

RESOLUTION NO. 06-17

A RESOLUTION GRANTING CONDITIONAL USE APPROVAL TO DEVELOP A MIXED USE BUILDING IN ACCORDANCE WITH SECTION 30-224(16) OF THE C-3 COMMERCIAL ZONING DISTRICT AND MARCO ISLAND LAND DEVELOPMENT CODE, FOR PROPERTY DESCRIBED AS 711 AND 721 SOUTH COLLIER BOULEVARD, FURTHER DESCRIBED AS LOTS 2 AND 3, BLOCK 348, MARCO BEACH UNIT 10, IN SECTIONS 17 AND 18, TOWNSHIP 52 SOUTH, RANGE 26 EAST, CITY OF MARCO ISLAND, FLORIDA.

WHEREAS, the Legislature of the State of Florida established the Charter of the City of Marco Island in Chapter 97-367, Laws of Florida (“City Charter”); and

WHEREAS, the Marco Island Planning Board, being the duly appointed and constituted planning board for the area hereby affected, has held a public hearing on March 24, 2006 after proper notice, and voted 5 to 0 to recommend that the Marco Island City Council approve the requested Conditional Use pursuant to Section 30-224(16) of the “C-3” zoning district to construct a new five story mixed-use building on the subject property, and has found as a matter of fact (Exhibit “A”) that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations and in accordance with Section 30-64(3) of the Marco Island Land Development Code; and

WHEREAS, City Council, acting as the Board of Zoning Appeals, has held a public hearing after proper notice, and has considered the request for a Conditional Use to construct a mixed-use building on commercial “C-3” zoned property pursuant to Section 30-224(16) of the Marco Island Land Development Code, and has found that satisfactory provision and arrangement have been made concerning all applicable matters required by said regulations; and

WHEREAS, all interested parties have been given an opportunity to be heard by this Board in a public meeting assembled and the Board having considered all matters presented.

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF ZONING APPEALS of Marco Island, Florida that:

The Petition CU-05-05 filed by Frank Cooper of FC Properties, Inc., representing the Inn at Marco Island, LLC, with respect to the property hereinafter described as:

711 and 721 South Collier Boulevard, further described as Lots 2 and 3, Block 348, Marco Beach Unit 10, in Sections 17 and 18, Township 52 South, Range 26 East, City of Marco Island, Florida.

Is hereby approved for Conditional Use "16" of Section 30-224 of the "C-3" zoning district to construct a five story mixed-use building in accordance with the site and architectural plans illustrated as Exhibits "B" through "M", and the following conditions:

1. Prior to Site Development Plan approval, a determination will be made by staff of the necessary alley improvements to accommodate traffic increases and stormwater drainage from the project. It is expected that the alleyway will need to be widened and reconstructed to accommodate 2-way traffic from the intersection of Valley Avenue to Lot 25, Block 348. The owner shall be responsible for all such improvements.
2. If determined necessary by staff during the site development plan review process, the owner will be required to provide additional right-of-way at the alleyway depending on the scope of roadway, drainage and buffer related improvements pursuant to the area described in item 1 above.
3. Prior to Site Development Plan approval, the owner shall provide a Traffic Impact Study to include an analysis for turn lane warrants and traffic volumes and impacts to the alleyway.
4. The owner shall build an eight foot high architecturally designed precast or masonry wall along the east side of the alley (adjacent to lots 27, 28, 29, and 30 of Block 348) for noise abatement and buffer purposes, prior to issuance of a Certificate of Occupancy permit for any of the commercial space or condominium units.
5. During the Site Development Plan review process the Public Works Department will evaluate the project for full compliance with regulations governing engineering, water management, and traffic circulation on and off-site.
6. Prior to Site Development Plan approval, the applicant shall provide a copy of the mediation settlement agreement which demonstrates title to the site and the Moose Lodge's interest herein.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-05-05 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

This Resolution adopted after motion, second and majority vote.

Done this 20th day of March, 2006.

Attest:

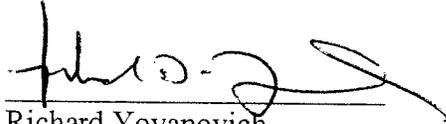
CITY OF MARCO ISLAND, FLORIDA



Laura Litzan
City Clerk

By: Terri DiSciullo
Terri DiSciullo, Chairwoman

Approved as to Form and
Legal Sufficiency:



Richard Yovanovich
City Attorney

**FINDING OF FACT BY
MARCO ISLAND PLANNING BOARD
FOR
A CONDITIONAL USE PETITION FOR
CU-05-05**

The following facts are found:

1. Section 30-224(16) of City Code authorizes the conditional use.
2. Granting the conditional use will not adversely affect the public interest and will not adversely affect other property or uses in the same district or neighborhood because of:
 - a. Consistency with the Land Development Code & Growth Management Plan:
Yes No
 - b. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire catastrophe:
Adequate ingress & egress
Yes No
 - c. Affects neighboring properties in relation to noise, glare, economic or odor effects:
No effect Effect mitigated by _____
~~Effect cannot be mitigated~~ _____
 - d. Compatibility with adjacent properties and other property in the district:
Compatible use within district
Yes No

Based on the above findings, this conditional use should, with stipulations, (copy attached) (should not) be recommended for approval _____.

