

This amendment dated 5-26-11 revises
Deviation #5 of Z-07-032
(follows; see pg 10)

ADMINISTRATIVE AMENDMENT (PD) ADD2010-00101

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Win-Del Prado, Ltd. filed an application for administrative approval to a Commercial Planned Development (CPD) on a project known as Shoppes at Del Prado to allow parking spaces without parking blocks as required by Land Development Code (LDC) Section 34-2016(2)a.2. on property located at the intersection of Del Prado Blvd. and US 41 in North Fort Myers, described more particularly as:

LEGAL DESCRIPTION: In Section 22, Township 43 South, Range 24 East, Lee County, Florida:

See Exhibit "A".

WHEREAS, the property was originally rezoned in case number ZAB-86-63 (with subsequent amendments in case numbers Z-86-193, Z-89-26, Z-07-032, and ADD2009-00085,); and

WHEREAS, the subject property is located in the Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the subject property is zoned Commercial Planned Development (CPD) per Zoning Resolution Z-07-032, as amended per ADD2009-00085; and

WHEREAS, the CPD, as amended, permits a maximum of 153,000 square feet of commercial floor area with a schedule of uses including commercial office and retail uses; and

WHEREAS, Development Order DOS2007-00070 was approved for the development of a drugstore/pharmacy and other site-related improvements on site; and

WHEREAS, Development Order DOS2009-00040 was received by Lee County Community Development staff for development of a retail development, including a grocery store; and

WHEREAS, the applicant seeks an administrative request to eliminate the requirement for parking blocks (wheel stops) for the proposed retail/grocery development on site per DOS2009-00040; and

WHEREAS, the Divisions of Development Services and Environmental Sciences reviewed the application and support the requested administrative approval; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

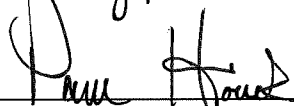
WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to a Commercial Planned Development (CPD) is to allow parking spaces without parking blocks as required by LDC Sec. 34-2016(2)a.2. is **APPROVED**, subject to the following conditions:

1. **The Development must be in compliance with the 2-page amended Master Concept Plan, dated MAY 9, 2011. Master Concept Plan for ADD2010-00101 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
2. **Zoning Resolution Z-07-032 is revised to include the following Deviation:**

Deviation 5 - Request for relief from LDC Sec. 34-2016(2)a.2 requiring parking spaces to provide a parking block set two feet from the end of the parking space.
3. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

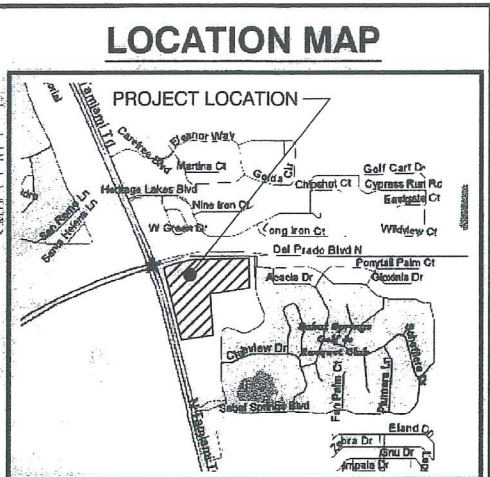
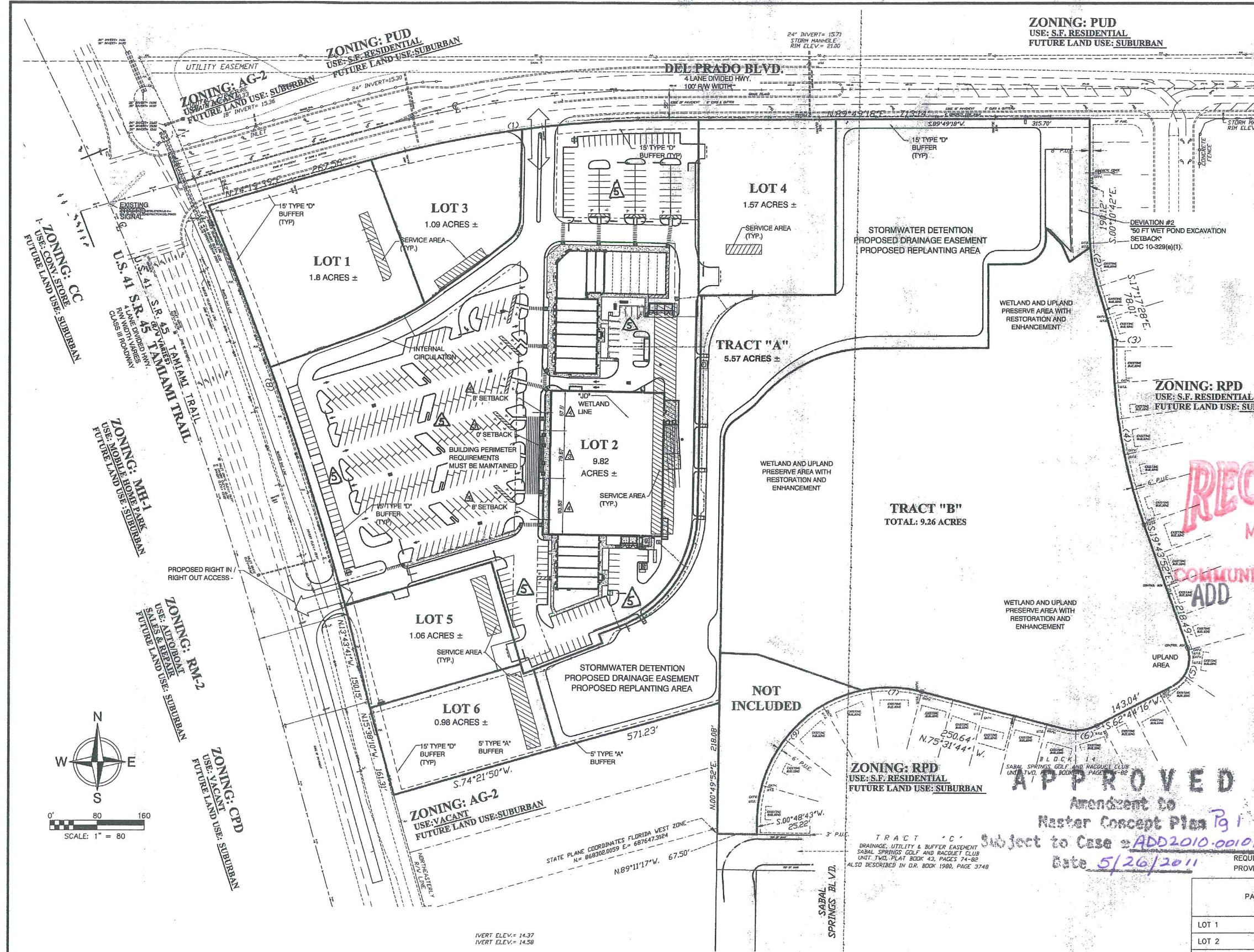
DULY SIGNED this 26th day of May, A.D., 2011.

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibits:

A - Legal Description and Sketch (3 pages)

WIN-DELPRADO
COMMERCIAL CENTER
N. FT MYERS, LEE COUNTY, FLORIDA
H-2.B.2(A)
MASTER CONCEPT PLAN (MCP)



SITE DATA TABLE

SECTION/TOWNSHIP/RANGE
SEC 22, TWP 43, RING 24

PROPERTY LOCATION:
SEC US 41 AND DEL PRADO BLVD.

ZONING:
EXISTING: CPD, AG-2, RPD PROPOSED: CPD

FUTURE LAND USE:
SUBURBAN

EXISTING LAND USE:
COMMERCIAL (VACANT)

PROPOSED LAND USE:
SEE SCHEDULE OF USES

SITE AREAS:
31.87 ACRES ±

INDIGENOUS PRESERVE

REQUIRED INDIGENOUS PRESERVE: 4.87 ACRES
PROVIDED INDIGENOUS PRESERVE: 10.79 ACRES
REFER TO LEE COUNTY INDIGENOUS PRESERVATION
ENHANCEMENT PLAN PREPARED BY BOYLAN ENVIRONMENTAL
CONSULTANTS, INC. DATED 05-24-07 FOR INDIGENOUS
PRESERVE CALCULATIONS AND DESCRIPTIONS.

OPEN SPACE

REQUIRED OPEN SPACE: 9.56 AC. (30% OF ENTIRE PROJECT)
PROVIDED OPEN SPACE: 17.192 AC. (53.92% OF ENTIRE PROJECT)

PARCEL #	LOT ACREAGE	OPEN SPACE PROVIDED	OPEN SPACE PROPOSED (ACRES)
LOT 1	1.80±	10%	0.180
LOT 2	9.82±	10%	0.982
LOT 3	1.09±	10%	0.109
LOT 4	1.57±	10%	0.157
LOT 5 *	1.06±	10%	0.106
LOT 6 *	0.98±	10%	0.098
TRACT A - STORMWATER POND	5.57±	100%	5.57±
TRACT B - WETLAND PRESERVATION	9.99±	100%	9.99±
ROADWAY EASEMENT	1.75±	N/A	N/A
TOTALS	31.88±	53.92%	17.192

SITE LEGEND

- SERVICE AREA LOCATIONS
- PROPOSED ACCESS POINTS
- LITTORAL SHELF/WATER GARDEN

APPROVED
Amendment to
Master Concept Plan Pg 1
Subject to Case # ADD2010-00101
Date 5/26/2011

RECEIVED
MAY 09 2011
COMMUNITY DEVELOPMENT
ADD 2010-00101

PARADISE DEVELOPMENT GROUP
CIVIL ENGINEERING 2300 CURLEW ROAD, STE 100
LAND PLANNING PALM HARBOR, FLORIDA 34683
LANDSCAPE ARCHITECTURE PHONE (727) 789 8600
ENVIRONMENTAL SURVEYING FAX (727) 784-8622
AVIDGROUP.COM

WIN-DELPRADO
COMMERCIAL CENTER
N. FT MYERS, LEE COUNTY, FLORIDA
H-2.B.2(A)
MASTER CONCEPT PLAN (MCP)

