

ADMINISTRATIVE AMENDMENT PD-96-021

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, WCI Communities L.P., filed an application for administrative approval to a Commercial Planned Development on a project known as Pelican Landing, Walden Center for approval of a Final Zoning Plan and the addition of three (3) deviations on property located at 24310 South Tamiami Trail, Bonita Springs, described more particularly as:

LEGAL DESCRIPTION: In Section 09, Township 47 South, Range 25 East, Lee County, Florida:

A tract or parcel of land being all of Tract "I" and part of Tract "A" of Pelican Landing, Unit Nineteen as recorded in Plat Book 56, beginning at Page 36 of the Lee County Records, lying in Section 09, Township 47 South, Range 25 East, Lee County, Florida being more particularly described as follows: Beginning at the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 09 run S89°27'22"W along the South line of said Section 09 for 80.00 feet to an intersection with the West line of Tract "A" of said Pelican Landing, Unit Nineteen;
THENCE run N00°02'54"E along said West line for 294.91 feet to a Point of Curvature;
THENCE run Northerly and Northeasterly along the arc of a curve to the right of radius 630.00 feet (chord bearing N13°23'59"E) (chord 290.97 feet) (delta 26°42'11") for 293.62 feet to a Point of Tangency;
THENCE run N26°45'05"E for 21.77 feet to a Point of Curvature;
THENCE run Northeasterly, Northerly and Northwesterly along the arc of a non-tangent curve to the left of radius 30.00 feet (chord bearing N 16°12'02"W) (chord 40.88 feet) (delta 85°54'14") for 44.98 feet to an intersection with the curved Southerly line of Pelican Colony Boulevard;
THENCE run Southeasterly and Easterly along said South line along the arc of a curve to the left of radius 810.00 feet (chord bearing S79°37'37"E) (chord 566.66 feet) (delta 40°56'55") for 578.90 feet to a Point of Tangency;
THENCE run N79°53'56"E along said South line for 40.57 feet to a Point of Curvature;
THENCE run Southeasterly along the arc of a curve to the right of radius 30.00 feet (chord bearing S55°06'04"E) (chord 42.43 feet) (delta 90°00'00") for 47.12 feet to a Point of Tangency and an intersection with the Westerly line of the Tamiami Trail (US 41) (SR 45) (200 feet wide);
THENCE run S10°06'04"E along said Westerly line for 517.09 feet to an intersection with the South line of said Section 09;
THENCE run S89°23'00"W along said South line for 708.94 feet to the POINT OF BEGINNING.
Containing 9.16 acres more or less.

WHEREAS, the property was originally rezoned in case number 94-04-05-DRI-01 [with subsequent amendments in case number 95-01-050.04Z]; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the developer has filed an application form seeking approval of the Final Zoning Plan and the addition of three deviations from land development regulations of the Lee County Land Development Code (LDC); and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Final Zoning Plan and administrative approval for an amendment to add the following three (3) deviations to the Planned Development is **APPROVED**:

- (1) Deviation from the requirement that the minimum average dimension of any required internal landscape area for parking areas must be ten (10) feet (LDC Section 10-415(c)(2)c)), to allow a minimum of five (5) feet as shown on the approved Final Zoning Plan.**
- (2) Deviation from the requirement that at least one tree must be planted or retained for every 250 square feet of required internal planting area, and no parking space may be more than 100 feet from a tree planted in a permeable island, peninsula or median of ten-foot minimum width (LDC Section 10-415(c)(2)a.)), to allow a median of five feet in width.**
- (3) Deviation from the requirement that the minimum distance that an excavation be allowed adjacent to a collector or arterial roadway of 50 feet (LDC Section 10-329(e)(1)a.2.), to allow excavations to be allowed within a minimum of 25 feet adjacent to a collector and/or arterial roadway.**

Approval is subject to all of the following conditions:

1. Site Plan PD-96-021 is hereby APPROVED and adopted as the Final Plan Approval. A reduced copy is attached hereto; and
2. The Development must be in compliance with the Final Zoning Plan and amended Master Concept Plan, dated March 22, 1996 (stamped received on April 9, 1996); and
3. The terms and conditions of the original zoning resolutions (Z-94-014 and Z-95-061) remain in full force and effect; and
4. The approved five foot in width internal parking landscape areas and five foot width parking canopy tree planting peninsulas are limited to those shown on the attached approved Final Zoning Plan; and
5. The developer is required to provide protective devices such as guardrails (or devices of equal structural integrity) along the rights-of-way. Said devices are subject to review and approval prior to the approval of a local Development Order for the site.

