

GIS Tracking Sheet

Case No.:

DCI 2011-60037

Intake Date:

Project Name:

STRAP Number(s):

Planner Name:

Ext.

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date:

INTAKE:

LEGAL SUFFICIENT

YES

NO

Initials:

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date:

Hearing Examiner Decision

Board of County Commissioner's Resolution

Administrative Approval

Blue Sheet

Zoning Notes:

12/20/14

MAP UPDATED

YES

NO

Initials: CJ

If not, give brief explanation:

ZONE! MAP! 501364

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

November 23, 2011

BANKS ENGINEERING
10511 SIX MILE CYPRESS PKWY
FORT MYERS FL 33966

Re: ARLINGTON COMMERCE PARK LLC
BCCR11-10-01 Extension (F)
DCI2011-00037

Dear BANKS ENGINEERING:

In accord with BCCR11-10-01, development permits meeting certain criteria are entitled to one 4-year extension from the existing/initial permit expiration date. Accordingly, the effectiveness of the Master Concept Plan identified in Zoning Resolution, Z-08-023 / DCI2006-00100, DCI2011-00037, ARLINGTON COMMERCE PARK LLC, is hereby extended for the following:
APPROVAL FOR A 4-YEAR EXTENSION FROM SEPTEMBER 15, 2013 TO SEPTEMBER 15, 2017 FOR ARLINGTON COMMERCE PARK.

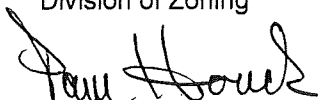
No additional extensions under BCCR11-10-01 may be granted for the above-referenced development permit. All underlying conditions of the zoning resolution remain in full force and effect. Failure to comply with zoning conditions may result in enforcement action as provided under Florida law and local regulations.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under BCCR11-10-01, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development
Division of Zoning



Pam Houck
Director



Professional Engineers, Planners & Land Surveyors

November 21, 2011

Lee County Community Development
1500 Monroe Street
Fort Myers, Florida 33901

Reference: PERMIT EXTENSION REQUEST
ARLINGTON COMMERCE PARK
DCI2006-00100 (Z-08-03)
023

To Whom It May Concern:

Please accept this letter as a request for a four (4) year extension for the Arlington Commerce Park Zoning as referenced above, pursuant to Lee County Resolution No. 11-10-01. The zoning was issued on September 15, 2008, which falls within the required date range of between January 2, 2006 and June 12, 2012.

Attached please find a check in the amount of \$200.00 for the requested extension. Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,
BANKS ENGINEERING

Jennifer M. Sheppard
Permitting Coordinator

DCI 2011-00037

354525 0000001 0000

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

WHEREAS, Arlington Commerce Park, LLC, filed an application on behalf of the property owner, RSW Land Holding, LLC, to rezone 80.57± acres from Agricultural (AG-2) to Mixed-Use Planned Development (MPD), in reference to Arlington Commerce Park MPD; and,

WHEREAS, a public hearing was advertised to be held on May 1, 2008, but then continued and held on June 25, 2008, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2006-00100; and

WHEREAS, a second public hearing was advertised and held on September 15, 2008, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 80.57± acres from AG-2 to MPD to allow up to 590,000 square feet of industrial uses, 160,000 square feet of office uses, including medical offices, 50,000 square feet of commercial retail uses and a 200 room hotel with accessory uses. The maximum height shall not exceed 65 feet. No blasting is proposed. Potable water and sanitary sewer are available to the site and the site will be required to connect to those services. The property is located in the Tradeport 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 1-page Master Concept Plan (MCP) entitled "Master Concept Plan, Arlington Commerce Park MPD, Lee County, Florida," dated 05-16-2007, last revised 09-15-2008, date-stamped "Received SEP 22 2008 Community Development," and attached hereto as Exhibit "C," 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 MPD allows 590,000 square feet of floor area for industrial uses, 160,000 square feet of office area, including medical offices, 50,000 square feet of commercial retail areas and a 200-room hotel with ancillary uses.

2. The following Limits apply to the project and uses:

a. Schedule of Uses

TRACTS 1, 2 and 3 (Commercial Tracts):

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
AIRCRAFT FOOD SERVICE AND CATERING
ANIMALS CLINIC or KENNEL, indoor only
ATM (automatic teller machine)
BANKS AND FINANCIAL ESTABLISHMENTS - Groups I & II, and
limited to one bank for the entire development
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION
BUSINESS SERVICES - Groups I and II
CATERERS
CLEANING AND MAINTENANCE SERVICES
CLUBS, Fraternal, Membership Organization, Private
COMPUTER AND DATA PROCESSING SERVICES
CONSUMPTION ON PREMISES - in conjunction with a restaurant or hotel
CULTURAL FACILITIES
DRIVE-THROUGH FACILITY for any permitted use
DRUGSTORE, PHARMACY - Limited to one drugstore or pharmacy for the
entire development.
ENTRANCE GATE AND GATEHOUSE
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES - Group I only
EXCAVATION, Water retention, no dewatering
FENCES AND WALLS
FOOD AND BEVERAGE SERVICES, limited
GASOLINE DISPENSING SYSTEMS, Special
HEALTHCARE FACILITIES - Group III only
HEALTH CLUB OR SPA
HOTEL/MOTEL - Limited to one hotel and ancillary uses (shops, restaurants,
COP, etc., within the development, subject to Article VII, Division 19
of Chapter 34 of the LDC.
INSURANCE COMPANIES
LAUNDRY OR DRY CLEANING - Groups I & II
MEDICAL OFFICE
MESSAGE ANSWERING SERVICES
MOTION PICTURE PRODUCTION STUDIO
NONSTORE RETAILERS: all groups
PARKS - Group I only

PARKING LOT:

Accessory
Commercial
Garage, public parking
Temporary
PERSONAL SERVICES - Groups I, II, III & IV (Except Dating services,
Escort services, Palm readers, Fortune Tellers or Card Readers
and Tattoo parlors.)
PHOTO FINISHING LABORATORY
POST OFFICE
PRINTING AND PUBLISHING
REAL ESTATE SALES OFFICE for sale of lots/structures within the
development only
RECREATIONAL FACILITIES, Commercial - Group IV only
RENTAL OR LEASING ESTABLISHMENT - Groups I, II and III
REPAIR SHOPS - Groups I and II
RESEARCH AND DEVELOPMENT LABORATORIES - Groups II & IV
RESTAURANTS - Groups I, II and III, with Group III restaurant limited to one
(principal use) for the entire development.
RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate
to a permitted principal use on the same premises.
SCHOOLS, COMMERCIAL
SIGNS in accordance with Chapter 30 of the LDC
SOCIAL SERVICES - Group I only
STORAGE, INDOOR - when incidental to a permitted principal use.
STUDIOS
TEMPORARY USES - Limited to construction trailers and storage
structures during the development of the site.
WHOLESALE ESTABLISHMENTS - Group III only

TRACTS 4 through 8 (Industrial Tracts):

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
AIRCRAFT FOOD SERVICE AND CATERING
ATM (automatic teller machine)
AUTO REPAIR AND SERVICE - All Groups
BOATS, BOAT REPAIR AND SERVICE
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION
BUSINESS SERVICES - Groups I and II
CATERERS
CLEANING AND MAINTENANCE SERVICES
CLUBS: Fraternal, Membership Organization, Private
COLD STORAGE, PRE-COOLING, WAREHOUSE AND
PROCESSING PLANT
COMMUNICATION FACILITIES, WIRELESS, subject to
Conditions 9, 10 and 11
COMPUTER AND DATA PROCESSING SERVICES

