GIS Tracking Sheet

Case No.: DCI 2004-00013

Post-it® eLabel 006 083 664

Intake Date: 3/17/04

Project Name: Camargo MPD

STRAP Number(s): 33-46-25-00-00001.0030

Planner Name: Chip Block

Ext. 8371

LEGAL DESCRIPTION VERIFICATION and **INITIAL GIS MAPPING**

Date: 26 MAR 04

INTAKE: DCI04013

LEGAL SUFFICIENT ☐ YES ☐ NO Initials: AJJJ

If not, give brief explanation:

MAP UPDATE following **FINAL ACTION**

Date: 19 APRIL 05

☐ Hearing Examiner Decision

☒ Board of County Commissioner's Resolution

☐ Administrative Approval

☐ Blue Sheet

Zoning Notes: Z-04-068, DCI2004-00013, 29 NOV 04, AMEND THE EXISTING CAMARGO MPD MPD ZONING TO ADOPT A NEW MASTER CONCEPT PLAN; CONDS.

MAP UPDATED ☐ YES ☐ NO Initials: AJJJ

If not, give brief explanation: Note to MPD: 001224

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

EXHIBIT PH-3.C.1

DESCRIPTION

Parcel in
Section 33, Township 46 South, Range 25 East
Lee County, Florida

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee county, Florida being part of lands described in official record book 2787, page 1398, Lee County Records, being more particularly described as follows.

From the southwest corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N00°58'23"W along the west line of said fraction for 30.00 feet to an intersection with the North right-of-way line of Williams Road (60 feet wide); thence run N88°33'52"E along said right-of-way line for 1382.17 feet to the Southeast corner of lands described in a deed recorded in Official Record Book 3516, at Page 1579, Lee County Records; said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING run N00°58' 23"W along the east line of said lands for 1845.84 feet to the southwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4459, Lee County Records, said point being designated as POINT "A"; thence run N88°25'54"E along the south right-of-way line of said Pelican Sound Drive for 1720.01 feet to an intersection with the westerly right of way line of Tamiami trail (State Road 45); thence run S04°52'56"W along said right of way line for 1860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said right of way line 268.35 feet to an intersection with the east line of the Southwest Quarter (SW 1/4) of said section 33; thence run N01°03'48"W along said east line for 632.82 feet to the Northeast corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 33; thence run S88°32'50"W along the north line of said fraction for 660.73 feet to the northwest corner of said fraction; thence run S01°02'16"E along the west line of said fraction for 632.62 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°33'52"W along said right-of-way line for 600.86 feet to the POINT OF BEGINNING.

Containing 59.33 acres, more or less.

AND

From the point designated POINT "A" run N00°58'23"W 200.01 feet to the Northwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4459, Lee county records said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING continue N00°58'23"W for 572.68 feet to an intersection with the North line of the Southwest Quarter (SW 1/4) of said section 33; thence run N88°25'54"E along said North line for 1799.34 feet to an intersection with the westerly right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said westerly right-of-way line for 576.30 feet to the Northeast corner of said Pelican Sound Drive; thence run S88°25'54"W parallel with the North line of said fraction and along the north line of said Pelican Sound Drive for 1740.54 feet to the POINT OF BEGINNING.

Containing 23.26 acres, more or less.

Containing a Total of 82.59 acres, more or less

Applicant's Legal Checked
by [illegible] 3/24/2004.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment)
And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

[illegible] 3/10/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

DCI 2004-00013

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MAR 17 2004
PERMIT COUNTER

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

Applicant's Legal Checked by [illegible] Nov/22/2004.

DCI 2004-00013

DESCRIPTION

For the specific area subject to this request (21.73 acres)

Parcel in
Section 33, Township 46 South, Range 25 East
Lee County, Florida

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee County, Florida being part of lands described in Official Record Book 2787, Page 1398, Lee County Records, being more particularly described as follows.

From the southeast corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N01°03'48"W along the east line of said fraction for 30.00 feet to an intersection with the north right-of-way line of Williams Road (60 feet wide), said point being the POINT OF BEGINNING

From said POINT OF BEGINNING continue along said east fraction line N01°03'48"W for 750.21 feet to a point of curvature; thence run northerly along the arc of said curve to the right of radius 500.00 feet (delta 22°23'46") (chord bearing N10°08'05"E) (chord 194.20 feet), for 195.44 feet to a point of reverse curvature; thence run northerly along the arc of said curve to the left of radius 30.00 feet (delta 85°58'03") (chord bearing N21°39'03"W) (chord 40.91 feet) for 45.01 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the right of radius 315.00 feet (delta 55°00'10") (chord bearing N37°08'00"W) (chord 290.92 feet) for 302.39 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 33.00 feet (delta 81°14'53") (chord bearing N50°15'21"W) (chord 42.97 feet) for 46.80 feet to a point of tangency; thence run S89°07'12"W for 203.82 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 30.00 feet (delta 89°50'48") (chord bearing N45°57'24"W) (chord 42.37 feet), for 47.04 feet to a point of tangency; thence run N01°02'01"W for 572.18 feet to an intersection with the south right-of-way line of Pelican Sound Drive as recorded in Official record Book 3533, Page 4459, Lee County Records; thence run N88°25'54"E along said south right-of-way line for 874.95 feet to an intersection with the west right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said west right-of-way line for 1,860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said north right-of-way for 268.35 feet to the POINT OF BEGINNING.

