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

WHEREAS, the contract purchaser, Halvorsen Development, filed an application with the consent of the property owner, Hermes Investment Company, Inc. to rezone a 28.12± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD) in reference to Summerlin Crossing CPD; and

WHEREAS, a public hearing was advertised and held on March 22, 2000 before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI964583 (99-11-022.03Z 01.01); and

WHEREAS, a second public hearing was advertised and held on May 1, 2000 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 28.12± acre parcel from AG-2 to CPD, to allow a mixed use commercial development consisting of a maximum of 207,770 square feet of gross floor area with buildings not to exceed 35 feet in height. The development seeks optional development of up to 100 hotel/motel units through a conversion table allowing replacement of commercial floor area with hotel/motel units. The property is located in the Urban Community Land Use Category and 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).

The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Summerlin Crossing," stamped received March 29, 2000, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (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.

This project is limited to a maximum of 207,770 square feet of gross floor area.

- 2. The following limits apply to the project and uses:
  - a. Schedule of Uses

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 et seq., 34-2441 et seq., 34-1863, and 34-2141 et seq.)

ADMINISTRATIVE OFFICES

ATM (automatic teller machine)

**AUTO PARTS STORE** 

**AUTOMOBILE SERVICE STATION** 

AUTO REPAIR AND SERVICE [LDC §34-622(c)(2) and 34-1351], Group I only

BAIT AND TACKLE SHOP

BANKS AND FINANCIAL ESTABLISHMENTS [LDC §34-622(c)(3)]: Groups I and II

BOATS: Boat parts store

BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC § 34-1441 et seq.)

BUSINESS SERVICES [LDC §34-622(c)(5)]: Group I and Group II (limited to only Packaging Services and Parcel and Express Services)

**CAR WASH** 

CLEANING AND MAINTENANCE SERVICES [LDC §34-622(c)(7)]

CLOTHING STORES, general [LDC §34-622(c)(8)]

CLUBS:

Commercial

Fraternal, membership organization (LDC §34-2111)

Private (LDC §34-2111)

COMMUNICATION TOWERS: 100 feet or less in height (LDC §34-1441)

CONTRACTORS AND BUILDERS [LDC §34-622(c)(9)], Groups I and II only (LDC §§ 34-1352, 34-3001 et seq.)

CONVENIENCE FOOD AND BEVERAGE STORE

DAY CARE CENTER, CHILD, ADULT

DEPARTMENT STORE

DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE

DRUGSTORE, PHARMACY

ESSENTIAL SERVICES (LDC §§34-1611 et seq., and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES [LDC §34-622(c)(13)]: Group 1 (LDC §§ 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)

EXCAVATION: Water retention (LDC §34-1651)

FENCES, WALLS (LDC §34-1741)

**FIRE STATION** 

FOOD AND BEVERAGE SERVICE, LIMITED (accessory only to a private club)

FOOD STORES [LDC §34-622(c)(16)]: Groups I and II

GIFT AND SOUVENIR SHOP

HARDWARE STORE

HEALTH CARE FACILITIES [LDC §34-622(c)(20)]: Groups I, II, and III

HOBBY, TOY AND GAME SHOPS [LDC §34-622(c)(21)]

HOTEL/MOTEL (LDC §34-1801 et seg.)

HOUSEHOLD AND OFFICE FURNISHINGS [LDC §34-622(c)(22)], Groups I and II

LAUNDRY OR DRY CLEANING [LDC §34-622(c)(24)]: Group I

LAWN AND GARDEN SUPPLY STORES (LDC §34-2081)

MEDICAL OFFICE

NONSTORE RETAILERS [LDC §34-622(c)(30)], All Groups

PACKAGE STORE (LDC §34-1261 et seq.)

PAINT, GLASS AND WALLPAPER

PERSONAL SERVICES [LDC §34-622(c)(33)]: All Groups

PET SERVICES

PET SHOP

**PHARMACY** 

RECREATION, COMMERCIAL [LDC §34-622(c)(38)]: Groups I, III (limited to golf course, miniature only), and IV

RENTAL OR LEASING ESTABLISHMENT [LDC §34-622(c)(39)]: Groups I, II, and III (LDC §34-1201 et seq., 34-1352, and 34-3001 et seq.)

