

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

WHEREAS, James R. Colosimo, Trustee, in reference to Treeline Industrial Park, has properly filed an application for a rezoning from the AG-2 district to Industrial Planned Development; and

WHEREAS, the subject property is located at 14181 Treeline Avenue South (west parcel) and 14180 Treeline Avenue South (east parcel), described more particularly as:

LEGAL DESCRIPTION: In Section 26, Township 45 South, Range 25 East, Lee County, Florida:

The Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida.

SUBJECT TO a 30 foot right-of-way over and across the North 30 feet;

AND

The East Half (E1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, AND the West Half (W1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida.

SUBJECT TO an easement for roadway and surface drainage over the Northerly 30 feet by that instrument recorded in Official Record Book 844 at Page 479 of the Public Records of Lee County, Florida; and

SUBJECT TO an easement for road right-of-way over the West 30 feet of the West Half (W1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of the above-described lands by that deed recorded in Official Record Book 505 at Page 544 and in Official Record Book 1198 at Page 1617 of the Public Records of Lee County, Florida;

AND

The Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida.

SUBJECT TO a 30 foot right-of-way over and across the North 30 feet;

LESS AND EXCEPT the following described parcel:

A tract or parcel of land for the right-of-way of Treeline Avenue South lying in the North Half (N1/2) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

continued...

From the Northeast corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section 26 run S00°49'34"E along the East line of said fraction for 660.14 feet to an intersection with the South line of the North Half (N1/2) of the North Half (N1/2) of the Northwest Quarter (NW1/4) of said Section 26 and the POINT OF BEGINNING.

From said POINT OF BEGINNING continue S00°49'34"E along the East line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section 26 for 660.13 feet to the Southeast corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4); THENCE run S87°59'48"W along the South line of said fraction for 100.02 feet; THENCE run N00°49'34"W along a line parallel with and 100.00 West of (as measured on a perpendicular) the East line of said fraction for 660.22 feet to an intersection with said South line of the North Half (N1/2) of the North Half (N1/2) of the Northwest Quarter (NW1/4) of said Section 26; THENCE run N88°02'52"E along said South line for 100.02 feet to the POINT OF BEGINNING.
Containing 1.52 acres more or less.

WHEREAS, the applicant has indicated the property's current STRAP numbers are 26-45-25-00-00001.0000, 26-45-25-00-00001.0010, 26-45-25-00-00001.001A; and

WHEREAS, proper authorization has been given to A. P. DeSalvo, Inc. and Johnson Engineering, Inc., by James R. Colosimo, the Trustee of the subject parcel, to act as agents to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on Tuesday, August 25, 1992; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE WITH CONDITIONS a rezoning from the AG-2 (Agricultural) district to Industrial Planned Development, to permit a mixed use project with 50,000 square feet of commercial uses and, 295,000 square feet of light industrial uses, including 500 mini-warehouse units. This development shall not exceed 45 feet above average grade with a maximum of two stories in height, on 29.26 total acres of land.

The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development of this project shall be in accordance with the three-page Master Concept Plan identified as "Master Concept Plan for Treeline Industrial Park IPD," (Project #19157), prepared by Johnson Engineering, Inc., dated March 2, 1991, last revised July 9, 1992, stamped Received July 10, 1992, except as modified by the conditions below. This approval does not alleviate the need to comply with all state and county development regulations except as specifically modified by this approval.
2. The uses of this property shall be limited to the schedule of uses shown on sheet #3 identified above, except as limited by Section 471.B.1. of the Zoning Ordinance which prohibits the following uses:

Bar or Cocktail Lounge (Section 202.03);
Consumption On Premises (Section 202.03);
Food Stores - Groups I and II (Section 1001.16)
excluding supermarkets;
Restaurant, Standard - All Groups (Section 1001.44);
Specialty Retail Shop - Group I (Section 1001.47)

The maximum square footage shall be limited to the following:

Industrial: 295,000 square feet
Commercial: 50,000 square feet

3. Property Development Regulations:

A. Minimum Lot Area and Dimensions:

Minimum Parcel/Lot Area: 20,000 square feet
Minimum Lot Width: 100 feet
Minimum Lot Depth: 150 feet

B. Minimum Setbacks From:

Treeline Avenue South: 25 feet
Internal Roadway: 20 feet
Side Lot Line: 10 feet
Rear Lot Line: 20 feet
Abutting Roadway Easement 20 feet

- C. Maximum lot coverage of the total lot(s) area shall not exceed 45%.
Note: Development area can be one lot or a combination of lots.

