



Legislation Text

File #: 070224., Version: 3

Staff Review of APD's Preliminary Blight Findings Report for the Expansion of the CRA's Eastside District (B)

Asset Property Disposition, Inc. (APD) was commissioned by Mr. Robert Simensky, developer of the proposed Hatchet Creek Planned Unit Development next to the Gainesville Regional Airport, to conduct a Blight Findings Report for the Waldo Road Corridor, including the project site, as part of Mr. Simensky's request to expand the Eastside Community Redevelopment District. APD's report was presented to the Community Redevelopment Agency (CRA) on July 16, 2007. After that presentation, the CRA approved a motion requesting that the City Commission ask staff to review the study and report staff's findings to the City Commission.

On November 19, 2007, the City Commission approved a motion referring APD's report to Planning and Development Services staff for review and recommendations.

In the attached memorandum, staff analyzes whether or not APD's report documents that the study area meets the statutory definition of Slum Area or Blight Area. Staff from Public Works, Codes Enforcement, GPD, Building, Planning, Neighborhood Planning, Housing, and Community Development Block Grant coordinated in developing the memorandum. A City Commission finding that the study area meets the State's definition of Slum Area or Blight Area is necessary to include the study area in the Eastside CRA district.

State law (Section 163.355, F.S.) says that to expand a CRA district, a city must adopt a resolution finding that the proposed expansion area meets the State of Florida's statutory definition of Slum Area or Blighted Area. The APD report indicates that the subject property meets the criteria for Blighted Area.

The State definition of Blighted Area contains two parts, both of which must be present for an area to meet the definition. The first part is the first paragraph of Section 163.340 (8), F.S., which states that:

"Blighted Area" means an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

The second part of the State definition of Blighted Area is the statute's list of 14 factors (F.S. 163.340(8) (a-n)) that follow the first part. Those factors are listed below:

- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Inadequate and outdated building density patterns;
- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;

- (h) Tax or special assessment delinquency exceeding the fair value of the land;
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality;
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

The APD Report identified factors (a), (c), (e), and (f) as being present in the study area. Staff analysis, however, determined that, as submitted, APD's Blight Findings Report fails to document the presence of those factors in the study area. Staff analysis also determined that the report failed to document that the first part of the State definition of Blighted Area was present in the study area.

The report cites, but does not document, some incidents of blight in the area near the existing CRA district boundary.

Preliminary staff research indicates that an alternative expansion area would have a significantly higher chance of satisfying the statutory criteria for the definition of blight. That area, shown on the attached map, extends from the current district boundary at Northeast 16th Avenue, to the City-owned property approximately 450 feet north of 39th Avenue, and is generally located west of Waldo Road, within one or two blocks of Waldo Road. The only land east of Waldo Road that is proposed to be included in the alternative expansion area is the Alachua County Fairgrounds.

The City Commission, essentially has two options: 1) consider and study expanding the Eastside CRA District; or 2) do not consider expanding the Eastside CRA District. Staff recommends the alternative expansion area be considered for the study area.

A new expansion study provides an opportunity for the City Commission to consider other areas for CRA districts. If the Commission wishes to expand other areas, staff recommends that the City Commission identify the areas and add the areas to the study.

No general funds are budgeted for this project at this time. According to State law, the CRA must limit its activities and expenditures to items that benefit properties within its boundaries. For that reason, the CRA cannot fund a boundary expansion study.

Staff to City Commission: 1) Accept staff's review of APD's Blight Findings Report; 2) Hear a brief presentation by Staff; 3) Authorize the City Manager or Designee to develop a Request for Proposals, and authorize \$20,000 from City Contingency funds to hire a private firm to complete a study to determine whether or not slum or blight exists in the alternative expansion area, or other areas deemed appropriate by the City Commission.

Alternative Recommendation A: Accept staff's review of APD's Blight Findings Report; 2) Hear a brief presentation by staff; and 3) Instruct staff that no further action is warranted at this time.