

ADMINISTRATIVE AMENDMENT (PD) ADD2005-00242

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Alico Enterprises, LLC, filed an application for administrative approval to a Industrial Planned Development on a project known as Alico 254 to:

- a. reconfigure lot layout per Resolution Z-04-055; and
- b. renumber the lots on the master concept plan alphabetically rather than numerically; and
- c. relocate the frontage road approximately 472 feet to the north; and
- d. withdraw deviation #1, which allowed a maximum height of 65 feet in designated areas to reduce the maximum height to 45 feet and lesser heights of 30 feet and 24 feet in designated areas; and
- e. amend the language of the schedule of uses in Conditions 2.a, 2.b, and 2.c, Resolution Z-04-055, to conform to the renumbered alphabetical lots; and
- f. amend Conditions 5., 6., 8., and 14 to reflect the change from a numerical to an alphabetical numbering system; and
- g. Delete deviation (1), since the maximum building height will not exceed a height of 45 feet above minimum flood elevation with no more than 3 habitable floors;

on property located on Alico Road, described more particularly as:

LEGAL DESCRIPTION: In Section 04, Township 46 South, Range 25 East, Lee County, Florida:

SEE ATTACHED TWO-PAGE EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number DCI2003-00070 by Resolution Z-04-055; 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 Alico 254 IPD originally numbered the lots of the development numbers L-1 through L-26; and

WHEREAS, the applicant is requesting to change the enumeration of the lots to an alphabetical system of letters A through R; and

WHEREAS, due to special regulations of Resolution Z-04-055 for specific areas of the development, which will be carried forward using the alphabetical system, Parcels B, C, J and Q are shown on the Master Concept Plan having further subdivisions as follows:

Parcel B: (B.1. and B.2);
Parcel C: (C.1 and C.2);
Parcel J: (J.1 and J.2);
Parcel Q: (Q.1 and Q.2); and

WHEREAS, Parcels B, C, J, and Q are not being split for development purposes but are shown as specific areas for the purposes of enforcing the applicable zoning conditions of Resolution Z-04-055; and

WHEREAS, the renumbering of the Parcels in the Alico 254 IPD, Resolution Z-04-055, are as follows:

Original Z-04-055 numbering	ADD2005-00242 Renumbering
Lots L-1 through L-4	Parcel J.2
Lots L-5 through L-22	C.2, D, E, F, G, H, I, J.1, K, L, M, N, O and P
Lot 23	Q.1
Lot 24	B.1 and C.1
Lot 25	Q.2 and R
Lot 26	A and B.2; and

WHEREAS, the frontage road is being relocated to the north side of Lots L-1 through L-4 (proposed Parcel J.2), to create a reverse frontage road; and

WHEREAS, the applicant has requested the withdrawal Deviation #1, which allowed a maximum height of 65 feet above minimum flood elevation and five habitable floors for Lots L-1 through Parcel L-22, which translated to Parcels C.2 through Parcel P on the revised master concept plan; and

WHEREAS, the maximum height for Parcels A, B.2, Q.2, and R (previously designated Lots L-26 and L-25) shall remain at the approved height of twenty-four (24) feet and the maximum height for Parcels B.1 and C.1 (previously designated Lot L-24) and Parcel Q.1 (previously designated Lot L-23) shall remain at the approved height of thirty (30) feet; and

WHEREAS, the maximum height of Parcel C-2 and Parcels D through P (previously designated Lots L-1 through L-22) shall be reduced from sixty-five (65) feet to forty-five (45) feet; and

WHEREAS, revisions are required to Conditions 2.a., 2.b., 2.c., 5., 6., 8., and 14., Resolution Z-04-055, to reflect the proposed change from numerical numbering to alphabetical numbering of the parcels; and

WHEREAS, Stone, clay, glass and concrete products, Groups I through IV, were excluded from Lots L-1 through L-4 (proposed designation Parcel J.2) and Lots L-17 through L-26 (proposed designations as Parcels P, Q.1, Q.2, R, A, B.2, B.1, C.1, C.2, D, and the north 220± feet of E); and

WHEREAS, the applicant is proposing to permit Stone, clay, glass and concrete products, Groups I through IV on Lots L-17 through L-22 (proposed designations Parcels P, C.2, D, and the north 220± feet of E); 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 Alico 254 Industrial Planned Development is **APPROVED**.

