

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Raul Ortega filed an application on behalf of the property owner, Alico Pennsylvania, LLC, to rezone a 7.66± acre parcel from General Industrial (IG) to Commercial Planned Development and Industrial Planned Development (CPD/IPD) in reference to Alico Penn CPD/IPD; and

WHEREAS, a public hearing was advertised and held on March 26, 2009 with the record held open for written submission on April 10, 2009, before the Lee County Zoning Hearing Examiner, Diana M. Parker, who gave full consideration to the evidence in the record for Case #DCI2008-00029; and

WHEREAS, a second public hearing was advertised and held on June 29, 2009, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 7.66± acre parcel from IG to CPD/IPD, to allow a maximum of 30,000 square feet of Commercial building area and a maximum of 54,000 square feet of Industrial building area, with building heights of 35 feet/two stories for Commercial uses and 65 feet/five stories for Industrial uses. No development blasting is requested. The development will connect to public potable water and public sanitary sewer service. The property is located in the Industrial Development Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan/Development Parameters - The development of this project must be substantially consistent with the 2-page Master Concept Plan (MCP) entitled "Alico Penn CPD/IPD," dated 4/1/09, last revised 07-15-09, date-stamped "Received Jul 20 2009 Community Development," and attached hereto as Exhibit C, except as modified by the conditions below.

This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

Development Parameters:

Maximum Floor Area (CPD) 30,000 square feet of commercial office and/or retail;

Maximum Floor Area (IPD) 54,000 square feet of Industrial building area; and

A maximum of 16 self-service fuel pumps, of which at least 8 must be diesel.

2. Uses and Site Development Parameters

The following limits apply to the project and uses:

A. Schedule of Uses

CPD

Accessory Uses and Structures

Administrative Offices

Auto Parts Store, with or without installation

Automobile Service Station - Limited to 1 for the entire PD

ATM (automatic teller machines)

Banks and Financial Establishments - Group I only

Building Material Sales

Business Services - Groups I and II

Car Wash

Cleaning & Maintenance Services

Consumption on Premises, Indoor Only, and only in conjunction
with a Group III Restaurant

Contractors and Builders - Group I only

Convenience Food and Beverage Store - Limited to one

Drive-through for any permitted use

EMS, Fire or Sheriff's Station

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities - Group I only

Excavation, Water Retention. Excavated material may not be removed
from the site. No blasting

Fences, Walls

Gasoline Dispensing System, Special

Hardware Store

Household

Household and Office Furnishings - All Groups

Laundry or Dry Cleaning - Group I only
Measuring, Analyzing and Controlling Instruments
Nonstore Retailer - All Groups
Package Store - Limited to 1 for the entire PD
Paint, Glass and Wallpaper
Parking Lot, Accessory, Temporary, Commercial
Pharmacy
Printing and Publishing
Rental or Leasing Establishment - Groups II and III
Repair Shops - Groups I, II and III
Restaurants - Groups I, II and III
Restaurants, Fast Food - Limited to one standalone fast food restaurant, and/or one
fast food restaurant within a multi-occupancy building.
Schools, Commercial
Self Service Fuel Pumps, limited to a maximum of 16, of which at least 8 must be
diesel
Signs, Per LDC Chapter 30
Storage, Indoor Only
Temporary Uses
Truck Stop
Used Merchandise Stores - Groups I, II and IV
Warehouse
 Mini Warehouse
 Private
 Public

IPD

Accessory Uses and Structures
Administrative Offices
Animal Clinic or Kennel
Automotive Repair and Service - Group II only
Automobile Service Station
Boat Repair and Service
Building Materials Sales
Business Services - Group II only
Cleaning and Maintenance Services
Cold Storage, Pre-Cooling, Warehouse and Processing Plant
Contractors and Builders - All Groups
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities - Group I only
Excavation, Water Retention. Excavated material may not be removed from the
site. No blasting
Fences, Walls
Gasoline Dispensing Systems, Special
Government Maintenance Facility
Laundry or Dry Cleaning - Group II only

Manufacturing of:

- Apparel Products
- Boats
- Electrical Machinery and Equipment
- Fabricated Metal Products - Groups II and III
- Furniture and Fixtures
- Leather Products - Group II only
- Lumber and Wood Products - Group II only
- Measuring Analyzing and Controlling Instruments
- Novelties, Jewelry, Toys, Signs - All Groups
- Rubber and Plastic Products - Group II only
- Stone Clay Glass and Concrete Products - Groups I, II and IV
(Group IV is limited to Cut Stone and Stone Products)

Non Store Retailers

- Paint Glass and Wallpaper
- Parcel and Express Service
- Parking Lot, Accessory, Temporary, Commercial
- Photo finishing Lab
- Printing and Publishing
- Processing and Warehousing
- Rental or Leasing Establishment - Groups III and IV
- Signs, Per LDC Chapter 30
- Storage, Indoor or Open
- Transportation Services - Groups II and IV
- Truck Stop
- Vehicle and Equipment Dealers - Group V only (in conformance with LDC §34-1352)
- Warehouse:
 - Mini
 - Private
 - Public
- Wholesale Establishments - Groups III and IV

B. Site Development Regulations

For the CPD

Minimum Lot Area and Dimensions:

- Area: 7,500 square feet
- Width: 75 feet
- Depth: 100 feet

Minimum Setbacks:

- Street: 25 feet
- Side: 10 feet
- Rear: 15 feet
- Accessory: 5 feet

Minimum Building Separation:

One-half the sum of the heights of both buildings,
or 20 feet, whichever is greater.

Maximum Building Height:

2 stories/35 feet

Maximum Lot Coverage: 45 percent

For the IPD

Minimum Lot Area and Dimensions:

Area: 10,000 square feet

Width: 100 feet

Depth: 100 feet

Minimum Setbacks:

Street: 25 feet

Side: 10 feet

Rear: 15 feet

Accessory: 5 feet

Minimum Building Separation:

One-half the sum of the heights of both buildings,
or 20 feet, whichever is greater.

