

## 3.6 ACRES COMMERCIAL LAND



### PERMITTED USES INCLUDE RETAIL, OFFICE, MEDICAL, MINI WAREHOUSE

- 3.6 ac. zoned CPD in unincorporated Lee County
- Cleared & partly filled, utilities at property line, curb cut in place
- Lot dimensions appx. 300' W x 540' D
- 300' frontage feet on Williams Road
- SW Corner Fountain Mist Blvd. & Williams Road Lehigh Acres
- Positioned at entry to Town Lakes, a gated community of 425 homes
- 2 min drive to Lee Blvd. and shopping, schools, healthcare and parks
- Williams Rd 16,000 AADT - Lee Blvd 50,000 AADT
- 15 mins to SR 80, 20 mins to I-75, 25 mins to SWFL Int'l Airport

**PRICE: \$9 PSF - \$1,411,000**

# Town Lakes Commercial Land Offering Memorandum

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4. [Boundary Survey](#)
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6. [Town Lakes Zoning Resolution](#)



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## **TOWN LAKES COMMERCIAL LAND EXECUTIVE SUMMARY**

<b>Location</b>	<b><i>Town Lakes</i></b> is located on Williams Avenue less than a mile north of Lee Boulevard, the main thoroughfare in Lehigh Acres. Lehigh Acres Community Park North is a half-mile south of the property. Publix, Wal-Mart, Lee Convenient Care Outpatient Clinic and the Lehigh Regional Medical Center are all within two miles of the property. The property is a 20 minute drive from I-75 Exit 136 (Colonial Boulevard) and twenty-five minutes to Southwest Florida International Airport.
<b>Benefits</b>	The location features easy access to major highways and job markets, SWFL Intl Airport, Florida Gulf Coast University, national retailers, parks, schools and houses of worship. <b><i>Town Lakes</i></b> is one of only a handful of gated communities in Lehigh Acres with public water and wastewater service. Lehigh Acres is one of the last locations in Southwest Florida in which homes are affordable for the working middle class. The majority of homes in Lehigh are occupied year-round by homeowners between the ages 25 and 55.
<b>Description</b>	The subject property is 3.6 acres with 300 frontage feet on Williams Road with curb cut in place for access from Fountain Mist Blvd. The land is cleared and filled. There is a Master Stormwater system and a potential second shared access point on Williams Road.
<b>Permits</b>	The property is zoned CPD. Permitted uses include retail, office, medical and mini warehouse. Health Care Facilities allow Assisted Living, Skilled Nursing and Congregate Care Facilities.
<b>Utilities</b>	Water and sewer are stubbed at the property line.
<b>Pricing</b>	\$9.00 per square foot - \$1,411,000





SOUTHWEST FACING



WEST FACING







# TOWN LAKES COMMERCIAL

BEING A REPLAT OF A PORTION OF TRACTS "A" & "C", TOWN LAKES PHASE 1, AS RECORDED IN PLAT BOOK 71, PAGES 10 THRU 15, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND A PARCEL IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST

### LEGEND

- = 4"x4" CONCRETE MONUMENT LB 7071 (PRM)
- = SET BACK & EASEMENT (S.B.)
- (1) = CURVE NUMBER
- LN = LINE NUMBER
- S.F. = SQUARE FEET
- P.U.E. = PUBLIC UTILITY EASEMENT
- L.M.E. = LAKE MAINTENANCE EASEMENT
- E.S. = EASEMENT
- = BREAK POINT S.I.R.
- PRM = PERMANENT REFERENCE MONUMENT
- PCP = PERMANENT CONTROL POINT
- D.E. = DRAINAGE EASEMENT
- S.I.R. = SET 5/8" IRON ROD AND CAP LB 7071



