

ADMINISTRATIVE AMENDMENT (PD) ADD2010-00062

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, wine and liquor in compliance with LDC §34-1264 in conjunction with a hotel/model (Tract 2D Only) to the Schedule of Uses of Resolution Number Z-02-009 for a 4COP S Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service at a hotel known as Hyatt Place Estero on property located at 23120 Via Villaggio, Estero, 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 originally rezoned in case number Z-02-009 and subsequently amended in case numbers Z-04-079, DRI2009-00001, ADD2004-00048, ADD2004-00060, ADD2004-00187, ADD2004-00206, 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, ADD2008-00092 and ADD2009-00032; 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, wine and liquor in compliance with LDC §34-1264 in conjunction with a hotel/model (Tract 2D Only) to the Schedule of Uses of Resolution Number Z-02-009 for a 4COP S Alcoholic Beverage License in conjunction with indoor and outdoor seating at a hotel known as Hyatt Place Estero; 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 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 under the same roof; and

WHEREAS, a 2COP Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service at the hotel was approved, with conditions, by ADD2008-00092; and

WHEREAS, indoor seating is provided for approximately 58 people in a 2,173 square foot 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, on premises 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 MPD to add Consumption on premises of beer, wine and liquor 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 4COP S Alcoholic Beverage License in conjunction with indoor and outdoor seating and room service 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, wine and liquor 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 4COP S 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 alcoholic beverages 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 11th day of August, A.D., 2010.

BY: _____

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

ATTACHMENT A



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. RAFFELMACHER

P.S.M. #6130
STATE OF FLORIDA

RECEIVED

JUL 30 2010

COMMUNITY DEVELOPMENT

ADD 2010-00062

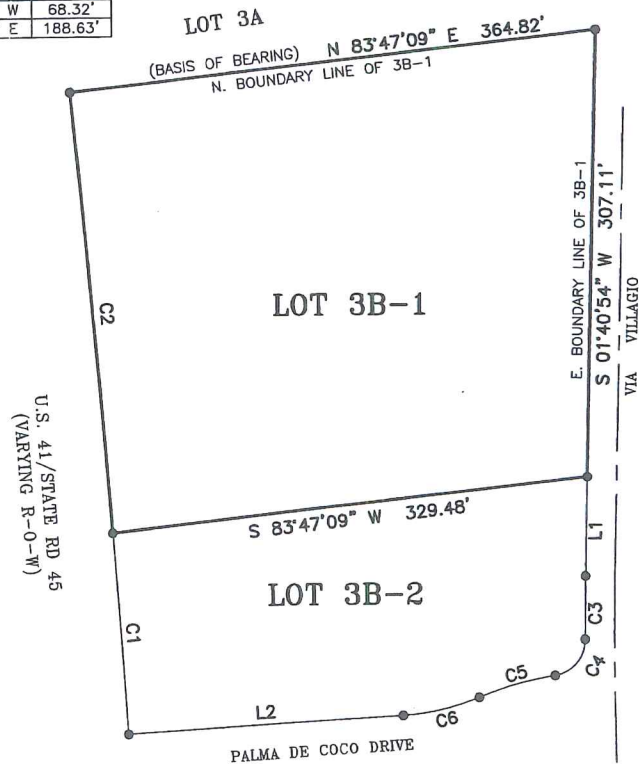
APPROVED
LEGAL

BQ 8/2/10


$$1 \text{ inch} = 100 \text{ ft.}$$

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



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

** NOT A SURVEY **

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

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HOLE MONTES, INC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 1772

