

## ORDINANCE 95-7487

AN ORDINANCE APPROVING REZONE PETITION 95-R9, AMENDING AN EXISTING PLANNED DEVELOPMENT, IN ORDER TO PERMIT THE CONSTRUCTION OF A SALES OFFICE AND ADDITIONAL BOAT SLIPS AT NAPLES MARINA AND BOATING CENTER, LOCATED AT 475 NORTH ROAD, MORE PARTICULARLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the operator of Naples Marina and Boating Center has made an application to amend its Planned Development originally approved by Ordinance 85-4785; and

WHEREAS, the Planning Advisory Board, following an advertised public hearing, considered the public input, the recommendation of the staff, and the standards and guidelines for approval of PD zoning, and recommended by a vote of 6 to 0 that the planned development be amended subject to conditions; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and providing the petitioner an opportunity to speak, the City Council finds that the criteria have been met and that the petition should be approved;

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

Section 1. That Rezone Petition 95-R9 is hereby approved, amending an existing planned development, in order to permit the construction of a sales office and additional boat slips at Naples Marina and Boating Center, located at 475 North Road, more particularly described as:

Unplatted lands 3 50 25, that portion of the north 1/2 of Government Lots 1 & 2 lying east of Gordon River, City of Naples, Collier County, Florida.

Section 2. That the southern five acres of the parcel shall be developed in accordance with the submitted plans drawn by Bessette Associates, last dated 19 April 1994, a copy of which is attached hereto and made a part hereof.


Section 3. That a stormwater management plan shall be submitted to the Natural Resources Manager and a utilities plan shall be submitted to the Utilities Department for review and approval prior to the issuance of permits.

Section 4. That the total number of dry-storage boat slips on the property shall not exceed 678, and the total number of wet slips on the property shall not exceed 40.

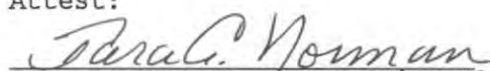
Section 5. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS 19TH DAY OF JULY, 1995.

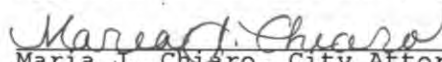
PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS 2ND DAY OF AUGUST, 1995.

  
Alan R. Korest, Vice Mayor

Attest:

  
Tara A. Norman, Deputy City Clerk  
M:\REF\COUNCIL\ORD\95-7487

Approved as to form and legality:

  
Maria J. Chiaro, City Attorney

FOR THE DIAGRAM LISTED  
AS ATTACHED  
PLEASE REFER TO SUPPLEMENTAL  
MAP DRAWER  
2

<b>95-7487</b>		
Korest	M	Y
Pennington	S	Y
Prolman		Y
Sullivan		Y
Tarrant		Y
VanArsdale		Y
Muenzer		Y
(7-0)		
<b>M=Motion S=Second</b>		
<b>Y=Yes N=No A=Absent</b>		

ORDINANCE NO. 85-4785

AN ORDINANCE APPROVING AN AMENDMENT TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR PROPERTY LOCATED WEST OF THE AIRPORT, EAST OF GORDON RIVER, AND SOUTH OF THE AVION PARK SUBDIVISION; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO APPROVE PROPOSED CHANGES TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR A PROPOSED MARINA/FACILITY THAT WOULD INCLUDE A "CLUB" AND COMMERCIAL SALES/SERVICE BUILDING, CERTAIN RECREATION FACILITIES AND BOAT STORAGE AND LAUNCHING FACILITIES.

WHEREAS, by Ordinance No. 3782 the City Council approved a development plan for a television network facility and office complex to be constructed on the property hereinafter described; and

WHEREAS, by Ordinance No. 83-4379 the City Council approved an amendment to said development plan to permit said property to be utilized as a marina, boat storage and recreation facility in lieu of the communication and office complex; and

WHEREAS, following a public hearing, the Planning Advisory Board has recommended approval of the petition for proposed changes, subject to the conditions set forth herein; and

WHEREAS, after consideration the recommendation of the Planning Advisory Board, the City Council has determined that the petition should be approved as recommended with certain modifications;

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

SECTION 1. That the development plan approved by City Council in December 1983 to permit the following described property to be utilized as a marina, boat storage and recreation facility is superceded by this approved development plan, and building permits will not be issued based on the previously approved plan:

The north 1/2 of Government Lot 1 and all that portion of the north 1/2 of Government Lot 2 lying east of the Gordon River, all in Section 3, Township 50 South, Range 25 East, Public Records of Collier County, Florida.