THIS INSTRUMENT IS THE PROPERTY OF

**METRON**  
SURVEYING & MAPPING, LLC  
LAND SURVEYING & MAPPING  
LDB 7071

10425 S. CLEVELAND AVENUE, SUITE 100  
FORT MYERS, FLORIDA 33907  
PHONE: (888) 375-8833  
FAX: (239) 375-8837

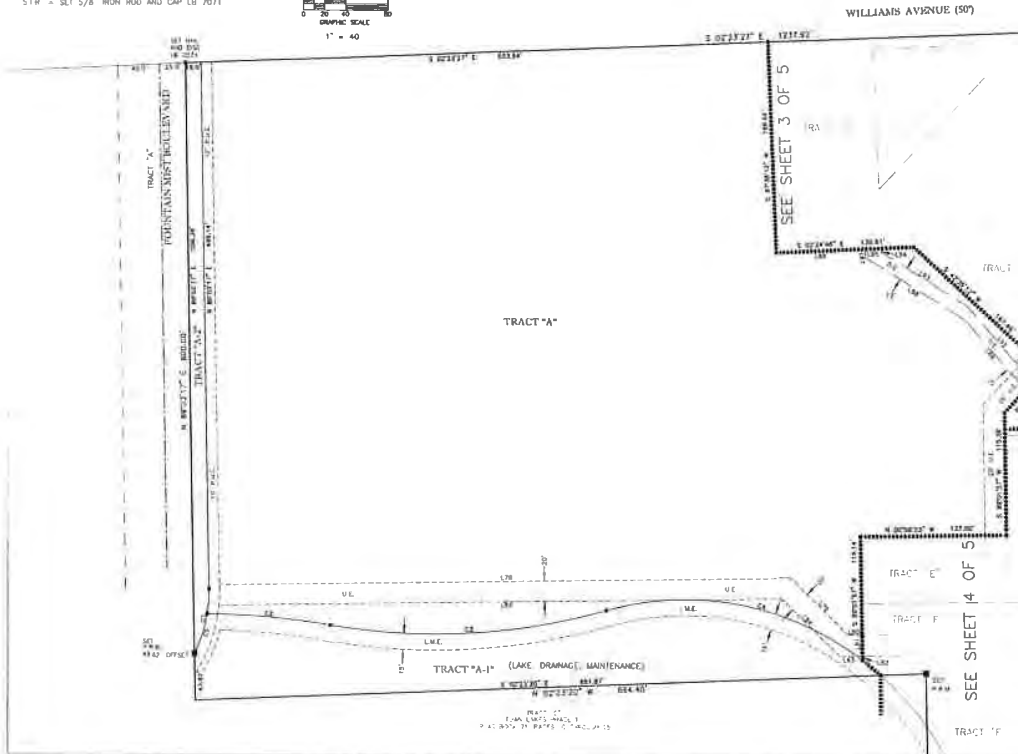
### NOTES:

1. DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
2. BEARINGS ARE BASED ON THE EAST LINE OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST, AS BEARING S00TH 02°23'27" EAST.

LINE	BEARING	DISTANCE	AREA
1	S 02° 23' 27" E	113.50	12.84
2	S 89° 59' 59" W	113.50	12.84
3	S 02° 23' 27" E	113.50	12.84
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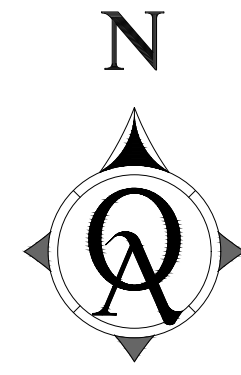
SEE SHEET 3 OF 5  
SEE SHEET 4 OF 5

TRACT	AREA (SQ. FT.)	PERCENT	TOTAL AREA
TRACT "A"	12.84	100%	12.84
TRACT "A-1"	12.84	100%	12.84
TRACT "B"	12.84	100%	12.84
TRACT "C"	12.84	100%	12.84
TRACT "D"	12.84	100%	12.84
TRACT "E"	12.84	100%	12.84
TRACT "F"	12.84	100%	12.84
TRACT "G"	12.84	100%	12.84
TRACT "H"	12.84	100%	12.84
TRACT "I"	12.84	100%	12.84
TRACT "J"	12.84	100%	12.84
TRACT "K"	12.84	100%	12.84
TRACT "L"	12.84	100%	12.84
TRACT "M"	12.84	100%	12.84
TRACT "N"	12.84	100%	12.84
TRACT "O"	12.84	100%	12.84
TRACT "P"	12.84	100%	12.84
TRACT "Q"	12.84	100%	12.84
TRACT "R"	12.84	100%	12.84
TRACT "S"	12.84	100%	12.84
TRACT "T"	12.84	100%	12.84
TRACT "U"	12.84	100%	12.84
TRACT "V"	12.84	100%	12.84
TRACT "W"	12.84	100%	12.84
TRACT "X"	12.84	100%	12.84
TRACT "Y"	12.84	100%	12.84
TRACT "Z"	12.84	100%	12.84





