

ORDINANCE 05-11029

AN ORDINANCE DETERMINING REZONE PETITION 05-R5 FOR PROPERTY LOCATED ON THE WEST SIDE OF U.S. 41 BETWEEN 2ND AVENUE NORTH AND 4TH AVENUE NORTH, MORE PARTICULARLY DESCRIBED HEREIN, IN ORDER TO PERMIT REZONING FROM "PD" TO A NEW "PD" TO ALLOW FOR CONSTRUCTION OF AN ACCESS RAMP ACROSS THE WEST FAÇADE OF THE EXISTING PARKING GARAGE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Naples Community Hospital, owner of property at 350 7th Street North, has petitioned to change the zoning from "PD" Planned Development, to a new "PD" Planned Development, in order to construct an access ramp adjacent to the west facade of the existing parking garage; and

WHEREAS, following an advertised public hearing, the Planning Advisory Board considered the public input, staff recommendations and criteria in the Code and has recommended by a vote of 7 to 0 that Rezone Petition 05-R5 be approved (with conditions); and

WHEREAS, after considering the recommendation of the Planning Advisory Board and City staff, following a public hearing on the subject, and providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council has determined that the petition should be granted;

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

Section 1. That Rezone Petition 05-R5 is hereby granted, for property located on the West side of U.S. 41 between 22nd Avenue North and 4th Avenue North in order to permit rezoning from "PD" to a new "PD" to allow for construction of an access ramp across the west façade of the existing parking garage, said property being more particularly described as follows:

See Exhibit "A"

in accordance with the revised Planned Development Narrative attached hereto and incorporated herein as Exhibit "B."

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

1. The turning radii of the ramp driveway be no less than 30 feet for ease of movement, both entering and exiting;
2. The city reserves the right to require the construction of a westbound right turn lane as needed and at the City's discretion;
3. Should an afternoon peak hour delay occur at the intersections of 2nd Avenue with either U.S. 41 and/ or 8th Street, that procedures be implemented by the Hospital to allow a portion of the exiting traffic to use the existing garage exit to 8th Street and U.S. 41;

4. That an "employee-only" sign be included for the access ramp.

Section 3. That the Zoning Atlas of the City of Naples shall be amended to reflect said rezoning.

Section 4. If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 5. That all sections or parts of sections of the Code of Municipal Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 2ND DAY OF NOVEMBER, 2005.

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 16TH DAY OF NOVEMBER, 2005.

Bill Barnett, Mayor

Attest:

Approved as to form and legality:

Tara A. Norman, City Clerk
M:\REF\COUNCIL\ORD\2005\05-11029

Robert D. Pritt, City Attorney

Date filed with City Clerk: _____

Exhibit A

LEGAL DESCRIPTION

ALL OF LOTS 2 THROUGH 23, (INCLUSIVE) AND THE WEST 13.33 FEET OF LOT 1, AND THE WEST 13.33 FEET OF LOT 24, AND THE EAST-WEST ALLEY, ALL IN TIER 9, BLOCK 24, PLAN OF NAPLES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 8 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

AND;

ALL OF LOTS 2 THROUGH 23, (INCLUSIVE) AND THE WEST 13.33 FEET OF LOT 1, AND THE WEST 13.33 FEET OF LOT 24, AND THE EAST-WEST ALLEY, ALL IN TIER 9, BLOCK 23, PLAN OF NAPLES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 8 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA;

AND;

THAT PORTION OF 3RD AVENUE NORTH LYING WEST OF THE NORTHERLY PROLONGATION OF THE EAST LINE OF THE WEST 13.33 FEET OF LOT 1, TIER 9, BLOCK 23 AND LYING EAST OF THE NORTHERLY PROLONGATION OF THE WEST LINE OF LOT 12, TIER 9, BLOCK 23, PLAN OF NAPLES ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 8 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

