

January 19, 2011

ADD 2010-00093

Mr. Chip Block  
Division of Zoning  
Lee County Department of Community Development  
1500 Monroe Street  
Ft. Myers, Florida 33901

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**RE: Coconut Point – Area 3 – Pelican Colony Blvd**  
**HM Project No. 2010.070**  
**ADD2010-00093**

*DL*  
**COMMUNITY DEVELOPMENT**

Dear Mr. Block:

This letter is in response to your correspondence of December 7, 2010 for the above referenced project. The following are responses to your comments.

*LC Administrative Action Supplement H Application-PD Amendment/Final Plan Approval Checklist (Ord. 09/23)*

- 7) *Deviations-Narrative/Schedule. If deviations are requested a written narrative statement explaining the specific relief requested (a schedule of deviations) must be provided. {See Supplement H Form Item #2-B}*
- 7c) *Deviations-Drawings. Drawings detailing any proposed deviations or changes to the MASTER CONCEPT PLAN (MCP) must be provided in 24"x36" size. All deviation requests must be specifically keyed to the location on the MCP. {See Supplement H Form Item #2-B}*

*In review of the submittal, I see that the sign is planned to be placed over a 24 inch RCP drainage pipe. However, the description of the request says that it is in the vicinity of the drainage pipe. How is this drainage pipe to be maintained, repaired or replaced, with the proposed sign constructed over it?*

**COMMENT:** Please note that the sign construction includes two vertical inner steel supports that are located at the ends of the sign that will connect to below grade foundations. These supports, in effect, will straddle the culvert pipe. The sign will not actually rest on the ground in the vicinity of the culvert. Therefore the pipe may be accessed without having to remove the sign. In addition, the culvert pipe is constructed of reinforced concrete pipe with a life expectancy of more than 50 years. The only anticipated maintenance will be to clean the inside of the pipe which can be accomplished without having to remove either the pipe or the sign. The Coconut Point South Village Association will ultimately own the sign as well as the pipe and as such would be in control of both should their need to be maintenance performed to either.

*The submitted drawings also show other medium scale monument signs north of this site on US 41, Coconut Road, and via Coconut Point. Is the applicant asking for these signs also, or are*



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*they showing existing signs already permitted? If existing, then please distinguish these from the sign being requested in this application.*

**COMMENT:** The sign location plan was originally approved through ADD2004-00060 and shows signage at several locations throughout Coconut Point. The only change that is requested as part of this submittal is to allow the two project identification signs, denoted as (4) on the plan, at the intersection of Pelican Colony Boulevard and US 41. The other signs were previously shown and are requested to remain on the plan regardless of whether they are existing or not. Please see the revised Sign Location Plan. The proposed signage modification request has been highlighted.

- 10) *Estero Planning Community. The applicant may be required to conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. [33-54]*

*In review of the submitted materials, staff is not able to find the information required by this Section. Please advise where this may be found in the application or please hold the required public informational meeting and provide the Minutes from that meeting.*

**COMMENT:** Please note that as part of the Coconut Point DRI and as incorporated into the zoning via ADD2004-00060, projects within Coconut Point do not require the public informational meeting. Coconut Point has a Design Review Authority that is charged with review of these projects for conformance with the approved Design Review Guidelines. A copy of the DRA approval letter was submitted as part of the package. The Coconut Point DRA presented the project at a public meeting held in Estero utilizing the Estero Design Review Committee as an update to the Coconut Point project. Please find attached the agenda for the November EDRC meeting. Meeting minutes for this meeting are attached.

- 11) *Miscellaneous items.*

*Please advise where the description of a "medium scale monument sign" may be found.*

**COMMENT:** The term "medium scale monument sign" was referenced as part of the Coconut Point Design Review Guidelines which were approved as part of the ADD2004-00060. A copy of the Coconut Point Design Review guidelines describing the signs is attached for your use.

*LC Administrative Action Application Checklist (Ord. 09-23)*

- 4) *Applicant's Name-Authorized Agent: The applicant's name must be provided. This is the person to whom all County correspondence will be directed. This is the person who signs the*



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*Applicant's "Statement Under Oath". (See PART 1, Affidavit Form A1 or A2) & Item #3 below. [34-202(a)(1); 34-202(b)(1)c.]*

*The applicant's name found on Page 1 pg 9 of the Application for Administrative Action is not the same as found on page 2 of 9 of the Application. Also, the name on Page 1 of 4 of Supplement H does not match that found on Page 1 of 9 of the Application for Administrative Amendment. Please review the submitted documents and revise them as needed so that the names are the same.*

**COMMENT: The applicant is Bonita Springs – Falls Creek Development LLC. The documents have been revised to reflect the applicant.**

- 4a) *Applicant's Statement. The applicant must sign a statement under oath that he is the owner or authorized representative of the owner of the property and has full authority to secure the approval requested and to impose covenants and restrictions on the property as a result of the action approved by the County.*

*Since the applicant's name is in question, please make sure that the authorization to have filed this has been filled out by the owner or authorized representative. If changes are necessary, please reexecute the authorization and have the appropriate party sign the document.*

**COMMENT: The authorization was completed by the President of Bonita Springs – Falls Creek Development LLC. No changes are necessary.**

- 4e) *Application Signed by a Corporation, Etc/ If the application is signed by a Corporation, Limited Liability Company (LLC), Limited Company (LC), Partnership, Limited Partnership, or Trustee a sworn statement in a form similar to Affidavit A2 must be submitted {see LC Administrative Action Application Form Part 1.B and Affidavit Form A2, Exhibit AA-1.B.2}. [34-202(b)(1)b.]*

*In review of the submitted Affidavit for Bonita Springs – Falls Creek Development LLC, staff finds that the Corporation is inactive according to the Florida Department of State, Division of Corporations. Before staff can proceed with the review of the application, the Corporation will have to be re-activated. Please note the old records for this corporation did not list Mr. Alan Berger as President. Please make sure that Mr. Berger is authorized to have executed and signed this document on behalf of the Corporation.*

**COMMENT: Please find attached documents for the reinstatement of the corporation and that show Alan Berger as the Manager.**

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- 15) *Planning Community. The planning Community in which the property is located must be identified. If the proposed development is for Planned Development Zoning action located within the Estero Planning Community, a meeting may be required with the community. [33-54]*

*In accordance with LDC Section 33-54(a) and since the property is within the Estero Planning Community, the applicant must conduct one public informational meeting prior to determining the application is sufficient. A review of the file does not show that this meeting has been held. Please hold this meeting and submit the Minutes from that meeting.*

**COMMENT: Please note that as part of the Coconut Point DRI and as incorporated into the zoning via ADD2004-00060, projects within Coconut Point do not require the public informational meeting. Coconut Point has a Design Review Authority that is charged with review of these projects for conformance with the approved Design Review Guidelines. A copy of the DRA approval letter was submitted as part of the package. In addition, the DRA presented the project to the EDRC at their November meeting as mentioned and detailed above. Please see the attached meeting minutes**

- 16) *Miscellaneous items.*

*Environmental Sciences staff asks, "Where will the bismark palm be relocated to as indicated on the provided landscape plan?"*

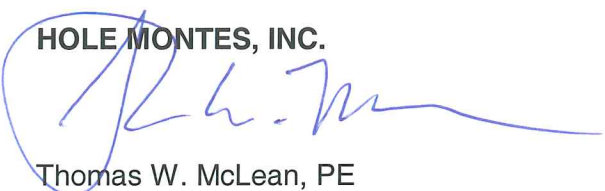
**COMMENT: The Bismarck Palm will be relocated within the median of Pelican Colony Boulevard approximately 600 LF east of the sign location. Please note the Pelican Colony Boulevard median plantings are not code required plantings for Coconut Point – Area 3.**

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If you need further information, please do not hesitate to contact me at 239/985-1200.