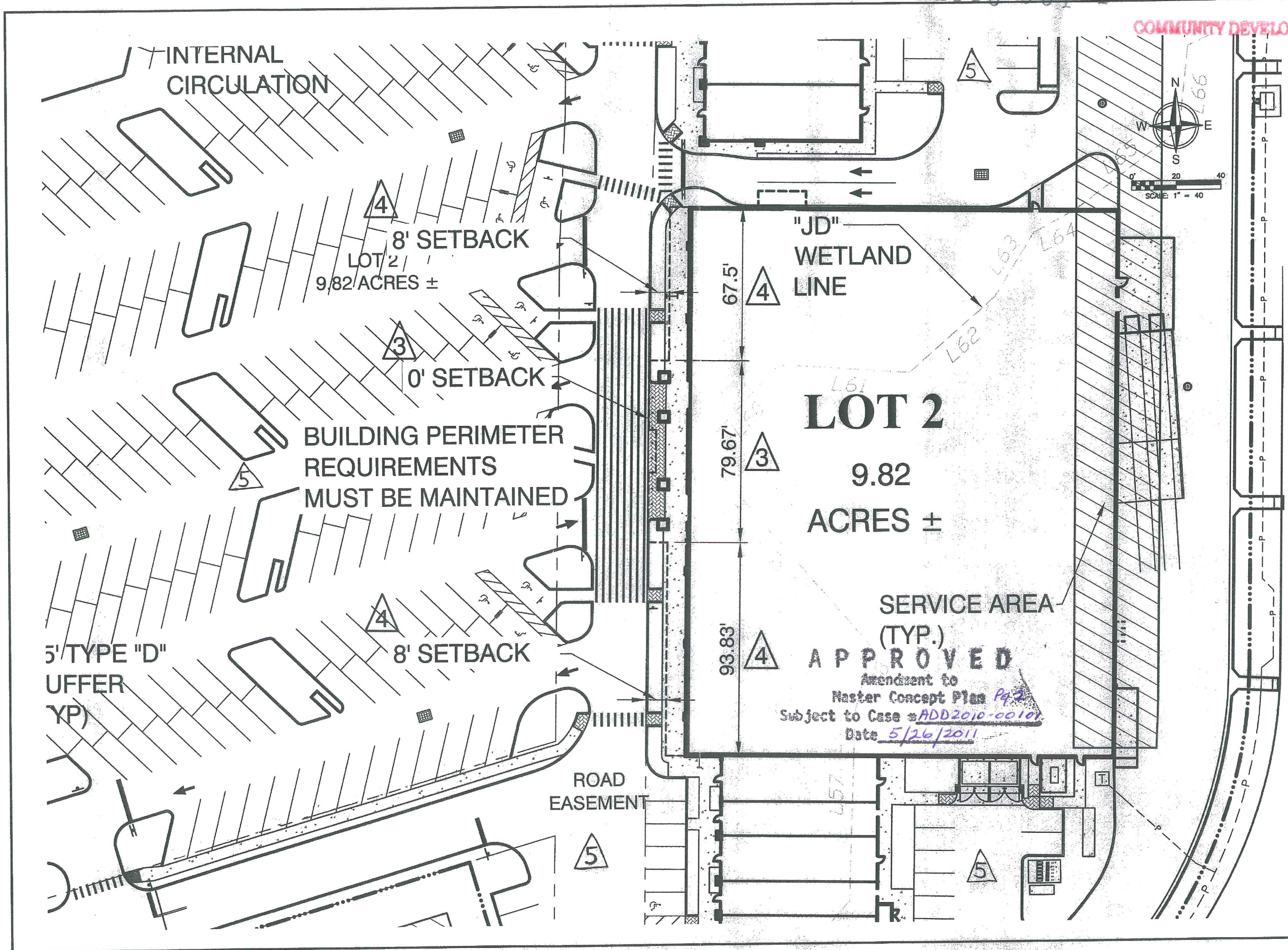
MCP

NO.	DATE	DESCRIPTION	BY
1	12/26/08	PERMITTING	AW
2	01/04/09	CONSTRUCTION	AW
3	01/04/09	RECORD DNG	AW
4	01/04/09	RECORD DNG	AW
5	01/04/09	RECORD DNG	AW
6	01/04/09	RECORD DNG	AW
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ADD 2010-00101

RECEIVED
MAY 09 2011

COMMUNITY DEVELOPMENT



LOT 2
9.82
ACRES ±

SERVICE AREA
(TYP.)
APPROVED
Amendment to
Master Concept Plan Pg. 2
Subject to Case #ADD2010-00101
Date 5/26/2011

NO.	DATE	DESCRIPTION	BY
1	01-04-06	REVISIONS PER LEE COUNTY	CW
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PARADISE DEVELOPMENT GROUP
CIVIL ENGINEERING 2300 CUREW ROAD, STE. 100
LAND PLANNING PALM HARBOR FLORIDA 34883
TRAFFIC/TRANSPORTATION 34883
ENVIRONMENTAL SCIENCES PHONE (727) 784-8800
SURVEYING FAX (727) 784-8802
ISSUED FOR: PRELIMINARY PERMITTING FINAL CONSTRUCTION RECORD DNG

WIN-DELPRADO
COMMERCIAL CENTER
N. FT MYERS, LEE COUNTY, FLORIDA
H-2.B.2(B)
MCP DETAIL DRAWING

MCP



HARRIS - JORGENSEN, INC.
2706 S.E. SANTA BARBARA PLACE
CAPE CORAL, FLORIDA
PHONE (889) 772-1989
FAX (889) 772-1915
PROJECT 4 MEL SKETCH 1
SKETCH DATE: 3/16/07
John A. Harris
March 16, 2007
JOHN A. HARRIS, PSN
FLORIDA LAND SURVEYOR #4621
FLORIDA CERTIFICATE OF AUTHORIZATION L3 #6921

LINE TABLE

	LINE	BEARING	DISTANCE
1	#1	N 71° 20' 03" W.	185.92'
2	#2	N 87° 26' 38" W.	64.45'
3	#3	S 00° 19' 52" W.	83.26'

[illegible][illegible]

SKETCH OF LEGAL DESCRIPTION
**A PARCEL OF LAND
LYING IN SECTION 22**
TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION!

NOTES:

1. ELEVATIONS SHOWN HEREIN TAKEN FROM THE NORTH LINE OF SECTION 25-34-24, T25N, R34W, S24E.
2. FIELD NOTES IN SECTIONS 28-43-24, 29-43-24, 30-43-24, 31-43-24, 32-43-24, 33-43-24, 34-43-24, 35-43-24, 36-43-24, 37-43-24, 38-43-24, 39-43-24, 40-43-24, 41-43-24, 42-43-24, 43-43-24, 44-43-24, 45-43-24, 46-43-24, 47-43-24, 48-43-24, 49-43-24, 50-43-24, 51-43-24, 52-43-24, 53-43-24, 54-43-24, 55-43-24, 56-43-24, 57-43-24, 58-43-24, 59-43-24, 60-43-24, 61-43-24, 62-43-24, 63-43-24, 64-43-24, 65-43-24, 66-43-24, 67-43-24, 68-43-24, 69-43-24, 70-43-24, 71-43-24, 72-43-24, 73-43-24, 74-43-24, 75-43-24, 76-43-24, 77-43-24, 78-43-24, 79-43-24, 80-43-24, 81-43-24, 82-43-24, 83-43-24, 84-43-24, 85-43-24, 86-43-24, 87-43-24, 88-43-24, 89-43-24, 90-43-24, 91-43-24, 92-43-24, 93-43-24, 94-43-24, 95-43-24, 96-43-24, 97-43-24, 98-43-24, 99-43-24, 100-43-24, 101-43-24, 102-43-24, 103-43-24, 104-43-24, 105-43-24, 106-43-24, 107-43-24, 108-43-24, 109-43-24, 110-43-24, 111-43-24, 112-43-24, 113-43-24, 114-43-24, 115-43-24, 116-43-24, 117-43-24, 118-43-24, 119-43-24, 120-43-24, 121-43-24, 122-43-24, 123-43-24, 124-43-24, 125-43-24, 126-43-24, 127-43-24, 128-43-24, 129-43-24, 130-43-24, 131-43-24, 132-43-24, 133-43-24, 134-43-24, 135-43-24, 136-43-24, 137-43-24, 138-43-24, 139-43-24, 140-43-24, 141-43-24, 142-43-24, 143-43-24, 144-43-24, 145-43-24, 146-43-24, 147-43-24, 148-43-24, 149-43-24, 150-43-24, 151-43-24, 152-43-24, 153-43-24, 154-43-24, 155-43-24, 156-43-24, 157-43-24, 158-43-24, 159-43-24, 160-43-24, 161-43-24, 162-43-24, 163-43-24, 164-43-24, 165-43-24, 166-43-24, 167-43-24, 168-43-24, 169-43-24, 170-43-24, 171-43-24, 172-43-24, 173-43-24, 174-43-24, 175-43-24, 176-43-24, 177-43-24, 178-43-24, 179-43-24, 180-43-24, 181-43-24, 182-43-24, 183-43-24, 184-43-24, 185-43-24, 186-43-24, 187-43-24, 188-43-24, 189-43-24, 190-43-24, 191-43-24, 192-43-24, 193-43-24, 194-43-24, 195-43-24, 196-43-24, 197-43-24, 198-43-24, 199-43-24, 200-43-24, 201-43-24, 202-43-24, 203-43-24, 204-43-24, 205-43-24, 206-43-24, 207-43-24, 208-43-24, 209-43-24, 210-43-24, 211-43-24, 212-43-24, 213-43-24, 214-43-24, 215-43-24, 216-43-24, 217-43-24, 218-43-24, 219-43-24, 220-43-24, 221-43-24, 222-43-24, 223-43-24, 224-43-24, 225-43-24, 226-43-24, 227-43-24, 228-43-24, 229-43-24, 230-43-24, 231-43-24, 232-43-24, 233-43-24, 234-43-24, 235-43-24, 236-43-24, 237-43-24, 238-43-24, 239-43-24, 240-43-24, 241-43-24, 242-43-24, 243-43-24, 244-43-24, 245-43-24, 246-43-24, 247-43-24, 248-43-24, 249-43-24, 250-43-24, 251-43-24, 252-43-24, 253-43-24, 254-43-24, 255-43-24, 256-43-24, 257-43-24, 258-43-24, 259-43-24, 260-43-24, 261-43-24, 262-43-24, 263-43-24, 264-43-24, 265-43-24, 266-43-24, 267-43-24, 268-43-24, 269-43-24, 270-43-24, 271-43-24, 272-43-24, 273-43-24, 274-43-24, 275-43-24, 276-43-24, 277-43-24, 278-43-24, 279-43-24, 280-43-24, 281-43-24, 282-43-24, 283-43-24, 284-43-24, 285-43-24, 286-43-24, 287-43-24, 288-43-24, 289-43-24, 290-43-24, 291-43-24, 292-43-24, 293-43-24, 294-43-24, 295-43-24, 296-43-24, 297-43-24, 298-43-24, 299-43-24, 300-43-24, 301-43-24, 302-43-24, 303-43-24, 304-43-24, 305-43-24, 306-43-24, 307-43-24, 308-43-24, 309-43-24, 310-43-24, 311-43-24, 312-43-24, 313-43-24, 314-43-24, 315-43-24, 316-43-24, 317-43-24, 318-43-24, 319-43-24, 320-43-24, 321-43-24, 322-43-24, 323-43-24, 324-43-24, 325-43-24, 326-43-24, 327-43-24, 328-43-24, 329-43-24, 330-43-24, 331-43-24, 332-43-24, 333-43-24, 334-43-24, 335-43-24, 336-43-24, 337-43-24, 338-43-24, 339-43-24, 340-43-24, 341-43-24, 342-43-24, 343-43-24, 344-43-24, 345-43-24, 346-43-24, 347-43-24, 348-43-24, 349-43-24, 350-43-24, 351-43-24, 352-43-24, 353-43-24, 354-43-24, 355-43-24, 356-43-24, 357-43-24, 358-43-24, 359-43-24, 360-43-24, 361-43-24, 362-43-24, 363-43-24, 364-43-24, 365-43-24, 366-43-24, 367-43-24, 368-43-24, 369-43-24, 370-43-24, 371-43-24, 372-43-24, 373-43-24, 374-43-24, 375-43-24, 376-43-24, 377-43-24, 378-43-24, 379-43-24, 380-43-24, 381-43-24, 382-43-24, 383-43-24, 384-43-24, 385-43-24, 386-43-24, 387-43-24, 388-43-24, 389-43-24, 390-43-24, 391-43-24, 392-43-24, 393-43-24, 394-43-24, 395-43-24, 396-43-24, 397-43-24, 398-43-24, 399-43-24, 400-43-24, 401-43-24

FLOOD ZONE: 'AE' ELEVATION 18.00' NGVD.

