

ADMINISTRATIVE AMENDMENT (PD) ADD2008-00092

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 Consumption on premises of beer and wine in compliance with LDC §34-1264 in conjunction with a hotel/motel (Tract 2D Only) to the Schedule of Uses of Resolution Number Z-02-009 for a 2COP Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service at a hotel known as Hyatt Place on property located at 23120 Via Villagio, 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 zoned MPD in case number Z-02-009 and subsequently amended in case numbers Z-04-079, ADD2004-00048, ADD2004-00060, ADD2004-00206, ADD2004-00187, 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; 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 Consumption on premises of beer and wine in compliance with LDC §34-1264 in conjunction with a hotel/motel (Tract 2D Only) to the Schedule of Uses of Resolution Number Z-02-009 for a 2COP Alcoholic Beverage License in conjunction with indoor and outdoor seating at a hotel known as Hyatt Place; 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 (see Coconut Point MPD 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 and a restaurant with beer and wine service in conjunction with a 2COP Alcoholic Beverage License; and

WHEREAS, indoor seating will be provided for approximately 58 people in a 2,173 square feet 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, the outdoor seating/pool area will be fully enclosed by a fence with access only through the hotel; and

WHEREAS, on premise 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 Point MPD to add Consumption on premises of beer and wine in compliance with LDC §34-1264 in conjunction with a hotel/motel (Tract 2D Only) to the Schedule of Uses of Resolution Number Z-02-009 for a 2COP Alcoholic Beverage License in conjunction with indoor and outdoor seating at a hotel is **APPROVED, subject to the following conditions:**

1. **This Administrative Amendment is limited to:**
 - a. **The addition of Consumption on premises of beer and wine in compliance with LDC §34-1264 in conjunction with a hotel/motel (Tract 2D Only) to the Schedule of Uses of Resolution Number Z-02-009.**
 - b. **A 2COP 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 beer and wine 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 29th day of July, A.D., 2008.

BY: Pam Houck
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



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

BY


JERRY L. RIFFELMACHER

P.S.M. #6130

STATE OF FLORIDA

Applicant's Legal Checked
by 6-20-08 csg.

ADD 2008-00092

RECEIVED
JUN 1 / 2008

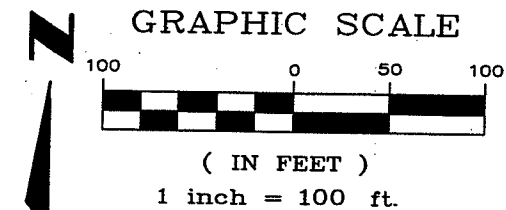
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JUN 17 2008