# EXHIBIT "A"



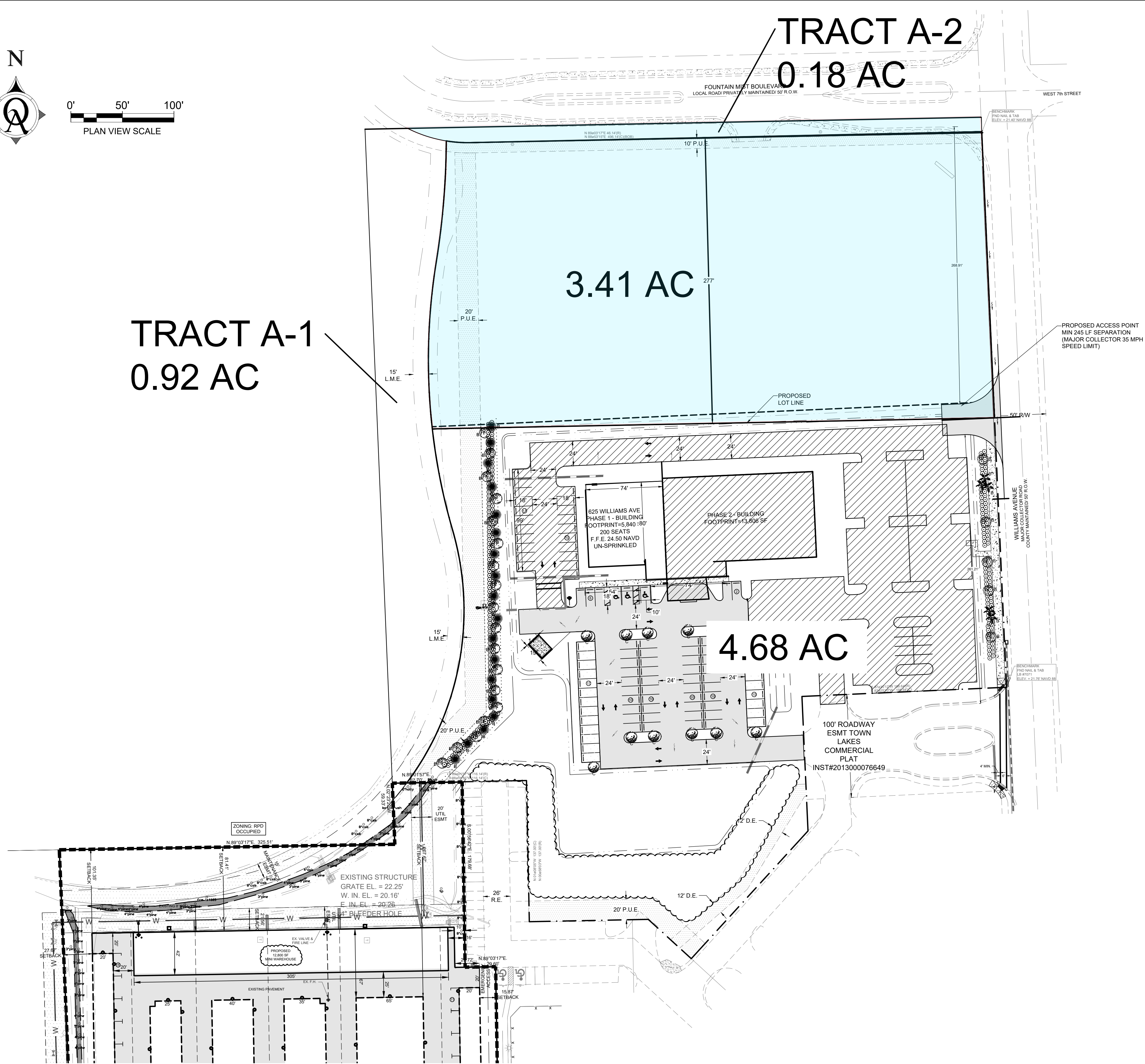
0' 50' 100'  
PLAN VIEW SCALE

TRACT A-1  
0.92 AC

TRACT A-2  
0.18 AC

3.41 AC

4.68 AC



PROPOSED ACCESS POINT  
MIN 245 LF SEPARATION  
(MAJOR COLLECTOR 35 MPH  
SPEED LIMIT)

DATE	COMMENT
08.15.2023	PER LEE COUNTY DESIGNER INFO
02.08.2022	MS
11.03.2021	PER LEE COUNTY DOA & S.W.A.D. 1ST REVIEW

PROVIDENCE CHURCH  
CONCEPTUAL LOT SPLIT  
619 & 625 WILLIAMS AVE  
LEE COUNTY, FLORIDA 33972

**Quattrone & Associates, Inc.**  
Engineers, Planners, & Development Consultants  
4301 Veronical Shoemaker Blvd - Fort Myers, Florida 33916 - 239-936-5222  
Certificate of Authorization Number: 9445

VALID ONLY WITH STAMPED SEAL  
SAVED BY: miche  
SAVED ON: 4/18/23  
SHEET  
SD-06  
06 OF 16

B:\2023 Projects\3200102 PROVIDENCE CHURCH OF LEHIGH-ACTIVE\01-CADD-FILES\300-CAD-CADD - CONCEPTS\Revised Concept\02-PRODUCTION PLANS\200102-26-SITE REV



LEE COUNTY  
RECEIVED

99 JUN 25 PM 3: 32

RESOLUTION NUMBER Z-99-022

COMM. DEPT.  
PUB. WRKS. CNTR.  
SECOND FLOOR

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

WHEREAS, Kathy Morgan, filed an application in reference to Town Lakes Planned Development, to rezone a parcel from Community Facilities Planned Development/Residential Planned Development (CFPD/RPD) and RPD to RPD and another parcel from Commercial Planned Development (CPD) to RPD on behalf of the owners of the property, Village Associates, Inc., Gassner Development, Inc. and Enterprise Lehigh, Inc., in accordance with the Lee County Land Development Code (LDC); and

WHEREAS, a public hearing was advertised and held on April 7, 1999, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case # 95-01-035.03Z 02.01; and

WHEREAS, a second public hearing was advertised and held on June 21, 1999 before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents in the record and the testimony of all interested persons.