Very truly yours,

HOLE MONTES, INC.

  
Thomas W. McLean, PE  
Vice President

TM/hck  
Attachments

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## APPLICATION FOR ADMINISTRATIVE ACTION FOR UNINCORPORATED AREAS ONLY

**Applicant's Name:** Bonita Springs-Falls Creek Development LLC

**Project Name:** Coconut Point - Area 3/Pelican Colony Boulevard

**STRAP Number(s):** 09-47-25-37-000R1.00CE

### TYPE OF ADMINISTRATIVE APPLICATION:

- ☐ Administrative Variance (attach Supplement A)
- ☐ Commercial Lot Split (attach Supplement B)
- ☐ Consumption On Premises (attach Supplement C)
- ☐ Minimum Use Determination (attach Supplement D)
- ☐ LCLDC, Zoning District Boundaries, or Ordinance Interpretation (attach Supplement E)
- ☐ Relief for Designated Historic Resources (attach Supplement F)
- ☐ Relief for Easement Encroachment (attach Supplement G)
- ☒ Administrative Amendment to PUD or PD (attach Supplement H)
- ☐ Final Plan Approval for PD per Resolution: # \_\_\_\_\_ (attach Supplement H)
- ☐ Administrative Deviation from LCLDC Chapter 10, Section 10-104 (attach Supplement I)
- ☐ Placement of Model Home/Unit or Model Display Center (attach Supplement J)
- ☐ Dock & Shoreline Structures (attach Supplement K)
- ☐ Wireless Communication Facility Shared Use Plan Agreement (attach Supplement M)
- ☐ Community Gardens (attach Supplement N)
- ☐ Modification of Existing 86-36 MH/RV Park Site Plan (attach Supplement O)

Is this project located in the Estero Planning Community? ☒ YES ☐ NO

\*If YES, please note that the applicant may be required to conduct one public informational session where the agent will provide a general overview of the project for any interested citizens.

\*\*\*\*\*  
**STAFF USE ONLY**

Case Number: \_\_\_\_\_ Commission District: \_\_\_\_\_  
Current Zoning: \_\_\_\_\_ Fee Amount: ADD 2010-00093  
Land Use Classification: \_\_\_\_\_ Intake by: \_\_\_\_\_  
Planning Community: \_\_\_\_\_

\*\*\*\*\*  
LEE COUNTY  
COMMUNITY DEVELOPMENT  
P.O. BOX 398 (1500 MONROE STREET)  
FORT MYERS, FLORIDA 33902  
PHONE (239) 533-8585

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**PART 1  
APPLICANT/AGENT INFORMATION**

**A. Name of applicant:** Bonita Springs-Falls Creek Development LLC  
Street Address: 24100 Chagrin Blvd, Suite 330  
City, State, Zip: Beachwood, OH 44122  
Phone Number: (216) 464-2709 Fax Number: (216) 408-3868  
E-mail address: lberger@doppco.com

**B. Relationship of Applicant to owner (check one):**

       Applicant (including an individual or husband & wife) is the sole owner of the property. [34-201(a)(1)a.1.]

       **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2.**  
(See Part 1 Exhibit Form A1 attached hereto for suggested Affidavit Form for an individual.) [34-202(b)(1)c.]

  x   Applicant has been authorized by the owner(s) to represent them for this action.

       **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2.**  
(Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.) [34-202(b)(1)c.]

       Applicant is a contract purchaser/vendee. [34-202(b)(1)d.]

       **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2.**  
[34-202(b)(1)c.] (Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.)

**C. Authorized Agent: Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]**

**C.1.** Company Name: Hole Montes, Inc.  
Contact Person: Thomas W. McLean, P.E.  
Street Address: 6200 Whiskey Creek Drive  
City, State, Zip: Fort Myers, Florida 33919  
Phone Number: 239-985-1203 Fax Number: 239-985-1259  
E-mail address: tommclean@hmeng.com

**C.2.** N/A **Additional Agent(s): The names of other agents that the County may contact concerning this application are attached as Exhibit AA-1.C.2. [34-202(b)(1)c.]**

**PART 2  
PROPERTY OWNERSHIP**

Is this request specific to a particular tract of land?        NO   x   YES. If the answer is YES, please complete the following items.



**A. Property Ownership: Single owner (individual or husband & wife only) [34-201(a)(1)a.1.]**

**A.1. Name:** \_\_\_\_\_

Mailing Address: Street: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

**B. Property Ownership: Multiple owners (Corporation, partnership, trust, association) [34-201(a)(1)].**

**B.1.** ☒ Disclosure of (Ownership) Interests Form is attached as Exhibit AA-2.B.1. [34-201(b)2]

**C. Multiple parcels**

**C.1.** \_\_\_\_\_ Property owners list is attached as Exhibit AA-2.C.1. [34-202(a)(5)]

**C.2.** \_\_\_\_\_ Property owners map is attached as Exhibit AA-2.C.2. [34-202(a)(5)]

**D.** Date property was acquired by present owner(s): August 12, 2008

**PART 3  
PROPERTY INFORMATION**

Is this request specific to a particular tract of land? \_\_\_\_\_ NO ☒ YES. If the answer is YES, please complete the following items.

**A. STRAP Number(s):** 09-47-25-37-000R1.00CE

**B. Street Address of Property:** Pelican Colony Boulevard - Right of Way

**C. Legal Description**

☒ Legal description (on 8 1/2" by 11" paper) is attached as Exhibit AA-3.C.1. [34-202(a)(1)]

\_\_\_\_\_ Sealed sketch of the legal description is attached as Exhibit AA-3.C.2. [34-202(a)(1)]

\_\_\_\_\_ Electronic version of the legal description is attached as Exhibit AA-3.C.3.

**D. Boundary Survey**

\_\_\_\_\_ A Boundary survey, tied to the state plane coordinate system, is attached as Exhibit AA-3.D.1. [34-202(a)(2)]

☒ The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as Exhibit AA-3.D.2. [34-202(a)(2)]

**E. Planning Community:** Estero

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**F. General Location of Property:**

F.1. ☒ Area location map is attached as **Exhibit AA-3.F.** [34-202(a)(4)]

**F.2. Directions to property:**

Take US 41 south past Coconut Road. Turn left onto Pelican Colony Boulevard into Coconut Point.

