

ADMINISTRATIVE AMENDMENT (FPA) ADD2012-00064

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, WCI Communities Inc. filed an application for Final Zoning Plan Approval to a Residential Planned Development (RPD) on a project known as Parcels F & G at The Colony Golf and Bay Club of Pelican Landing for a 96-unit (12 buildings, 8-units each) condominium development with clubhouse, pool, parking and related infrastructure with the following deviation from the Land Development Code (LDC):

1. Section 34-935(e)(4) that requires where there are two or more principal buildings on a development tract, the minimum separation of buildings be one-half the sum of their heights (63 feet) to allow a minimum 50 foot building separation.

WHEREAS, the property is described as:

LEGAL DESCRIPTION: In Section 17, Township 47 South, Range 25 East, Lee County, Florida:

See attached "Exhibit A".

WHEREAS, the subject property is located in the Outlying Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the property was zoned RPD by Resolution Z-94-014 and has been subsequently amended; and

WHEREAS, Condition 1 of Resolution Z-94-014 requires, as a prerequisite to approval of any local Development Order for property located within the RPD, an approved Final Zoning Plan that specifies the type, intensity and configuration of development for the particular site; and

WHEREAS, the objective of a Final Zoning Plan is to ensure compliance with the DRI Development Order, Zoning Resolution, and LDC and to allow detailed review of deviations while allowing development flexibility to respond to changing conditions; and

WHEREAS, Parcel F & G at The Colony Golf and Bay Club of Pelican Landing previously received Final Plan Approval by Administrative Amendment ADD2007-00089 for a 21-story, 280-unit multi-family residential building over one level of parking; and

WHEREAS, the applicant is requesting a new Final Plan Approval for a 96-unit (12 buildings, 8-units each) condominium development with clubhouse, pool, parking and related infrastructure (see Site Plan, Attachment A); and

WHEREAS, as required by Condition 18(b) of Resolution Z-94-014 the applicant has provided a total unit count demonstrating that the proposed 96 units will not exceed the allotted 2,266 dwelling units approved per Resolution Z-94-014 for the Pelican Landing RPD; and

WHEREAS, the Lee County LDC provides for certain administrative changes to planned unit development final development plans; and

WHEREAS, the applicant has requested a deviation from LDC Section 34-935(e)(4) that requires where there are two or more principal buildings on a development tract, the minimum separation of buildings be one-half the sum of their heights, in this case 63 feet, to allow a minimum 50 foot building separation; and

WHEREAS, staff has reviewed the deviation request and finds that the planned development will be enhanced and that the intent of such regulations to protect health, safety and welfare will be served; and

WHEREAS, a letter was provided by the Estero Fire Department stating no objection to a minimum 50 foot separation between buildings; and

WHEREAS, Environmental Sciences staff reviewed the request and had no objection; 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 subject application and plans have been reviewed for compliance with the MCP and all of the conditions approved by Resolution Z-94-014, as subsequently amended; and

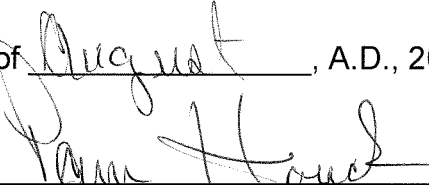
WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Final Zoning Plan Approval on a project known as Parcels F & G at The Colony Golf and Bay Club of Pelican Landing for a 96-unit (12 buildings, 8-units each) condominium development with clubhouse, pool, parking and related infrastructure with a deviation from LDC Section 34-935(e)(4) that requires where there are two or more principal buildings on a development tract, the minimum separation of buildings be one-half the sum of their heights (63 feet) to allow a minimum 50 foot building separation is **APPROVED with the following conditions:**

1. Development must be in substantial compliance with the Site Plan stamped RECEIVED AUG 15 2012 COMMUNITY DEVELOPMENT (see Attachment A). Site Plan ADD2012-00064 is hereby Approved and adopted.
2. Approval of the Deviation from LDC Section 34-935(e)(4) is limited to a minimum 50 foot building separation in substantial compliance with the Site Plan (see Attachment A).
3. Approval of this administrative amendment supercedes approval granted by ADD2007-00089. ADD2007-00089 is hereby null and void.
4. The local development order must depict the sales center, ancillary parking lot and access road from Coconut Road to be removed. Prior to obtaining a Certificate of Compliance the sales center, ancillary parking lot and access road from Coconut Road must be removed and the lake infrastructure must be complete and required buffers installed.
5. Prior to local development order approval, the plans must be consistent with all applicable provisions of the Lee County LDC and the terms and conditions of Resolution Z-94-014, as subsequently amended.