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, stamped received on March 1, 2006. Master Concept Plan for ADD2005-00242 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
2. **Resolution Z-04-055 is revised in strike through and underline format to reflect the change from a numerical to an alphabetical numbering system as follows. All other uses, property development regulations and conditions remain as originally approved:**
 - A. **Only the amended language to Conditions 2.a., 2.b., and 2.c, Resolution Z-04-055, are shown herein as follows:**
 - a. **Schedule of Uses for Parcel C.2 and Parcels D through P ~~Lots L-1 through L-22~~:**

All uses, including those with an asterisk, are permitted on Parcels C.2 through Parcel I, J.1, and Parcels K through P ~~Lots L-5 through L-22~~ as

may be further limited below. All uses with an asterisk are only permitted on Parcel J.2 Lots L-1 through L-4.

- * CONTRACTORS AND BUILDERS: Groups I, II, and III, Parcel J.2 Lots L-1 through L-4 limited to Groups I and II
- * CONVENIENCE FOOD AND BEVERAGE STORE, limited to Parcel J.2 Lots L-1 and L-4, See Condition II.A.14., below
- * ESSENTIAL SERVICE FACILITIES: Groups I and II, Parcel J.2 Lots 1 through L-4 limited to Group I
- * FOOD STORES: Groups I and II, Parcel J.2 Lots L-1 through L-4 limited to Group I
- MANUFACTURING of:
 - * Chemical and allied products: Groups I and II, Parcel J.2 Lots L-1 and L-4 limited to Group I
 - * Lumber and wood products: Groups I, II, III, IV, V and VI, Parcel J.2 Lots L-1 through L-4 limited to Group II
 - * Machinery: Groups I, II, and III, Parcel J.2 Lots L-1 through L-4 limited to Groups I and II
 - Stone, clay, glass and concrete products: Groups I, II, III, and IV, excluding Parcel J.2 Lots L-1 through L-4, and Parcels A, B.1, B.2, C.1 C.2, D, north 220± feet of E, P, Q.1, Q.2, and R Lots L-17 through L-26
 - Transportation Equipment: Groups I, II, III, and IV, excluding Parcel J.2 Lots L-1 through L-4
- * MEDICAL OFFICE, limited to Parcel J.2 Lots L-1 and L-4
- * NIGHTCLUBS, Limited to Parcel J.2 Lots L-1 and L-4 and further limited to a maximum of 6,000 square feet
- * RENTAL OR LEASING ESTABLISHMENT: Groups II, III, and IV, Parcel J.2 Lots L-1 through L-4 limited to Groups II and III
- * REPAIR SHOPS: Groups I, II, III, IV, and V, Parcel J.2 Lots L-1 through L-4 limited to Groups I, II, and III
- * RESTAURANTS: Groups I, II, III, and IV, limited to Parcel J.2 Lots L-1 and L-4
- * TRANSPORTATION SERVICES: Groups II, III, and IV, Parcel J.2 Lots L-1 through L-4 limited to Group II and III
- * VEHICLE AND EQUIPMENT DEALERS: Groups I, II, III, IV, and V, Parcel J.2 Lots L-1 through L-4 limited to Groups I and II

b. Schedule of Uses for Parcels A, B.1, B.2, C.1, Q.1, Q.2, and R Lots L-23 through L-26

c. Site Development Regulations

Maximum Building Height:

