

ADMINISTRATIVE AMENDMENT (PD) ADD2003-00043

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Grand Bay Plaza, Ltd. filed an application for administrative approval to a Commercial Planned Development on a project known as Grand Bay Plaza to shift the large retail building approximately 100-feet to the south, on property located at 19100 South Tamiami Tr., described more particularly as:

LEGAL DESCRIPTION: In Section 17 & 20, Township 45 South, Range 25 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the property was originally rezoned in case number 95-01-010.03Z (with subsequent amendments in case numbers ADD2000-00041 & DOS2002-00176); 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, 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 Commercial Planned Development is **APPROVED**.

Approval is subject to the following conditions:

- 1. Wall mounted security lighting must be fully shielded as not to cast glare on adjacent properties.**
- 2. A parapet wall must be provided along all sides of the Publix building to shield rooftop mechanical equipment from view from adjacent properties.**

3. No trucks shall be permitted to park or stop for loading or unloading purposes along the roadway or parking areas located on the north, south, and west sides of the building labeled Multi-Use Complex on the Master Concept Plan, dated April 8, 2003; stamped received April 9, 2003 between the hours of 11:00pm and 7:00 am and appropriate signage will be installed to so direct.
4. An increased buffer wall must be 8-feet in height from a point 300 feet west of the Publix Store to a point 150-feet east of the store. Enhanced plantings must be placed the entire length of the 8-foot wall. Sabal palms having a clear trunk height of 10-feet to 16-feet, at the time of installation, must be installed on 10-foot centers.
5. Three gallon size, at the time of installation, cocoplum hedge must be planted on 36-inch centers from the beginning of the 8-foot wall west of the store up to the point on the south property line where the property line makes a 90-degree jog to the north, approximately 550 feet east of the store.
6. Plantings along the 8-foot wall will be planted on the residential side of the wall.
7. The Development must be in compliance with the amended Master Concept Plan, dated April 8, 2003; stamped received April 9, 2003. Master Concept Plan for ADD2003-00043 is hereby APPROVED and adopted. A reduced copy is attached hereto.
8. The terms and conditions of the original zoning resolutions remain in full force and effect.
9. Prior to Development Order approval the changes in the buffer and vegetation requirements must be shown on the landscape betterment plan.

DULY SIGNED this 15th day of April, A.D., 2003.

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

EXHIBIT "A"

BBLS

SURVEYORS & MAPPERS INC.

1502-A RAILHEAD BLVD.

NAPLES, FLORIDA 34110

TELEPHONE: 239-597-1315

FAX: (239) 597-5207

LEGAL DESCRIPTION

GRAND BAY PLAZA

A PORTION OF SECTIONS 17 AND 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

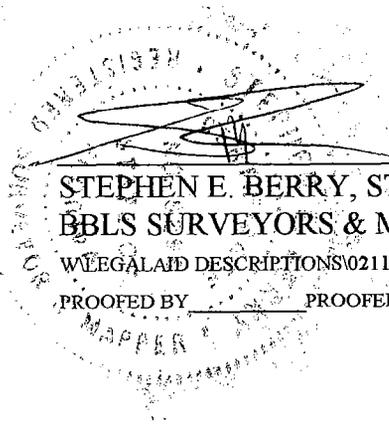
BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20, THE SAME BEING THE NORTHWEST CORNER OF LOT 1, SAN CARLOS GROVE TRACT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4 AT PAGE 75 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE N.87°32'10"E., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AND THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 1,608.13 FEET; THENCE N.53°07'22"E., A DISTANCE OF 439.16 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. 41 - TAMiami TRAIL (A 200 FOOT WIDE RIGHT OF WAY); THENCE S.36°54'21"E., ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 367.89 FEET; THENCE S.53°07'22"W., A DISTANCE OF 282.00 FEET; THENCE S.36°53'40"E., A DISTANCE OF 166.13 FEET; THENCE N.87°32'16"E., A DISTANCE OF 95.49 FEET TO THE POINT OF CURVE OF A NON TANGENTIAL CURVE TO THE LEFT, HAVING: A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 34°26'19", A CHORD BEARING OF N.70°15'21"E., AND A CHORD LENGTH OF 100.65 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 102.18 FEET; THENCE N.53°02'09"E., A DISTANCE OF 107.10 FEET TO SAID SOUTHWESTERLY RIGHT OF WAY LINE; THENCE S.36°54'21"E., ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 315.76 FEET; THENCE S.87°31'48"W., A DISTANCE OF 2,512.52 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE N.00°53'43"W., ALONG SAID WESTERLY LINE, A DISTANCE OF 521.92 FEET TO THE **POINT OF BEGINNING**. PARCEL CONTAINS 27.88 ACRES, MORE OR LESS.