Maximum Building Height:

3 stories / 45 feet

All buildings exceeding 35 feet in height must maintain additional building setbacks and separation as regulated by LDC §§34-2174(a) and 34-935(e)(4).

Maximum Lot Coverage: 45 percent

3. Design Standards - All industrial or commercial buildings and structures must comply with LDC Chapter 10, Article IV, Design Standards and Guidelines for Commercial Buildings and Development.
4. Accessory Uses - Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

5. Concurrency - Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements, including traffic concurrency, prior to issuance of a local development order.
6. No Blasting - No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.
7. Tall Structures - The proposed development will be subject to the provisions of the LDC §34-1008 "Permit for Tall Structures." Depending on the height and location of the proposed structures, an application may need to be submitted for review and approval to the Federal Aviation Administration (FAA) and the Lee County Port Authority to determine airspace impacts of proposed permanent buildings, and any temporary construction equipment (such as cranes) within the site. Height of buildings, and cranes at this location will be dependent on approval by these agencies.
8. Noise - Commercial buildings located in the Airport's Noise Sensitive Zones as defined in LDC §34-1006(B)(2) are encouraged to consider the use of sound-insulating materials.
9. Reconfiguration - If the Tracts shown on the MCP are substantially reconfigured, the developer will be required to receive approval of an amendment to this planned development pursuant to LDC §34-380.
10. Traffic - Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.
11. Lee Plan - Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
12. Native Buffers - All required buffers must utilize 100 percent native vegetation.
13. Water/Sewer - Development of this project must connect to both public water and public sewer. At time of local development order, the developer must also demonstrate there is adequate water and sewer capacity to handle the level of development as proposed in the development order submittal.
14. Solid Waste/Recycling - As part of any local development order approval for vertical development, the developer must include facilities in compliance with LDC §10-261 and Lee County Solid Waste Ordinance No. 08-10 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application.

15. Shielding of Open Storage - All outdoor (open) storage activities must comply with shielding provisions specified in LDC §34-3005(b).
16. Required to Plat - A subdivision plat in accordance with Chapter 177 of the Florida Statutes must be formally recorded in the records of Lee County.
17. Access - Access to all proposed lots must comply with the current LDC at time of local development order.
18. Open Space - Prior to local development order approval, open space must be provided in substantial compliance with the approved MCP attached as Exhibit C and the Open Space/Replant Exhibit attached as Exhibit D.
19. Indigenous Preserve - Prior to local development order approval, replant areas and native tree preservation must be provided in substantial compliance with the approved MCP (Page 2) and the attached Open Space/Replant Exhibit, and to also include the replacement of impacted heritage trees with like species, a minimum 20-foot in height at installation, to suitable replant areas.

Prior to vegetation removal permit approvals for IPD Tract A and CPD Tracts A or B, the exact configuration of the area required for the preservation of the nine Florida slash pines must be staked by the developer and field verified and approved by the Lee County Division of Environmental Sciences' (DES) staff to protect the full drip line of the trees. The preserved Florida slash pines may be taken as credits to meet general tree or buffer requirements. In the event a preserved tree dies, it must be replaced with a 20-foot-high like species at the same location.

20. Gopher Tortoises - Prior to vegetation removal permit approval for development impacting active /inactive gopher tortoise burrows, the applicant must:
 - a) First seek approval for off-site relocation of the gopher tortoises within Lee County before pursuing off-site relocation options outside of Lee County. Any communication with Lee County's Parks and Recreation Department and the Florida Fish and Wildlife Conservation Commission (FWC) verifying the attempts for off-site relocation within Lee County must be provided to the DES staff; and
 - b) Provide a copy of the appropriate gopher tortoise permit issued by the FWC. Any gopher tortoises and commensal species found during burrow excavation must be moved to preserves containing suitable gopher tortoise habitat as approved by the FWC and DES staff.
21. Protected Species - Prior to vegetation removal permit approval for development impacting active/inactive gopher tortoise burrows, a detailed gopher tortoise management plan, as per LDC §10-474, for the proposed gopher tortoise recipient site must be submitted for the DES staff review and approval. The management plan must also include:
 - a) The type of gopher tortoise permit obtained from FWC; and

- b) The long term management activities that are necessary to maintain the recipient site as suitable gopher tortoise habitat; including but not limited to, site carrying capacity and types, densities, and maintenance of gopher tortoise foraging materials.
22. Alico Road Buffers - Prior to any local development order approval for tracts abutting Alico Road, landscape plans must depict an enhanced Type D buffer along the Alico Road right-of-way that is in substantial compliance with the attached approved MCP and Open Space/Replant Exhibit, and must include:
- a) A 2- to 3-foot-high undulating berm; and
 - b) 5 native canopy trees, (to include relocated oak trees taken at 1:1 credit and a minimum of 12- to 14-foot high (3-inch caliper) Florida slash pines and 3 sabal palms per 100 linear feet; and
 - c) 30 native shrubs per 100 linear feet installed at 24-inch height, 3-gallon container size and maintained at a minimum height of 36 inches; and
 - d) 25 native shrubs per 100 linear feet installed at 36-inch height, 5-gallon container size and maintained at a minimum height of 48 inches; and
 - e) The trees and shrubs may be planted in clusters to provide a more natural looking vegetative pattern and potential view windows.
- If the IPD Tracts develop first, and no improvements (i.e., site clearing) are proposed within the CPD Tracts, then the native vegetation within the CPD Tracts may constitute the Alico Road right-of-way buffer until such time as the CPD Tracts are improved. If oak tree relocation from the IPD Tracts is performed prior to the Alico Road right-of-way buffer improvement, then the relocated oaks must be installed in such a manner that the oaks will not be impacted by future Alico Road right-of-way buffer and CPD Tract improvements.
23. Pennsylvania and Quaker Lane Buffers - Prior to any local development order approval for tracts abutting Pennsylvania Street or Quaker Lane, landscape plans must depict the Quaker Lane and Pennsylvania Street 15-foot-wide Type right-of-way buffers to include required trees installed at minimum of 12- to 14-foot heights (3-inch caliper).

