RESOLUTION NUMBER Z-07-044A

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

WHEREAS, an application was filed by the property owner, S.W. Florida Land Nineteen, LLC, to rezone 11.43± acres from Commercial Planned Development (CPD) to Commercial Planned Development (CPD), in reference to Lakeside at Brookshire;

WHEREAS, a public hearing was advertised for November 29, 2007, but then continued to January 10, 2008, February 27, 2008, and then held on April 23, 2008 and April 24, 2008, with the record held open for additional submissions by May 2, 2008, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2007-00001;

WHEREAS, a second public hearing was advertised and held on September 15, 2008, 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, and Denied the requested rezoning;

WHEREAS, a request for reconsideration filed by the Property Owner was also rejected by the Board on November 18, 2009;

WHEREAS, the property owner herein filed a request under §70.51 of the Florida Statutes, known as the Florida Land Use and Environmental Dispute Resolution Act, for review consideration of the above-referenced zoning denial;

WHEREAS, a hearing was held on March 18, 2009, before the Special Magistrate pursuant to the provisions of §70.51, Florida Statutes;

WHEREAS, in conjunction with the proceedings before the Special Magistrate, the Property Owner and the County agreed to a number of terms, conditions and findings set forth *in* a stipulated settlement. The Special Magistrate accepted and adopted the stipulated settlement in conjunction with his recommendation; and

WHEREAS, a third public hearing was advertised and held on April 21, 2009, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendation of the Special Magistrate, the staff, the property owner, the documents on record and the testimony of all interested persons.

9:30 PH1
4-21-09

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

SECTION A. REQUEST:

The Property Owner originally filed a request to rezone 11.43± acres from CPD to CPD to permit development of up to 175,000 square feet of commercial uses, of which 45,000 square feet may be medical offices; 44,000 square feet may be general offices; and 80,000 square feet of retail uses of which 6,000 square feet would be a bank; with a maximum height of 50 feet and 4 stories. The project would connect to public potable water and public sanitary sewer service, and no development blasting was proposed.

The Lee County Hearing Examiner recommended approval of development on the subject property with the following development parameters: 175,000 square feet as follows: 89,000 square feet of office space, of which up to 45,000 square feet may be medical offices; 80,000 square feet of retail uses; and 6,000 square feet for a bank with a drive-through. This recommendation was denied by the Board of County Commissioners and this proceeding resulted.

As a result of the Special Magistrate proceeding under §70.51, Florida Statutes, the Property Owner's request has been modified to rezone 11.43± acres from CPD to CPD to permit development of up to 160,000 square feet, consisting of 90,000 square feet of office space, with up to 60,000 square feet of medical offices; up to 70,000 square feet of retail; and a four-story hotel with a maximum of 110 rooms (on Parcel G only), and where each hotel room will reduce the allowable square footage for office uses by 240 square feet and retail uses by 210 square feet. The maximum height of any building will be 35 feet and 2 stories on Parcels A, E and F; 45 feet and 3 stories on Parcels B, C and D; and 50 feet and 4 stories on Parcel G (for a hotel/motel use only), with limited additional height for certain architectural features. (Parcel G results from the combining of Parcels C and F as shown on the approved MCP.) The proposed development will connect to public potable water and public sanitary sewer service, and no development blasting is proposed.

The property is located in the Central Urban Future Land Use Category and legally described in attached Exhibit A.

The recommendation of the Special Magistrate 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 and Development Parameters:**

The development of this project must be substantially consistent with the two-page Master Concept Plan (MCP) entitled "Lakeside at Brookshire CPD," last revised 04-24-09, date-stamped "Received APR 27 2009," and attached hereto as Exhibit C, except as may be modified by the conditions below.

If future amendments or changes to the MCP are subsequently pursued, appropriate approvals as regulated by the LDC will be necessary.

Development of the subject property is limited to a maximum of 160,000 square feet as follows:

a. 90,000 square feet of office space, of which 60,000 square feet may be medical office;
b. 70,000 square feet of retail uses; **and**
c. A four-story hotel with a maximum of 110 rooms on Parcel G. (Parcel G results from the combining of Parcels C and F as shown on the approved MCP.) (Note: Each hotel room will reduce the allowable square footage for office uses by 240 square feet and retail uses by 210 square feet.)

2. **Uses and Site Development Regulations:**

The following limits apply to the project and uses:

a. Schedule of Uses*

Accessory Uses
Administrative Offices
ATM (Automatic Teller Machine)
Animal Clinic - with no boarding or kennel facilities
Banks and Financial Establishments - Groups I and II only, with drive-through, limited to 6,000 square feet and limited to Parcel D
Business Offices
Business Services - Group I only, including parcel and express services, packaging services and messenger services
Cleaning and Maintenance Services - office only, with no fleet parking
Clothing Stores, General
Computer and Data Processing Services
Consumption on Premises - in association with a Group II or III restaurant (limited to places of business located more than 150 feet from any single-family residential use). Outdoor seating is permitted only in conjunction with a Group III Restaurant, in

conjunction with Consumption on Premises; however, outdoor seating must be requested as an Administrative Amendment or Special Exception.

Contractors and Builders - Group I, office only, no indoor storage or fleet parking

Department Store, limited to a maximum floor area of less than 20,000 square feet

Drive-through, limited to Parcel D and only in conjunction with uses as noted herein

Drugstore, Pharmacy, with drive-through and limited to Parcel D

Essential Service Facilities

Food Stores - Group I only, and excluding supermarkets

Golf Driving Range, Office, Pro Shop and Snack Shop, existing only and permitted to remain until commencement of construction of another use approved herein

Hardware Store

Healthcare Facilities - Group III only

Hobby, Toy and Game Shop

Hotel/Motel, limited to a maximum of 110 rooms and limited to Parcel G (Parcel G results from the combining of Parcels C and F as shown on the approved MCP.)