REPAIR SHOPS [LDC §34-622(c)(40)]: Groups I and II only

RESEARCH AND DEVELOPMENT LABORATORIES [LDC §34-622(c)(41)]: Group II only

RESTAURANT, FAST FOOD

RESTAURANTS [LDC §34-622(c)(43)]: Groups I, II, III, and IV

SELF-SERVICE FUEL PUMPS

SIGNS in accordance with Chapter 30

SOCIAL SERVICES [LDC §34-622(c)(46)]: Groups I and II

SPECIALTY RETAIL SHOPS [LDC §34-622(c)(47)]: Groups I, II, III, and IV

STORAGE: Indoor only (LDC §34-3001 et seq.)

STUDIOS [LDC §34-622(c)(49)]

THEATER, indoor only (LDC §34-2471 et seq.)

USED MERCHANDISE STORES [LDC §34-622(c)(54)]: Groups I and II only

VARIETY STORE

The following uses must receive Administrative Approval or Special Exception as required by LDC §34-1264(a)(3).c:

BAR OR COCKTAIL LOUNGE (LDC §34-1261 et seq.) CONSUMPTION ON PREMISES (LDC §34-1261 et seq.)

b. Site Development Regulations

The LDC Property Development Regulations for the Community Commercial (CC) zoning district will be effective within this development.

- 3. Any cabbage palms (Sabal palmetto) with an 8-foot or greater clear trunk must be preserved in place or relocated to open space or landscape areas within the development area.
- 4. Open space areas must be designed to incorporate as many of the large South Florida slash pines as possible. Preserved pines with a 4-inch or greater caliper measured at 12 inches above the ground will receive five tree credits. The tree credits may be used toward general and buffer tree requirements per LDC §10-420(h).
- 5. During each phase of this development, the developer must provide for internal and external pedestrian interconnections to encourage pedestrian movement as part of this development.
- 6. Pursuant to Lee County DOT policy, median cuts in divided arterial roadways are considered operational features subject to change based upon safety and operational issues. Reasonable notice is typically given prior to changing a median cut. Therefore, the Board of County Commissioners retains the right to make changes to median openings as deemed necessary in the interest of the public health, safety and welfare. Pursuant to LDC §10-285(h) and Administrative Code AC-11-10, a right-in/right-out/eastbound left-in access point is approved on Summerlin Road at roadway Station 308+35 with the following conditions:
  - a. Prior to local development order approval, the Applicant and his traffic engineer must work with the Lee County Department of Transportation (LCDOT) personnel to develop a performance standard that would allow LCDOT to modify or eliminate the median opening, if necessary in the future to ensure the safety of the traveling public without compensation to applicant.
  - b. The Board of County Commissioners through a public hearing process as part of the implementation of operational improvements to Summerlin Road may modify the median opening. However, LCDOT shall consider all reasonable and safe solutions prior to recommending a change to the median opening.
  - c. Any parcels fronting on Summerlin Road located in and created as part of Summerlin Crossing CPD must be provided access to Summerlin Road via an internal circulation system connected to the approved access point (station 308+35). An easement or other document, acceptable to the County Attorney's Office, establishing this right must be recorded by the applicant in the public records prior to the issuance of a certificate of compliance. This internal circulation system

will be considered a site-related improvement. This does not preclude future requests consistent with AC-11-10.

- 7. As part of the local development order permitting the right-in/right-out access to Winkler Road, the design of this access must physically prohibit any left-in/left-out turning movements. Also, the full access point in the northern portion of Future Development Area "A" must be completed prior to the first Certificate of Occupancy within this planned development.
- 8. 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.
- 9. 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 Allocations Table, Map 16 and Table 1(b).

### **SECTION C. DEVIATIONS:**

- 1. Deviation (1) seeks relief from the LDC §10-285 (Table 1) requirement to provide a minimum connection separation between access points on an arterial roadway of 660 feet, to allow a connection separation along Winkler Road of 310 feet for the northern access point (full turning movement) and 360 feet for the southern access point (right-in/right-out turning movement). This deviation is APPROVED, SUBJECT TO Condition 7.
- 2. Deviation (2) seeks relief from the LDC §10-329 requirement that stormwater excavation be set back from a private property line under separate ownership, to allow elimination of this requirement. This deviation is APPROVED, SUBJECT TO the following conditions.
  - a. Prior to local development order approval, the applicant must demonstrate that the
    proposed lake fits the common theme of development for the adjacent parcel.
    However, this condition applies only if there is a pending zoning application or
    development order application encompassing the adjacent parcel.
  - b. If ownership of the subject parcel is transferred, the new owner must enter into an agreement with the adjacent property owner regarding maintenance responsibility for the lake (as proposed or enlarged in the future) serving the stormwater management needs for both parcels.
- 3. Deviation (3) seeks relief from the LDC §10-285(h)(1) requirement establishing that the Board of County Commissioners may declare a road to be a Controlled Access Road with designated permanent access points, to allow a modification of the location of the access point on Summerlin Road to be at roadway station mark 308+35 amending Resolution #93-11-112, adopted by the Board Of County Commissioners on November 17, 1993,

designating Summerlin Road as a controlled access facility. This deviation is APPROVED, SUBJECT TO Condition 6.