BY Jerry L. Riffelmacher
JERRY L. RIFFELMACHER

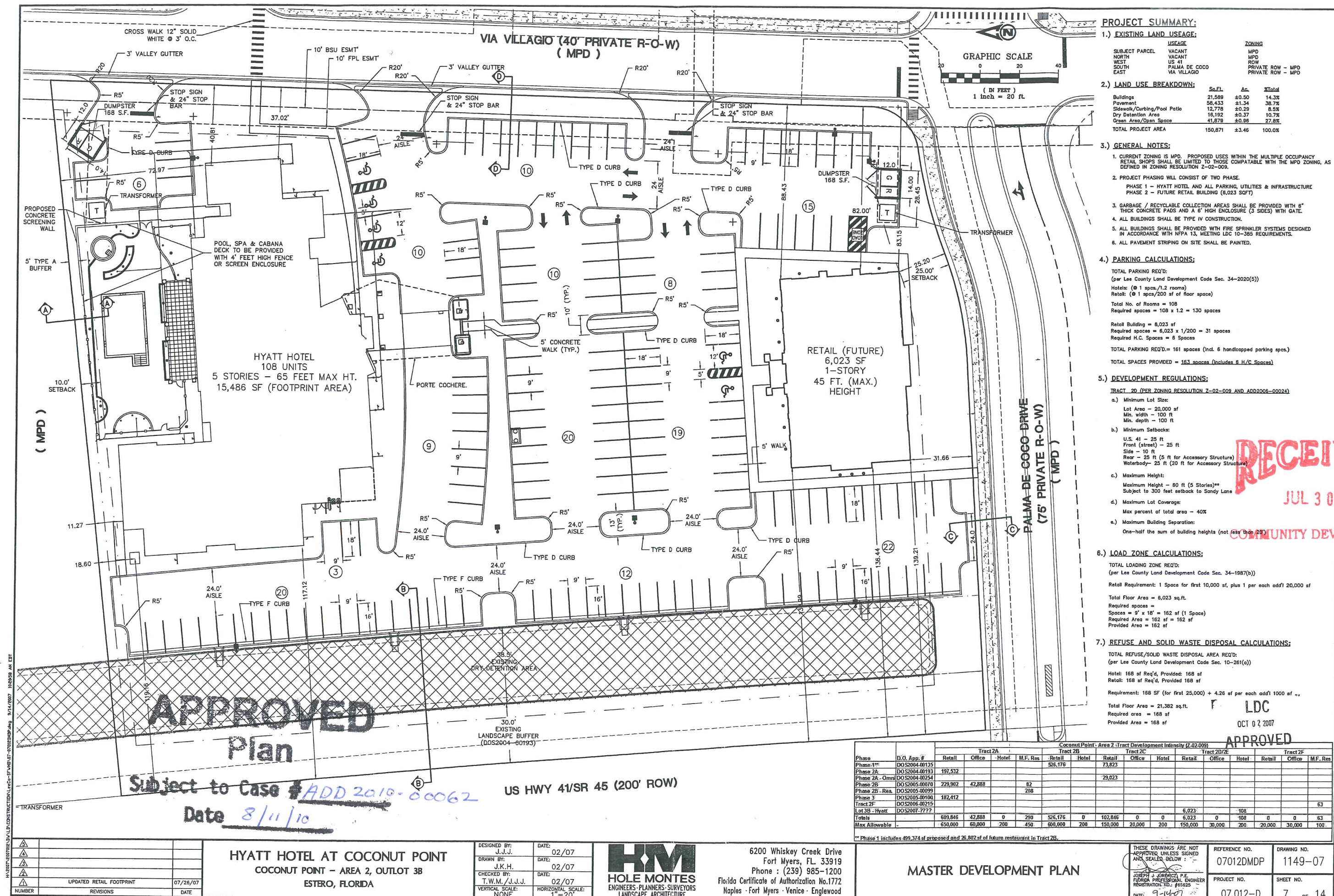
COMMUNITY DEVELOPMENT

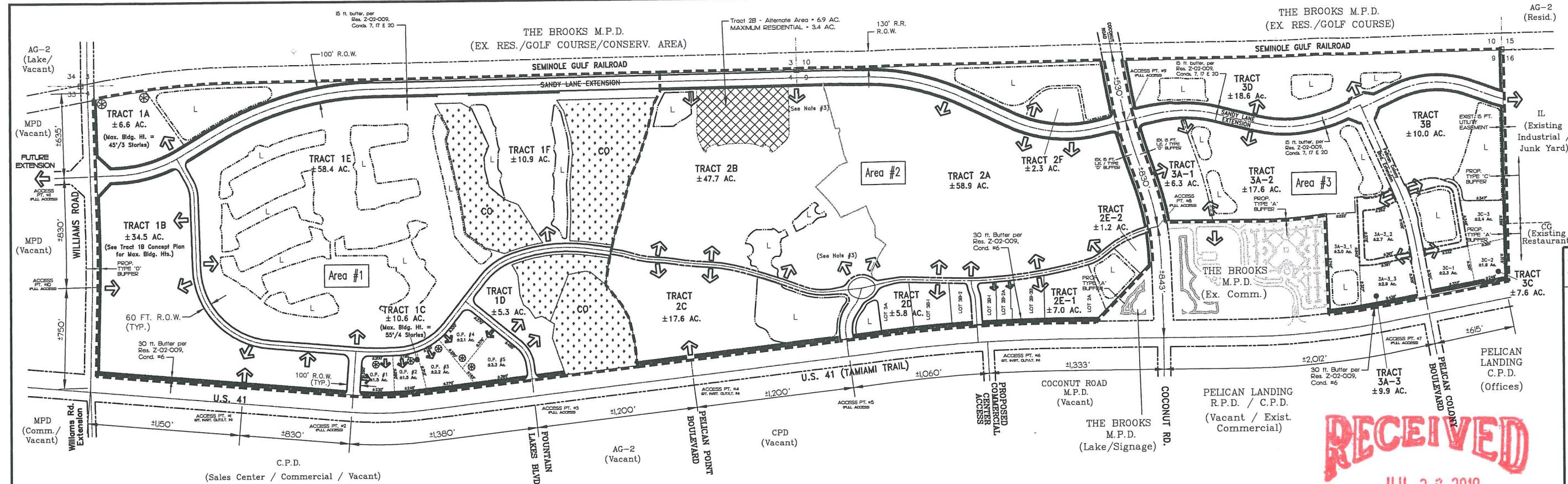
ADD 2010-00062

P.S.M. #6130
STATE OF FLORIDA

SKETCH AND LEGAL DESCRIPTION

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





PROJECT SUMMARY:

1.) REQUEST: A Rezoning from AG-2 to Mixed Use Planned Development (MPD)

2.) OVERALL CONCEPTUAL PROJECT ACREAGES:

CONSERVATION AREAS	±33.4 ACRES
LAKES	±58.8 ACRES
INTERNAL (PRIVATE) R.O.W.	±20.2 ACRES
INTERNAL (PUBLIC) R.O.W.	±25.6 ACRES
GREEN AREAS / OPEN SPACE	± 8.7 ACRES
DEVELOPMENT TRACT AREAS	±335.7 ACRES
TOTAL	±482.4 ACRES

3.) CONCEPTUAL TRACT LAND USE/ACREAGE BREAKDOWN:

a.) DEVELOPMENT AREAS:

Development Area #1: (Residential - 854 M.F. Units / Retail - Comm. 131,400 Sq.Ft. / Office 78,333 Sq.Ft. / Hotel 120 Rooms / Bank w/ D.T. - 4,000 sq.ft. / Performing Arts Center - 506 Seats)

Proposed Lakes	± 28.1 Ac.
Proposed Internal/Private R.O.W.	± 8.2 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 10.1 Ac.
Conservation Areas	± 33.4 Ac.