DULY SIGNED this 31st day of August, A.D., 2012.

BY: _____


Pam Houck, Director
Division of Zoning
Department of Community Development

PROPERTY DESCRIPTION

BEING A PORTION OF LAND LOCATED IN SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE COCONUT ROAD RIGHT-OF-WAY AS SHOWN ON THE SPECIFIC PURPOSE SURVEY PREPARED BY JOHNSON ENGINEERING, INC. DATED DECEMBER 15, 1999 WITH A PROJECT NUMBER OF 19991898; THENCE RUN ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY SOUTH 89°43'06" EAST, FOR A DISTANCE OF 45.84 FEET, TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID SOUTH LINE SOUTH 89°43'06" EAST, FOR A DISTANCE OF 904.21 FEET TO THE INTERSECTION OF THE EXTENSION OF THE WEST LINE OF VIA VENETO RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 4408, PAGE 470 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND SAID SOUTH LINE OF COCONUT ROAD; THENCE RUN ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY AND EXTENSION THEREOF FOR THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. SOUTH 00°17'49" WEST, FOR A DISTANCE OF 47.01 FEET;
2. THENCE RUN SOUTH 74°36'33" EAST, FOR A DISTANCE OF 58.19 FEET;
3. THENCE RUN SOUTH 50°54'15" EAST, FOR A DISTANCE OF 143.04 FEET;
4. THENCE RUN SOUTH 00°11'43" WEST, FOR A DISTANCE OF 82.19 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 5 OF THOSE LANDS RECORDED IN INSTRUMENT NUMBER 2009000192836 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID WESTERLY LINE FOR THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:
 1. NORTH 89°47'57" WEST, FOR A DISTANCE OF 34.12 FEET;
 2. THENCE RUN SOUTH 63°30'43" WEST, FOR A DISTANCE OF 230.57 FEET;
 3. THENCE RUN SOUTH 47°26'14" WEST, FOR A DISTANCE OF 466.86 FEET;
 4. THENCE RUN SOUTH 41°35'17" WEST, FOR A DISTANCE OF 46.90 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 48°24'38" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
 5. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 28°01'16", SUBTENDED BY A CHORD OF 48.42 FEET AT A BEARING OF SOUTH 55°36'00" WEST, FOR AN ARC LENGTH OF 48.91 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE SOUTHEAST, WHOSE RADIUS POINT BEARS SOUTH 20°23'12" EAST, A DISTANCE OF 105.00 FEET THEREFROM;
 6. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 105.00 FEET, THROUGH A CENTRAL ANGLE OF 54°28'46", SUBTENDED BY A CHORD OF 96.12 FEET AT A BEARING OF SOUTH 42°22'25" WEST, FOR AN ARC LENGTH OF 99.84 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE NORTHWEST, WHOSE RADIUS POINT BEARS NORTH 74°51'54" WEST, A DISTANCE OF 100.00 FEET THEREFROM;
 7. THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 14°44'34", SUBTENDED BY A CHORD OF 25.66 FEET AT A BEARING OF SOUTH 22°30'23" WEST, FOR AN ARC LENGTH OF 25.73 FEET TO THE END OF SAID CURVE;
 8. THENCE RUN SOUTH 29°52'39" WEST, FOR A DISTANCE OF 22.93 FEET; THENCE RUN NORTH 34°45'41" WEST, FOR A DISTANCE OF 134.67 FEET; THENCE RUN NORTH 53°03'31" WEST, FOR A DISTANCE OF 119.51 FEET; THENCE RUN NORTH 19°08'07" WEST, FOR A DISTANCE OF 117.09 FEET; THENCE RUN NORTH 41°42'16" WEST, FOR A DISTANCE OF 86.54 FEET; THENCE RUN NORTH 00°49'46" WEST, FOR A DISTANCE OF 150.18 FEET; THENCE RUN NORTH 50°28'56" WEST, FOR A DISTANCE OF 47.03 FEET; THENCE RUN NORTH 20°07'09" WEST, FOR A DISTANCE OF 19.34 FEET; THENCE RUN NORTH 34°54'03" WEST, FOR A DISTANCE OF 30.82 FEET; THENCE RUN NORTH 23°07'05" EAST, FOR A DISTANCE OF 44.14 FEET; THENCE RUN NORTH 28°21'44" WEST, FOR A DISTANCE OF 88.04 FEET; THENCE RUN NORTH 39°18'43" EAST, FOR A DISTANCE OF 25.46 FEET; THENCE RUN NORTH 07°41'43" EAST, FOR A DISTANCE OF 98.70 FEET; THENCE RUN NORTH 10°04'01" WEST, FOR A DISTANCE OF 18.32 FEET TO THE POINT OF BEGINNING, CONTAINING 12.26 ACRES, MORE OR LESS.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF COCONUT ROAD, BEING SOUTH 89°43'06" EAST, PER THE LEE COUNTY RIGHT-OF-WAY MAP (JOHNSON ENGINEERING SPECIFIC PURPOSE SURVEY) HAVING A PROJECT NUMBER OF 19991898. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATEPLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, NATIONAL GEODETIC SURVEY ADJUSTMENT OF 1990, AND ARE IN UNITED STATES SURVEY FEET.
2. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
3. THIS SKETCH & DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.