Household and Office Furnishing - Group I, limited to computers; office machines; organs and pianos; radios; televisions; and video equipment; sewing machines; tape recorder and audio and video equipment; typewriters and vacuum cleaners. Group I also includes appliances, beds, mattresses and bed springs and furniture for display only, no indoor storage or fleet parking; and Group II

Insurance Companies

Laundry or Dry Cleaning - Group I only, without any drive-through

Medical Office

Non-Store Retailers, Group I only

Paint, Glass and Wallpaper Store

Parking Lot, Accessory

Personal Services - Groups I, II and III - excluding coin-operated laundry facilities, laundromats, massage establishments, massage parlors, steam or Turkish baths

Post Office - limited to 1,500 square feet and no fleet parking

Real Estate Office

Rental or Leasing Establishments - Groups I and II - limited to costumes, movies, videotapes and similar home entertainment, party or banquet supplies and bicycles

Restaurant, Fast Food - must be located more than 150 feet from any single-family residential use. May not be stand alone, with no drive-through and only when located in a multi-occupancy building
Restaurants - Groups II and III - must be located more than 150 feet from any single-family residential use
Signs - in accordance with LDC Chapter 30 and subject to Condition 12
Social Services - Group I only
Specialty Retail Shops - Groups I, II and III, including swimming pool supplies, but excluding ammunition and firearms
Studios
Used Merchandise Stores - Group I only
Variety Store

The outdoor storage or outdoor display of merchandise for sale is prohibited in conjunction with any permitted use;* ***and*

Retail and Restaurant uses are only permitted on the first floor of any multi-story building.

b. **Site Development Regulations:**

Minimum building setback - Ben C. Pratt/Six Mile Cypress Parkway	25 feet
Minimum building setback - Brookshire Lake Boulevard	25 feet
Minimum building front setback - right-of-way	20 feet
Minimum building rear setback - north property boundary	50 feet
Minimum building rear setback - south property boundary	25 feet
Minimum building side setback - parcel lot line	10 feet
Minimum building waterfront setback	25 feet
Minimum building separation	35 feet
Maximum building/structure height - Parcels A, E & F	35 feet & 2 stories*
Maximum building/structure height - Parcels B, C & D	45 feet & 3 stories*
Maximum building/structure height - Parcel G - Hotel/Motel use only (Parcel G results from the combining of Parcels C and F as shown on the approved MCP)	50 feet & 4 stories*

Maximum lot coverage	40%
Minimum open space	30% of the entire development

**Except as modified by Condition 6 herein.*

3. **Environmental Conditions:**

   a. Prior to issuance of a Vegetation Removal Permit, the property must be re-surveyed to determine if listed wading bird species are actively nesting on site. If any nest structures are located, the nests must be monitored to determine if the nests are being utilized by a listed wading bird and, if nesting activities are taking place. If the nests are deemed to be active, a buffer, as per the requirements and dimensions outlined in LDC §§10-474(b) and 10-719 and contained in LDC Appendix H, must remain undisturbed around the nest tree until nesting activities have been deemed complete by the Florida Fish and Wildlife Conservation Commission (FWC) and the Lee County Division of Environmental Sciences (ES). Removal of any inactive nests must comply with requirements stipulated in the Migratory Bird Treaty Act as regulated by the FWC Chapter 16A-13,002(a)9(a), Florida Statutes. ES must be copied on all correspondence to the FWC.

   b. Prior to local development order approval, the landscape plans must depict the dry detention areas planted to include herbaceous vegetation planted per LDC §10-420(I) and scattered general trees as required by §10-416(a)(4) such as cypress (*Taxodium sp.*), red maple (*Acer rubrum*) and laurel oak (*Quercus hemisphaerica*). The required plantings must be planted to not adversely affect the functions and future maintenance of the water management facilities and must meet the requirements of the existing South Florida Water Management District Permit No. 36-00615-S-02.

   c. Prior to local development order approval, the development order plans must delineate a minimum of 3.43 acres of common open space. A minimum of 10% open space must be provided per parcel with the overall open space being 30% of the entire development.

   d. Prior to local development order approval, the development order landscape plans must provide 100% native vegetation within all required buffer and landscape areas.

e. Prior to local development order approval, the development order plans must provide cross-sections in substantial compliance with the landscape cross-sections shown on the approved MCP.

4. **Mechanical Equipment:** Mechanical equipment located on the roof of all buildings must be shielded by an architectural parapet wall to shield the equipment from the adjacent residential neighborhood and from Daniels Parkway and Ben C. Pratt/Six Mile Cypress Parkway.

5. **Hours of Operation:** Except as provided herein, the hours of operation for office and retail uses and deliveries to all uses are limited to 8:00 a.m. to 9:00 p.m. Monday through Sunday. A Group II or Group III Restaurant may have hours of operation from 6:00 a.m. to 10:00 p.m. Monday through Sunday. The restriction for hours of operation will not apply to the hotel/motel use on Parcel G, any restaurant located inside the hotel/motel or any other subordinate use located inside the hotel/motel.

6. **No Additional Building Height:** Except as provided herein, no additional height may be sought with increased setbacks, and increased height may only be granted through a public hearing amendment of this planned development.

   The maximum height of a building may be increased as follows to accommodate architectural features:

   a. Parcels A, E and F: Architectural feature height may not exceed 40 feet for 2-story buildings.

   b. Parcels B, C and D: Architectural feature height may not exceed 50 feet for 3 story buildings.

   c. Parcel G only: The maximum height of a hotel/motel may be increased to allow an additional 5 feet of height (to a maximum of 55 feet) for architectural features. The increased height may be approved administratively, provided it is demonstrated to Lee County Parks and Recreation that the feature is complimentary to the Six Mile Cypress Slough Preserve.

7. **Northern Property Line Setback:** Exterior walls of all buildings must be located a minimum of 50 feet from the northern property line of the project.

8. **Lighting:**

   a. Lighting of pedestrian and parking areas for any permitted use must be directed internally to the site. Parking lot areas must be illuminated with enough intensity to create secure areas consistent with the LDC.

   b. Except as provided herein, parking lot lamps on all parcels must be hooded or globed and may not exceed 20 feet in height. Parking lot lamps on Parcels C, F or G (Parcel G results from the combining of Parcels C and F as shown on the approved MCP) must be hooded or globed and may not exceed 12 feet in height when visible from Ben C. Pratt/Six Mile Cypress Parkway in accordance with attached Exhibit F.

   c. Mercury vapor lamps/lights are prohibited.

9. **Public Address System, Loudspeakers and Outdoor Speakers:** No public address system or loudspeakers that broadcasts outdoors may be utilized on the subject property, except an outdoor speaker may be used for the drive-through on Parcel D, but if the drive-through is located on the north side of the building the speakers may not face northerly towards the abutting residential development.

10. **Waste Storage Areas and Dumpsters:** As part of any local development order approval for vertical development, the development order plans must include facilities in compliance with LDC §10-261 and Solid Waste Ordinance #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.

11. **Architectural Design:** The architectural style of all buildings must be substantially in compliance with submitted architectural renderings on the single-sheet drawn by SchenkelShultz Architecture, dated June 13, 2006, date-stamped "Received Jan 25 2008 Community Development," and attached as Exhibit D. The front and rear of all proposed buildings must be designed with architectural features and all structures must share a common architectural theme. In addition, the development must also comply with the design standards for commercial buildings in LDC §10-600.