### 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: Zoning Map (subject parcel identified with shading)

Exhibit C: The Master Concept Plan

Exhibit D: Draft Controlled Access Road Resolution

### 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.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner John E. Manning, seconded by Commissioner Douglas R. St Cerny and, upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED this 1st day of May, 2000.

ATTEST: GREEN CLERK

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

Chairman

Approved as to form by:

FILED MAY 0 5 2000

MINUTES OFFICE

### **EXHIBIT "A"**

### LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND LYING IN THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA.

COMMENCE AT THE WEST QUARTER (W 1/4) CORNER OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST; THENCE S01°06'49"E FOR 1,365.14 FEET ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING THENCE N88°53'11"E FOR 140.00 FEET; THENCE N44°17'24"E FOR 504.09 FEET; THENCE N45°42'36"W FOR 212.34 FEET; THENCE N89°17'00"E FOR 257.70 FEET; THENCE N00°59'34"W FOR 407.27 FEET; THENCE N89°00'26"E FOR 399.77 FEET; THENCE N00°59'34"W FOR 285.35 FEET; THENCE N89°00'26"E FOR 96.71 FEET; THENCE N00°59'34"W FOR 55.95 FEET; THENCE N89°00'26"E FOR 318.95 FEET TO THE WEST RIGHT OF WAY OF WINKLER ROAD; THENCE S00°59'34"E FOR 701.28 FEET ALONG SAID WEST RIGHT OF WAY; THENCE S44°17'24"W FOR 1,998.51 FEET ALONG THE NORTH RIGHT OF WAY OF SUMMERLIN ROAD; THENCE N01°06'49"W FOR 854.27 FEET ALONG THE WEST LINE OF SAID SOUTHWEST ONE QUARTER (SW1/4) TO THE POINT OF BEGINNING.

CONTAINING 28.1229 ACRES OR 1,225,035 SQUARE FEET MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS MENTIONED HEREIN ARE BASED ON THE CENTERLINE OF SUMMERLIN ROAD BEING N44°17'24"E

The applicant has indicated that the STRAP number for the subject property is: 34-45-24-00-00002.0010

# ZONING MAP 92.29 AC 26.25 AC 18.37 AC

**EXHIBIT B** 

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EXHIBIT

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1) DEVALUE FOUR THE RECURFICHT THAT THE CONNECTION SEPARATION BETWEEN ACCESS POINTS ON AN ARTEFIAL ROOMER BE AMBROWN CENTERING DISTANCE OF 660 FEET PER SECTION 10-285 [TABLE 1] OF THE LEE COUNTY LAND DEVALUE PHENT COOK OF ALLOW A CONNECTION SEPERATION OF THE THE THE PROPERTY OF A DEVALUE OF THE THE PROPERTY OF A DEVALUE OF THE PROPERTY OF THE PROPE

2) DEVIATION FROM THE REQUESTION THAT ALL EXCAVATIONS ST BACK SO FEET FROM ANY PRIVATE PROPERTY LINE UNDER SEPARATE OWNERSHIP PER SECTION 10-2394(X)19.3 OF THE LEC COUNTY LAND DEVELOPMENT CODE TO ALLOW A SETBACK OF ZERO FEET.

PROPOSED SCHEDULE OF DEVATIONS

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3) DEVIATION FROM THE REQUIREMENT THAT PERMANENT ACCESS FOUNTS ON CONFROLLED ACCESS ROADS BE RESTRICTED TO LOCATIONS STREMSHOW AND SET BY ACCESS FLAM ADOPTED BY THE BOARD BY RESOLUTION (FER SECTION 10-265(N)) THE BOARD BY RESOLUTION (FER SECTION 10-265(N)) TO ALLOW ONE ADDITIONAL ACCESS OF THE PROPERTY HOUGH FOR LEFT-IN/RICHT-N/RICHT-OUT TURNING MOYELMER ALI STATION 300433.

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2) LATINUM BUILDING HEGHTS LISTED ABOUT WAL FERRIN TO ALL PROPOSED USES WITH THE EXCEPTION OF COMMINICATION TOWERS AND SHALL OWN. BE LIMITED TO 100 FETC OR LESS FOR THE PROPOSED SCHOOLE OF USES AND SHALL OWN. BE LOCATED IN THE REAL OF THE SHOOPPING CHIEF PARCEL.