**G. Current Zoning of Property:**

MPD

**H. Current use(s) of the property are:**

Right of Way

**I. Property Dimensions [34-202(a)(8)]:**

1. Width (average if irregular parcel):	106 (avg)	Feet
2. Depth (average if irregular parcel):	1394 (avg)	Feet
3. Total area:	3.39 ac	Acres or square feet
4. Frontage on road or street:	106	Feet on US 41 Street
2 <sup>nd</sup> Frontage on road or street:	102	Feet on Via Coconut Pt Street

**PART 4  
ACTION REQUESTED**

**A. TYPE OF REQUEST (please check one)**

- ☐ Administrative Variance (requires supplement A)
- ☐ Commercial Lot Split (requires supplement B)
- ☐ Consumption On Premises (requires supplement C)
- ☐ Minimum Use Determination (requires supplement D)
- ☐ LCLDC, Zoning District Boundaries, or Ordinance Interpretation (requires supplement E)
- ☐ Relief for Designated Historic Resources (requires supplement F)
- ☐ Easement Encroachment (requires supplement G)
- ☒ Administrative Amendment to a PUD or Planned Development (requires supplement H)
- ☐ Final Plan Approval for a Planned Development (requires supplement H)
- ☐ Administrative Deviation from Chapter 10 of the LDC (requires supplement I)
- ☐ Placement of Model Home/Unit or Model Display Center (requires supplement J)
- ☐ Dock & Shoreline Structure (requires supplement K)
- ☐ Wireless Communication Facility Shared Use Plan Agreement (requires supplement M)
- ☐ Community Gardens (requires supplement N)
- ☐ Modification of Existing 86-36 MH/RV Park Site Plan (requires supplement O)

**B. NATURE OF REQUEST (please print):**

Request is for amendment to the unified signage plan for Coconut Point as approved through ADD2004-00060 to add project identity signs on each side of the Pelican Colony Blvd ROW and to allow for a reduced ROW setback for a medium scale monument sign within the Pelican Colony Blvd median at US 41.

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**PART 5  
SUBMITTAL REQUIREMENTS**

THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. PLEASE NOTE THAT THE THREE (3) SETS OF REQUIRED SUBMITTAL AND SUPPLEMENTAL FORMS MUST BE SUBMITTED IN SETS OF THREE. ADDITIONAL SUBMITTAL ITEMS (listed below) SHOULD BE SUBMITTED AS A GROUP WITH THE APPROPRIATE NUMBER OF COPIES PROVIDED AS NOTED BELOW.

Copies Required*	Exhibit Number	SUBMITTAL ITEMS
3		Completed application for Administrative Action
1		Filing Fee - [34-202(a)(9)]
Copies Required*	SUP Number	SUPPLEMENTAL FORMS (select applicable request/form)
3	SUP A	Administrative Variance request
3	SUP B	Commercial Lot Split request
3	SUP C	Consumption On Premises request
3	SUP D	Minimum Use Determination request
3	SUP E	Ordinance Interpretation request
3	SUP F	Relief for Designated Historic Resources request
3	SUP G	Easement Encroachment request
3	SUP H	Administrative Amendment to a PUD or Planned Development request
3	SUP H	Final Plan Approval for a Planned Development request
3	SUP I	Administrative Deviation from Chapter 10 of the LDC request
3	SUP J	Placement of Model Home/Unit or Model Display Center request
3	SUP K	Dock & Shoreline Structure request
3	SUP M	Wireless Communication Facility Shared Use Plan Agreement request
3	SUP N	Community Gardens request
Copies Required*	Exhibit Number	ADDITIONAL SUBMITTAL ITEMS
3	AA-1.B.2	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
3	AA-1.C.2	Additional Agents [34-202(b)(1)c.]
3	AA-2.B.1	Disclosure of Interest Form [34-201(b)(2)a]
3	AA-2.C.1	Subject property owners list (if applicable) [34-202(a)(5)]
3	AA-2.C.2	Subject Property Owners map (if applicable) [34-202(a)(5)]
3	AA-3.A.1	List of STRAP Numbers (if additional sheet is required) [34-202(a)(1)]
3	AA-3.C.1	Legal Description <b>(2 originals required)</b> [34-202(a)(1)]
3	AA-3.C.2	Sealed Sketch of the Legal Description <b>(2 originals required)</b> [34-202(a)(1)]
1	AA-3.C.2	Electronic version of legal description (if available)
3	AA-3.D.1	Boundary Survey (tied to State Plane Coordinate System) [34-202(a)(2)] {NOTE: This is a required submittal for all Planned Development Applications and for all properties of 10 acres or more <b>(2 originals required)</b> [34-373(a)(4)a.]}
3	AA-3.D.2	Copy of Plat Book Page (if applicable) [34-202(a)(1)]
3	AA-3.F	Area Location Map on 8-1/2" by 11" paper pursuant to LCLDC Section 34-202(a)(4).

\* At least one copy must be an original.



# ADMINISTRATIVE ACTION REQUEST SUPPLEMENT H FOR UNINCORPORATED AREAS ONLY

## ADMINISTRATIVE AMENDMENT TO A PUD OR PLANNED DEVELOPMENT PER LCLDC SECTION 34- 380(b) or FINAL PLAN APPROVAL FOR A PLANNED DEVELOPMENT

Case Number: \_\_\_\_\_

Project Name: Coconut Point - Area 3/Pelican Colony Boulevard

Applicant's Name: Bonita Springs - Falls Creek Development LLC

STRAP Number(s): 09-47-25-37-000R1.00CE

Indicate whether REQUEST is for:

  x   **ADMINISTRATIVE AMENDMENT** (please complete PART 1, PART 2., & PART 3.)

       **FINAL PLAN APPROVAL** (please complete PART 1, PART 2, & PART 4.)

\*Planning District: Estero

*\*If located within the Estero Planning Community and the request includes administrative deviations amending the Master Concept Plan or other provisions of the applicable zoning resolution, please provide meeting summary document (see PART 2.C.). See LCLDC Section 33-54(a)(2).*

**If the request is for an administrative amendment to a PUD or to a Planned Development or Final Plan Approval please submit the "Application for Administrative Action" form for unincorporated areas and Supplement H including the following:**

\*\*\*\*\*

### PART 1. APPLICATION INFORMATION

A. **ORIGINAL PROJECT NAME** (if different than Project Name currently used):

Coconut Point - Area 3/Pelican Colony Boulevard

B. **ORIGINAL REZONING RESOLUTION NUMBER:** Z-02-009

C. **SUBSEQUENT ZONING ACTION RESOLUTION/CASE NUMBERS** (if any): Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to the original rezoning including Resolution Numbers and Case Numbers (provide added sheets, if necessary; label as Exhibit H-1.C.).

ADD2004-00060, ADD2004-00187 Z-07-040

ADD2006-00024, ADD2006-00229 ADD 2010-00093

ADD2007-00028, ADD2007-00207 \_\_\_\_\_

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- D. **DEVELOPMENT ORDER NUMBERS FOR PROJECT** (if any): Please list all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary; label as **Exhibit H-1.D.**).

DOS2004-00260


## PART 2. REQUESTED ACTION

- A. **WRITTEN NARRATIVE:** Please provide a written narrative statement explaining exactly what is proposed. Label as **Exhibit H-2.A.**
- B. **RELIEF/DEVIATIONS:** Is any relief requested from the provisions of the Lee County Land Development Code?        NO.   X   YES.