Green Areas / Open Space	± 4.7 Ac.
Development Areas (Tracts 1A - 1F)	± 126.3 Ac.
Total Development Area #1	±210.8 Ac.

Development Area #2: (Residential - 450 M.F. Units / Retail - Comm. 1,450,000 Sq.Ft. / Gen. Office 90,000 Sq.Ft. / Hotel - 200 Rooms)

Proposed Lakes	± 17.0 Ac.
Proposed Internal/Private R.O.W.	± 6.1 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 8.1 Ac.
Green Areas / Open Space	± 4.0 Ac.
Development Areas (Tracts 2A - 2F)	± 140.5 Ac.
Total Development Area #2	±175.7 Ac.

Development Area #3: (Residential - 424 M.F. / A.L.F. Units / Retail - Comm. 57,500 Sq.Ft. / Office 215,000 Sq.Ft. / Hotel - 120 Rooms / Bank w/ D.T. - 4,000 sq.ft.)

Proposed Lakes	± 13.7 Ac.
Proposed Internal/Private R.O.W.	± 5.9 Ac.
Proposed Public R.O.W. (Sandy Lane Extension)	± 7.4 Ac.
Development Areas (Tracts 3A-1 thru 3 - 3D)	± 68.9 Ac.
Total Development Area #3	±95.9 Ac.

b.) MAXIMUM DEVELOPMENT TRACT INTENSITY:

(NOTE: CUMULATIVE INTENSITIES WILL NOT EXCEED MAXIMUM PROPOSED LAND USES FOR EACH DEVELOPMENT AREA)

Development Area #1:

Tract 1A	15,000 s.f. Retail / 50,000 s.f. Office
Tract 1B	90,000 s.f. Retail / 314 M.F. / Arts Center - 506 Seats
Tract 1C	60,000 s.f. Retail / 20,000 s.f. Office / 120 Room Hotel
Tract 1D	5,000 s.f. Retail / 30,000 s.f. Office / Fire Station
Tract 1E	450 M.F. DU's
Tract 1F	90 M.F. DU's

Development Area #2:

Tract 2A	650,000 s.f. Retail / 450 M.F. DU's / 60,000 s.f. Office / 200 Room Hotel
Tract 2B	600,000 s.f. Retail / 200 Room Hotel / 200 M.F. DU's
Tract 2C	150,000 s.f. Retail / 20,000 s.f. Office / 200 Room Hotel
Tract 2D/E	150,000 s.f. Retail / 30,000 s.f. Office / 200 Room Hotel
Tract 2F	20,000 s.f. Retail / 30,000 s.f. Office / 100 Multi-family Units

Development Area #3:

Tract 3A-1 thru 3	60,000 s.f. Retail / 145,000 s.f. Office / 120 Room Hotel
Tract 3B	200 A.L.F. Units
Tract 3C	40,000 s.f. Retail / 90,000 s.f. Office / 120 Room Hotel
Tract 3D	224 M.F. DU's

4.) PROJECT PHASING:

	M.F. / A.L.F. (UNITS)	RETAIL COMM. (SQ.FT.)	OFFICE (SQ.FT.)	HOTEL (ROOMS)	BANK w DT (SQ.FT.)	ARTS CENTER (SEATS)
2001 - 2007	1,728*	1,638,900	383,333	440	8,000	506

*M.F. / A.L.F. UNITS MAY BE REPLACED WITH S.F. / T.F. / T.H. / DUPLEX UNITS SO LONG AS THE TOTAL NO. OF PEAK HOUR VEHICULAR TRIPS GENERATED BY THE DEVELOPMENT IS NOT INCREASED AND APPROVAL IS OBTAINED IN ACCORDANCE WITH RESOLUTION Z-02-009.

5.) CONCEPTUAL OPEN SPACE (Tract 2B Alternate Plan):

a.) REQUIRED (per L.C.L.D.C.):

Development Area #1:		
(LESS Sandy Lane Extension & Tract 1B (Resid)/ Tracts 1E & 1F)	107.0 Ac. x 30%	± 32.1 Ac.
(Tracts 1B (Resid) / 1E / 1F)	93.7 Ac. x 40%	± 37.5 Ac.
Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]:		
(LESS Sandy Lane Extension & Resid. Area)	158.4 Ac. x 30%	± 47.5 Ac.**
(Residential Area)	9.2 Ac. x 40%	± 3.7 Ac.
Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]:		
(LESS Sandy Lane Extension & Resid. Area)	161.8 Ac. x 30%	± 48.5 Ac.**
(Residential Area)	5.8 Ac. x 40%	± 2.3 Ac.
Development Area #3:		
(LESS Sandy Lane Extension & Tracts 3B & 3D)	59.7 Ac. x 30%	± 17.9 Ac.
(Tract 3B & 3D)	28.8 Ac. x 40%	± 11.5 Ac.
Total Open Space Required [ALT 1]:		±150.2 Ac.
Total Open Space Required [ALT 2]:		±149.8 Ac.

*The % of Open Space may vary depending upon the ultimate land uses.

**Includes Residential above Commercial uses.

b.) PROVIDED (per L.C.L.D.C.):

Prop. Lake Areas (@ ≤ 25.0% of 150.2 Ac.)		± 37.6 Ac.
Prop. Conservation Areas		± 33.4 Ac.
Development Area #1:		
Commercial Development (Tracts 1A/1B (Comm)/1C/1D)	32.6 Ac. x 19.55%	± 6.4 Ac.
Residential Development (Tracts 1B (Resid)/1E/1F)	93.7 Ac. x 30.0%	± 28.1 Ac.
Sub-total		± 34.5 Ac.
Development Area #2 [ALT 1, TRACT 2B ALT AREA = 3.4 AC RESIDENTIAL MAX]:		
Commercial Development (Tracts 2A - 2F)	131.3 Ac. x 19.52%	± 25.6 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
Residential Development (Tracts 2B)	3.4 Ac. x 23.5%	± 0.8 Ac.
Sub-total		± 27.8 Ac.
Development Area #2 [ALT 2, TRACT 2B ALT AREA = NO RESIDENTIAL]:		
Commercial Development (Tracts 2A - 2F)	134.7 Ac. x 19.52%	± 26.3 Ac.
Residential Development (Tract 2A)	5.8 Ac. x 23.60%	± 1.4 Ac.
Sub-total		± 27.7 Ac.
Development Area #3:		
Commercial Development Tracts (Tracts 3A-1 thru -3 & 3C)	42.6 Ac. x 19.55%	± 8.3 Ac.
Residential Development (Tracts 3B & 3D)	28.8 Ac. x 30%	± 8.6 Ac.
Sub-total		± 16.9 Ac.
Total Open Space Provided [ALT 1]:		*** ±150.2 Ac.
Total Open Space Provided [ALT 2]:		*** ±150.1 Ac.