Date: MARCH 24, 2006

CHAIRMAN: *[Signature]*
MEMBER: *[Signature]*

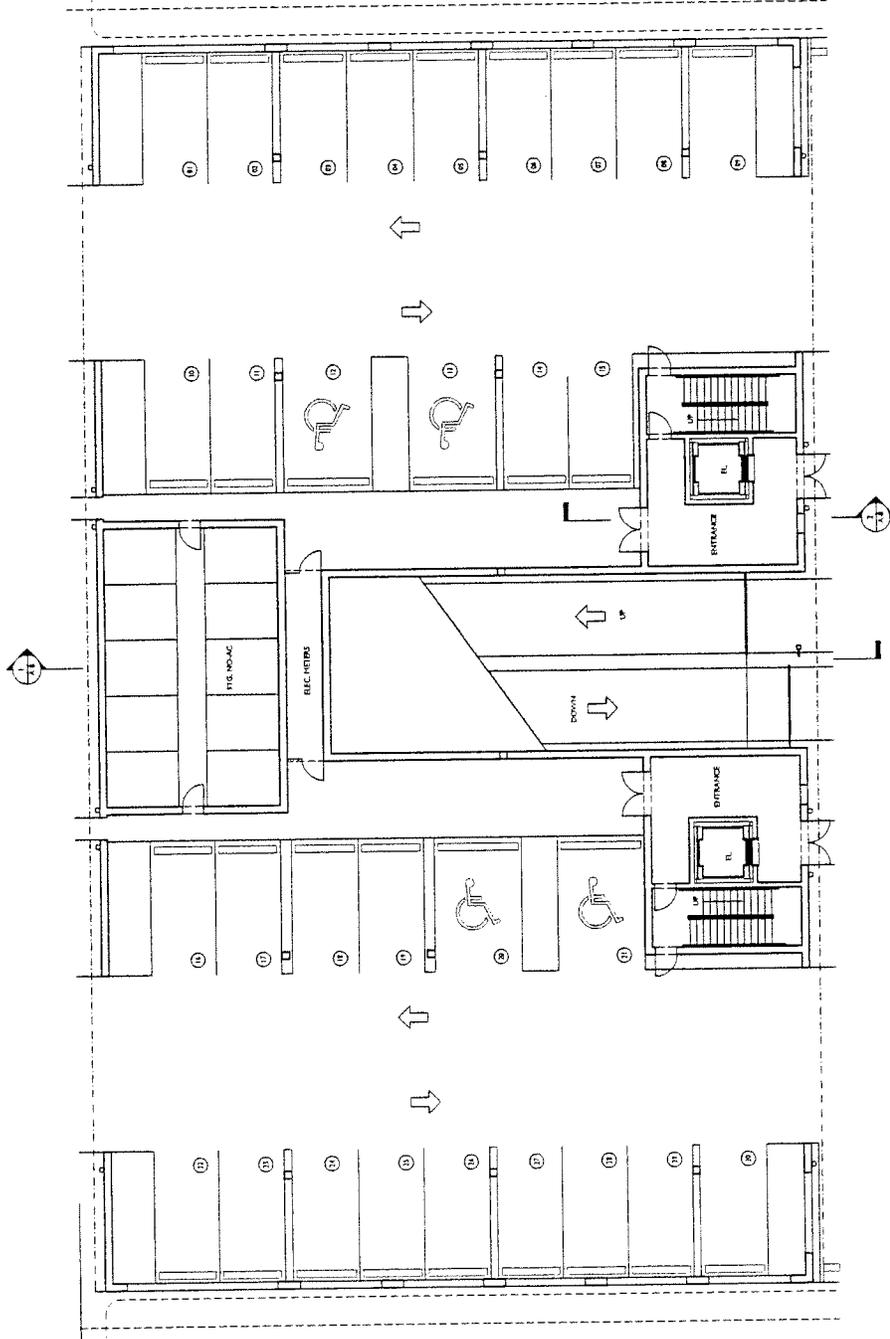
EXHIBIT "A"

ERICKSON



ASSOCIATES

849 7TH AVENUE SOUTH, SUITE 201, NAPLES, FLORIDA 34102
TEL: 239 441 1998 FAX: 239 443 4520
EMAIL: INFO@EAARCHITECTURE.COM