RECEIVED
JUL 24 2012

COMMUNITY DEVELOPMENT

ADD 2012-00064

7-30-12
APPROVED
LEGAL
TMA

EXHIBIT A

NOT COMPLETE WITHOUT SHEETS 1-2 OF 2

REVISION: ADDED SPC AND TIE PER COUNTY COMMENTS (7/24/12, DLS)

| | |
|-------------|--------------|
| DRAWN BY: | DLS |
| CHECKED BY: | DLS |
| JOB CODE: | WCITCFG |
| SCALE: | N/A |
| DATE: | 5/7/12 |
| FILE: | 12-34-002SL2 |
| SHEET: | 1 of 2 |



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Fort Myers 239.690.4380

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BONITA SPRINGS, FL 34134

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CERT. OF AUTH. BB 0005151 CERT. OF AUTH. LB 0005151 BUSINESS LC 26000266

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SKETCH & DESCRIPTION

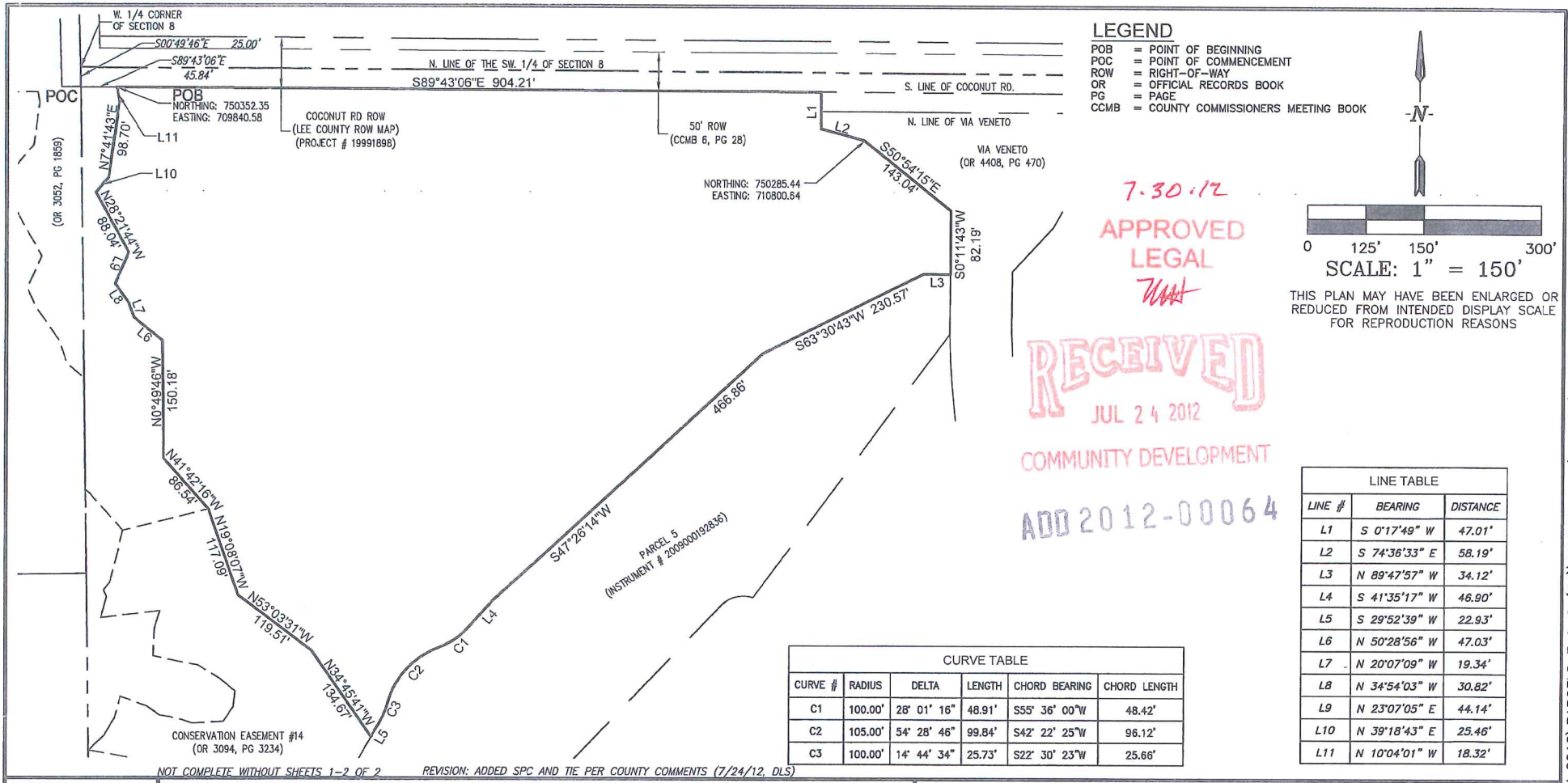