EXHIBIT B

PLANNED DEVELOPMENT NARRATIVE

INTRODUCTION

This Planned Development for the Medical Arts Center is intended to amend the existing PD zoning for 6.28 acres located in Section 3, Township 50 South, Range 25 East. The subject property is further described as all of Block 23 and 24, Tier 9, Plan of Naples, Plat Book 1, Page 8, together with vacated Third Avenue North alleys, Collier County, Florida, and further described in the attached legal description contained in this document as Exhibit "B" and location vicinity map Exhibit "C-1". The existing Planned Development Ordinance 90-6140 previously approved the Parking Garage comprising 473,998 S.F. within seven (7) levels with fourteen hundred parking spaces. One hundred and eighty thousand square feet of floor area was also permitted. The Planned Development for the Medical Arts Center proposes a maximum of 157,639 S.F. of floor area. The existing Planned Development Ordinance 01-9124 previously approved the Medical Arts Center with a maximum of 157,639 S.F. of floor area. A Parking Garage comprising 473,998 S.F. within seven (7) levels with fourteen hundred parking spaces was also included.

I. STATEMENT OF INTENT

The development of the subject property is the last remaining tract to be developed as part of the Naples Community Hospital Campus, and is presently occupied by the parking garage, and the Human Resource Center. One three-story building with a maximum height of forty-two (42) feet is proposed to meet the long term needs of hospital. The Wellness/Rehabilitation Center which constitutes Phase II of the proposed development comprises 88,000 S.F., and is the east wing. The Medical Center is the west wing and comprises 69, 633 S.F. and is phase III. The two wings are joined together by a common lobby. Uses proposed include a broad range of medically related uses to meet the long term of Naples Community Hospital. first phase of the Medical Arts Center. A Medical Office building was constructed as Phase II. The Medical Office building is three stories, with a maximum height of forty-two (42) feet. The Wellness/Rehabilitation Center which will constitute Phase III of the proposed Medical Arts Center is presently under construction. Uses proposed include a broad range of medically related uses to meet the long term needs of Naples Community Hospital.

In addition, it is proposed that an access ramp be constructed on the west side of the existing parking garage. The ramp will help to reduce traffic congestion at the Medical Arts Center building entrances and U.S. 41 and provide a secondary means of egress into the parking garage.

II. BUILDING DESIGN CHARACTER

The building is a Contemporary style with Mediterranean elements. The roofs, where possible within the building height limitation, will be articulated with some sloped roof areas. Windows (fixed glass) are provided on all sides of the building in compliance with the downtown district requirements including storefront glass on the first floor street facades. Site elements such as walkways and decorative landscape features provide amenities for pedestrians and passers-by, including the bridges that will provide access to the hospital. The building roof, wall and trim colors will enhance the building style while maintaining a connection to the hospital's building style and color scheme.

The parking access ramp will incorporate Mediterranean roof elements and will be painted to match the existing parking garage.

III. DEVELOPMENT CRITERIA AND STANDARDS

A. Uses Permitted

In this Planned Development District, no building or structure or part thereof, shall be erected, altered or used, or land or water used, in whole or part, for other than the following:

1. Wellness Center and physical fitness facilities.
2. Medical offices and clinics.
3. Parking garage.
4. Other miscellaneous medical related uses set forth in Exhibit "D" of this document.
5. Accessory uses or structures, which are incidental to and customarily associated with permitted uses, noted above and as set forth in Exhibit "D".

B. Setbacks of Principal Structures

- ~~1. Wellness/Rehabilitation Center twenty-two feet from back of curb on U.S. 41, and ten and twenty feet from 4th Avenue North and as shown on PD Master Plan (Phase II).~~
1. Medical Arts Center twenty (20) feet from Fourth Avenue North and ten (10) feet from Eighth Street as shown on the Planned Development (PD) Master Plan.
- ~~2. Medical Arts Center twenty (20) feet from Fourth Avenue North and ten (10) and twenty (20) feet from Eighth Street and as shown on the Planned Development Master Plan (Phase III).~~
2. Wellness/Rehabilitation Center twenty-two feet from back of curb on U.S. 41, and ten feet from 4th Avenue North and as shown on PD Master Plan.
3. Parking Garage fifty (50) feet from Second Avenue North and access ramp ten (10) feet from Eighth Street as shown on the Planned Development Master Plan.