FRONT SIDE OF BUILDING

MOOSE LODGE
MARCO ISLAND

PARKING LEVEL
FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"

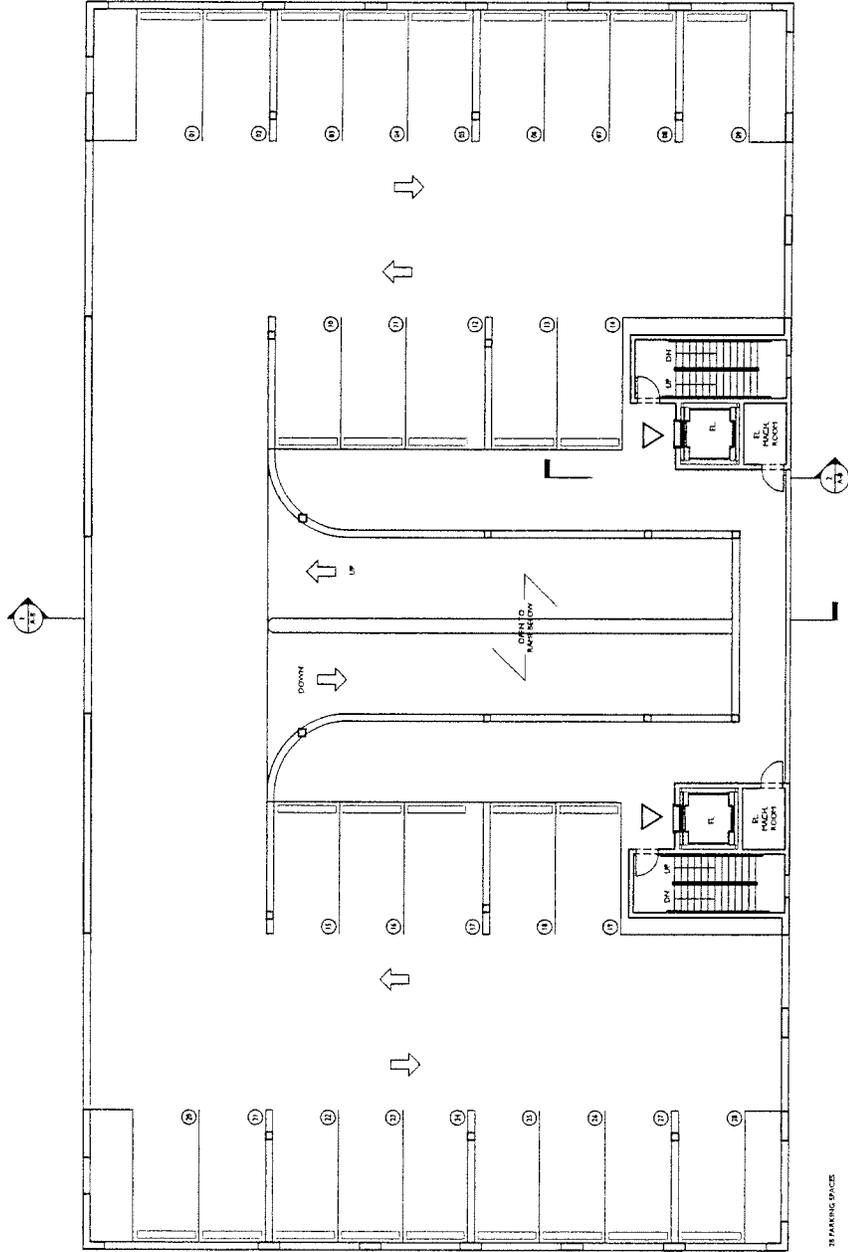


PRICE COURT L.L.C.

A

DATE: 03.15
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EXHIBIT "C"



TR PARKING SPACES

FRONT SIDE OF BUILDING

MOOSE LODGE
 MARCO ISLAND

PARKING LEVEL
 SECOND FLOOR PLAN
 SCALE 1/8" = 1'-0"



