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RESOLUTION 15-34

**A RESOLUTION APPROVING A SITE IMPROVEMENT
PLAN FOR THE MOOSE LODGE – 1000 NORTH
BARFIELD DRIVE MARCO ISLAND FLORIDA 34145**

WHEREAS, pursuant to Section 30-671 of the Code of Ordinances of the City of Marco Island staff has reviewed and recommended approval of a phased site improvement plan for the Moose Lodge located at 1000 North Barfield Drive.

WHEREAS, the Planning Advisory Board reviewed and accepted the Three (3) Phase Site improvement Plan on March 20, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, AS FOLLOWS:

SECTION 1. Recitals. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, correct, and incorporated into this resolution.

SECTION 2. Adoption.

The conditions in this resolution are hereby created and adopted as follows:

This resolution is for a phased build out, with a total of three (3) phases. The redevelopment of the complex is not to exceed five (5) years effective immediately upon issuance of phase one building permit.

Phase one includes:

- a. Interior and exterior building renovation.
- b. Re-work of existing parking lot at 1000 N. Barfield Drive per City code.
- c. Installation of landscape buffers per City code on both North Barfield Drive and Elkcam Circle.
- d. Installation of an EIFS stucco product on the north, east and west exterior facades of the building.

Phase two includes:

- a. Acquire adjacent parking lot located at 1004 North Barfield Drive.
- b. Upgrade newly purchased parking lot to meet current code, including striping, signage and landscaping.

- 46 c. Extend existing and install new landscape buffers per code along North Barfield
47 Drive and O'Malley's Alley.

48
49 Phase three includes:

- 50
51 a. Installation of an EIFS stucco product on the exterior of the south facade of the
52 building.
53
54 b. Convert existing interior storage rooms to dining area and game room.
55

56 The following terms and conditions are a requirement of the petitioner:
57

- 58 1. The approved Site Improvement Plans include the twenty nine (29) page document
59 on file in the office of the City of Marco Island Growth Management Department. The
60 Plans consist of an eight (8) page document entitled "Moose Lodge #1990, prepared by
61 Collins Engineering LLC of Marco Island, Florida, a notarized Phasing description
62 signed and dated March 23, 2015, a revised phasing plan LD-02 dated March 21, 2015,
63 and a traffic impact statement dated March 5, 2015, prepared by Trebilcock Consulting
64 Solutions, Naples, Florida.
65
- 66 2. Consistent with Section 166.033, Florida Statutes, prior to the commencement of
67 development on site, the Owner/Developer, the petitioner, must obtain any and all
68 required approval from the Florida Department of Environmental Protection, and Florida
69 Fish and Wildlife Conservation Commission, and all other applicable State or Federal
70 permits. Issuance of a development permit by the City of Marco Island does not in any
71 way create any right on the part of an applicant to obtain a permit from a State or
72 Federal agency and does not create any liability on the part of the City of Marco Island
73 for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the
74 obligations imposed by a State or Federal agency or undertakes actions that result in a
75 violation of State or Federal law. As used in this condition, the term "development" and
76 "development permit" is as defined in Section 163.3164, Florida Statutes.
77
- 78 3. The petitioner is required to submit construction documents to the City of Marco
79 Island Building Department for review and approval and a copy of the approved site
80 improvement plan must be included as part of the submittal.
81
- 82 4. The petitioner is responsible for any private deed restriction approvals with the Marco
83 Island Civic Association.
84
- 85 5. The petitioner agrees and acknowledges that the current habitable / occupiable
86 space of the building is limited to and directly related to the current onsite parking
87 provided; expanding the space will require additional parking. The petitioner specifically
88 agrees and acknowledges that any violation of this approval, as specified herein, shall
89 constitute a fine in the amount of \$500.00 dollars per day per violation (occupant).

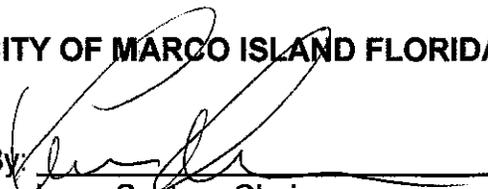
90 The Site Development Plan for the construction of Moose Lodge is hereby accepted by
91 the City of Marco Island.

92
93 **SECTION 3. Effective Date.**

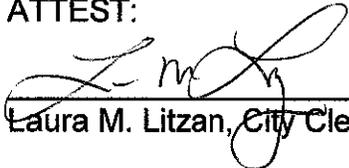
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95 This Resolution shall be effective immediately upon adoption by the City Council.

96
97 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 6th day of
98 APRIL 2015.

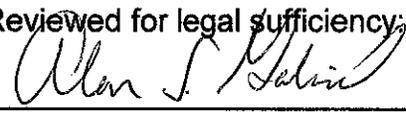
99
100 **CITY OF MARCO ISLAND FLORIDA**

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102
103 By 
104 Larry Sacher, Chairman

105 ATTEST:

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107 
108 Laura M. Litzan, City Clerk

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111 Reviewed for legal sufficiency:

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114 Alan L Gabriel, City Attorney

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