

Acco Binder

ADMINISTRATIVE AMENDMENT PD-97-061

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Agnoli, Barber & Brundage, Inc. filed an application for administrative approval to a Commercial Planned Development on a project known as Iron Horse Commerce Park to add one access onto Metro Parkway, and add one access on Six Mile Cypress Parkway, and to reconfigure the Master Concept Plan (MCP) by revising the subdivision lot layout and internal street layout to accommodate the development of a Hess Gas Station/Convenience store.

The subject property is located at N.W. Corner of Metro Parkway and Six Mile Cypress Parkway Intersection, described more particularly as:

LEGAL DESCRIPTION: In Section 30, Township 45 South, Range 25 East, Lee County, Florida:

Commencing at the West Quarter (W/4) corner of said Section 30;

THENCE N 88°55'23"E, 256.60 feet, along the Quarter section line to a point on the Easterly right of way line of Seaboard Coastline Railroad as recorded in Deed Book 71 at Page 327 in the Public Records of Lee County, Florida;

THENCE S 00°40'41"E, 660.57 feet, along said Easterly right of way line to the true POINT OF BEGINNING;

THENCE N 88°57'08"E, 425.10 feet, to a point on the Westerly right of way line of Metro Parkway Extension;

THENCE S 00°38'34"E, 577.43 feet, along said Westerly right of way line to an intersection of said Westerly right of way line and the Northerly right of way line of Six Mile Cypress Parkway;

THENCE S 89°06'33"W, 424.74 feet, along said Northerly right of way line, to a point on aforesaid Easterly right of way line of Seaboard Coastline Railroad;

THENCE N 00°40'41"W, 576.26 feet, along said Easterly right of way line to the true POINT OF BEGINNING.

Containing a computed area of 5.627 acres of land, more or less.

WHEREAS, the property was originally rezoned in case number 93-08-17-DCI-01 ; 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 applicant, Agnoli, Barber & Brundage, Inc. has requested to add one access onto Metro Parkway, add one access on Six Mile Cypress Parkway, and to reconfigure the Master Concept Plan by revising the subdivision lot layout and internal street layout to accommodate the development of a Hess Gas Station/Convenience store; and

WHEREAS, the applicant has provided documentation demonstrating that the lot reconfiguration change is internal to the project and no external adverse impacts will occur if this requested change is approved; and

WHEREAS, the proposed use that the reconfigured lot was reviewed and allowed by the original rezoning request; and

WHEREAS, Florida Department of Transportation, not Lee County has jurisdiction over access along Metro Parkway and Six Mile Cypress Parkway at this location; 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, as conditioned, 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 administrative approval to a Commercial Planned Development on a project known as Iron Horse Commerce Park to reconfigure the Master Concept Plan by revising the subdivision lot layout and internal street layout to accommodate the development of a Hess Gas Station/Convenience store is **APPROVED**.

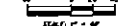
Approval is subject to the following conditions:

1. Development must be in compliance with the amended Master Concept Plan, entitled "Iron Horse Commerce Park," prepared by Agnoli, Barber & Brundage, dated October 8, 1997.
2. The terms and conditions of the original zoning resolution referenced herein not affected by this action remain in full force and effect.
3. The schedule of uses shown on the 10/8/97 MCP is not approved. The schedule of uses for this project is identified in Zoning Resolution Z-93-055, Condition #2.
4. Development is limited to 75,000 square feet of floor area, comprised of a maximum of 50,000 square feet of retail uses and 25,000 square feet of industrial uses.

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5. This project's internal north/south access road must stub out to, and align with, the approved access road alignment shown on the original MCP.
6. Site Plan PD-97-061 is hereby APPROVED and adopted. A reduced copy is attached hereto.
7. As to the access on Metro Parkway and Six Mile Cypress Parkway, Lee County has no jurisdiction in this issue. Approval of these access changes is subject to review and approval by FDOT.

DULY SIGNED this 31ST day of DECEMBER, A.D., 1997.

BY: Walter McCreary
for Mary Gibbs, Director
Department of Community Development

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