12. **Signage:** All signage must be in compliance with LDC Chapter 30, subject to the following:

   a. Project or building signage for Parcels A, B and C (and that portion of Parcel G when combined with Parcel F) must be located on the

building facades facing the internal private roadway or parking areas and is prohibited from facing toward the Brookshire Village residential development. Project or building signage for all parcels may face Daniels Parkway.

b. Illuminated signage may not face Ben C. Pratt/Six Mile Cypress Parkway on Parcels C, F or G. This restriction is not intended to prohibit internal directional signs or informational signage, such as unit numbers on the doors or walls, or as otherwise required by the Florida Building Code.

c. Illuminated ground mounted signs are allowed along Ben C. Pratt/Six Mile Cypress Parkway, but such signs must be positioned perpendicular to Ben C. Pratt/Six Mile Cypress Parkway when located on Parcels C, F or G.

d. A pole sign, defined as a freestanding sign composed of a single, double, or multiple pole or support structure, that is not a solid monument-style (See LDC §33-56) may not be located within 100 feet of the project's easterly boundary line with Ben C. Pratt/Six Mile Cypress Parkway.

13. **Construction Traffic:** Construction traffic is limited to utilizing the existing right-in/right-out access onto Ben C. Pratt/Six Mile Cypress Parkway for ingress and egress to the project site.

14. **Vehicular and Pedestrian Impacts:** 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.

15. **Pedestrian and Bicycle Facilities:** In accordance LDC §10-256, any pedestrian and bicycle facilities required on Brookshire Lake Boulevard and on Ben C. Pratt/Six Mile Cypress Parkway will be deemed to be site-related improvements and said improvements are not eligible for Road Impact Fee Credits.

16. **Lee Plan Concurrency:** Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee County Comprehensive 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.

17. **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 prior to the issuance of a local development order.

18. **Compliance with LDC:** The 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. **Utilities:** Any development of the subject property must connect to public potable water and public sanitary sewer services.

20. **Internal Landscaping:** Prior to local development order approval, development order plans must depict internal landscaping requirements in accordance with LDC §10-416(c)(2) and any subsequent amendments as adopted by the Board of County Commissioners in addition to compliance with the minimum parking regulations set forth in LDC §34-2020.

21. **Sidewalks:** A sidewalk must be constructed pursuant to LDC §10-256, and must be a minimum of 4 feet in width along one side of the internal roadway to promote and encourage a pedestrian-friendly town center environment. The internal sidewalks are considered a site-related improvement and are not eligible for Road Impact Fee Credits.

22. **Required Road Improvements:** The following road improvements depicted on the single-sheet entitled "Intersection Improvements, Lakeside at Brookshire," drawn by TR Transportation Consultants, date-stamped "Received Feb 27 2009 Zoning," and attached as Exhibit E, will be required to be made as part of the first local development order, or incrementally in conjunction with an approved phasing plan:

    Improvements to the intersection of Daniels Parkway at Brookshire Lake Boulevard:

    a. Adding a third southbound lane on Brookshire Lake Boulevard at the Daniels Parkway intersection to create a three-lane approach to Daniels Parkway (currently two lanes exist at this location);

    b. Extension of the eastbound left-turn lane from Daniels Parkway to Brookshire Lake Boulevard; and

c. Extension of the westbound right-turn lane from Daniels Parkway to Brookshire Lake Boulevard.

Actual lane length will be determined at the time of local development order approval.

The above improvements are considered site-related and not eligible for Road Impact Fee Credits.

23. **Additional Required Road Improvements:** In addition to those required road improvements in Condition 22 above, should improvements to Brookshire Lake Boulevard between Daniels Parkway and Southwell Drive be required as identified in the traffic impact statement, the improvements will be made as part of the first local development order (or incrementally in conjunction with an approved phasing plan) and will be considered site-related and not eligible for Road Impact Fee Credits.

24. **Buildings facing Six Mile Cypress Slough Preserve:** Prior to local development order approval, development plans for buildings on Parcels C, F and G must be reviewed by ES staff for the utilization of window treatment to reduce or break up window panel reflection to decrease the potential of bird strikes. Examples of acceptable window treatment may include the use of non-reflective tinting, ultraviolet reflective decals, exterior sun shades or similar treatments. This condition is applicable to the window panels and doors on the eastern building facades facing the Six Mile Cypress Slough Preserve on Parcels C, F and G.

25. **Buffer along Ben C. Pratt/Six Mile Cypress Parkway:** Prior to local development order approval and subject to LDC §10-421(a)(7), the landscape plans for the Type "D" buffer required along Ben C. Pratt/Six Mile Cypress Parkway must include 10 trees per 100 linear feet with trees that are a minimum of 14 feet in height and a minimum 3-inch caliper DBH and a double hedge row with shrubs that are a minimum of 24 inches at the time of planting. (See Cross-section 5 on Sheet 2 of the approved MCP.)

26. **Buffer along South Property Line:** The application for the first local development order must include a Type "D" buffer on the 200-foot scenic (lake) easement property (Tract L) located south of and adjacent to the subject property in accordance with the shared landscape and maintenance agreement between the applicant and the Brookshire Village Homeowners Association. Tree and shrub plantings may be clustered within the buffer to maintain consistency with the existing landscaping on Tract L and to provide for site views within the project.

SECTION C. DEVIATIONS:

1. **Buffer and Wall along portion of north property line:** Deviation 1 seeks relief from the LDC Section 10-416(d)(6) requirement to provide a solid wall or combination berm and solid wall not less than 8 feet in height to be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of 5 trees and 18 shrubs per 100 linear feet if roads, drives or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, to allow a solid wall or combination berm and solid wall not less than 8 feet in height to be constructed not less than 17.5 feet from the abutting property and landscaped (between the wall and the abutting property) with a hedge planted in double staggered rows maintained at 60 inches and 10 trees per 100 linear feet. This deviation is **APPROVED, SUBJECT TO** the following condition:

   Prior to local development order approval, the landscape plans for buffer Cross-section 2 on Sheet 2 of the approved MCP (for the area located along the western portion of the north property adjacent to the single-family residences) must depict 5 trees per 100 linear feet and a hedge planted in double staggered rows to be planted within a minimum 7.5-foot wide plantable area on the residential side of the wall and an additional 5 trees per 100 linear feet planted within a minimum 5-foot wide plantable area on the development side of the wall. The remainder of the north property line running east, except as provided in Deviation 3, requires a 15-foot wide Type "C" buffer (See Cross-section 3 on Sheet 2 of the approved MCP.)