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FROPOSED DEVELOPMENT.

6) OPEN SPACE MILE BE PROVIDED IN ACCORDANCE WITH LDC SECTION 10-415. THE OUTFARCES AND ANY LOTS CREATED WITHIN THE FUTURE DEVELOPMENT AREAS MAY BE ALLOWED TO HAVE A MINIMUM OF 200 OPEN SPACE SUBJECT TO THE

TO MAYE A MINIMUM OF 20X OPEN SPACE SUBJECT TO THE FOLLOWING CONDITIONS:

9) A MINIMUM OF JOX OF THE TOTAL SITE ARE MUST BE PROVISED AS OPEN SPACE FOR THE OVERALL DEVELOPMENT.

10) A MINIMUM TOTAL OF JOX OPEN SPACE MUST BE PROVIDED WITHIN THE SMOPPING CHIEF PARCEL.

11) STITLING TOTAL DESCRIPTION OF SPACE MUST BE PROVIDED WITHIN THE FUTURE JOX OPEN SPACE MUST BE PROVIDED WITHIN THE FUTURE JOX OPEN SPACE MUST BE PROVIDED WITHIN THE FUTURE JOX OPEN SPACE MUST BE PROVIDED WITHIN THE FUTURE AND PROVIDENCE MUST BE PROVIDED WITHIN THE FUTURE AND PROVIDED WITHIN THE PROVIDED W

7) ALL BUTFERING AND LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH LOC SECTION 10-416 UNLESS DIMERMSE NOTED. INTERNAL BUTFERING, WHERE REQUIRED, WILL BE SHOWN IN DETAIL, DURING THE DEVELOPMENT ORDER PROCESS.

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MICHAPHANCE WITH LOC SECTIONS 33—20-321 THROUGH 34—20-21

9) ELACE LIWING OF PROPOSED LACE ELECATION MAY WAIT SURFICE TO SOUTH FLORIDA WAITE MARGENETH DISTRICT APPROVAL.

10) PUBLIC TRANST IS PRESENTLY AVAILABLE ALONG WHILER ROLD AND SUMMERIM ROAD (LEE TRAN ROUTE 85), HOWEVER, LEE TRAN HAS INDICATED HAT NO TRANST AMENTILS WILL BE REQUIRED AT THIS LOCATION AT PRESENT.

11) THE PROPOSED PROJECT WILL BE SURT IN COMPULANCE WITH THE DESIGN STANDARDS AND CUIDELINES FOR COMMERCIAL DEVELOPMENTS FOR SECTION 10, ARTICLE IN OF THE LDC UNLESS DIFFERENCE NOTED ON THE PLAN.

APPROVED

BITE DATA TOTAL PROJECT AREA:
MAXIMUM BUILDING AREA:
MAXIMUM BUILDING MEIGHT:
DRY RETENTION AREAS: 28.12 ACRES 207,770 S.F. 35 FEET\* 0.51 ACRES ONSITE LAKE AREA: MINIMUM OPEN SPACE:

SEE HOTE #2

1" - 120"

SHOPPING CENTER PARCEL	ACREAGE	BULDING APEA	OF BH STACE	BULDING HEIGHT?
PUBLIX/RETAIL	11.90 ACRES	80,840 S.F.	30% (MIH)	35 FEET/2 STORIES
OUTPARCEL AT	1.39 ACRES	10,000 S.F.	20% (M.H.)	35 FEET/2 STORIES
OUTPARCEL 12	1.15 ACRES	8,430 S.F.	20% (MIN)	35 /CET/2 STORIES
OUTPARCEL 13	1.24 ACRES	8,500 S.F.	20X (MIH)	35 FEET/2 STORIES
TOTAL	15.88 ACRES	107,770 S.F.	3CX (MIN)	00 1001/2 0101103

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FUTURE DEV. AREA "A"	2.31 ACRES	15,000 S.F.	20% (MIH)	35 FEET/2 STORIES
TUTURE DEV. AREA "8"	10.13 ACRES	.85,000 S.F.	30% (MIH)	35 FEFT/2 STORIES
TOTAL	12.44 ACRES	100,000 S.F.	30% (MIN)	