SECTION C. DEVIATIONS:

- 1. Public Utility Easement on One Side of a Roadway - Deviation (1) seeks relief from LDC §10-355(a)(1), requirement to provide a 10-foot-wide public utility easement on both sides of a roadway to allow the 10-foot-wide public utility easement on the north and west side of Quaker Lane only. This deviation is APPROVED, SUBJECT TO the condition that at the time of the first local development order approval, the applicant must provide the Division of Development Services' Staff with letters of no objection from all the applicable providers of public and/or private utilities (such as water, sewer, cable, telephone and electric).

2. Clustering of shrubs for Visual Screen - Deviation (2) requests relief from LDC §10-416(d)(4)(2), which requires hedges to be planted in double staggered rows and maintained to form a continuous visual screen within one year after time of planting, to allow clustering of shrubs. This deviation is APPROVED, SUBJECT TO Condition 22.
3. Reduced Width of Buffer - Deviation (3) requests relief from LDC §34-1353(e)(1) which requires landscaping adjacent to rights-of-way external to the development project to be located within a landscape buffer that is a minimum of 25 feet in width; to allow the minimum width of the buffer to be reduced to 15 feet along Quaker Lane and Pennsylvania Street. This deviation is APPROVED.
4. Elimination of Portion of Required Berm - Deviation (4) requests relief from LDC §34-1353(e)(2) which requires projects with an open drainage system, to have an undulating berm with a maximum slope of 3:1 to be constructed along the entire length of the landscape buffer, constructed and maintained at a minimum height of 2 feet, as measured from the grade of the parking lot; to eliminate this requirement along Quaker Lane and Pennsylvania Street. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Open Space/Replant Exhibit

The applicant has indicated that the STRAP number for the subject property is:
05-46-25-00-00006.0000

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

- e. will not adversely affect environmentally critical areas or natural resources.
- 3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
- 4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
- 5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

Commissioner Tammara Hall made a motion to adopt the foregoing resolution, seconded by Commissioner Frank Mann. The vote was as follows:

| | |
|-----------------|--------|
| Robert P. Janes | Absent |
| Brian Bigelow | Aye |
| Ray Judah | Aye |
| Tammara Hall | Aye |
| Frank Mann | Aye |

DULY PASSED AND ADOPTED this 29th day of June 2009.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: Ray Judah
Ray Judah
Chair



Approved as to form by:

John J. Fredyma
John J. Fredyma
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
mw

CASE NO: DCI2008-00029

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Z-09-014
Page 10 of 10

DESCRIPTION

Parcel in

Section 5, Township 46 South, Range 25 East,
Lee County, Florida

A tract or parcel of land lying in Section 5, Township 46 South, Range 25 East, Lee County, Florida, said tract or parcel being more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of said Section 5, run S88°41'33"W along the South Line of the Southwest Quarter of said Section 5 for 653.44 feet to the Southeast Corner of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of said Section 5; thence run N00°44'50"W along the East Line of said fraction for 546.13 to the POINT OF BEGINNING.

From said POINT OF BEGINNING run S20°32'03"W for 31.88 feet to a point of curvature; thence run southwesterly along an arc of curve to the right of radius 82.00 feet (delta 69°05'46") (chord bearing S55°04'56"W)(chord 93.00 feet) for 98.89 feet to a point of tangency; thence run S89°37'49"W for 175.08 feet to a point of curvature; thence run southwesterly along an arc of curve to the left of radius 142.00 feet (delta 76°25'52") (chord bearing S51°24'53"W)(chord 175.69 feet) for 189.42 feet to a point of tangency; thence run S89°10'56"W for 251.51 feet to an intersection with the West Line of said fraction; thence run N00°49'04"W along the West line of said fraction for 296.05 feet to the Northwest Corner of said fraction; thence run N88°47'20"E along the North line of said fraction for 654.24 feet to the Northeast Corner of said fraction; thence run S00°44'50"E along the East line of said fraction for 112.47 feet to the POINT OF BEGINNING.

Containing 3.54 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/99 Adjustment) and are based on the North right of way line of Alico Road to bear S88°41'33"W.