Containing 21.73 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment) And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

21840s06desc.doc

RECEIVED
NOV 22 2004
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PERMIT COUNTER

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ZONING

Scott A. Wheeler 11/19/04
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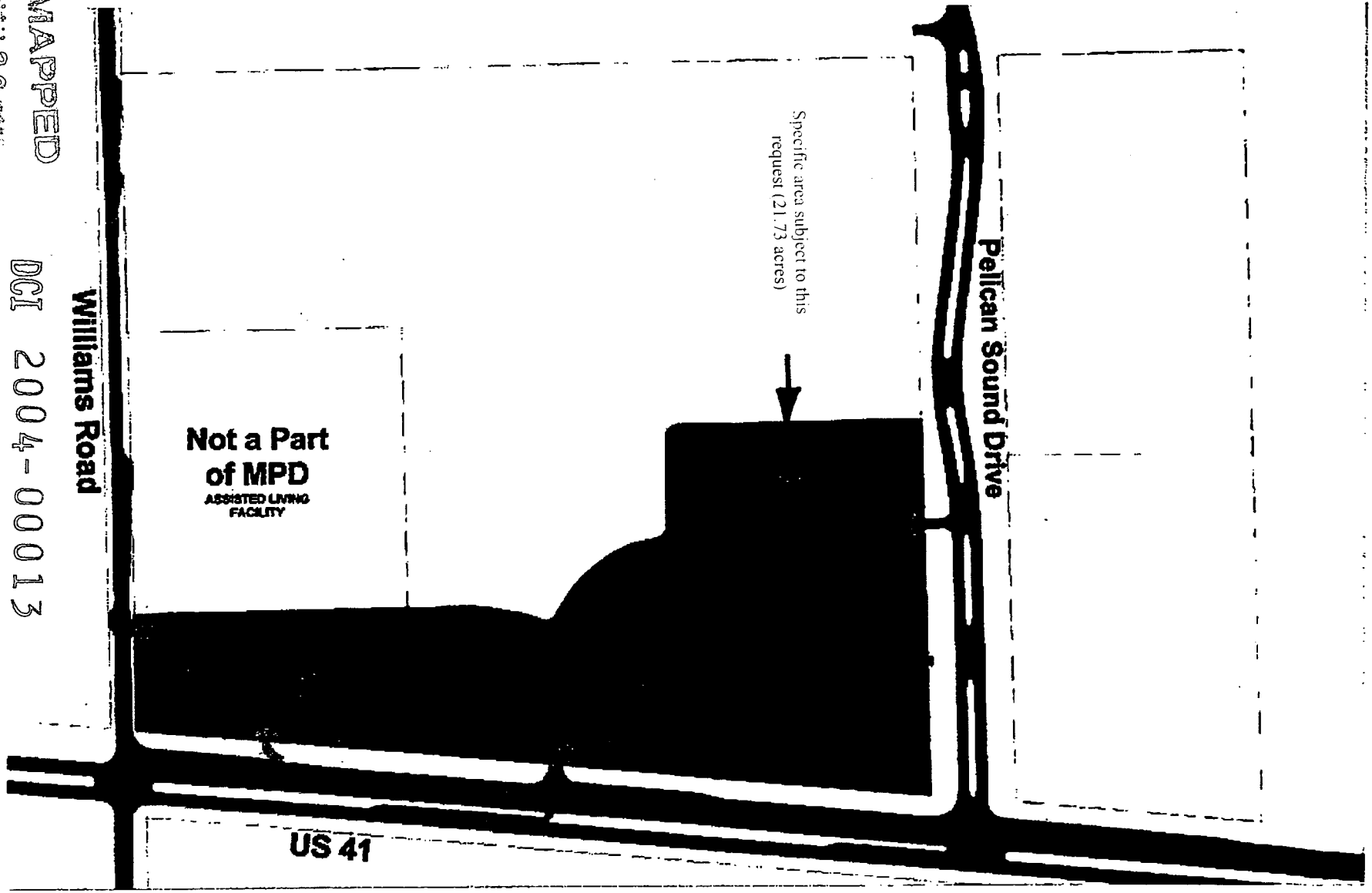
PARADISE SHOPPES OF ESTERO



MAPPED
ZONING
DCI 2004-00013

Parcel Map

RESOLUTION NUMBER Z-04-068

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

WHEREAS, Matt Uhle filed an application on behalf of the contract purchaser, Paradise Development Group, with the consent of the property owner, Charles M. Long, to amend the existing Mixed Use Planned Development (MPD) zoning to adopt a new Master Concept Plan (MCP) for a project known as Camargo MPD; and

WHEREAS, a public hearing was advertised and held on October 13, 2004, and continued to October 27, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case DCI2004-00013; and

WHEREAS, a second public hearing was advertised and held on November 29, 2004,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 amend the existing MPD zoning to adopt a new MCP to allow the continued development of a vacated portion of the overall project. The existing MPD was approved in Resolution Z-98-029 for:

1. up to 300,000 square feet of commercial floor area (of which not more than 100,000 square feet can be retail use); and

2. a total of 500 beds in an assisted living facility; and

3. a potential conversion of up to 100,000 square feet of retail uses to 75,000 square feet of office uses.

The requested amendment allows up to 100,000 square feet of retail on the vacated section of the MPD south of Pelican Sound Boulevard which was previously designated for commercial uses.

This resolution will have no effect on the residential portion of the MPD or the vacated commercial area north of Pelican Sound Boulevard.

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.

COPY

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Resolution Z-98-029 remains in effect unless specifically amended by actions within this zoning case.

2. Development must be consistent with the two-page MCP entitled "Camargo MPD," dated November 29, 2004, date stamped received by the Permit Counter on Jan 13, 2005, except as modified by the conditions below. This MCP replaces all MCPs pertaining to the deelopment of the subject property. 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.

   The development of this portion of the project is limited to a maximum of 100,000 square feet of floor area.

3. Conditions 3 and 4 of Resolution Z-98-029 are hereby amended replacing the Schedule of Uses and Property Development Regulations for this portion of the development with the following:

   a. Schedule of Uses

      Accessory Uses and Structures (LDC §§ 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, 34-2141 *et seq.*, and 34-3108)(See Note 1 below)
      Administrative Offices
      ATM (automatic teller machine)
      Auto Parts Store - without installation facilities
      Automobile Service Station (Limited to one use located on either Parcel 3 or 4 in conjunction with a convenience store and car wash) See Note 2
      Banks and Financial Establishments (LDC §34-622(c)(3)): Groups I and II
      Boat Parts Store, without installation
      Broadcast Studios
      Business Services, Group I
      Car Wash (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and convenience store)
      Clothing Stores, general (LDC §34-622(c)(8))
      Clubs:
         Commercial
         Fraternal, membership organization (LDC §34-2111)
         Private (LDC §34-2111)
      Computer and Data Processing Services
      Consumption on Premises (LDC Section 34-1261 *et seq.*) (strictly limited in conjunction with a Restaurant use only)
      Convenience Food and Beverage Store (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and car wash) See Note 2