SEE HOTE #6

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PROPOSED SCHEDULE OF USES ACCESSORY USES AND STRUCTURES ADMINISTRATIVE OFFICES ATM (AUTOMATIC TELLER MACHINE) AUTO PARTS STORE AUTO FARIS STORE
AUTOMOBILE SERVICE STATION
AUTO REPAIR AND SERVICE - GROUP I
BAIT AND TACKET SHOP
BAINS AND FINANCIAL ESTABLISHWENTS - GROUPS I AND II
BOATS: BOAT PARTS STORE
BROADCAST STUDIO, COUVERCIAL RADIO AND IELEVISION
BUSINESS SERVICES - GROUP I AND GROUP IL LIMITED TO ONLY
PACKAGING SERVICES AND PARCEL AND EXPRESS SERVICES
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CAR WASH
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ESSENTIAL SERVICE FACILITIES - GROUP |
EXCAVATION - WATER RETENTION

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FOOD AND BEYERAGE SERVICE, LIMITED (ACCESSORY ONLY 10 A PRIVATE CLUB)
FOOD STORES — GROUPS I AND B
HOTELAND SOUVEHIR SHOP
HARDWARE STORE
HOTELAND CAME SHOPS
HOTELAND CAME SHOPS
HOTELAND AND OFFICE TURNISHINGS — GROUPS I AND K
LAUNDRY AND DRY CLEANING — GROUP I

PET SERVICES PET SHOP

STORAGE - MODOR UNITS
STUDIOS

THE FOLLOWING USES MUST RECEIVE ADMINISTRATIVE APPROVAL OR SPECIAL EXCEPTION AS REQUIRED BY LDC SECTION 34-1264(a)(3)::

Zoning Case \$ Del 96453.3 FKA 99-11-022.03201.01

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PUTURE DEVELOPMENT AREA 'A'

MAR 2 9 2000

ZONING COUNTER

Master Concept Plan

Site Plan # 00-017 Page \_/\_ Of \_/\_

Subject to conditions in Resolution 00-017

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HOUSEHOLD AND OFFICE FURNISHINGS - C LAUNDRY AND DRY CLEANING - GROUP I LAWN AND GARDEN SUPPLY STORES MEDICAL OFFICES HONSTORE RETAILERS - ALL GROUPS

PACKAGE STORE
PAINT, GLASS AND WALLPAPER STORES
PERSONAL SERVICES - ALL GROUPS

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SOCIAL SERVICES - GROUPS I AND II
SECIALLY REALING SHOPS - GROUPS L, III AND IY
STORAGE - MODOR ONLY
STUDIOS

BAR OR CONTAIL LOUNGE CONSUMPTION ON PREMISES

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EXHIBIT

### LEE COUNTY RESOLUTION NO. 00-05-05

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA AMENDING RESOLUTION NO. 93-11-112, AS AMENDED, WHICH DESIGNATED SUMMERLIN ROAD AS A CONTROLLED ACCESS ROAD AND ESTABLISHED PERMANENT ACCESS POINTS

WHEREAS, Section 10-285(h) of the Lee County Land Development Code provides for the designation of certain streets in Lee County as "controlled access" to which permanent access points are restricted to locations established and set by design study and plans adopted by the Lee County Board of County Commissioners by resolution; and

WHEREAS, on November 17, 1993, the Board of County Commissioners adopted Resolution No. 93-11-112 which designated Summerlin Road as a controlled access road between and including its intersections with Boy Scout Drive and McGregor Boulevard, and established 35 permanent access points; and

WHEREAS, Resolution No. 93-11-112 was subsequently amended on May 18, 1994 by Resolution No. 94-05-24 which added a connection point at Station 327+38 +/-50 on the west side of Summerlin Road for full access by school busses only; and

WHEREAS, Resolution No. 93-11-112 was further amended on June 21, 1995 by Resolution No. 95-06-60 to add a connection point at Station 244+62 +/-50 on the east side of Summerlin Road for a right-in/right-out only; and on October 16, 1995 by Resolution No. 95-10-44 to add a connection point at Station 203+28 +/-50 on the east side of Summerlin Road for a right-in access only; and on December 9, 1997 by Resolution No. 97-12-10 to relocate an existing access point from Station 229+90 +/-50 to Station 274+17 +/-50 on the north side of Summerlin Road for an eastbound left-in, right-in and right-out access only; and on January 12, 1999 by Resolution No. 99-01-13 to add a connection point at Station 186+68 +/-50 on the east side of Summerlin Road for a right-in and right-out access only; and on July 6, 1999 by Resolution No. 99-07-05 to relocate the existing access point on the east side of Summerlin Road at Station 244+62 +/-50 to Station 248+82 +/-50 for right-in and right-out access only; and on November 15, 1999 by Resolution No. 99-11-42 to add an access point on the east side of Summerlin Road at Station 125+50 +/-50 for left-in, right-in and right-out access only; and

WHEREAS, Halvorsen Development Corporation, desires to add an access point at Station 308+35 +/-50 on the northwest side of Summerlin Road for an eastbound left-in, right-in and right-out access only; and

WHEREAS, the Lee County Department of Transportation has concluded that, on balance,

this relocated connection point will not hinder traffic capacity nor be contrary to the protection of the health, safety and welfare of the citizens of Lee County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida that:

Resolution No. 93-11-112 is hereby further amended to add an access point at Station 308+35 +/-50 on the northwest side of Summerlin Road for an eastbound left-in, right-in and right-out access only.