CONTRACTORS AND BUILDERS - All Groups
DRIVE-THROUGH FACILITY for any permitted use
ENTRANCE GATE AND GATEHOUSE
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES - Group I and with Group II,
limited to communication, telephone and electrical
distribution facilities, and electrical substations
EXCAVATION, WATER RETENTION - no dewatering
FARM EQUIPMENT, SALES, STORAGE OR SERVICE
FEED OR FERTILIZER, Mixing and sale
FENCES AND WALLS
FISH HOUSE, WHOLESALE only
FOOD AND BEVERAGE SERVICES, LIMITED
FREIGHT AND CARGO HANDLING ESTABLISHMENTS
GASOLINE DISPENSING SYSTEMS, SPECIAL
HEALTH CLUB OR SPA
LAUNDRY OR DRY CLEANING - Groups I & II
MACHINE SHOP
MANUFACTURING of:
Apparel products
Boats
Chemical and allied products - Groups I and II, with Group II
limited to cosmetics, perfumes, soaps, detergents,
and other toilet preparations
Electrical machinery and equipment, all operations
must be conducted within a fully enclosed building
Fabricated metal products - Groups I, II & III,
with all operations must be conducted within a fully
enclosed building
Food and kindred products - Groups I, II & III
Furniture and Fixtures, all operations must be conducted
within a fully enclosed building
Leather products - Groups I & II
Lumber and wood products - Groups I, II, III, IV, V & VI - all
operations must be conducted within a fully
enclosed building
MACHINERY - All Groups
MEASURING, ANALYZING, AND CONTROLLING
INSTRUMENTS
NOVELTIES, JEWELRY, TOYS AND SIGNS - ALL Groups
PAPER AND ALLIED PRODUCT - Groups I, II and III
PETROLEUM
PRIMARY METAL INDUSTRIES
RUBBER AND PLASTIC PRODUCTS - Groups I and II
STONE, CLAY, GLASS AND
CONCRETE PRODUCTS - Groups I, II, III & IV
TEXTILE MILL PRODUCTS - All Groups
TOBACCO PRODUCTS

TRANSPORTATION EQUIPMENT - Groups I, II,
with Group I limited to aircraft engines and
engine parts and aircraft parts and auxiliary
equipment not elsewhere classified
MESSAGE ANSWERING SERVICES
MINI-WAREHOUSE
MOTION PICTURE PRODUCTION STUDIO
NONSTORE RETAILERS - All Groups
PARCEL AND EXPRESS SERVICES
PARKS - Group I only
PARKING LOT:
 Accessory
 Commercial
 Garage, public parking
 Temporary
PHOTO FINISHING LABORATORY
POST OFFICE
PRINTING AND PUBLISHING
PROCESSING AND WAREHOUSING
REAL ESTATE SALES OFFICE, for sale of lots/structures
 within the development only
RENTAL OR LEASING ESTABLISHMENT - Groups I, II, III, and IV
REPAIR SHOPS - Groups I, II, III, IV, and V
RESEARCH AND DEVELOPMENT LABORATORIES - Groups II and IV
RETAIL AND WHOLESALE SALES, when clearly
 incidental and subordinate to a permitted principal
 use on the same premises
SCHOOLS, COMMERCIAL
SIGNS in accordance with Chapter 30 of the LDC
SOCIAL SERVICES - Groups I and II
STORAGE:
 INDOOR, per LDC §34-001, *et seq.*
 OPEN, only for uses permitted within
 this schedule of uses, per LDC §34-3001, *et seq.*
STUDIOS
TEMPORARY USES - Limited to construction trailers
 and storage structures during the development
 of the site.
TRANSPORTATION SERVICES - Groups I, II, III & IV
TRUCK STOP, TRUCKING TERMINAL
WAREHOUSE:
 Private
 Public
 Cold Storage
WHOLESALE ESTABLISHMENTS - Groups III and IV

b. Site Development Regulations

Minimum Lot Area and Dimensions:

Area: 40,000 square feet
Width: 200 feet
Depth: 200 feet

Minimum Setbacks:

Street: In accordance with LDC §34-2192(a)
Side: 10 feet
Rear: 20 feet
Waterbody: 20 feet
Preserve: 20 feet

Development Perimeter Building Setback:

Commercial: 15 feet
Industrial: 25 feet

Maximum Building Height: 65

Minimum Building Separation: One half the sum of the heights of both buildings, or 20 feet, whichever is greater.

Maximum Lot Coverage: 45 percent

Land Use Conversion Table - Subject to Condition 16

1,000 Square Feet Retail	= 1,800 Square Feet General Office
	= 750 Square Feet Medical Office
	= 3,200 Square Feet Industrial Park
1,000 Square Feet General Office	= 550 Square Feet Retail
	= 400 Square Feet Medical Office
	= 1,700 Square Feet Industrial Park
1,000 Square Feet Industrial Park	= 300 Square Feet Retail
	= 500 Square Feet General Office
	= 200 Square Feet Medical Office
1 Hotel Room	= 250 Square Feet Retail
	= 470 Square Feet General Office
	= 200 Square Feet Medical Office
	= 800 Square Feet Industrial Park

3. Environmental Conditions

- a. The Applicant is encouraged to commence Early Consultation with the U.S. Fish & Wildlife Service on the Florida Panther and Red-cockaded Woodpecker, and to provide Lee County Environmental Sciences (DES) Staff with copies of correspondence pertaining to the consultation process.
- b. Prior to development order and vegetation clearing permit approvals, development order plans must be in substantial compliance with the Conceptual Indigenous Management Plan, date-stamped "Received Jun 23 2008 Community Development," and attached hereto as Exhibit "D," as it relates to the Large Mammal and Big Cypress Fox Squirrel.
- c. Prior to local development order approval, the development order plans must depict a minimum of 25 acres of open space with a minimum of 10 percent open space provided within each tract
- d. Prior to the approval of any amendment or administrative deviation to alter the proposed commercial and industrial acreage of the Mixed Planned Development, the Applicant must provide an open space table depicting proposed commercial and industrial acreage changes and subsequent changes to open space and indigenous open space required. Any proposed increase in commercial acreage must not produce an open space and indigenous requirement beyond the indigenous acreage provided.
- e. Prior to local development order approval, the development order plans must delineate a minimum of 15.49 acres as preserve in substantial compliance with the approved MCP for a total of 10.56 acres indigenous provided to include:
 - A minimum of 1.98 acres of indigenous wetlands; and
 - A minimum 3.14 acres indigenous uplands (3.38 acres with 110 percent credit taken); and
 - At a minimum 10.32 acres wetland enhancement (5.16 acres at a 2:1 ratio of restored indigenous area to be mitigated); and
 - At a minimum 0.05 acres upland creation (0.025 acre at a 2:1 ratio of created upland area to indigenous area to be mitigated).
- f. The Conceptual Indigenous Management Plan, attached as Exhibit "D," is conceptual, except as conditioned as part of the resolution.

Prior to local development order approval, the Applicant must submit for DES review and approval an indigenous management plan meeting the requirements of LDC §10-415(b)(4) for the minimum 15.49 acre preserve area.