ADD 2008-00092

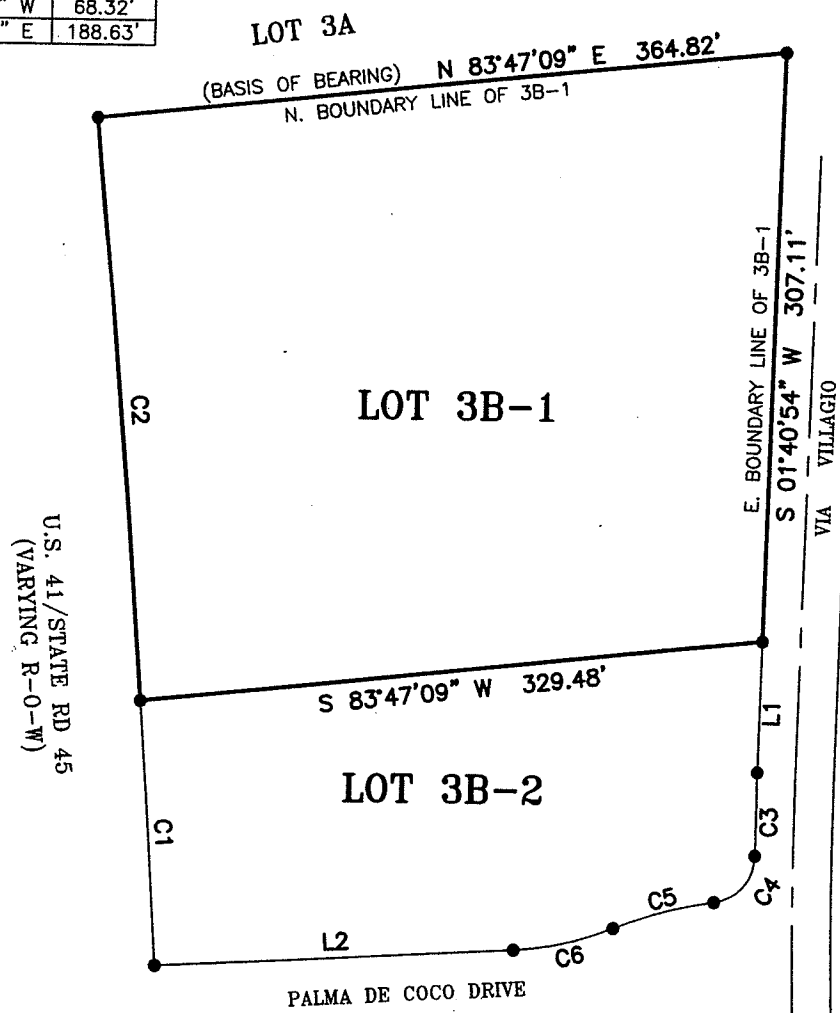
PERMIT COUNTER

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LINE	BEARING	DISTANCE
L1	S 01°40'54" W	68.32'
L2	N 86°41'37" E	188.63'

CURVE	RADIUS	DELTA	CHORD	BEARING	LENGTH
C1	11591.16'	00°40'52"	137.81'	N 03°49'56" W	137.81'
C2	11591.16'	01°30'15"	304.27'	N 04°55'29" W	304.28'
C3	2520.00'	00°59'04"	43.30'	N 01°11'22" E	43.30'
C4	25.00'	80°50'19"	32.42'	S 41°07'00" W	35.28'
C5	233.50'	13°31'26"	54.99'	N 74°46'27" E	55.11'
C6	166.50'	18°40'53"	54.05'	S 77°21'10" W	54.29'



LEGEND

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

SEC-TWN-RGE:
9-47-25

DRAWN BY:	DATE
JRD/AK	5/08
CHECKED BY:	DRAWING NO.
JLR	E-427-2

H.M.
HOLE MONTES
ENGINEERS - PLANNERS - SURVEYORS
LANDSCAPE ARCHITECTS

6224 Whiskey Creek Drive
Fort Myers, FL 33919
Phone: (239) 985-1200
Florida Certificate of
Authorization No.1772

NOT VALID WITHOUT
THE SIGNATURE AND
THE ORIGINAL RAISED
SEAL OF A FLORIDA
LICENSED SURVEYOR
AND MAPPER.

* NOT A SURVEY *

BY
JERRY L. RIFFELMACHER

P.S.M. #6130
STATE OF FLORIDA

SKETCH AND LEGAL DESCRIPTION

PROJECT NO.
07.012
REFERENCE NO.
3B-1SL-2

Applicant's Legal Checked

by
6-20-08

LEGAL 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.