COMMUNITY # 123124 PANEL # 0200
SUFFIX --- C DEVISION DATE: 3/15/84

[illegible]

Area 1: 11/1/2011	Area 2: 11/1/2011
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NAME	✓	SCALE	PROB #	STRENGTH
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HTG	P = 0.8	HEALTHY-LEAD
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SEARCH DATE	FILE NO.	SHT. -	PAGE
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FOR THE COMMISSIONER OF MOTOR VEHICLES

~~DCI 2006-00070~~
ADD 2010-00101

EXHIBIT "A"
1 OF 3

APPROVED
LEGAL
BA 12/22/10

DESCRIPTION:

Part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 2, Tamiami City Subdivision as recorded in Plat Book 9, Page 7, Public Records of Lee County, Florida and part of the Northwest Quarter of Section 22, Township 43 South, Range 24 East, Lee County, Florida, described as follows:

Beginning at the Northwest corner of Tract "A", Sabal Springs Golf & Racquet Club, Unit Two, as recorded in Plat Book 43, Pages 74 through 82, Public Records of Lee County, Florida; thence run S.00°10'42"E. along the West line of said Tract "A" and the West line of Block 14 of said Sabal Springs Golf & Racquet Club, Unit Two for 190.12 feet to a point of curvature; thence run Southeasterly along the Westerly line of said Block 14 for 96.32 feet along the arc of a curve concave Northeasterly, with a radius of 322.50 feet, a delta of 17°06'42", a chord bearing of S.08°44'08"E. and a chord distance of 95.96 feet to a point of tangency; thence run S.17°17'28"E. along the Westerly line of said Block 14 for 78.01 feet to a point of curvature; thence run Southeasterly along the Westerly line of said Block 14 for 18.67 feet along the arc of a curve concave Southwesterly, with a radius of 62.50 feet, a delta of 17°06'47", a chord bearing of S.08°44'05"E. and a chord distance of 18.60 feet to a point of reverse curvature; thence run Southeasterly along the Westerly line of said Block 14 for 307.99 feet along the arc of a curve concave Northeasterly, with a radius of 902.50 feet, a delta of 19°33'10", a chord bearing of S.09°57'17"E. and a chord distance of 306.50 feet to a point of tangency; thence run S.19°43'52"E. along the Westerly line of said Block 14 for 218.49 feet to a point of curvature; thence run Southwesterly along the Northwesterly line of said Block 14 for 75.57 feet along the arc of a curve concave Northwesterly, with a radius of 52.50 feet, a delta of 82°28'08", a chord bearing of S.21°30'12"W. and a chord distance of 69.21 feet to a point of tangency; thence run S.62°44'16"W. along the Northwesterly line of said Block 14 for 143.04 feet to a point of curvature; thence run Southwesterly along the Northwesterly line of said Block 14 for 56.45 feet along the arc of a curve concave Northwesterly, with a radius of 77.50 feet, a delta of 41°44'00", a chord bearing of S.83°36'16"W. and a chord distance of 55.21 feet to a point of tangency; thence run N.75°31'44"W. along the Northerly line of said Block 14 for 250.64 feet to a point of curvature; thence run Northwesterly along the Northwesterly line of said Block 14 for 101.94 feet along the arc of a curve concave Southwesterly, with a radius of 222.50 feet, a delta of 26°15'00", a chord bearing of N.88°39'18"W. and a chord distance of 101.05 feet; thence run N.71°20'03"W. for 185.92 feet; thence run N.87°26'38"W. for 64.45 feet to a point on the West line of the East Half (E.1/2) of the Northwest Quarter (N.W.1/4) of the aforesaid Section 22; thence run S.00°49'52"W. along said West line for 83.26 feet to the Southeast corner of Lot 10, Block 2 of the aforesaid Tamiami Subdivision; thence run S.74°21'50"W. along the South line of said Lot 10 for 571.23 feet to the Easterly right-of-way line (as recorded in Official Records Book 1156, Page 1792, Public Records of Lee County, Florida) of State Road 45 (Tamiami Trail) (U.S. Highway No. 41); thence run N.15°38'10"W. along said Easterly right-of-way line for 161.31 feet; thence run N.13°43'41"W. for 150.15 feet to a point on a non-tangent curve; thence run Northwesterly along said Easterly right-of-way line for 723.60 feet along the arc of a curve concave Southwesterly, with a radius of 5884.58 feet, a delta of 07°02'43", a chord bearing of N.19°09'32"W. and a chord distance of 723.14 feet to a point on the Southerly line of Del Prado Boulevard (Mellow Drive, as shown on Lee County right-of-way map of Mellow Drive, sheet 4 of 20 for County Project #4013); thence run N.74°19'39"E. for 267.56 feet to a point of curvature; thence run Northwesterly along said Southerly right-of-way line for 527.33 feet along the arc of a curve concave Southeasterly, with a radius of 1950.00 feet, a delta of 15°29'39", a chord bearing of N.82°04'28"E. and a chord distance of 525.72 feet to a point of tangency; thence run N.89°49'18"E. along said Southerly right-of-way line for 713.14 feet to the point of beginning.

Said tract contains 31.871 acres, more or less and is subject to easements, restrictions and reservations of record

Bearings are based on the North line of the aforesaid Section 22 as being N.89°49'18"E.

John B. Harris P.S.M. #4631
September 11, 2006

EXHIBIT "A"
2 OF 3

APPROVED
LEGAL

12/22/10

TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

150 0 150 300 450

SCALE IN FEET

1" = 300'

LEGEND:

- SET IRON PIN (CAP #4631)
- FOUND IRON PIN (GR.)
- CONCRETE MONUMENT (Q.M.)
- CONCRETE (CONC.)
- RECORDS PERMANENT REFERENCE MONUMENT
- P.R.M. PERMANENT CONTROL POINT
- P.C.P. POINT OF BEGINNING
- P.O.B. POINT OF CURVATURE
- P.C. OFFICIAL RECORDS BOOK
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- (X) CURVE NUMBER
- (C) CENTERLINE
- R/W RIGHT-OF-WAY
- N/D NAIL & DISK

SURVEY NOTES:

- 1) BASIS OF BEARINGS SHOWN HEREON TAKEN FROM THE NORTH LINE OF SECTION 22-43-24, AS BEING N.89°49'18"E.
- 2) FIELD NOTES IN SECTION 22-43-24.
- 3) SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
- 4) THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
- 5) THIS SURVEY BASED ON TITLE COMMITMENT No. 413047665CA BY COMMONWEALTH LAND TITLE INSURANCE COMPANY DATED MAY 9, 2008.
- 6) UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
- 7) THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 8) ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
- 9) ELEVATIONS ARE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D.).
- 10) THIS PROPERTY LIES IN A FLOOD HAZARD AREA. FLOOD INFORMATION IS AS FOLLOWS.

FLOOD ZONE: 'AE' ELEVATION: 18.00' N.G.V.D.
COMMUNITY #: 125124 PANEL #: 0200
SUFFIX: 'C' REVISION DATE: 3/15/94

*REVISED:	DESCRIPTION			BY
6/2/06	REVISE BOUNDARY			FBIH
DRAWN ✓ FBIH JQH	SCALE 1" = 300'	PROJ. # NELLLOW-US41	HARRIS - JORGENSEN, INC. 2706 S.E. SANTA BARBARA PLACE CAPE CORAL, FLORIDA PHONE: (941) 772-9939 FAX : (941) 772-1315	
SURVEY DATE 1/30/04	FILE NO. 43-24-22	SHT.- 1 OF - 1		
FLORIDA CERTIFICATE OF AUTHORIZATION # 1 R 6081				

LINE TABLE

LINE	BEARING	DISTANCE
#1	N.71°20'03"W.	185.92'
#2	N.87°26'38"W.	64.45'
#3	S.00°49'52"W.	83.26'

Curve number 1

Radius= 1950.00
Delta= 15°29'39"
Arc= 527.33
Tangent= 265.28
Chord= 525.72
Chord Brg. N.82°04'28"E.

Curve number 5

Radius= 52.50
Delta= 82°28'08"
Arc= 75.57
Tangent= 46.02
Chord= 69.21
Chord Brg. S.21°30'12"W.

Curve number 2

Radius= 322.50
Delta= 17°06'42"
Arc= 96.32
Tangent= 48.52
Chord= 95.96
Chord Brg. S.08°44'08"E.

Curve number 6

Radius= 77.50
Delta= 41°44'00"
Arc= 56.45
Tangent= 29.54
Chord= 55.21
Chord Brg. S.83°36'16"W.