- g. Prior to development order approval, the indigenous management plan must include an indigenous restoration and enhancements plan in conceptual compliance with the Conceptual Indigenous Management Plan attached as Exhibit "D," except as follows:
- The option to allow natural recruitment of herbaceous vegetation within the 10.32 acres indigenous wetland enhancement areas shall be determined by DES staff at the time of development order approval. Bareroot stock may not be utilized; and
 - Within the 10.32-acre indigenous wetland enhancement area existing native trees, shrubs, and groundcover must be preserved to the greatest extent possible during restoration activities. Preserved native vegetation may be used to meet restoration planting requirements.
- h. Prior to local development order approval, the development order plans must depict stormwater lake littoral plantings designed in a manner to best limit wading bird species but still provide adequate lake shading. The planting plan must include:
- Utilization of only vegetation from the most current Port Authority recommended compatible vegetation list (if vegetation is proposed which is not on the list, the Applicant must provide evidence of compatibility to be reviewed and approved by DES and Lee County Port Authority Staff); and
 - Utilization of native wetland trees and/or shrubs to be substituted for up to 50 percent of the total required littoral plantings per lake. One tree or shrub for every ten herbaceous littoral plantings required. Trees and shrubs must meet the LDC §10-418 (2)(b) plant standard requirements; and
 - Herbaceous littorals clustered at the outfalls and inlets; and
 - A maximum two species of littorals. Recommended species Pickeralweed *Pontederia cordata*, Duck Potato *Sagittaria lancifolia*, Yellow Canna Lily *Canna flaccida*, Iris *Iris virginica*, Lizards Tail *Saururus cernuus* or similar species

- i. A 25-foot right-of-way buffer for Treeline Avenue, along the eastern property line of the subject property, must be provided consisting of a 2-foot-high berm with 7 trees, 66 shrubs and 56 ground cover plants per 100 linear feet, excluding the preserve area. The clustering of trees and shrubs is strongly recommended to create visibility windows into the tracts, and provide a more naturalistic buffer, containing canopy trees and understory vegetation. All trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Required plantings must be located on the top of the berm or near the top of the berm on east side of the berm.
4. Access to Treeline Avenue - In order to accomplish a connection to Treeline Avenue at STA 102+98, the Applicant must comply with the conditions of approval contained in Lee County Resolution Number 08-03-14, as may be amended, and attached as Exhibit "E."
5. Vehicular and Pedestrian Impacts - Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.
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. No Bona Fide Agricultural Uses - Currently, there are no bona fide agricultural Uses on the property, and none shall be established after the approval of this rezoning request.
9. Wireless Communication Facility - A wireless communication facility may be administratively approved in any industrial tract within the development, provided it is co-located on a building and the height of the tower does not exceed 55 feet from the existing grade.
10. FAA & Port Authority Review of Tall Structures - The proposed development will be subject to the provisions of the LDC §34-1008, "Permit for Tall structures." Depending on the height and location of the proposed structures, an application may need to be submitted for review and approval to the Federal Aviation Administration (FAA) and the Lee County Port Authority to determine airspace impacts of the proposed permanent buildings, wireless communication facilities, and any temporary construction equipment (cranes) within the site.

11. FCC Review of Wireless Communication Facility - Federal Communication Commission review will be required for any wireless communication facilities to ensure that signals from the wireless communication facilities do not interfere with navigation aids and radar at the Lee County Port Authority (and airport).
12. Common Architectural Theme Required - All structures must be designed to be architecturally compatible and share a common architectural theme. All structures within the commercial tracts must be consistent with the Chapter 10, Article IV, "Design Standards and Guidelines for Commercial Buildings and Developments", of the LDC.
13. Sound Insulation of Buildings - Commercial buildings are encouraged to consider the use of sound insulating materials.
14. Solid Waste/Recycling - As part of local development order approval for vertical construction within any individual tracts, the developer must designate facilities for solid waste/recycling storage and disposal in compliance with LDC §10-261.
15. Connection to Central Water and Sanitary Sewer - All developments within this project must connect to central water and sewer services. Water and sewer lines must be extended to this development as part of infrastructure improvements of the site.
16. Retail Commercial Limited - The retail commercial shall be limited to 1,000 square feet per acre of the overall Planned Development - *See the Land Use Conversion Table in Condition 2.b.*
17. DRI Analysis Required with each Development Order - The Applicant must provide a DRI analysis of the project's development parameters with any application to amend the development parameters to ensure that the project development parameters do not exceed Development of Regional Impact (DRI) thresholds.
18. Cumulative Summary for DRI Analysis Required - The Applicant must provide a cumulative land development summary table as part of any local development order application.

SECTION C. DEVIATIONS:

1. Excavation Setback - Deviation (1) seeks relief from the LDC §10-329(d)(1)a.3. requirement that new excavations for water retention and detention be setback 50 feet from any private property line under separate ownership, to allow Lake 1 to be setback 25 feet from the west property line. This deviation is APPROVED, SUBJECT TO the following condition:

A 6-foot-high chainlink fence must be installed along the western property line of the subject property, along the entire length of the Lake #1.

2. Indigenous Preservation - Deviation (2) seeks relief from the LDC §10-415(b)(1)(a) requirement to allow the project to meet indigenous requirements through indigenous preservation and restoration at a 2:1 ratio. This deviation is APPROVED, SUBJECT TO Environmental Conditions 3.e., 3.f., and 3.g.
3. Sinuuous Shorelines - Deviation (3) seeks relief from the LDC §10-418(1) requirement that shorelines must be sinuuous in configuration to provide increased length and diversity of the littoral zone, to allow linearly shaped shorelines. This deviation is APPROVED.
4. Vegetative Species Diversity - Deviation (4) seeks relief from the LDC §10-418 (2)d. requirement that at least four species be planted, to allow two plant species. This deviation is APPROVED, SUBJECT TO Environmental Condition 3.h.
5. Shorelines of Retention Detention Areas - Deviation (5) seeks relief from the LDC §10-329(d)(4) requirement that the design of shorelines of retention and detention areas be sinuuous rather than straight, to allow linearly shaped shorelines. 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: Conceptual Indigenous Management Plan,
date-stamped "Received JUN 23 2008 Community Development"
- Exhibit E: Lee County Resolution Number 08-03-14

The applicant has indicated that the STRAP number for the subject property is:
35-45-25-00-00001.0000

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area;

- d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
- a. the proposed use or mix of uses is appropriate at the subject location;
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

Commissioner Hall made a motion to adopt the foregoing resolution, seconded by Commissioner Janes. The vote was as follows:

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

DULY PASSED AND ADOPTED this 15th day of September 2008.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: [Signature]
Ray J. J. [Signature], Chair
M. [Signature] V. Chair

Approved as to form by:

[Signature]
John J. Fredyma
Assistant County Attorney
County Attorney's Office



RECEIVED
MINUTES OFFICE
mw
2008 NOV 14 AM 7:40

Banks Engineering

Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA • PORT CHARLOTTE

DESCRIPTION
OF
A PARCEL OF LAND
LYING IN
SECTION 35, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 45 SOUTH, RANGE 25 EAST, OF SAID LEE COUNTY BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

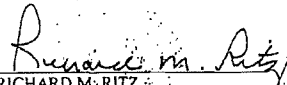
BEGINNING AT THE NORTHWEST CORNER OF SAID FRACTION; THENCE N 88°19'46" E ALONG THE NORTH LINE OF SAID FRACTION FOR 1,312.33 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S 00°21'34" W ALONG THE EAST LINE OF SAID FRACTION FOR 2,654.89 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S 88°50'19" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 1,338.66 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N 00°56'15" E ALONG THE WEST LINE OF SAID FRACTION FOR 2,644.06 FEET TO THE POINT OF BEGINNING.

