ADMINISTRATIVE AMENDMENT (PD) ADD2010-00062

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, BRE/Amerisuites Properties, LLC., filed an application for an administrative amendment to a Mixed Use Planned Development (MPD) on a project known as Coconut Point MPD to add <u>Consumption on premises of beer, wine and liquor in compliance with LDC §34-1264 in conjunction with a hotel/model (Tract 2D Only)</u> to the Schedule of Uses of Resolution Number Z-02-009 for a 4COP S Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service at a hotel known as Hyatt Place Estero on property located at 23120 Via Villagio, Estero, described more particularly as:

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

See attachment A.

WHEREAS, the property was originally rezoned in case number Z-02-009 and subsequently amended in case numbers Z-04-079, DRI2009-00001, ADD2004-00048, ADD2004-00060, ADD2004-00187, ADD2004-00206, ADD2005-00011, ADD2005-00026, ADD2005-00080, ADD2005-00122, ADD2005-00177, ADD2005-00233, ADD2006-00024, ADD2006-00168, ADD2006-00229. ADD2007-00028, ADD2007-00087, ADD2007-00184, ADD2008-00054, ADD2008-00092 and ADD2009-00032; and

WHEREAS, the subject property is located in the Urban Community Future Land Use Category as designated by the Lee Plan; 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 requests to add <u>Consumption on premises of beer, wine and liquor in compliance with LDC §34-1264 in conjunction with a hotel/model (Tract 2D Only)</u> to the Schedule of Uses of Resolution Number Z-02-009 for a 4COP S Alcoholic Beverage License in conjunction with indoor and outdoor seating at a hotel known as Hyatt Place Estero; and

WHEREAS, development order number DOS2007-00202 was issued for the construction of a 75,000 square foot, 5 story, 108 unit hotel (see Master Development Plan, attachment B) on Tract 2D of the Coconut Point Master Concept Plan, attachment C); and

WHEREAS, pursuant to LDC §34-1264(b)(2)c, the hotel, under one roof, contains at least 100 guest rooms under the same roof; and

WHEREAS, a 2COP Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service at the hotel was approved, with conditions, by ADD2008-00092; and

WHEREAS, indoor seating is provided for approximately 58 people in a 2,173 square foot restaurant/lobby area (see 1st Floor Plan, attachment D); and

WHEREAS, outdoor seating and service for consumption on premises will be offered in the enclosed pool area with 8 tables and seating for a total of 40 persons (see Pool Area Plan, attachment E) and a veranda with seating for 16 persons (see 1st Floor Plan, attachment D); and

WHEREAS, on premises consumption of beer and wine will also be offered through room service; 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 an administrative amendment to the Coconut MPD to add <u>Consumption on premises of beer, wine and liquor in compliance with LDC §34-1264 in conjunction with a hotel/model (Tract 2D Only)</u> to the Schedule of Uses of Resolution Number Z-02-009 for a 4COP S Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service at a hotel is **APPROVED, subject to the following conditions:**

- 1. This Administrative Amendment is limited to:
 - a. The addition of <u>Consumption on premises of beer, wine and liquor in compliance with LDC §34-1264 in conjunction with a hotel/motel (Tract 2D Only)</u> to the Schedule of Uses of Resolution Number Z-02-009.
 - b. A 4COP S Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service at the hotel. If any other type of license is sought, a new approval in accordance with the LDC will be required.
- 2. Consumption on premises is limited to the 75,000 square foot, 5 story,108 unit hotel on Tract 2D of the Coconut Point Master Concept Plan (see Master Development Plan, attachment B) with indoor restaurant/lobby seating available for approximately 58 persons (see 1st Floor Plan, attachment D), outdoor seating in the enclosed pool area for approximately 40 persons (see Pool Plan Area,

attachment E) and in the veranda for approximately 16 persons (see 1st Floor Plan, attachment D), and room service available within the 75,000 square foot, 5 story,108 unit hotel (see Master Development Plan, attachment B).

- 3. The sale of alcoholic beverages is limited to the hours between 10:00 a.m. and 1:00 a.m. daily in the indoor restaurant/lobby seating and outdoor/pool seating areas.
- 4. Music for outdoor seating areas must be piped and is limited to the hours of 10:00 a.m. to 10:00 p.m. The volume must be at or below conversation level.
- 5. The terms and conditions of the original zoning resolutions remain in full force and effect.