- D. Maximum height shall be 45 feet above finished grade with no more than two stories.

- E. In the event that abutting property is developed with, or zoned for, a residential use before this project is commenced, this project shall also comply with Zoning Ordinance Section 471.D.1.f. which states all buildings, parking areas, and shipping and receiving areas, and open storage areas of industrial land uses within an Industrial Planned Development shall be set back from the development perimeter:

- (1) 100 feet for Light Industrial Uses; and
- (2) 660 feet for Heavy Industrial uses.

4. Any requests for uses other than those approved herein on the Master Concept Plan, Sheet 3, shall require amendment of the Master Concept Plan through the public hearing amendment process in accordance with the provisions of Section 804.03.C.1.c.2) of the Zoning Ordinance.
5. A principal industrial use shall be established (i.e., Certificate of Compliance issued) on the subject property prior to the issuance of any developmental approvals for a commercial use.

6. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order, per the Development Standards Ordinance or other Lee County Ordinance.
7. Prior to the issuance of a Certificate of Compliance for any phase of this development, the developer shall construct or cause to be constructed that portion of the Treeline Avenue Extension from its terminus to the south property line of this project. The construction of this road shall be to County standards and shall be subject to the Department of Transportation's approval. The County shall incur no costs associated with this roadway.
8. Approval of this rezoning does nothing more than change the zoning district wherein the subject property lies. It does not grant nor vest the developer with any present or future development rights that may exceed any Lee Plan use restrictions as set forth in 2010 (Roberts) Overlay or any other Lee Plan provision.
9. Environmental conditions:
 - a) Prior to any local Development Order approval for Phase III, the Lee County wetland jurisdictional line shall be surveyed and placed on the development order plans for approval. Phase III is the 19± acre parcel located west of Treeline Avenue South.
 - b) Development of this site shall be in compliance with the Treeline Industrial Park Mitigation Plan, revised July 15, 1992. The mitigation plan shall be amended to clarify that monitoring reports of the cypress restoration and preserve area shall be submitted annually to the Lee County Division of Environmental Sciences, or its successor, for a period of five years. Such monitoring report may be a copy of the report being submitted to the Army Corps of Engineers, provided that such reports enable Lee County to make a determination regarding the impacts on, and the survivability of, the Resource Protection Area.
10. No lot shall have direct access onto the proposed Treeline Avenue extension.
11. Deviation (1) is a request to deviate from the requirement that lands identified as meeting the criteria of Resource Protection Areas must meet certain performance standards and may not be used for roads except in instances of overriding public interest, Section 6.01 and 8.01 of Ordinance 86-33 (Zoning Ordinance Section C.1.b.4.a., and Section 202.B.1.b.), to allow destruction of a 0.2 acre Resource Protection Area. This Deviation is approved subject to adoption of and compliance with the Treeline Industrial Park Mitigation Plan, revised July 15, 1992. The mitigation plan shall be amended prior to issuance of a Development Order to clarify that monitoring reports of the cypress restoration and preserve area shall be submitted annually to the Lee County Division of Environmental Sciences, or its successor, for a period of five years.

Deviation (2) is a request to deviate from the requirement of one parking space per ten (10) storage cubicles (mini-warehousing) (Zoning Ordinance Section 202.16.J.3.g.), to allow the developer to provide less than the required number of parking places for the mini-warehouse use. Current regulations would require one space for each ten storage cubicles, for a total of 50 parking spaces for the 500 mini-warehouse units. A similar deviation was requested and granted for another mini-warehouse project. The Master Concept Plan in this request shows a 24-foot wide aisle between the warehouse units. That width would allow vehicles to pass around a parked vehicle, if a vehicle did park at any unit; no bottlenecks should occur. This Deviation is approved as long as 24-foot wide paved aisles are maintained between warehouse units.