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

BEARINGS, DISTANCES AND COORDINATES ARE BASED ON "THE STATE PLANE COORDINATES SYSTEM" WEST ZONE 1983/1999 ADJUSTMENT. HORIZONTAL VALUES WERE ESTABLISHED BY GPS OBSERVATIONS ADJUSTED BY THE NATIONAL GEODETIC SURVEY IN DECEMBER, 2002. THE MARK IS A STAINLESS STEEL ROD AND DISC, STAMPED FL GPS 61. THE AVERAGE SCALE FACTOR IS 0.999946.

PARCEL CONTAINS 80.57 ACRES, MORE OR LESS.

DESCRIPTION PREPARED: 12-14-06


RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4099
DATE SIGNED: 12-14-06

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S:\Jobs\22X\2277\Surveying\Descriptions\2277_SK1.dwg

RECEIVED
DEC 14 2006

PERMIT COUNTER

DCI 2006-00100

Applicant's Legal Checked
by CSJ 01/04/07

SHEET 1 OF 2

10511 Six Mile Cypress Parkway - Suite 101 Fort Myers, Florida 33966 • (239) 939-5490 • Fax (239) 939-2523

Banks Engineering

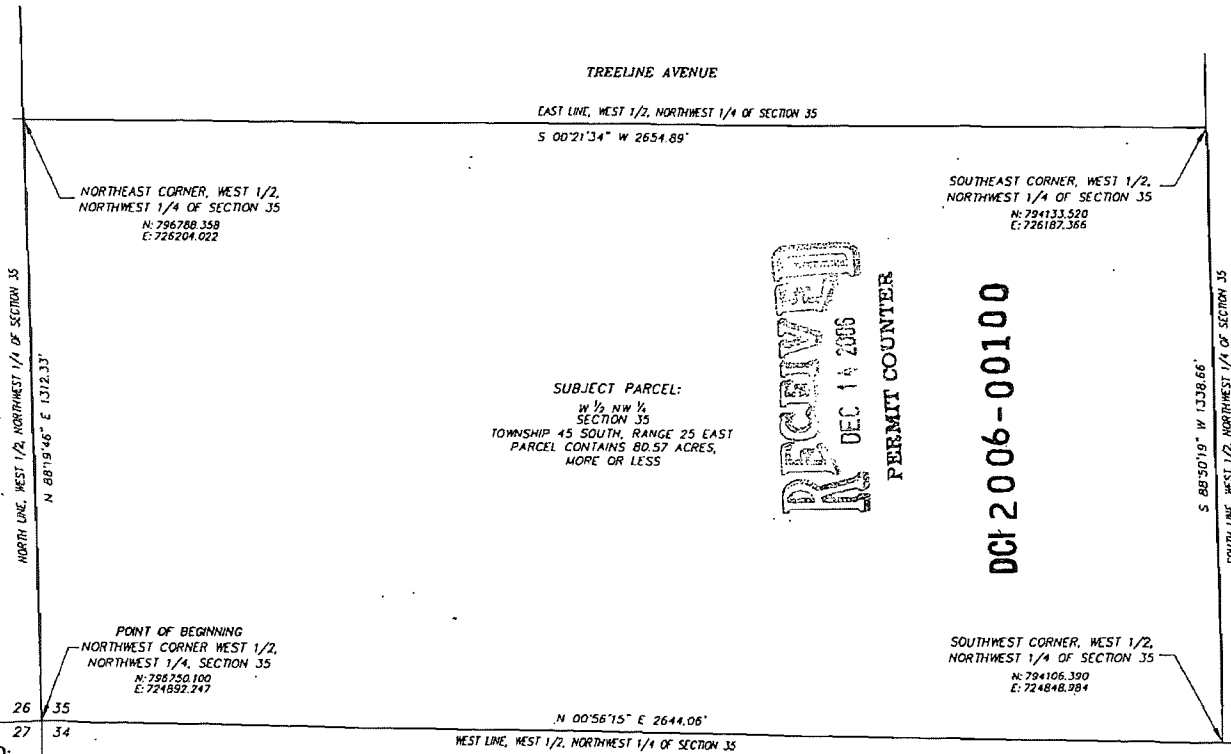
PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
 FLORIDA BUSINESS CERTIFICATION NUMBER LD 8690
 10511 SIX MILE CYPRESS PARKWAY - SUITE 101
 FORT MYERS, FLORIDA 33966
 (239) 939-5450



1" = 300'

SKETCH OF DESCRIPTION

OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTION 35, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA



NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS, DISTANCES AND COORDINATES ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" WEST ZONE 1983 / 1999 ADJUSTMENT. HORIZONTAL VALUES WERE ESTABLISHED BY GPS OBSERVATIONS ADJUSTED BY THE NATIONAL GEODETIC SURVEY IN DECEMBER, 2002. THE MARK IS A STAINLESS STEEL ROD AND DISC, STAMPED FL GPS 61. THE AVERAGE SCALE FACTOR IS 0.999946.

Approved Legal Checked
 by CSJ 01/01/07

SEE SHEET 1 OF 2 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

Richard M. Ritz
 RICHARD M. RITZ
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 4008
 - DATE SIGNED: 12-14-06
 - THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

- LB INDICATES LICENSED BUSINESS
- P.I. INDICATES POINT OF INTERSECTION
- N: 796759.100 INDICATES "STATE PLANE COORDINATES" WEST ZONE 1983/99 ADJUSTMENT
- E: 724892.247

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 S:\JOBS\22XX\2277\SURVEYING\DESCRIPTIONS\2207_SKT.DWG

PREPARED 12-14-06
 SHEET 2 OF 2

EXHIBIT "A"
 (Page 2 of 2)