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 Douglas R. St. Cerny and, upon being put to a vote, the result was as follows:

JOHN MANNING

Aye

DOUGLAS R. ST. CERNY Ave

RAY JUDAH

Nay

ANDREW W. COY

Absent

JOHN E. ALBION

Aye

DULY PASSED AND ADOPTED THIS 1ST DAY OF MAY, 2000,

ATTEST: CHARLIE GREEN, CLERK

**BOARD OF COUNTY COMMISSIONERS** 

OF LEE COUNTY, FLORIDA

John E. Albion, Chairman

APPROVED AS TO FORM

# EXHIBIT A SUMMERLIN ROAD DESIGNATED ACCESS POINTS

STATION	DISTANCE North/West	(FEET) South/East	ORIGIN	MEDIAN OPENING	MOVEMENTS	CONNECTION	REMARKS
32+00+/-50	n/a	n/a	1	YES	ALL	McGregor Blvd	Existing signalized median opening
44+00+/-50	1200	1200	1	YES	WBL/EBL RT.IN/RT.OUT	N&S	Existing connection - Originally full median opening, WBL removed for safety
64+40+/-50	2040	2040	1	YES	ALL	John Morris Rd(N)/Bunch Beach Rd (S)	Existing signalized median opening
91+25+/-50	2685	2685	1	YES	ALL	Kelly Greens Blvd (N) & S	Existing median opening
117+25+/-50	2600	2600	1	YES	ALL	Kelly Cove Dr (N) & S	Existing median opening
138+19+/-50	n/a	2094	2	NO	RT.IN/RT.OUT	S	New - existing connection
138+29+/-50	2104	n/a	2	YES	EBL RT.IN/RT.OUT	N&S	Existing connections
144+50+/-50	621	631	1	YES	ALL	San Carlos Blvd	Existing signalized median opening
155+63+/-50	1113	1113	2	YES	WBL RT.IN/RT.OUT	S	Existing connection
164+90+/-50	927	927	2	NO	RT.IN/RT.OUT	N	New - Does not exist
171+50+/-50	660	660	1	YES	ALL	Pine Ridge Rd	Existing signalized median opening
180+50+/-50	n/a	900	2	NO	RT.IN/RT.OUT	S	Original connection replaced by frontage road
189+50+/-50	1800	900	1	YES	ALL	N & Safety Street (S)	Existing median opening North maintenance access to Lee County STP
205+50+/-50	1600	1600	1	YES	WBL/EBL RT.IN/RT.OUT	N & S	Existing median opening - no existing turn lanes
237+00+/-50	3150	3150	2	YES	ALL	. S	Existing median opening
257+97+/-50	2097	2097	1	YES	ALL	Bass Rd(N)/Willowcrest Way(S)	Existing signalized median opening
274+17+/-50	1620	1620	1	YES	EBL RT.IN/RT.OUT	N	Relocated from STA 227+15 then from STA 229+90 -Does not exist (4)
287+50+/-50	1333	1333	1	YES	ALL	N & S	Relocated - (does not exist) from STA 295+00 existing median opening
308+35+/-50	2085	2085	1	<i>YE</i> S	EBL RT.IN/RT.OUT	N	New - Does not exist (8) (can potentially be closed by Zoning Resolution $\#_00-017$ )
316+00+/-50	765	765	1	YES	ALL	Winkler Rd	Existing signalized median opening
330+13+/-50	n/a	1413	2	NO	RT.IN/RT.OUT	Е	New - Does not exist
331+88+/-50	1588	n/a	2	NO	RT.IN/RT.OUT	Convenience Way (N)	Existing median opening connection
340+13+/-50	825	1000	1	YES	ALL	Gladiolus Rd	Existing signalized median opening
108+24+/-50	822	822	1	YES	ALL	Country Rd (W)	Existing median opening
116+20+/-50	n/a	796	2	NO	RT.IN/RT.OUT	Elderberry Ln (E)	Existing temporary connection to be replaced by frontage road
125+50+/-50	n/a	930	2	YES	SBL RT.IN/RT.OUT	E ` ` ´	New - Does not exist (7)
136+50+/-50	2826	1100	1	YES	ALL	Lakewood Blvd(W)	Existing signalized median opening
							ADOPTED 11/17/93 (RESOLUTION #93-11-112)
							AMENDED 5/18/94 (RESOLUTION #94-05-24)
							AMENDED 6/21/95 (RESOLUTION #95-06-60)
							AMENDED 10/16/95 (RESOLUTION #95-10-44)
							AMENDED 12/09/97 (RESOLUTION #97-12-10)
							AMENDED 07/06/00 (DECOLUTION #00.07.05)