Deviation (3) is a request to deviate from the requirement of Zoning Ordinance Section C.3.b.(1) that permanent dead-end streets shall be closed at one end by a cul-de-sac, to allow the developer to eliminate the cul-de-sac for the mini-warehouse entrance area. The developer may

wish to have a guardhouse at the entrance to the mini-warehouse portion, which might preclude the placement of a cul-de-sac in this area. This Deviation is approved subject to the following conditions:

- a) That access to the site labeled (5) be provided such that any vehicles which reach the easterly parcel may have unencumbered access to enter and leave the site in a forward direction. This may be provided by the 20-foot wide circumferential access way around the site perimeter as shown on the Master Concept Plan, or by alternative means approved by the Division of Development Review.
- b) That a turnaround must be provided pursuant to DSO Section C.3.b. if the access to the site is restricted by a gate or guardhouse.
- c) That approval of this Master Concept Plan does not imply nor constitute approval of the east-west "30 foot roadway easement" on the north property line as a future access point for the purpose of determining minimum intersection separation standards as set out in Section C.3 of the DSO.
- d) That temporary cul-de-sacs shall be constructed pursuant to DSO Section C.3.f. on the westerly access road and Treeline Avenue if, at the time of Final Development Order approval:
 - 1) The access road on the west side of Treeline Avenue is a dead end street stub which may be extended at a future date; and
 - 2) Treeline Avenue is not constructed beyond the property limits of this project.

Site Plan 92-048 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Industrial Planned Development zoning:

- A. That the IPD rezoning request was not necessitated by changed or changing conditions.
- B. That the IPD zoning, as conditioned, will not have an adverse impact on the intent of the Zoning Ordinance.
- C. That the IPD zoning, as conditioned, is consistent with the goals, objectives, policies and intent of the Lee Plan, and with the densities, intensities and general uses set forth in the Lee Plan.
- D. That the IPD zoning, as conditioned, meets or exceeds all applicable performance and locational standards set forth for the proposed uses.
- E. That the IPD zoning, as conditioned, will protect, conserve or preserve environmentally critical areas and natural resources.
- F. That the IPD zoning, as conditioned, will be compatible with existing or planned uses and will not cause damage, hazard, nuisance or other detriment to persons or property.
- G. That the IPD zoning, as conditioned, will not place undue burden upon existing facilities and services, and will be served by streets with the capacity to carry the traffic generated by the development.
- H. That the IPD zoning, as conditioned, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth elsewhere in the Zoning Ordinance.
- I. That each approved deviation, as conditioned, enhances the achievement of the objectives of the planned development, and preserves, promotes and protects the public health, safety and welfare.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Vicki Lopez-Wolfe and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Absent
Vicki Lopez-Wolfe	Aye
Donald D. Slisher	Absent

DULY PASSED AND ADOPTED this 19th day of October, A.D., 1992.

ATTEST:
CHARLIE GREEN, CLERK

BY: Clara J. W. Muck
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Ray Judah
Chairman

Approved as to form by:

Smith Bue
County Attorney's Office

FILED

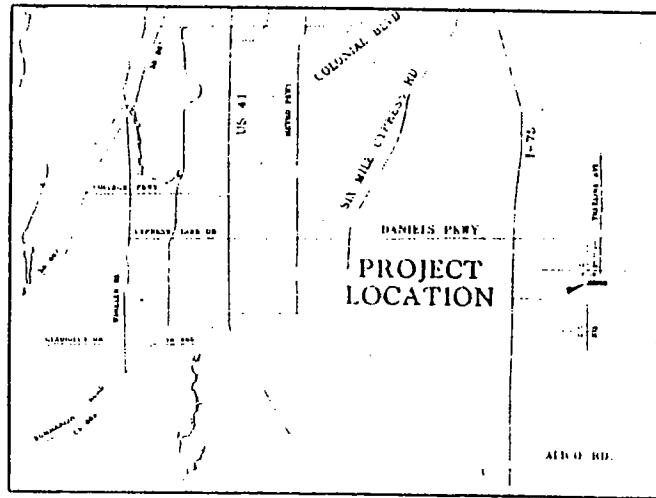
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CLERK CIRCUIT COURT
BY C.W. D.C.