If the answer is YES, provide a **written narrative statement** explaining the specific relief requested (a schedule of deviations). Include specific references to any section (number{s} and name{s}) of the Lee County Land Development Code (LCLDC) from which relief is sought including why the requested relief is necessary and how it will affect the project. Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Label narrative statement as **Exhibit H-2.B.1.**

Also provide three (3) sets of drawings detailing any proposed deviations or changes to the MASTER CONCEPT PLAN (MCP) in 11" X 17" size (two originals required) and one (1) 24" x 36" size. All deviation requests must be specifically keyed to the location on the MCP. Label deviation drawing(s) as **Exhibit H-2.B.2.**

- C. Is the property located within the Estero Planning Community and does the request include administrative deviations amending the Master Concept Plan or other provisions of the applicable zoning resolution?        NO.   X   YES. IF YES, submit a copy of the Estero Planning Community Summary Document. Label **Exhibit H-2.C.**

## PART 3. ADDITIONAL SUBMITTAL REQUIREMENTS FOR ADMINISTRATIVE AMENDMENT APPLICATIONS

Please submit the following for all Administrative Amendment Applications:

- A. **AREA LOCATION MAP: An Area Location Map** (on 8.5" by 11" paper) must be provided. The map must be marked to show the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. Label as **Exhibit H-3.A. [34-373(a)(4)b.]**
- B. **APPROVED MASTER CONCEPT PLAN:** Provide one (1) APPROVED MASTER CONCEPT PLAN (MCP) and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24" X 36". Label as **Exhibit H-3.B. [34-373(a)(6)]**
- C. **REDUCED SIZE MASTER CONCEPT PLAN:** Provide three (3) copies of the MASTER CONCEPT PLAN REDUCED to a maximum size of 11" x 17" (two originals required). Label as **Exhibit H-3.C.**
- D. **ZONING RESOLUTIONS/ZONING DOCUMENTS:** Please attach three (3) copies of any zoning resolutions or documents that are still valid. Include the original rezoning resolution, final plan approval letters, Administrative Approval letters, and any other documentation granting relevant approvals. Label as **Exhibit H-3.D.**



**PART 4.**  
**ADDITIONAL SUBMITTAL REQUIREMENTS FOR FINAL PLAN APPROVAL APPLICATIONS**

**Please submit the following for all Final Plan Approval Applications:**

- A. **AREA LOCATION MAP: An Area Location Map** (on 8.5" by 11" paper) must be provided. The map must be marked to show the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. Label as **Exhibit H-4.A. [34-373(a)(4)b.]**
- B. **APPROVED MASTER CONCEPT PLAN:** Provide one (1) APPROVED MASTER CONCEPT PLAN (MCP) and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED. Label as **Exhibit H-4.B. [34-373(a)(6)]**
- C. **PROPOSED FINAL PLAN:** Please submit three (3) copies of the proposed Final Plan consistent with the approved Master Concept Plan and the approved Zoning Resolution. This proposed Final Plan must show any DEVIATION(s) keyed on the plan to identify the location of the specific deviation. Label as **Exhibit H-4.C.**
- D. **REDUCED SIZE COPY OF THE PROPOSED FINAL PLAN:** Please submit three (3) copies of the proposed Final Plan REDUCED to a maximum size of 11" x 17" (two originals required). Label as **Exhibit H-4.D.**
- E. **ZONING RESOLUTIONS/ZONING DOCUMENTS:** Please attach three (3) copies of any zoning resolutions or documents that are still valid. Include the original rezoning resolution, final plan approval letters, Administrative Approval letters, and any other documentation granting relevant approvals. Label as **Exhibit H-4.E.**

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**PART 5.  
SUBMITTAL REQUIREMENTS**

THE NUMBER OF COPIES REQUIRED FOR EACH SUBMITTAL ITEM/EXHIBIT IS INDICATED BELOW. PLEASE NOTE THAT THIS SUPPLEMENT NEEDS TO BE ACCOMPANIED BY THE APPLICATION FOR ADMINISTRATIVE ACTION. COPIES OF BOTH OF THESE APPLICATIONS SHOULD BE SUBMITTED TOGETHER IN SETS OF THREE ALONG WITH ALL OTHER REQUIRED DOCUMENTATION. ADDITIONAL SUBMITTAL ITEMS (listed below) SHOULD BE SUBMITTED AS A GROUP WITH THE APPROPRIATE NUMBER OF COPIES PROVIDED AS NOTED BELOW.

Copies Required*	Exhibit Number	SUBMITTAL ITEMS
		<b>FOR ADMINISTRATIVE AMENDMENT APPLICATIONS and FOR FINAL PLAN APPROVAL APPLICATIONS</b>
3		Completed Application for Administrative Action Form [34-201(b)]
1		Filing Fee - [34-202(a)(9)]
3	SUP H	Administrative Amendment to a PUD or Planned Development request Supplement Form
3	H-1.C	Subsequent Zoning Action Resolution/Case Numbers (if any and if added sheet is necessary)
3	H-1.D	Development Order Numbers for the Project (if any and if added sheets are necessary)
3	H-2.A	Written Narrative explaining what, exactly, is proposed
3	H-2.B.1	Schedule of Deviations and Justification Statement for each requested deviation (if YES was answered to Item # 2.B.)
1	H-2.B.2	Site plan (24" X 36" size) detailing each requested deviation (if YES was answered to Item # 2.B.)
3	H-2.B.2	Reduced site plans (11" X 17" size) detailing each requested deviation (if YES was answered to Item # 2.B.) - <b>two originals required</b>
		<b>ADDITIONAL SUBMITTAL ITEMS FOR ADMINISTRATIVE AMENDMENT APPLICATIONS</b>
3	H-3.A	Area Location Map (8 ½' X 11" size)
1	H-3.B	Approved Master Concept Plan and detailed drawings of any proposed deviations (24" X 36" size)
3	H-3.C	Master Concept Plan (11" X 17" maximum size) including detailed drawings of any proposed deviations - <b>two originals required</b>
3	H-3.D	Zoning Resolutions/Zoning Documents
		<b>ADDITIONAL SUBMITTAL REQUIREMENTS FOR FINAL PLAN APPROVAL APPLICATIONS</b>
3	H-4.A	Area Location Map (8 ½' X 11" size)
3	H-4.B	Approved Master Concept Plan and detailed drawings of any proposed deviations (24" X 36" size)
1	H-4.C	Proposed Final Plan including Deviations keyed to the plan (24" X 36" size)
3	H-4.D	Proposed Final Plan (11" X 17" maximum size) - <b>two originals required</b>
3	H-4.E	Zoning Resolutions/Zoning Documents

\* At least one copy must be an original

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# ESTERO DESIGN REVIEW COMMITTEE

Public Meeting  
November 10, 2010 at 5:00 P.M.  
The Estero Recreation Center  
9200 Corkscrew Palms Blvd.

**Members in Attendance:** Nancy Cohen, Brian Farrar, Bill Prys, Joe McHarris, Gerald Simons, Tom O'Dea, Al O'Donnell and Jim Wallace

**Absent:** Bob Melzer

**Chaired By:** Bill Prys

**Minutes By:** Ramona Thomas

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The meeting was called to order by Bill Prys at 5:00 PM.

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**Opening Comments:**

Estero Visioning Workshop will take place on Saturday, November 13<sup>th</sup> at 9:00am at the Hyatt Regency Resort on Coconut Road.

**Approval of Meeting Minutes:**

A motion was made by Mr. Farrar to approve the August 11<sup>th</sup> minutes as circulated to the Committee in advance of the meeting. The motion, seconded by Mr. O'Donnell was approved unanimously.