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

SECTION A - REQUEST

The applicants filed requests to:

- a) Rezone 73.5± acres of land from CFPD/RPD, 170.0± acres of land from RPD, and 10.0± acres from CPD to RPD; and
- b) Rezone 21.11± acres of land from CPD to CPD to allow a maximum of 20,000 square feet of retail, 48,000 square feet of office, and 80,000 square feet of mini-warehouse uses.

The property is located in the Central Urban and Lehigh Commercial Land Use Categories and described in attached Exhibit A. The Lee County Board of County Commissioners APPROVES the Applicant's request, in accordance with the conditions and deviations specified in Sections B and C.

SECTION B - CONDITIONS:

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Town Lakes Planned Development (fka Village on the Lakes) Master Concept Plan," stamped received January 20, 1999, last revised January 16, 1999, except as modified by the conditions below. This development must comply with all requirements of

the Lee County 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 Master Concept Plan (MCP) are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. **Schedule of Uses** --This project is limited to the following:

**RPD**

Accessory Uses and Structures  
Accessory Apartment  
Administrative Offices  
Bed & Breakfast  
Country Club, Private  
Dwelling Units-maximum of 425 units, Duplex, Single Family, Two Family Attached  
Entrance Gates and Gatehouses  
Essential Service Facilities, Group I  
Essential Services  
Excavation, Water Retention  
Fences & Walls  
Home Occupations  
Model -Homes, -Units, -Display Center  
Real Estate Sales Office, Temporary  
Recreational Facilities, Personal, Private  
Residential Accessory Uses  
Signs  
Temporary Uses

**CPD**

Accessory Uses and Structures  
Administrative Offices  
Automatic Teller Machine (ATM)  
Banks and Financial Establishments, Groups I & II  
Bed & Breakfast  
Business Services, Group I & II  
Caretaker's Residence  
Cleaning & Maintenance Services  
Clothing Stores, General  
Clubs, Country, Commercial, Fraternal, Membership Organization, Private  
Consumption on Premises  
Convenience Food & Beverage Store  
Day Care, Child & Adult  
Drive Thru Facility  
Drugstore/Pharmacy



Essential Services  
Essential Services Facilities, Group I  
Excavation, Water Retention  
Fences & Walls  
Food & Beverage Services, Ltd.  
Food Stores, Group I  
Health Care Facilities, Groups I, II & III  
Hobby, Toy and Game Shops  
Insurance Companies  
Laundry or Dry Clean, Group I  
Lawn & Garden Supply Stores  
Medical Office  
Non-store Retailers, All Groups  
Package Store  
Parcel & Express Services  
Parking Lot, Accessory, Commercial, Garage, Public  
Personal Services, Groups I, II, III & IV  
Pet Shop  
Place of Worship  
Post Office  
Real Estate Sales Office  
Recreation, Commercial, Groups I, III & IV  
Repair Shops, Groups I & II  
Restaurant, Groups I, II, III  
Retail & Wholesale Sales, only when incidental & subordinate to a permitted principal use  
on the same premises  
Self Service Fuel Pumps  
Signs  
Specialty Retail Shops, Groups I, II, III & IV  
Temporary Uses  
Variety Store  
Warehouse, Mini-warehouse

b. **Site Development Regulations**

The following limits apply to the project development and uses:

1) **CPD**

**Square Footage Limitations**

The project may be developed with a maximum of 20,000 square feet of retail, 48,000 square feet of non-retail (office) and 80,000 square feet of mini-warehouse uses.

Regardless of the maximum amounts of development area approved, this approval does not alleviate the need to comply with all state and county development regulations for life safety and fire codes, open space, buffering and parking spaces, except as specifically modified by this approval, or subsequent amendments.

Required parking will be calculated based upon the specific use developed.

Property Development Regulations

Minimum lot size:	20,000 square feet
Minimum lot width:	100 feet
Minimum lot depth:	100 feet
Minimum street setback:	variable, according to the street classification
Minimum side setback:	15 feet
Minimum rear setback:	25 feet
Minimum waterbody setback:	25 feet
Maximum height:	35 feet or two stories, whichever is less

Minimum Open Space: The Open Space Table shown on the MCP is adopted for the commercial tract.

2) **RPD**

Property Development Regulations

Minimum lot area:	6,500 square feet *
Minimum lot width:	50 feet *
Minimum lot depth:	130 feet *
Minimum Street setback, front:	20 feet
Minimum Street setback, side:	15 feet
Minimum Side setback:	5 feet
Minimum Rear setback:	5 feet
Minimum Waterbody setback:	10 feet
Maximum building height:	35 feet or two stories, whichever is less
Maximum building coverage:	60 percent

Minimum Open Space: The residential tracts are not required to provide open space if the single family lots have a minimum dimension of 6,500 square feet and the two-family attached provide an individual lot of 3,750 square feet for each dwelling unit. Forty percent open space must be provided if the residential lots do not meet minimum requirements of LDC Section 10-415, and 50 percent of that open space must be existing indigenous preservation.