DULY SIGNED this 11th day of_

, A.D., 2010

BY:

Pam Houck, Director Division of Zoning

Department of Community Development

Attachments:

A - Legal description

B - Master Development Plan

C - Coconut Point MPD Master Concept Plan

D - 1st Floor Plan

E - Pool Area Plan

ATTACHMENT A



6200 Whiskey Creek Drive • Fort Myers, Florida 33919 • Phone: 239.985.1200 • Fax: 239.985.1258 • Fax: 239.985.1259

HM PROJECT #2007012 5/21/2008 REF. DWG. #D-138

PROPERTY DESCRIPTION:

ALL OF LOT 3B-1 OF COCONUT POINT AREA 2 LOT 3B REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN INSTRUMENT NO. 2008000055764 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA

PROPERTY AREA = 3.463 ACRES

NOTES:

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF LOT 3B-1 OF COCONUT POINT AREA 2 LOT 3B REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN INSTRUMENT NO. 2008000055764 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. AS BEING N.83°47'09"E.

HOLE MONTES, INC.

CERTIFICATE OF AUTHORIZATION NUMBER LB 1772

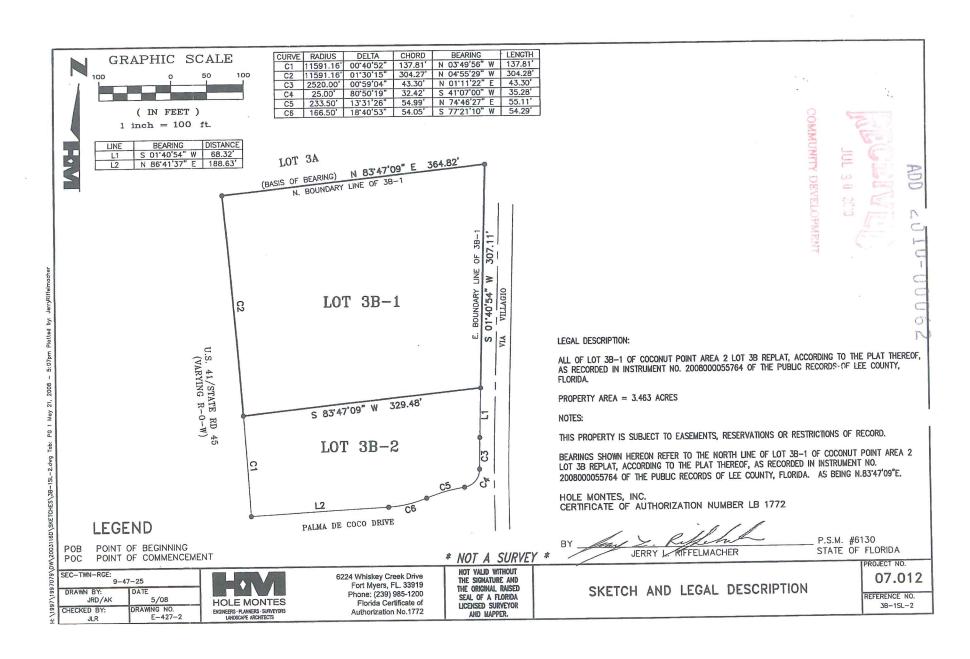
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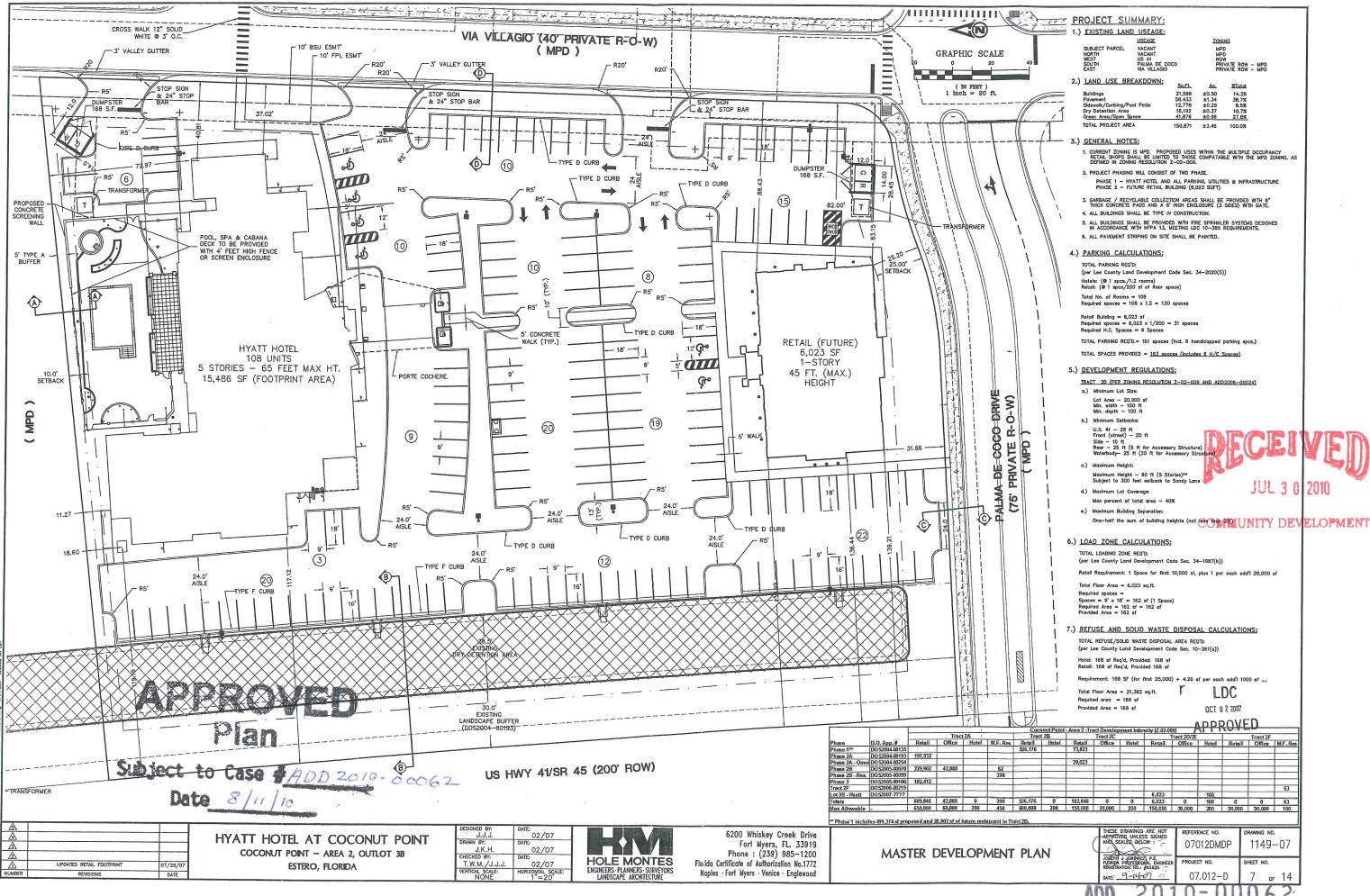
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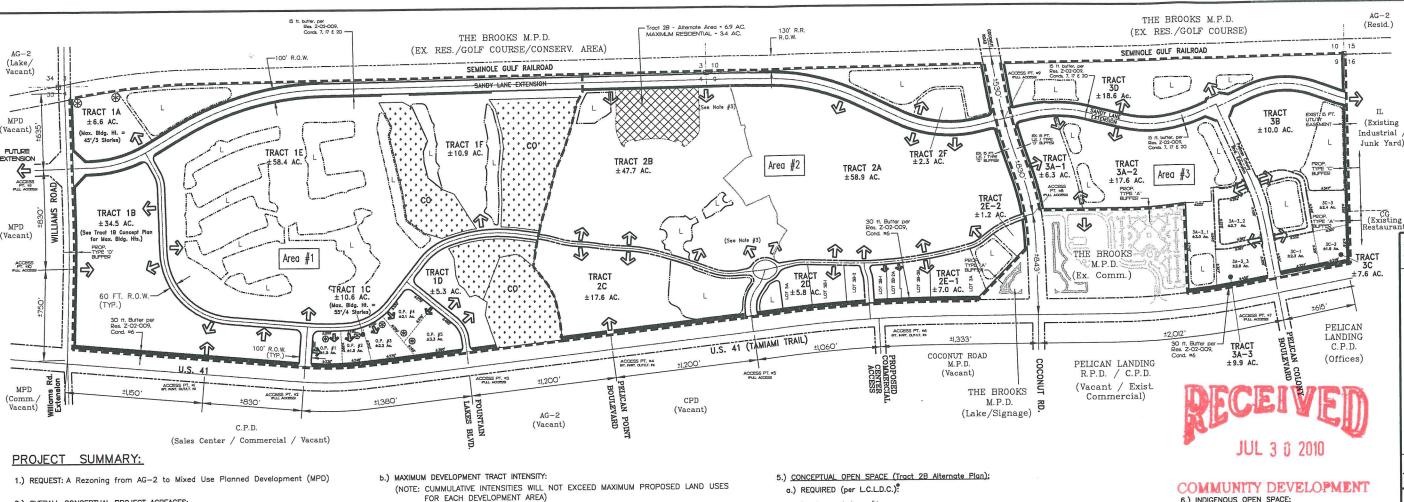
COMMUNITY DEVELOPMENT