C. Land Use Breakdown

The following table depicts the total land area devoted to each functional portion of the Planned Development including site coverage (see Exhibit A, PD Master Plan).

LAND USE BREAKDOWN

	Impervious		Pervious		Percentage
	SF	Acreage	SF	Acreage	
Buildings*	123,161	2.83			45.0%
	<u>127,954</u>	<u>2.94</u>			<u>46.8%</u>
Pavement**	22,482	0.52			8.2%
	<u>29,012</u>	<u>0.67</u>			<u>10.6%</u>
Sidewalks, Fountains, Skyways, Canopies, Equipment/Dumpster enclosures, pools	15,421	0.35			5.6%
	<u>19,471</u>	<u>0.44</u>			<u>7.1%</u>
Open Space			112,536	2.58	41.1%
Open Space (Pervious)			<u>97,163</u>	<u>2.23</u>	<u>35.5%</u>
TOTAL	161,064	3.70	112,536	2.58	100%
Impervious TOTAL	176,437	4.05	97,163	2.23	64.5%
TOTAL LAND AREA	273,600	6.28			100%

*Building area excludes skyways from the medical building to the hospital and parking garage and canopy area comprising 4,252 S.F. canopy areas, equipment/dumpster enclosures, and outdoor pool. Building area includes that portion of the access ramp which exceeds 50% of the length of the parking garage (5,222 S.F.).

**Pavement area does not include that portion of the access ramp which was counted in the building area.

D. Minimum Lot Area

The minimum lot size is fifteen thousand (15,000) square feet.

E. Minimum Lot Width

The minimum lot width is 100 feet.

F. Maximum Height

The maximum height is three (3) stories within forty-two (42) feet as measured from the FEMA elevation for the Wellness Center and the Medical Arts Center.

The existing parking garage is permitted a height of 69.83 feet from the first floor. The height of the proposed access ramp is forty-two (42) feet as measured from the FEMA elevation.

G. Open Space

The minimum open space provided shall be as shown on the PD Master Plan is 41.1% 35.5%.

H. Minimum Off-Street Parking

The Parking Garage with its fourteen hundred (1,400) spaces when initially approved as part of Ordinance 90-6140, was presumed to provide a sufficient number of spaces to meet the

hospital's long term needs including the development of the subject property which is developing below the development the project was initially approved for.

I. Maximum Lot Coverage All Buildings

The maximum lot coverage is ~~forty five percent (45%)~~ forty-six point eight percent (46.8%) as depicted on the PD Master Plan excluding bridges to parking garage and west wing to hospital ~~and canopy area~~ and canopy areas, and mechanical, electrical, and trash dumpster enclosures, and the outdoor pool.

J. Landscaping

Designed and constructed in accordance with the requirements of Article III Chapter 106 of the City of Naples Land Development Code and the Standards of the Downtown Mixed Use District unless otherwise provided for on the ~~Site Development Plan attached as Exhibit "A"~~ Landscaping Plan attached as Exhibit "H".

K. Signage

Designed and constructed in accordance with the requirements of Article II, Chapter 106 of the City of Naples Land Development Code and the Downtown Mixed Used District.

IV. STATEMENT OF WATER AND SEWER AVAILABILITY

The property falls within the water and sewer service area of the City of Naples. Both water and sewer service is presently available to the site and are adequate to meet the needs of the proposed development.