2. **Intersection Separation:** Deviation 2 seek relief from the LDC §10-285(a) requirement to provide a minimum connection separation of 330 feet for minor collector roads (Brookshire Lakes Boulevard), to allow a connection separation of approximately 298 feet between the project access and Southwell Drive. This deviation is **APPROVED**.

3. **Buffer along eastern portion of north property line:** Deviation 3 seeks relief from the LDC §10-416(d)(3) requirement to provide a Type "C" buffer between the proposed street access point and existing multi-family residential uses at the northeastern corner of the property, to allow for no buffer. This deviation is **APPROVED** for the location depicted on the approved MCP.

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 (MCP)
Exhibit D: Architectural renderings
Exhibit E: Intersection Improvements
Exhibit F: Parking Lot Lighting on Parcels C, F and G

The applicant has indicated that the STRAP number for the subject property is: 19-45-25-01-00000.0K00

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;

   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;

   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;

   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 Tamara Hall made a motion to adopt the foregoing resolution, seconded by Brian Bigelow. The vote was as follows:

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

DULY PASSED AND ADOPTED this 21st day of April, 2009.

ATTEST:
CHARLIE GREEN, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: R. Judah
Ray Judah, Chair

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

Approved as to form by:

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

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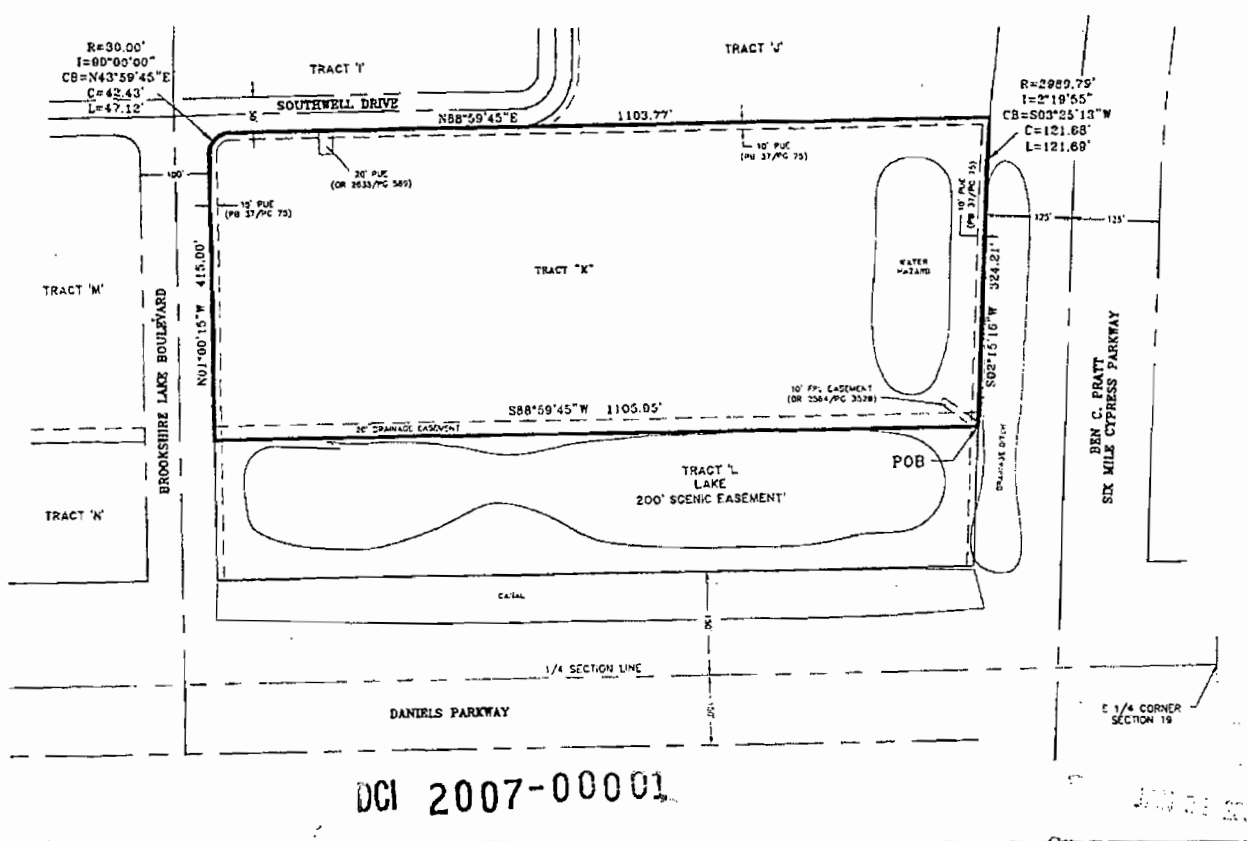
LEGAL DESCRIPTION

A PARCEL OF LAND KNOWN AS TRACT "K", BROOKSHIRE VILLAGE, UNIT 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 37, PAGES 75 THROUGH 82, INCLUSIVE, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

RECEIVED
JAN 05 2006
COMMUNITY DEVELOPMENT

Applicant's Legal Checked
by CS 1/10/07

DCI 2007-00001



NOTES:
1. BEARINGS SHOWN HEREON ARE BASED ON THE WESTERLY RIGHT-OF-WAY LINE OF BEN C. PRATT/SIX MILE CYPRESS PARKWAY AS BEARING S 02°15'16" W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. PARCEL CONTAINS 11.43 ACRES MORE OR LESS.

THIS IS NOT A SURVEY

ROY L. MCCREA (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6205

DATE SIGNED: 8/23/06

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

DCI 2007-00001

Applicant's Legal Checked by CSJ 11/6/07

COMMUNITY DEVELOPMENT

TRACT "K", BROOKSHIRE VILLAGE UNIT ONE
PLAT BOOK 37, PAGES 75 - 82, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA
SECTION 19, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3551
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION
TRACT "K", BROOKSHIRE VILLAGE UNIT ONE

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUGUST 2006	20066460	19-45-25	1"=200'	1 OF 2