- a. 65 45 feet (three habitable floors) on Parcels C.2, and D through P Lots L-1 through L-22
- b. 30 feet on Parcels B.1, C1, and Q.1 Lots L-23 and L-24

c. 24 feet on Parcels A, B.2, Q.2 and R Lots L-25 and L-26

B. Conditions 5., 6., 8., and 14., Resolution Z-04-055, are amended as follows:

5. All buildings or structures located on Parcel J.2 lots L-1 through L-4, either industrial or commercial, must be in compliance with Chapter 10, Article IV, Design Standards and Guidelines for Commercial Buildings and Development, of the LDC.
6. Parcels A and R Lots L-25 and L-26: A 75 foot wide strip of land located on Parcels A and R Lots L-25 and L-26, immediately south of the 75 foot wide vegetative buffer with a 12 foot high berm, as measured from existing grade, will be used only for water management, wetland preserve, buffering, open space, and accessory parking.
8. Wireless communication facilities, if approved in accordance with Section 34-1441, et. seq., of the LDC, are permitted on Parcels C.2, D through I, J.1 and K through P lots L-5 through L-22. Wireless communication facilities may not exceed 90 feet in height above average grade level (AGL). Wireless communication facilities greater than 90.1 feet and less than 149 feet will require a special exception approval.
14. The subject property is limited to one (1) convenience food and beverage store in conjunction with a maximum of 16 self-service fuel pumps on Parcels J.2 Lots L-1 through L-4 only. Further, two self-service fuel pumps are permissible as an accessory use to businesses to provide fuel for their fleet of vehicles and equipment. Additional pumps require approval of a special exception.

C. Deviation (1), Resolution Z-04-055, is deleted in its entirety, including Exhibit E, since the applicant is no longer requesting a maximum height of 65 feet with five habitable floors. Deviation (1) is deleted as follows:

~~Deviation (1) seeks relief from the §34-935(f)(3)e requirement of a maximum height of 45 feet above minimum flood elevation with no more than 3 habitable floors or a height of up to 75 feet with no more than six habitable floors if certain criteria are met, to allow a maximum height of 65 feet⁵ above minimum flood elevation and five habitable floors for lots L-1 through L-22 only. This deviation is APPROVED SUBJECT TO following conditions:~~

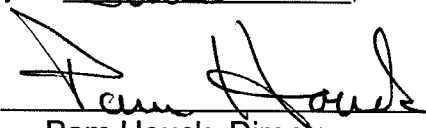
- a. ~~the Applicant must provide approximately 9 acres of common open space surrounding the wetland preserved as delineated on the attached Exhibit E. This open space must be planted with native vegetation that provides foraging and cover for wildlife. The plantings must be shown on the development order plans and include at a minimum 50 native shrubs (minimum 10-foot height; 2-~~

~~inch caliper) and 100 native shrubs (3-gallon container size) per acre of common open space. The plantings must be mulched and temporary irrigation system installed. The trees may be counted toward the general tree requirement for the overall site. The plantings must be installed prior to issuance of a Certificate of Compliance for any development order for vertical construction; and~~

b. ~~The Applicant must provide an enhanced Type "D" buffer along Alico Road. The enhanced Type "D" buffer must consist of 10 trees per 100 linear feet, 30 shrubs per 100 linear feet (24/36 inch, 3-gallon container size); and 25 shrubs per 100 linear feet (48/60 inch);~~

3. Stone, clay, glass and concrete products, Groups I through IV, are excluded from Parcel J.2, Parcels P, Q.1, Q.2, R, A, B.1, B.2, C.1, C.2, D, and the north 220± feet of Parcel E.
4. The terms and conditions of the original zoning resolutions, except as amended herein, remain in full force and effect.

DULY SIGNED this 13th day of June, A.D., 2006.

BY: 