V. STATEMENT OF STORM WATER MANAGEMENT STRATEGY

~~The existing water management system is presently constructed and in place.~~ A portion of the water management system is existing. Modifications will be made to the water management system in accordance with the water management plan contained within this Planned Development submittal. Petitioner commits to ~~retain~~ detail 2-1/2 inches of rainfall on site. ~~More detailed plans will be provided at the time of the application for the building permit.~~

VI. DEVELOPMENT SCHEDULE

~~The Wellness Center (east wing) is proposed by the Spring of 2002 and the Medical Arts Center (west wing) in the fall of 2002. The Human Resource Building is proposed to be demolished in 2004. The Wellness/Rehabilitation Center (Medical Arts Center – Phase III) is presently under construction. The parking access ramp is proposed to begin construction in 2006. All other uses exist.~~

VII. COMMON AREAS

~~There are no proposed common areas to be contained within the Planned Development other than the lobby area between the east and west wings to be shared.~~ The proposed common areas to be contained within the Planned Development include all open space and water management areas. Maintenance will be provided by Naples Community Hospital.

EXHIBIT B *(To the PD narrative)*

LEGAL DESCRIPTION

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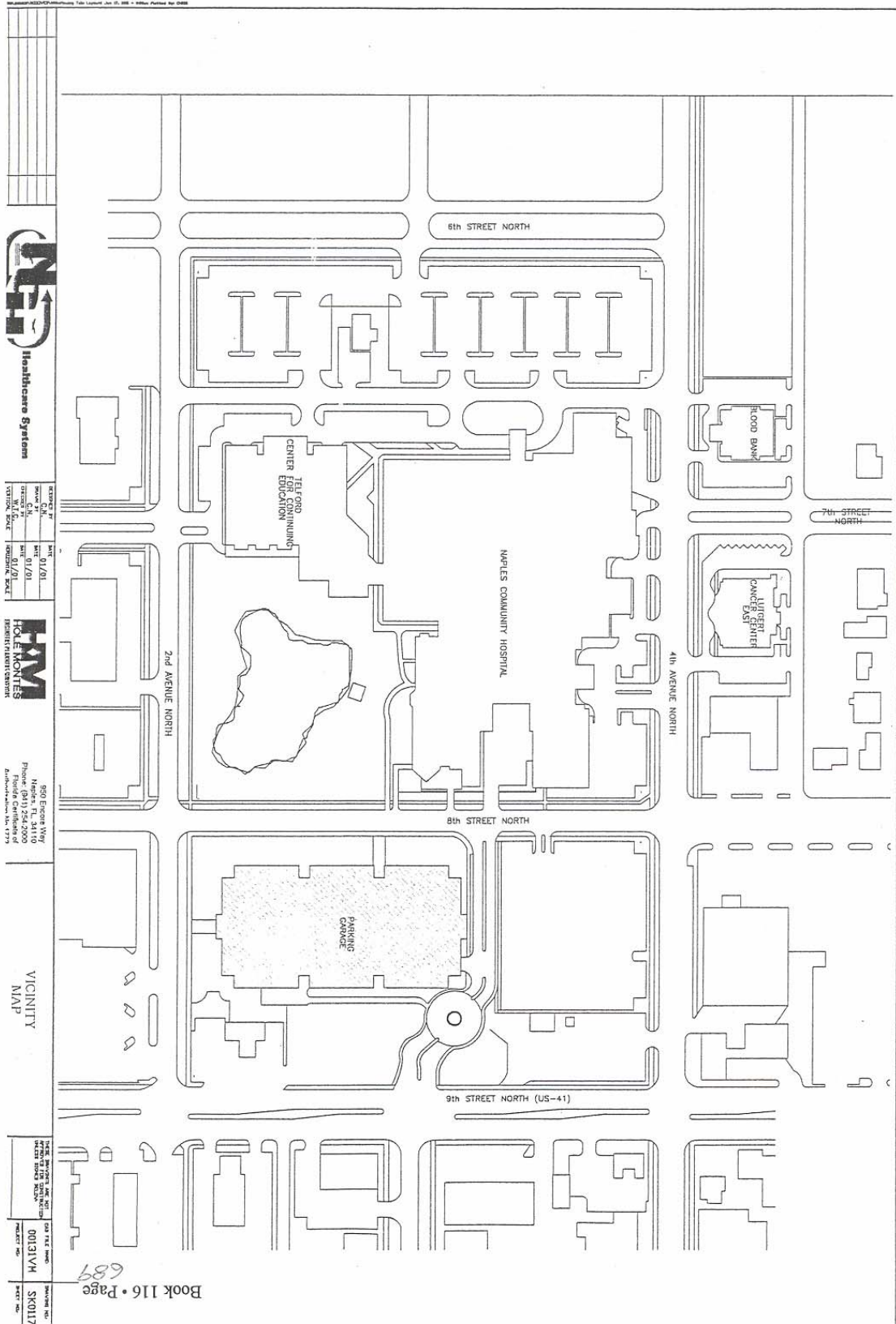
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Exhibit C-1 (to the PD narrative)