\*Corner Lot: 7,800 square feet, 60-foot width and 130-foot depth



In the Commercial Overlay Area of the RPD all lots must be smaller than 75 feet in width, to be in compliance with the Lee Plan.

3. The following conditions address environmental issues:
  - a. The development order application for each parcel must include a Gopher Tortoise Management Plan (GTMP) if gopher tortoises have been documented within that parcel. The GTMP must consist of on-site preservation within suitable native indigenous habitat or off-site mitigation as permitted by the Florida Game and Fresh Water Fish Commission. Gopher tortoise management plans must be approved by Environmental Sciences and must include, but are not limited to, the following elements:

On-site Preservation: The amount of gopher tortoise preservation areas within the planned development will be based upon occupied gopher tortoise habitat. The gopher tortoise preservation areas may be located within the parcel in which the tortoises are existing, or, in the alternative, gopher tortoise preservation areas may be situated within suitable habitat in other areas of the RPD, where tortoises may be relocated subject to permits from the Florida Game and Fresh Water Fish Commission.

Environmental Sciences staff must review and approve all proposed gopher tortoise preservation areas. The suitability of proposed preservation areas will be based upon the quality of foraging and burrowing habitat, the existence of gopher tortoises, the abutting proposed or existing development uses, and proposed habitat management. Gopher Tortoise preservation areas may overlap with indigenous open space areas. The Developer will connect this preserve area to the existing gopher tortoise preserve area (to the north) as shown on the MCP.

Off-site Mitigation: If the developer obtains an "incidental take" permit for off-site mitigation from the Florida Game and Fresh Water Fish Commission to "take" any gopher tortoises within the property, the Developer must relocate the displaced tortoises out of harm's way during construction activities. If Florida Game and Fresh Water Fish Commission denies an "incidental take" permit, the Developer must comply with the "On-site Preservation" provisions of this condition.
  - b. The lake enhancement planting plan that provides improved habitat for the Everglades kite entitled "Village at Lehigh Lakes Enhancement Plan" prepared by Boylan Environmental dated October 27, 1997 and revised November 21, 1997 is adopted, and must be implemented prior to issuance of a Certificate of Compliance for the phase of development containing the lake to be enhanced per the adopted plan.

4. Emergency Preparedness:

- a. Prior to local development order approval, the Developer/Applicant must establish a property owners' or residents' association for each residential component of this project. The association must provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, who will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.
- b. Prior to local development order approval, the Developer/Applicant must formulate an emergency hurricane notification and evacuation plan. This plan will be subject to review and approval by the Lee County Office of Emergency Management.
- c. If access to this development or into portions of this development is through a security gate or similar device that is not manned 24 hours a day, the gate or device must be equipped with an override switch installed in a glass-covered box to be used by drivers of emergency vehicles to gain entry consistent with LDC Section 34-1749.
- d. The purchaser/end user of any parcel that will be used to store, manufacture, or use hazardous materials, must contact the Lee County Office of Emergency Management Hazardous Material Representative, to discuss the proposed development in relation to the potential type, use, and storage of hazardous materials, which will be located on the premises. The Developer/Applicant must provide proof to Lee County Development Services staff to show compliance with this condition prior to the issuance of occupancy approval for any parcel that could house such use.
- e. The Applicant must establish an emergency notification system for its residents and commercial employees to be used in the event of a hazardous material release. The Developer/Applicant must provide proof to Lee County Development Services staff to show compliance with this condition prior to the issuance of occupancy approval for any parcel that could house such use.
- f. Purchaser/end users of the RPD must cooperate with the Emergency Management in determining and participating in a means to lessen this project's adverse impacts on the County's hurricane preparedness process and public safety. This could include the provision of equipment, money in lieu of equipment, or such other goods, material or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or the improvement of roads for use as additional evacuation routes. Final decision as to the choice of "means" rests with the purchaser/end-user.



5. The Emergency/Secondary Access Road must be paved to match the road standards in the remainder of the development.
6. Hours of operation for the following uses are limited to 6:00 a.m. to 11:00 p.m. only:  
  
Business Services, Group II  
Convenience Food & Beverage Store  
Personal Services, Group IV  
Recreation Facilities, Commercial, any Group  
Self Service Fuel Pumps  
Specialty Retail, all Groups
7. Any 24-hour use for commercial recreation facilities, or any fast food restaurant must be located at least 250 feet from the property line of any residential use within the subject property, and at least 175 feet from the property line of any off-site abutting residential use. This distance limitation includes parking areas to support such uses.
8. Outside speaker systems, loud speakers, or public address systems for any use other than to facilitate a drive-thru operation are prohibited. Outside speaker systems, loud speakers, or public address systems associated with any drive-thru use must be located a minimum of 250 feet away from any RPD zoned perimeter property line, and at least 175 feet from any off-site abutting residential use. Sound must be directed away from those perimeter property lines.
9. Consumption on Premises use is approved in conjunction with a full service restaurant only, and further:
  - a. Outdoor seating in conjunction with a Consumption on Premises is prohibited; and
  - b. Hours of operation are limited to 10:30 a.m. to 11:00 p.m.
10. Deliveries to any businesses on this site between the hours of 10:00 p.m. and 6:00 a.m. are prohibited.
11. Garbage or grease dumpsters may not be located within 200 feet of any RPD perimeter property line, or 200 feet of any off-site abutting residential use.
12. Interior (project) lighting must comply with LDC Sections 34-936(g) and 10-610(b), must be of the lowest intensity meeting life safety codes, and shielded and directed away from the adjacent residential area.
13. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