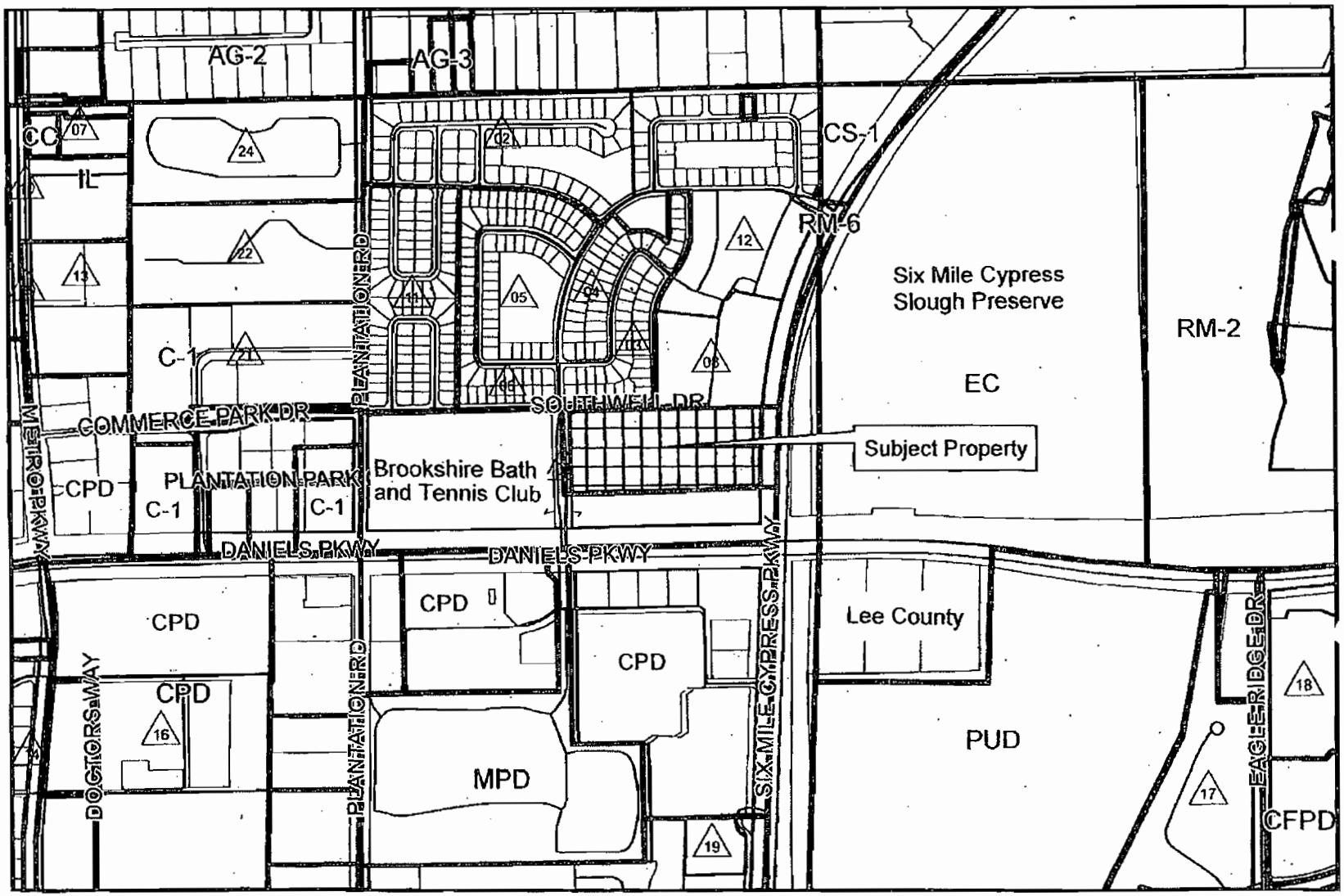
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Lakeside at Brookshire
Exhibit "A"
Legal Description
Page 2 of 2