ADD 2010-00062

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2.) OVERALL CONCEPTUAL PROJECT ACREAGES:

CONSERVATION AREAS	±33.4 ACRES
LAKES	±58.8 ACRES
INTERNAL (PRIVATE) R.O.W.	±20.2 ACRES
INTERNAL (PUBLIC) R.O.W.	±25.6 ACRES
GREEN AREAS / OPEN SPACE	± 8.7 ACRES
DEVELOPMENT TRACT AREAS	±335.7 ACRES
TOTAL	±482.4 ACRES

3.) CONCEPTUAL TRACT LAND USE/ACREAGE BREAKDOWN:

a.) DEVELOPMENT AREAS:

Total Development Area #1

Development Area #1: (Residential - 854 M.F. Units / Retail - Comm. 131,400 Sq.Ft. / Office 78,333 Sq.Ft. / Hotel 120 Rooms / Bank w/ D.T. - 4,000 sq.ft. / Performing Arts Center - 506 Seats)

Proposed Lakes	± 28.1 Ac.
Proposed Internal/Private R.O.W.	± 8.2 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 10.1 Ac.
Conservation Areas	± 33.4 Ac.
Green Areas / Open Space	± 4.7 Ac.
Development Areas (Tracts 1A - 1F)	± 126.3 Ac.
Total Development Area #1	±210.8 Ac.

Development Area #2: (Residential - 450 M.F. Units / Retail - Comm. 1,450,000 Sq.Ft. / Gen. Office 90,000 Sq.Ft. / Hotel - 200 Rooms)

Proposed Lakes	± 17.0 Ac.
Proposed Internal/Private R.O.W.	± 6.1 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 8.1 Ac.
Green Areas / Open Space Development Areas (Tracts 2A — 2F)	± 4.0 Ac. ± 140.5 Ac.
Total Development Area #2	±175.7 Ac.

Development Area #3: (Residential - 424 M.F. / A.L.F. Units / Retail - Comm. 57,500 Sq.Ft. /
Office 215,000 Sq.Ft. / Hotel - 120 Rooms / Bank w/ D.T. - 4,000 sq.ft.)

Proposed Lakes	± 13.7 Ac.	
Proposed Internal/Private R.O.W.	± 5.9 Ac.	
Proposed Public R.O.W. (Sandy Lane Extension)	± 7.4 Ac.	
Development Areas (Tracts 3A-1 thru 3 - 3D)	± 68.9 Ac.	
Total Development Area #3		±95.9 Ac.

FOR EACH DEVELOPMENT AREA)

15,000 s.f. Retail / 50,000 s.f. Office

90,000 s.f. Retail / 314 M.F. / Arts Center - 506 Seats

Tract 1C	60,000 s.f. Retail / 20,000 s.f. Office / 120 Room Hotel
Tract 1D	5,000 s.f. Retail / 30,000 s.f. Office / Fire Station
Tract 1E	450 M.F. DU's
Tract 1F	90 M.F. DU's
Development Area #2:	
Tract 2A	650,000 s.f. Retail / 450 M.F. DU's / 60,000 s.f. Office / 200 Room Hotel
Tract 2B	600,000 s.f. Retail / 200 Room Hotel / 200 M.F. DU's
Tract 2C	150,000 s.f. Retail / 20,000 s.f. Office / 200 Room Hotel
Tract 2D/E	150,000 s.f. Retail / 30,000 s.f. Office / 200 Room Hotel
Tract 2F	20,000 s.f. Retail / 30,000 s.f. Office / 100 Multi-family Unit
Development Area #3:	
Tract 3A-1 thru 3	60,000 s.f. Retail / 145,000 s.f. Office / 120 Room Hotel
Tract 3B	200 A.L.F. Units
Tract 3C	40,000 s.f. Retail / 90,000 s.f. Office / 120 Room Hotel