Curve number 3

Radius= 62.50
Delta= 17°06'47"
Arc= 18.67
Tangent= 9.40
Chord= 18.60
Chord Brg. S08°44'05"E

Curve number 7

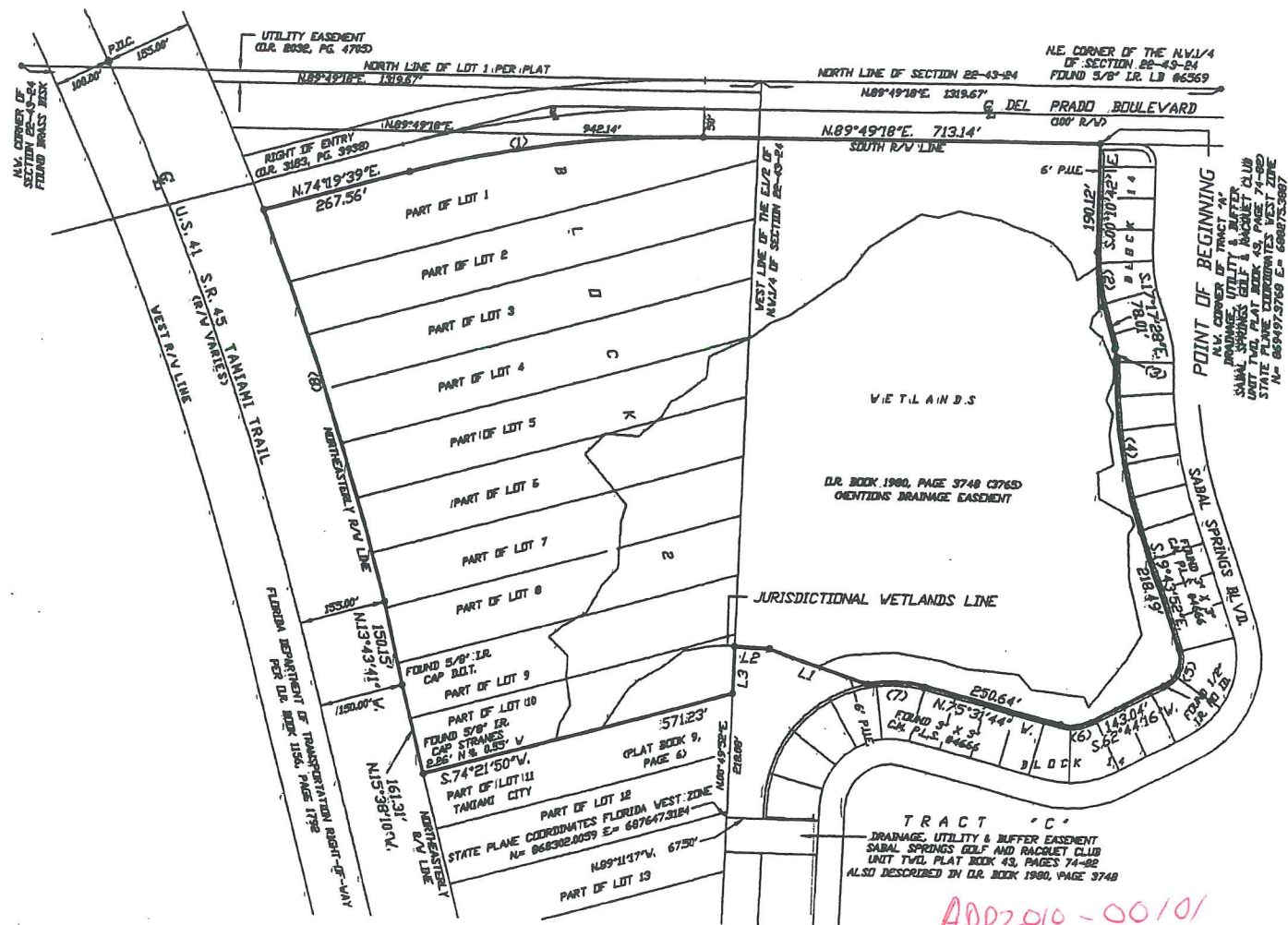
Radius= 222.50
Delta= 26°15'00"
Arc= 101.94'
Tangent= 51.88'
Chord= 101.05'
Chord Brg. N.88°39'18"W.

Curve number 4

Radius= 902.50
Delta= 19°33'10"
Arc= 307.99
Tangent= 155.51
Chord= 306.50
Chord Brg. S.09°57'17"E.

Curve number 8

Radius= 5884.58'
Delta= 07°02'43"
Arc= 723.60'
Tangent= 362.26'
Chord= 723.14'
Chord Brg.= N19°09'32"W.



ADD2010 - 00101

HARRIS - JORGENSEN, INC.
2706 S.E. SANTA BARBARA PLACE
CAPE CORAL, FLORIDA
PHONE: (289) 772-9939
FAX: (239) 772-1315

PROJECT # MEL-ZONI

SKETCH DATE: 5/23/06

NOVEMBER 20 1974

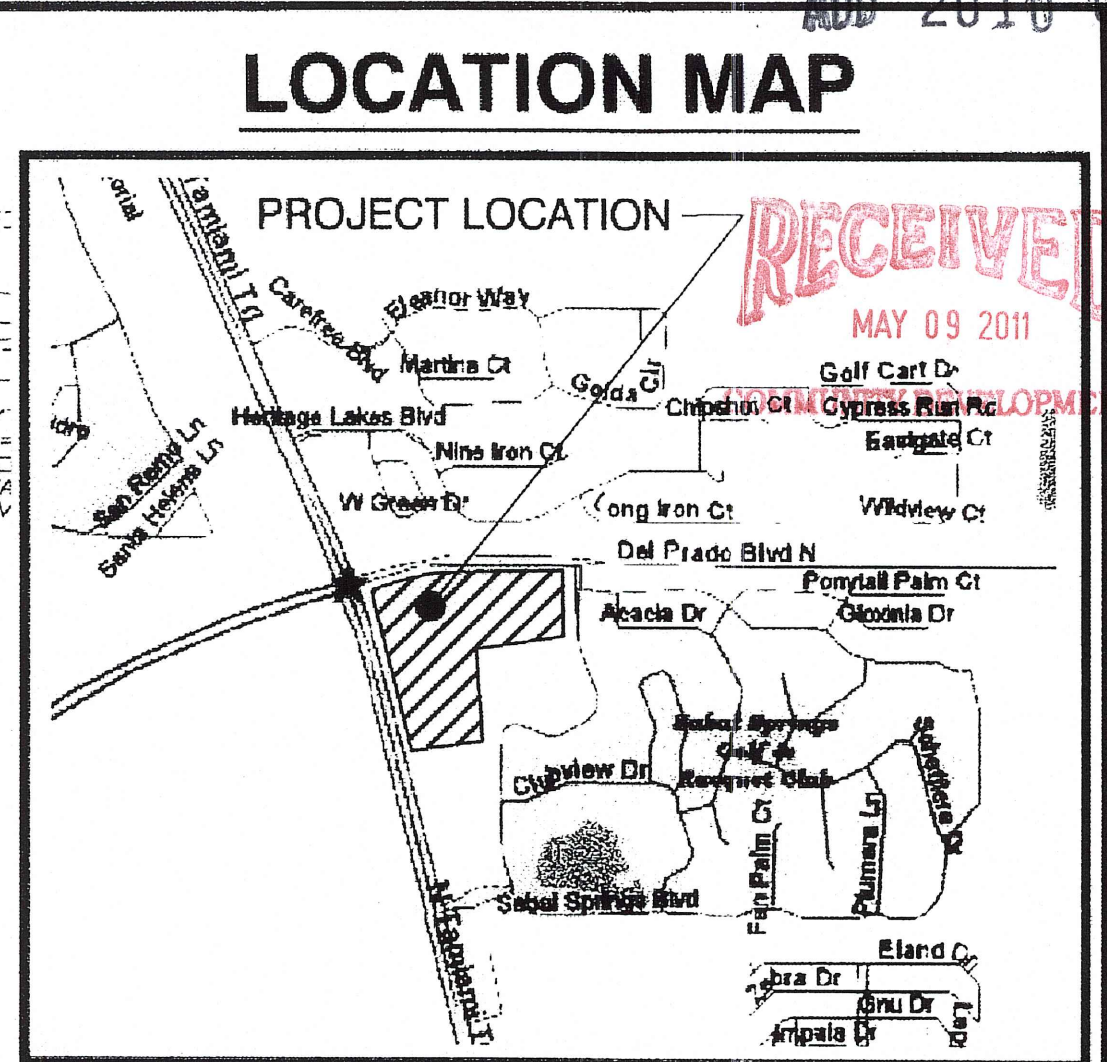
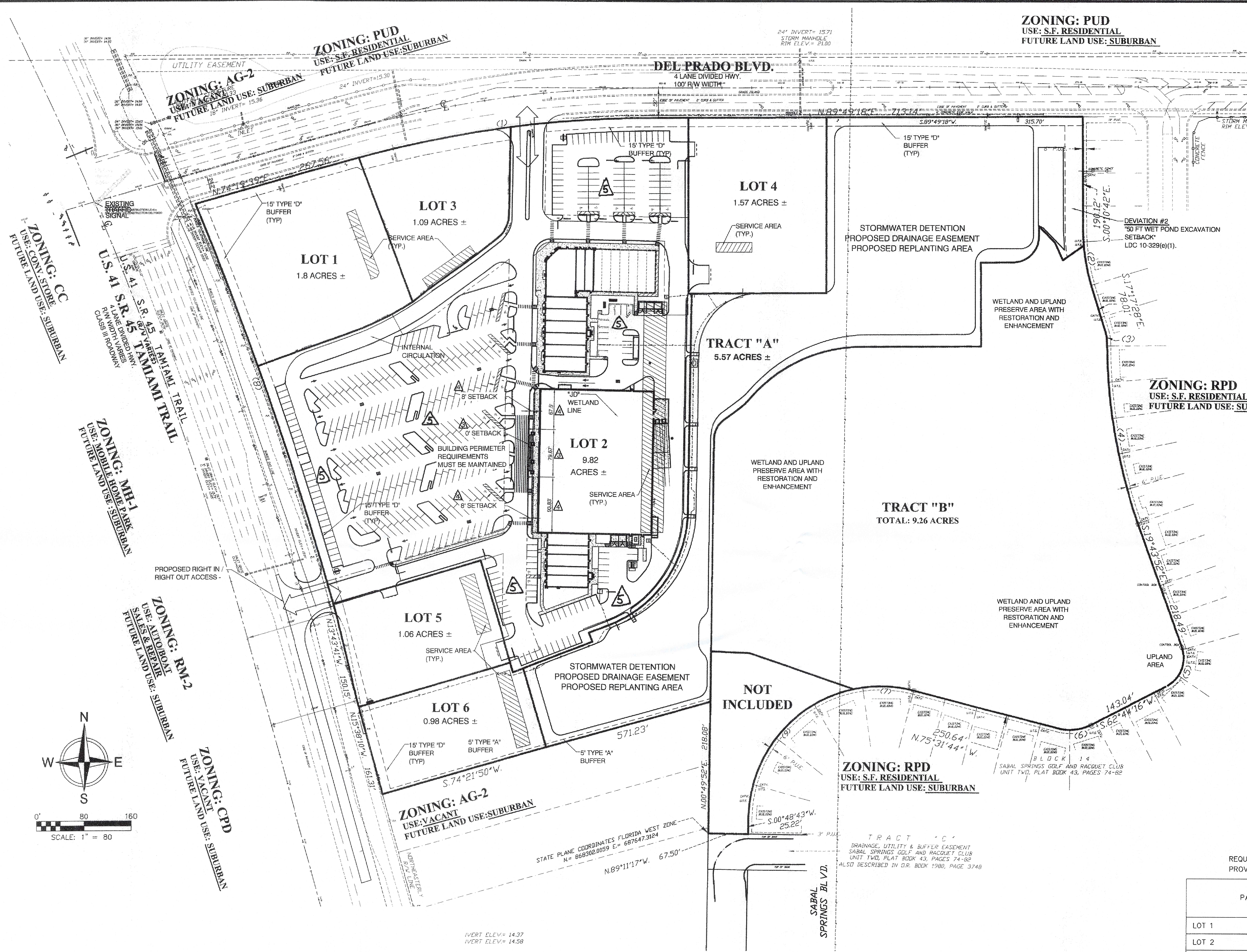
JOHN B. HARRIS, PSM
FLORIDA LAND SURVEYOR #4631

FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

EXHIBIT "A"
3 OF 3

001045-BMP
001040-WIN-DELPRADO

ADD 2010-08-01



SITE DATA TABLE

SECTION/TOWNSHIP/RANGE
SEC 22, TWP 43, RNG 24

PROPERTY LOCATION:
SEC US 41 AND DEL PRADO BLVD.