DCI2007-00001

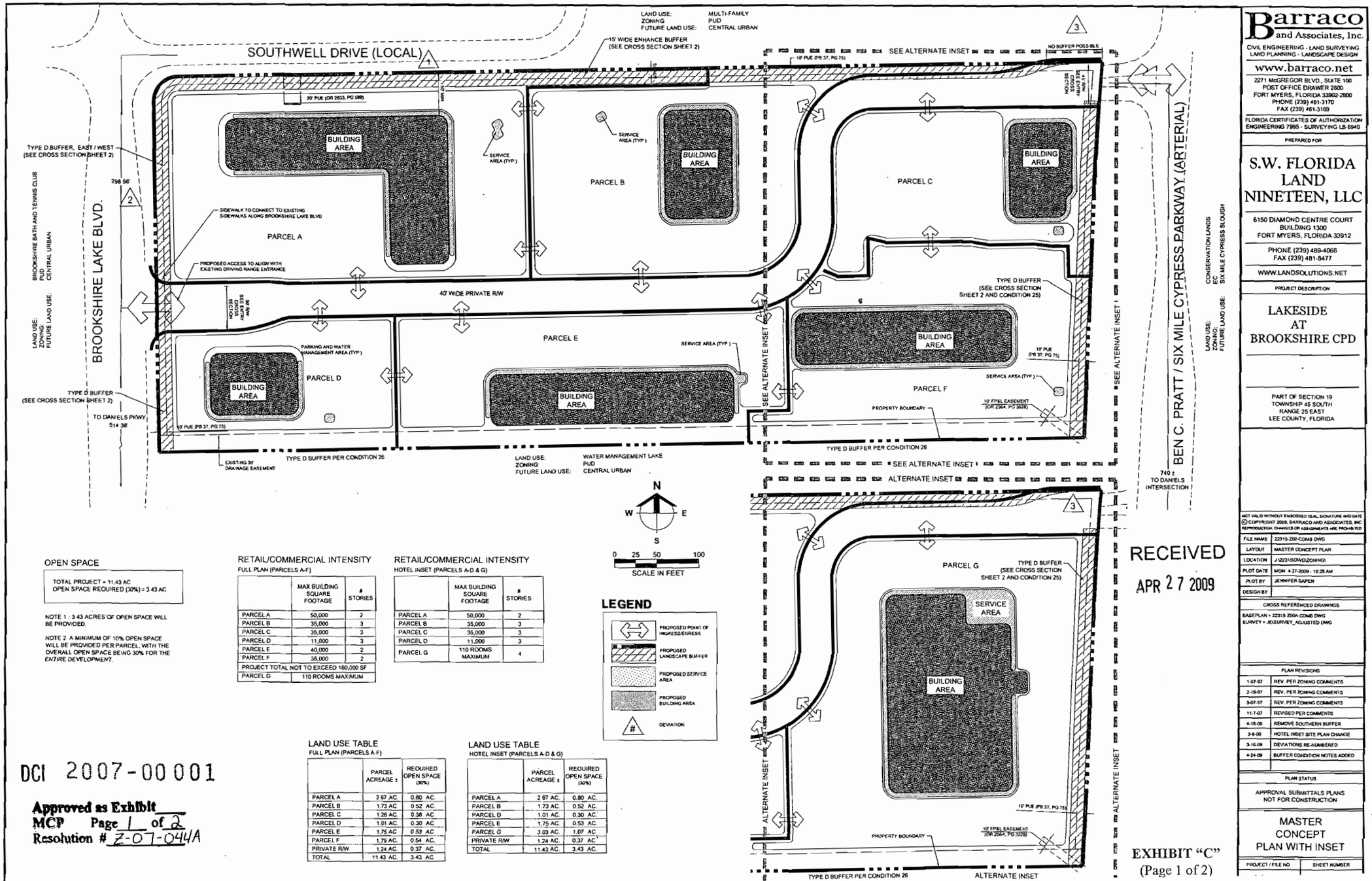
Zoning Map

7/10/2007



Lakeside at Brookshire
Exhibit "B"
Zoning Map
Page 1 of 1

1,100 550 0 1,100 2,200 Feet



OPEN SPACE

TOTAL PROJECT = 11.43 AC
OPEN SPACE REQUIRED (30%) = 3.43 AC

NOTE 1: 3.43 ACRES OF OPEN SPACE WILL BE PROVIDED.

NOTE 2: A MINIMUM OF 10% OPEN SPACE WILL BE PROVIDED PER PARCEL, WITH THE OVERALL OPEN SPACE BEING 30% FOR THE *ENTIRE DEVELOPMENT*.

RETAIL/COMMERCIAL INTENSITY

FULL PLAN (PARCELS A-F)

	MAX BUILDING SQUARE FOOTAGE	# STORIES
PARCEL A	50,000	2
PARCEL B	35,000	3
PARCEL C	35,000	3
PARCEL D	11,000	3
PARCEL E	40,000	2
PARCEL F	35,000	2
PROJECT TOTAL NOT TO EXCEED 160,000 SF		
PARCEL G	110 ROOMS MAXIMUM	

RETAIL/COMMERCIAL INTENSITY

HOTEL INSET (PARCELS A-D & G)

	MAX BUILDING SQUARE FOOTAGE	# STORIES
PARCEL A	50,000	2
PARCEL B	35,000	3
PARCEL C	35,000	3
PARCEL D	11,000	3
PARCEL G	110 ROOMS MAXIMUM	4

LEGEND

- PROPOSED POINT OF INGRESS/EGRESS
- PROPOSED LANDSCAPE BUFFER
- PROPOSED SERVICE AREA
- PROPOSED BUILDING AREA
- # DEVIATION

LAND USE TABLE

FULL PLAN (PARCELS A-F)

	PARCEL ACREAGE ±	REQUIRED OPEN SPACE (30%)
PARCEL A	2.67 AC.	0.80 AC.
PARCEL B	1.73 AC.	0.52 AC.
PARCEL C	1.26 AC.	0.38 AC.
PARCEL D	1.01 AC.	0.30 AC.
PARCEL E	1.75 AC.	0.53 AC.
PARCEL F	1.79 AC.	0.54 AC.
PRIVATE R/W	1.24 AC.	0.37 AC.
TOTAL	11.43 AC.	3.43 AC.

LAND USE TABLE

HOTEL INSET (PARCELS A-D & G)

	PARCEL ACREAGE ±	REQUIRED OPEN SPACE (30%)
PARCEL A	2.67 AC.	0.80 AC.
PARCEL B	1.73 AC.	0.52 AC.
PARCEL D	1.01 AC.	0.30 AC.
PARCEL E	1.75 AC.	0.53 AC.
PARCEL G	3.03 AC.	1.07 AC.
PRIVATE R/W	1.24 AC.	0.37 AC.
TOTAL	11.43 AC.	3.43 AC.

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MCP Page 1 of 2
Resolution # Z-07-044A

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EXHIBIT "C"
(Page 1 of 2)

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
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FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB 6940

PREPARED FOR

S.W. FLORIDA LAND NINETEEN, LLC

6150 DIAMOND CENTRE COURT
BUILDING 1300
FORT MYERS, FLORIDA 33912

PHONE (239) 489-4066
FAX (239) 481-8477

WWW.LANDSOLUTIONS.NET

PROJECT DESCRIPTION

LAKESIDE AT BROOKSHIRE CPD

PART OF SECTION 19
TOWNSHIP 45 SOUTH
RANGE 25 EAST
LEE COUNTY, FLORIDA

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FILE NAME	22315-202-COMB.DWG
LAYOUT	MASTER CONCEPT PLAN
LOCATION	J:\22315\DWG\ZONING\
PLOT DATE	MON 4-27-2009 - 10:25 AM
PLOT BY	JENNIFER SAPEN
DESIGN BY	

CROSS REFERENCED DRAWINGS

BASEPLAN = 22315 ZONA-COMB.DWG
SURVEY = JEISURVEY_ADJUSTED.DWG

PLAN REVISIONS

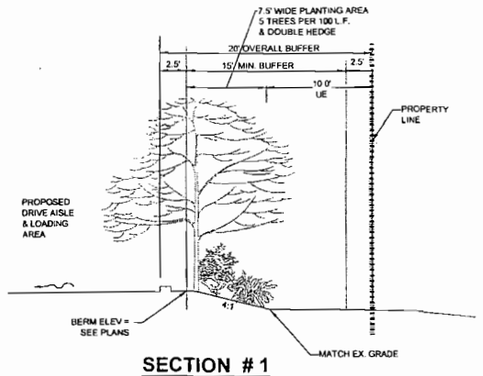
1-07-07	REV. PER ZONING COMMENTS
2-19-07	REV. PER ZONING COMMENTS
5-07-07	REV. PER ZONING COMMENTS
11-7-07	REVISED PER COMMENTS
4-16-08	REMOVE SOUTHERN BUFFER
3-6-09	HOTEL INSET SITE PLAN CHANGE
3-16-09	DEVIATIONS RE-NUMBERED
4-24-09	BUFFER CONDITION NOTES ADDED