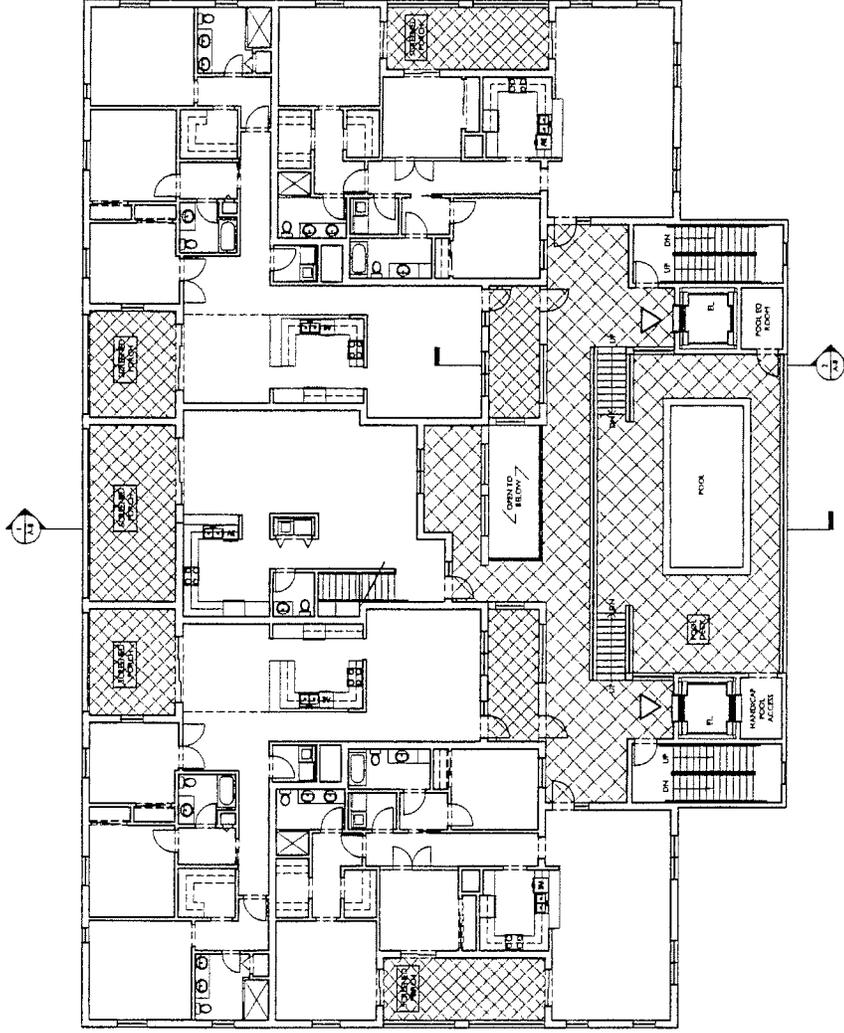
PRICE COURT L.L.C.

A

DATE: 03.11.
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EXHIBIT "D"

ALL FINISHES, MATERIALS &
 DIMENSIONS ARE TO BE
 SHOWN ON THE BUILDING PERMITS
 AND CONTRACT DOCUMENTS.
 ALL UNITS EXCEPT 1102P



FRONT SIDE OF BUILDING

MOOSE LODGE
 MARCO ISLAND

RESIDENTIAL LEVEL
 FOURTH FLOOR PLAN
 SCALE 1/8" = 1'-0"

PRICE COURT LLC



A

DATE: 03.11.
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EXHIBIT "F"

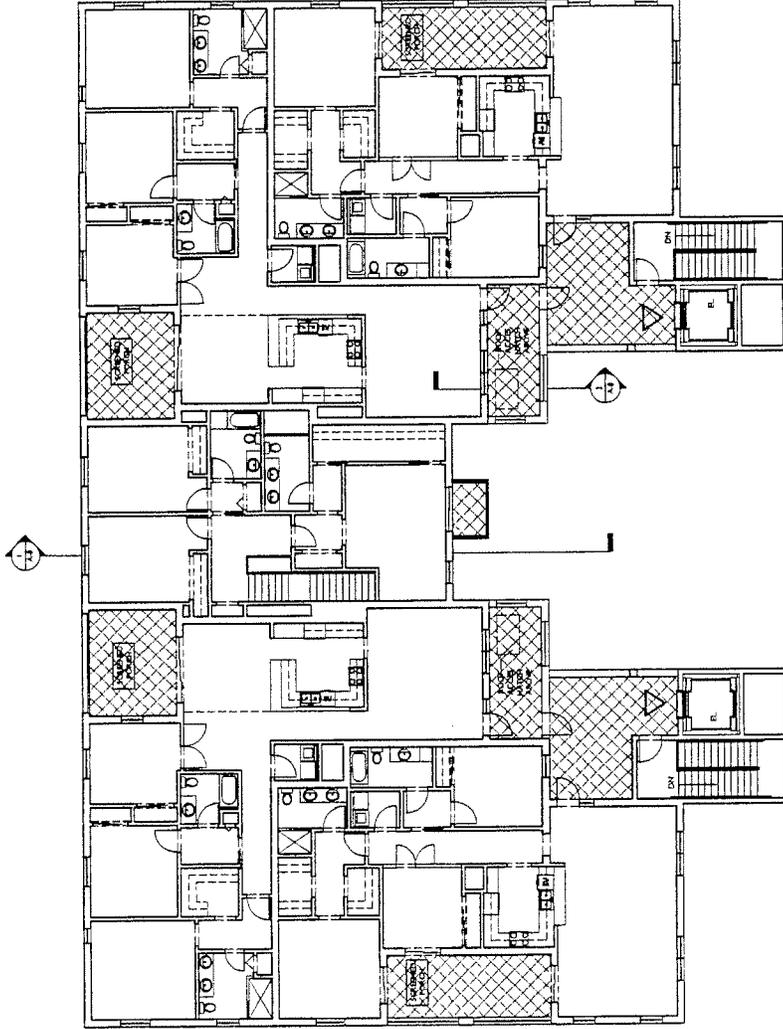
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ALL INTERIOR PARTITIONS &
FIXTURES ARE TO BE
REMOVED AND RELOCATED
AS NECESSARY TO ACCOMMODATE
THE PROPOSED UNIT LAYOUT
AND FINISHES.



