

ADMINISTRATIVE AMENDMENT (PD) ADD2019-00116

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, The Athenian Academy Educational Facilities, Inc/The Athenian Academy, Inc have filed an application for an administrative amendment to a Commercial Planned Development on a project known as Athenian Three Oaks Charter to add the following deviation from Chapter 10 of the Lee County Land Development Code (LDC):

Deviation from LDC Section 10-285 requiring a minimum connection separation of 60 feet for local roads in future urban areas, to permit a reduced connection separation to 33.59 feet between the two entrances to the Pre-K Parking lot and interim K-8 modulars along Oak Center Drive, and to 38.24 feet between the K-8 parent pickup loop and the west entrance to the Pre-K Parking lot along Oak Center Drive.

WHEREAS, the subject property is located off of Oaks Center Drive, described more particularly as:

LEGAL DESCRIPTION: In Section 15, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned to CPD by the adoption of Resolution Number Z-91-083 (with subsequent amendment in ADD2019-00040); and

WHEREAS, the subject property is designated as Urban Community on the Future Land Use Map of the Lee County Comprehensive Plan (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 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, the application has been reviewed by County staff as provided for under LDC Section 10-104(b);

WHEREAS, County staff finds Oaks Center Drive has a posted speed limit of 25 miles per hour, far less than 45 miles per hour; and

WHEREAS, County staff confirms the requested deviation is supported by sound engineering practices; is no less consistent with the health, safety and welfare of abutting

landowners and the general public than the standard from which the deviation is being requested; and granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; 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 to add the following deviation to the Commercial Planned Development is **APPROVED, subject to the following conditions:**

Deviation

Deviation from LDC Section 10-285 requiring a minimum connection separation of 60 feet for local roads in future urban areas, to permit a reduced connection separation to 33.59 feet between the two entrances to the Pre-K Parking lot and interim K-8 modulars along Oak Center Drive, and to 38.24 feet between the K-8 parent pickup loop and the west entrance to the Pre-K Parking lot along Oak Center Drive.

Conditions

- 1. The terms and conditions of the original zoning resolution, as amended, remain in full force and effect, except as granted herein.**
- 2. Development of the vehicular accesses as part of the deviation request must be consistent with Exhibit B. The location of the deviation is highlighted in Yellow in Exhibit B.**
- 3. 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 Zoning Manager 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, adopted, and electronically signed on 9/16/2019

Audra Ennis, Zoning Manager
Lee County Community Development

EXHIBITS

- A. Legal Description**
- B. Plan depicting Deviation**

REVIEWED
ADD2019-00116
Daniel Munt, Planner
Lee County DCD
8/8/2019

EXHIBIT A

CASE NUMBER: ADD2019-00116

LEGAL DESCRIPTION

**LOT B OF THREE OAKS TOWN CENTER SECOND ADDITION,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN
INSTRUMENT 2019000149711, OF THE PUBLIC RECORDS OF LEE
COUNTY, FLORIDA**

STRAP NUMBER

15-46-25-L3-20000.00B0

REFUSE AND SOLID WASTE DISPOSAL AREAS:

SOLID WASTE DISPOSAL REQUIREMENTS PER LEE COUNTY LAND DEVELOPMENT CODE SECTION 10-261 (COMMERCIAL BUSINESS BUILDING SQ. FT.)