**APPLICANT:** Shoppes at Coconut Point  
**Location of Project:** South Village, Pelican Colony and US41  
**Presented by:** Ned Dewhurst, Oak Brook Properties

Plans were submitted for relocating the tenant sign from Via Coconut Point & Pelican Colony to the intersection located at Pelican Colony & US41. It will be the same basic eight tenant sign; the "Coconut Pointe" letters will be removed and replaced with only the logo. The monument sign is 15-feet tall by 15-feet long. An administrative deviation is being filed to allow the sign to be placed 12-feet from the roadway.

**Comments:**

- Needed for center, looks fine.

Item #2 is a buffer revision plan for the Coconut Point South Village to open view corridor for the shopping center. The revised plantings will meet code requirements.



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**Comments:**

- Suggest replacing some of the canopy trees with Dahoon Holly trees, shrubs and tighten the cabbage clumps to open the view corridor.
- No objections to the buffer revision.

**APPLICANT:** Maintenance Shed at The Hyatt Regency  
**Location of Project:** Coconut Road on the Estero Bay  
**Presented by:** Herminio Ortega, Crown Development

Plans were submitted for a maintenance shed at the Hyatt Regency to replace the temporary trailers located just inside the maintenance entrance. The new structure will be constructed of three side-by-side units, one shed is totally enclosed; two will consist of columns with a roof structure like a covered pavilion; all will contain a low profile metal roof painted match the existing color of the hotel building.

**Conclusions:**

- Concerned about the view of the structures from neighboring properties.
- Looks very utilitarian, suggest matching roof design of the hotel.
- Repair work to be performed in this area is unduly messy and should not be visible by passing traffic on Coconut Road or the parking structure.
- The proposed area will be flagged out for the committee's review via a site visit.
- Bring back with revisions for review at the next meeting on December 22<sup>nd</sup>.
- Based on comments from Members who visited the site, there is not enough existing vegetation to hide permanent structural elements being proposed that are not built in a more consistent fashion with the architecture of the Hyatt. More detail will need to be added to the proposed elements.

**New Business:**

**ECPP Workshop Summary**

The ECPP Workshop will take place on Saturday, November 13<sup>th</sup> at 9:00am at the Hyatt Regency Resort on Coconut Road. The purpose of the public meeting is to obtain input from the area citizens to update the Estero Comp Plan. There are over 100 attendees registered for the event.

**Old Business:**

**Adoption of New EDRC Application**

The committee approved the new EDRC Application that was distributed in advance of the meeting. The application was revised to streamline the process for submittals and will be posted on the EDRC website.

There being no further business to come before the committee, the meeting adjourned at 6:00 p.m.

**Next Meeting:**

Wednesday, December 22, 2010, 5:00 P.M. at the Estero Recreation Center.



# 2011 LIMITED LIABILITY COMPANY REINSTATEMENT

DOCUMENT# M06000002835

FILED  
Jan 06, 2011  
Secretary of State

**Entity Name:** BONITA SPRINGS-FALLS CREEK DEVELOPMENT LLC

**Current Principal Place of Business:**

30195 CHAGRIN BOULEVARD, SUITE #110  
PEPPER PIKE, OH 44124

**New Principal Place of Business:**

24100 CHAGRIN BOULEVARD, SUITE #330  
BEACHWOOD, OH 44122

**Current Mailing Address:**

30195 CHAGRIN BOULEVARD, SUITE #110  
PEPPER PIKE, OH 44124

**New Mailing Address:**

24100 CHAGRIN BOULEVARD, SUITE #330  
BEACHWOOD, OH 44122

FEI Number: 20-4797808

FEI Number Applied For ( )

FEI Number Not Applicable ( )

Certificate of Status Desired ( )

**Name and Address of Current Registered Agent:**

LEVY, GREGG S  
ROETZEL & ANDRESS, LPA  
850 PARK SHORE DR., TRIANON CTR, 3RD FLOOR  
NAPLES, FL 34103 US

**Name and Address of New Registered Agent:**

NRAI SERVICES, INC.  
2731 EXECUTIVE PARK DRIVE  
SUITE 4  
WESTON, FL 33331 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: NRAI SERVICES, INC.

01/06/2011

Electronic Signature of Registered Agent

Date

**MANAGING MEMBERS/MANAGERS:**

Title: MGR  
Name: ALAN, BERGER J  
Address: 24100 CHAGRIN BOULEVARD, SUITE #330  
City-St-Zip: BEACHWOOD, OH 44122

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I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: ALAN BERGER

MGR

01/06/2011

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date



## PART 4 SIGNAGE

### I. GENERAL

Signage provides project identity, assists in way finding, marks neighborhoods, and locates businesses. Identity, way finding and residential Signage at Coconut Point shall incorporate a common theme in keeping with the Mediterranean Revival style of the project. Particular, cohesive designs have been established for project identity signage. In addition, a program of way finding sign types and environmental graphics will be incorporated into the project. Signage criteria for the individual storefronts of commercial tenants allow more flexibility for expression through business logos and variation of sign type and construction.

These guidelines are intended to provide an appropriate level of sign control without limiting creative sign design by tenants and businesses. All signage must meet these criteria and receive approval by the DRA. In addition all signs at Coconut point must conform to local sign ordinances and will not exceed any local size restrictions for signs.

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## II. GENERAL CHARACTERISTICS OF SIGNAGE AT COCONUT POINT

### 1. Project Identity Signage

- Project Identity Towers - Project Identity Sign type 1
- Large Scale Monument Signs - Project Identity Sign type 2
- Medium Scale Monument Signs - Project Identity Sign type 3
- Entry Sign Walls - Project Identity Sign type 4
- Project Identity Sign (shown on keyplan as \*)