PLAN STATUS

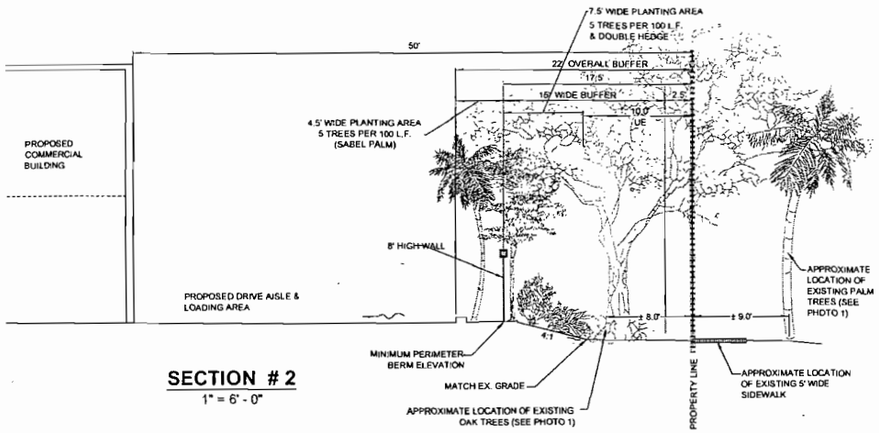
APPROVAL SUBMITTALS PLANS
NOT FOR CONSTRUCTION

MASTER CONCEPT PLAN WITH INSET

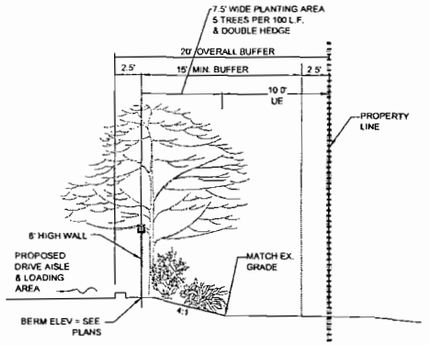
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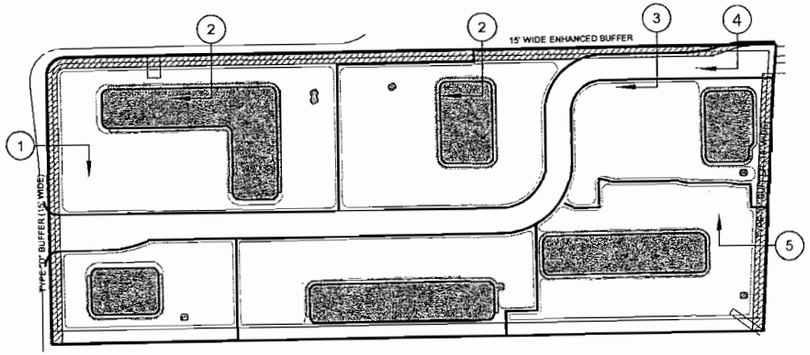
SECTION # 1
1" = 6' - 0"



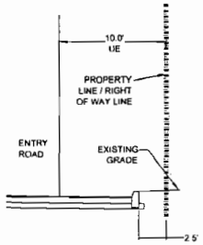
SECTION # 2
1" = 6' - 0"



SECTION # 3
1" = 6' - 0"



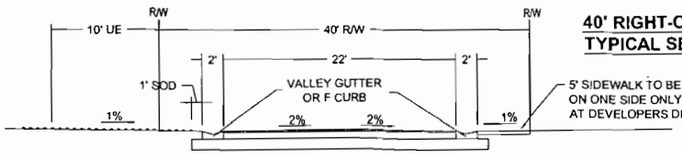
SITE PLAN



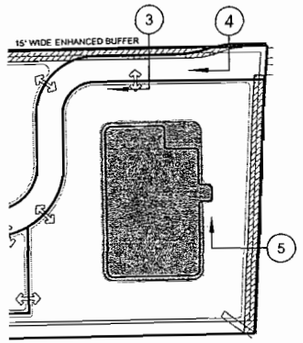
SECTION # 4
1" = 6' - 0"

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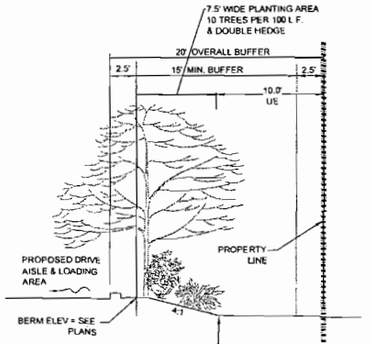
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40' RIGHT-OF-WAY TYPICAL SECTION

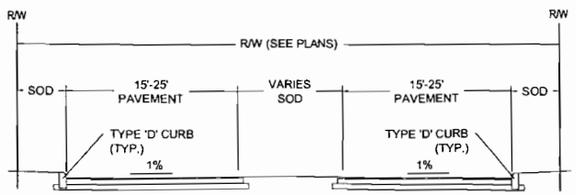


SITE PLAN (HOTEL INSET)



SECTION # 5
1" = 6' - 0"

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Resolution # Z-07-044A



TYPICAL ENTRY ROAD CROSS SECTION

EXHIBIT "C"
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PREPARED FOR

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WWW.LANDSOLUTIONS.NET

PROJECT DESCRIPTION

LAKESIDE AT BROOKSHIRE CPD

PART OF SECTION 19
TOWNSHIP 45 SOUTH
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LEE COUNTY, FLORIDA

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FILE NAME	22315-Z06.DWG
LAYOUT	LAYOUT1
LOCATION	J:\22315\DWG\ZONING\
PLOT DATE	MON, 4-27-2009 - 10:32 AM
PLOT BY	JENNIFER BAPEN
DESIGN BY	

CROSS REFERENCED DRAWINGS

BASEPLAN = 22315-ZOSA-COMB.DWG
SURVEY = JBSURVEY_ADJUSTED DWG

PLAN REVISIONS

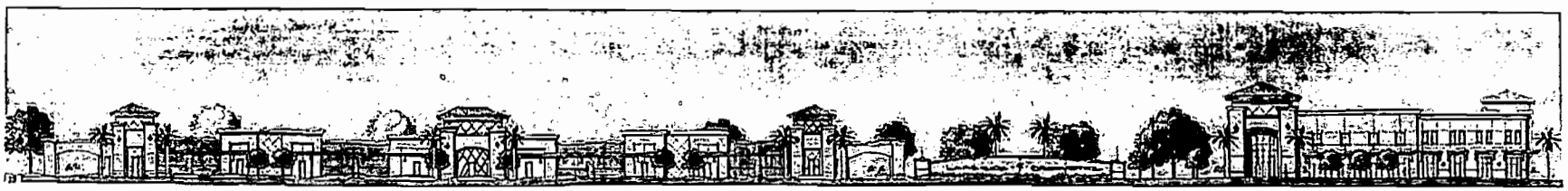
3-25-09	SECTION 8 ADDED
4-16-09	REMOVE SOUTHERN BUFFER
3-6-09	HOTEL INSET SITE PLAN CHANGE
3-18-09	DEVIATIONS RE-NUMBERED