14. Roadways must be built to county standards without deviations in order to be considered for acceptance for county maintenance. Acceptance for county maintenance is at the discretion of the Board of County Commissioners.
15. A Type "F" buffer must be provided along the entire boundary between the CPD and RPD areas.
16. Further development approvals for this project will be granted only upon a clear showing that the development is consistent with Lee Plan Goal 3, and will not cause the mandatory levels of service in Lee Plan Policy 70.1.3. to be exceeded. The granting of a Development Order will not release the property owner from obligations under the Privately Funded Infrastructure Overlay.
17. This property was the subject of a lawsuit captioned Lehigh Corporation v. Lee County, Case No. 85-5843 CA-EOF. The resulting Settlement Agreement executed in 1988 vested various unplatted parcels throughout Lehigh for urban densities and intensities. The County Attorney's Office has opined that the property subject to that Agreement is considered to be vested and exempt from the limitations imposed by the Lee Plan Planning Communities Map and Acreage Allocation Table. (Map 16 and Table 1(b)). Accordingly, acreage allocations for various land uses in the corresponding subdistrict does not restrict the issuance of development approvals for this parcel.
18. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.
19. The "Bar & Cocktail Lounge" use was withdrawn from the Schedule of Uses by Applicant at the public hearing, but the MCP has not been revised to indicate such withdrawal.
20. With respect to the property encompassed by this zoning action, Resolution Z-95-015 and Administrative Amendment PD-97-058 are superceded and replaced by the conditions and approvals set forth in this Resolution. However, Resolution Z-95-015 and Administrative Amendment PD-97-058 remain in effect for that portion of the original Village on the Lakes project not included as part of this zoning action.

#### SECTION C - DEVIATIONS:

Deviation (1) seeks relief from the provisions of LDC Section 34-695 establishing the property development regulations for conventional one and two family residential districts, to allow the adoption of the Property Development Regulations shown on the MCP. This deviation is APPROVED, as conditioned above.

Deviation (2) seeks relief from the LDC Section 34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the building heights or 20 feet, to allow a 10-foot minimum separation between buildings. This deviation is APPROVED.

Deviation (3) seeks relief from the LDC Section 34-2222(1) requirement that corner lots have a 15-foot increased lot width, to allow for an increase of only 10 feet. This deviation is APPROVED.

Deviation (4) seeks relief from the LDC Section 10-328(a) requirement to provide a 20-foot-wide maintenance easement around water ways, to allow a 15-foot-wide maintenance easement. This deviation is APPROVED, provided the applicant/developer submits suitable documentation of "no objection" to the reduced easement width from the South Florida Water Management District, prior to development order approval.

Deviation (5) seeks relief from the LDC Section 10-329(e)(1)a.3. requirement to provide a 50-foot-wide setback for water retention lakes from any private property line under separate ownership, to delete this requirement within the overall Town Lakes project boundaries only. This deviation is APPROVED, subject to the applicant/developer establishing covenants pertaining to the continued maintenance and operation of the water retention areas, prior to development order approval. These covenants must be reviewed and approved by Development Services Staff and the County Attorney's Office prior to recording in the public records. Recording costs will be the developer's responsibility.

Deviation (6) - WITHDRAWN AT PUBLIC HEARING

Deviation (7) seeks relief from the LDC Section 10-421(a)(5) [note citation is different than that shown on the MCP], provision prohibiting the placement of required trees or shrubs in any utility, power or street easement or right-of-way, to allow required trees or shrubs to be planted within an easement or right-of-way area. This deviation is APPROVED, subject to the following conditions:

- 1) If any of the required buffer plantings that are installed within an easement have to be removed, the developer or property owner must replace these plantings with like size (at the time replacement is required) and species at no expense to Lee County. This requirement must be clearly stated in any deed restriction documents.
- 2) To avoid conflicts with overhead utility lines, only small trees, less than 20 feet in height at maturity, may be used directly adjacent to an overhead line.

Deviation (8) seeks relief from the LDC Section 10-418(a)(2)b. provision setting forth the minimum requirements for native wetland herbaceous plants, to:

- a) Exempt the shoreline length of the northern boundary of George Canal and the large lake in the northwestern corner of the property from this requirement; and
- b) Allow native wetland trees to be substituted for up to 50 percent rather than the required 25 percent of the total number of required herbaceous plants; and
- c) Allow one tree or five shrubs to be substituted for fifty herbaceous plants rather than the required ten herbaceous plants.