ZONING:
EXISTING: CPD, AG-2, RPD PROPOSED: CPD

FUTURE LAND USE:
SUBURBAN

EXISTING LAND USE:
COMMERCIAL (VACANT)

PROPOSED LAND USE:
SEE SCHEDULE OF USES

SITE AREAS:
31.87 ACRES ±

APPROVED
Amendment to
Master Concept Plan Pg 7-82
Subject to Case # ADD 2010-20101
Date 5/26/2011

INDIGENOUS PRESERVE

REQUIRED INDIGENOUS PRESERVE: 4.87 ACRES
PROVIDED INDIGENOUS PRESERVE: 10.79 ACRES
REFER TO LEE COUNTY INDIGENOUS PRESERVATION /
ENHANCEMENT PLAN PREPARED BY BOYLAN ENVIRONMENTAL
CONSULTANTS, INC. DATED 05-24-07 FOR INDIGENOUS
PRESERVE CALCULATIONS AND DESCRIPTIONS.

OPEN SPACE

REQUIRED OPEN SPACE: 9.56 AC. (30% OF ENTIRE PROJECT)
PROVIDED OPEN SPACE: 17.192 AC. (53.92% OF ENTIRE PROJECT)

PARCEL #	LOT ACREAGE	OPEN SPACE PROVIDED	OPEN SPACE PROPOSED (ACRES)
LOT 1	1.80±	10%	0.180
LOT 2	9.82±	10%	0.982
LOT 3	1.09±	10%	0.109
LOT 4	1.57±	10%	0.157
LOT 5 *	1.06±	10%	0.106
LOT 6 *	0.98±	10%	0.098
TRACT A - STORMWATER POND	5.57±	100%	5.57±
TRACT B - WETLAND PRESERVATION	9.99±	100%	9.99±
ROADWAY EASEMENT	1.75±	N/A	N/A
TOTALS	31.88±	53.92%	17.192

SITE LEGEND

- SERVICE AREA LOCATIONS
- PROPOSED ACCESS POINTS
- LITTORAL SHELF/WATER GARDEN

001045-BMP
001040-WIN-DELPRADO

ADD 2010-08-01

RECEIVED
MAY 09 2011

PROJECT LOCATION

SECTION/TOWNSHIP/RANGE
SEC 22, TWP 43, RNG 24

PROPERTY LOCATION:
SEC US 41 AND DEL PRADO BLVD.

ZONING:
EXISTING: CPD, AG-2, RPD PROPOSED: CPD

FUTURE LAND USE:
SUBURBAN

EXISTING LAND USE:
COMMERCIAL (VACANT)

PROPOSED LAND USE:
SEE SCHEDULE OF USES

SITE AREAS:
31.87 ACRES ±

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LOT 4	1.57±	10%	0.157
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LOT 6 *	0.98±	10%	0.098
TRACT A - STORMWATER POND	5.57±	100%	5.57±
TRACT B - WETLAND PRESERVATION	9.99±	100%	9.99±
ROADWAY EASEMENT	1.75±	N/A	N/A
TOTALS	31.88±	53.92%	17.192

SITE LEGEND

- SERVICE AREA LOCATIONS
- PROPOSED ACCESS POINTS
- LITTORAL SHELF/WATER GARDEN

PARADISE DEVELOPMENT GROUP

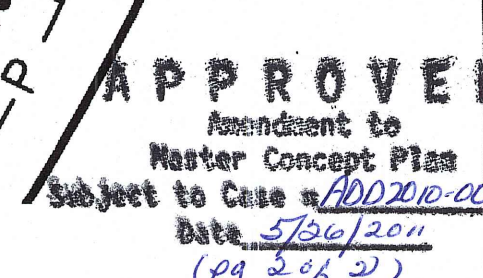
CIVIL ENGINEERING 2310 CUREL ROAD, STE 100
LAND PLANNING PALM HARBOR, FLORIDA 34883
TRAFFIC/TRANSPORTATION
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL SCIENCES
SURVEYING GIS

WIN-DELPRADO
COMMERCIAL CENTER
N. FT MYERS, LEE COUNTY, FLORIDA

H-2.B.2(A)
MASTER CONCEPT PLAN (MCP)

MCP

ISSUED FOR: ☐ PRELIMINARY ☒ PERMITTING ☐ FINAL ☐ CONSTRUCTION ☐ RECORD DWG



**WIN-DELPRADO
COMMERCIAL CENTER
N. FT MYERS, LEE COUNTY, FLORIDA**

H-2.B.2(B)
MCP DETAIL DRAWING

AVID

CIVIL ENGINEERING
LAND PLANNING
TRAFFIC/TRANSPORTATION
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL SCIENCES

2300 CURLEW ROAD, STE 100
PALM HARBOR FLORIDA
34683

PHONE (727) 789-9500

THESE PLANS MAY NOT BE COPIED AND/OR

-TR	00	13	24
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11

11

1

NOT VALID UNLESS SIGNED & EMBOSSED
BY A REGISTERED PROFESSIONAL
AVID ENGINEERING
CERTIFICATE OF AUTHORIZATION NO. A139

REQ. #:
001-040
DATE:
12/26/06

2	1.	NO.
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DATE

R

DE
SIONS
W/

OPTION

JUNTY

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

WHEREAS, an application was filed by the property owner, Win-Del Prado, LTD, to rezone a 31.87± acre parcel from Agricultural (AG-2), Residential Planned Development (RPD), and Commercial Planned Development (CPD) to Commercial Planned Development in reference to Win-Del Prado CPD; and

WHEREAS, a public hearing was advertised and held on August 1, 2007, before the Lee County Zoning Hearing Examiner, Richard A. Gescheidt, who gave full consideration to the evidence in the record for Case #DCI2006-00070; and

WHEREAS, a second public hearing was advertised and held on September 17, 2007, 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 a 31.87± acre parcel from AG-2, RPD and CPD to CPD, to allow 153,000 square feet of commercial uses (including commercial retail). Maximum height proposed is two stories/35 feet. No development blasting is requested. The Applicant indicates any development will connect to public potable water and public sanitary sewer. The property is located in the Suburban Future Land Use Category and is 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).

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP), attached hereto as Exhibit C, entitled "WIN-DEL PRADO COMMERCIAL CENTER, N. FT. MYERS, LEE COUNTY, FLORIDA, MASTER CONCEPT PLAN (MCP)," date stamped "Received NOV 13 2007 Community Development," dated 12/26/06, last revised 9/19/07, except as modified by the conditions below.

This development must comply with all requirements of the 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 development is limited to a maximum of 153,000 square feet of commercial floor area, for the entire site, all of which may be commercial office and/or retail, as defined in the Lee Plan per Policy 6.1.2 (7).

No individual retail building may exceed 100,000 square feet.

2. **USES AND SITE DEVELOPMENT REGULATIONS**

The following limits apply to the project and uses:

a. **Schedule of Uses**

Anchor Parcel (Lot 2)

Accessory Uses and Structures

Administrative Offices

Automatic Teller Machine (ATM)

Auto Parts Store (with or without installation)

Banks and Financial Establishments, Group I and II

Building Materials Sales - no outdoor display, storage or outdoor sales.

Business Services Group I and II - excluding bail bonding, armored car services.

Clothing Stores, General

Consumption on Premises, indoor and outdoor. See Condition #9.

Department Store

Drive through facility

Drug Store, Pharmacy

Essential services

Essential service facilities: Group I

Excavation, Water Retention - not to include the removal of excavated material from the site. No blasting.

Fences, walls

Food Stores, Group I

Gift and Souvenir Shop

Hardware Store - no outdoor display, storage or outdoor sales.

Hobby Toy and Game Shops

Household and Office Furnishings - no outdoor display, storage or outdoor sales.

Laundry or Dry Cleaning, Group I

Medical Office

Paint, Glass and Wallpaper - no outdoor display, storage or outdoor sales.

Package Store (no standalone)

Parking Lot, Accessory

Personal Services, Group I

Pet Shop - no outdoor runs

Rental or Leasing Establishments, Group I and II

Restaurants, All Groups (Fast Food within a multi-occupancy building)

Signs - in accordance with chapter 30

Schools, Commercial

Social Services, Group I and II
Specialty Retail Shops, All Groups
Storage, indoor only
Supermarket
Variety Store
Temporary Uses

Outparcels (Lots 1,3,4,5,6,7,8)

Accessory Uses and Structures
Administrative Offices
Automatic Teller Machine (ATM)
Auto Parts Store (with or without installation), not permitted on Lot 6
Automobile Service Station - limited to 1 and only as an accessory to and in conjunction with a convenience food and beverage store with self service fuel pumps. Not permitted on Lots 4, 5 and 6.
Auto Repair and Service, Group I - limited to 1 stand alone facility and as an accessory to and in conjunction with a convenience food and beverage store with self service fuel pumps. Not permitted on Lots 4, 5 and 6.
Banks and Financial Establishments, Group I and II.
Building Materials Sales - no outdoor display, storage or outdoor sales. Not permitted on Lots 4, 5 and 6.
Business Services Group I and II - excluding bail bonding, armored car services.
Car Wash - Limited to 1 as an accessory to and in conjunction with a convenience food and beverage store, self service fuel pumps. Not permitted on Lots 4, 5 and 6. No stand-alone car washes.
Clothing Stores, General
Consumption on Premises, indoor and outdoor. See Condition #9.
Convenience Food and Beverage Store - Limited to 1. Not permitted on Lots 4, 5 and 6.
Drive through facility
Drug Store/Pharmacy - Not permitted on Lots 4, 5 and 6.
Essential services
Essential service facilities: Group I
Excavation, Water Retention - not to include the removal of excavated material from the site. No blasting.
Fences, walls
Food Stores, Group I
Gift and Souvenir Shop
Hardware Store - no outdoor display, storage or outdoor sales.
Household and Office Furnishings - no outdoor display, storage or outdoor sales.
Lawn and Garden Supply Store- no outdoor display, storage or outdoor sales
Medical Office
Paint Glass and Wallpaper - no outdoor display, storage or outdoor sales.
Parking Lot, Accessory
Pet Shop - no outdoor runs.
Restaurants, All Groups.