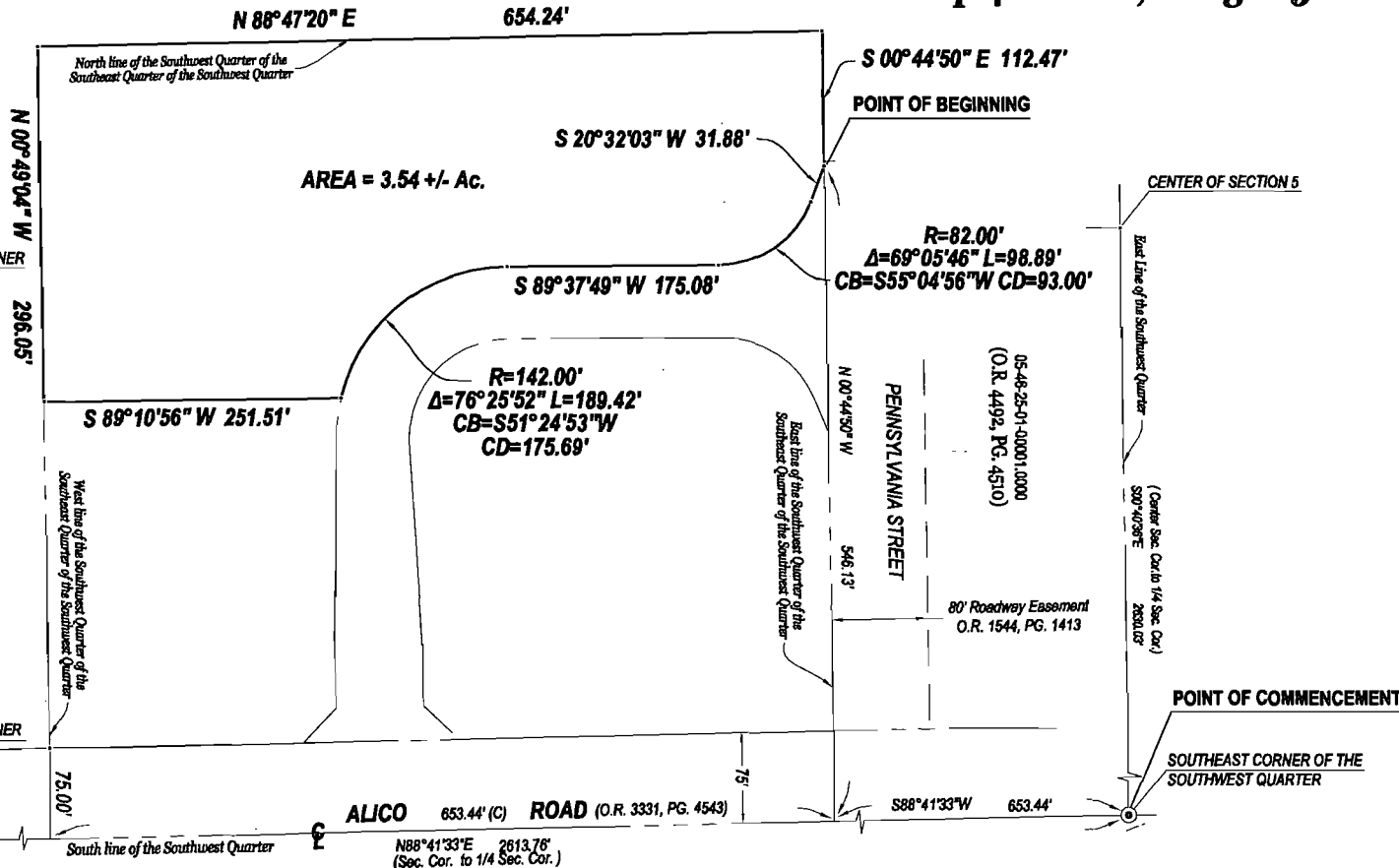
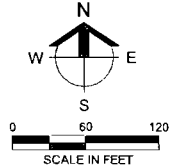
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

THIS IS NOT A SURVEY

05-46-25-01-0000C.0010
(O.R. 4539, PG. 2706)

Section 5

Township 46 South, Range 25 East



Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2771 MAGNOLIA BOULEVARD
SUITE 100
FORT MYERS, FLORIDA 33922-2900
PHONE (239) 447-1170
FAX (239) 447-1168
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7295 - SURVEYING LB-990

Ensite

A Parcel of Land in
Section 5
Township 46 South
Range 25 East,
Lee County, Florida

PROJECT SURVEYOR



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| FILE NAME | 275/10/10.DWG |
| LAYOUT | LAYOUT |
| LOCATION | 1/4 SECTION 5, T46S, R25E, L10E |
| PLOT DATE | MO: 12-29-2008 11:41 AM |
| PLOT BY | BRANDON HADLEY |
| DRAWING DATA | |
| SURVEY DATE | 12/29/2008 |
| DRAWN BY | SAW |
| CHECKED BY | SAW |
| SCALE | 1"=120' |
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| PROJECT FILE NO. | 22576 |
| SHEET NUMBER | 2 OF 2 |

EXHIBIT "A"
(Page 2 of 4)

DESCRIPTION

Parcel in
Section 5, Township 46 South, Range 25 East,
Lee County, Florida

A tract or parcel of land lying in Section 5, Township 46 South, Range 25 East, Lee County, Florida, said tract or parcel being more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of said Section 5, run S88°41'33"W along the South Line of the Southwest Quarter of said Section 5 for 653.44 feet to the Southeast Corner of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of said Section 5; thence run N00°44'50"W along the East Line of said fraction for 75.00 to an intersection with the Northerly right of way line of Alico Road as recorded in Official Record Book 3331, Page 4543, Lee County Records and the POINT OF BEGINNING.

From said POINT OF BEGINNING run S88°41'33"W along said Northerly right of way line for 309.60 feet, to a point designated as Point "A"; thence run N46°18'26"W for 40.31 feet; thence run N01°18'26"W for 51.00 feet; thence run N03°18'43"W for 171.51 feet to a point on a non-tangent curve; thence run northeasterly along an arc of curve to the right of radius 82.00 feet (delta 90°56'15") (chord bearing N44°09'42"E) (chord 116.91 feet) for 130.15 feet to a point of tangency; thence run N89°37'49"E for 176.55 feet to a point of curvature; thence run southeasterly along an arc of curve to the right of radius 82.00 feet (delta 68°20'39") (chord bearing S56°11'52"E) (chord 92.12 feet) for 97.81 feet to a point of tangency; thence run S22°01'33"E for 31.93 feet to an intersection with the East Line of said fraction; thence run S00°44'50"E along the East line of said fraction for 247.18 feet to the POINT OF BEGINNING.
Containing 2.52 acres, more or less.

AND

Commencing at the point designated as Point "A" run S88°41'33"W along said Northerly right of way line for 129.00 feet to the POINT OF BEGINNING.

From said Point of Beginning run S88°41'33"W along said Northerly right of way line for 214.93 feet to an intersection with the West line of said fraction; thence run N00°49'04"W along the West line of said fraction for 288.64 feet; thence run N89°10'56"E for 251.51 feet to a point on a non-tangent curve; thence run southwesterly along an arc of curve to the left of radius 142.00 feet (delta 14°30'23") (chord bearing S05°56'45"W) (chord 35.86 feet) for 35.95 feet to a point of tangency; thence run S00°41'51"W for 171.51 feet; thence run S01°18'26"E for 51.00 feet; thence run S43°41'34"W for 40.31 feet to the POINT OF BEGINNING.
Containing 1.61 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/99 Adjustment) and are based on the North right of way line of Alico Road to bear S88°41'33"W.

