

**MARCO ISLAND CITY COUNCIL RESOLUTION NO. 04- 32**

A RESOLUTION GRANTING CONDITIONAL USE APPROVAL FOR EXPANDING THE EXISTING YMCA ACTIVITIES BUILDING, AND PROVIDING ADDITIONAL TENNIS, PLAYGROUND, AND PARKING FACILITIES ON THE EXISTING PROPERTY PURSUANT TO SECTIONS 30-324(3) AND 30-324(9) OF THE MARCO ISLAND LAND DEVELOPMENT CODE, FOR PROPERTY LOCATED AT 101 SANDHILL STREET, FURTHER DESCRIBED AS TRACT "A", MARCO BEACH UNIT 25, 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 April 23, 2004 after notice, and voted 4 to 1 to recommend that the Marco Island City Council approve the requested Conditional Uses "3" and "9" of Section 30-324 of the "CF" zoning district to construct a new multi-use activities building consisting of approximately 34,000 square feet; eliminating the existing baseball field and providing three new soft court tennis courts and vehicular parking in the same area; expanding the playground facilities; enhancing on-site parking; vehicular circulation; landscaping; pedestrian drop-off; and providing an interconnect to Gulfstream Street in accordance with (Exhibit "B") 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 Sections 30-324(3) and 30-324(9) 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 as provided in said Regulations was made, and has considered the advisability of granting Conditional Use approval to the YMCA for new recreational facilities and site improvements for property located at 101 Sandhill Street, on Community Facility "CF" zoned property pursuant to Sections 30-324(3) and 30-324(9) 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 in accordance with the Land Development Code for the City of Marco Island: and

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

NOW, THEREFORE BE IT RESOLVED, BY THE MARCO ISLAND CITY COUNCIL, ACTING AS THE BOARD OF ZONING APPEALS THAT:

The Petition CU-04-05 filed by Cindy Love, Director of the YMCA, with respect to the property hereinafter described as Tract "A", of Marco Beach Unit 25, according to the plat thereof as recorded in Plat Book 12, Pages 2 through 5 inclusive of the Public Records of Collier County, Florida, is hereby granted Conditional Use approval to construct a new multi-use activities building consisting of approximately 34,000 square feet; eliminating the existing baseball field and providing three new soft court tennis courts and vehicular parking in the same area; expanding the playground facilities; enhancing on-site parking; vehicular circulation; landscaping; pedestrian drop-off; and providing an interconnect to Gulfstream Street in accordance with (Exhibit "B") on the above-described property in accordance with Sections 30-324(3) and 30-324(9) and Exhibit's "A", "B", and "C" subject to the following conditions:

- a. Post "No Parking" signs within the unimproved right-of-way swale adjacent to Sandhill Street upon adoption of this Resolution.
- b. All existing and proposed parking lots shall be improved with an asphalt surface.
- c. A minimum ten-foot wide Type "B" landscape buffer shall be provided around the northern property boundary. The buffer shall include an opaque six-foot high undulating fence with landscaping consistent with the existing buffer created along the eastern property boundary as illustrated on Exhibit "C", Resolution 99-31.
- d. Operation of the on-site tennis court facilities shall be restricted to the hours of 8:00 a.m. to 9:00 p.m. Monday through Thursday; 8:00 a.m. to 8:00 p.m. Friday; and 8:00 a.m. to 5:00 p.m. Saturday and Sunday. Lighting for the tennis court facilities shall be timed in accordance with the restricted hours of play. Additionally, lighting for tennis courts not in use shall be turned off.
- e. Outdoor lighting for the tennis court facilities shall comply with the City's outdoor lighting ordinance.
- f. Four tennis tournaments shall be permitted per year between the hours of 8:00 a.m. and 10:00 p.m. Monday through Sunday. Also, up to four additional tennis tournaments per year may be permitted by approval of a special event permit from the City Zoning Administrator.
- g. The stormwater basin proposed on Tract "B" at the southeast intersection of San Marco Road and Sandhill Street shall be eliminated. Tract "B" is zoned "RSF-4" and is not part of this petition or resolution.
- h. Amplified sound shall not occur on-site before 8:00 a.m., and shall not occur after 5:00 p.m., except for special events approved by the City.

BE IT FURTHER RESOLVED that this Resolution relating to petition Number CU-04-05 be recorded in the Minutes of this Board and filed with the Marco Island City Clerk's Office.