PLAN STATUS

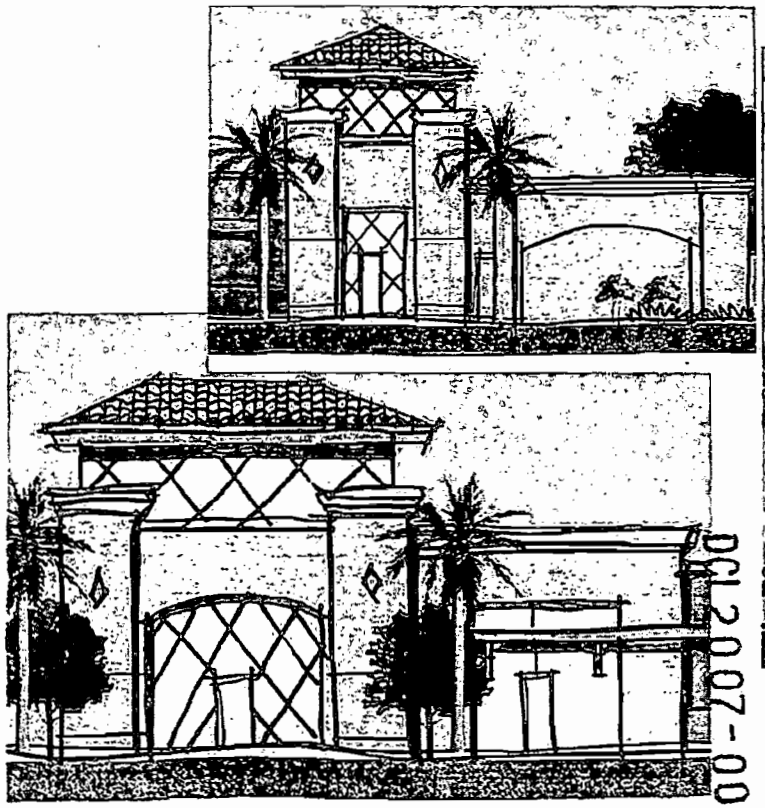
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CROSS SECTIONS

PROJECT / FILE NO	SHEET NUMBER
22315	2



View from Daniels Parkway





Lakeside at Brookshire

Land Solutions

SCHENKELSHULTZ
ARCHITECTURE

6.13.06

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Lakeside at Brookshire
Exhibit "D"
Architectural Renderings
Page 1 of 1



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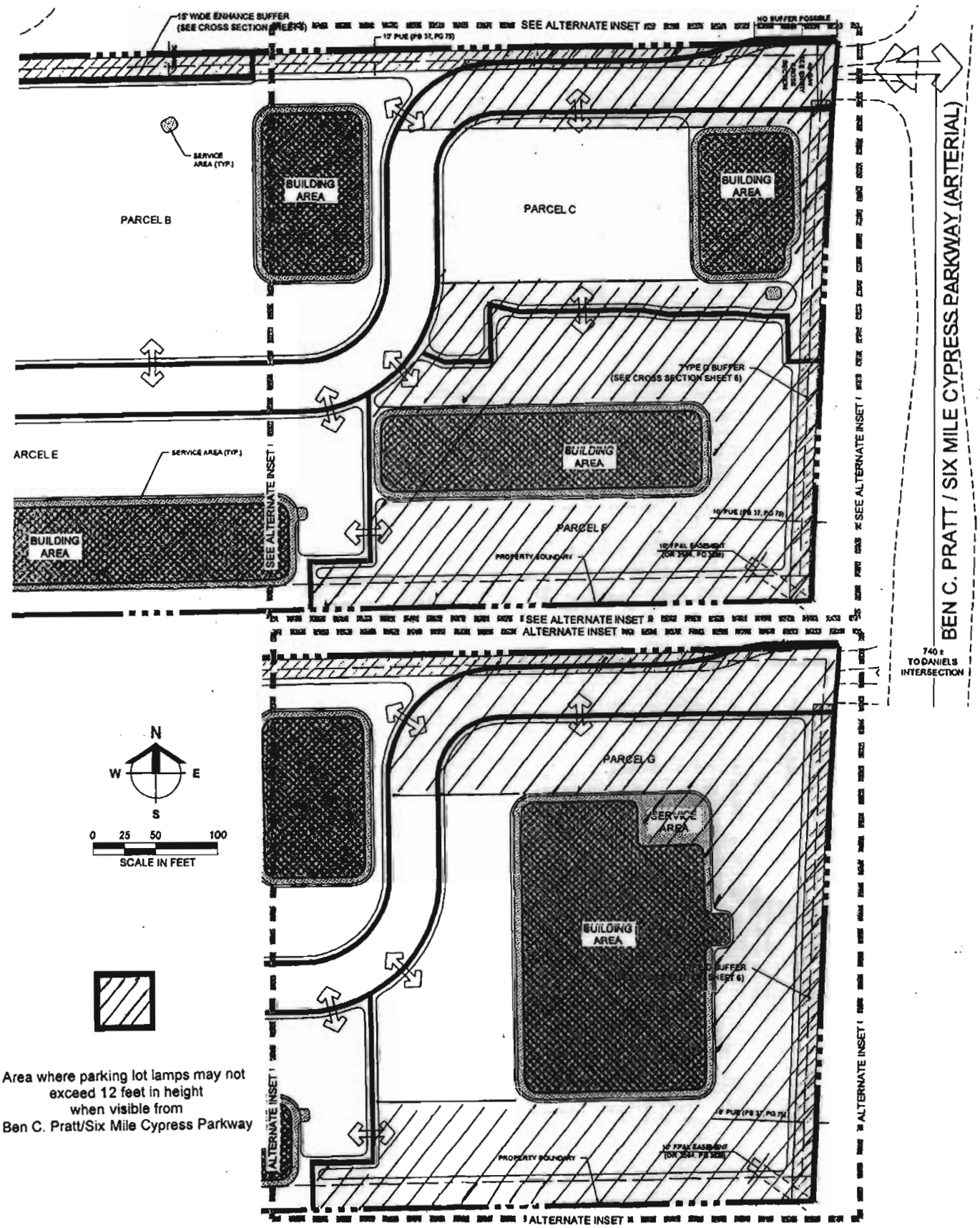
TR TRANSPORTATION CONSULTANTS, INC.

INTERSECTION IMPROVEMENTS
LAKESIDE AT BROOKSHIRE

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Lakeside at Brookshire
Exhibit "E"
Intersection Improvements
Page 1 of 1

Figure 1



Lakeside at Brookshire

Exhibit "F"

Parking Lot Lighting on Parcels C, F and G