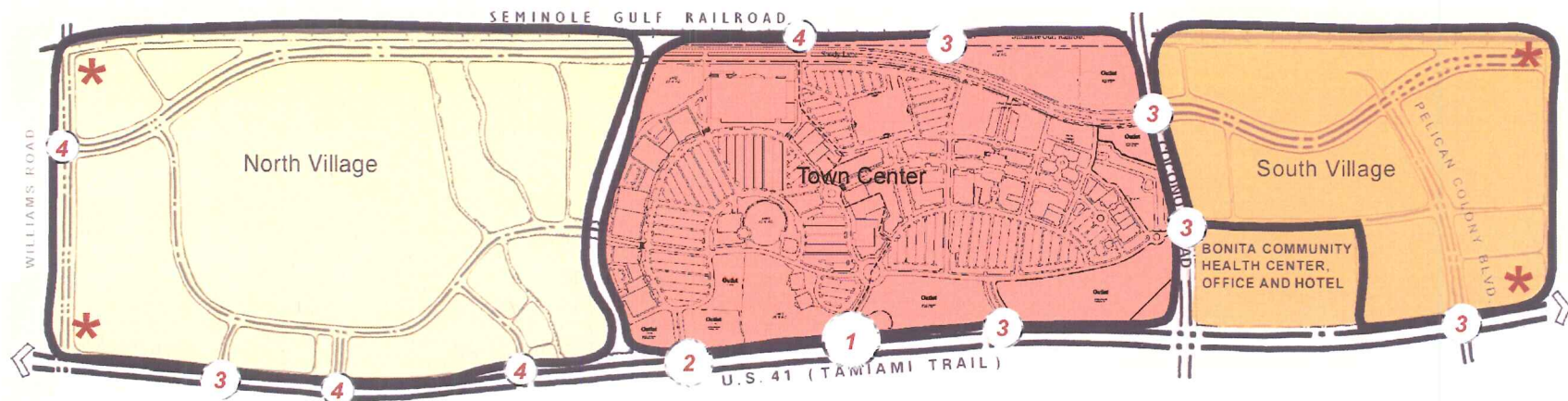
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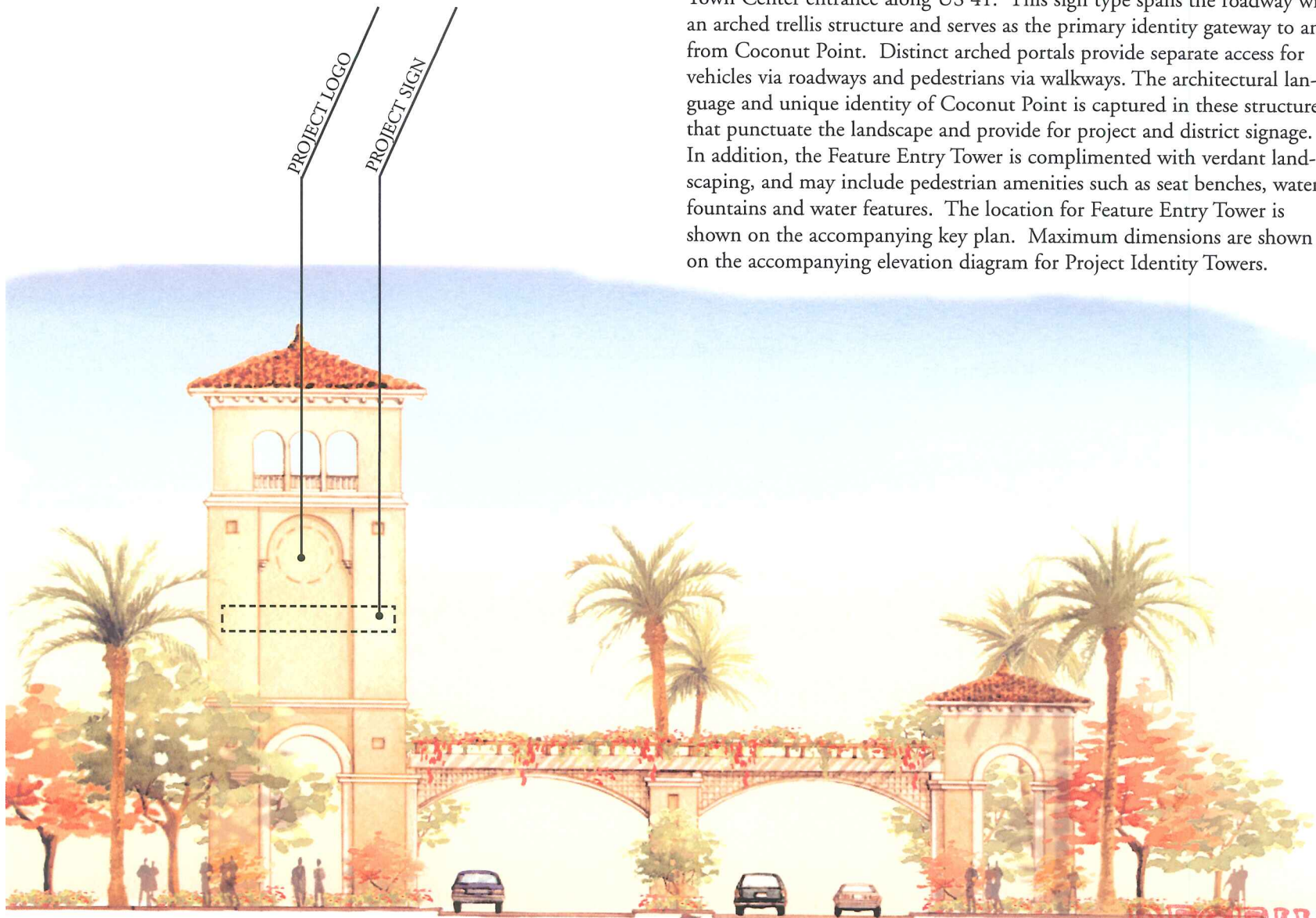


A. Feature Entry Tower - Entry Sign type 1

Major architectural statements, the Feature Entry Tower is located at the Town Center entrance along US 41. This sign type spans the roadway with an arched trellis structure and serves as the primary identity gateway to and from Coconut Point. Distinct arched portals provide separate access for vehicles via roadways and pedestrians via walkways. The architectural language and unique identity of Coconut Point is captured in these structures that punctuate the landscape and provide for project and district signage. In addition, the Feature Entry Tower is complimented with verdant landscaping, and may include pedestrian amenities such as seat benches, water fountains and water features. The location for Feature Entry Tower is shown on the accompanying key plan. Maximum dimensions are shown on the accompanying elevation diagram for Project Identity Towers.

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SIGNAGE



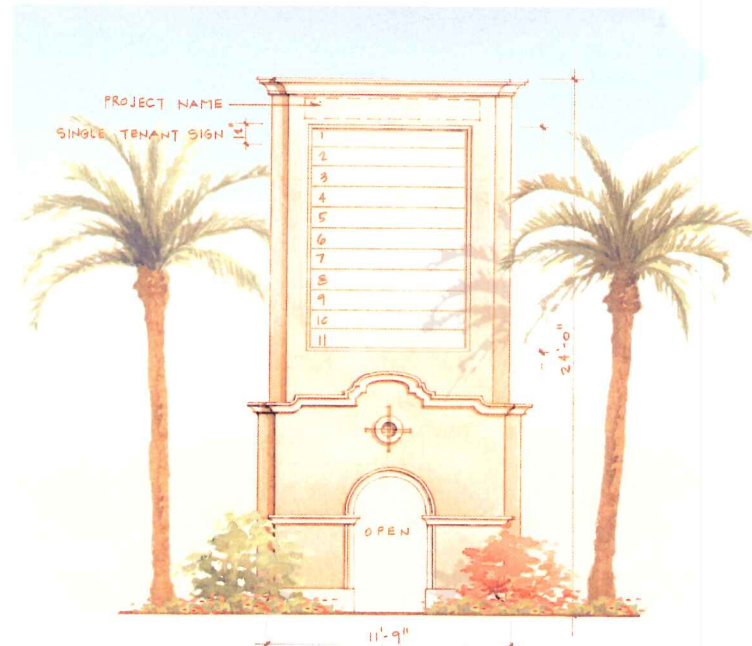
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B. Large Scale Monument Signs - Project Identity  
Sign type 2