COMMUNITY DEVELOPMENT

6.) INDIGENOUS OPEN SPACE:

DUE TO THE EXISTING AGRICULTURAL LAND USE AND THE EXTENT OF MELALEUCA INVASION WITHIN THE REMAINING FORESTED AREAS, NO INDIGENOUS OPEN SPACE IS REQUIRED.

7.) NOTES:

- Internal access will be provided to allow through traffic between US 41 and Sandy Lane Extension.
- For Tracts 1A and 1C general service area locations, see above MCP. For Tract 1B general service area locations, see Tract 1B concept plan and Tract 1B Plan Details.
- The project will be designed to facilitate the use of the Lee Tran services in accordance with Lee County LDC Sec. 34-411(e) and 10-442.

ADD 2010-00062

LEGEND

	PROPERTY BOUNDARY
	ROAD R.O.W. LINE
	CONSERVATION AREAS
	PROPOSED LAKE
	CONCEPTUAL ACCESS POINT
	ADJACENT ZONING / LAND USE
	GENERAL LOCATION OF SERVICE AREAS

SCALE: 1" = 800'

ATTACHMENT "A"

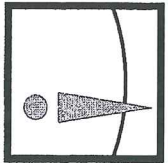
Added Access Pl. for Tract 3A-1	11/16/05
Revised for Administrative Amendment #8 Tract 3D	11/16/05
Revised for Admin. Amendment ADD2005-00080	09/22/05
Revised for Administrative Amendment Submittal	02/04/05
Revised for Administrative Amendment Submittal	08/25/04
Revised for Administrative Amendment Submittal	05/19/04
Revised for Administrative Amendment Submittal	02/27/04
Revised per County Attorney's Office Memo	12/09/02
Revised Tracts / O.S. Coles / Permitted Uses	12/16/01
Revised per County Staff 1st RAI.	03/05/01

Sufficiency Responses	01/15/07
Sufficiency Responses	10/02/06
NOPC / Zoning Amendment	08/15/06
Revised Open Space Calc for 2B Alternate Parcel	02/27/06
Added MF Units to Tract 2B (No increase in max units)	01/26/06
Sufficiency Responses	04/03/07
Sufficiency Responses	04/03/07
SUBMITTED FOR HYATT COP	05/21/08
ADDED/REVISED ACCESS POINT - TRACT 2E-1	11/13/07
Zoning Resolution Revisions	11/01/07
Sufficiency Responses	04/30/07
Sufficiency Responses	04/03/07

6200 Whiskey Creek Drive
Fort Myers, FL 33919
Phone : (941) 985-1200
Professional Registration No.1772
Noples - Fort Myers - Venice - Englewood
HOLE MONTES
ENGINEERS-PLANNERS-SURVEYORS

COCONUT POINT M.P.D.
MASTER CONCEPT PLAN
EXHIBIT IV-F

DESIGNED: E.M.C.	DATE: 08/16
DRAWN: C.R.B.	DATE: 08/16
CHECKED: N.E.D.	DATE: 08/19
VERT. SCALE: 1" = 8'	
DRAWING NO.	
REFERENCE NO.	9779B_MCI
PROJECT NO.	97.79-B
SHEET	1



Overcash Denmitt
Architects

2010 South Lynn Street, Suite 14
Charlotte, North Carolina 28203
Phone: 704.332.1815
Fax: 704.332.9907
Web: www.odarch.com