Cultural Facilities (LDC §34-622(c)(10))
Day Care Center, Child, Adult
Department Store (Limited to a maximum of 25,000 square feet per store)
Drive-through Facility for any Permitted Use (limited to a maximum of 5 parcels. Any drive through facility placed on Parcels 1, 2, 5, and 6 may only be placed on a western facing building facade. On the parcel containing the automobile service station/convenience food and beverage store/car wash, the car wash entrance and exit must face east and west respectively. A drive through facility on Parcel 7 may only be placed on the northern facade so long as the vehicles travel in an east to west direction.
Drugstore (limited to only one within the project)
Entrance Gates and Gatehouse (LDC §34-1741 *et seq.*)
Essential Services (LDC §§ 34-1611 *et seq.*, and 34-1741 *et seq.*)
Essential Service Facilities (LDC §34-622(c)(13)):Group I (LDC §§ 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
Excavation: Water retention (LDC §34-1651)
Fences, Walls (LDC §34-1741)
Food and Beverage Service, Limited
Food Stores (LDC §34-622(c)(16)): Group I
Hardware Store (limited to a maximum of 10,000 square feet)
Health Care Facilities (LDC §34-622(c)(20)):Groups I, II, and III
Hobby, Toy, and Game Store
Household and Office Furnishings (LDC §34-622(c)(22)), Groups I and II (Household use as limited by the LDC and Office use is limited to businesses like Kinko's Office Depot, Office Max or other like business. Large newspaper printing facilities are prohibited.)
Insurance Companies (LDC §34-622(c)(23))
Laundry or Dry Cleaning (LDC §34-622(c)(24)): Group I
Lawn and Garden Supply Stores (LDC §34-2081)
Library
Medical Office
Nonstore Retailers (LDC §34-622(c)(30)), all groups
Package Store (LDC §34-1261 *et seq.*)(In conjunction with a multiple-use occupancy complex only; free-standing stores are prohibited)
Paint, Glass and Wallpaper
Parks (LDC §34-622(c)(32)): Groups I and II
Parking Lot: Accessory (see Note 1 below)
Garage, public parking
Temporary
Personal Services (LDC §34-622(c)(33)):
Group I, limited to - ATM's
Barbershops and Beauty Shop
Clothing Alterations and Repair including Dressmakers, Seamstresses and Tailors
Laundry Agents (wherein the establishment may do its own pressing and finish work but not the laundering or dry cleaning which is performed elsewhere)

Photo Agents (wherein drop-off and pickup film services are provided but the actual processing and developing is done elsewhere)
Shoe Repair Services (wherein shoe repair or shoe shining for individual customers is performed)

Group II, limited to -
Beauty spas
Health clubs or spas
Reducing or slenderizing salons
Steam or turkish baths

Group III, limited to -
Artificial limbs
Crutches
Hearing aids
Hospital beds
Optical supplies
Orthopedic supplies
Wheelchairs

Pet Services (outdoor pens, enclosures, and dog runs are prohibited)
Pet Shop (outdoor pens, enclosures, and dog runs are prohibited)
Pharmacy
Post Office
Real Estate Sales Office (LDC §§ 34-1951 *et seq.*, and 34-3021)
Recreational Facilities: Commercial (LDC §34-622(c)(38)): Groups II and IV
Religious Facilities (LDC §34-2051 *et seq.*)
Rental or Leasing Establishment (LDC §34-622(c)(39))(All storage must be indoor and outdoor display is prohibited):

Group I, limited to -
Beach chairs, umbrellas, and similar facilities
Bicycles
Moped and scooters
Passenger car pickup and drop off (no maintenance or repairs and limited storage)

Group II, limited to -
Appliances
Bicycles
Costumes
Furniture
Garden equipment
Movies, videotapes and similar home entertainment
Party and banquet supplies
Tools and equipment primarily for home use

Repair Shops (34-622(c)(40)): Groups I and II
Research and Development Laboratories (LDC §34-622(c)(41)): Groups II and IV
Restaurant, Fast Food (Limited to one within the project; must be located on either Parcel 2 or 5)
Restaurants (LDC §34-622(c)(43)): Groups I, II, and III
Schools: Commercial (LDC §34-622(c)(45)) (LDC §34-2381)
Self Service Fuel Pumps (only in conjunction with an Automobile Service Station or Convenience Food and Beverage Store) See Note 2
Signs, in accordance with LDC Chapter 30

Social Services (LDC §34-622(c)(46)): Group I
Specialty Retail Shops (LDC §34-622(c)(47)): Groups I, II, III, and IV (no outdoor storage or display permitted)
Studios (LDC §34-622(c)(49))
Temporary Uses (LDC §34-3041 *et seq.*)(limited solely to temporary contractor's office and storage shed),
Theater, indoor (LDC §34-2471 *et seq.*)
Used Merchandise Stores (LDC §34-622(c)(54)): Groups I and II
Variety Store
Wholesale Establishments (LDC §34-622(c)(56)): Group III

NOTE:

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

2. A maximum of eight (8) fueling positions (four pump structures) are permitted within this development. A Special Exception will be required to permit more than eight (8) fueling station (four pump structures).

b. Site Development Regulations

Development based on the use within this 22-acre portion of the MPD must comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area:	7,500 square feet
Width:	75 feet
Depth:	100 feet

Minimum Setbacks:

Street:	variable according to the functional classification of the street or road (§34-2191 et seq)
Side:	15 feet
Rear:	20 feet
Water Body:	zero feet

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

Maximum Lot Coverage: 60 percent

Maximum Building Height: 45 feet

Minimum Building Separation: Minimum building separation is the greater of either the minimum required setbacks or one-half the sum of the height of the buildings. (LDC §34-935(e)(4))

4. Condition 7 of Resolution Z-98-029 is hereby amended to include the following buffer:

   A minimum 30-foot-wide native landscaped arterial road buffer must be provided. In areas where native vegetation does not exist, the developer will plant five native trees and 15 native shrubs per 100 linear feet. This buffer must include a 2-foot-high undulating berm (with landscaping on the berm) running parallel to U.S. 41. New landscaping will be planted in a well designed and clustered manner.

5. Blasting activities are prohibited as part of this planned development. If blasting is necessary, then a public hearing amendment of this planned development will be required in order to permit the activity.

6. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

7. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).

8. Development of this commercial project must be in compliance with the revised Design Guidelines attached hereto as Exhibit D.

9. Outdoor dining is permitted on the subject property only in conjunction with the Restaurant and Fast-Food Restaurant uses. NO other outdoor uses or outdoor sales, display, or storage is allowed on the 22-acre commercial site.

10. Access onto Williams Road must be limited to right-in/right-out until improvements are made to Williams Road as determined necessary by LCDOT to allow left-in/left-out turning.

SECTION C. DEVIATIONS:

1. Deviations (1), (3), (5) and (6) which were previously approved in Z-98-029 remain in effect for this 22-acre portion of the project.

2. Deviation (7) seeks relief from the LDC §10-415(b)(1) requirement to provide 50 percent of the open space percentage requirement be provided through the on-site preservation of existing native vegetation communities; to allow the preservation of the westerly 10 acres in accordance with Resolution Z-98-029. 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 (subject parcel identified with shading)
Exhibit C: Master Concept Plan dated November 29, 2004, date stamped received by the Permit Counter on Jan 13, 2005
Exhibit D: Design Guidelines

The applicant has indicated that the STRAP number for the property is: 33-46-25-00-00001.0030.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes and regulations.

2. The MPD zoning, as conditioned:

   a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities, and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site 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 approval of this rezoning request satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan will be available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34 to protect the public health, safety, and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Albion, seconded by Commissioner Hall, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammy Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 29th day of November 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
Timothy Jones
County Attorney's Office

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

RECEIVED
MINUTES OFFICE
2005 FEB 11 AM 10: 34

Applicant's Legal Checked by Nov/22/2004

DCI 2004-00013

2004 DEC 15 PM 3:46
RECEIVED BY LEE CO. ATTORNEY

DESCRIPTION

For the specific area subject to this request (21.73 acres)

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From said POINT OF BEGINNING continue along said east fraction line N01°03'48"W for 750.21 feet to a point of curvature; thence run northerly along the arc of said curve to the right of radius 500.00 feet (delta 22°23'46") (chord bearing N10°08'05"E) (chord 194.20 feet), for 195.44 feet to a point of reverse curvature; thence run northerly along the arc of said curve to the left of radius 30.00 feet (delta 85°58'03") (chord bearing N21°39'03"W) (chord 40.91 feet) for 45.01 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the right of radius 315.00 feet (delta 55°00'10") (chord bearing N37°08'00"W) (chord 290.92 feet) for 302.39 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 33.00 feet (delta 81°14'53") (chord bearing N50°15'21"W) (chord 42.97 feet) for 46.80 feet to a point of tangency; thence run S89°07'12"W for 203.82 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 30.00 feet (delta 89°50'48") (chord bearing N45°57'24"W) (chord 42.37 feet), for 47.04 feet to a point of tangency; thence run N01°02'01"W for 572.18 feet to an intersection with the south right-of-way line of Pelican Sound Drive as recorded in Official record Book 3533, Page 4459, Lee County Records; thence run N88°25'54"E along said south right-of-way line for 874.95 feet to an intersection with the west right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said west right-of-way line for 1,860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said north right-of-way for 268.35 feet to the POINT OF BEGINNING.

Containing 21.73 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment) And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

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Florida Certificate No. 5949

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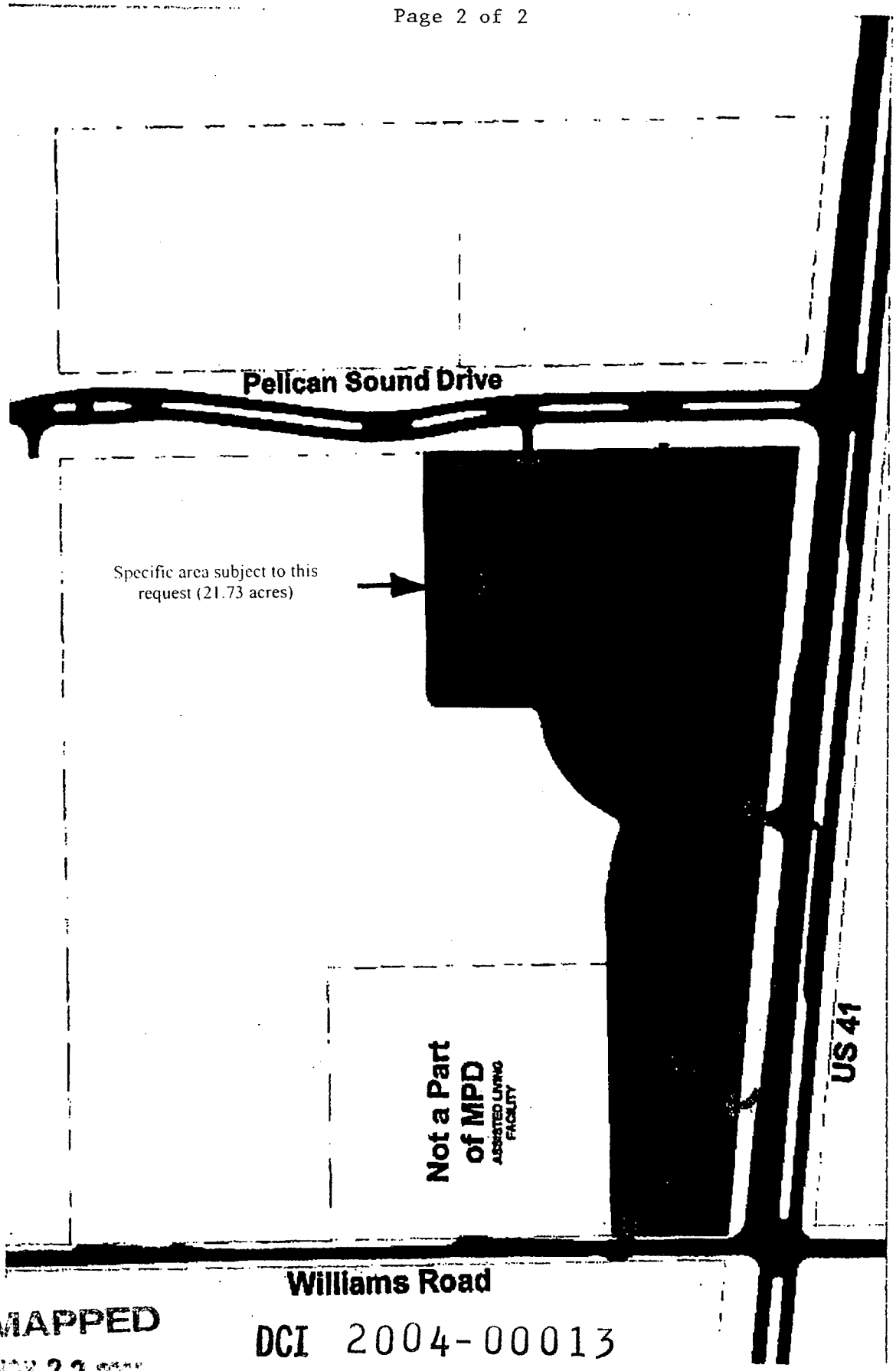
Phone (239) 461-3170 • Fax (239) 461-3169