PARCELS F & G

A PORTION OF
SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

NOT A SURVEY

7/24/12
DATE SIGNED

Donald L. Saintry III
DONALD L. SAINTRY III, P.S.M.
FL LICENSE #6761
FOR THE FIRM



DRAWN BY: DLS
 CHECKED BY: DLS
 JOB CODE: WCITCFG
 SCALE: 1" = 150'
 DATE: 5/7/12
 FILE: 12-34-002SL2
 SHEET: 2 of 2

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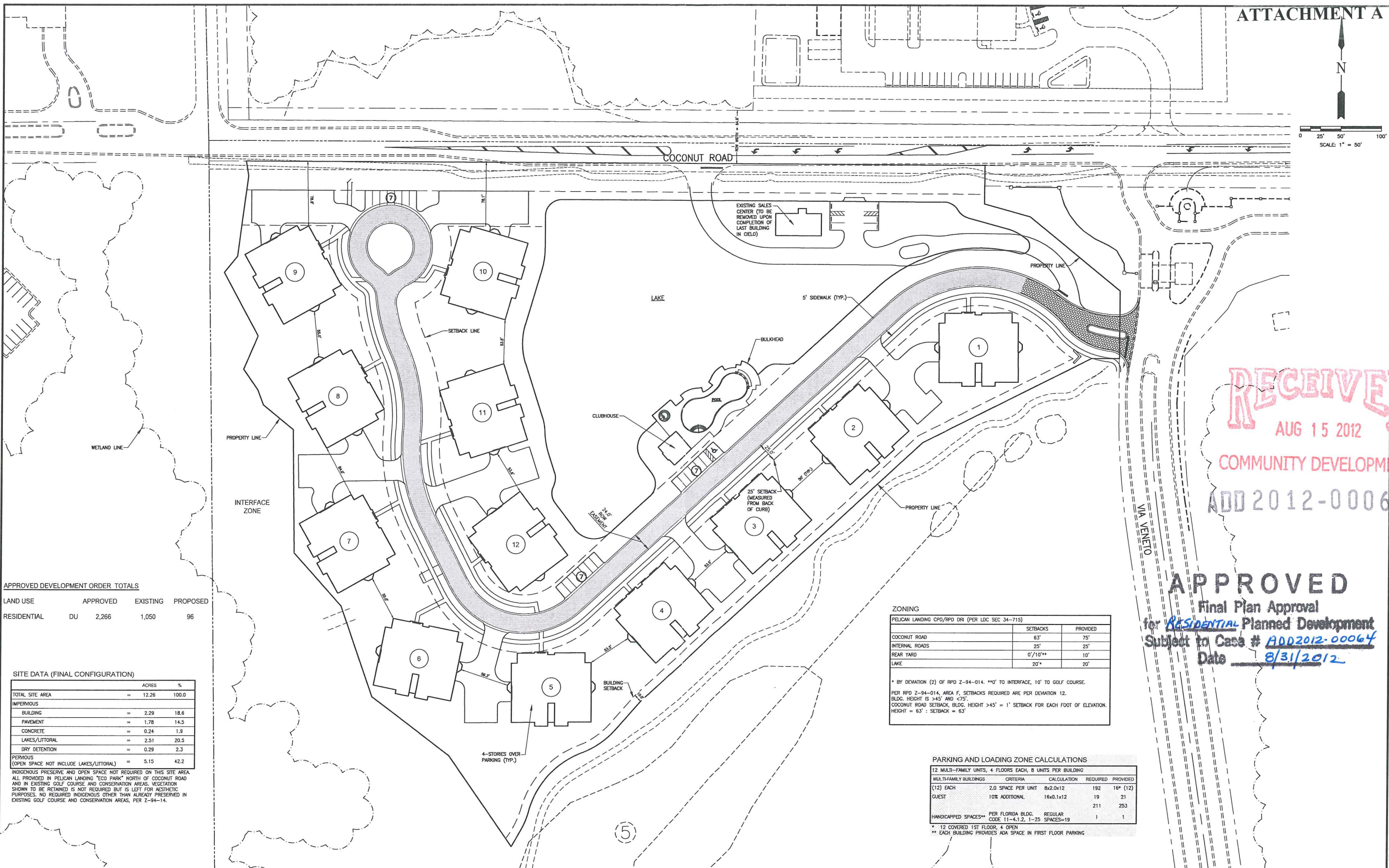
SKETCH & DESCRIPTION
 PARCELS F & G
 A PORTION OF
 SECTION 8, TOWNSHIP 47 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA

NOT A SURVEY

S:\PROJECTS-SURVEY 2012\PARCELS F & G (34)\MASTER PLAN\SURVEY\12-34-002SL2.DWG



0 25' 50' 100'
SCALE: 1" = 50'



APPROVED DEVELOPMENT ORDER TOTALS

| LAND USE | APPROVED | EXISTING | PROPOSED |