Restaurant, Fast Food - Stand-alone fast food restaurant - Limited to 1 and only on Lots 3,7 or 8.

Stand-alone fast food not permitted on Lots 4, 5 and 6.

Signs - in accordance with chapter 30

Self Service Fuel Pumps - limited to 16 in conjunction with a convenience food and beverage store. Not permitted on Lots 4, 5 and 6.

Supermarket

Temporary Uses

Tract A and B

Wetland Preserves, Buffers, Fences, Preservation, Open Space and Storm Water Management, and related uses consistent with the approved MCP and conditions of this resolution.

b. **Site Development Regulations**

Development of this CPD will comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area: 10,000 square feet
Width: 100 feet
Depth: 100 feet

Minimum Setbacks:

Street: 25 feet from public roads.
20 feet from internal streets and access drives
Side: 20 feet
Rear: 20 feet
Water body: 25 feet

Preserve: 20 feet from Wetlands; 30 feet from Pine Flatwoods

Perimeter Setback: 25 feet

Accessory Use and Structure setbacks must comply with LDC §34-1171 *et seq.* and §34-2194.

Maximum Lot Coverage: 40 percent

Maximum Building Height: 2 stories / 35 feet for all uses

3. **NO BLASTING**

Development blasting has not been requested as part of this planned development. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

4. **WATER AND SEWER**

Development of this project must connect to both public water and public sewer. At time of local development order, the developer must also demonstrate there is adequate water and sewer capacity to handle the proposed level of development.

5. **TRAFFIC**

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.

6. **LEE PLAN ALLOCATION**

Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee 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.

7. **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 issuance of a local development order.

8. **AGRICULTURAL USES**

There are no agricultural uses on site nor are there agricultural exemptions. No agricultural uses are permitted on this site as a part of this rezoning.

9. **CONSUMPTION ON PREMISES**

- A. Consumption on premises (indoor) is permitted only in conjunction with a Group III Restaurant.
- B. No sale, service or consumption of alcoholic beverages, in conjunction with a Group III Restaurant will be permitted without the sale or availability of food and non-alcoholic beverages on the same premises.
- C. Outdoor consumption on premises may only be approved by Special Exception. A public hearing is required. The applicant must provide adequate detail of the outdoor seating area consistent with the requirements of the LDC.
- D. No outdoor consumption on premises will be allowed on Lot 6.

10. **ACCESS TO U.S. 41**

The proposed project entrance on US 41 will be subject to approval of the Florida Department of Transportation.

11. **ACCESS ISSUES**

The configuration for the proposed project entrance on Del Prado Boulevard will be determined by the turning-lane analysis at the Development Order stage. The line work depicting median openings and alterations must be removed from the MCP.

12. **ZONING RESOLUTION SUPERCEDED**

The conditions applicable to the remaining wetland/preserve portion of the Sabal Springs RPD, as adopted in zoning resolution # Z-86-193 are hereby superceded. The attached MCP and the conditions set forth in this resolution will control.

13. **ACCESSORY USES**

Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

14. **ENHANCED BUFFER**

All required buffers must utilize 100 percent native vegetation.

15. **ENVIRONMENTAL SCIENCES CONDITIONS**

Prior to local development order approval, the following must be delineated on the development order plans for the Lee County Division of Environmental Sciences staff review and approval:

- A. 9.6-acre wetland and upland preserve with restoration and enhancement as shown on the exhibit entitled Paradise CPD Proposed Indigenous Preserves dated May 24, 2007, prepared by Boylan Environmental Consultants (Exhibit D attached); and
- B. 1.19 acres of water garden creation (0.15 acres wet detention and 1.04 acres dry detention) labeled "Replanting in Retention Areas" on the Paradise CPD Proposed Indigenous Preserves exhibit; and
- C. A detailed indigenous restoration plan for the 2.69-acre wetland restoration area (2.07 acres hydric pine flatwoods, 0.12 acres willow wetlands and 0.50 acres wet prairie) and the 0.68-acre upland restoration area (pine flatwoods); and
- D. A detailed planting plan for the water garden areas; and

- E. A protective barrier with a minimum 4-foot height combined with preserve signs between the preserve and the adjacent residential development, along with removal of all encroachments into the preserve area, including but not limited to lawns, gardens and decorations; and
- F. A detailed littoral planting plan providing a minimum 5-foot-wide flat littoral shelf along the lake shoreline abutting the wetland preserve with plantings based on three herbaceous littoral plants per linear foot of shoreline for the entire lake; and
- G. A minimum of 10 percent open space per commercial lot.

The wetland preserve must be integrated into the surface water management system to improve and maintain the appropriate hydrology. The development order plans and South Florida Water Management District Environmental Resource Permit must demonstrate how this will be achieved.

The 9.6-acre indigenous preserve and restoration area must be placed under a Conservation Easement dedicated to Lee County and any other appropriate governmental agency. A draft Conservation Easement must be submitted prior to local development order approval. A copy of the recorded Conservation Easement must be submitted prior to issuance of a Certificate of Compliance for any development order on this property.

SECTION C. DEVIATIONS:

- 1. Deviation (1) seeks relief from the LDC §10-285 requirement to provide connection separation of 660 feet for arterial roads, to allow a connection separation of 473 feet and 620 feet. This deviation is DENIED.
- 2. Deviation (2) seeks relief from LDC §10-329(D)(1) requirement that lake excavations be set back a minimum of 50 feet from property under separate ownership, to allow a separation of 31.94 feet. This deviation is APPROVED.

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
- Exhibit D: Paradise CPD Proposed Indigenous Preserves

The applicant has indicated that the STRAP numbers for the subject property are: 22-43-24-00-00001.0000, 22-43-24-01-00002.0010, 22-43-24-01-00002.0030 and 22-43-24-01-00002.0070

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 as conditioned;
 - 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 available and adequate to serve the proposed land use.
5. The approved deviation, as conditioned, enhances achievement of the planned development objectives, and preserves and promotes the general intent of LDC Chapter 34, to protect the public health, safety and welfare.
6. The proposed project:
 - a. Is located on U.S. 41 - an existing arterial road;
 - b. Is located at the intersection of that arterial with a future arterial road (Del Prado Boulevard) that is indicated on the Official Traffic Ways Map; and

- c. Will provide an acceptable alignment for the future roadway, which is the justification for the approval, relative to both extensions of that future roadway from the point of intersection with the existing road.

Commissioner Hall made a motion to adopt the foregoing resolution, seconded by Commissioner Judah. 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 17th day of September, 2007.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY:

Marcia Wilson
Deputy Clerk

BY:

Robert P. Janes
Robert P. Janes
Chair



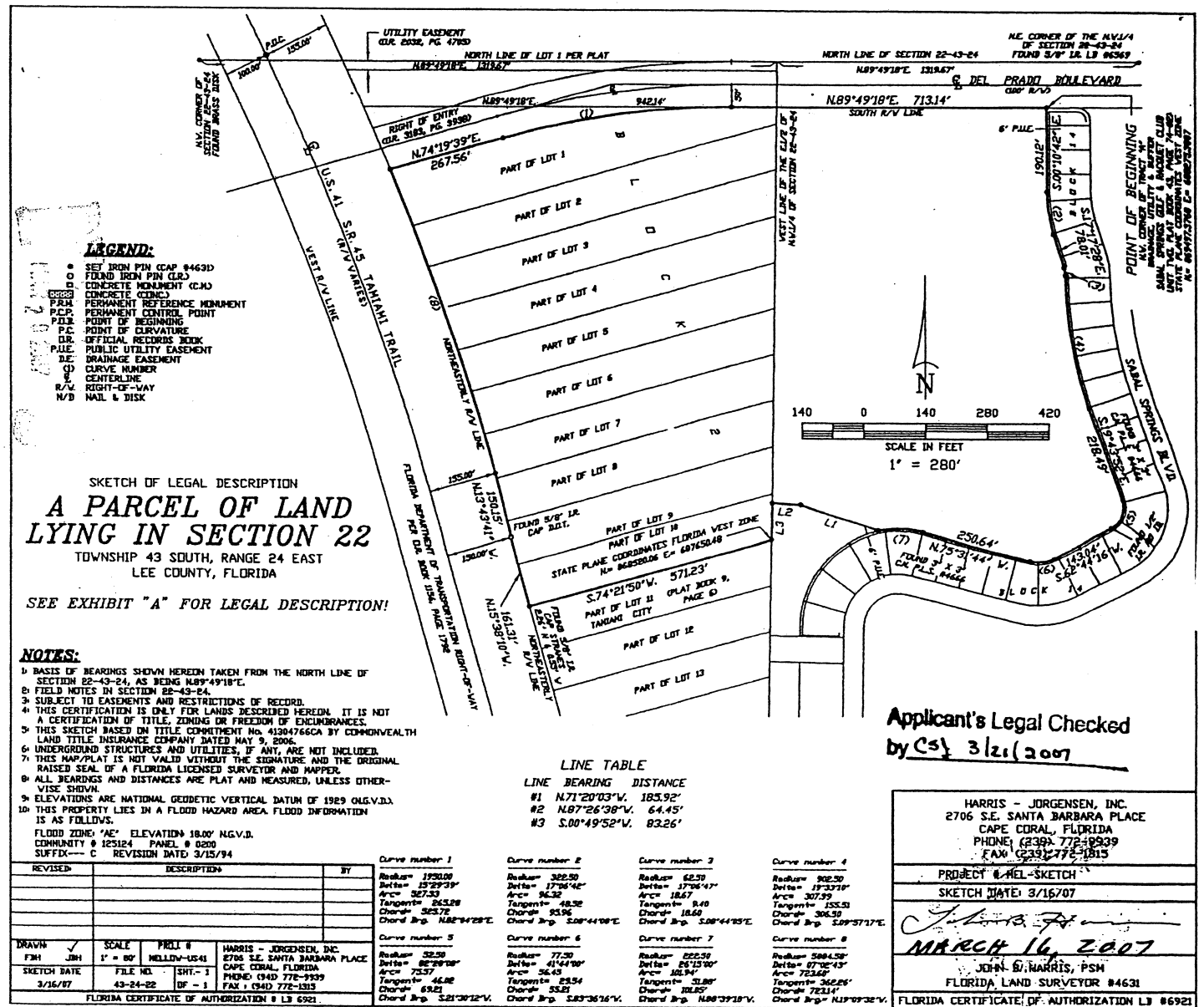
Approved as to form by:

Robert D. Spickerman
Robert D. Spickerman
County Attorney's Office

RECEIVED
MINUTES OFFICE
mw
2007 DEC -6 PM 5:07

EXHIBIT "A"
1 OF 3

DCI 2006-00070



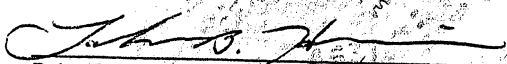
DESCRIPTION:

Part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 2, Tamiami City Subdivision as recorded in Plat Book 9, Page 7, Public Records of Lee County, Florida and part of the Northwest Quarter of Section 22, Township 43 South, Range 24 East, Lee County, Florida, described as follows:

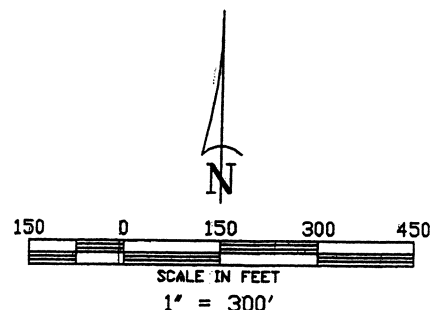
Beginning at the Northwest corner of Tract "A", Sabal Springs Golf & Racquet Club, Unit Two, as recorded in Plat Book 43, Pages 74 through 82, Public Records of Lee County, Florida; thence run S.00°10'42"E. along the West line of said Tract "A" and the West line of Block 14 of said Sabal Springs Golf & Racquet Club, Unit Two for 190.12 feet to a point of curvature; thence run Southeasterly along the Westerly line of said Block 14 for 96.32 feet along the arc of a curve concave Northeasterly, with a radius of 322.50 feet, a delta of 17°06'42", a chord bearing of S.08°44'08"E. and a chord distance of 95.96 feet to a point of tangency; thence run S.17°17'28"E. along the Westerly line of said Block 14 for 78.01 feet to a point of curvature; thence run Southeasterly along the Westerly line of said Block 14 for 18.67 feet along the arc of a curve concave Southwesterly, with a radius of 62.50 feet, a delta of 17°06'47", a chord bearing of S.08°44'05"E. and a chord distance of 18.60 feet to a point of reverse curvature; thence run Southeasterly along the Westerly line of said Block 14 for 307.99 feet along the arc of a curve concave Northeasterly, with a radius of 902.50 feet, a delta of 19°33'10", a chord bearing of S.09°57'17"E. and a chord distance of 306.50 feet to a point of tangency; thence run S.19°43'52"E. along the Westerly line of said Block 14 for 218.49 feet to a point of curvature; thence run Southwesterly along the Northwesternly line of said Block 14 for 75.57 feet along the arc of a curve concave Northwesterly, with a radius of 52.50 feet, a delta of 82°28'08", a chord bearing of S.21°30'12"W. and a chord distance of 69.21 feet to a point of tangency; thence run S.62°44'16"W. along the Northwesternly line of said Block 14 for 143.04 feet to a point of curvature; thence run Southwesterly along the Northwesternly line of said Block 14 for 56.45 feet along the arc of a curve concave Northwesterly, with a radius of 77.50 feet, a delta of 41°44'00", a chord bearing of S.83°36'16"W. and a chord distance of 55.21 feet to a point of tangency; thence run N.75°31'44"W. along the Northerly line of said Block 14 for 250.64 feet to a point of curvature; thence run Northwesterly along the Northwesternly line of said Block 14 for 101.94 feet along the arc of a curve concave Southwesterly, with a radius of 222.50 feet, a delta of 26°15'00", a chord bearing of N.88°39'18"W. and a chord distance of 101.05 feet; thence run N.71°20'03"W. for 185.92 feet; thence run N.87°26'38"W. for 64.45 feet to a point on the West line of the East Half (E.1/2) of the Northwest Quarter (N.W.1/4) of the aforesaid Section 22; thence run S.00°49'52"W. along said West line for 83.26 feet to the Southeast corner of Lot 10, Block 2 of the aforesaid Tamiami Subdivision; thence run S.74°21'50"W. along the South line of said Lot 10 for 571.23 feet to the Easterly right-of-way line (as recorded in Official Records Book 1156, Page 1792, Public Records of Lee County, Florida) of State Road 45 (Tamiami Trail) (U.S. Highway No. 41); thence run N.15°38'10"W. along said Easterly right-of-way line for 161.31 feet; thence run N.13°43'41"W. for 150.15 feet to a point on a non-tangent curve; thence run Northwesterly along said Easterly right-of-way line for 723.60 feet along the arc of a curve concave Southwesterly, with a radius of 5884.58 feet, a delta of 07°02'43", a chord bearing of N.19°09'32"W. and a chord distance of 723.14 feet to a point on the Southerly line of Del Prado Boulevard (Mellow Drive, as shown on Lee County right-of-way map of Mellow Drive, sheet 4 of 20 for County Project #4013); thence run N.74°19'39"E. for 267.56 feet to a point of curvature; thence run Northwesterly along said Southerly right-of-way line for 527.33 feet along the arc of a curve concave Southeasterly, with a radius of 1950.00 feet, a delta of 15°29'39", a chord bearing of N.82°04'28"E. and a chord distance of 525.72 feet to a point of tangency; thence run N.89°49'18"E. along said Southerly right-of-way line for 713.14 feet to the point of beginning.

Said tract contains 31.871 acres, more or less and is subject to easements, restrictions and reservations of record

Bearings are based on the North line of the aforesaid Section 22 as being N.89°49'18"E.


John B. Harris P.S.M. #4631
September 11, 2006

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION!



- SET IRON PIN (CAP #463D)
- FOUND IRON PIN (LR)
- CONCRETE MONUMENT (O.M.)
- CONCRETE (CONC.)
- PERM. PERMANENT REFERENCE MONUMENT
- PERM. CONTROL POINT
- P.O.B. POINT OF BEGINNING
- P.C. POINT OF CURVATURE
- P.O.C. POINT OF CURVATURE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- C.V. CURVE NUMBER
- C. CENTERLINE
- R/W RIGHT-OF-WAY
- NAIL & DISK

1. BASIS OF BEARINGS SHOWN HEREIN TAKEN FROM THE NORTH LINE OF SECTION 22-4-24, AS BEING N85°49'18"E.
2. FIELD NOTES IN SECTION 22-49-24.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREIN. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SURVEY BASED ON TITLE COMMITMENT NO. 41304766CA BY COMMONWEALTH LAND TITLE INSURANCE COMPANY DATED MAY 9, 2006.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. ELEVATIONS ARE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D.).
10. THIS PROPERTY LIES IN A FLOOD HAZARD AREA. FLOOD INFORMATION IS AS FOLLOWS:

FLOOD ZONE: 'AE' ELEVATION: 18.00' N.G.V.D.
COMMUNITY # 125124 PANEL # 0200
SUFFIX---C REVISION DATE: 3/15/94

(REVISED)		DESCRIPTION	BY
6/7/06		REVISE BOUNDARY	FBIH
DRAWN:	SCALE	PROJ. #	HARRIS - JORGENSEN, INC.
FBIH	1" = 300'	MELLOR+US41	2706 S.E. SANTA BARBARA PLACE
SURVEY DATE	FILE NO.	SHT. - 1	CAPE CORAL, FLORIDA
1/30/04	49-24-82	DF - 1	PHONE (941) 772-9939
			FAX : (941) 772-1315
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 6981			

LINE	BEARING	DISTANCE
#1	N.71°20'03"W.	185.92'
#2	N.87°26'38"W.	64.45'
#3	S.00°49'52"W.	83.26'

Radius= 1950.00
Delta= 15°29'39"
Arc= 527.33
Tangent= 265.28
Chord= 525.72
Chord Brg. N.82°04'28"E.

Radius= 52.50
Delta= 82°28'08"
Arc= 75.57
Tangent= 46.02
Chord= 69.21
Chord Brg. S.21°30'12"W.

Radius= 322.50
Delta= 17°06'42"
Arc= 96.32
Tangent= 48.52
Chord= 95.96
Chord Brg. S.08°44'08"E.

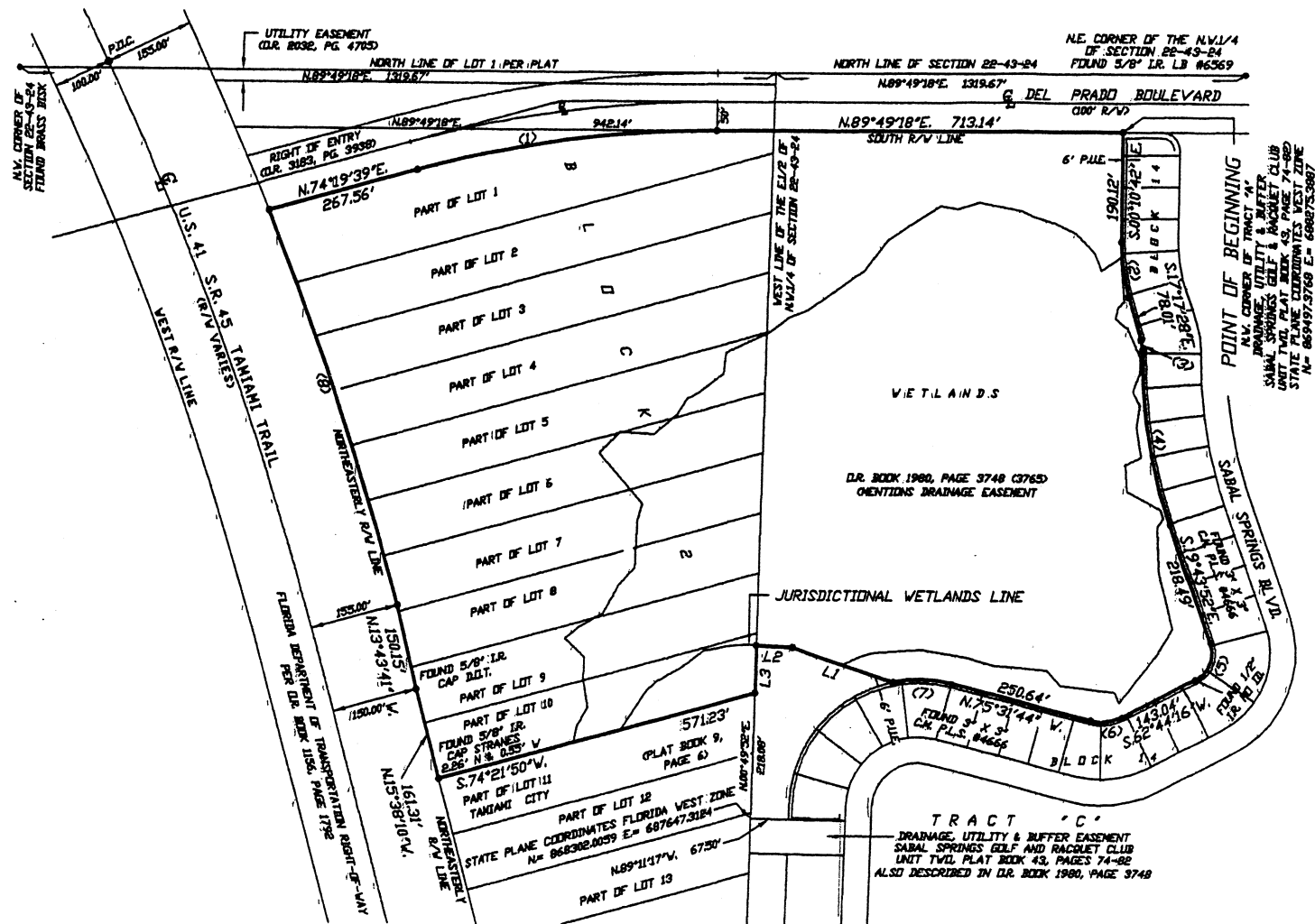
Radius= 77.50
Delta= 41°44'00"
Arc= 56.45
Tangent= 29.54
Chord= 55.21
Chord Brg. S.83°36'16"W.