FRONT SIDE OF BUILDING



RESIDENTIAL LEVEL
FIFTH FLOOR PLAN
SCALE 1/8" = 1'-0"

PRICE COURT L.L.C.

A.

DATE: 03.15.
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EXHIBIT "G"

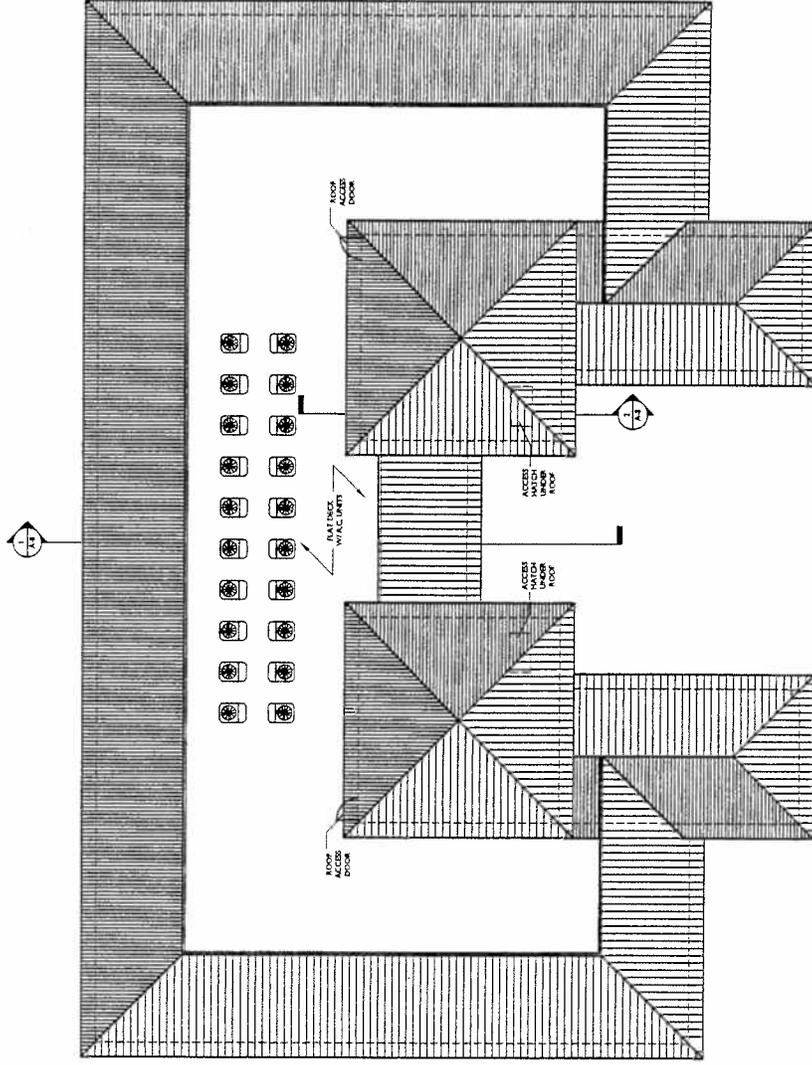
MOOSE LODGE
MARCO ISLAND

ERICKSON



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FRONT SIDE OF BUILDING

MOOSE LODGE
MARCO ISLAND

ROOF PLAN
SCALE 1/8" = 1'-0"

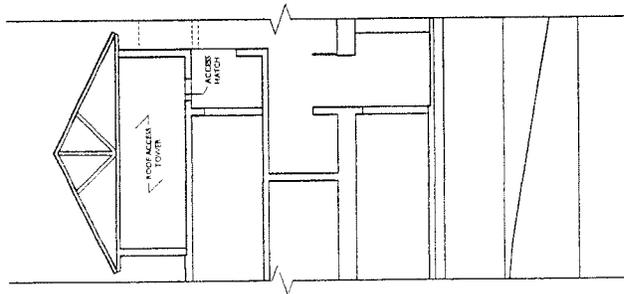
PRICE COURT L.L.C.