EXHIBIT A

PARADISE SHOPPES OF ESTERO



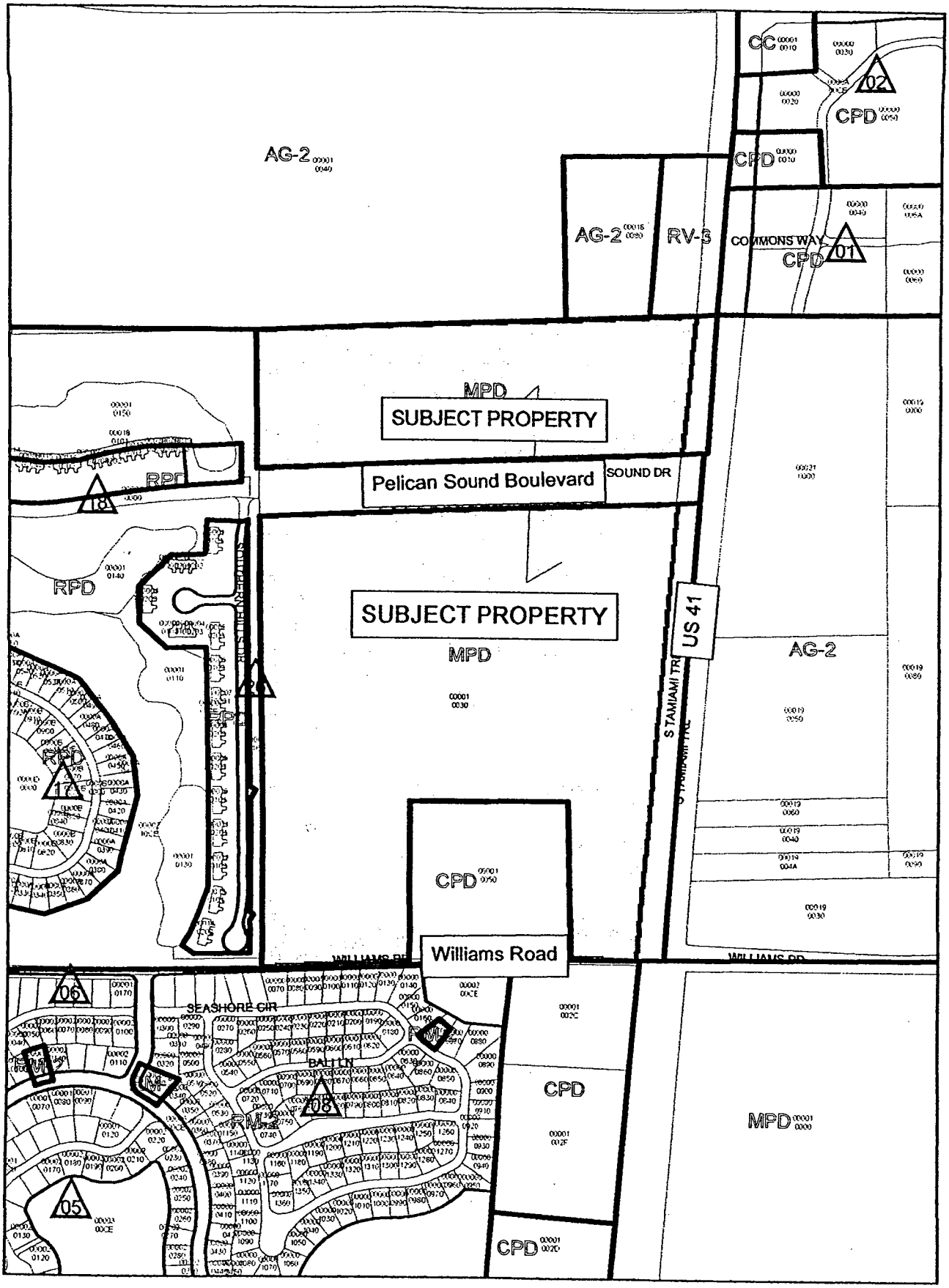
Parcel Map

MAPPED
NOV 22
ZONING

DCI 2004-00013

ZONING INTAKE MAP

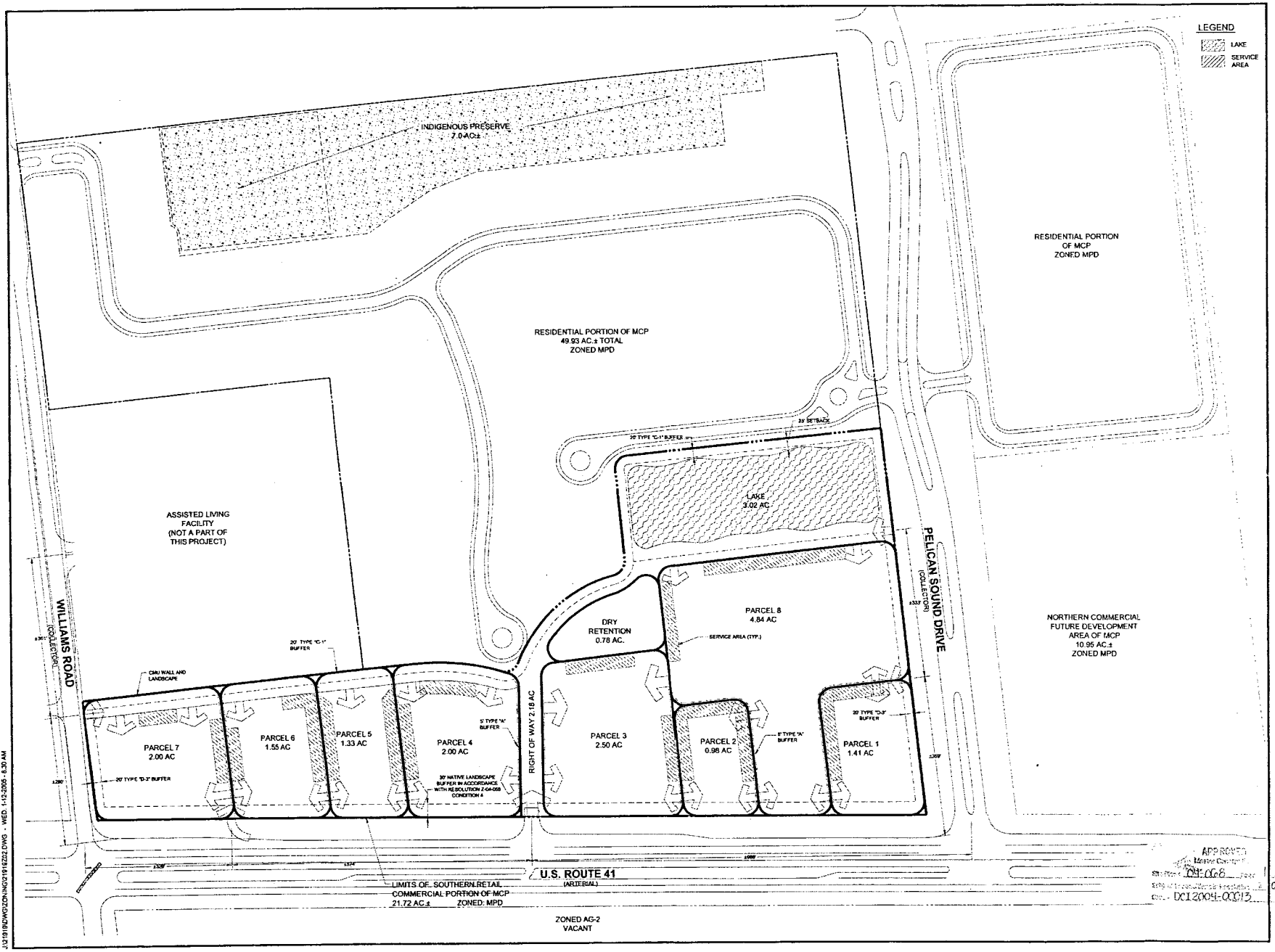
8/24/2004



690 345 0 690 Feet

N W E S

EXHIBIT B



MASTER CONCEPT PLAN

CAMARGO MPD
LEE COUNTY, FLORIDA
COMMERCIAL PORTION - SOUTH

November 29, 2004

RECEIVED
JAN 12 2005
PERMIT CENTER
DCI2004-00013

EXHIBIT 6-J

0 50 100 200
SCALE IN FEET

Barraco and Associates, Inc.
CIVIL ENGINEERS, SURVEYORS AND LAND DEVELOPMENT CONSULTANTS
2271 McGREGOR BLVD., POST OFFICE DRAWER 2800 FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170 - WWW.BARRACO.NET - FAX (239) 461-3186
FLORIDA CERTIFICATES OF AUTHORIZATION - ENGINEERING 1785 - SURVEYING 6746

EXHIBIT C
Page 1 of 2

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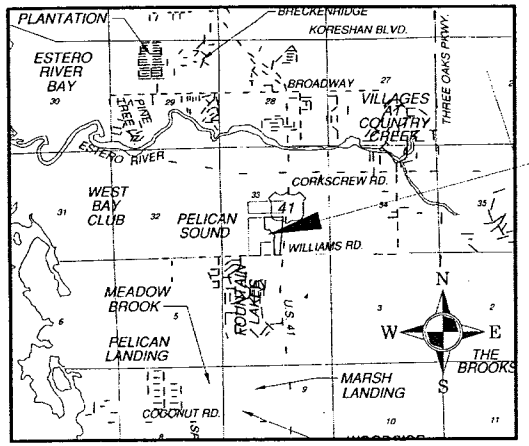

SUBJECT PROPERTY

LOCATION MAP

SITE DEVELOPMENT NOTES (APPLICANTS SUGGESTED CONDITIONS)

1. Open space and indigenous preservation areas shall comply with Resolution No. Z-98-029.