PRE-K SCHOOL BUILDING

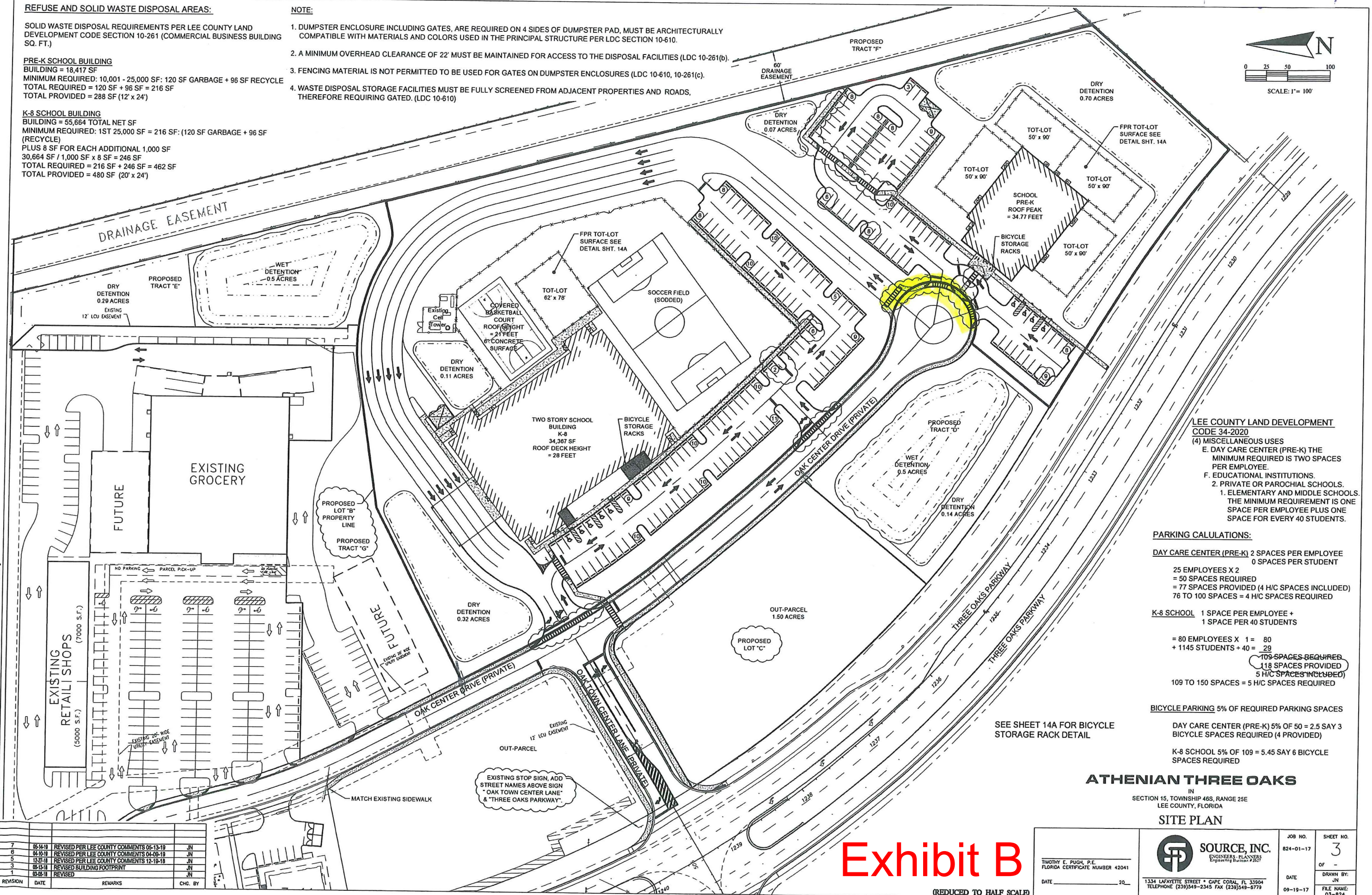
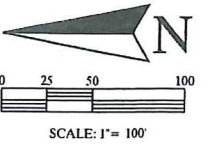
BUILDING = 18,417 SF
MINIMUM REQUIRED: 10,001 - 25,000 SF: 120 SF GARBAGE + 96 SF RECYCLE
TOTAL REQUIRED = 120 SF + 96 SF = 216 SF
TOTAL PROVIDED = 288 SF (12' x 24')

K-8 SCHOOL BUILDING

BUILDING = 55,664 TOTAL NET SF
MINIMUM REQUIRED: 1ST 25,000 SF = 216 SF: (120 SF GARBAGE + 96 SF RECYCLE)
PLUS 8 SF FOR EACH ADDITIONAL 1,000 SF
30,664 SF / 1,000 SF x 8 SF = 246 SF
TOTAL REQUIRED = 216 SF + 246 SF = 462 SF
TOTAL PROVIDED = 480 SF (20' x 24')

NOTE:

1. DUMPSTER ENCLOSURE INCLUDING GATES, ARE REQUIRED ON 4 SIDES OF DUMPSTER PAD, MUST BE ARCHITECTURALLY COMPATIBLE WITH MATERIALS AND COLORS USED IN THE PRINCIPAL STRUCTURE PER LDC SECTION 10-610.
2. A MINIMUM OVERHEAD CLEARANCE OF 22' MUST BE MAINTAINED FOR ACCESS TO THE DISPOSAL FACILITIES (LDC 10-261(b)).
3. FENCING MATERIAL IS NOT PERMITTED TO BE USED FOR GATES ON DUMPSTER ENCLOSURES (LDC 10-610, 10-261(c)).
4. WASTE DISPOSAL STORAGE FACILITIES MUST BE FULLY SCREENED FROM ADJACENT PROPERTIES AND ROADS, THEREFORE REQUIRING GATED. (LDC 10-610)



LEE COUNTY LAND DEVELOPMENT CODE 34-2020

- (4) MISCELLANEOUS USES
- E. DAY CARE CENTER (PRE-K) THE MINIMUM REQUIRED IS TWO SPACES PER EMPLOYEE.
- F. EDUCATIONAL INSTITUTIONS.
2. PRIVATE OR PAROCHIAL SCHOOLS.
1. ELEMENTARY AND MIDDLE SCHOOLS. THE MINIMUM REQUIREMENT IS ONE SPACE PER EMPLOYEE PLUS ONE SPACE FOR EVERY 40 STUDENTS.

PARKING CALCULATIONS:

DAY CARE CENTER (PRE-K) 2 SPACES PER EMPLOYEE
0 SPACES PER STUDENT

25 EMPLOYEES X 2
= 50 SPACES REQUIRED
= 77 SPACES PROVIDED (4 H/C SPACES INCLUDED)
76 TO 100 SPACES = 4 H/C SPACES REQUIRED

K-8 SCHOOL 1 SPACE PER EMPLOYEE +
1 SPACE PER 40 STUDENTS

= 80 EMPLOYEES X 1 = 80
+ 1145 STUDENTS + 40 = 29
109 SPACES REQUIRED
118 SPACES PROVIDED
5 H/C SPACES INCLUDED
109 TO 150 SPACES = 5 H/C SPACES REQUIRED

BICYCLE PARKING 5% OF REQUIRED PARKING SPACES

DAY CARE CENTER (PRE-K) 5% OF 50 = 2.5 SAY 3
BICYCLE SPACES REQUIRED (4 PROVIDED)

K-8 SCHOOL 5% OF 109 = 5.45 SAY 6 BICYCLE
SPACES REQUIRED

ATHENIAN THREE OAKS

IN
SECTION 15, TOWNSHIP 46S, RANGE 25E
LEE COUNTY, FLORIDA

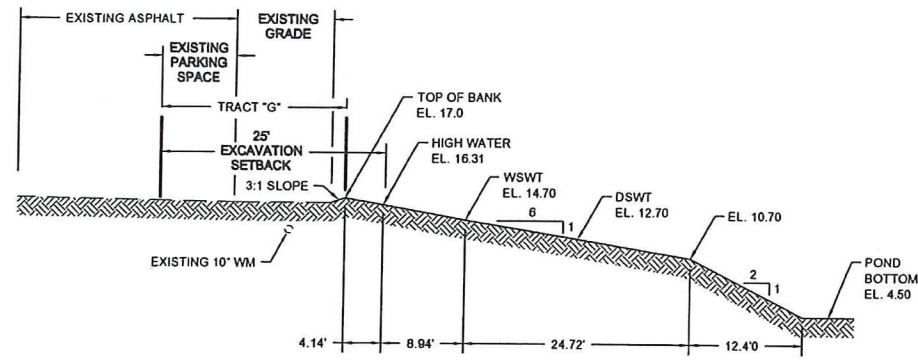
SITE PLAN

Exhibit B

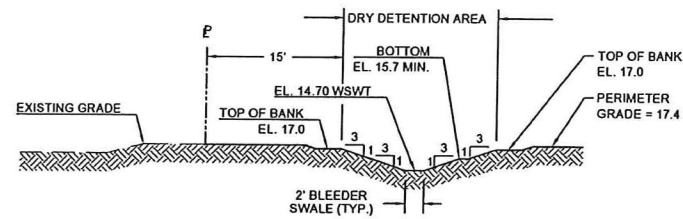
(REDUCED TO HALF SCALE)