SECTION 2. Said approval is subject to the following conditions:

- 1) Only the northernmost 200 foot by 300 foot boat storage building (Building #1) is approved. The northeast and southeast corners of the building shall have stone facing applied for a horizontal distance of six (6) feet in each direction from each corner and vertically the full height of the building. A maximum of 600 boats may be stored in the approved boat storage building.
- 2) If only two (2) restrooms are provided, a State Department of Environmental Regulation (DER) approved septic system is acceptable.

If any additional facilities requiring sewer service are added, the development must "tie in" to the City sewer system.

- 3) The Public Works Department must review and approve the refuse container and screen fence location.
- 4) The compliance with the following list of Fire Department recommended conditions of approval:

The site shall have an engineered water supply system capable of providing adequate water for firefighting purposes. Design shall take into consideration, type of hazard, type of construction with automatic fire sprinkler systems.

Site and Construction shall meet N.F.P.A. National Fire Codes, specifically, but not limited to:

- NFPA 10      Portable Fire Extinguisher
- NFPA 13      Sprinkler System
- NFPA 24      Standard for outside protection
- NFPA 30      Flammable and combustible liquids code
- NFPA 101     Life Safety Code
- NFPA 302     Fire protection for motor craft
- NFPA 303     Fire protection standard for marines and boat yards.

- 5) North Road and County Road shall be paved from the north end of the subject property, south and east to the existing paved section of County Road at the entrance to the airport terminal.

The paved road shall be 18 feet wide with a 6 inch compacted base and 1 inch of asphalt.

- 6) Prior to the issuance of a certificate of occupancy, a "site-traffic control signing and marking plan" shall be submitted for review and approval by the City Engineer.
- 7) "A site storm water management plan" must be reviewed and approved prior to the issuance of a building permit.
- 8) The proposed "club" facility and sales/service building 60 foot x 30 foot building shall be completed as part of the initial phase of construction.
- 9) The proposed swimming pool, whirlpool, sauna, cabana, tot-lot and picnic area shall be completed as part of the initial phase of construction.
- 10) In addition to the landscaping and perimeter berm detail presented to the PAB, the proposed 5 foot wide landscaping area on the east and north sides of Building #1 shall be increased to 8 feet.

A 6 foot wide landscaped area adjacent to the easternmost 150 feet of the south wall of Building #1 shall be provided.



The width of the perimeter water retention area rather than the width of the adjacent parking area or the perimeter berm and landscaped area shall be reduced to accommodate the 3 foot increase on the north and east sides.

These landscaped areas shall be irrigated and planted with hedges; 25 palm trees shall be planted along the north side of the building; 13 palm trees along the east side and 10 palm trees along the south side. One half of these trees shall be at least 7 feet high at the time of planting, and the other half shall be at least 15 feet high. Any dead trees shall be replaced. (planted trees only).

- 11) In addition to the specific conditions of approval, all zoning and other ordinance provisions are applicable to this project. All of the PAB-recommended conditions of approval and the above enumerated requirements must be complied with prior to the issuance of any certificates of occupancy. The developer may provide the City with a bond guaranteeing completion of items 8 and 9 only in lieu of actual completion prior to a certificate of occupancy being issued.

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

APPROVED AT FIRST READING THIS 24th DAY OF July, 1985.

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 7TH DAY OF AUGUST, 1985.

Stanley R. Billick Mayor
Stanley R. Billick

ATTEST:

Janet Cason
Janet Cason
City Clerk

APPROVED AS TO FORM AND LEGALITY BY

David W. Rynders
David W. Rynders
City Attorney

Table with columns for First Reading and Second Reading, and rows for Council Members (Anderson, Barnett, Bledsoe, Richardson, Schroeder, Billick) and their votes (M, S, O, T, A, B, S, E, N, N).