Pam Houck, Director
Division of Zoning
Department of Community Development

Description

EXHIBIT A

Parcel of land in Section 4, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the south quarter corner of said Section 4; thence N. 0°59'17" W. along the north-south quarter line, a distance of 100.01 feet to an intersection with the north right-of-way line of Alico Road, as described in Order of Taking recorded in Official Records Book 3208, Page 357, Public Records of Lee County, Florida, and the Point-of-Beginning of this description; thence S. 89°38'46" W. along said north right-of-way line, a distance of 1561.48 feet; thence N. 0°21'51" W. along the west line of that certain parcel of land as described in Official Records Book 3883, Page 243, Public Records of Lee County, Florida being also the east line of Domestic Avenue, formerly known as "Haitian Road", as described in Official Records Book 4401, Page 4469 of said Public Records, a distance of 2540.00 feet; thence N. 02°43'29" W. along said east line of "Domestic Avenue" and also being the west line of that certain parcel of land as described in Official Records Book 3883, Page 251 of said Public Records, a distance of 3613.89 feet to an intersection with the south line of a drainage right-of-way as described in Official Records Book 3442, Page 3231 of said Public Records; thence N. 88°52'48" E. along said south right-of-way line, a distance of 1643.33 feet to an intersection with the said north-south quarter line; thence N. 89°06'32" E. continuing along said south right-of-way line, a distance of 227.31 feet; thence S. 0°59'17" E. along a line lying 227.38 feet east of (as measured at right angles) and parallel to the said north-south quarter line being also the east line of "Lee Road Extension" as recorded in Official Records Book 4512, Page 3861, of said Public records and said east line's northerly extension, a distance of 6175.65 feet to an intersection with the said northerly right-of-way line of Alico Road; thence S. 89°44'24" W. along said right-of-way line, a distance of 226.21 feet; thence S. 89°38'46" W. continuing along said right-of-way line, a distance of 1.19 feet to the said Point-of-Beginning of this description.

Containing 254.58 acres, more or less.

Subject to a 50 foot drainage easement as described in Official Records Book 1234, Page 1001, of the south 50 feet thereof, also subject to a 20 foot Utility Easement as described in Official Records Book 4512, Page 3861, of the north 20 feet of the south 70 feet thereof; subject to the said easement for Lee Road Extension along the east boundary line thereof, subject to a 170 foot wide Florida Power and Light Easement as described in Official Records Book 876, pages 610 through 613, and also subject to a 100 foot wide Access, Drainage, and Utility Easement as described in Official Record Book 4512, page 3861, all of the Public Records of Lee County, Florida.

SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.

THIS MAP IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS OR FREEDOM OF ENCUMBRANCES AND WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE.

PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. ORIENTATION BASED ON THE SOUTH LINE OF SECTION 4, AS BEARING N. 89°38'46" E.

CERTIFICATE OF AUTHORIZATION LICENSE BUSINESS NO. 6891.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER, AND BOTH SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

THIS IS NOT A SURVEY!

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JAN 18 2005

Applicant's Legal Checked
by *[Signature]* 18 JAN 06

ABBREVIATIONS:

BK. = BOOK
BLVD. = BOULEVARD
C.A. = CENTRAL ANGLE
C.B. = CHORD BEARING
CHD. = CHORD
C/L = CENTERLINE
EASE. = EASEMENT
O.R. = OFFICIAL RECORD
PG. = PAGE
P.O.B. = POINT-OF-BEGINNING
P.O.C. = POINT-OF-COMMENCEMENT
RAD. = RADIUS
RD. = ROAD
R/W = RIGHT-OF-WAY

COMMUNITY DEVELOPMENT

DESCRIPTION DRAWING

Parcel of Land in Section 4, T. 46 S., R. 25 E.,
Lee County, Florida

ADD 2005-00242

PREPARED BY

[Signature]