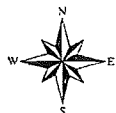
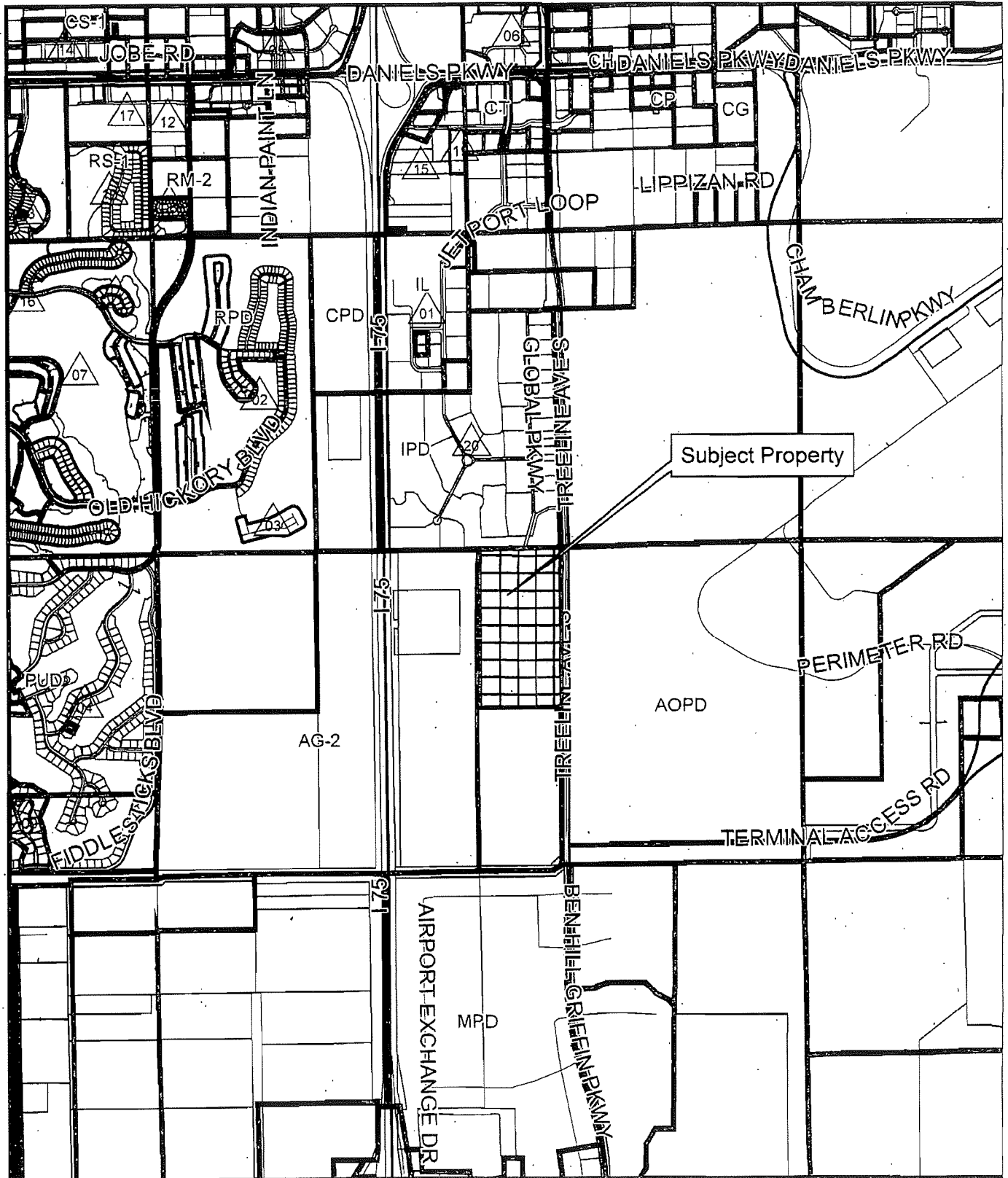
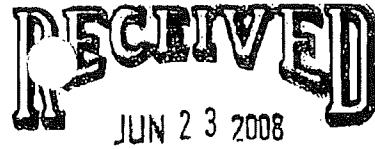


EXHIBIT "B"





COMMUNITY DEVELOPMENT

CONCEPTUAL
INDIGENOUS MANAGEMENT PLAN
Arlington Commerce Park
Boylan Environmental Consultants, Inc.
Updated June 2008

Introduction

The 80.58± acre project site will enhance and preserve 1.98± acres of wetlands and 3.14± acres of uplands. In addition, a total of 10.32± acres of wetlands and 0.05± acres of upland creation will be enhanced through planting and exotic removal, while the remaining indigenous preserve areas will be enhanced through the removal of exotics.

Method and Frequency of Pruning and Trimming

The preserve area will be prepared subsequent to Development Order approval. Following the initial removal of exotics, maintenance will be conducted annually. The indigenous vegetation will be maintained in accordance with Lee County Development Code Section 10-421 (c). Pruning of indigenous vegetation will only occur when necessary and following the approval by Division of Environmental Sciences staff. All trimmed indigenous vegetation will be removed from the preserve, the same procedure that is used for exotic vegetation removed from the preserve. Any herbicides will be applied according to current standards and by a licensed herbicide applicator. Prior to any preserve maintenance, Division of Environmental Sciences must be notified.

Exotic/Nuisance Plant Removal and Treatment

The colonization of exotic and nuisance plants displaces native plants and reduces habitat values, as well as negatively impact aesthetic values. An active exotic and nuisance plant removal and maintenance program will ensure the viability, value, and aesthetics of the preserve. The exotic plant removal and maintenance program will be implemented by, and the responsibility of the owner or their successor.

The purpose of this plan is to ensure that preserves are maintained free of exotic and nuisance plants in perpetuity. This is achieved by establishing a scheduled program to maintain the site free of exotic and nuisance plants (Florida Exotic Pest Plant Council's List of Invasive Plants). The program involves two phases, the initial exotic removal and the subsequent maintenance.

Initial exotic removal will occur within two years of the issuance of a D.O. The exotic Wetland Hardwoods, 619 (Wetland Enhancement and Planting) and Exotic Wetland Hardwoods - Brazilian Pepper, 619/422 (Wetland Enhancement and Planting) are dominated by melaleuca with scattered Brazilian pepper. These areas will have the exotics mechanically removed from the wetland using SFWMD approved methods. Equipment type and size will be determined at time of removal to allow for the least invasive approach, in compliance with SFWMD staff. The area will then be planted with trees and shrubs immediately following exotic removal. It is estimated that there should be a seed bank of appropriate native herbaceous plants; consequently, once the exotics are removed, and the trees and shrubs are installed the ground cover will be left to vegetate naturally. If however, after two years, there is not 80 percent coverage of desirable

ground cover, then supplemental plantings of herbaceous species will be implemented into 30 percent of the preserve area. Plant species, size, and spacing were coordinated with the SFWMD during the ERP process and are included below.

Enhancement and Plantings

Exotic Wetland Hardwoods, 619 and Exotic Wetland Hardwoods – Brazilian Pepper, 619/422

This area is dominated by melaleuca with scattered Brazilian pepper. The exotics will be mechanically removed from the wetland using approved methods. Equipment type and size will be determined at time of removal to allow for the least invasive approach, in compliance with SFWMD staff. The area will then be planted with trees and shrubs immediately following exotic removal. It is estimated that there should be a seed bank of appropriate native herbaceous plants; consequently, once the exotics are removed, and the trees and shrubs are installed the ground cover will be left to vegetate naturally. If however, after two years, there is not 80 percent coverage of desirable ground cover, then a planting plan for herbaceous species will be implemented. The plant densities, size, and number, are outlined in Table 1.

Enhancement and Selective Exotic Removal

Cypress, 621, Pine Flatwoods, 411, and Improved Pasture 211

The remaining wetland and upland preserve areas will be enhanced through the selective removal and treatment of exotic or nuisance species. All exotic vegetation will be removed from the preserve. Exotics with a 4" dbh or greater, may be treated in place utilizing methods approved by the SFWMD. Any treatment with herbicides shall be conducted by a licensed herbicide applicator while standing water is not present in the treatment area. Exotic and nuisance species are those plant species listed by the Florida Exotic Pest Plant Council (2005).

Upland Creation

Upland Creation (Enhancement and Planting)

This area will mimic the existing pine flatwoods following regrading. The exotics will be mechanically removed from the existing area using approved methods. Equipment type and size will be determined at time of removal to allow for the least invasive approach, in compliance with SFWMD staff. The area will then be graded to the appropriate elevation. Immediately following regrading and exotic removal, the area will be planted with appropriate tree and shrub species. The plant densities, size, and number for these areas are outlined in Table 2.