2. There are no "dial a ride" facilities proposed.
3. All deviations from Resolution No. Z-98-029 will apply.
4. All billboards will be removed at the time of development order approval.

RETAIL/COMMERCIAL INTENSITY

	PARCEL ACREAGE	MAXIMUM SQUARE FOOTAGE *
PARCEL 1	1.40	15,000
PARCEL 2	0.98	6,000
PARCEL 3	2.11	25,000
PARCEL 4	2.00	15,000
PARCEL 5	1.33	8,000
PARCEL 6	1.55	7,000
PARCEL 7	2.00	16,000
PARCEL 8	4.84	65,000
TOTAL	*NOT TO EXCEED:	100,000

OPEN SPACE TABLE

	PARCEL ACREAGE	REQUIRED OPEN SPACE IN ACRES	PROPOSED OPEN SPACE IN ACRES
PARCEL 1	1.40	0.42	0.42
PARCEL 2	0.98	0.29	0.29
PARCEL 3	2.11	0.63	0.63
PARCEL 4	2.00	0.60	0.60
PARCEL 5	1.33	0.40	0.40
PARCEL 6	1.55	0.47	0.47
PARCEL 7	2.00	0.60	0.60
PARCEL 8	4.84	1.50	1.50
RIGHTS-OF-WAY	1.32	0.39	0.39
LAKE	3.02	0.90	0.90
DRY RETENTION	1.17	0.35	0.35
TOTAL ACREAGE FOR SOUTH COMMERCIAL DEVELOPMENT AREA	21.72	6.55	6.55
TOTAL ACREAGE FOR FUTURE NORTH COMMERCIAL DEVELOPMENT AREA	10.95	3.30	3.50
TOTAL COMMERCIAL ACREAGE	32.67	9.85	10.00
PREVIOUSLY APPROVED RESIDENTIAL AREA	49.92	20.00	20.00
TOTAL	82.59	29.85	30.00