Book 116 • Page 689

EXHIBIT D (to the PD narrative)
Planned Uses Page 1 of 3

A) MEDICAL

Medical Clinics
Medical Related Educational Schools and Research Labs
Medical Related Supplies and Retail
Medical Research and Design Labs
Orthopedic Medicine
Substance Abuse Treatment Facilities
Acute Gerontology
Admitting Office
Adult Day Care
Ambulatory Surgery Unit
Anatomic and Clinical Laboratory
Archives Storage
Bereavement Service
Burn Care
Cardiology Diagnostics
Cardiology
Chemotherapy
Child/Hospital Awareness Services
Clean Linen Storage
Complex Neurology Problem Service
Controller
CT Scanning
Data Processing Services
Dental
Diagnostic Radiology
Dietary Counseling
ECG
EKG
Electronmicroscopy
Endoscopy
Establish Linkages to Community Groups
 Local Organizations
 Governmental Bodies
Family Planning Service
Gastroenterology
Gerontologic Technician Training
Gynecology
Home Health Care
Hospital Administrative Offices
Hospital Association
Hospital Long-range Planning

Exhibit D (to the PD Narrative, Page 2 of 3)

Infectious Disease
Internal Auditor
Invasive Cardiac Angiography
Hospital Auxiliary
Medical Office Building
Medical Records
Medical Staff Office
Meeting Rooms
Memorial Fund Office
Mid-Wives Services
Ministerial Relations Coordination
Nephrology
Neurology
Non-Invasive Angiography
Nuclear Medicine
Nutritional Consultation
Obstetrical (Pre and Post Partum) Clinic and Offices
Occupational Therapy
Oncology Surgery
Operating Rooms
Ophthalmology
Pharmacy
Physical Therapy Service
 Burns
 Cardiac
 Neurologic
 Oncologic
 Orthopedic
 Other
Physician Need Assessment and Attraction Service
Physician/Patient Referral Service
Prenatal Education
Public Relations
Alcoholic beverage dispensing with appropriate state license
External hospital publication and media
Internal hospital publications and media
Maintenance of press relations
Patient opinion polling
Public opinion polling
Speakers bureau
Pulmonary medicine
Purchasing/stores
Quality Assurance
Radiation Therapy
Recovery Rooms
Rehabilitation Medicine

Exhibit D (to the PD Narrative, Page 3 of 3)

Respiratory Therapy
Rheumatology
Risk Management
Security Office
Social Services
Specialized Ophthalmology
Speech Pathology - Audiology
Technical Medical Education (for lay staff)
 formal training for labor shortage specialities
 laboratory
 nursing
 radiology
 interpersonal relations
 patient transportation procedures
 technical procedure training e.g. CPR
Transcription
Urology
Volunteer Service
 community group liaison
 fund raising activities
 hospital activities participation
Volunteers
Well Baby Clinic

B) OFFICES

Professional Offices
Accounting Offices
Business Office
Legal Office
Personnel Offices
Public Relations Service

C) PARKING GARAGE

D) Any other uses which are incidental to and customarily associated with the above uses.