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

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THIS IS NOT A SURVEY

05-46-25-01-0000C.0010
(O.R. 4539, PG. 2706)

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
3. PG. - DENOTES PAGE.
4. D.B. - DENOTES DEED BOOK, LEE COUNTY PUBLIC RECORDS.
5. BEARINGS AS SHOWN ARE BASED ON THE NORTH LINE OF THE ALICO ROAD RIGHT OF WAY TO BEAR N 88°41'33" E.
6. DESCRIPTION IS ATTACHED.

Barraco
and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

2271 WILSON ROAD
FORT MYERS, FLORIDA 33903-2900
PHONE (888) 461-3170
FAX (239) 461-3103

FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7895 - SURVEYING 182652

PREPARED FOR:

Ensite

PROJECT DESCRIPTION

A Parcel of Land in
Section 5
Township 46 South
Range 25 East,
Lee County, Florida

PROJECT SURVEYOR



NOT VALID WITHOUT THE SIGNATURE
AND THE ORIGINAL RAISED SEAL OF A
FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NAME: 175-000001.DWG

LAYOUT: LAYOUT

LOCATION: 175-000001.DWG

PILOT DATE: MON 12-26-2006 11:40 AM

PILOT BY: B. WHEELER

DATE: 12/26/2006

DRAWN BY: HW

CHECKED BY: HW

SCALE: 1"=100'

FIELD BOOK: 175-000001.DWG

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Zoning Map

2/2/2009

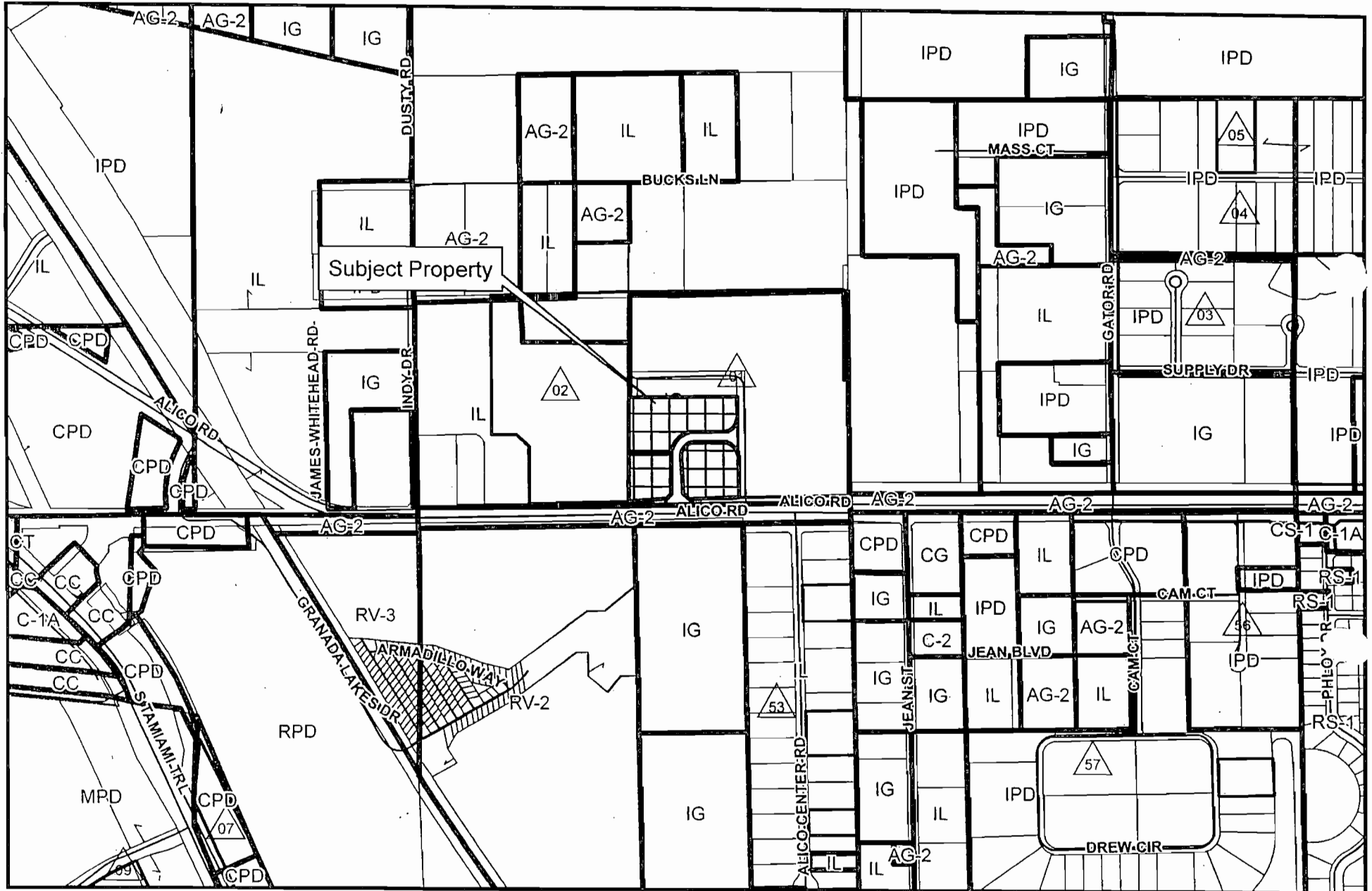
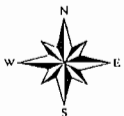
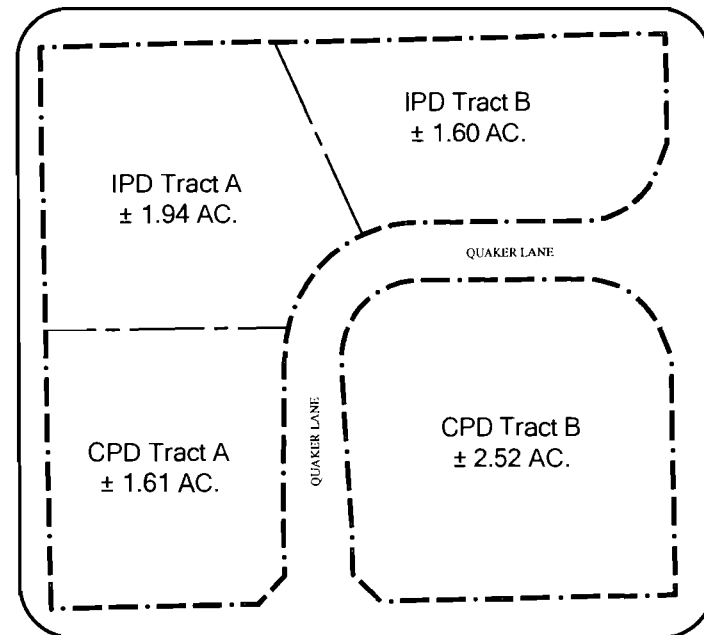