DULY SIGNED this 29th day of April, A.D., 1996.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

PELICAN LANDING RPD/CPD FINAL ZONING APPROVAL

WALDEN CENTER SITE PLAN

SITE INFORMATION:

USES: OFFICE COMMERCIAL - 100,550 SQ. FT.
 COMMULATIVE ANALYSIS: PELICAN LANDING RPD/CPD ALLOWS
 125,000 SQ. FT. OF OFFICE COMMERCIAL IN
 THE URBAN COMMUNITY LAND USE CATEGORY.
 125,000 SQ. FT. OFFICE ALLOWED
 100,550 SQ. FT. WALDEN CENTER
 24,450 SQ. FT. OFFICE REMAINING

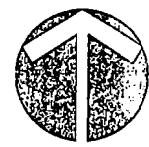
DEVELOPMENT STANDARDS:

- Maximum lot area: 1.0 acre and development area: 2.0 acres
- Maximum building height: 4 stories
- Maximum building footprint: 100,000 sq. ft.
- Maximum building setbacks: 10 feet
- Maximum building coverage: 75%
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- Maximum building footprint: 100,000 sq. ft.
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- Maximum building coverage: 75%
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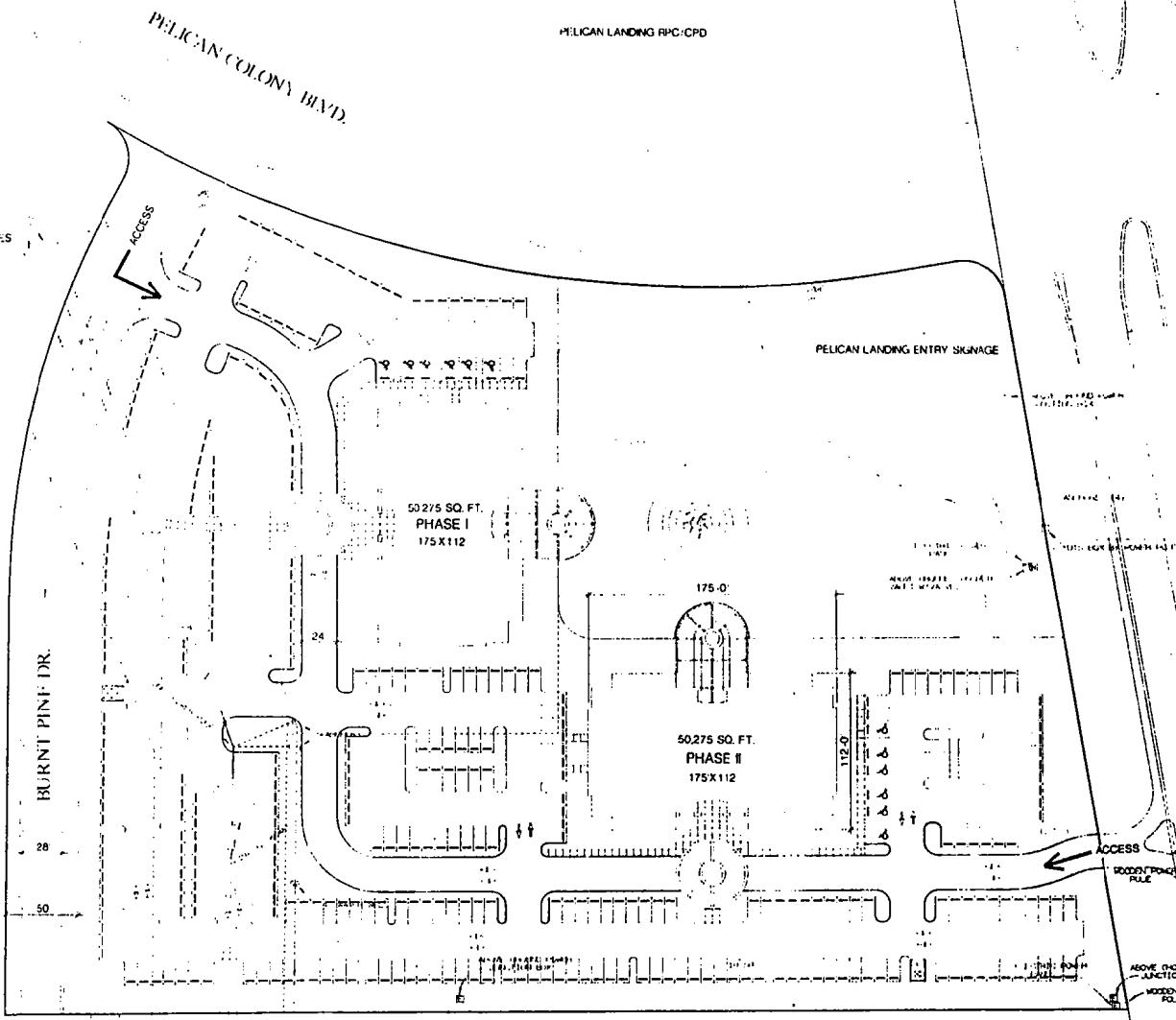
APPROVED RECEIVED
 APR 22 1998
 ZONING COUNTER

Submitted to:
 Mayor's Office
 Subject to conditions of Resolution 1998-021
 Zoning Case # 87-06450.134 01.01
 Date: 04/21/98

PROJECT # 9041-070-134
 PROJECT TYPE 65



SCALE 1"=100'



AG-2 VACANT