|----------------|----------|----------|----------|
| RESIDENTIAL DU | 2,266 | 1,050 | 96 |

SITE DATA (FINAL CONFIGURATION)

| | ACRES | % |
|--|-------|-------|
| TOTAL SITE AREA | 12.26 | 100.0 |
| IMPERVIOUS | | |
| BUILDING | 2.29 | 18.6 |
| PAVEMENT | 1.78 | 14.5 |
| CONCRETE | 0.24 | 1.9 |
| LAKES/LITTORAL | 2.51 | 20.5 |
| DRY DETENTION | 0.29 | 2.3 |
| PERVIOUS (OPEN SPACE NOT INCLUDE LAKES/LITTORAL) | 5.15 | 42.2 |

INDIGENOUS PRESERVE AND OPEN SPACE NOT REQUIRED ON THIS SITE AREA ALL PROVIDED IN PELICAN LANDING "ECO PARK" NORTH OF COCONUT ROAD AND IN EXISTING GOLF COURSE AND CONSERVATION AREAS. VEGETATION SHOWN TO BE RETAINED IS NOT REQUIRED BUT IS LEFT FOR AESTHETIC PURPOSES. NO REQUIRED INDIGENOUS OTHER THAN ALREADY PRESERVED IN EXISTING GOLF COURSE AND CONSERVATION AREAS, PER Z-94-14.