TIMOTHY E. PUGH, P.E. FLORIDA CERTIFICATE NUMBER 42041		 SOURCE, INC. ENGINEERS, PLANNERS <i>Engineering Business Since 1957</i>	JOB NO. 824-01-17	SHEET NO. 3
DATE 20.			OF	
1334 LAFAYETTE STREET * CAPE CORAL, FL 33904 TELEPHONE (239)549-2345 FAX (239)549-8779			DRAWN BY: JN	
			FILE NAME: 03-824	

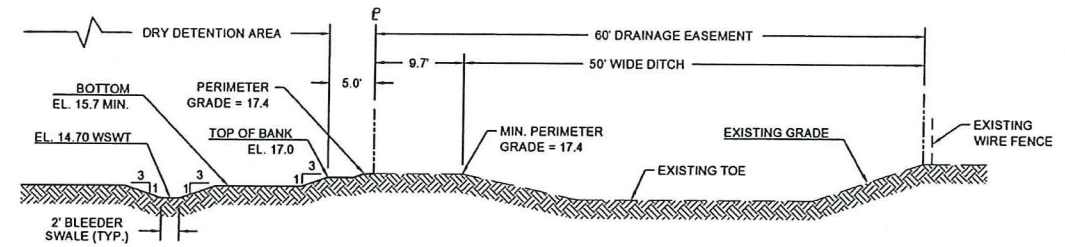
REVISION	DATE	REMARKS	CHG. BY
7	05-14-19	REVISED PER LEE COUNTY COMMENTS 05-13-19	JN
6	04-10-19	REVISED PER LEE COUNTY COMMENTS 04-09-19	JN
5	12-27-18	REVISED PER LEE COUNTY COMMENTS 12-19-18	JN
3	05-13-18	REVISED BUILDING FOOTPRINT	JN
1	03-08-18	REVISED	JN



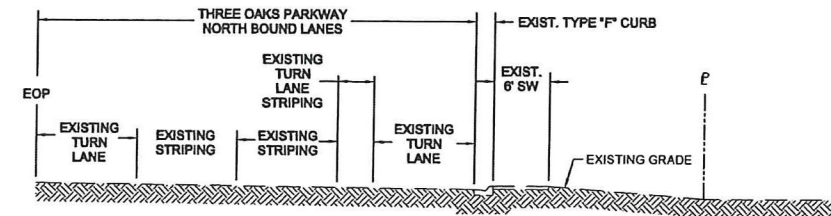
SECTION K-K
SCALE: 1"=20'