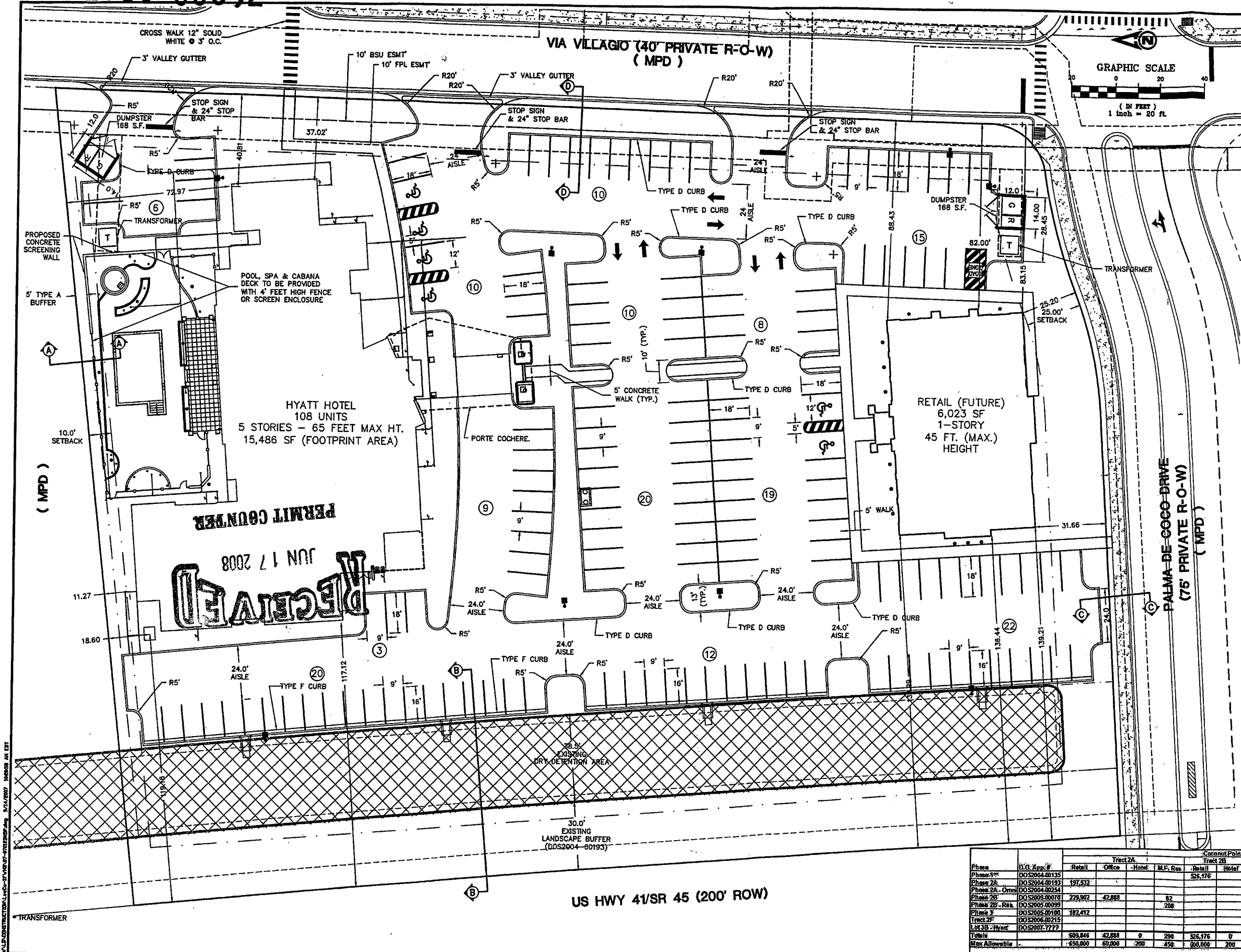
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HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 1772



PROJECT SUMMARY:

1.) EXISTING LAND USAGE:

SUBJECT PARCEL	USE	ZONING
NORTH	VACANT	MPD
EAST	VACANT	MPD
SOUTH	US 41	MPD
WEST	PALMA DE COCO	MPD
	MA VILLAGIO	MPD

2.) LAND USE BREAKDOWN:

	Sq.Ft.	Ac.	%Total
Buildings	21,589	±0.50	14.3%
Pavement	58,433	±1.34	38.7%
Sidewalk/Curb/Pool Patio	12,778	±0.29	8.5%
Dry Detention Area	18,192	±0.37	10.7%
Green Area/Open Space	41,879	±0.95	27.8%
TOTAL PROJECT AREA	150,871	±3.46	100.0%

3.) GENERAL NOTES:

- CURRENT ZONING IS MPD. PROPOSED USES WITHIN THE MULTIPLE OCCUPANCY. RETAIL SHOPS SHALL BE LIMITED TO THOSE COMPATIBLE WITH THE MPD ZONING, AS DEFINED IN ZONING RESOLUTION Z-02-008.
- PROJECT PHASING WILL CONSIST OF TWO PHASES.
PHASE 1 - HYATT HOTEL AND ALL PARKING, UTILITIES & INFRASTRUCTURE
PHASE 2 - FUTURE RETAIL BUILDING (6,023 SQFT)
- GARBAGE / RECYCLABLE COLLECTION AREAS SHALL BE PROVIDED WITH 6" THICK CONCRETE PADS AND A 6" HIGH ENCLOSURE (3 SIDES) WITH GATE.
- ALL BUILDINGS SHALL BE TYPE IV CONSTRUCTION.
- ALL BUILDINGS SHALL BE PROVIDED WITH FIRE SPRINKLER SYSTEMS DESIGNED IN ACCORDANCE WITH NFPA 13, MEETING LDC 10-365 REQUIREMENTS.
- ALL PAVEMENT STRIPING ON SITE SHALL BE PAINTED.