ZONING

| PELICAN LANDING CPD/RPD DRI (PER LDC SEC 34-715) | SETBACKS | PROVIDED |
|--|----------|----------|
| COCONUT ROAD | 63' | 75' |
| INTERNAL ROADS | 25' | 25' |
| REAR YARD | 0'/10'* | 10' |
| LAKE | 20' | 20' |

* BY DEVIATION (2) OF RPD Z-94-014. ** TO INTERFACE, 10' TO GOLF COURSE.
PER RPD Z-94-014, AREA F, SETBACKS REQUIRED ARE PER DEVIATION 12. BLDG. HEIGHT IS >45' AND <75'. COCONUT ROAD SETBACK, BLDG. HEIGHT >45' = 1' SETBACK FOR EACH FOOT OF ELEVATION. HEIGHT = 63' : SETBACK = 63'

PARKING AND LOADING ZONE CALCULATIONS

| MULTI-FAMILY BUILDINGS | CRITERIA | CALCULATION | REQUIRED | PROVIDED |
|------------------------|---|-------------|----------|----------|
| (12) EACH | 2.0 SPACE PER UNIT | 8x2.0x12 | 192 | 16* (12) |
| GUEST | 10% ADDITIONAL | 16x0.1x12 | 19 | 21 |
| | | | 211 | 253 |
| HANDICAPPED SPACES** | PER FLORIDA BLDG. CODE 11-4.1.2, 1-25 SPACES=19 | | 1 | 1 |

* 12 COVERED 1ST FLOOR, 4 OPEN
** EACH BUILDING PROVIDES ADA SPACE IN FIRST FLOOR PARKING

RECEIVED
AUG 15 2012
COMMUNITY DEVELOPMENT
ADD 2012-00064

APPROVED
Final Plan Approval
for **RESIDENTIAL** Planned Development
Subject to Case # **ADD2012-00064**
Date **8/31/2012**

LEGEND

| Revision | Date | Description | By |
|----------|------|-----------------------------------|----|
| 2 | 8/12 | REVISE PER COUNTY REVIEW COMMENTS | SU |
| 1 | 7/12 | REVISE PER COUNTY REVIEW COMMENTS | MD |

