

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2001-09

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH

WHEREAS, First Central Invest. Corp., in ref. To Edison Beach House has requested to amend the existing CPD to Parcel "B" by amending Condition 6 of Resolution #97-14 to modify the date upon which the existing structure must be removed and adopt a new Master Concept plan to allow the development of a parking lot and supporting structures on this parcel; and

WHEREAS, the subject property is located at 815 Estero Blvd., Ft. Myers Beach, in S24-T46S-R23E, Lee County, FL.; and

WHEREAS, the applicant has indicated the property's current STRAP number is: 24-46-23-W3-0050B.0100; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on May 8, and,

WHEREAS, the LPA gave full and complete consideration to the recommendations of the Staff, the documents in the file, and the testimony of all interested persons.

NOW, THEREFORE BE IT RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

That the LPA recommends that the Town Council approve the applicant's request to amend the existing CPD to add the use of Parking Lot Commercial as a permitted use but offers that the parking lot must be clearly designated and used as a public parking lot that provides overflow parking for the Edison Beach House and would also then offer the following Conditions;

1. Condition 1 of Resolution #97-14 is hereby amended to include a new Master concept Plan. The development of this project must now be consistent with the one-page Master concept Plan entitled "Edison Beach House", stamped received APR 19, 2001, last revised 4/17/01, except as modified by the conditions below. This development must comply with all requirements of the Town's LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.
2. Condition 3 of Resolution #97-14 is hereby amended to add the following use to Parcel B of this planned development and maintaining the originally approved use of Parks, Groups I and II.
PARKING LOT, Commercial - No other change is hereby granted to approved Schedule of Uses.
3. The Master Concept Plan must be revised to provide that the parking lot does not cover more than 67 percent of the overall size of the parcel which includes the area inside the wall.
4. At least 4 park benches must be provided outside of the wall of the parking lot creating a more park like atmosphere around the parking lot.
5. Not less than 6 large shade trees must be planted inside of and outside of the parking lot area to provide shade both for patrons of the parking lot and for those using the park benches. Streetscaping along Estero Boulevard and Lagoon Street must be provided. The landscaping and streetscaping must be approved by the Town Manager prior to the approval of a local development order.
6. Parking lot design must include the parking lot designs, specifically the use of pervious surfacing, from the Town's 1999 Santos/Palermo circle Planning Study.
7. Surround the parking lot with a low perimeter wall of 40 inches in height to keep headlights from shining on the adjacent residential properties, similar to the Santos/Palermo circle Study. Any lighting within the parking lot must be no higher than 36 inches in height with all lighting directed

inward to the site and shielded to prevent light from shining onto adjacent properties. Lighting is also subject to all other LDC requirements.

8. Signage for this parking area is limited to one sign not to exceed 16 square feet and not exceeding 36 inches in height.
9. All vehicular visibility entering and leaving the site must be maintained to protect the health and safety of the traveling public and pedestrian traffic along Estero Blvd.
10. Deviation 1 of Resolution #87-14 is amended by this action. This deviation reduces the required 15 foot wide buffer on Parcel B to allow a 40 inch wall on Parcel B as depicted on the approved Master Concept Plan.
11. The 2 parking spaces that are shown to the right of the entrance on the applicant's sight plan are to be shortened and marked compact cars only and additional shrubs are to be planted in front of these spaces to provide the maximum buffer possible as between the property and the adjacent landowner to the south.
12. The signage designated in condition #8 will state that Public Parking is allowed.

This recommendation of approval also includes the 2 Deviations found on Page 3 of the Staff Report dated May 1, 2001 and attached hereto and incorporated herein by reference.

Pursuant to this recommendation, the LPA finds the following;
Findings & Conclusions;

1. The applicant has proven entitlement to the amendment by demonstrating compliance with the Comprehensive Plan, the LDC and other applicable codes and regulations.
2. The requested zoning as conditioned is consistent with the densities, intensities and general uses set forth in the Comprehensive Plan and is compatible with existing or planned uses in the surrounding area.
3. The proposed use, as conditioned, is appropriate at the subject location.

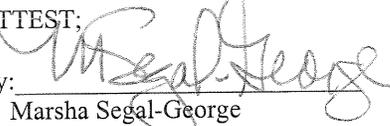
The foregoing Resolution was adopted by the LPA upon a motion by LPA Member Van Duzer and seconded by LPA Member Huber, and upon being put to a vote, the result was as follows:

Jennifer Kaestner	yes
Dave Smith	yes
Betty Simpson	yes
Roxie Smith	yes
Bill Van Duzer	yes
Jodi Hester	yes
Linda Beasley	yes
Harold Huber	yes
Jane Plummer	yes

DULY PASSED AND ADOPTED THIS 8th day of May, 2001.

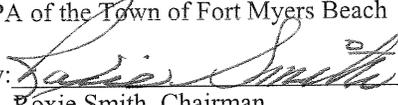
ATTEST:

By:


Marsha Segal-George
Secretary to the LPA

LPA of the Town of Fort Myers Beach

By:


Roxie Smith, Chairman