4.) PROJECT PHASING:

Tract 3D

Development Area #1:

Tract 1A

Tract 1B

	M.F. / A.L.F. (UNITS)	RETAIL COMM. (SQ.FT.)	OFFICE (SQ.FT.)	HOTEL (ROOMS)	BANK w DT (SQ.FT.)	ARTS CENTEI (SEATS
2001 - 2007	1,728*	1,638,900	383,333	440	8,000	506

*M.F. / A.L.F. UNITS MAY BE REPLACED WITH S.F. / T.F. / T.H. / DUPLEX USES SO LONG AS THE TOTAL NO. OF PEAK HOUR VEHICULAR TRIPS GENERATED BY THE DEVELOPMENT IS NOT INCREASED AND APPROVAL IS OBTAINED IN ACCORDANCE WITH RESOLUTION Z-02-009.

224 M.F. DU's

u.,	regorde (per Eo.Eb.o.).				
	Development Area #1:	107.0 4 70%	_	32.1	٨٥
	(LESS Sandy Lane Extension & Tract 1B (Resid)/	107.0 Ac. x 30%	I	32.1	AC.
	Tracts 1E & 1F)	93.7 Ac. x 40%	1	37.5	۸۵
	(Tracts 1B (Resid) / 1E / 1F)			37.3	AC.
	Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 A	AC RESIDENTIAL MAX]:			
	(LESS Sandy Lane Extension & Resid. Area)	158.4 Ac. x 30%	\pm	47.5	Ac.
	(Residential Area)	9.2 Ac. x 40%	±	3.7	Ac.
	Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO R	RESIDENTIAL]:			
	(LESS Sandy Lane Extension & Resid. Area)	161.8 Ac. x 30%	±	48.5	Ac.
	(Residential Area)	5.8 Ac. x 40%	±	2.3	Ac.
	Development Area #3:				
	(LESS Sandy Lane Extension & Tracts 3B & 3D)	59.7 Ac. x 30%	±	17.9	Ac.
	(Tract 3B & 3D)	28.8 Ac. x 40%	±	11.5	Ac.
	Total Open Space Required [ALT 1]:		±	150.2	Ac.
	Total Open Space Required [ALT 2]:		±.	149.8	Ac.

The % of Open Space may vary depending upon the ultimate land uses. **Includes Residential above Commercial uses.

b.)	PROVIDED) (pe	r LC.L	.D.C.):					
	Prop.	Lake	Areas	(@ <u><</u>	25.0%	of	150.2	Ac.)	

Prop. Conservation Areas		± 33.4 AC.
Development Area #1: Commercial Development (Tracts 1A/1B (Comm)/1C/1	D) 32.6 Ac. x 19.55%	± 6.4 Ac.
Residential Development (Tracts 1B (Resid)/1E/1F)	93.7 Ac. x 30.0%	± 28.1 Ac.
Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4	Sub—total AC RESIDENTIAL MAX]:	± 34.5 Ac.
Commercial Development (Tracts 2A - 2F)	131.3 Ac. x 19.52%	± 25.6 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
Residential Development (Tracts 2B)	3.4 Ac. x 23.5%	± 0.8 Ac.
Section delicological delication and	Sub-total	± 27.8 Ac.
Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO	RESIDENTIAL]:	
Commercial Development (Tracts 2A - 2F)	134.7 Ac. x 19.52%	± 26.3 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
	Sub-total	± 27.7 Ac.
Development Area #3:		
Commercial Development Tracts		
(Tenete 34-1 thru -3 & 3C)	42.6 Ac. x 19.55%	± 8.3 Ac.

28.8 Ac. x 30% ± 8.6 Ac. Residential Development (Tracts 3B & 3D) ± 16.9 Ac. Sub-total

*** +150 2 Ac Total Open Space Provided [ALT 1]: *** ±150.1 Ac. Total Open Space Provided [ALT 2]:

6.) INDIGENOUS OPEN SPACE:

DUE TO THE EXISTING AGRICULTURAL LAND USE AND THE EXTENT OF MELALEUCA INVASION WITHIN THE REMAINING FORESTED AREAS, NO INDIGENOUS OPEN SPACE IS REQUIRED

7.) NOTES:

± 37.6 Ac.

