ORDINANCE NO. 94-7093

AN ORDINANCE APPROVING REZONE PETITION 93-R9, REZONING PROPERTY
KNOWN AS BEAR'S PAW, MORE PARTICULARLY DESCRIBED HEREIN, FROM
"R3-6", MULTIFAMILY RESIDENTIAL, AND "PS", PUBLIC SERVICE TO "PD",
PLANNED DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Resolution 93-7031, passed by the City Council on
October 6, 1993, articulated the intent of the City
regarding the zoning, land uses, and related issues
in the area known as "Bear's Paw" upon its
annexation into the City; and

WHEREAS, said resolution indicates that the property will be
rezoned to "PD", Planned Development, using the
Collier County Land Development Regulations for the
"GC", Golf Course, and "RMF-6", Multifamily, zoning
districts; and

WHEREAS, the Planning Advisory Board, having reviewed the
Planned Development document and having held a
public hearing, has recommended by a unanimous vote
that the property be rezoned to "PD", Planned
Development;

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

Section 1. That Rezone Petition 93-R9 is hereby approved,
rezoning property known as Bear's Paw from "R3-6",
Multifamily Residential, and "PS," Public Service,
to "PD", Planned Development, in accordance with
the standards as described in Exhibit "A", said
property being more particularly described in
Exhibit "B".

Section 2. That the Zoning Atlas of the City of Naples shall
be amended to reflect said rezoning.

Section 3. This ordinance shall take effect immediately upon
adoption at second reading.

APPROVED AT FIRST READING THIS 15TH DAY OF DECEMBER, 1993.
PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND
REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA 
THIS 5TH DAY OF JANUARY, 1994.

Paul W. Muenzer, Mayor

Attest: 
Janet Cason, City Clerk

Approved as to form 
and legality:

Maria J. Chiaro, City Attorney

Prepared by: Ann Walker, AICP, Community Development Department

94-7093

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(7-0)

M=Motion S=Second
Y=Yes N=No A=Absent
EXHIBIT A

PLANNED DEVELOPMENT

FOR

BEAR'S PAW COUNTRY CLUB
I. Legal Description.
A legal description and map of the land subject to this PD is set forth on Exhibit "B" - "Schedule of Legal Descriptions".

II. Uses Permitted and Development Standards for the Golf Course Property.

A. Uses Permitted: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

(1) Golf Courses

B. Accessory uses and structures which are incidental to and customarily associated with the above permitted use.

(1) Recreational facilities that serve as an integral part of the permitted use, including but not limited to clubhouse, community center building, practice driving range, shuffleboard courts, swimming pools and tennis facilities, snack shops and rest rooms.

(2) Small commercial establishments, including gift shops, golf shops, golf equipment sales, restaurants, cocktail lounges, and similar uses intended to exclusively serve patrons of the golf course or other permitted recreational facilities.

(3) A maximum of two (2) residential dwelling units for use by golf course employees in conjunction with the operation of the golf course.

C. General Requirements:

(1) Overall site design shall be harmonious in terms of landscaping, enclosure of structures, location of access streets and parking areas and location and treatment of buffer areas.

(2) Buildings shall be set back a minimum of fifty (50) feet from abutting residential districts and the setback area shall be appropriately landscaped and maintained to act as a buffer zone.

(3) Lighting facilities shall be arranged in a manner which will protect roadways and neighboring properties from direct glare or other interferences.

D. Maximum Height. Thirty-five feet (35').
E. Minimum Off-Street Parking. No additional parking will be required for the golf course facility as long as the golf course facility remains private.

F. Signs. The sign regulations for the City of Naples shall apply for all new signs.

G. A chain link or solid fence, not exceeding 6 feet in height measured from the back of the curb shall be permitted on the exterior property line of the Bears Paw Country Club adjacent to the public rights of way. The existing fence along the south and west property line may be replaced to the same height as existing at the time of annexation.

H. The gate house may be moved to accommodate the anticipated new location for the entrance road to the property. The new gate house facility will be similar to the existing gate house facility. No additional parking shall be required for the gate house facility. Building permits in conformance with the City's codes shall be required for the construction of the new gate house facility.

I. Isolated buildings accessory to the golf course facility may be served by septic tanks in conformance with State Statute requirements.

III. Uses Permitted and Development Standards for the Residential Areas.

A. Uses Permitted: No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

   (1) Single-family residences.
   (2) Duplexes, Two-family residences.
   (3) Multiple family dwellings, Townhouses.
   (4) Cluster housing, group housing or patio housing subject to General Development Site Plan approval.