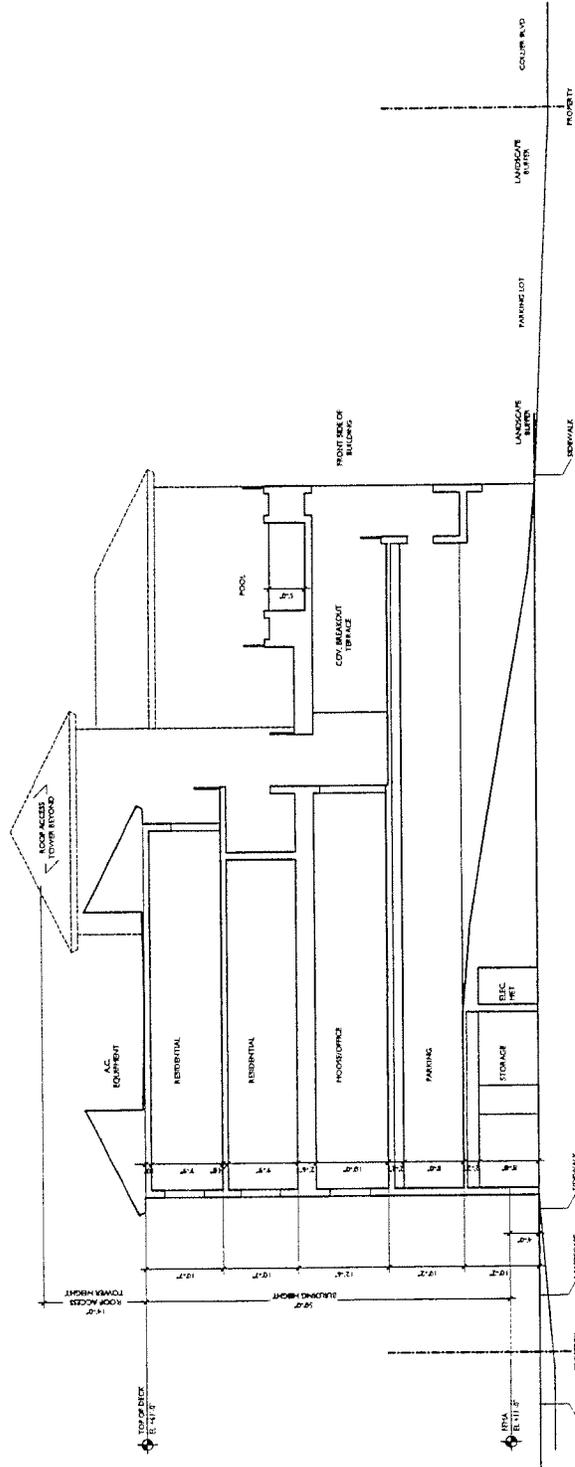
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EXHIBIT "A"



02 PARTIAL BUILDING SECTION FOR ROOF HATCH ACCESS TOWER



01 COMPLETE BUILDING SECTION

EXHIBIT "I"

MOOSE LODGE
 MARCO ISLAND

BUILDING SECTIONS
 SCALE 1/8" = 1'-0"

PRICE COURT L.L.C.

A

DATE: 03.15
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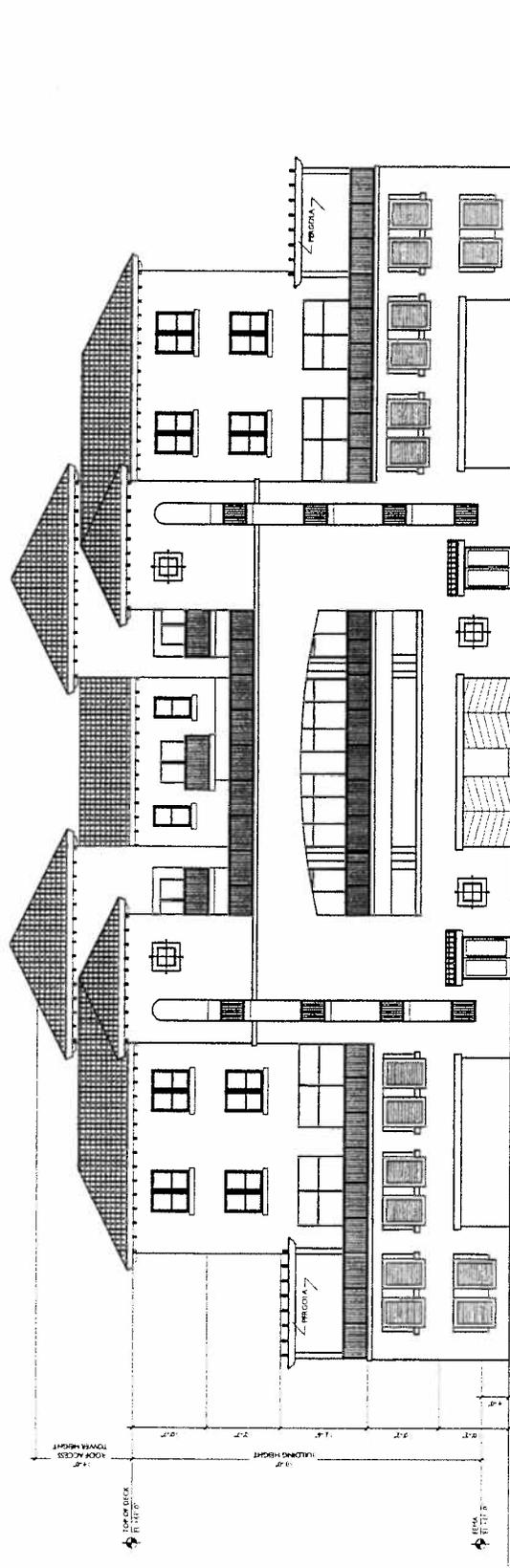