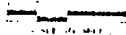
MASTER CONCEPT PLAN FOR TREELINE INDUSTRIAL PARK IPD

SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

INDEX OF PLANS

$$\begin{aligned} (i) \quad & \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx = \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx \\ (ii) \quad & \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx = \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx \\ (iii) \quad & \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx = \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx \\ (iv) \quad & \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx = \frac{1}{\sqrt{2\pi}} \int_{-\infty}^{\infty} f(x) e^{-\frac{1}{2}x^2} dx \end{aligned}$$


LOCATION MAP



PREPARED BY

JOHNSON ENGINEERING, INC.

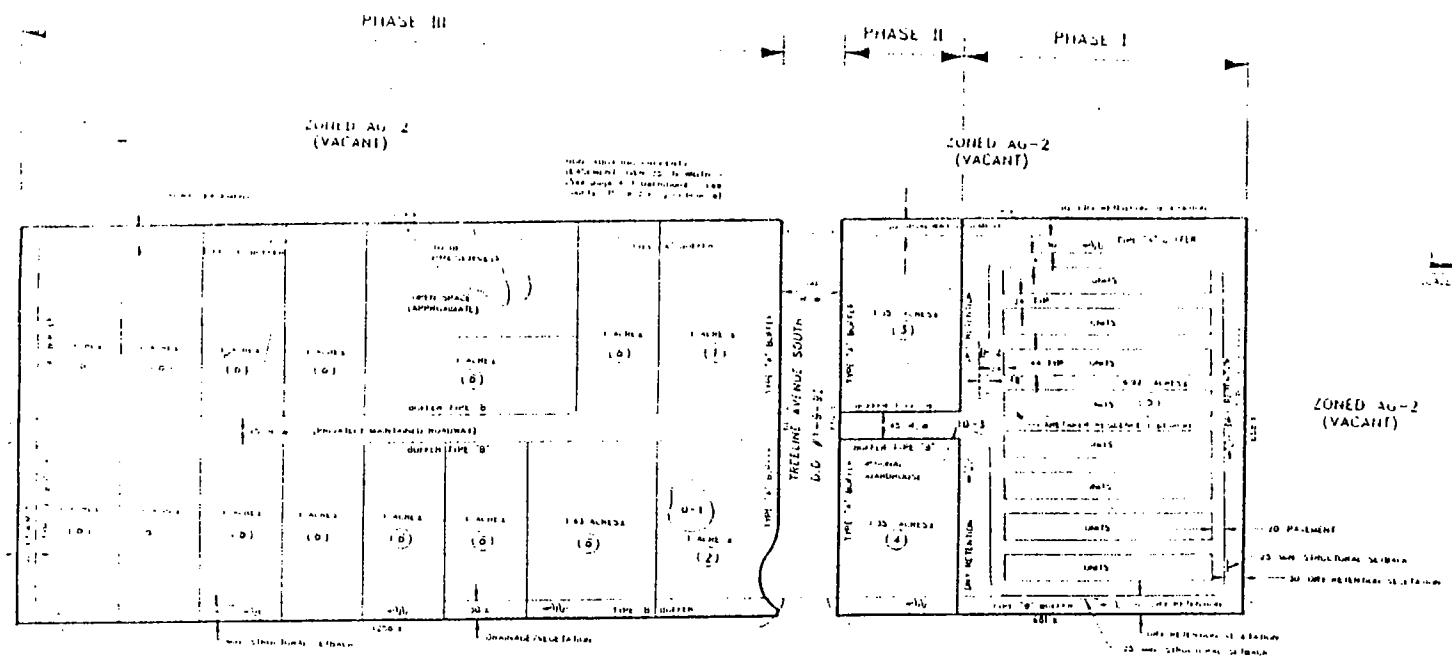
1955 - 1956
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 1963 - 1964
 1965 - 1966

