

ORDINANCE NO. 87-5289

AN ORDINANCE REZONING THE PROPERTY DESCRIBED HEREIN IN THE THIRD STREET COMMERCIAL AREA FROM "C1" TO "PD"; DIRECTING THAT THE ZONING ATLAS BE REVISED TO REFLECT SAID REZONING; APPROVING THE DEVELOPMENT PLAN FOR CONSTRUCTION OF A MIXED USE, PLANNED UNIT DEVELOPMENT CONSISTING OF RETAIL SHOPS, RESTAURANTS, PROFESSIONAL OFFICES, RESIDENTIAL UNITS AND A MULTI-LEVEL PARKING STRUCTURE CONNECTED BY LANDSCAPED COURTYARDS AND WALKWAYS, SUBJECT TO THE CONDITIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE SAID PROPERTY AND TO APPROVE THE DEVELOPMENT PLAN AT THE REQUEST OF THE PROPERTY OWNER.

WHEREAS, the owner of the hereinafter described property, Neapolitan Enterprises Co., has submitted a petition to rezone said property from "C1" to "PD", and has requested approval of a Development Plan for a proposed mixed use, planned unit development consisting of retail shops, restaurants, professional offices, residential units and a multi-level parking structure connected by landscaped courtyards and walkways; and

WHEREAS, the Planning Advisory Board has recommended approval of said rezone petition and development plan, subject to the conditions set forth in the City Manager's memorandum dated May 11, 1987, a copy of which is attached hereto and incorporated herein by reference;

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

SECTION 1. That the following described property is hereby rezoned from "C1" to "PD":

A portion of the block lying between Third Street South on the East and Second Street South on the West, bounded on the South by 13th Avenue South, more particularly described in the legal description attached hereto and incorporated herein as Exhibit "A".

SECTION 2. The Zoning Atlas of the City of Naples shall be amended to reflect said rezoning.

SECTION 3. That the Development Plan as submitted by the petitioner for a proposed mixed use, planned unit development consisting of retail shops, restaurants, professional offices, residential units and a multi-level parking structure connected by landscaped courtyards and walkways, to be constructed on said property is hereby approved, subject to the conditions set forth in the City Manager's memorandum dated May 11, 1987, a copy of which is attached hereto and made a part hereof.

SECTION 4. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 20TH DAY OF MAY, 1987.

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 3RD DAY OF JUNE, 1987.

Edwin J. Putzell, Jr.
 _____ Mayor
 Edwin J. Putzell, Jr.

ATTEST:

Janet Cason

 Janet Cason
 City Clerk

APPROVED AS TO FORM AND LEGALITY BY

David W. Rynders

 David W. Rynders,
 City Attorney

FIRST READING	M O T I O N S	S E C O N D	VOTE		A B S E N T	SECOND READING	M O T I O N S	S E C O N D	VOTE		A B S E N T
			Y E S	N O					Y E S	N O	
Anderson-McDonald			X			Anderson-McDonald			X		
Barnett			X			Barnett		X	X		
Bledsoe		X	X			Bledsoe			X		
Crawford					X	Crawford				X	
Graver			X			Graver				X	
Richardson	X		X			Richardson	X		X		
Putzell			X			Putzell			X		
(7-0)						(5-2)					

PL. BAR. 12

DESCRIPTION OF LANDS SURVEYED

A parcel of land lying in and being a part of Double Blocks 7 and 8, Tier 3, Plan of Naples, as recorded in Plat Book 1 at page 8, Public Records of Collier County, Florida, being more particularly described as follows:

Beginning at the Southeast corner of said Double Blocks 7 and 8, Tier 3, Plan of Naples; thence North along the East line of said Double Blocks 7 and 8 and the West line of 3rd Street South for a distance of 518.00 feet (518.30 feet as surveyed) to the Northeast corner of those lands as described in Official Record Book 196, page 49, Public Records of Collier County, Florida; thence West along the North line of said lands for a distance of 170.00 feet; thence South along the West line of said lands for a distance of 13.00 feet to the North line of those lands as described in Official Record Book 192, page 835, Public Records of Collier County, Florida; thence West along the North line of said lands for a distance of 30.00 feet; thence South along the West line of said lands for a distance of 107.00 feet (107.19 feet as surveyed) to the Northeast corner of those lands as described in Official Record Book 215, page 449, Public Records of Collier County, Florida; thence West along the North line of said lands for a distance of 200.00 feet (199.81 feet as surveyed) to the West line of said Double Blocks 7 and 8, Tier 3 and the East line of 2nd Street (Gordon Drive); thence South along said West line of Double Blocks 7 and 8, Tier 3 and the East line of 2nd Street South (Gordon Drive) for a distance of 398.00 feet (397.70 feet as surveyed) to the Southwest corner of said Double Blocks 7 and 8, Tier 3 and the North line of 13th Avenue South; thence East along said South line of Double Blocks 7 and 8, Tier 3 and the North line of 13th Avenue South for a distance of 400.00 feet (399.84 feet as surveyed) to the Point of Beginning.