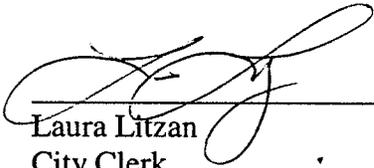
This Resolution adopted after motion, second and majority vote.

Done this 17<sup>th</sup> day of May 2004.

MARCO ISLAND CITY COUNCIL  
MARCO ISLAND, FLORIDA

By: Terri Di Sciullo  
Terri DiSciullo, Chairwoman

ATTEST:

  
\_\_\_\_\_  
Laura Litzan  
City Clerk

Approved as to Form and legality:

  
\_\_\_\_\_  
Richard Yovanovich  
City Attorney

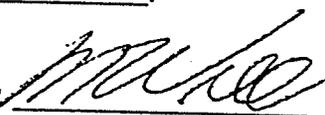
**FINDING OF FACT BY  
MARCO ISLAND PLANNING BOARD  
FOR  
A CONDITIONAL USE PETITION FOR  
CU-04-05**

The following facts are found:

1. Section 30-324(3) and 30-324(9) of the Marco Island Land Development Code authorized 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 affect  Affect mitigated by \_\_\_\_\_  
Affect 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: 4/23/04

CHAIRMAN: 

MEMBER: \_\_\_\_\_

EXHIBIT "A"