MARCH 1992

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JUN 10 1962
FEDERAL BUREAU OF INVESTIGATION

APPROVED

Master's Thesis
See Plan # 2 Page 11
Subject is conditions in restaurants
Turning Case # 12121212



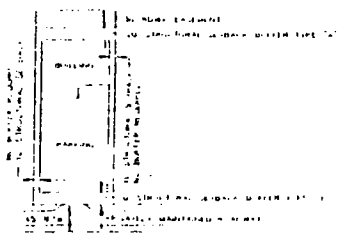
PHASE III
ZONED AG-2
(VACANT)

PHASE II
ZONED AG-2
(VACANT)

PHASE I
ZONED AG-2
(VACANT)

GENERAL NOTES

All discharges, utilities and site design to comply with South
Florida Water Management District requirements in accordance with
time of development.



TYPICAL LOT LAYOUT



TYPICAL SWALE SECTION

APPROVED

Master Concept Plan

Site Plan # 2001-011

Subject to conditions in Resolution 2001-011

Long Case # 2001-011

RECEIVED

2001-011

JOHNSON ENGINEERING, INC.

**MASTER CONCEPT PLAN
FOR
TREELINE INDUSTRIAL PARK**

JOHNSON ENGINEERING, INC.

10000 W. BAYVIEW BLVD., SUITE 100
DADE COUNTY, FL 33147

TEL: (305) 446-1111 FAX: (305) 446-1112

WWW.JEINC.COM

INDUSTRIAL PLANNED DEVELOPMENT

SCHEDULE OF USES

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DATE: 11/11/2011

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PHOTOGRAPH BY JAMES H. MURPHY

SECRET

On 11/11/54, the following information was received from the Bureau of the Census:

... .. (JUL. 1941) (JUL. 1941)

... ..

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* 84.04 -- 81 -- 42515, 1971

1002-7461/98 \$4.00/0
© 1998 American Society of Human Genetics

© 2001 Blackwell Science Ltd *Journal of Internal Medicine* 250: 105–112

1. *Journal of the American Statistical Association*, 1990, 85(412), 1001-1013.

1. 2. 3. 4. 5.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

[illegible]
$$V_{\text{eff}} = V_0 \left(1 - \frac{1}{2} \frac{V_0}{V_0 + V_1} \right) \quad (10)$$

... (b) (7)(C), (b) (7)(D)

1. The first group of people who are interested in the results of the study are the researchers themselves. They want to know if the study was successful in achieving its objectives and if the results are consistent with their expectations.

IN ACCORDANCE WITH THE ALL COUNTY STUDY

... ..

(b) (7)(C), (D) AN(1) id. KIL's (c)(1)(A)

SUMMARY OF DEVIATIONS

1. The first group of information is the name of the person who is being interviewed. This is followed by the date of the interview and the location where it took place. The next section is a brief description of the person's background, including their age, sex, and occupation. This is followed by a list of the person's activities and interests. The final section is a list of the person's contacts and references.

4. 2

Investment in the primary space per sq. ft. (10) Storage cabinet
 (11) Expanding cabinet (12) 15 sq. ft. in one primary space per
 ft. (13) Storage cabinet for the most useful space

43

Requesting in Section 6.3.1.1 that permanent dead-end streets must be closed at one end by a dead-end sign and by removal of the entrance to the existing portion of the street.

APPROVED

Master Control Panel

56 Nov 8 1955 Page 3

Since the Commission is responsible for the

Long time

RECEIVED
JUL 10 1952

Jul 10 1953

ENDING UNLINK

JOHNSON ENGINEERING, INC.

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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5. 4

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