4.) PARKING CALCULATIONS:

TOTAL PARKING REQ'D:
(per Lee County Land Development Code Sec. 34-2020(5))
Hotels: (8 1 spca./1.2 rooms)
Retail: (8 1 spca./200 sq. ft. of floor space)
Total No. of Rooms = 108
Required spaces = 108 x 1.2 = 130 spaces

Retail Building = 6,023 sq. ft.
Required spaces = 6,023 x 1/200 = 31 spaces
Required R.C. Spaces = 6 Spaces

TOTAL PARKING REQ'D = 161 spaces (incl. 8 handicapped parking spcs.)
TOTAL SPACES PROVIDED = 163 spaces (includes 8 H/C Spaces)

5.) DEVELOPMENT REGULATIONS:

- TRACT 20 (PER ZONING RESOLUTION Z-02-008 AND ADD2008-0002)
- Minimum Lot Size:
Lot Area - 20,000 sq. ft.
Min. width - 100 ft.
Min. depth - 100 ft.
 - Minimum Setbacks:
U.S. 41 - 25 ft.
Front (street) - 25 ft.
Side - 10 ft.
Rear - 25 ft. (5 ft. for Accessory Structure)
Waterbody - 25 ft. (20 ft. for Accessory Structure)
 - Maximum Height:
Maximum Height - 80 ft. (5 Stories)*
Subject to 300 feet setback to Sandy Lane
 - Maximum Lot Coverage:
Max percent of total area - 40%
 - Maximum Building Separation:
One-half the sum of building heights (not less than 20')

6.) LOAD ZONE CALCULATIONS:

TOTAL LOADING ZONE REQ'D:
(per Lee County Land Development Code Sec. 34-1987(b))
Retail Requirement: 1 Space for first 10,000 sq. ft., plus 1 per each add'l 20,000 sq. ft.

Total Floor Area = 6,023 sq. ft.
Required spaces =
Spaces = 9' x 18' = 162 sq. ft. (1 Space)
Required Area = 162 sq. ft.
Provided Area = 162 sq. ft.

7.) REFUSE AND SOLID WASTE DISPOSAL CALCULATIONS:

TOTAL REFUSE/SOLID WASTE DISPOSAL AREA REQ'D:
(per Lee County Land Development Code Sec. 10-281(a))
Hotel: 168 sf Req'd, Provided: 168 sf
Retail: 168 sf Req'd, Provided: 168 sf

Requirement: 168 SF (for first 25,000) + 4.26 sf per each add'l 1000 sq. ft.

Total Floor Area = 21,382 sq. ft.
Required area = 168 sf
Provided Area = 168 sf

LDC
OCT 02 2007
APPROVED

Phase	U.O. App. #	Tract 2A	Tract 2B	Tract 2C	Tract 2D/E	Tract 2F
Phase 1a	DO S2004-00135					
Phase 2A	DO S2004-00135	197,532	526,176	73,823		
Phase 2A - Other	DO S2004-00254			23,023		
Phase 2B	DO S2005-00076	729,902	42,888	82		
Phase 2B - Retail	DO S2005-00099			208		
Phase 2C	DO S2005-00100	182,412				
Tract 2F	DO S2006-00215					53
Lot 3B - Hyatt	DO S2007-7772					
Total		809,846	43,888	0	290	526,176
Max Allowable		650,000	60,000	200	450	300,000

HYATT HOTEL AT COCONUT POINT
COCONUT POINT - AREA 2, OUTLOT 3B
ESTERO, FLORIDA

DESIGNED BY:
J.J.J.
DATE: 02/07
DRAWN BY:
J.K.H.
DATE: 02/07
CHECKED BY:
T.W.M./J.J.J.
DATE: 02/07
VERTICAL SCALE:
NONE
HORIZONTAL SCALE:
1" = 20'

H.M.
HOLE MONTES
ENGINEERS-PLANNERS-SURVEYORS
LANDSCAPE ARCHITECTURE

6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (239) 985-1200
Florida Certificate of Authorization No.1772
Naples · Fort Myers · Venice · Englewood

MASTER DEVELOPMENT PLAN

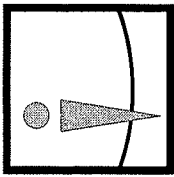
THESE DRAWINGS ARE NOT
APPROVED UNLESS SIGNED
AND SEALED BELOW:

JOSEPH J. JORDAN, P.E.
FLORIDA PROFESSIONAL ENGINEER
REGISTRATION NO. 1149-07
DATE: 9-14-07

REFERENCE NO.
07012MDP
DRAWING NO.
1149-07
PROJECT NO.
07.012-D
SHEET NO.
7 of 14

Subject to Case # ADD2008-00092
Date 7-29-08

APPROVED
Plan



Overcash Denmitt Architects
 2806 south limes street suite 14
 charlotte north carolina 28203
 voice : 704.332.1816
 fax : 704.332.0117
 web : www.odarch.com

SIMON PARTNERS
 1000 10TH AVENUE
 SUITE 1000
 ATLANTA, GA 30309

ATTACHMENT D

HYATT PLACE

Hyatt Place
 ESTERO, FLORIDA

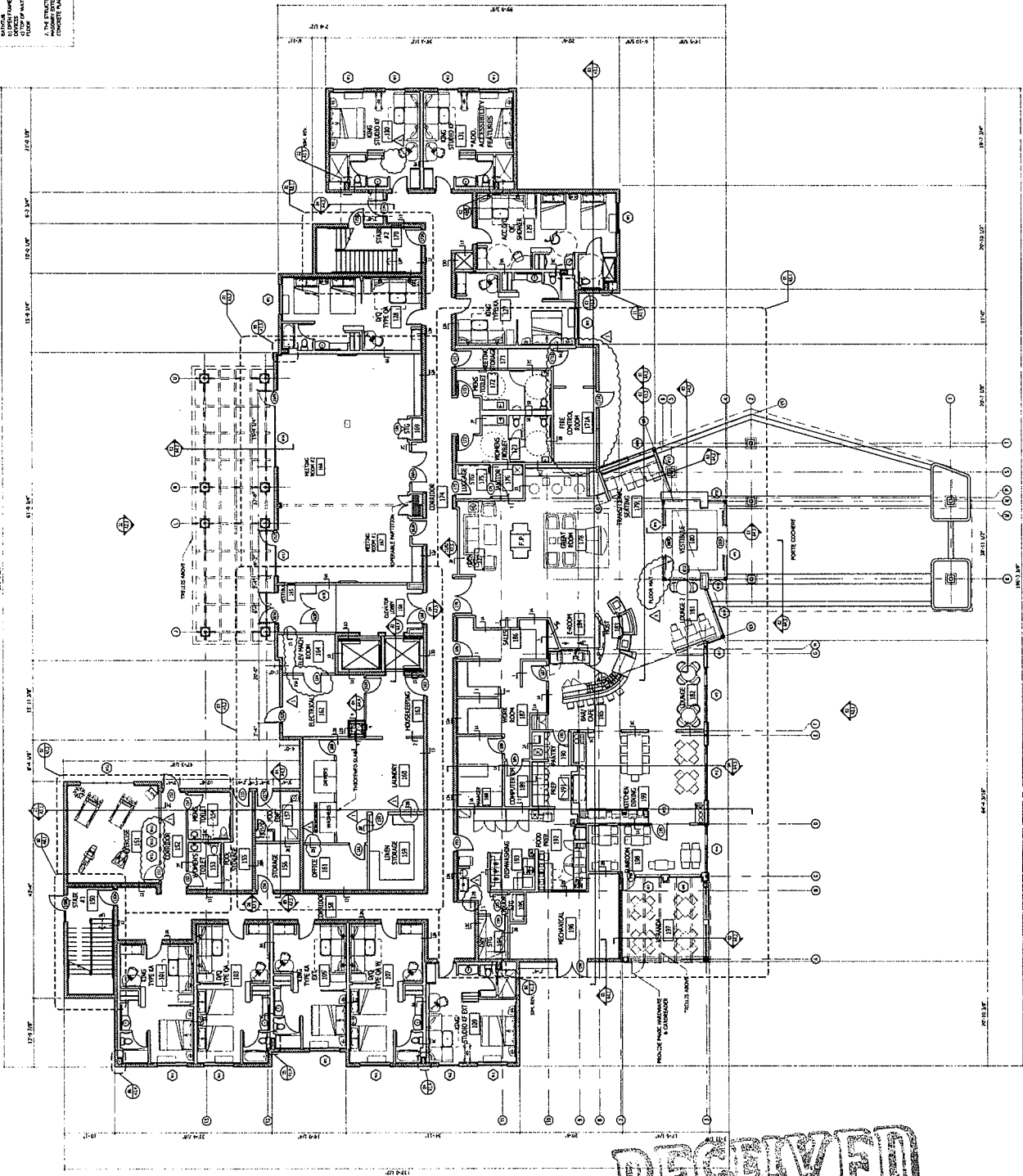
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PROGRESS SET	04/11/07
PRELIMINARY SUBMITTAL	03/22/07
2ND PROGRESS SET	06/26/07
3RD PROGRESS SET	06/26/07
PERMIT SET	08/11/07
REVISION 1	12/11/07