This Deviation is APPROVED, on the condition that up to 50 percent of the required littoral planting is provided by trees and/or shrubs, with one tree or two shrubs being substituted for every ten of the required herbaceous plants.

Deviation (9) - WITHDRAWN AT PUBLIC HEARING.

SECTION D - EXHIBITS:

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

- Exhibit A: The legal description and STRAP number of the property.
- Exhibit B: The Master Concept Plan.
- Exhibit C: Zoning Map.

SECTION E - FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and any other applicable code or regulation.
2. The requested rezoning, as conditioned:
  - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
  - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
  - c. is compatible with existing or planned uses in the surrounding area; and
  - d. will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the development will be served by streets with the capacity to carry the traffic the development generates.
4. The proposed use or mix of uses is appropriate at the subject location.
5. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest.
6. The recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
7. The requested deviations:
  - a. enhance the achievement of the objectives of the planned development;

- b. preserve and promote the general intent of LDC Chapter 34 to protect the public health, safety and welfare.
8. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

The foregoing resolution was adopted by the Lee County Board of Commissioners by a motion by Commissioner Coy, and seconded by Commissioner Manning and, upon being put to a vote, the result was as follows:

Ray Judah	Aye
John E. Albion	Absent
John E. Manning	Aye
Douglas R. St. Cerny	Absent
Andrew Coy	Aye

DULY PASSED AND ADOPTED this 21st day of June, 1999.

ATTEST:  
CHARLIE GREEN, CLERK

BY: Michelle S. Leisner  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Ray Judah  
Chairman

Approved as to form by:

David E. [Signature] 6/22/99  
County Attorney's Office

**FILED JUN 24 1999**  
**MINUTES OFFICE**  
*mgk*

**EXHIBIT "A"**

Page 1 of 2

LEGAL DESCRIPTION RPD ZONING

A TRACT OR PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 30, RUN NORTH 02° 23' 27" WEST ALONG THE EAST LINE OF SAID SECTION 30 FOR 3858.76 FEET TO THE POINT OF BEGINNING, BEING ON THE WEST RIGHT-OF-WAY LINE OF WILLIAMS AVENUE (50 FEET WIDE); THENCE RUN SOUTH 89° 03' 17" WEST FOR 600.00 FEET; THENCE RUN SOUTH 02° 23' 20" EAST FOR 694.40 FEET; THENCE RUN SOUTH 89° 03' 17" WEST FOR 706.86 FEET; THENCE RUN NORTH 02° 23' 20" WEST FOR 446.80 FEET; THENCE RUN SOUTH 89° 03' 17" WEST FOR 550.00 FEET; THENCE RUN SOUTH 44° 03' 17" WEST FOR 240.00 FEET; THENCE RUN SOUTH 89° 03' 17" WEST FOR 180.00 FEET; THENCE RUN SOUTH 02° 23' 20" EAST FOR 779.60 FEET; THENCE RUN NORTH 89° 26' 10" WEST FOR 322.17' ; THENCE RUN SOUTH 27° 06' 41" WEST FOR 628.71 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ABLE CANAL (220 FEET WIDE); THENCE RUN NORTH 62° 53' 19" WEST ALONG SAID CANAL RIGHT-OF-WAY LINE FOR 1627.42 FEET; THENCE CONTINUE RUNNING NORTH 37° 47' 38" WEST ALONG SAID CANAL RIGHT-OF-WAY LINE FOR 1733.63 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 30; THENCE RUN NORTH 00° 37' 00" WEST ALONG THE WEST LINE OF SAID SECTION 30 FOR 983.51 FEET TO THE NORTHWEST CORNER OF SAID SECTION 30; THENCE RUN NORTH 89° 25' 03" EAST ALONG THE NORTH LINE OF SAID SECTION 30 FOR 5234.41 FEET TO THE NORTHEAST CORNER OF SAID SECTION 30 AND THE WEST RIGHT-OF-WAY LINE OF WILLIAMS AVENUE; THENCE RUN SOUTH 02° 23' 27" EAST ALONG THE EAST LINE OF SAID SECTION 30 AND THE WEST RIGHT-OF-WAY LINE OF WILLIAMS AVENUE FOR 1360.60 FEET TO THE POINT OF BEGINNING;

CONTAINING 253.50± ACRES, MORE OR LESS.

BEARING ARE BASED ON THE EAST LINE OF SAID SECTION 30 AS BEARING NORTH 02° 23' 27" WEST.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD.