Indigenous Open Space Provided

As per Resolution Z-98-029, Condition #9, open space must be provided per the open space table on the MCP. A total of 10.0 acres (with credits) of existing indigenous native vegetation has been preserved in the residential portion of the MCP. Calculations on the approved open space table are as follows:

Open Space Required for Commercial Parcels at 30% 10.0
Open Space Required for Residential Parcels at 40% 20.0
Total Open Space Required 30.0 acres

Indigenous Open Space Required 15.0 acres

Indigenous Open Space Provided
2.2 acres @ 125% per LDC Section 10-413(c)(2) 2.7
4.6 acres @ 150% per LDC Section 10-413(c)(2) 7.3
Total Indigenous Open Space Provided 10.0 acres

10 acres (with credits) of indigenous open space has been provided in the residential portion of the MCP.

SURROUNDING ZONING AND LAND USES

	ZONING:	EXISTING LAND USES:
NORTH	MPD	PELICAN SOUND DRIVE / VACANT
SOUTH	CPD	WILLIAMS ROAD / COMMERCIAL
EAST	AG-2	U.S. 41 / VACANT
WEST	MPD	VACANT

PARCELS 1-8 TO BE COMMERCIALLY DEVELOPED

APPROVED
Master Concept Plan
Site Plan # 04-066 Sheet 2 of 2
Subject to conditions in resolution # Z-04-066
Case # DCI2004-00013

MASTER CONCEPT PLAN
CAMARGO MPD
LEE COUNTY, FLORIDA
COMMERCIAL PORTION - SOUTH
November 29, 2004

RECEIVED
JAN 13 2005
PERMIT COUNTER
DCI 2004-00013

EXHIBIT 6-J

Barraco and Associates, Inc.
CIVIL ENGINEERS, SURVEYORS AND LAND DEVELOPMENT CONSULTANTS
2271 McGREGOR BLVD., POST OFFICE DRAWER 2836, FORT MYERS, FLORIDA 33902-2836
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FLORIDA CERTIFICATES OF AUTHORIZATION - ENGINEERING 7699 - SURVEYING LB-6846

EXHIBIT C
Page 2 of 2

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PARADISE SHOPPES OF ESTERO

EXHIBIT D
21 Pages

Project Overview

This document describes the intent of the applicant in developing the Paradise Shoppes of Estero project, and proposes design guidelines by which the project will be constructed. The objective is to provide the Estero community and Lee County the assurances that this project will be developed to meet the language and intent of the Estero Plan, while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Paradise Shoppes of Estero project is located on the northwest corner of U.S. Highway 41 and Williams Road. The project is strategically nestled in the heart of Estero bounded by new commercial development, which will provide services, plazas and amenities to be enjoyed by all ages. The project architecture, layout and design will incorporate features exceeding both the current Lee County design guidelines, found in LDC Article IV, and the Estero Plan, Goal 19 of the Lee County Comprehensive Plan.

In developing the property located at the northwest corner of U.S. Highway 41 and Williams Road it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19, the Estero Plan) and the development constraints presented with a 22-acre site at this location. The following base postulations, as well as policies that influence this type of development, were utilized.

- The subject property is located at the intersection of an arterial roadway –U.S. Highway 41, and two secondary roadways –Williams Road and Pelican Sound Boulevard. Access driveways are evenly distributed among the complementary roadways. U.S. Highway 41 is a primary thoroughfare and can safely support commercial development.

- The proposed development site is within the Suburban land use category, which was designated for areas that are primarily residential but allow commercial development as neighborhood centers are necessary to promote the quality of life in these areas. Commercial development is limited to neighborhood centers and industrial development is not allowed. The Lee Plan projects less intense development in these areas, more characteristic of a suburban area.

- The intent of these design guidelines and standards is to meet and exceed the requirements of the Estero Plan, yet allowing for the development of a large commercial project containing one or more major anchors.

Design Guidelines and Standards

The following design guidelines are intended to establish the standard with which this development will comply. The guidelines however, are intended to be flexible to allow for a more detailed analysis by the Lee County development review staff and the Estero Development Review Committee at the time of local development order.

- The Paradise Shoppes of Estero is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Article IV, the Estero Design Guidelines.

