON THE EAST, THE SARASOTA/CHARLOTTE COUNTY LINE ON THE SOUTH AND THE GULF OF MEXICO ON THE WEST; FINDING THAT THE REHABILITATION, CONSERVATION, OR REDEVELOPMENT, OR COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE RESIDENTS OF THE ENGLEWOOD COMMUNITY; FINDING THE NEED TO CREATE A COMMUNITY REDEVELOPMENT AGENCY, PURSUANT TO SECTION 163.356 FLORIDA STATUTES (1997); DIRECTING THE SARASOTA COUNTY PLANNING DEPARTMENT TO INITIATE AND PREPARE A REDEVELOPMENT PLAN IN ACCORDANCE WITH SECTIONS 163.360 THROUGH 163.365, FLORIDA STATUTES (1997); PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of Florida enacted the Community Redevelopment Act of 1969 (Act) which is presently codified in the Chapter 163, Part III, Florida Statutes 1997, as amended, found that blighted areas exist in counties and municipalities of the State and that such areas constitute a serious and growing menace to the public health, safety, morals, and welfare of the residents of the State of Florida and are an economic and social liability; and

WHEREAS, in the Act, the Legislature authorized counties and municipalities to utilize appropriate private and public resources to eliminate and prevent the development or spread of urban blight; encourage needed community rehabilitation, to provide for the redevelopment of blighted areas, to alleviate the shortage of affordable housing for low and moderate income residents, and to undertake any of the aforesaid activities as may be necessary; and

WHEREAS, on May 27, 1997, the Sarasota County Board of County Commissioners (Board) authorized the Planning Department, through the adoption of Ordinance No. 97-015, to prepare a study of the Englewood Community Redevelopment Area (CRA) as described in the "Finding of Necessity" Report attached hereto as Exhibit "A", to determine if slum or blighted conditions, or both, exist within all or part of the Englewood CRA; and

WHEREAS, the Board has received and considered the facts summarized in the "Finding of Necessity" Report concerning the existence of blighted areas within the Englewood CRA as defined in Section 163.340(8), Florida Statutes (1997); and

WHEREAS, the Board hereby accepts the "Finding of Necessity" Report and finds that one or more blighted areas, as defined by Section 163.340(8), Florida Statutes, exist within the Englewood CRA; and

WHEREAS, the Board hereby finds that said blighted areas are appropriate for rehabilitation, conservation, or redevelopment, or combination thereof; and

WHEREAS, the Board hereby finds that there is a need to create a Community Redevelopment Agency within Sarasota County to carry out the community redevelopment purposes of Chapter 163, Part III, Florida Statutes (1997).

BOARD RECORDS
FILED FOR RECORD
MAY 29 1998
SARASOTA COUNTY FLORIDA

NOW THEREFORE BE IT RESOLVED BY THE SARASOTA COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:

Section 1. The foregoing recitations are deemed true and correct and are hereby incorporated as a part of this Resolution.

Section 2. As evidenced by the findings contained in Exhibit "A" ("Finding of Necessity" Report), and as defined in Section 163.340, Florida Statutes (1997), blighted areas exist in the Englewood CRA, described generally as bounded by the centerline of Forked Creek on the north; Paul Morris Drive on the east; the Sarasota/Charlotte County Line on the south; and the Gulf of Mexico on the west, which is specifically described in Exhibit "B" (Legal Description) and shall be referred to as the "Englewood CRA".

Section 3. The rehabilitation, conservation, or redevelopment of the Englewood CRA is necessary in the interest of the public health, safety, morals, or welfare of the residents of Englewood and of Sarasota County, Florida as a whole, said finding of necessity is being made within the scope of Chapter 163, Part III, Florida Statutes (1997).

Section 4. The Englewood CRA is hereby found and declared to be a blighted area as defined in Section 163.340(8), Florida Statutes (1997).

Section 5. There is a need for a Community Redevelopment Agency to function in Englewood to carry out the community redevelopment purposes of the Community Redevelopment Act of 1969, codified as Chapter 163, Part III, Florida Statutes (1997).

Section 6. The Board hereby directs Planning staff to initiate and prepare a Redevelopment Plan for the Englewood CRA in accordance with Sections 163.360 through 163.365, Florida Statutes (1997).

Section 7. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida this 31 day of March, 1998.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: David R. Mills
Chairman

ATTEST:

KAREN E. RUSHING, Clerk of the Circuit Court and
Ex-Officio, Clerk of the Board of County Commissioners
of Sarasota County, Florida

By: Karen E. Rushing
Deputy Clerk