Mark A. Hatfield, P.S.M.
Fla. Cert. No. 4455

Date



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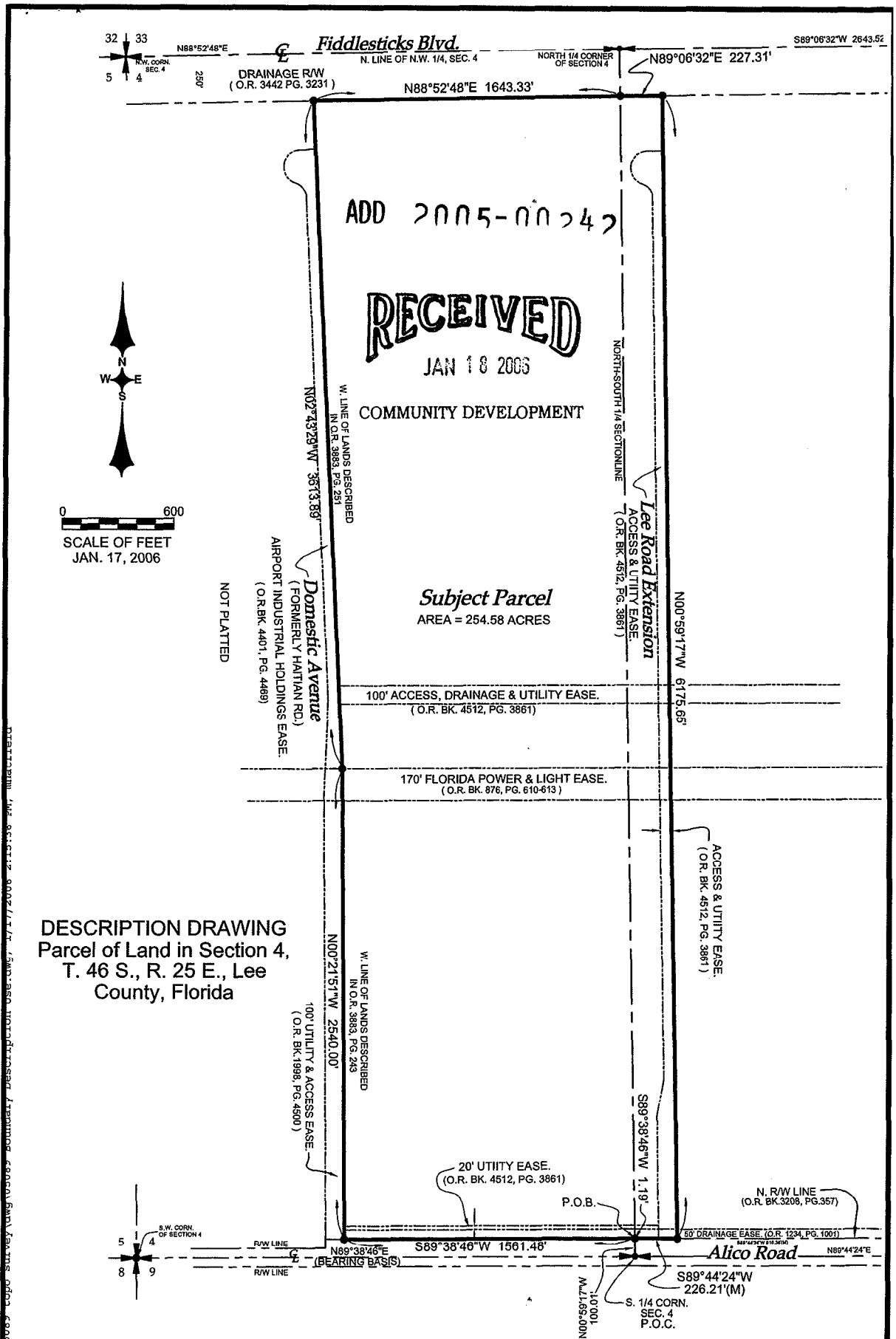
ENGINEERS * PLANNERS * SURVEYORS * MAPPERS

2216 Altamont Avenue * Fort Myers, Florida 33901 * (239) 337-3993 * (FAX) 337-3994

JAN. 17, 2006

THIS SKETCH TO ACCOMPANY DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE
AND ORIGINAL RAISED SEAL OF THE LICENSED FLORIDA SURVEYOR AND MAPPER