## EXHIBIT "A"

Page 2 of 2

### LEGAL DESCRIPTION FOR CPD ZONING

A TRACT OR PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 30, RUN NORTH 02° 23' 27" WEST ALONG THE EAST LINE OF SAID SECTION 30 FOR 2620.84 FEET TO THE POINT OF BEGINNING, BEING ON THE WEST RIGHT-OF-WAY LINE OF WILLIAMS AVENUE (50 FEET WIDE); THENCE RUN SOUTH 89° 03' 17" WEST FOR 925.55 FEET; THENCE RUN NORTH 02° 23' 20" WEST FOR 543.52 FEET; THENCE RUN NORTH 89° 03' 17" EAST FOR 325.51 FEET; THENCE RUN NORTH 02° 23' 20" WEST FOR 694.40 FEET; THENCE RUN NORTH 89° 03' 17" EAST FOR 600.00 FEET TO SAID EAST LINE OF SECTION 30 AND WEST RIGHT-OF-WAY LINE OF WILLIAMS AVENUE; THENCE RUN SOUTH 02° 23' 27" EAST ALONG SAID EAST LINE OF SECTION 30 AND WEST RIGHT-OF-WAY LINE FOR 1237.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.11± ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE EAST LINE OF SAID SECTION 30 AS BEARING NORTH 02° 23' 27" WEST.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT-OF-WAYS OF RECORD.

The applicant has indicated that the STRAP numbers for the subject property are: 30-44-27-00-00001.0310, 30-44-27-09-0000B.0010, 30-44-27-00-00001.0000, 30-44-27-00-00001.0190, 30-44-27-09-0000B.0000, and 30-44-27-00-00001.0300.

# ZONING MAP

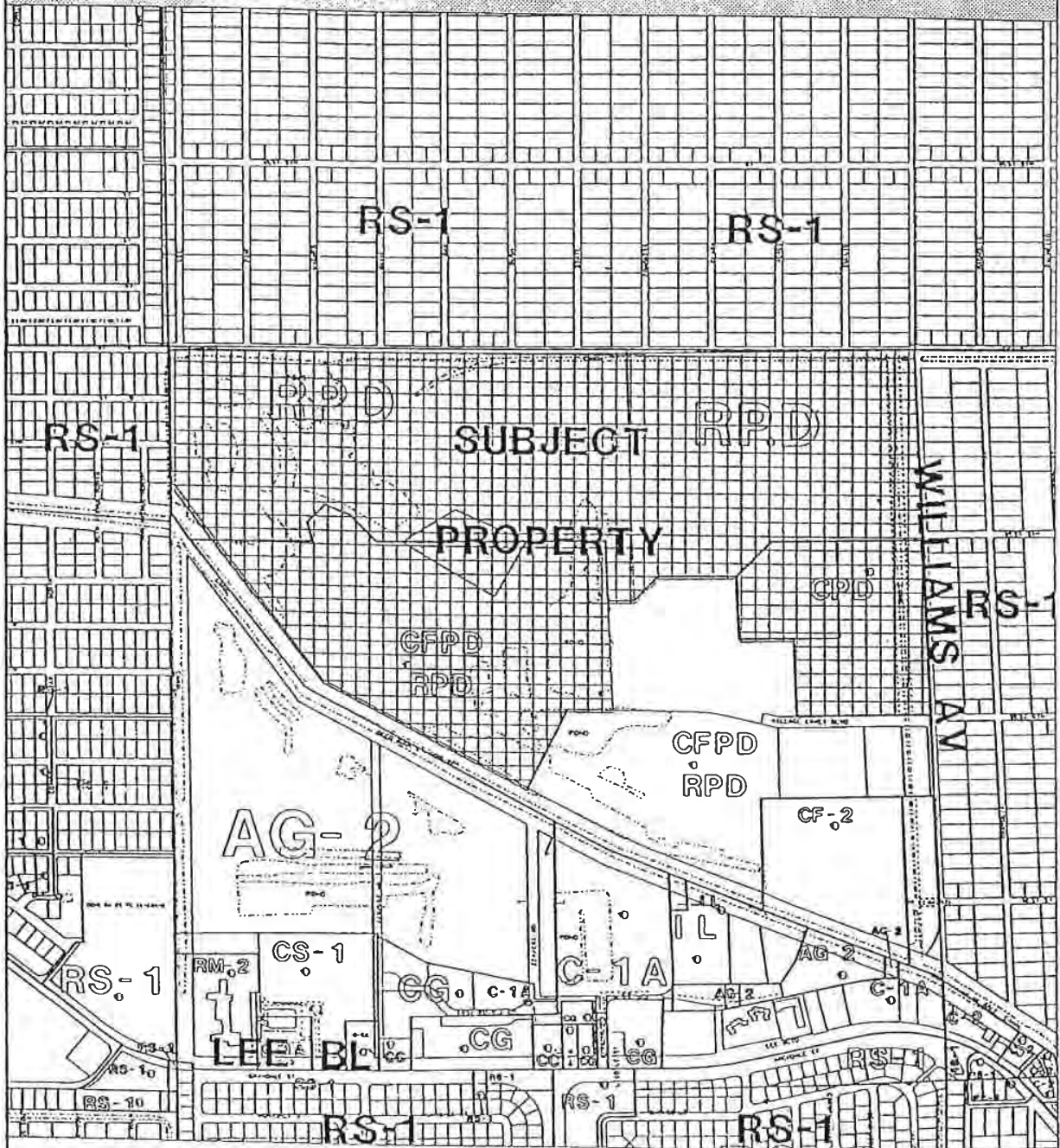


EXHIBIT C