EXHIBIT B



500 250 0 500 1,000 Feet

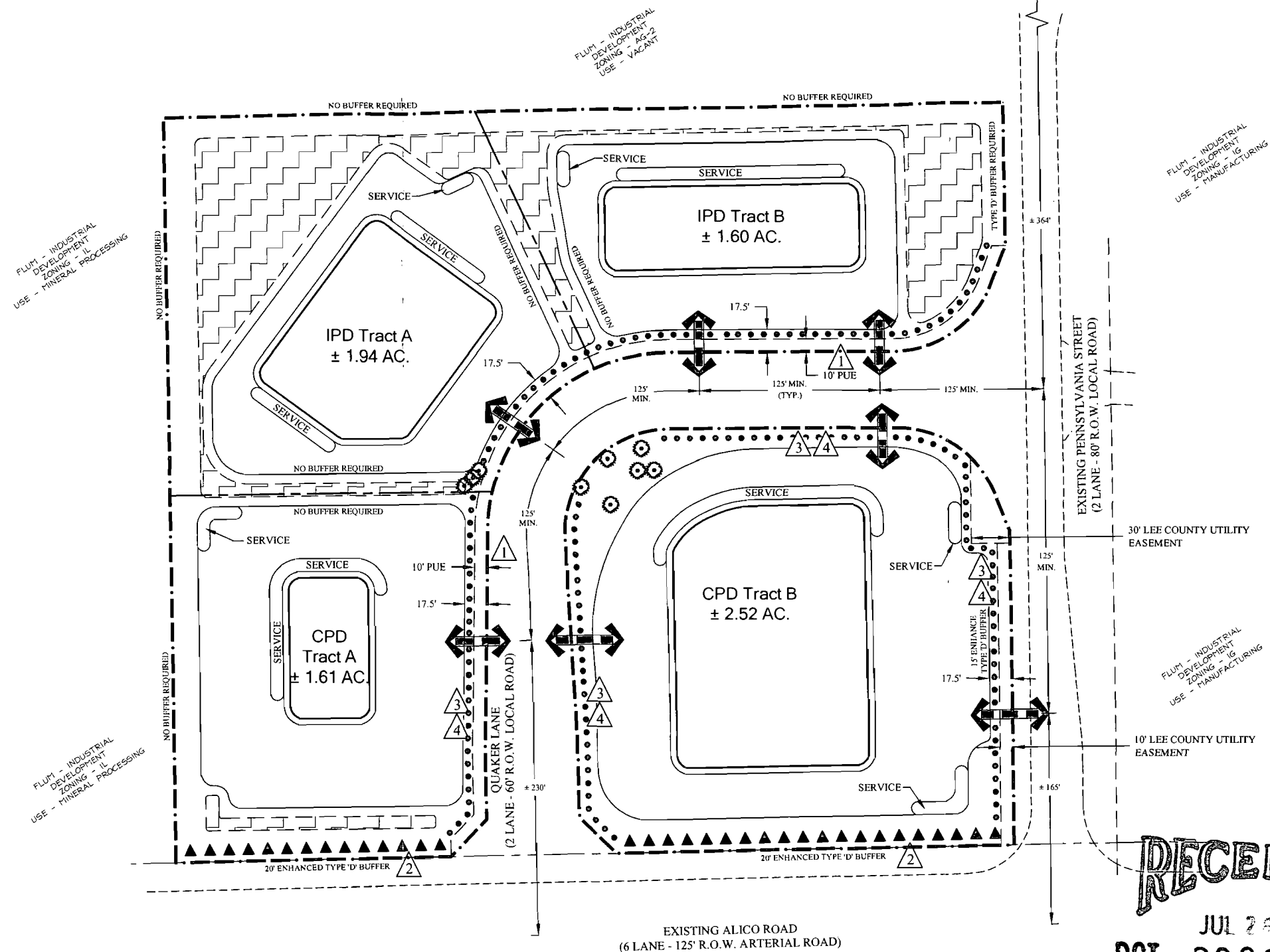
A scale bar representing distances in feet, with markings for 500, 250, 0, 500, and 1,000 feet.



CPD / IPD BOUNDARY INSET

LEGEND:

- PROPERTY BOUNDARY LINE
- OPEN SPACE / WATER MANAGEMENT
- 20' ENHANCED TYPE 'D' BUFFER
2' - 3' UNDULATING BERM
5 TREES PER 100 LINEAR FEET CONSISTING OF RELOCATED TREES FROM ON SITE SUPPLEMENTED WITH ADDITIONAL TREES WHERE NECESSARY - SEE TREE RELOCATION AND REPLANT EXHIBIT
- 15' ENHANCED TYPE 'D' BUFFER
TREES SHALL BE PLANTED AT A MIN. 12' - 14' HEIGHT, 3" CALIPER AT TIME OF PLANTING
- SERVICE
OPTIONAL LOCATIONS OF MISCELLANEOUS SERVICE AREAS
- #
DENOTES LOCATION OF REQUESTED DEVIATION
- P
EXISTING PINE TREES TO BE PRESERVED IN PLACE

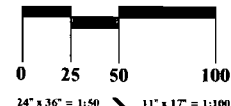
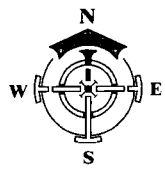