Sheet 1 of 2



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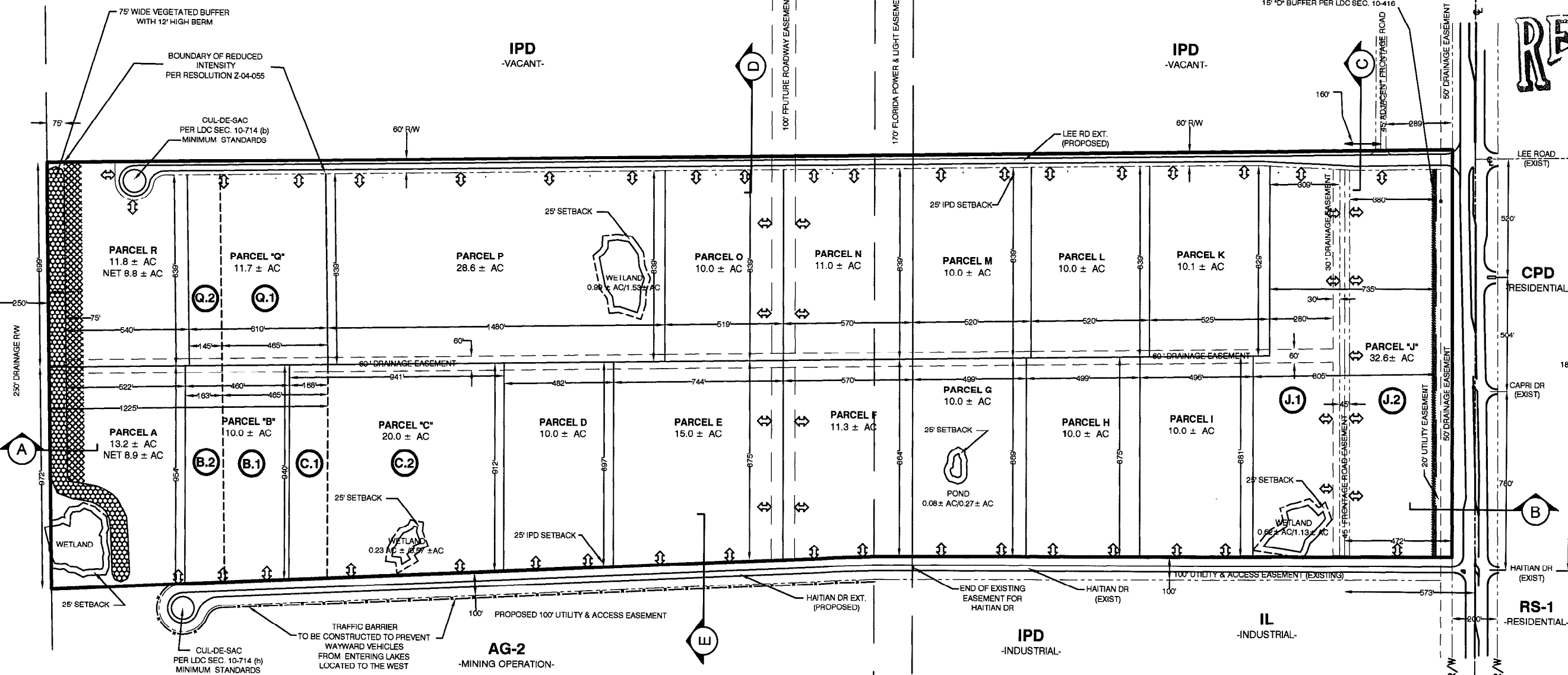
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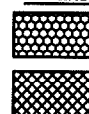
THIS SKETCH TO ACCOMPANY DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE
AND ORIGINAL RAISED SEAL OF THE LICENSED FLORIDA SURVEYOR AND MAPPER

PUD
-RESIDENTIAL-

FIDDLESTICKS BOULEVARD



LEGEND



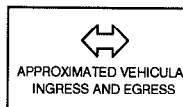
12' HIGH BERM

NO STRUCTURES, PER CONDITION B.6
OF ZONING RESOLUTION Z-04-055.

MAXIMUM HEIGHT:

45' PARCELS: C.2, D, E, F, G, H, I, J.1, J.2, K, L, M, N, O & P
30' PARCELS: B.1, C.1 & Q.1
24' PARCELS: A, B.2, Q.2 & R

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2005-00242
Date 6/13/2006



APPROXIMATED VEHICULAR
INGRESS AND EGRESS

NOTES

1. 20% MIN. OPEN SPACE PER LOT.
2. 40% MAX. BUILDING COVERAGE PER LOT.

