

RESOLUTION 23-59

A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA APPROVING A SITE DEVELOPMENT PLAN (SDP 22-000128) FOR THE PROPERTY LOCATED AT 40 S. HEATHWOOD DRIVE, MARCO ISLAND, FLORIDA, CONSISTING OF TRACT A OF THE SAN MARCO PUD, PROVIDING DEFINITIONS; APPROVING THE SITE DEVELOPMENT PLAN; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR FAILURE TO COMPLY WITH APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article IX, Site Development and Site Development Plan Standards of the Marco Island Land Development Code (“LDC”) provides standards and regulations for the review and approval of site improvement plans; and

WHEREAS, Marco Island Hospital, Inc. (“Owner/Developer”) has submitted a Site Development Plan for the Development of an urgent care facility at 40 S. Heathwood, Marco Island, Florida 34145 (the “Development”); and

WHEREAS, the City of Marco Island (“City”) staff has reviewed and recommend approval of SDP-22-000128; and

WHEREAS, the City’s Planning Board reviewed and recommended approval of the Site Development Plan on October 6, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, FLORIDA:

SECTION 1. Recitals; Definitions.

(a) That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

(b) That as used herein, unless the context hereof, or City Code of Ordinances, requires to the contrary, the following terms will be defined as set forth below:

(1) “Site Development Plans” which includes: 16 sheets dated April, 2022 with a revision date of June 22, 2023 created by RWA with a project number of 170073.02.00.

Code Minimum Landscape Plans for Naples Community Hospital, created by RWA, project number 1700073.02.00 containing 8 pages, dated November 2021 with a revision date of 10/20/22, and

Exterior Elevations-Overall, created by Chancey Architecture/Interior Design, project number 21210, dated 05-01-23 and a revision date of 08-01-23, and containing 2 sheets,
and

Exterior Lighting for Naples Community Hospital, created by TR Transportation Consultants INC, job number F2204.02, dated September 16, 2022, containing 6 sheets.

(2) "Subject- Property" means those parcels of land, lying, situate and being in the State of Florida, County of Collier, City of Marco Island, as described as follows:

Tract A, SAN MARCO HEALTH
Property ID# Tract A: 72300000026

SECTION 2. Adoption. The Owner/Developer's Site Development Plan for the Subject Property is hereby approved. The Site Development Plan is approved subject to the following conditions of approval set forth in Section 3. of this Resolution.

SECTION 3. Conditions of Approval. The Site Development Plan is approved subject to the following conditions of approval:

1. Provide an updated Listed Species Survey. The last Listed Species Survey is dated July 2021.
2. Temporary parking will be approved separately under a Construction Temporary Use permit in conjunction with the building permit for the new urgent care facility.
3. The landscape plant material must meet the minimum sizes specified in our Land Development Code.

SECTION 4. Failure to Obtain Other Permits. That issuance of this approval by the City does not in any way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the Owner/Developer fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development on the Subject Property. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

SECTION 5. Failure to Adhere to Resolution. That failure to adhere to the approval terms and conditions contained in this Resolution shall be considered a violation of this Resolution and the City Code, and persons found violating this Resolution shall be subject to the penalties prescribed by the City Code, including but not limited to the

revocation of any of the approval(s) granted in this Resolution and any other approvals conditioned on this approval. The Owner/Developer understands and acknowledges that it must comply with all other applicable requirements of the City Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the City at any time upon a determination that the Owner/Developer is in non-compliance with the City Code.

SECTION 6. Effective Date. That this Resolution shall take effect immediately upon adoption.

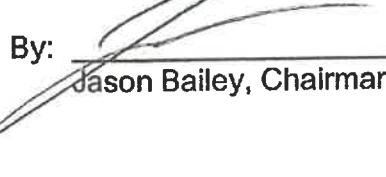
ADOPTED BY THE PLANNING BOARD OF THE CITY OF MARCO ISLAND, this 6th day of October 2023.

ATTEST:




Joan Taylor, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: 

Jason Bailey, Chairman

Reviewed for legal sufficiency:



David N. Tolces, Asst. City Attorney