AMENDED 07/06/99 (RESOLUTION #99-07-05)
AMENDED 11/15/99 (RESOLUTION #99-11-42)
AMENDED \_\_\_\_\_\_ (RESOLUTION #\_\_\_\_\_)

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Page 2 of 4	EXHIBIT A	١
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STATION	DISTANCE North/West	,	ORIGIN	MEDIAN OPENING	MOVEMENTS	CONNECTION	REMARKS
167+81+/-50 186+68+/-50 189+18+/-50 196+68+/-50 203+28+/-50 210+44+/-50 237+35+/-50 244+62+/-50 252+12+/-50 302+60+/-50 319+12+/-50	3131 n/a 2137 750 n/a 1376 2691 n/a n/a 3725 2800 1652	3131 1887 n/a 1000 660 716 2691 727 750 2248 2800 1652	1 2 2 1 2 2 1 2 1 1	YES NO NO YES NO YES YES NO YES YES YES YES YES YES	ALL RT.IN/RT.OUT RT.IN/RT.OUT ALL R.IN ALL ALL RT.IN/RT.OUT SBL RT.IN/RT.OUT ALL SBL RT.IN/RT.OUT	E & W E W Cypress Lake Dr E Univ Ctr Blvd (E) & Edison CC (W) College Parkway E Brantley Rd (E) Park Meadows Dr (E) Maple Dr (E)	Approved 3/26/76 - Existing median opening administratively shifted from STA 155+75 on 1/4/95 (5) New existing connection (5) Existing connection Existing signalized median opening Existing connection (3) Existing median opening Existing signalized median opening Existing connection - relocated from 244+62 (2) (6) Existing - Originally full median opening Existing signalized median opening Existing signalized median opening Existing connection
327+38+/-50 334+47+/-50	826 709	826 709	1	YES YES	ALL ALL ALL	E & W E & W Boy Scout Rd	Existing median opening Existing connection - School buses only west (1) median temporally closed w/delineators Existing signalized median opening

Thirty-five permanent access points

Two temporary access points

One pending access point Length

10.12 miles

Avg spacing 1608 feet

1	Original plan
2	Development access
(1)	Modified by Amending Resolution #94-05-24
(2)	Added by Amending Resolution #95-06-60
(3)	Added by Amending Resolution #95-10-44
(4)	Added by Amending Resolution #97-12-10
(5)	Added by Amending Resolution #99-01-13
(6)	Added by Amending Resolution #99-07-05
(7)	Added by Amending Resolution #99-11-42
(8)	Added by Amending Resolution #



GLADIOLUS\_DR

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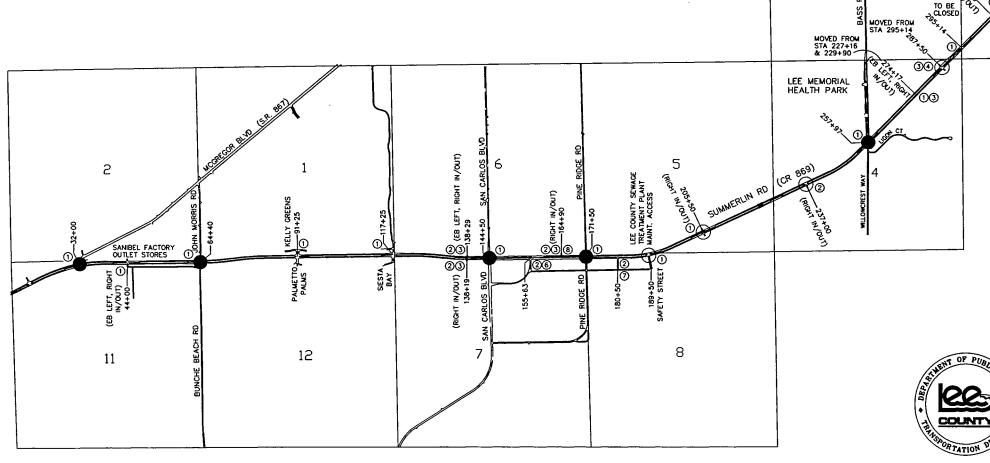