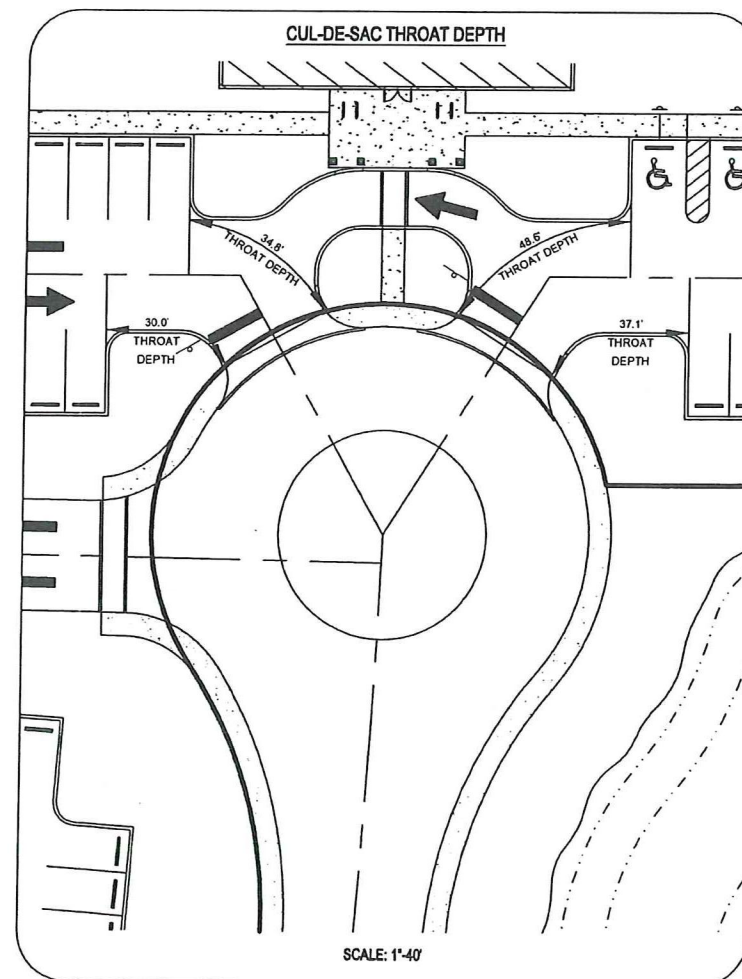
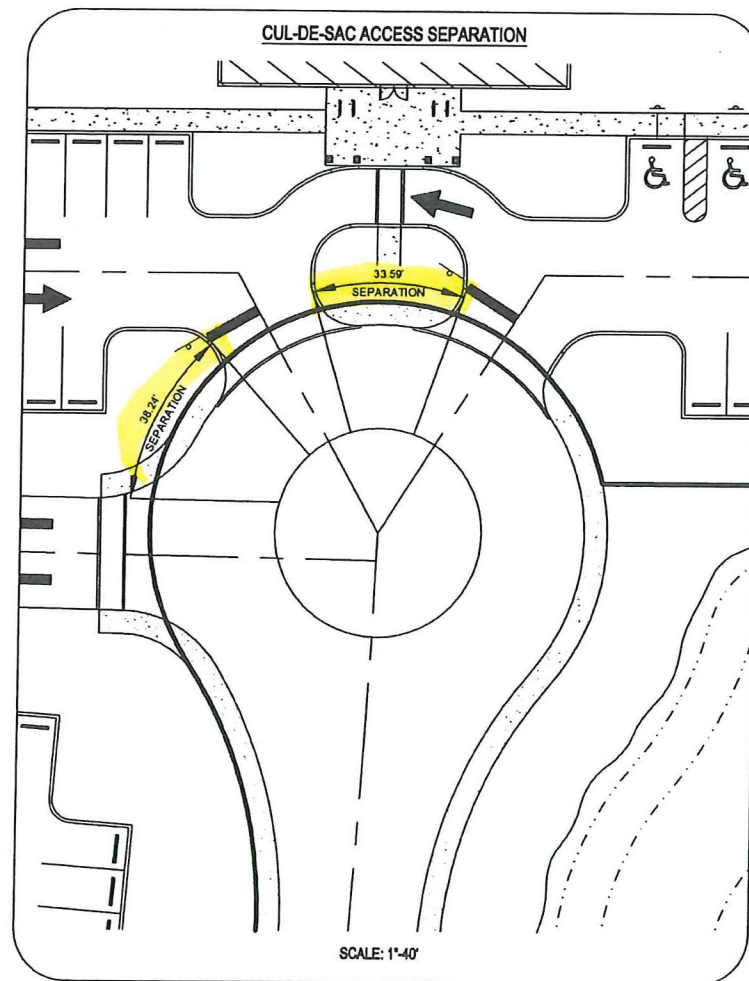
SECTION M-M
SCALE: 1"=20'



SECTION L-L
SCALE: 1"=20'



SECTION N-N
SCALE: 1"=20'



NOTE:
SEE SHEET 5 FOR
SECTION LOCATIONS,
SEE SHEET 14A FOR
SECTION I-I.

ATHENIAN THREE OAKS

IN
SECTION 15, TOWNSHIP 48S, RANGE 25E
LEE COUNTY, FLORIDA

CROSS SECTIONS

TIMOTHY E. PUGH, P.E. FLORIDA CERTIFICATE NUMBER 42041	SOURCE, INC. ENGINEERS, PLANNERS 1334 LAFAYETTE STREET • CAPE CORAL, FL 33904 TELEPHONE (239)549-2345 FAX (239)549-8779	JOB NO. 824-01-17	SHEET NO. 12A
		DATE 05-14-19	DRAWN BY: JN FILE NAME: 12A-824

(REDUCED TO HALF SCALE)

REVISION	DATE	REMARKS	CHG. BY
7	05-14-19	REVISED PER LEE COUNTY COMMENTS 05-13-19	JN