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JUL 26 2008

DCI 2008-00029
COMMUNITY DEVELOPMENT

Approved as Exhibit C
MCP Page 1 of 2
Resolution # 2-09-014



D-7-M.2
1 of 2

Project Number: 1089-01
Cad File: 1089-01-MCP01
Date: 04-01-09
Revised: 07-14-09 PER DOCC ACTION

LEGEND:

- PROPERTY BOUNDARY LINE
- EXISTING PINE TREES TO BE REMOVED.
- EXISTING SABAL PALMS TO BE RELOCATED ON-SITE.
12 TOTAL PALMS FOR RELOCATION
- EXISTING PINE TREES TO BE PRESERVED IN PLACE DENOTED ON PLAN SHALL COUNT TOWARDS GENERAL TREE REQUIREMENTS. IN THE EVENT THAT FUTURE CONSTRUCTION ACTIVITY OR PEST INFESTATION DAMAGES OR DESTROYS THE TREES THEY SHALL BE REPLACED WITH LIKE SPECIES AT 20' IN HEIGHT AT TIME OF PLANTING.
- REPLANT AREAS

- EXISTING OAK TREES TO BE RELOCATED ON-SITE, SPECIFICALLY ALONG THE ALICO ROAD CORRIDOR LANDSCAPE BUFFER.
12 TOTAL TREES FOR RELOCATION:
(5) 5" CALIPER
(5) 6" CALIPER
(1) 8" CALIPER
(1) 20" CALIPER
APPROXIMATE CANOPY SIZE SHOWN ON PLAN
- REPRESENTATION OF TREE GROUPINGS FOR REPLANT AREAS #1, #2, #3 & #4. FINAL LOCATION TO BE DETERMINED AT DEVELOPMENT ORDER PHASE. POSSIBLE TREE PLANTINGS MAY INCLUDE:
BALD CYPRESS, RED MAPLE, LAUREL OAK, POND CYPRESS, SOUTHERN MAGNOLIA AND DAHOON HOLLY.

REPLANT AREAS (100% NATIVE):

REPLANT AREA #1:
6 RELOCATED SABAL PALMS

ENHANCEMENTS:
TREES AT 25' O.C.
50% TREES 6'-8' HT, 1 1/4" CALIPER, 3' SPREAD AT TIME OF PLANTING
50% TREES 10'-12' HT, 2" CALIPER, 4' SPREAD AT TIME OF PLANTING

15% OF REPLANT AREA #1 WILL BE PLANTED WITH NATIVE CLUMP GRASSES AND/OR HERBACEOUS PLANTS. PLANTS SHALL BE 1 GALLON AND PLANTED 3' O.C. = 392 PLANTS

REPLANT AREA #2:
6 RELOCATED SABAL PALMS

ENHANCEMENTS:
TREES AT 25' O.C.
50% TREES 6'-8' HT, 1 1/4" CALIPER, 3' SPREAD AT TIME OF PLANTING
50% TREES 10'-12' HT, 2" CALIPER, 4' SPREAD AT TIME OF PLANTING

15% OF REPLANT AREA #2 WILL BE PLANTED WITH NATIVE CLUMP GRASSES AND/OR HERBACEOUS PLANTS. PLANTS SHALL BE 1 GALLON AND PLANTED 3' O.C.

REPLANT AREA #3:
6 EXISTING PINE TREES

ENHANCEMENTS:
TREES AT 25' O.C.
100% TREES 10'-12' HT, 2" CALIPER, 4' SPREAD AT TIME OF PLANTING

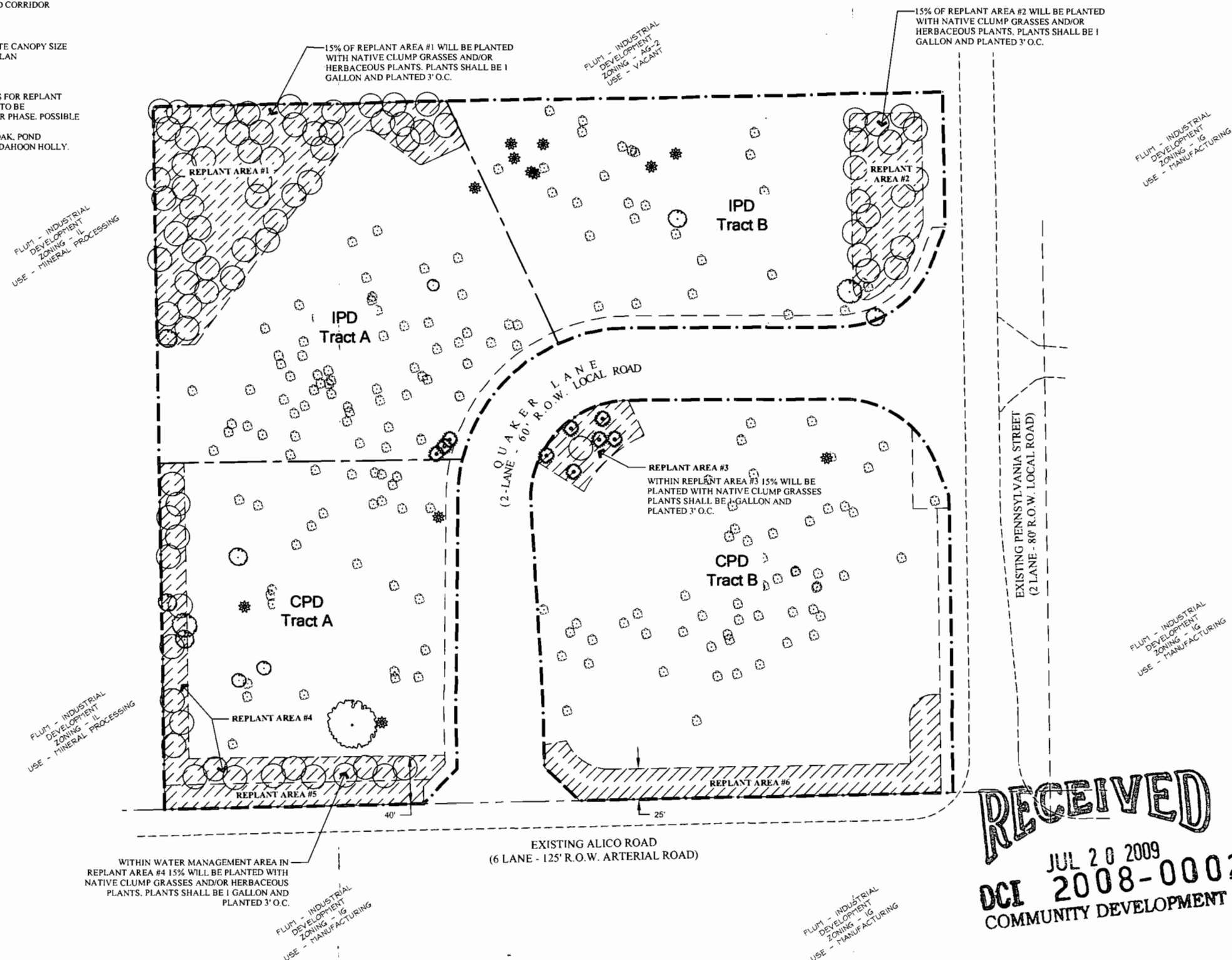
15% OF REPLANT AREA #3 WILL BE PLANTED WITH NATIVE CLUMP GRASSES AND/OR HERBACEOUS PLANTS. PLANTS SHALL BE 1 GALLON AND PLANTED 3' O.C.