EXHIBIT J

MOOSE LODGE
MARCO ISLAND

COLLIER BLVD. (WEST)
ELEVATION
SCALE 1/8" = 1'-0"

PRICE COURT LLC.

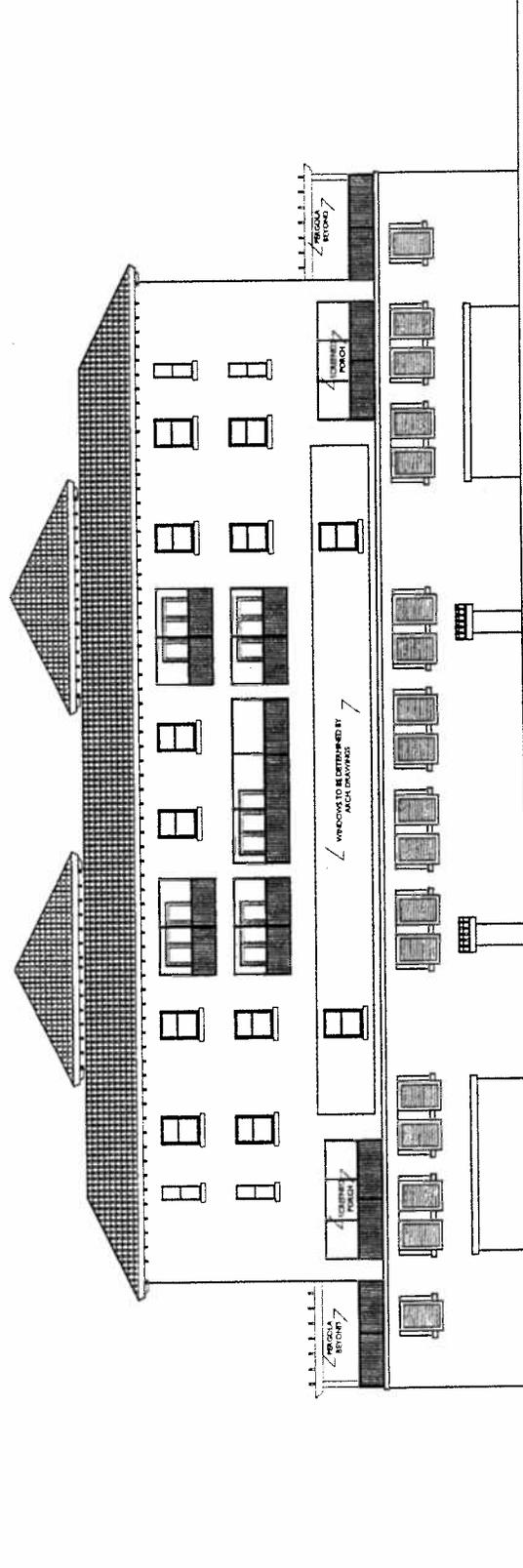
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"EXHIBIT K"

MOOSE LODGE
MARCO ISLAND

REAR (EAST) ELEVATION
SCALE 1/8" = 1'-0"
PRICE COURT L.L.C.