Table 1: CONCEPTUAL WETLAND PLANT SIZE, DENSITY (10.32± ACRES)

Common Name	Minimum size or better	Planting Density	Notes
Trees			Trees to be planted in wetland and clustered to mimic natural conditions.
Pond apple	6-8' tall	12' o.c.	
Red maple	6-8' tall	12' o.c.	
Swamp ash	6-8' tall	12' o.c.	
Laurel oak	6-8' tall	12' o.c.	
Slash pine	6-8' tall	12' o.c.	
Cypress	6-8' tall	12' o.c.	
Dahoon holly	6-8' tall	12' o.c.	Shrubs to be planted in wetland and clustered to mimic natural conditions.
Shrubs			
Wax myrtle	4-6' tall	8' o.c.	
Myrsine	4-6' tall	8' o.c.	
Button bush	4-6' tall	8' o.c.	
Coco plum	4-6' tall	8' o.c.	
Dahoon Holly	4-6' tall	8' o.c.	If after 2 years, 80% coverage by native plants has not occurred, herbaceous plant species will be implemented and 30% of the preserve area will have supplemental plantings.
Ground Cover			
Saw grass	2" liner	3' o.c.	
Swamp fern	2" liner	3' o.c.	
Smooth cord grass	2" liner	3' o.c.	
Black needle rush	2" liner	3' o.c.	
Cord grass	2" liner	3' o.c.	

Table 2: UPLAND CREATION PLANT SIZE, DENSITY, AND NUMBER (0.05± ACRES)

Common Name	Minimum size or better	Planting Density	Plant Numbers
Trees			16 trees total
Live oak	6-8' tall	12' o.c.	
Slash pine	6-8' tall	12' o.c.	
Shrubs*			
Saw palmetto	--	--	
Beauty berry	--	--	
Elliott's love grass	--	--	
Myrsine	--	--	
Sand cordgrass	--	--	
Ground Cover			242 herbs total
Lantana	1 gallon	3' o.c.	
Muhly grass	1 gallon	3' o.c.	
Wire grass	1 gallon	3' o.c.	

*The shrubs within the 0.05± acre upland creation area will be installed no less than one-gallon-sized, nursery grown, containerized stock, planted no less than three feet on center. Five-eight foot centers can be used as long as a minimum 3-5 gallon container sizes are used.

Exotics and nuisance shrubs and trees will be cut at stump height, stump treated, and the resultant debris will be removed by hand from the preserve. Any use of herbicides to kill exotic and nuisance plants will be done in a manner consistent with current approved exotic and nuisance plant removal practices (i.e. indicator dye), by a licensed herbicide applicator. At no time shall exotic and nuisance vegetation

constitute more than 10 percent of the total vegetative cover between inspections. No mechanical removal is proposed for the preserve areas outside of the planting area. Should equipment be required for exotic removal, Lee County Division of Environmental Sciences staff must approve such methods. The maintenance program will be conducted in perpetuity.

Debris Removal

Any debris in the preserve area will be removed during initial enhancement activities using the least invasive approach. Indigenous vegetation will be flagged and debris removal will avoid damaging or disrupting areas surrounding these plants to the greatest extent possible.

Protected Species

No protected species have been identified on-site. However, the following information is provided as an outline for the management activities which should occur to guarantee the protection of these species in accordance with local and state laws.

Large Mammal Management Plan

This plan is intended to prevent or deter nuisance interactions between humans and wildlife with emphasis on the Florida Black Bear. The plan addresses two facets, the first including restrictions of what inhabitants can do on-site and the second including physical barriers to prevent nuisance situations.

Resident Restrictions:

- 1) Signage will be placed around the preserve areas. These signs will prohibit hand-feeding of wildlife, including birds. This will eliminate leftover food scraps throughout the property. There will be at least five steel signs which will state "Feeding of Animals is Prohibited."
- 2) There will be no beehives, gardens, livestock (including fowl), or stables meant to house animals located on-site.
- 3) If picnic areas are located on-site, signage will be placed in the vicinity reminding people to remove all food scraps and refuse when leaving.

Physical Barriers:

All garbage temporarily stored outside, until being hauled away, will be kept in bear-proof dumpsters as depicted on the attached graphic. In addition, all dumpsters will be enclosed on four sides by a wooden or concrete structure (there will be no roof on this structure). These bear-proof dumpsters will either be purchased from known suppliers or will be built out of standard dumpsters and modified according to the specifications shown on the attached graphic. All dumpsters will be washed out a minimum of once per week. Garbage will be hauled away at least two times per week.

Big Cypress Fox Squirrel Management Plan

No nest-like structures or day beds were observed on the property during the listed species survey or subsequent site visits. The goal of this management plan is to protect any active nests of Big Cypress fox squirrels during the construction phase.

Pre-development Details

No sooner than three weeks before construction on any phase of development, the areas slated for clearing will be surveyed for fox squirrel nests. Any potential fox squirrel nests identified will be observed for five (5) consecutive days during the early morning and late afternoon hours. If Big Cypress fox squirrels are found to be actively nesting, a temporary 125 foot no clear buffer will be marked around the nest tree. Any deviations from this dimension will be presented to FWC for review and approval prior to implementation. There will be no clearing or construction within this buffer until the young if present, have left the nest. However, should not nest structures be identified on-site, the five day survey will not be conducted.

Post-development Details

Should Big Cypress fox squirrels be identified on-site, enhancement of preserves through the removal of exotics will ensure that fox squirrel suitable habitat remains on-site post-development.

Educational Material and Signage

An educational brochure will be included for future owners/residents of the commerce park. Signs will be placed approximately every 300 feet along the preserve boundary. The signs will be placed following the construction of the work authorized by the D.O. See attached plans with example of preserve signage.

Monitoring

Monitoring will consist of initial baseline photos prior to D.O. issuance, a baseline monitoring event, time-zero and five annual monitoring events. Baseline photos and report will document habitat conditions prior to the initial exotic removal. The time-zero monitoring report will document conditions following the initial exotic removal. The annual monitoring events will document habitat conditions following annual maintenance activities within the preserve. Panoramic photographs will be taken at each photo-point to document the success of the preserve. In addition, the report will include information regarding vegetation cover and species observations. Identical photo stations will be utilized for all monitoring events to ensure consistency in reporting preserve success. The monitoring schedule will correspond with the schedule established with the SFWMD. A monitoring map and baseline photos will be provided at the time of D.O.

LEE COUNTY RESOLUTION NO. 08-03-14

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA AMENDING THE CONTROLLED ACCESS RESOLUTION FOR BEN HILL GRIFFIN PARKWAY AND TREELINE AVENUE BETWEEN ALICO ROAD AND DANIELS PARKWAY TO AUTHORIZE AN ADDITIONAL ACCESS ON THE WEST SIDE OF THE ROAD CORRIDOR NORTH OF THE AIRPORT ACCESS ROAD.

WHEREAS, the Board of County Commissioners (Board) is considered the transportation authority in Lee County by virtue of the authority granted in Florida Statutes, Section 125.01(m), to provide and regulate roads; and,

WHEREAS, the Board, as transportation authority, has the power to establish, designate, and regulate controlled access facilities in accordance with Chapter 10 of the Land Development Code (LDC); and,

WHEREAS, the Board of County Commissioners retains the right and authority to exercise its police power to modify roadway median openings, access points and turning movements to protect the health, safety and welfare of the traveling public; and

WHEREAS, on November 28, 2006, the Board of County Commissioners adopted Resolution No. 06-11-30, designating Ben Hill Griffin Parkway and Treeline Boulevard, between Alico Road and Daniels Parkway, as a Controlled Access Facility with fixed access points; and

WHEREAS, Frank Aloia, et al, RSW Land Holding Properties, LLC, and Sara M Rodriguez, Trustee, (applicants) filed a request for an additional connection point to allow northbound left, southbound u-turns, eastbound left and eastbound right-in/right-out access only on the west side of Treeline Avenue at highway station 102+98, approximately 2,365 feet north of Terminal Access Road; and

WHEREAS, Lee County Land Development Code section 10-285(h)2 and Administrative Code 11-10 allow for modifications to Controlled Access Resolutions to authorize additional access points; and

WHEREAS, the Lee County Department of Transportation has concluded that the designated connection point will not hinder traffic capacity nor be contrary to the protection of the health, safety and welfare of the citizens of Lee County.