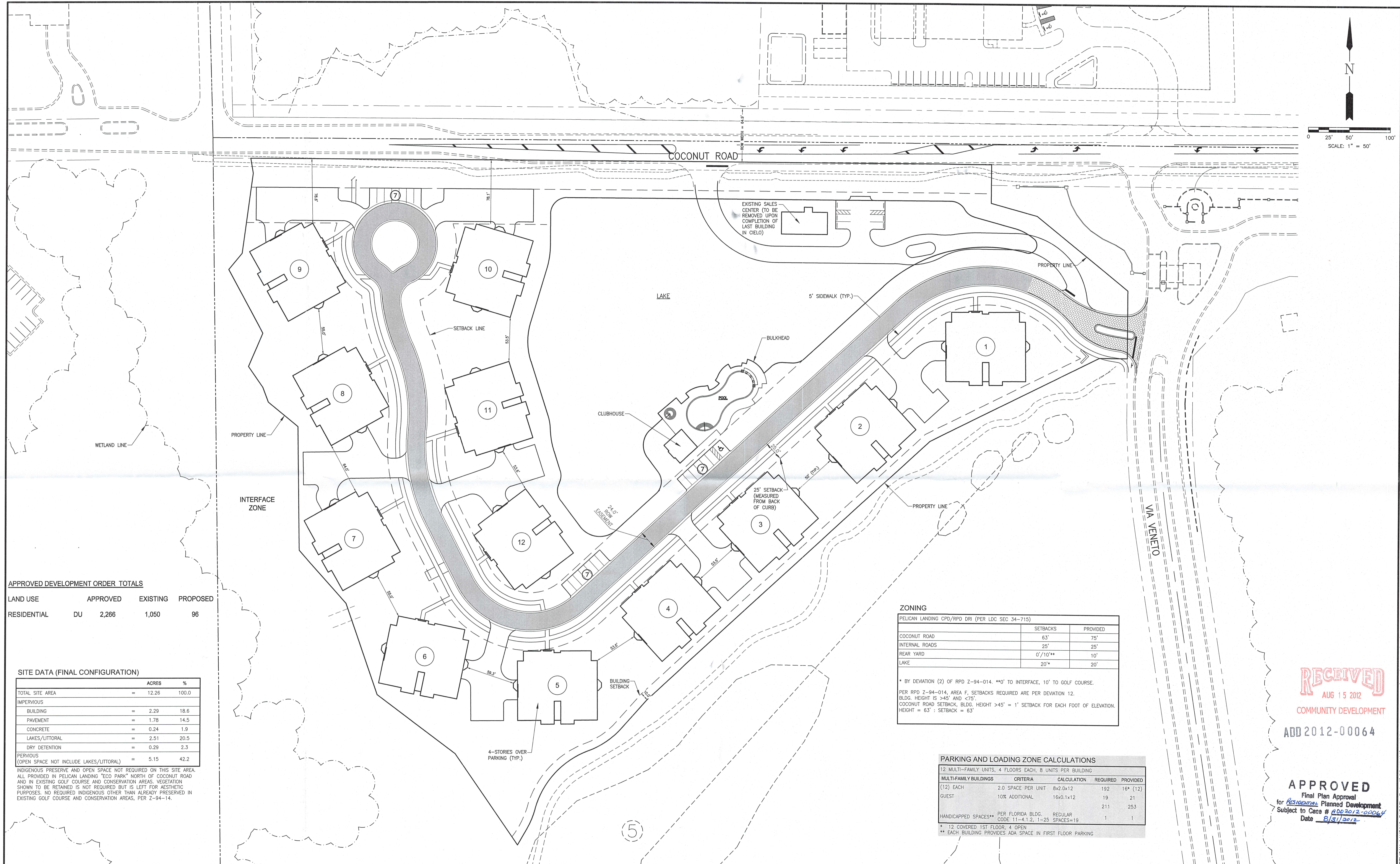
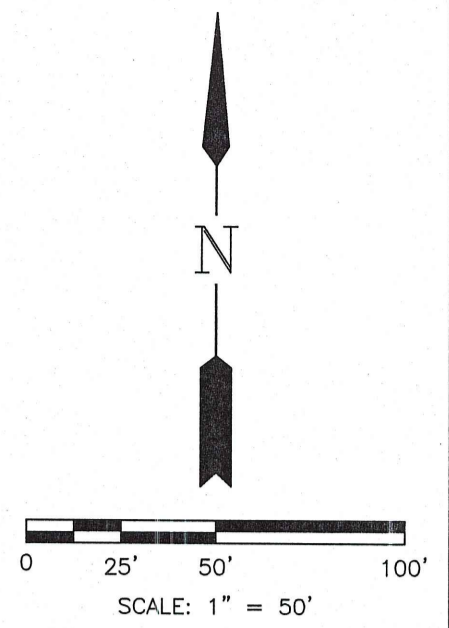
| | |
|--------------|----------|
| DESIGNED BY: | M.J.D. |
| DRAWN BY: | S.U. |
| APPROVED: | M.J.D. |
| JOB CODE: | WCTCFG |
| SCALE: | 1" = 50' |

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Fort Myers 239.690.4380
CERT. OF AUTH. EB 0005151 CERT. OF AUTH. LB 0005151 BUSINESS LC 26000266
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PARCELS F & G
EXHIBIT H-2.B.2
SITE PLAN

MUNICIPALITY: LEE COUNTY
SEC./TOWNSHIP/RNG: 09/47S/2SE
DATE: MAY 2012
FILE NAME: WCTCFG-ADD SITE PLAN (REV)
FLORIDA P.E. LICENSE NO. 48442 EB/LB 0005151
SHEET 1 OF 1

PLANING VICTOR F & ASSOCIATES, INC. PELICAN LANDING PARCEL F & G DRAWINGS/WCTCFG-ADD SITE PLAN (REV) DWG 8/14/2012 3:43 PM



APPROVED DEVELOPMENT ORDER TOTALS

| LAND USE | APPROVED | EXISTING | PROPOSED |
|----------------|----------|----------|----------|
| RESIDENTIAL DU | 2,266 | 1,050 | 96 |

SITE DATA (FINAL CONFIGURATION)

| | ACRES | % |
|--|---------|-------|
| TOTAL SITE AREA | = 12.26 | 100.0 |
| IMPERVIOUS | | |
| BUILDING | = 2.29 | 18.6 |
| PAVEMENT | = 1.78 | 14.5 |
| CONCRETE | = 0.24 | 1.9 |
| LAKES/LITTORAL | = 2.51 | 20.5 |
| DRY DETENTION | = 0.29 | 2.3 |
| PERVIOUS (OPEN SPACE NOT INCLUDE LAKES/LITTORAL) | = 5.15 | 42.2 |