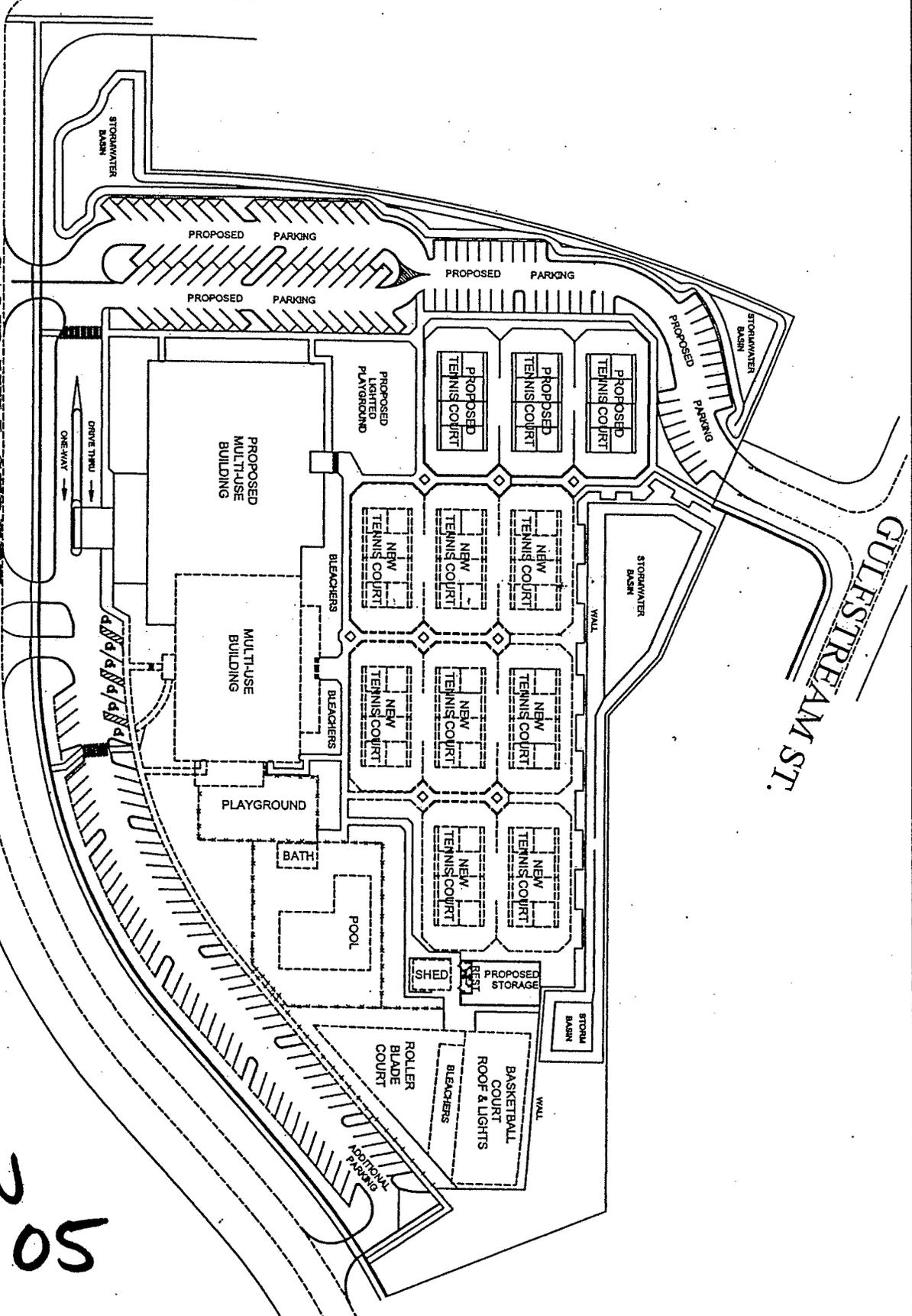
SAN MARCO ROAD

SAND HILL STREET

GULFSTREAM ST.

# PROPOSED SITE PLAN

# Marco Island YMCA



PETITION  
CU-04-05

EXHIBIT "B"

SAN MARCO ROAD

RSF - Single Family Lots

**GENERAL NOTES:**

1. All dimensions are in feet and inches.

2. All areas are in square feet.

3. All areas are to be finished.

4. All areas are to be paved.

5. All areas are to be landscaped.

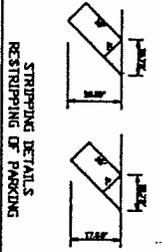
6. All areas are to be maintained.

7. All areas are to be protected.

8. All areas are to be secured.

9. All areas are to be monitored.

10. All areas are to be reported.



SAND HILL STREET

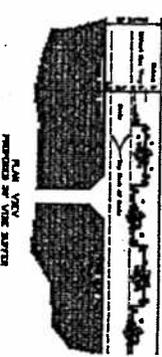
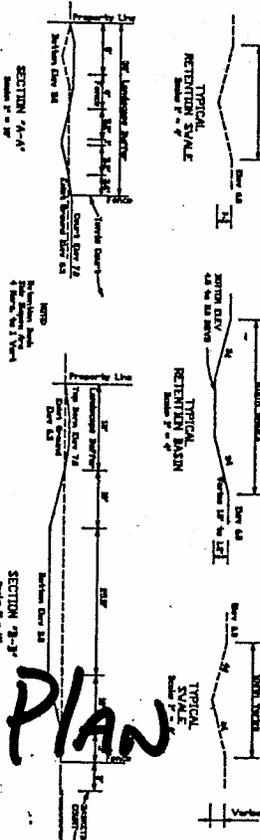
RSF - Single Family Lots

**EXISTING SITE PLAN**  
**EXHIBIT "C"**

SITE DATA

TRACTS "A" and "B" UNIT B

1. Existing Zoning	RSF
2. Total Area	834 acres
3. Existing Building	15,000 sq ft
4. Future Building	14,000 sq ft
5. Existing Tennis Courts	4 courts
6. Proposed Tennis Courts	5 courts
7. Future Tennis Courts	3 courts
8. Existing Parking	79 spaces
9. Proposed Parking	23 spaces
10. Future Parking	54 spaces



**PURSE Associates, Inc.**  
BONITA OAKS SQUARE - UNIT B  
4450 BONITA BEACH ROAD  
BONITA SPRING, FLORIDA 34134  
PH (941) 948-2100 FAX (941) 948-2102

DATE: 11/1/99  
SCALE: 1" = 40'  
SHEET 1 OF 1  
REV: 11/1/99

**Marco YMCA**  
**MASTER SITE PLAN**

PURSE ASSOCIATES, INC. EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES, REPRESENTATIONS AND COVENANTS IN THIS PLAN. THIS PLAN AND ANY INSTRUMENTS HEREAFTER MADE HEREON SHALL BE CONSIDERED TO BE THE ENTIRE AGREEMENT BETWEEN THE PARTIES AND NO OTHER WRITTEN OR ORAL AGREEMENTS, UNDERSTANDINGS OR COVENANTS SHALL BE BINDING ON ANY PARTY UNLESS THEY ARE INCORPORATED BY REFERENCE INTO THIS PLAN.

**"RESOLUTION 99-31"**