B. Accessory uses and structures which are incidental to and customarily associated with the above permitted use.

   (1) Private boat houses and docks.

C. Minimum Lot Area:

   Single-family, duplex and two family residences: 7,260 square feet per dwelling unit.
Multiple family and townhouses: One (1) acre.

D. Minimum Lot Width: One hundred feet (100').

E. Minimum Yard Requirement.
   Front yard: Thirty-five feet (35').
   Side yard: Fifteen feet (15').
   Rear yard: Thirty feet (30').

F. Maximum Height:
   Principal Structures: Three (3) habitable stories

G. Maximum Density: Six (6) units per gross acre.

H. Distance Between Structures: Thirty (30) feet or one-half (1/2) the sum of the heights of the adjacent structures, whichever is greater.

I. Minimum Floor Area: Seven hundred fifty (750) square feet.

J. Minimum Off-Street Parking. Two (2) spaces per unit.

K. Landscaping. Landscaping for any new development shall comply with City code.

L. Signs. New signs shall comply with City code.

IV. Additional Standards:

A. Local Development Permits. The City shall recognize all permits received from Collier County and shall not place any additional requirements on any structure or approval. Any new development shall comply with all requirements and conditions of this PD and the City codes.

B. Local Development Permits. The failure of this Agreement to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions.

C. The City shall encourage but shall not require the removal of exotic vegetation.

D. All existing development shall be considered in conformance with the regulations of the City.
Description of a Parcel
Lying in Section 26, T-49-S, R-25-E
Collier County, Florida
Bear's Paw
(Overall Site)

A tract or parcel of land situated in the State of Florida, County of Collier, being a part of the south one half (S 1/2) of Section 26, Township 49 South, Range 25 East, and further bounded and described as follows:

Beginning at the southwest corner of said Section 26; thence N01°36'06"W along the west line of the southwest one quarter (SW 1/4) of said section for 2102.40 feet to the south right-of-way line of Golden Gate Parkway (100 feet wide); thence N89°11'27"E along said right-of-way line for 3235.68 feet to the beginning of a road right-of-way change as described in Official Records Book 916 at Page 831 and as graphically shown in Official Records Book 903, Page 1546 of the Public Records of said Collier County; thence S87°56'34"E along said right-of-way change for 99.99 feet; thence N89°11'27"E along said right-of-way change for 187.97 feet; thence N86°00'55"E along said right-of-way change for 90.26 feet to the terminus of said change; thence N89°11'27"E along the south right-of-way line of said Golden Gate Parkway for 557.43 feet to the northwest corner of a parcel described in Official Records Book 788 at Page 875; thence S00°06'58"W along the west line of said parcel for 408.63 feet; thence N89°11'27"E along the south line of said parcel, parallel with said south right-of-way line for 1005.98 feet to the northwest corner of a parcel described in Official Records Book 1013 at Page 1885; thence S00°06'58"W along the west line of said parcel for 66.45 feet to the beginning of a curve concave to the northeast having a radius of 69.00 feet; thence southeasterly along said curve and said parcel through a central angle of 51°27'03" for 61.96 feet to the northwest corner of a parcel described in Official Records Book 1013 at Page 1887; thence continue easterly along said curve and the north line of said parcel through a central angle of 38°32'15" for 46.42 feet; thence S89°53'02"E along said north line for 14.00 feet to the beginning of a curve concave to the southwest having a radius of 35.00 feet; thence easterly along said curve and said northerly line through a central angle of 53°07'50" for 32.46 feet to the west right-of-way line of Airport

Continued...
Description of a Parcel
Lying in Section 26, T-49-S, R-25-E
Collier County, Florida
Bear's Paw
(Overall Site)
- Continued -

Road (100 feet wide); thence S00°06'58"W, nontangentially, along said west line for 1558.77 feet to the south line of the southeast one quarter (SE 1/4) of said Section 26; thence S89°18'30"W along the south line of said fraction for 2581.87 feet to the southwest corner of said fraction; thence S89°25'34"W along the south line of the southwest one quarter of said section for 2645.92 feet to the Point of Beginning.

Containing 244.09 acres, more or less.

Subject to easements, restrictions, reservations and rights-of-way (recorded and unrecorded, written and unwritten).

Bearings are based on the south line of the southeast one quarter of said Section 26 as bearing S89°18'30"W.

SCW/AT
83-264925

July 8, 1993

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