NOW, THEREFORE, be it resolved by the Board of County Commissioners that:

1. Ben Hill Griffin Parkway and Treeline Avenue, between Alico Road and Daniels Parkway, Controlled Access Resolution designated fixed access points in accordance with

Chapter 10 of the LDC is hereby amended to add a new connection point to allow northbound left, southbound u-turns, eastbound left and eastbound right-in/right-out access only on the west side of Treeline Avenue at highway station 102+98, approximately 2,365 feet north of Terminal Access Road conditioned as follows:

a) Release by the FAA of the property necessary to achieve a connection between the private property to the west and the Treeline/Ben Hill Griffin Parkway road corridor. The property is to be released to Lee County at the expense of the applicant for the access.

b) Approval from the South Florida Water Management District and the US Army Corp of Engineers to amend the governing permits issued to the Lee County Port Authority to accommodate the subject access to Treeline/Ben Hill Griffin Parkway.

c) Conveyance of a public roadway easement across the parcels currently identified as the Aloia, Arlington, and Rodriguez parcels, connecting to Jetport Loop and Global Parkway in the Southwest International Commerce Park project.

d) Construction of a roadway to collector design standards within the public roadway easement referenced above must occur coincident with the development order for infrastructure improvements to the parcels currently identified as the Aloia, Arlington and Rodriguez parcels.

e) Amendment to the Airport AOPD Master Concept Plan to reflect the access to Treeline from the west at this location.

2. The fixed access points along the roadway corridor, including the point conditionally approved herein, are set forth in detail in the attached exhibit "A" and map/sketch.

3. The Board's adoption of this resolution does not guarantee, create, or vest in any property owner a right or property interest with respect to a designated access point, median opening, or turning movement.

4. Approval for the construction of a new, or use of an existing access point, median opening, or turning movement is reserved to the County. Approval of such requests will be based upon facts and circumstances applicable to the request at the time of application for development order or permit submittal.

5. This resolution was adopted by an affirmative vote of a super majority of the Board of County Commissioners.

Commissioner Janes made a motion to adopt the foregoing resolution. The resolution was then seconded by Commissioner Hall. 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 11th day of March 2008.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: Ray Judah
Ray Judah, Chairman

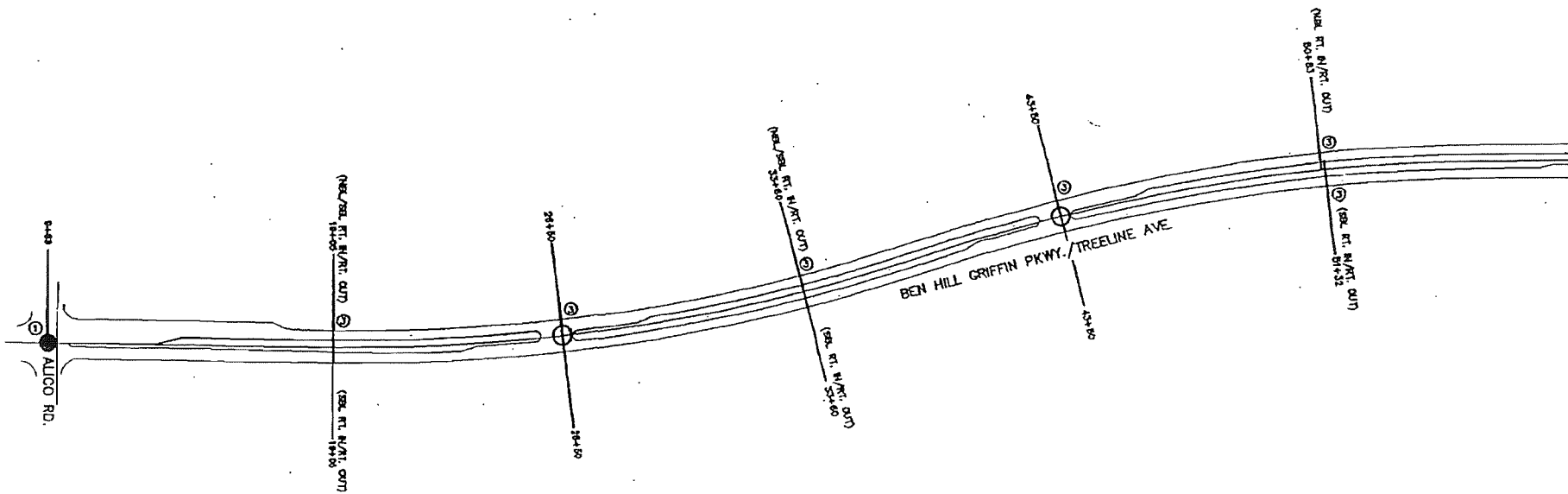


Approved as to form by:

Donna Marie Collins
Donna Marie Collins
County Attorney's Office

Exhibit "A": Ben Hill Griffin Parkway/Treeline Avenue Access Map

Exhibit "A": Ben Hill Griffin Parkway/Treeline Avenue Access Map

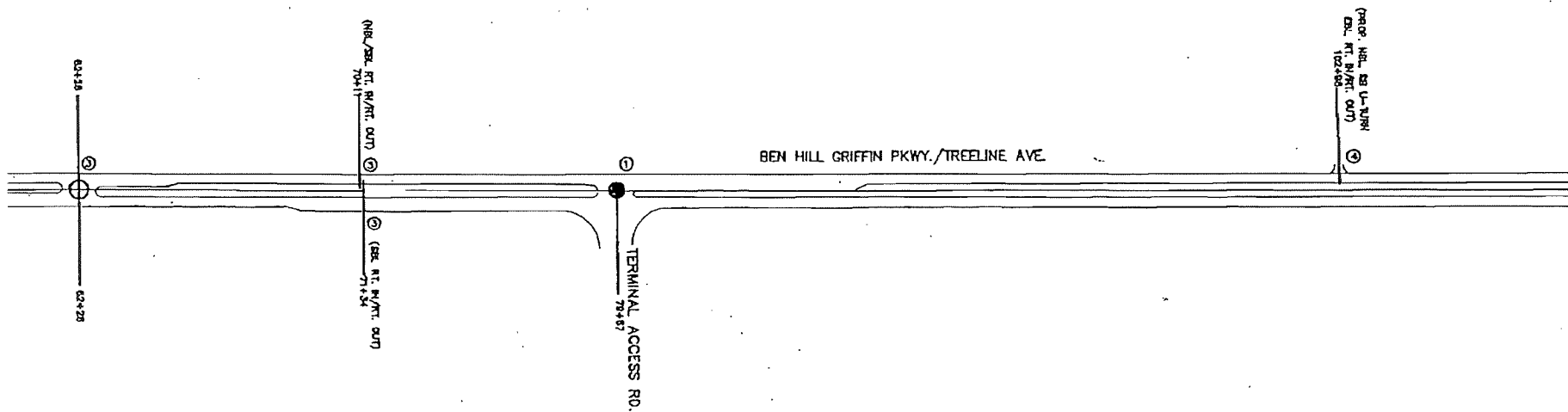


LEGEND

- ① ORIGINAL PLAN
- ② DEVELOPMENT ACCESS
- ③ OCTOBER 18, 1999 MEMORANDUM OF UNDERSTANDING
- ④ ADDED PER RESOLUTION# _____