Radius= 62.50
Delta= 17°06'47"
Arc= 18.67
Tangent= 9.40
Chord= 18.60
Chord Brg. S.08°44'05"E.

Radius= 222.50
Delta= 26°15'00"
Arc= 101.94'
Tangent= 51.88'
Chord= 101.05'
Chord Brg. N.88°39'18"W

Radius= 902.50
Delta= 19°33'10"
Arc= 307.99
Tangent= 155.51
Chord= 306.50
Chord Brg. S.09°57'17"E.

Radius= 5884.58'
Delta= 07°02'43"
Arc= 723.60'
Tangent= 362.26'
Chord= 723.14'
Chord Brg.= N.19°09'32"W.



HARRIS - JORGENSEN, INC.
2706 S.E. SANTA BARBARA PLACE
CAPE CORAL, FLORIDA
PHONE: (239) 772-9939
FAX: (239) 772-1315

PROJECT # MEL-ZONI

SKETCH DATE: 5/23/06

John B. Harris

NOVEMBER 20 2006

JOHN B. HARRIS, PSM
FLORIDA LAND SURVEYOR #4631

FLORIDA CERTIFICATE OF AUTHORIZATION LB #6921

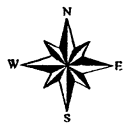
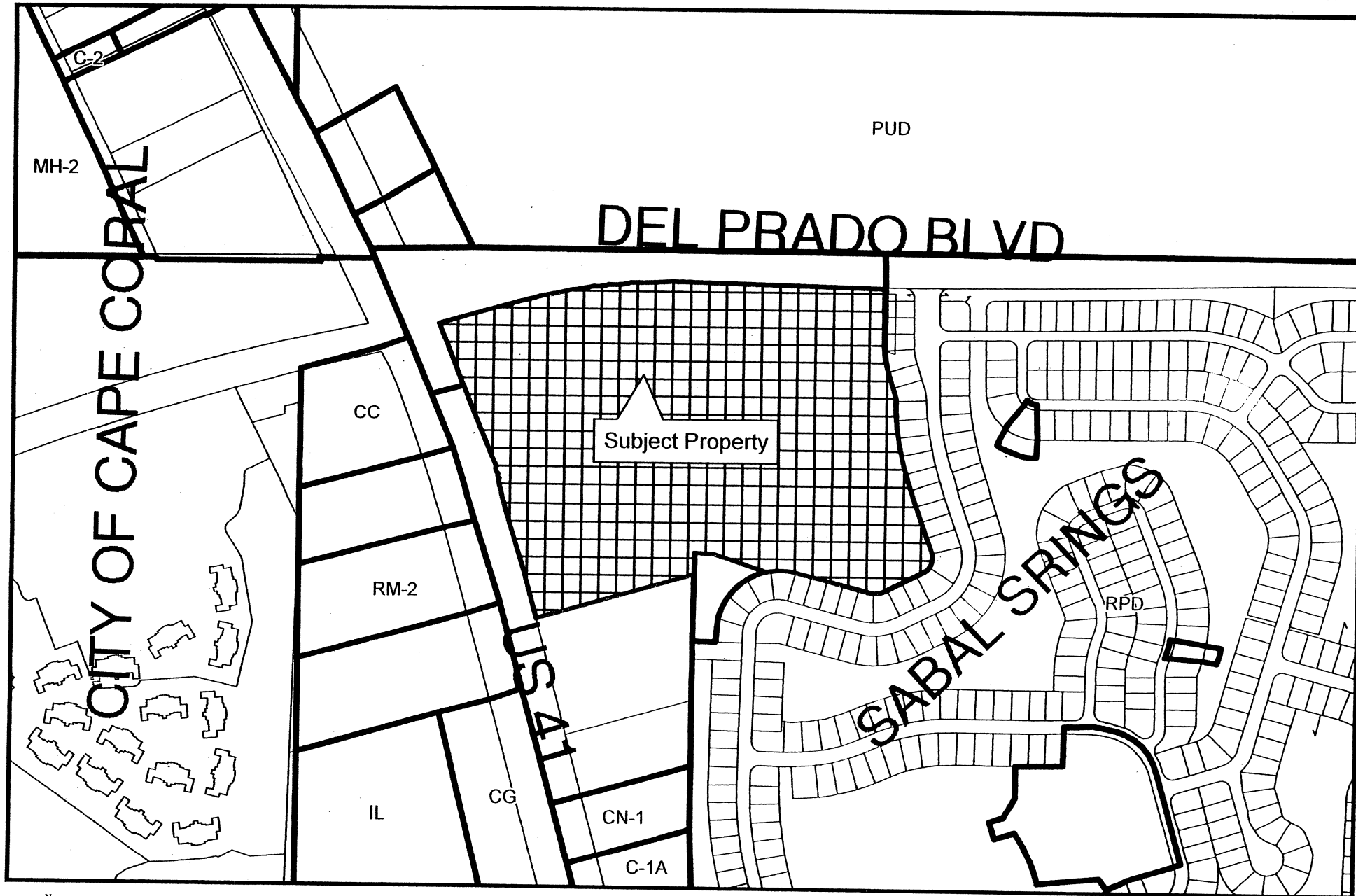
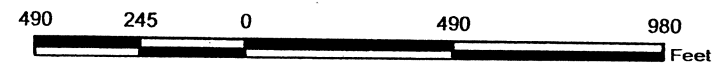


EXHIBIT "B"





Scale: 1" = 300'

FLUCFCS PRESERVE LEGEND

CODE	DESCRIPTION	ACREAGE
411	Pine Flatwoods	0.46 ac.
618	Willow Wetland	5.77 ac.
619	Melaleuca Wetland	2.69 ac.
740	Disturbed Lands	0.68 ac.
--	Retention area plantings	1.19 ac.
Total Preserve Acreage:		10.79 ac.

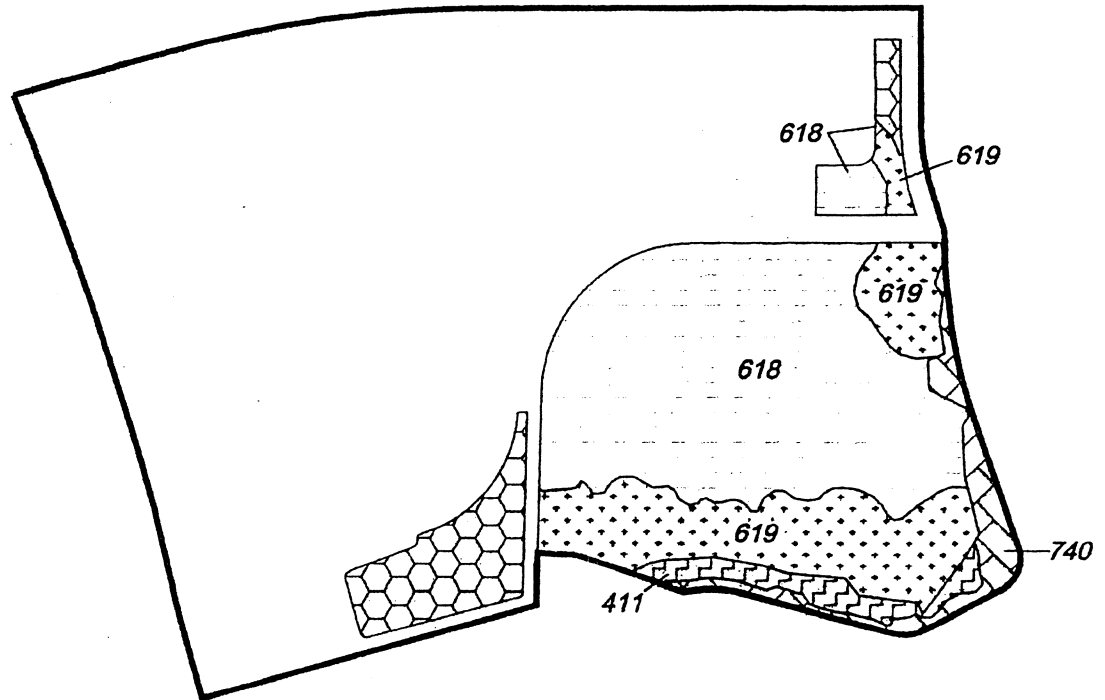
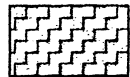


EXHIBIT "D"



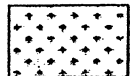
Upland Preserve (0.46 ac)



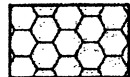
Wetland Enhancement (5.77 ac)



Upland Restoration (0.68 ac)



Wetland Restoration (2.69 ac)



Replanting in Retention Areas (1.19 ac)

Boylan Environmental Consultants, Inc.
 Wetland & Wildlife Surveys, Environmental Permitting,
 Impact Assessments
 11000 Metro Parkway, Suite 4, Ft. Myers, FL 33966 (239) 418-0671

Drawn By:	Date:	Category:
AML	5/24/2007	FLUCFCS
Job Number:		Scale:
2005-217		1" = 300'
S/T/R		County
22/43S/24E		Lee

PARADISE CPD PROPOSED INDIGENOUS PRESERVES

Revisions	Date:	Page
		Exhibit