- Internal access will be provided to allow through traffic between US 41 and Sandy Lane Extension
- For Tracts 1A and 1C general service area locations, see above MCP. For Tract 1B general service area locations, see Tract 1B concept plan and Tract 1B Plan Details.
- The project will be designed to facilitate the use of the Lee Tran services in accordance with Lee County LDC Sec. 34-411(e) and 10-442.

2010-00062

PROPERTY BOUNDARY ROAD R.O.W. LINE CONSERVATION PROPOSED LAKE 4 CONCEPTUAL ADJACENT ZONING / LAND USE (DEVELOPED) GENERAL LOCATION OF SERVICE AREAS

DESIGNED: E.M.C. 08/16 08/16, DATE: 08/19 HORZ. SCALE 1"= 80 ERT, SCALE

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OINT

COCONUT

LAN

1

CONCEPT

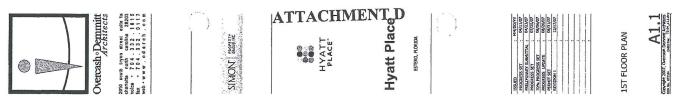
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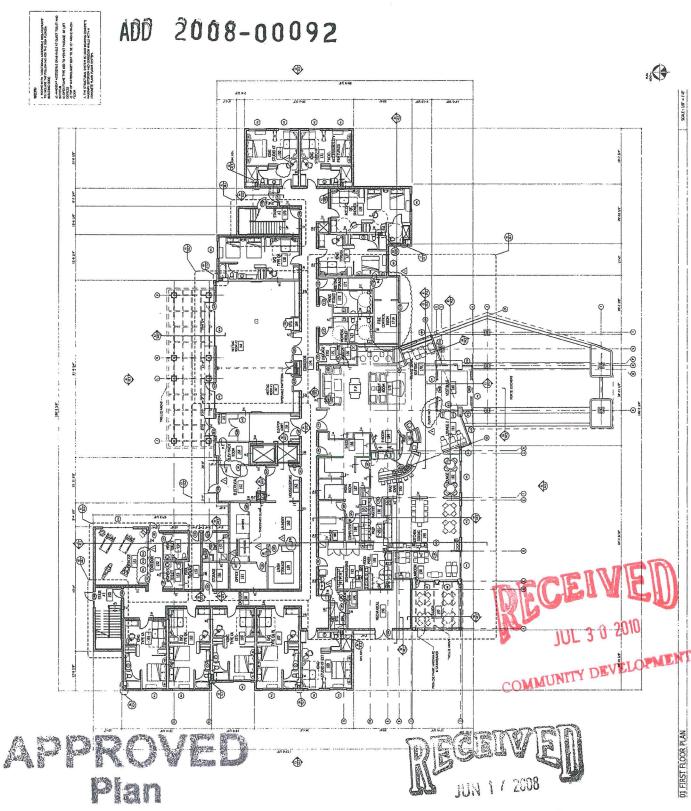
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SCALE: 1" = 800 ATTACHMENT 'A





Subject to Case # ADD2010-00062

PERMIT COUNTER



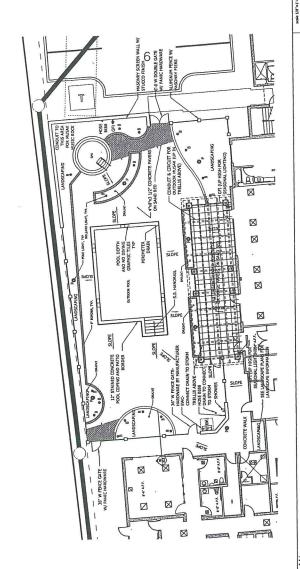


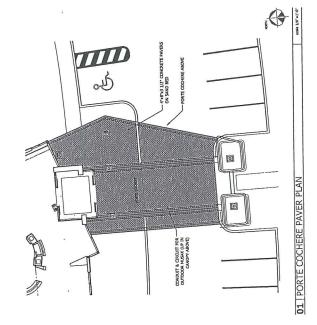


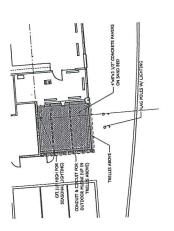


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02 | VERANDA AREA PLAN







APPROVED Plan

Subject to Case # ADD2010-00062

ADD 2010-00062



COMMUNITY DEVELOPMENT