RESOLUTION 08-12064

A RESOLUTION DETERMINING RENEWAL OF LIVE ENTERTAINMENT PERMIT APPROVAL FOR THE NAPLES BEACH HOTEL AND GOLF CLUB, LOCATED AT 851 GULF SHORE BOULEVARD SOUTH, MORE FULLY DESCRIBED HEREIN, SUBJECT TO THE CONDITIONS LISTED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 56-125(i) of the Land Development Code provides for annual renewal of live entertainment permits; and

WHEREAS, Resolution 07-11654 was approved June 6, 2007, granting renewal of a live entertainment permit for The Naples Beach Hotel & Golf Club, located at 851 Gulf Shore Boulevard South; and

WHEREAS, the Naples Beach Hotel & Golf Club has requested renewal of the live entertainment permit under the same conditions adopted in Resolution 07-11654; and

WHEREAS, Michael Watkins, owner of the subject property, has filed this petition; and

WHEREAS, the Police and Emergency Services Department and the Code Enforcement Division have reported no documented noise complaints related to live entertainment for the location during the past year; and

WHEREAS, City Council finds that renewal of the live entertainment permit should therefore be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the renewal of a live entertainment permit is hereby granted for The Naples Beach Hotel and Golf Club, located at 851 Gulf Shore Boulevard South, more fully described as:

See Exhibit "A"

Section 2. That this approval is subject to the following conditions:

1. Live entertainment is limited to the following:

   - **Lobby** - 4:00 p.m. to 11:30 p.m. daily, maximum of 4 performers indoors;
   - **Everglades Dining Room** - 11:00 a.m. to 2:00 p.m. on Sundays, maximum of 2 performers indoors;
   - **Broadwell's Restaurant** - 4:00 p.m. to 11:30 p.m. daily, maximum of 4 performers indoors;
   - **Outdoor Pool Area** - 5:00 p.m. to 10:00 p.m., no more than 1 night per week, on either Thursday, Friday, Saturday or Sunday, maximum of 6 amplified performers;
   - **Outdoor Beach Bar** - 5:00 p.m. to 10:00 p.m. Monday through Saturday, maximum of 2 amplified performers.
2. For indoor performances, all doors and windows shall remain closed during performances, with the exception that patrons and staff may enter and exit.

3. All noise levels shall comply with the Code Section 22-37, "Noise."

4. Special events shall be approved through the special event permitting process.

5. This live entertainment approval shall expire annually and may be renewed annually.

6. In addition to any other enforcement action or penalty provided by ordinance or law, failure to comply with the conditions contained herein may subject the holder to revocation of the permit, in accordance with the City of Naples Revocation Ordinance (No. 02-9778).

Section 3. This resolution shall take effect immediately upon adoption.


Bill Barnett, Mayor

Attest:
Tara A. Norman, City Clerk

Approved as to form and legality:
Robert D. Pritt, City Attorney

Date filed with City Clerk: 6-5-08
DESCRIPTION

PARCEL 1

All of Block 30, Tier 1, Map of Naples Golf and Beach Club Tract, as recorded in Plat Book 1, at Page 63, of the Public Records of Collier County, Florida, together with the South Forty (40) feet of vacated 9th Avenue North lying adjacent to said Block 30, Tier 1, excepting therefrom the East 8.5 feet of the South 285 feet of said Block 30, Tier 1, deeded for street right of way.

PARCEL 2

Re-platted Block 31 of Gulf-Naples-Development Plat No. 2, according to the plat thereof, recorded in Plat Book 2, at Page 93, of the Public Records of Collier County, Florida.

PARCEL 3

Lot 1 of Gulf-Naples-Development Plat No. 2, according to the plat thereof recorded in Plat Book 2, at Page 93, of the Public Records of Collier County, Florida.

PARCEL 4

A parcel of land lying in the City of Naples, Collier County, Florida, and being a part of the Map of Naples Golf and Beach Club Tract and a part of Undivided Block 5 of the Map of Naples Golf and Beach Club Tract as recorded in Plat Book 1, Page 63; also all that part of Jasmine Road (renamed Crayton Road by City Ordinance No. 666) according to a plat of Unit No. 1, Coquina Sands, as recorded in Plat Book 3, Pages 21-22, and as vacated by City Ordinance No. 615 and recorded in official record Book 65, Page 1, all being Public Records of Collier County, Florida, more particularly described as follows:

Beginning at the Southeast corner of Unit No. 1, Coquina Sands, as recorded in Plat Book 3, at Pages 21 and 22 of the said Public Records, Run Westerly along the South Line of said Subdivision the following courses, North 88°55′33″ West 320.05 feet; North 200°03′03″ West 207.52 feet; West 950 feet; North 68°52′ West 374.41 feet; West 1027.61 feet to the East Line of Jasmine Road (renamed Crayton Road by City of Naples Ordinance No. 815); Thence Southerly along the arcs of the following courses, curves of said East line of Jasmine Road, curve right 94.41 feet, R=298.11 feet; curve left 45 feet, R=142.18 feet; curve right 507.94 feet, R=256.51 feet; curve left 44.69 feet, R=1025.5 feet to a point of intersection with the Southwesterly Right-of-Way line of Jasmine Road and the Southwesterly prolongation of a line parallel with and 40 feet Southwesterly (measured at right angles) of the southerly line of Lot 38, of said Unit No. 1, Coquina Sands; thence along the said prolonged line, N 59°49′02″ W 379.90 feet to the point of intersection with the Southwesterly line of Oleander Drive, according to said Plat of Unit No. 1, Coquina Sands; thence run Southwesterly on the arc of a left hand curve having a radius of 625.3 feet for 309.51 feet (the said arc being the Southwesterly boundary of the said Oleander Drive) to a point of tangent; thence run South 56°40′ West for 33.88 feet to East line of relocated First Street; thence along the East line of relocated First Street South 406.60 feet; thence South 03°08′20″ West 250.38 feet; thence 70.42 feet along the arc of a circular curve concave to the Northwest, radius 295.28 feet; chord bearing South 09°58′25″ West 70.26 feet; thence South 16°43′30″ West 85.15 feet; thence 65.20 feet along the arc of a circular curve concave to the Southeast, radius 222.25 feet, chord bearing South 08°24′15″ West 64.97 feet; thence South 7.05 feet to the North line of South Golf Driveway according to a corrective detail plat as recorded in Plat Book 4 at Page 37 of the said Public Records; thence the following courses along the said North line of South Golf Driveway, South 76°07′30″ East 161.92 feet; easterly along the arcs of the following curves, curve left 288.42 feet, R=595.51 feet; curve right 620.44 feet, R=1281.02 feet; curve left 561.38 feet, R=1281.02 feet; curve right 317.48 feet, R=655.51 feet; curve left 288.42 feet, R=595.51 feet; curve right 620.44 feet, R=1281.02 feet; curve left 288.42 feet, R=595.51 feet; curve right 317.48 feet, R=655.51 feet; thence South 76°07′30″ East 19.39 feet; thence 181.30 feet along the arc of a left hand curve, R=100 feet, to the West line of Ninth Street; thence North 118.24 feet along the West line of Ninth Street to the point of beginning.

Parcel 4 is intended to describe Parcel 4, Parcel 5, Parcel "A" and vacated Jasmine Drive as shown on a survey prepared by Bruce Green and Associates on December 28, 1990.
Resolution 08-12064

AND

LOT 38 IN COQUINA SANDS (UNIT NO. 1), ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGES 21-22, LESS THAT PORTION CONVEYED TO THE CITY OF NAPLES, FLORIDA, BY DEED DATED MAY 14, 1960 AND RECORDED JUNE 20, 1956 IN OFFICIAL RECORDS BOOK 64, PAGE 323; ALL AMONG THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

AND

LOT 39 IN COQUINA SANDS (UNIT NO. 1), ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, AT PAGES 21-22, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

LESS

DESCRIPTION OF PARCEL "B"

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 29, REPLAT OF PART OF TIER ONE AS RECORDED IN PLAT BOOK 1, PAGE 73 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE NORTH 70.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EIGHTH AVENUE NORTH; THENCE 1.11 FEET ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST, RADIUS 60.00 FEET, CHORD BEARING NORTH 89°28'11" EAST 1.11 FEET FOR A PLACE OF BEGINNING;

THENCE 57.76 FEET ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST, RADIUS 282.25 FEET, CHORD BEARING NORTH 10°56'45" EAST 57.66 FEET; THENCE NORTH 16°48'30" EAST 85.15 FEET; THENCE 56.13 FEET ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST, RADIUS 235.28 FEET, CHORD BEARING NORTH 09°58'25" EAST 56.00 FEET; THENCE NORTH 03°08'20" EAST 248.74 FEET; THENCE SOUTH 156.64 FEET; THENCE WEST 8.50 FEET; THENCE SOUTH 255.79 FEET; THENCE 60.81 FEET ALONG THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST, RADIUS 60.00 FEET, CHORD BEARING SOUTH 59°54'17" WEST 58.24 FEET TO THE PLACE OF BEGINNING. BEARINGS BASED ON THE EAST LINE OF SAID BLOCK 29 AS BEING NORTH.