- EXISTING SIGNAL
- ALL MOVEMENTS DESIGNATED


 LEE COUNTY
 SOUTHWEST FLORIDA
 DEPARTMENT of TRANSPORTATION
 PUBLIC WORKS ADMINISTRATION
BEN HILL GRIFFIN PKWY./ TREELINE AVE.
DESIGNATED ACCESS POINTS
 ADOPTED 11/28/06 PER RESOLUTION - 06-11-30
 AMENDED 77777 PER RESOLUTION - 77777



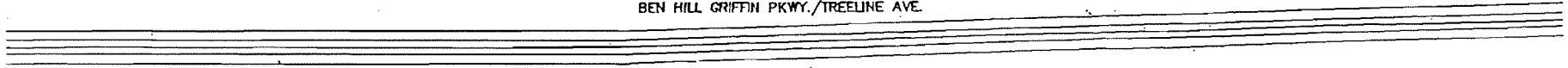
LEGEND

- ① ORIGINAL PLAN
- ② DEVELOPMENT ACCESS
- ③ OCTOBER 18, 1999 MEMORANDUM OF UNDERSTANDING
- ④ ADDED PER RESOLUTION # _____

- EXISTING SIGNAL
- ALL MOVEMENTS DESIGNATED


 LEE COUNTY
 SOUTHWEST
 FLORIDA
 DEPARTMENT
 of
 TRANSPORTATION
 PUBLIC WORKS ADMINISTRATION
**BEN HILL GRIFFIN PKWY./
 TREELINE AVE.**
DESIGNATED ACCESS POINTS
 ADOPTED 11/28/06 PER RESOLUTION # 06-11-30
 AMENDED ?????? PER RESOLUTION # ??????

BEN HILL GRIFFIN PKWY./TREELINE AVE.



LEGEND

- ① ORIGINAL PLAN
- ② DEVELOPMENT ACCESS
- ③ OCTOBER 12, 1998 MEMORANDUM OF UNDERSTANDING
- ④ ADDED PER RESOLUTION# _____

- EXISTING SIGNAL
- ALL MOVEMENTS DESIGNATED

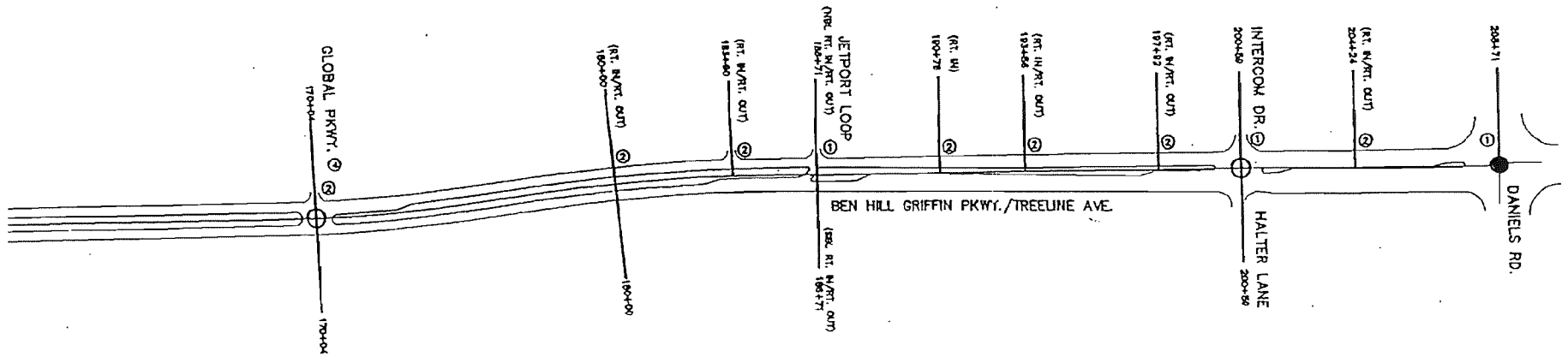
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EXHIBIT A
Pg. 3 of 5



SOUTHWEST
FLORIDA
DEPARTMENT
of
TRANSPORTATION
PUBLIC WORKS ADMINISTRATION

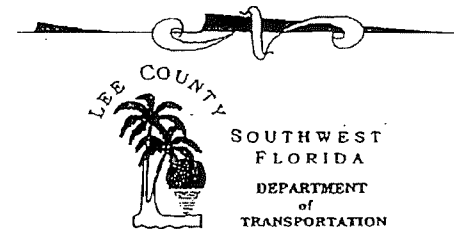
BEN HILL GRIFFIN PKWY./
TREELINE AVE.
DESIGNATED ACCESS POINTS
ADOPTED 11/28/06 PER RESOLUTION * 06-11-30
AMENDED ????? PER RESOLUTION * ?????



LEGEND

- ① ORIGINAL PLAN
- ② DEVELOPMENT ACCESS
- ③ OCTOBER 18, 1999 MEMORANDUM OF UNDERSTANDING
- ④ ADDED PER RESOLUTION# _____

- EXISTING SIGNAL
- ALL MOVEMENTS DESIGNATED



**BEN HILL GRIFFIN PKWY./
TREELINE AVE.
DESIGNATED ACCESS POINTS**
ADOPTED 11/28/06 PER RESOLUTION * 06-11-30
AMENDED ???? PER RESOLUTION * ?????

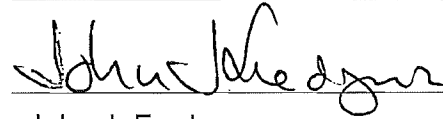
**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

DATE: November 7, 2008

To: Molly Schweers

Executive Assistant to
Commissioner Ray Judah

FROM:



John J. Fredyma
Assistant County Attorney

RE: **BOCC ZONING RESOLUTION FROM THE SEPTEMBER 15, 2008 MEETING
ZONING RESOLUTION Z-08-023 (ARLINGTON COMMERCE PARK MPD)**

Attached is the original resolution adopted by the Board at the September 15, 2008 zoning meeting. The resolution has been reviewed and approved as to form and is ready for the Chairman's signature. After the Chairman signs the resolution, please forward to the Minutes Department for attestation and further processing.

Please note, the delay of this submission for the Chairman's signature is due to required revisions to the approved Master Concept Plan (MCP) by the project applicant. Lee County Land Development Code (LDC) Section 34-377(b)(6) requires the project MCP be conformed to the Board's approval. Consequently, changes had to be made to the MCP before the resolution could be signed.

Thank you for your assistance with respect to the above. Should you have any questions, please do not hesitate to contact me.

JJF/mms
Attachment

Via e-mail only: Jamie Princing, Administrative Assistant, DCD/Administration & Support
Lisa L. Pierce, Minutes Office Manager, Lee County Clerk of Courts
Billie J. Jacoby, Administrative Support Supervisor, DCD

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MINUTES OFFICE
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