ADD 2005-00242

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ZONING MASTER CONCEPT PLAN

ALICO ROAD 254 INDUSTRIAL SUBDIVISION
Section 04, T-46-S, R-25-E, Lee County, Florida

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MDA PROJECT:
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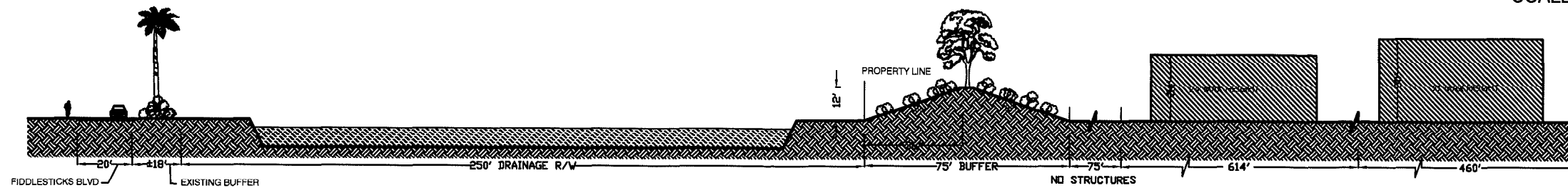
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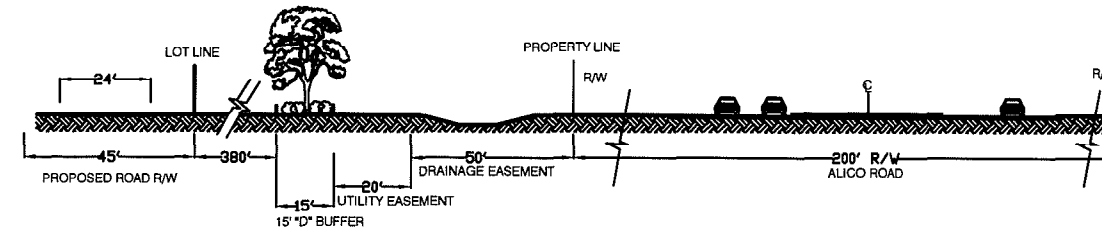
REVISIONS
REVISED PER SUFFICIENCY COMMENTS 10/27/03
REVISED PER STAFF REPORT COMMENTS 7/27/04
REVISED PER Z-04-055 1/15/04 (05/05) (1/15/04)
REVISED PER ADMINISTRATIVE AMENDMENT 12/05/12-13-09
REVISED PER STAFF COMMENTS 2/20/06 (2-28-06)



0 50'
SCALE: 1" = 50'

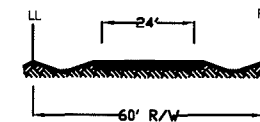
TYPICAL CROSSECTION NORTH BOUNDARY

(A) SECTION



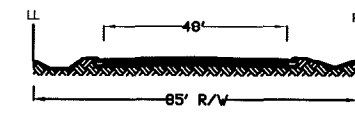
15' BUFFER "D" CROSSECTION ON ALICO ROAD

(B) SECTION



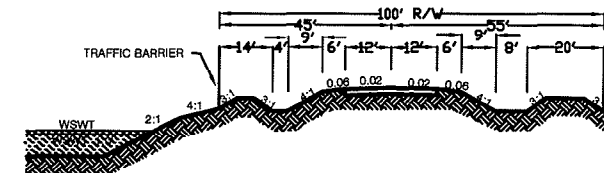
LEE ROAD EXTENSION CROSSECTION (PROPOSED)

(D) SECTION



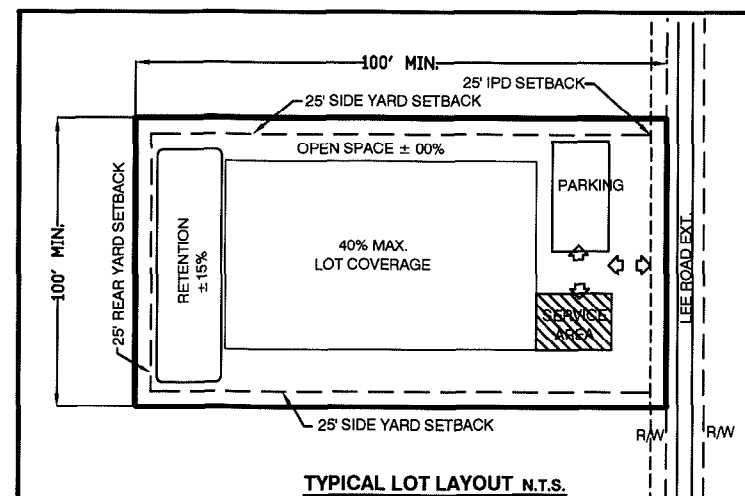
LEE ROAD EXTENSION CROSSECTION (PROPOSED)

