

ADMINISTRATIVE AMENDMENT (PD) ADD2014-00151

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Estero Three Oaks Partners, LLC filed an application for an administrative amendment to a Mixed Planned Development on a project known as Estero Oaks MPD to amend the open space calculations for individual tracts, while keeping the overall open space calculations the same, and to request the following deviation:

A deviation from LDC Section 34-1748 (5) which requires a paved turnaround, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle to be provided on the ingress side of the gate to allow for a paved turn-around having a turning radius sufficient to accommodate a U-turn for a passenger vehicle for one of the three ingress and egress points to the residential tract of the development.

on property located at the northwest corner of Three Oaks and Estero Parkways., described more particularly as:

LEGAL DESCRIPTION: In Section 22, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution number Z-14-011; 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 wishes to amend the open space table of the Master Concept Plan by adjusting the open space requirements for some tracts, while keeping the total area of the open space the same; and

WHEREAS, the residential portion of the site contains three entrances from the internal road; and

WHEREAS, the applicant wishes to designate the southwest entrance to the residential tract as "residents only" entrance; and

WHEREAS, the applicant is requesting a deviation from LDC Section 34-1748 (5) which requires a paved turnaround, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle to be provided on the ingress side of the gate to allow for a paved turn-around having a turning radius sufficient to accommodate a U-turn for a passenger vehicle for the "residents only" entrance; and

WHEREAS, this development will contain two other access points, each with a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle; and

WHEREAS, due to the existing site constraints, it is not practical to provide a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle but it is possible to provide a paved turn-around having a turning radius sufficient to accommodate a U-turn for a passenger vehicle for the southwestern entrance to the residential tract of the development; and

WHEREAS, the applicant is proposing signage to warn guests, visitors, and delivery trucks that the secondary access on the southwest side of the development is for residents only and indicate the location of other entrances to the development; and

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

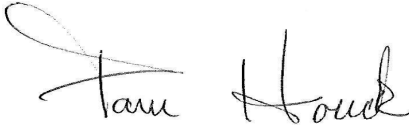
WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Mixed Use Planned Development to amend the open space calculations for individual tracts, while keeping the overall open space calculations the same, and to request a deviation from LDC Section 34-1748 (5) which requires a paved turnaround, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle to be provided on the ingress side of the gate to allow for a paved turn-around having a turning radius sufficient to accommodate a U-turn for a passenger vehicle for one of the three ingress and egress points to the residential tract of the development is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated 9/12/2014. Master Concept Plan for ADD2014-00151 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit "B".**
2. **The terms and conditions of the original zoning resolution remain in full force and effect, except as amended herein.**

3. The deviation approved herein is only applicable to the southwest entrance to the residential tract of this development, and must be designed and built in substantial compliance with the plot plan attached hereto as Exhibit "C".
4. Appropriate signage, including "Residents Only" and "No Trucks" signs must be installed at the southwest entrance and direct the visitors and trucks to the main entrance of the residential tract.
5. Development order plans must depict open space in compliance with the approved revised MCP open space calculations table.
6. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

DULY PASSED AND ADOPTED ON 9/24/2014

BY: 

Electronically Signed by
Pam Houck, Director
Division of Zoning
Department of Community Development

Attachments: Exhibit A: Legal Description
 Exhibit B: Master Concept Plan
 Exhibit C: Plot Plan (Gate and Signage Exhibit)

Banks Engineering

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS

FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690

10511 SIX MILE CYPRESS PARKWAY - SUITE 101

FORT MYERS, FLORIDA 33912

(239) 939-5490

APPROVED

ADD2014-00151

Chick Jakacki, Planner

Lee Co Division of Zoning

8/14/2014

NOTES:

SUBJECT TO EASEMENTS, RESTRICTIONS,
RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE "STATE PLANE
COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83
(CORS), WHEREIN THE SOUTH LINE OF THE
SOUTHEAST ONE-QUARTER (SE $\frac{1}{4}$) OF SECTION 22
BEARS S 88°38'20" W. THE STATION IS THE
ANTENNA REFERENCE POINT OF THE GPS ANTENNA
BASED AT PAGE FIELD. THE STATION IS A GPS
CONTINUOUSLY OPERATING REFERENCE STATION
DESIGNATION - FORT MYERS CORS ARP.
HORIZONTAL VALUES WERE ESTABLISHED AND
ADJUSTED BY THE NATIONAL GEODETIC SURVEY IN
MARCH 2004. THE HORIZONTAL VALUES WERE
ESTABLISHED BY GPS OBSERVATIONS. THE SCALE
FACTOR IS 0.999946512.

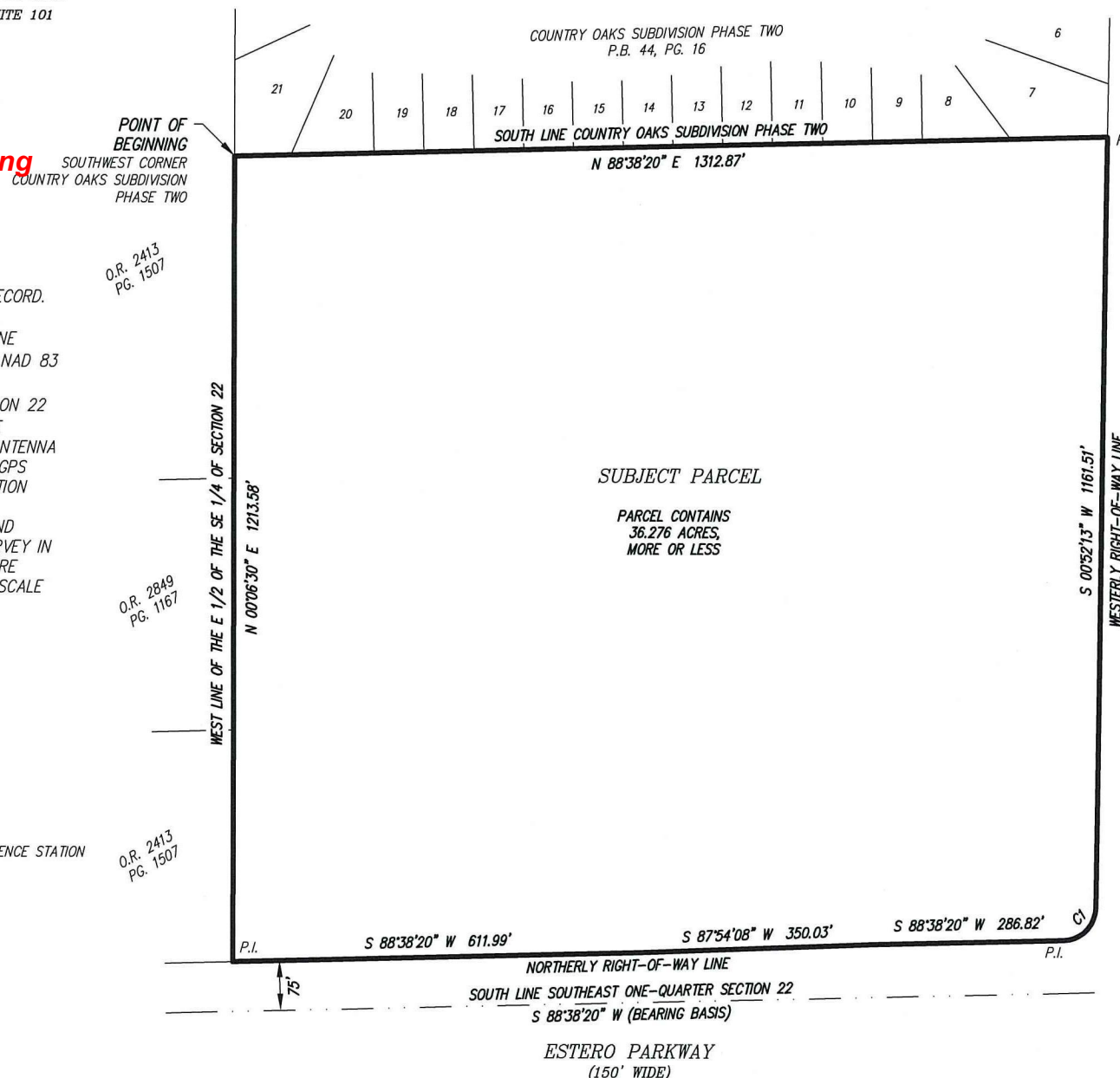
LEGEND:

C1 INDICATES CURVE 1 OF THE CURVE TABLE
I.N. INDICATES INSTRUMENT NUMBER
O.R. INDICATES OFFICIAL RECORDS BOOK
PG. INDICATES PAGE NUMBER
P.B. INDICATES PLAT BOOK
P.I. INDICATES POINT OF INTERSECTION
CORS INDICATES CONTINUOUSLY OPERATION REFERENCE STATION
20 INDICATES LOT NUMBER

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	50.00'	87°46'07"	76.59'	69.32'	S 44°45'17" W

EXHIBIT A



SKETCH OF DESCRIPTION

OF
A TRACT OR PARCEL OF LAND LYING IN
SECTION 22, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF
FLORIDA, COUNTY OF LEE, LYING IN SECTION 22, TOWNSHIP
46 SOUTH, RANGE 25 EAST, BEING ALL OF PARCEL 1 AS
DESCRIBED IN INSTRUMENT NUMBER 2009000306100, OF THE
PUBLIC RECORDS OF SAID LEE COUNTY, BEING FURTHER
BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF COUNTRY OAKS
SUBDIVISION PHASE TWO AS RECORDED IN PLAT BOOK 44,
PAGE 15 OF THE PUBLIC RECORDS OF SAID LEE COUNTY;
THENCE N 88°38'20" E ALONG THE SOUTH LINE OF SAID
COUNTRY OAKS SUBDIVISION PHASE TWO FOR 1,312.87 FEET
TO THE SOUTHEAST CORNER OF SAID COUNTRY OAKS
SUBDIVISION PHASE TWO AND AN INTERSECTION WITH THE
WEST RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (100.00
FEET WIDE); THENCE S 00°52'13" W ALONG SAID WEST LINE
FOR 1,161.51 FEET TO THE BEGINNING OF A CURVE TO THE
RIGHT HAVING A RADIUS OF 50.00 FEET; THENCE
SOUTHWESTERLY ALONG SAID CURVE AND THE NORTH LINE
OF ESTERO PARKWAY (WIDTH VARIES) THROUGH A CENTRAL
ANGLE OF 87°46'07" FOR 76.59 FEET; THENCE S 88°38'20" W
ALONG SAID NORTH LINE FOR 286.82 FEET; THENCE S
87°54'08" W ALONG SAID NORTH LINE FOR 350.03 FEET;
THENCE S 88°38'20" W ALONG SAID NORTH LINE FOR 611.99
FEET TO AN INTERSECTION WITH THE WEST LINE OF THE
EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION
22; THENCE N 00°06'30" E ALONG SAID WEST LINE FOR
1,213.58 FEET TO THE POINT OF BEGINNING.

**THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY**

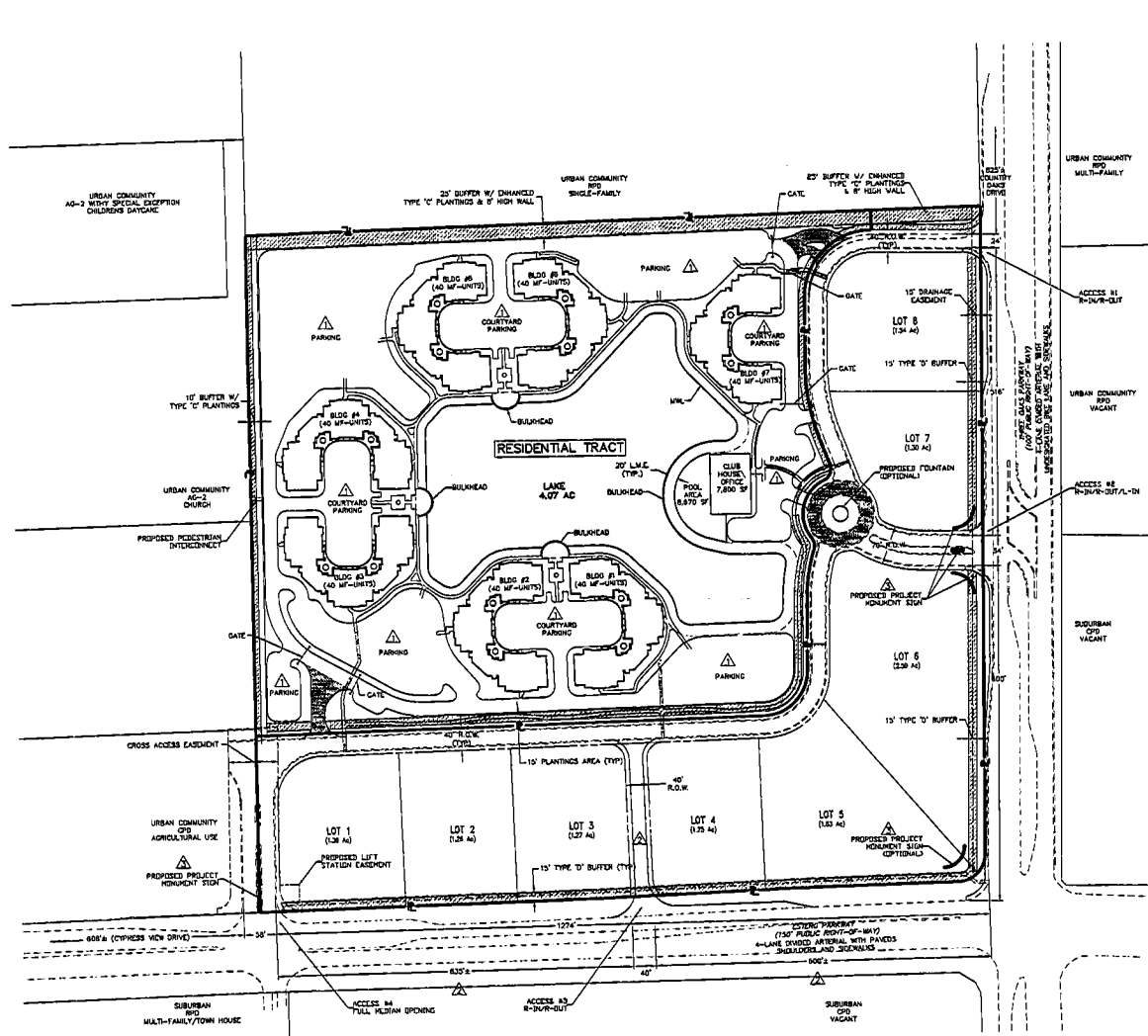


1" = 250'

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- DATE SIGNED 08-13-2014
- THIS SKETCH OF DESCRIPTION IS NOT VALID
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 08-06-2014
SHEET 1 OF 1



LEGEND:

- = BUFFER
- = LAKE
- = DEVIATION #X LOCATION

LAND USE BREAKDOWN:

RESIDENTIAL PARCEL		
LAKE	= 4.07 AC±	= 20.9 AC±
PARKING/ ROADS	= 7.23 AC±	
BUILDINGS	= 3.25 AC±	
OPEN SPACE/ PEDESTRIAN WALKS/ POOL AREA	= 6.29 AC±	
COMMERCIAL PARCELS		
ROAD RIGHT OF WAY	= 12.4 AC±	
AREA TOTAL	= 3.9 AC±	
AREA TOTAL	= 36.3 AC±	

OPEN SPACE CALCULATION:

OPEN SPACE REQUIRED:		
RESIDENTIAL (NET OF LAKE):	18.84 x 40%	= 6.74 AC
COMMERCIAL:	12.40 x 30%	= 3.72 AC
LAKE (RESIDENTIAL):	0.58 x 4.03 x 40%	= 0.93 AC
LAKE (COMMERCIAL):	0.42 x 4.03 x 30%	= 0.51 AC
ROAD R-O-W (RESIDENTIAL):	0.58 x 3.00 x 40%	= 0.70 AC
ROAD R-O-W (COMMERCIAL):	0.42 x 3.00 x 30%	= 0.38 AC
TOTAL OPEN SPACE REQUIRED		= 12.98 AC

OPEN SPACE PROVIDED:		
RESIDENTIAL OPEN SPACE/PUBLIC USE		= 5.97 AC (SEE NOTE)
COMMERCIAL OPEN SPACE @ 22%		= 2.73 AC
LAKE (25% OF REQUIRED)		= 3.25 AC
ROAD R-O-W		= 1.03 AC
TOTAL OPEN SPACE PROVIDED		= 12.98 AC

NOTE: INCLUDES 10% IMPERVIOUS WALKS, POOL, ETC.

PROPOSED DEVELOPMENT INTENSITY:

RESIDENTIAL TRACT = 280 MULTI-FAMILY UNITS
COMMERCIAL (LOTS 1-5) = 130,000 S.F. RETAIL/OFFICE

RESIDENTIAL PARKING CALCULATION:

PARKING REQUIRED:
280 MF UNITS x 2 SPACES / UNIT = 560 SPACES
7800 SF AMENITY x 4 SPACES/1000 SF = 32 SPACES
10% GUEST PARKING = 56 SPACES
TOTAL REQUIRED = 648 SPACES
PARKING PROVIDED:
648 SPACES LESS 5% FOR PARKING REDUCTION DEVIATION #1
TOTAL PROVIDED = 616 SPACES

1. SITE PLAN	2. LAND USE BREAKDOWN	3. OPEN SPACE CALCULATION	4. PROPOSED DEVELOPMENT INTENSITY	5. RESIDENTIAL PARKING CALCULATION	6. MASTER CONCEPT PLAN	7. SITE PLAN	8. LAND USE BREAKDOWN	9. OPEN SPACE CALCULATION	10. PROPOSED DEVELOPMENT INTENSITY	11. RESIDENTIAL PARKING CALCULATION	12. MASTER CONCEPT PLAN
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BANKS
ENGINEERING

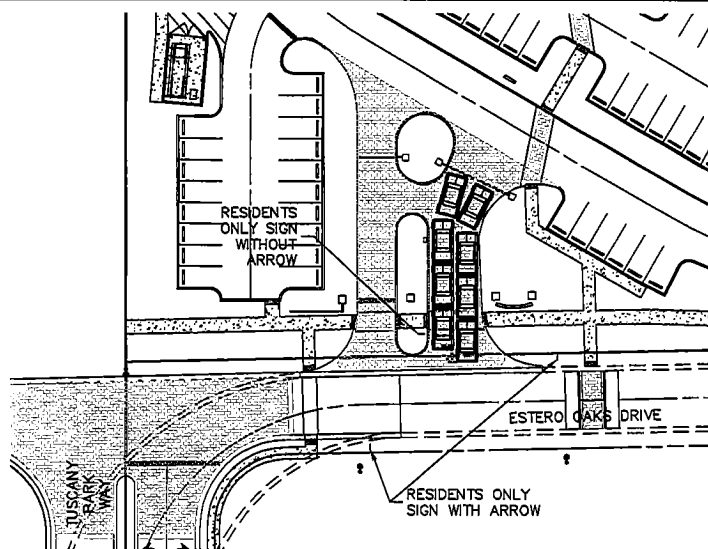
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

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PHONE: (239) 839-2940 FAX: (239) 839-2923
CHICKENING LUGGERS & BOB BARR
SUPPORT LUGGERS & BOB BARR
WWW.BANKSENGINEERING.COM