SIMON
PROPERTY

ATTACHMENT D



Hyatt Place

ESTERO, FLORIDA

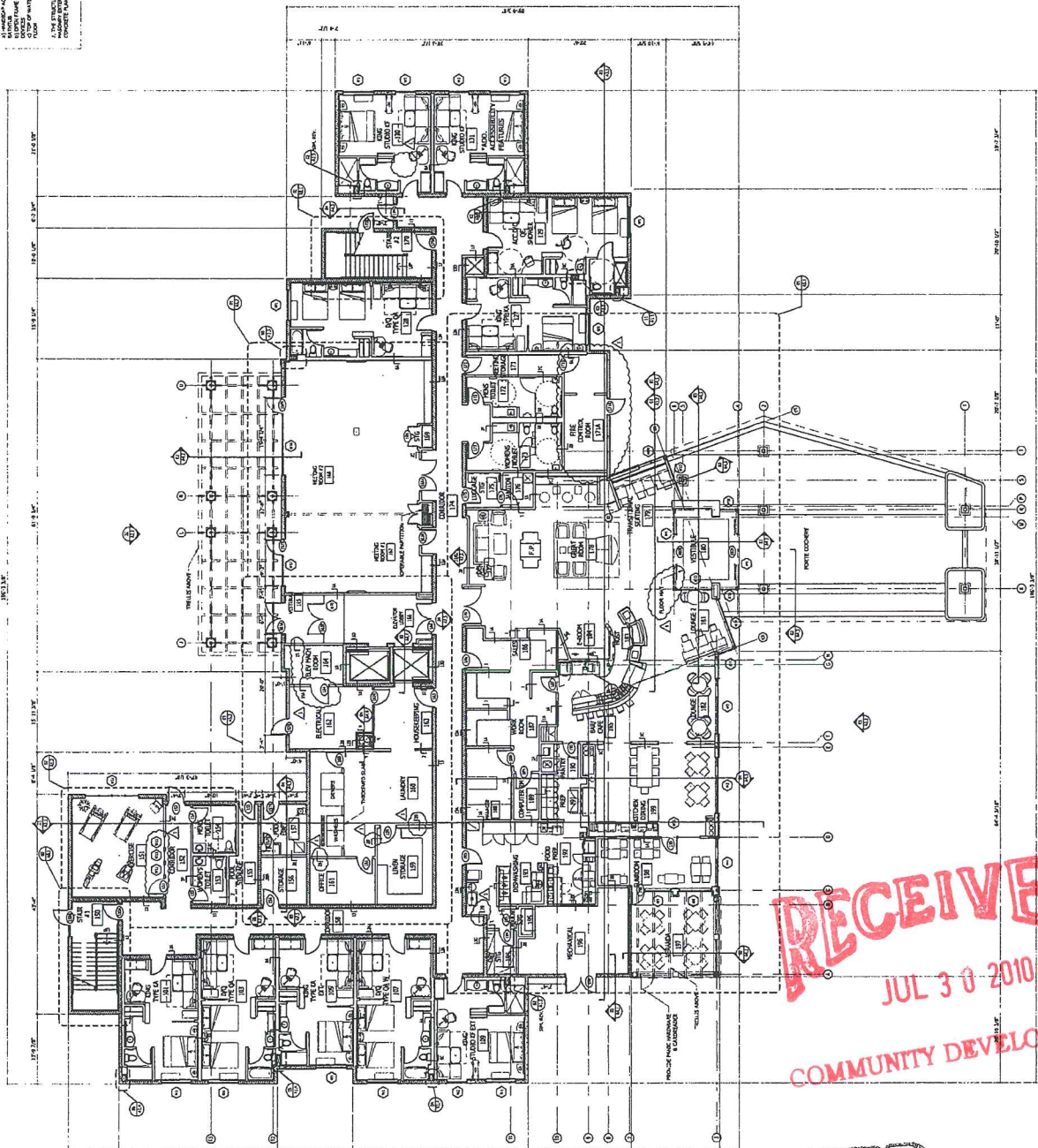
NO.	DESCRIPTION	DATE
1	PRELIMINARY SUBMITTAL	04/10/07
2	PROCESS SET	07/25/07
3	IN PLAN SET	08/01/07
4	PERMIT SET	08/01/07
5	SECTION 1	12/17/07

1ST FLOOR PLAN

A1.1
Copyright 2007 Overcash Denmitt Architects
08/11/10

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



RECEIVED
JUL 30 2010
COMMUNITY DEVELOPMENT

APPROVED
Plan

RECEIVED
JUN 17 2008

Subject to Case # ADD2010-00062
Date 8/11/10

PERMIT COUNTER

ADD 2010-00062

01 FIRST FLOOR PLAN

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