(C) SECTION



HAITIAN DRIVE EXTENSION CROSSECTION (PROPOSED)
TRAFFIC BARRIER DETAIL

(E) SECTION



TYPICAL LOT LAYOUT N.T.S.

GENERAL NOTES:

PROPERTY OWNER:
Airport Industrial Holdings LLC
26811 South Bay Drive, Suite 240
Bonita Springs, FL 34134

APPLICANT:
Airport Industrial Holdings LLC
26811 South Bay Drive, Suite 240
Bonita Springs, FL 34134

PLANNER/ENGINEER:
Morris-Depeu Associates, Inc.
2218 Altamont Ave.
Fort Myers, FL 33901

SITE PARAMETERS:
EXISTING ZONING: AG-2
PROPOSED ZONING: INDUSTRIAL PLANNED DEVELOPMENT (IPD)
TOTAL SITE AREA: ± 254.57 ACRES

PLANNING LAND USE 2010:
INDUSTRIAL DEVELOPMENT

OPEN SPACE:

THE REQUIRED MINIMUM OPEN SPACE SHALL BE PROVIDED PURSUANT TO LDC SEC. 10-415.

Use	% / acres Required Acres	% / acres Provided Open Space
Industrial	20% / 50.91 ac.	20% / 50.91 ac.

* 2.89± acres will be of indigenous composition. The remaining open space requirements will be met by the following: buffers and landscape areas in off-street parking, dry detention areas, and up to 25% from proposed bodies of water from stormwater management systems.

Each parcel shall meet or exceed the minimum open space percentage and size requirements of LDC 10-415. The minimum amount of open space for the total development area shall be no less than 20%, including indigenous vegetation preservation.

DEVELOPMENT INTENSITY:

COMMERCIAL:
- A MAXIMUM OF 30,000 SQ.FT. OF COMMERCIAL FLOOR AREA
- PARKING SPACES SHALL BE PROVIDED PER LDC SEC. 34-2020

INDUSTRIAL:
- A MAXIMUM OF 2,134,440 SQ.FT. OF INDUSTRIAL FLOOR AREA
- PARKING SPACES SHALL BE PROVIDED PER LDC SEC. 34-2020

BUFFERS:

PROPERTY ZONED INDUSTRIAL PLANNED DEVELOPMENT (IPD)
BUFFERS ARE PROVIDED PURSUANT TO LDC SECTION 10-415(d)

NORTH - ZONED IPD; R-O-W Use:
R-O-W "D" BUFFER REQUIRED

SOUTH - ZONED CPD; R-O-W Use:
R-O-W "D" BUFFER REQUIRED

WEST - ZONED AG-2, IPD and IL; Industrial Use:
NO BUFFER REQUIRED

EAST - ZONED AG-2; Vacant Use:
NO BUFFER REQUIRED

REVISED PER SUFFICIENCY COMMENTS 10/27/03
REVISED PER STAFF REPORT COMMENTS 7/27/04
REVISED PER 2-04-CSS 11/15/04 (05/05)
REVISED PER UNANIMOUS MEETING 2/20/05 (10/13/05)
REVISED PER STAFF COMMENTS 2/20/05 (2-28-05)

ZONING MASTER CONCEPT PLAN (NOTES & SECTIONS)

ALICO ROAD 254 INDUSTRIAL SUBDIVISION

Section 04, T-146-S, R-25-E, Lee County, Florida

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MIA PROJECT:
05089

CHECKED BY: DWI DESIGNED BY: AZ

DATE:
8/5/05

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