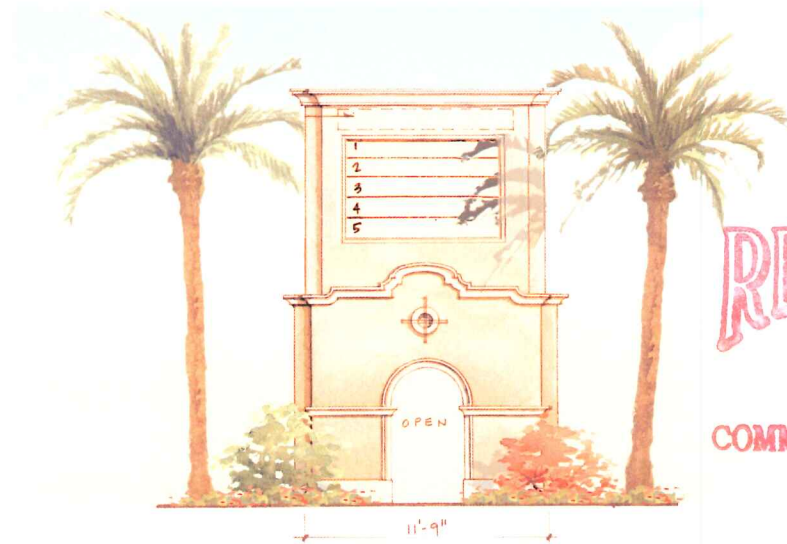
Large Scale Monument signs allow for street side announcement of multiple large-scale commercial Tenants at coconut point. Locations for Large Scale Monument signs are shown on the accompanying key plan. Maximum dimensions for Large Scale Monument signs are shown on the accompanying elevation diagram.



Large Scale Monument Signs - Project Identity Sign type 2

C. Medium Scale Monument Signs - Project Identity  
Sign type 3

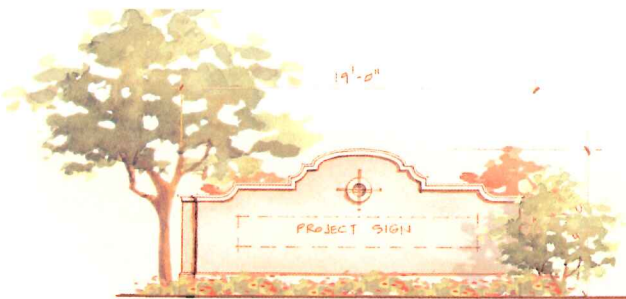
Similar to Large Scale Monument Signs but on a smaller scale, Medium Scale Monument Signs may be provided at the main entries into each district. These will be well landscaped with architectural feature walls providing opportunity for multiple message signage. These signs reflect the district identity signage as well as community identity and may incorporate user names. Locations for Medium Scale Monument are shown on the accompanying key plan.



Medium Scale Monument Signs - Project Identity Sign type 3

D. Entry Sign Walls - Entry Sign type 4

Entry Sign Walls are smaller statements at secondary entries into the districts. They will be smaller in scale and detail than other project entry signs, with landscaping and architectural articulation. Locations for Entry Sign Walls are shown on the accompanying key plan. Maximum dimensions are shown on the accompanying elevation diagram for Entry Sign Walls.



Entry Sign Walls - Entry Sign type 4

E. Project Identity Signs (shown on keyplan as \*)

These signs mark the four corners of the Coconut Point boundaries and are similar in design to Entry Sign Type 1. Between 18 to 24 feet high, they reinforce the identity of the overall project. Their design shall be in keeping with the Coconut Point Mediterranean Revival aesthetic.

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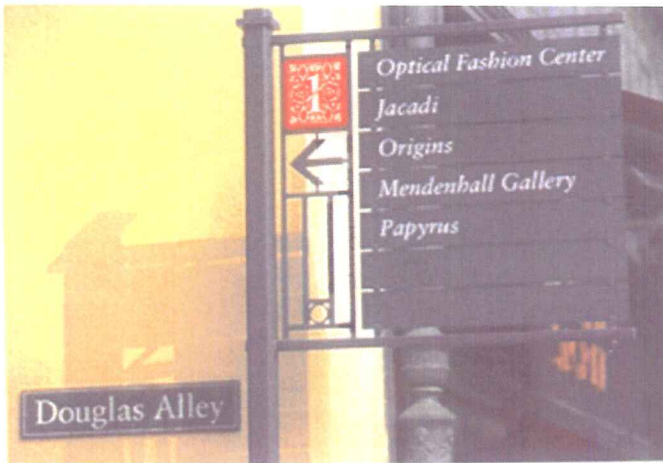
## 2. Way finding Sign Types

Primarily located in Commercial Areas, Way-finding directories will be provided at key decision making locations throughout the project. These will be suitably sized and located to provide easily readable information for all visitors, including pedestrians, bicyclist, and drivers of motor vehicles. All signs within a district will have a consistent design theme and will be suitably sized and placed. In general, signs will provide directions to major destinations or to the larger tenants within Coconut Point.

A. Pedestrian signs are generally similar in style to monument signs on a smaller scale and provide information on tenant locations within the project, frequently including a project key plan.

B. Vehicle signs may be either pole mounted or similar in style to monument signs and may include district names and directional arrows and other project information. Care should be taken to provide adequate clearances above grade for any projecting elements yet maintaining visibility and legibility when designing pole mounted way finding signs.

C. Bicycle signs are generally centrally mounted on poles at the eye level of cyclists. Information is provided on orientation, primary destinations and districts.





### III. CHARACTERISTICS OF SIGNAGE SPECIFIC TO COMMERCIAL RETAIL ZONES

A Master Sign Plan shall be prepared that will establish size and location requirements for all signage at Coconut Point. In addition, a specific set of design criteria has been established governing the individual buildings and storefronts of commercial tenants at Coconut Point. The types and construction of building signage are outlined on the following pages.

#### 1. Commercial Building Sign Types and Criteria

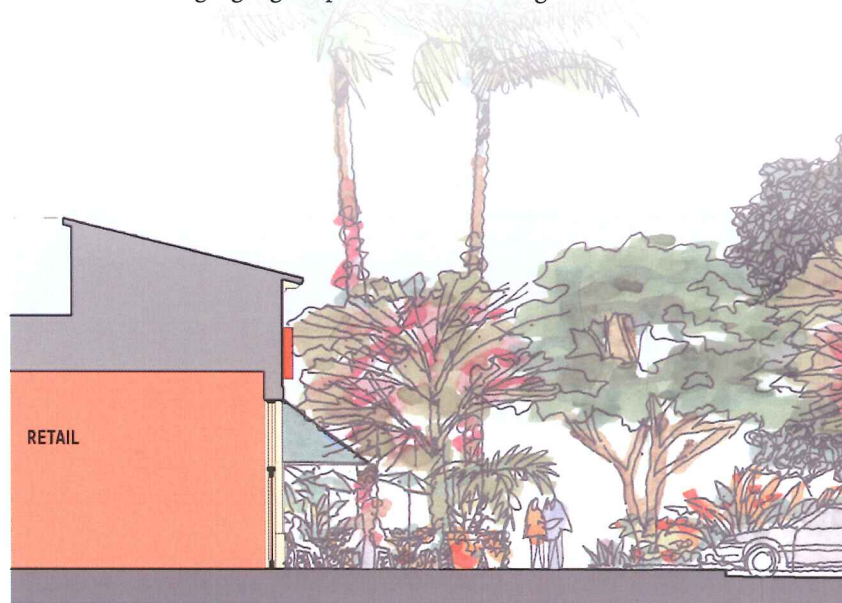
##### A. Wall Mounted Fascia Signs.