REPLANT AREA #4:
WITHIN WATER MANAGEMENT AREA IN REPLANT AREA #3, 30% OF AREA WILL BE PLANTED WITH NATIVE CLUMP GRASSES AND/OR HERBACEOUS PLANTS. PLANTS SHALL BE 1 GALLON AND PLANTED 3' O.C.

ENHANCEMENTS:
TREES AT 25' O.C.
100% TREES 10'-12' HT, 2" CALIPER, 4' SPREAD AT TIME OF PLANTING

REPLANT AREA #5:
ALL OAK TREES SHOWN HEREIN SHALL BE RELOCATED TO THE 20' ENHANCED TYPE "D" BUFFERS ALONG ALICO ROAD AS PART OF THE DEVELOPMENT ORDER FOR VERTICAL CONSTRUCTION FOR EITHER CPD TRACT. SAID TREES SHALL BE UTILIZED TO MEET BUFFER REQUIREMENTS. SUPPLEMENTAL TREE PLANTINGS MAY BE REQUIRED TO MEET QUANTITIES FOR REQUIRED BUFFERS. SUPPLEMENTAL TREES SHALL BE A MINIMUM OF 12' - 14' HEIGHT WITH A 3" CALIPER AT TIME OF PLANTING.

REPLANT AREA #6:
ALL OAK TREES SHOWN HEREIN SHALL BE RELOCATED TO THE 20' ENHANCED TYPE "D" BUFFERS ALONG ALICO ROAD AS PART OF THE DEVELOPMENT ORDER FOR VERTICAL CONSTRUCTION FOR EITHER CPD TRACT. SAID TREES SHALL BE UTILIZED TO MEET BUFFER REQUIREMENTS. SUPPLEMENTAL TREE PLANTINGS MAY BE REQUIRED TO MEET QUANTITIES FOR REQUIRED BUFFERS. SUPPLEMENTAL TREES SHALL BE A MINIMUM OF 12' - 14' HEIGHT WITH A 3" CALIPER AT TIME OF PLANTING.



LEGEND:

--- PROPERTY BOUNDARY LINE

REQUIRED (± 1.95 AC.)
OPEN SPACE AREAS PROVIDED (± 2.64 AC.)

REQUIRED (± 0.98 AC.)
REPLANT AREAS PROVIDED (± 1.36 AC.)

EXISTING PINES TO BE PRESERVED IN PLACE

OPEN SPACE TABLE:

| | |
|---------------------------------|--|
| TOTAL PROJECT AREA | 7.66 AC. |
| CPD - COMMERCIAL AREA | 4.13 AC. |
| REQUIRED OPEN SPACE: 30% | 1.24 AC. |
| IPD - INDUSTRIAL AREA | 3.54 AC. |
| REQUIRED OPEN SPACE: 20% | 0.71 AC. |
| TOTAL OPEN SPACE REQUIRED: | 1.95 AC. |
| INDIGENOUS OPEN SPACE REQUIRED: | 0.98 AC.* |
| TOTAL OPEN SPACE PROVIDED: | ± 2.64 AC. (35% more than required) |
| OPEN SPACE BREAKDOWN: | |
| CPD TRACT A | ± 0.48 AC. |
| CPD TRACT B | ± 0.58 AC. |
| IPD TRACT A | ± 0.87 AC. |
| IPD TRACT B | ± 0.71 AC. |

* Indigenous open space will be met through relocation, replant and supplemental plantings of native vegetation. See Replant Table for distribution.

REPLANT TABLE:

| | |
|---------------------------------------|--|
| INDIGENOUS OPEN SPACE REQUIRED: | 0.98 AC. |
| TOTAL INDIGENOUS OPEN SPACE PROVIDED: | ± 1.36 AC. (38% more than required) |
| INDIGENOUS OPEN SPACE BREAKDOWN: | |
| CPD TRACT A | ± 0.32 AC. |
| CPD TRACT B | ± 0.31 AC. |
| TOTAL FOR CPD TRACTS | ± 0.63 AC. |
| IPD TRACT A | ± 0.55 AC. |
| IPD TRACT B | ± 0.18 AC. |
| TOTAL FOR IPD TRACTS | ± 0.73 AC. |

NOTE:
OPEN SPACE CALCULATIONS DO NOT INCLUDE FUTURE OPEN AREAS SUCH AS INTERNAL LANDSCAPE AND BUILDING PERIMETER PLANTING AREAS THAT WILL BE REQUIRED DURING THE DEVELOPMENT ORDER PHASE.