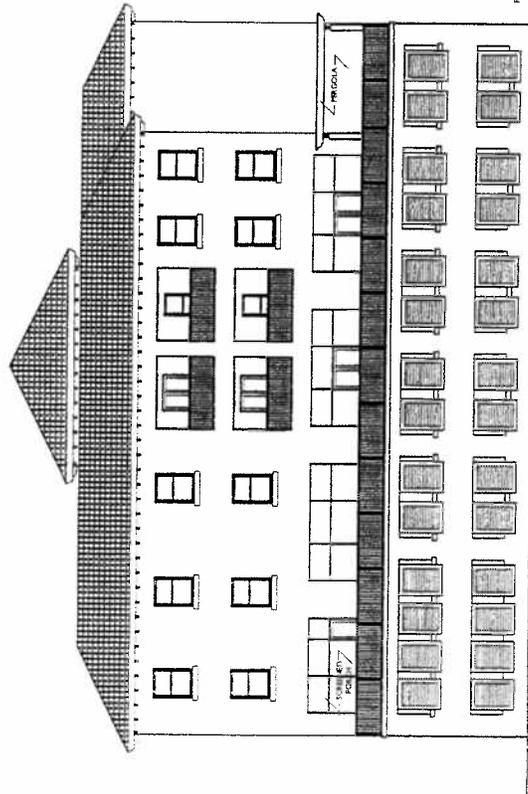
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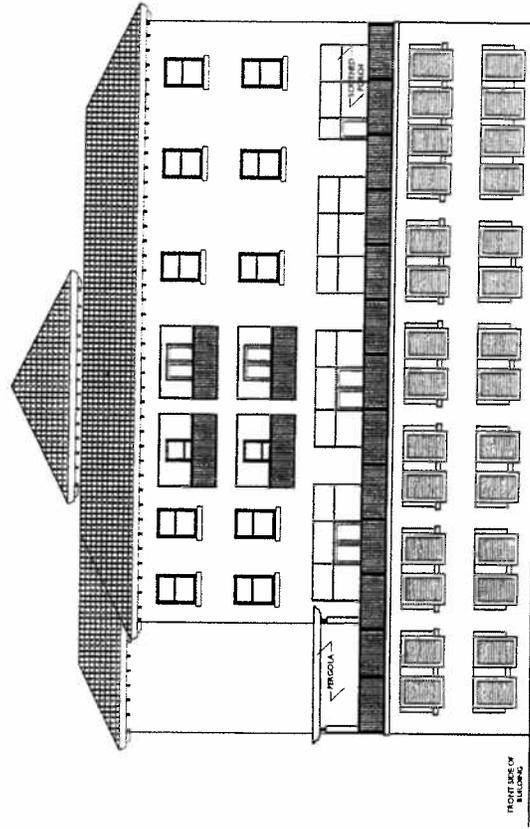
ASSOCIATES

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FRONT SIDE OF BUILDING

NORTH ELEVATION



FRONT SIDE OF BUILDING

SOUTH ELEVATION

EXHIBIT "L"

MOOSE LODGE
MARCO ISLAND

SIDE ELEVATIONS
SCALE 1/8" = 1'-0"

PRICE COURT L.L.C.

A.I.

DATE: 03/15/2
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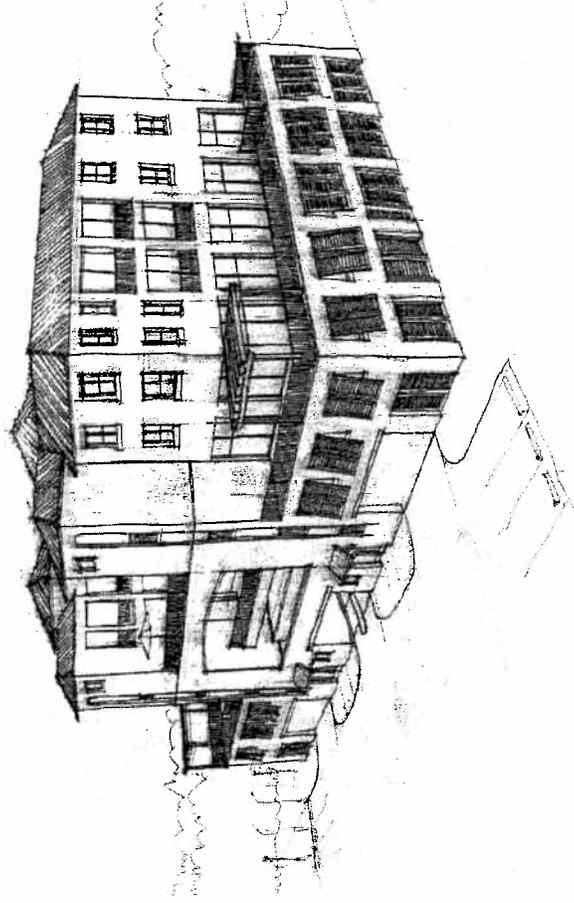


EXHIBIT "M"

MOOSE LODGE
MARCO ISLAND

BUILDING MODEL
NOT TO SCALE
PRICE COURT L.L.C.

A.I
DATE 03.15.
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