BEARINGS SHOWN HEREON REFER TO SAN CARLOS GROVES TRACT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4 AT PAGE 75 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

RECEIVED

APR 09 2003

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



04/07/03

STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296)

BBL SURVEYORS & MAPPERS INC., (L.B. #6753)

W LEGAL AID DESCRIPTIONS 0211 PUBLIX SAN CARLOS ZONING RES LEGAL LWP

PROOFED BY _____ PROOFED BY SEB

Applicant's Legal Checked
by [Signature] 14 APRIL 03

RECEIVED

APR 09 2003

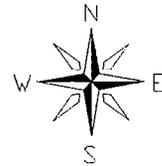
COMMUNITY DEVELOPMENT

(SEE ATTACHED SKETCH - ZONING RES 04 07 03.DWG)

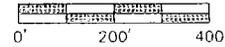
ADD 2003-00043

LEGEND

O.R. OFFICIAL RECORDS BOOK
 PG. PAGE
 R/W RIGHT OF WAY



SCALE: 1" = 400'

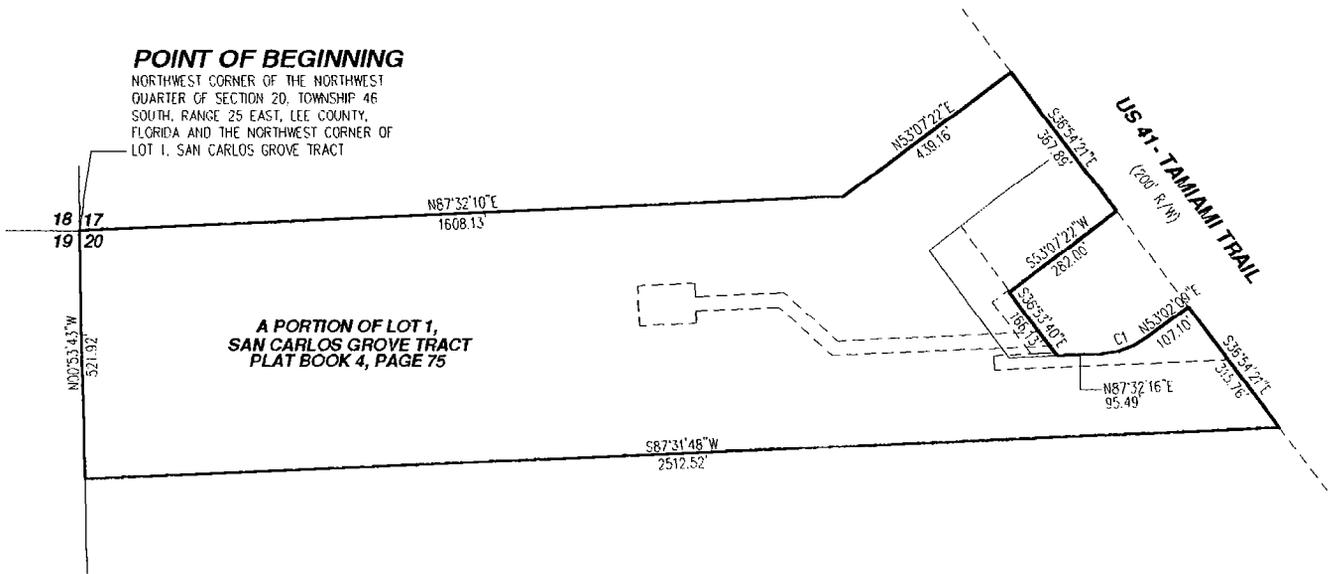


CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C1	170.00'	102.18'	34°26'19"	100.65'	N70°15'21"E

POINT OF BEGINNING

NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AND THE NORTHWEST CORNER OF LOT 1, SAN CARLOS GROVE TRACT



**A PORTION OF LOT 1,
 SAN CARLOS GROVE TRACT
 PLAT BOOK 4, PAGE 75**

RECEIVED

APR 09 2003

COMMUNITY DEVELOPMENT

NOTES:

- BEARINGS SHOWN HEREON REFER TO SAN CARLOS GROVE TRACT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4 AT PAGE 75 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
- DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

SHEET 3 OF 3

THIS IS NOT A SURVEY

DATE: 04/07/03 FIELD BOOK: PAGE: N/A DRAWN BY: MAC APPROVED: SEB SCALE: 1" = 400'	SKETCH TO ACCOMPANY LEGAL DESCRIPTION	BBL'S SURVEYORS & MAPPERS INC.
	GRANDE BAY PLAZA A PORTION OF SECTIONS 17 & 20 TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	1502-A RAIL HEAD BLVD. NAPLES, FLORIDA 34110 (239) 597-1315

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