INDIGENOUS PRESERVE AND OPEN SPACE NOT REQUIRED ON THIS SITE AREA. ALL PROVIDED IN PELICAN LANDING "ECO PARK" NORTH OF COCONUT ROAD AND IN EXISTING GOLF COURSE AND CONSERVATION AREAS. VEGETATION SHOWN TO BE RETAINED IS NOT REQUIRED BUT IS LEFT FOR AESTHETIC PURPOSES. NO REQUIRED INDIGENOUS OTHER THAN ALREADY PRESERVED IN EXISTING GOLF COURSE AND CONSERVATION AREAS, PER Z-94-14.

ZONING

PELICAN LANDING CPD/RPD DRI (PER LDC SEC 34-715)

| | SETBACKS | PROVIDED |
|----------------|----------|----------|
| COCONUT ROAD | 63' | 75' |
| INTERNAL ROADS | 25' | 25' |
| REAR YARD | 0'/10'* | 10' |
| LAKE | 20' | 20' |

* BY DEVIATION (2) OF RPD Z-94-014. **0' TO INTERFACE, 10' TO GOLF COURSE.
 PER RPD Z-94-014, AREA F, SETBACKS REQUIRED ARE PER DEVIATION 12.
 BLDG. HEIGHT IS >45' AND <75'.
 COCONUT ROAD SETBACK: BLDG. HEIGHT >45' = 1' SETBACK FOR EACH FOOT OF ELEVATION.
 HEIGHT = 63' : SETBACK = 63'

PARKING AND LOADING ZONE CALCULATIONS

12 MULTI-FAMILY UNITS, 4 FLOORS EACH, 8 UNITS PER BUILDING

| MULTI-FAMILY BUILDINGS | CRITERIA | CALCULATION | REQUIRED | PROVIDED |
|------------------------|---|-------------|----------|----------|
| (12) EACH | 2.0 SPACE PER UNIT | 8x2.0x12 | 192 | 16* (12) |
| GUEST | 10% ADDITIONAL | 16x0.1x12 | 19 | 21 |
| HANDICAPPED SPACES** | PER FLORIDA BLDG. CODE 11-4.1.2, 1-25 SPACES=19 | | 211 | 253 |

* 12 COVERED 1ST FLOOR, 4 OPEN
 ** EACH BUILDING PROVIDES ADA SPACE IN FIRST FLOOR PARKING

RECEIVED
 AUG 15 2012
 COMMUNITY DEVELOPMENT
 ADD 2012-00064

APPROVED
 Final Plan Approval
 for Residential Planned Development
 Subject to Case # ADD 2012-00064
 Date 8/15/2012

LEGEND

| Revision | Date | Description | By |
|----------|------|-----------------------------------|----|
| 2 | 8/12 | REVISE PER COUNTY REVIEW COMMENTS | SU |
| 1 | 7/12 | REVISE PER COUNTY REVIEW COMMENTS | MD |

| | |
|--------------|----------|
| DESIGNED BY: | M.J.D. |
| DRAWN BY: | S.U. |
| APPROVED: | M.J.D. |
| JOB CODE: | WCITCFG |
| SCALE: | 1" = 50' |

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 BUSINESS LC 26000266
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PARCELS F & G
 EXHIBIT H-2.B.2
 SITE PLAN

MUNICIPALITY: LEE COUNTY
 SEC/TWNSHP/RNG 08/47S/25E
 DATE: MAY 2012
 FILE NAME: PFG-ADD SITE PLAN (REV)
 MICHAEL J. DELATE, P.E.
 O. GRADY MINOR & ASSOC., P.A.
 3800 VIA DEL REY
 BONITA SPRINGS, FL 34134
 FLORIDA P.E. LICENSE NO. 49442
 EB/LB 0005151
 SHEET 1 OF 1

S:\PFG - PLANNING\WCITCFG - PELICAN LANDING PARCEL F & G DRAWINGS\WCITCFG-ADD SITE PLAN (REV2).DWG 8/14/2012 3:43 PM