EXHIBIT A

Pg. 3 of 4

(8) ADDED BY AMENDING RESOLUTION #95-10-44

(9) ADDED BY AMENDING RESOLUTION #95-06-60

(10) ADDED BY AMENDING RESOLUTION #99-01-13

11 ADDED BY AMENDING RESOLUTION #99-11-42

(CAN POTENTIALLY BE CLOSED BY ZONING RESOLUTION)

(12) ADDED BY AMENDING RESOLUTION &

ALL MOVEMENTS DESIGNATED

EXISTING SIGNAL

### SUMMERLIN ROAD DESIGNATED ACCESS POINTS

ADOPTED NOVEMBER 7, 1993 PER RESOLUTION \*93-11-112
AMENDED MAY 18, 1994 PER RESOLUTION \*94-05-24
AMENDED JUNE 21, 1995 PER RESOLUTION \*95-06-60
AMENDED OCTOBER 16, 1995 PER RESOLUTION \*95-10-44
AMENDED DECEMBER 9, 1997 PER RESOLUTION \*97-12-10
AMENDED JANUARY 12, 1999 PER RESOLUTION \*99-01-13
AMENDED JULY 6, 1999 PER RESOLUTION \*99-07-05
AMENDED NOVEMBER 15, 1999 PER RESOLUTION \*99-11-42
AMENDED , 2000 PER RESOLUTION \*

**LEGEND** 

(5) REQUIRED FOR REASONABLE ACCESS

(4) DEVELOPMENT OF REGIONAL IMPACT APPROVED

6 RIGHT-IN RIGHT-OUT EXISTS; LEFT-IN PROPOSED

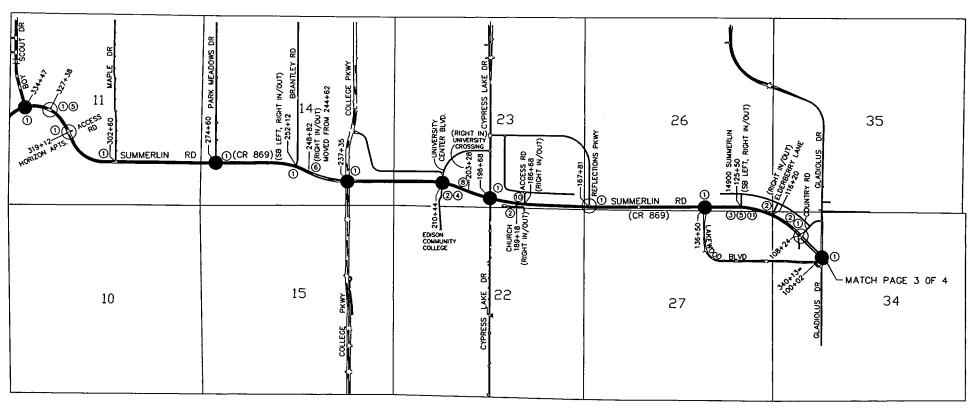
7 ADDED BY AMENDING RESOLUTION #97-12-10

(1) ORIGINAL PLAN

(2) DEVELOPMENT ORDER

3 DOES NOT CURRENTLY EXIST





### LEGEND

- 1 ORIGINAL PLAN
- (2) DEVELOPMENT ORDER
- 3 DOES NOT CURRENTLY EXIST
- 4 DEVELOPMENT OF REGIONAL IMPACT APPROVED
- (5) REQUIRED FOR REASONABLE ACCESS
- 6 RIGHT-IN RIGHT-OUT EXISTS; LEFT-IN PROPOSED
- 7 ADDED BY AMENDING RESOLUTION #97-12-10
- (8) ADDED BY AMENDING RESOLUTION #95-10-44
- 9 ADDED BY AMENDING RESOLUTION #95-06-60
- 10 ADDED BY AMENDING RESOLUTION #99-01-13
- 11 ADDED BY AMENDING RESOLUTION #95-11-42
- (2) ADDED BY AMENDING RESOLUTION (CAN POTENTIALLY BE CLOSED BY ZONING RESOLUTION)
- EXISTING SIGNAL
- ALL MOVEMENTS DESIGNATED



### SUMMERLIN ROAD DESIGNATED ACCESS POINTS

ADOPTED NOVEMBER 7, 1993 PER RESOLUTION #93-11-112
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