- Wall Mounted Signs and Fascia Signs provide key tenant identification above storefronts and on building facades.

- Wall mounted signs and Fascia signs of construction types outlined in item 2 of this section are permitted.

##### B. Awning Signs.

- Awning signage is permitted at awning valances.



Section at Wall Mounted Sign

#### C. Projecting Signs

- Projecting signs accentuate the pedestrian character of certain Districts at Coconut Point.

- Projecting signs located at a building corner may use the larger of the two building faces adjoining that corner for determination of sign size.

- Building face is defined as the area of wall fronting on leased or owned space of the tenant or owner measured from the roof eave or top of parapet to finished floor.

- Minimum Clear distance from the bottom of a projecting sign to a pedestrian walking or vehicular driving surface is 9'-6".

- Projecting signs are governed by the same maximum size as the Sign Ordinance wall signs. There may be both wall and projecting signs, but the total allowable square feet of both signs types is not to exceed that currently allowed for wall signs.



Section at Projecting Sign

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Elevation at Wall Mounted and Awning Signs

Elevation at Projecting Sign

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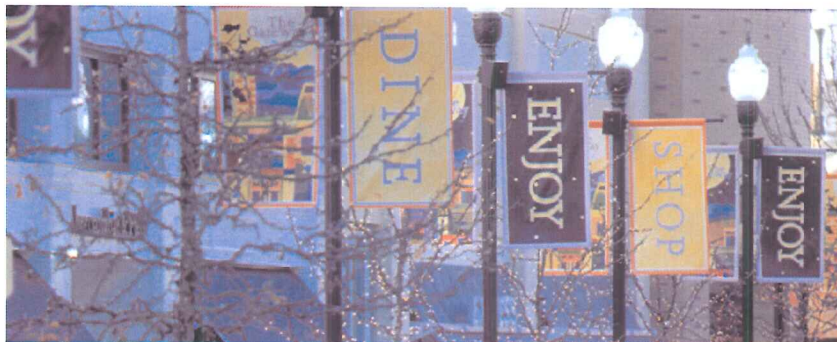


#### D. Banners

- Banners announce community events and animate streetscapes and pedestrian areas by adding color, texture and rhythm.
- Seasonal theme banners are permitted in commercial zones.
- Banners may not advertise discounts or other sale-type events.
- Banners must be fastened to: arms attached to poles erected for that purpose; lamp posts; or wall brackets on buildings. Arms and brackets must be permanently fastened and integral to the design of the post or façade they are attached to.

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PART 4 SIGNAGE



#### 2. Construction of Commercial Building Sign Types and Criteria

The following types of sign construction are permitted for Commercial Retail Signs at Coconut Point. For all sign construction types all transformers, wiring, ballasts, connectors and labels must be concealed from view.

- Internally illuminated reverse channel letter signs:  
Individual channel letters are mounted off the wall either by mounting clips or pins with internal illumination projecting out and around the letter backs.



- Double illuminated channel letter signs:  
Individual channel letters are mounted off the wall either by mounting clips or pins with internal illumination projecting out and around the letter backs, as well as through the letter faces.



- Internally illuminated channel letter signs:  
Individual channel letters are surface mounted to the wall usually with clip angles with internal illumination projecting through translucent letter faces but not through opaque letter sides or backs.



- Edge illuminated channel letter signs:  
Individual channel letters are surface mounted to the wall usually with clip angles with internal illumination projecting through translucent letter edges but not through opaque letter faces or backs.



- Dimensional cut or cast letter signs:  
Dimensional cut or cast letters are mounted off the wall either by mounting clips or pins, with concealed illumination projecting out and around the letters.



- Sign cut from an opaque panel:  
Individual letters are cut from an opaque panel, with concealed illumination projecting through the letters and possibly out and around the panel as well.



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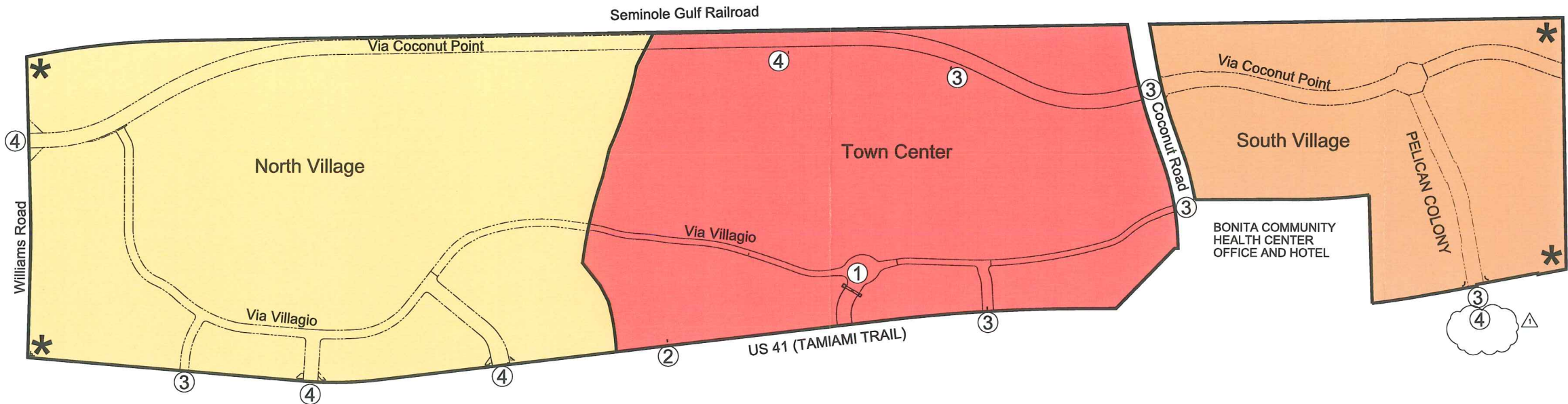
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II. GENERAL CHARACTERISTICS OF SIGNAGE AT COCONUT POINT

1. Project Identity Signage
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November 3, 2010

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COCONUT POINT  
SIGN LOCATION PLAN

6200 Whiskey Creek Drive  
Fort Myers, FL 33919  
Phone : (239) 985-1200  
Florida Certificate of Authorization No.1772  
Naples · Fort Myers · Venice · Englewood

**H.M.**  
**HOLE MONTES**  
ENGINEERS-PLANNERS-SURVEYORS

DESIGNED BY: TWM DATE: 11/10  
DRAWN BY: TWM DATE: 11/10  
CHECKED BY: TWM DATE: 11/10  
VERTICAL SCALE: 1" = 400'  
HORIZONTAL SCALE: 1" = 400'

THESE DRAWINGS ARE NOT  
TO BE USED FOR ANY OTHER  
PROJECT WITHOUT THE  
APPROVAL OF THE ENGINEER  
AND SEALED BELOW:

THOMAS W. HOLEMONTES, P.E.  
PROFESSIONAL ENGINEER  
FLORIDA REGISTRATION #48890  
DATE: \_\_\_\_\_

DRAWING NO. 1288-01  
PROJECT NO. 10.070-D  
REFERENCE NO. 1070DSL  
SHEET NO. 1 OF 3

REVISIONS	NUMBER	DATE
REVISED TO ADD PROJECT IDENTITY SIGNS - TYPE 4	1	12-9-10
	2	
	3	
	4	