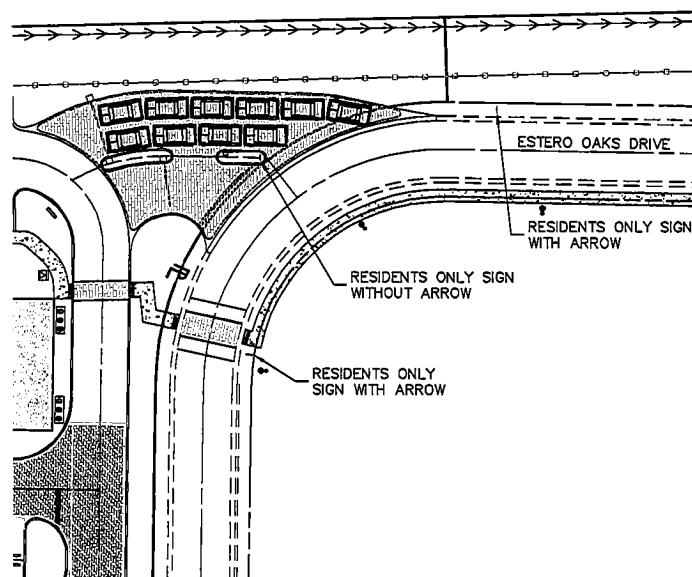
MASTER CONCEPT PLAN
ESTERO OAKS MPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
11/25/2013	1834U	_MCP	DESIGN	SDJ		1"=100'	1

EXHIBIT "B"



SOUTHWEST ENTRANCE DETAIL
N.T.S.



NORTHEAST ENTRANCE DETAIL
N.T.S.

**RESIDENTS
ONLY
NO GUEST
ACCESS**

**RESIDENTS
ONLY**



**NO GUEST
ACCESS**

**RESIDENTS
ONLY**



**NO GUEST
ACCESS**

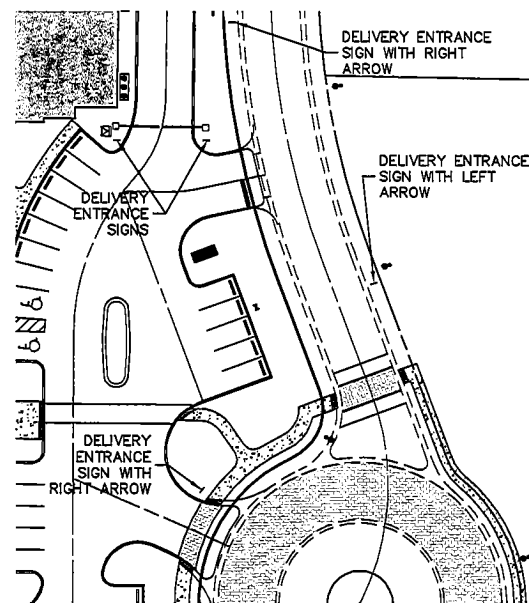
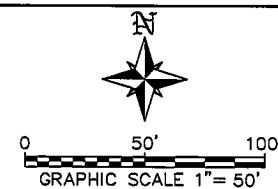
**DELIVERY
ENTRANCE**

**SEE MAIN
OFFICE FOR
ACCESS**

DELIVERIES
THIS
ENTRANCE



DELIVERIES
THIS
ENTRANCE



RECREATION CENTER ENTRANCE DETAIL
N.T.S.

BANKS

ENGINEERING

Professional Engineers, Planners, & Land Surveyors
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LAKE BUZZY, FLORIDA 34280
PHONE: (844) 823-7183 FAX: (844) 823-1144
DISCOUNTING LICENSE # 08 6488
BUYER LICENSE # LB 6880
WWW.BANCORP.COM

GATE SIGNAGE EXHIBIT
ESTERO OAKS MPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8-10-14	163411	SIGNAGE	BMH	DCY	CMB	1"=40'	1

EXHIBIT "C"