Said parcel containing 4.20 acres, more or less.

SUBJECT TO easements, restrictions and reservations of record.

W. LAMAR EVERS, INC.
Professional Land Surveyors



, PLS

DATE: 4/14/87

Florida Certificate No. 3465

Ref: See Dwg. C-87-091-1 for "Sketch of Description".

W.O. 87.091



City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Rezone Petition 87-R6 and Alley Vacation 87-AV4
Regarding Neapolitan Enterprise Property in
3rd Street Commercial Area

DATE: May 11, 1987

Background;

The petitioner is seeking a change of zone from "C1" to "PD" and the vacation of an alley to permit the construction of a mixed use, planned unit development consisting of retail shops, restaurants, professional offices, residential units and a multi-level parking structure connected by landscaped courtyards and walkways.

PAB Recommendation:

The PAB held a public hearing on May 7, 1987 on these petitions, concluded that the relevant criteria had been met and recommended approval of these petitions subject to the development plan approval being conditioned as follows:

1. Retention of required utility easement for the City Utilities Department, Florida Power and Light Co., and
2. Sidewalks, Curbs
 - A. Remove existing asphalt walk and replace with concrete within the Gordon Drive right of way along the west property line.
 - B. Remove existing asphalt walk and replace with concrete sidewalk along north side of 13th Avenue South, if necessary, (from existing west drive to existing east drive) and replace with concrete sidewalk. Back of sidewalk elevations of proposed sidewalk within 13th Avenue South right of way are to be established from the top of proposed concrete curb along north side of existing street pavement (see item H).
 - C. Proposed concrete sidewalks within the right of way are to be carried thru proposed driveways so that the proposed sidewalk is one continuous surface. Depth of concrete sidewalks at these driveways is to be six inches (6") with wire mesh as per City Code, Section 19-1(d).

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From: F. C. Jones, C.M.
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- D. Proposed sidewalks within the right of way at the N.E. corner of Gordon Drive and 13th Avenue South are to extend ramp to existing street pavement.
- E. City Engineering Department is to stake out grades of sidewalk for Contractor.
- F. The proposed 16' ± wide sidewalk perpendicular to the north side of 13th Avenue South (shown on the site plan 90' ± west of 3rd., So.) needs to be deleted.
- G. With the removal of the five (5) existing driveways (and associated curbing) along 13th Avenue South, concrete curb is required adjacent to the existing pavement within the 13th Avenue right of way. The proposed concrete curb along the north edge of street pavement within 13th Avenue South right of way needs to continue westward at a location to be determined from the outcome of item 3A.
- H. Existing onsite storm drainage pipe (connected to the City storm sewer system) needs to be abandoned.
- I. Onsite water management plan and calculations signed and sealed by a registered professional engineer and approved by the Collier County Water Management Department are required for review and approval.

3. Driveways

- A. Minimum 12' wide driveways are required per City Code requirement (Appendix A, Section 6.23 (G)(7)) for one way traffic. Plan shows 10' ± wide driveways on east and west side of proposed median just north of 13th Avenue South right of way.

4. Street

- A. A traffic impact study prepared by a registered engineer to determine need for left turn lane and/or right turn lane into the proposed access off 13th Avenue South is to be submitted for review and approval prior to the issuance of a building permit. If necessary, widen/improve adjacent street to accommodate left turn lane and/or right turn lane into proposed driveway prior to certificate of occupancy.

5. Traffic Control

- A. A traffic signing and marking plan, signed and sealed by a registered professional engineer or architect must be submitted for review and approval prior to a building permit. This plan needs to include restriping on 3rd Street South for the onstreet parking to be deleted due to proposed access and the onstreet parking to be added due to the removal of existing alley access.

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B. All traffic control devices including signs and pavement markings shall conform to the uniform system of traffic control devices adopted by the Department of Transportation pursuant to Florida Statutes, Section 316.0747. The Manual on Uniform Traffic Control Devices (MUTCD) published by the U.S. Department of Transportation is the national standard for traffic control devices. The Florida Department of Transportation has adopted the MUTCD as the State standard by rule 14-15.10.

6. Engineering Plans/Specifications

A. Plan(s)/specifications signed and sealed by a registered engineer need to be submitted for approval (per City Code, Section 19-10 and 19-11) prior to issuance of building permit.

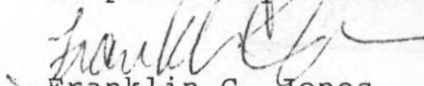
City Council Action:

The City Council should consider the PAB's recommendation and introduce an ordinance rezoning the property for a first reading at its May 20, 1987 meeting. The Council should also direct the City Clerk to advertise a second reading and public hearing for a future meeting and take final action on the alley vacation at that same meeting.

Prepared by:


Roger J. Barry
Community Development Director

Respectfully submitted,


Franklin C. Jones
City Manager