1ST FLOOR PLAN

A1.1
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 04/11/07 10:11:07

NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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ADD 2008-00092



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SCALE: 1/8" = 1'-0"

01 FIRST FLOOR PLAN

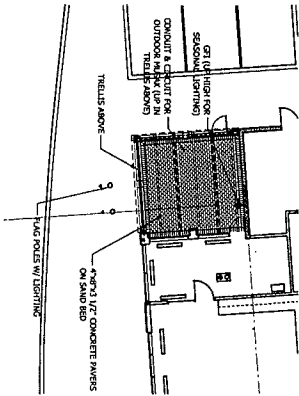
ATTACHMENT E

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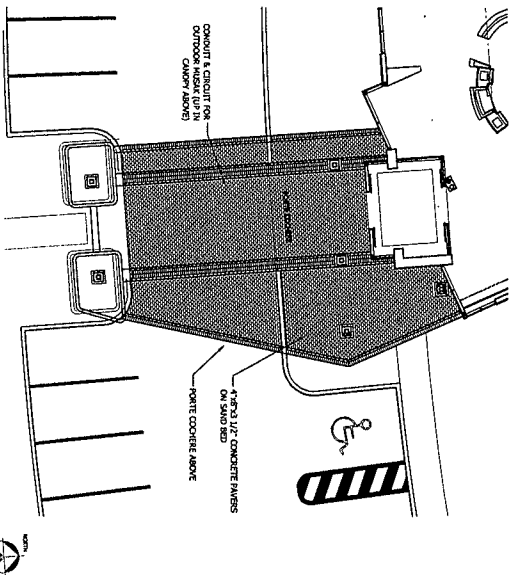
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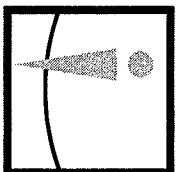
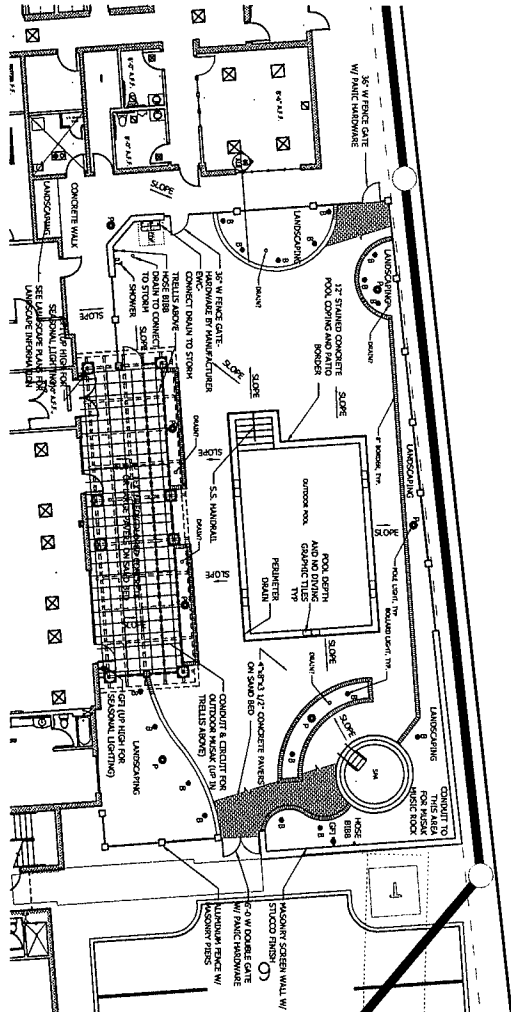
02 VERANDA AREA PLAN



01 PORTE COCHERE PAVEMENT PLAN



03 POOL AREA PLAN



Overcash Demmitt

2010 south from street suite 10
charlotte north carolina 28202
tel - 704.332.0117
fax - 704.332.0117
web - www.odafch.com



Hyatt Place

ESTERO, FLORIDA

ENLARGED POOL
AREA PLAN

A1.0A

2010 06 17 10:00 AM 2010 06 17 10:00 AM