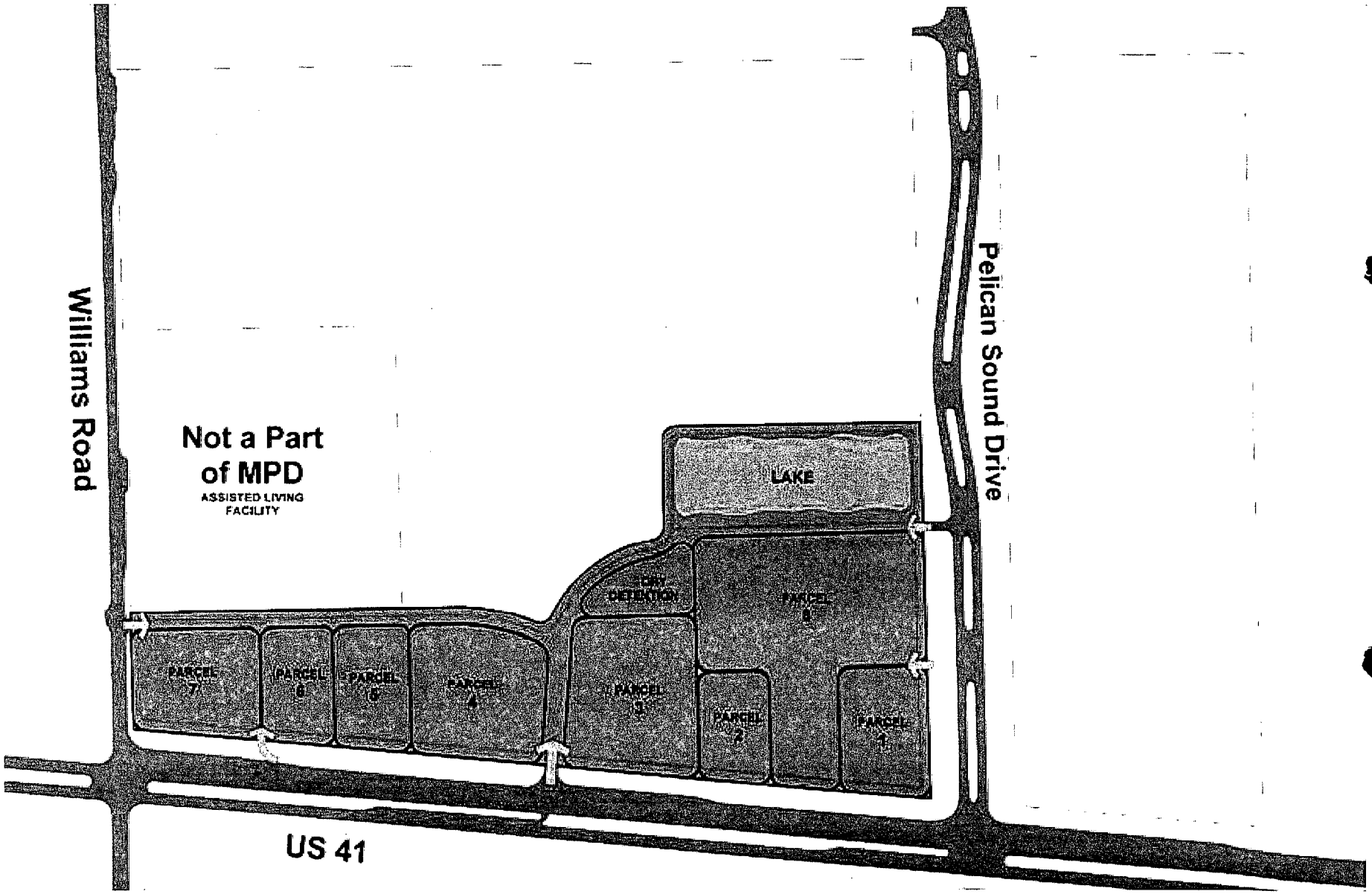
- The Paradise Shoppes of Estero will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping and lighting throughout the site.

- The Paradise Shoppes of Estero will be developed on a 22-acre site as part of the Estero Overlay that designates an area of architecturally attractive landscaped buildings that cater to the needs of the community.

A. Vista Areas – Parcels 1-7 *(See Illustration on following page)*

- Architectural Standards: The Vista Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be

PARADISE SHOPPES OF ESTERO



Parcel Map

reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways or columns, appropriately scaled for the public. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complimentary elements such as roof treatments, signage, landscaping and building materials and colors.

- Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from U.S. Highway 41 to the free-standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to U.S. Highway 41.

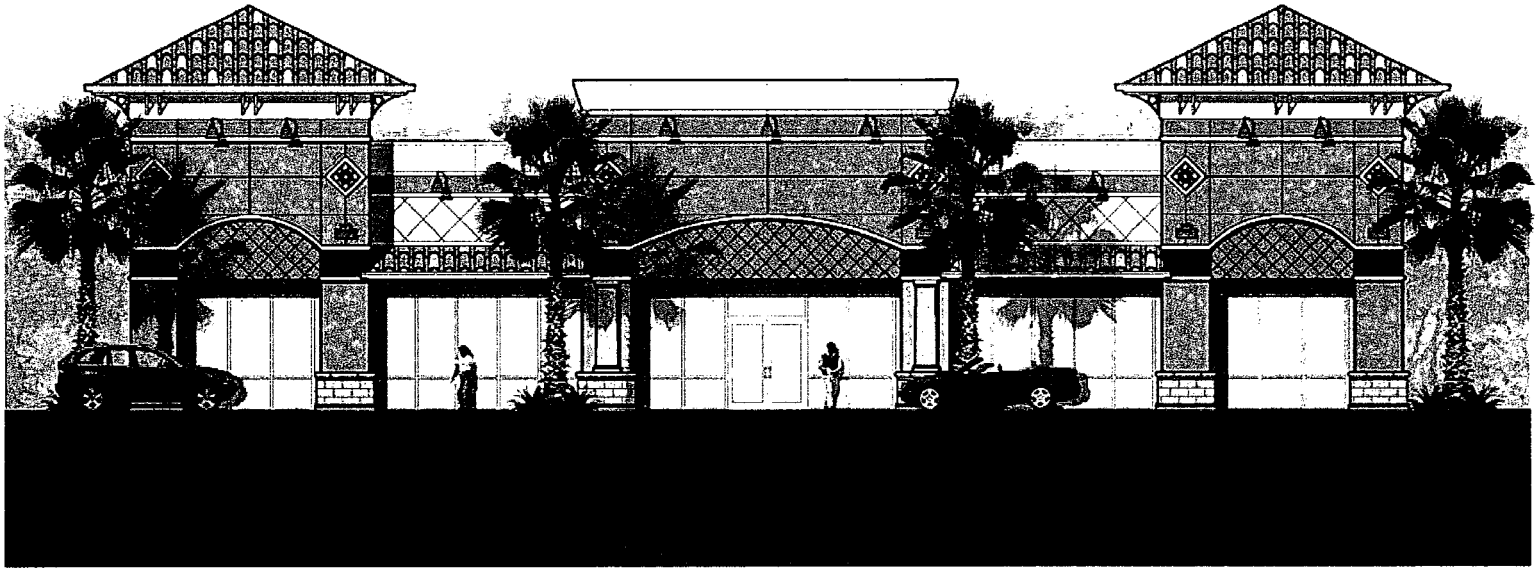
- Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall meet the design standards of Lee County Development Code Section 34-625 and shielded to eliminate light intrusion crossing the property line when abutting residential and assisted living facility uses.

- Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complimentary to the overall master landscape plan. The Paradise Shoppes of Estero landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasizes plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas. A Landscape Plan for the entire project perimeter buffer will be provided at the time of the first Development Order for the site.

B. Anchor Parcel – Parcel 8

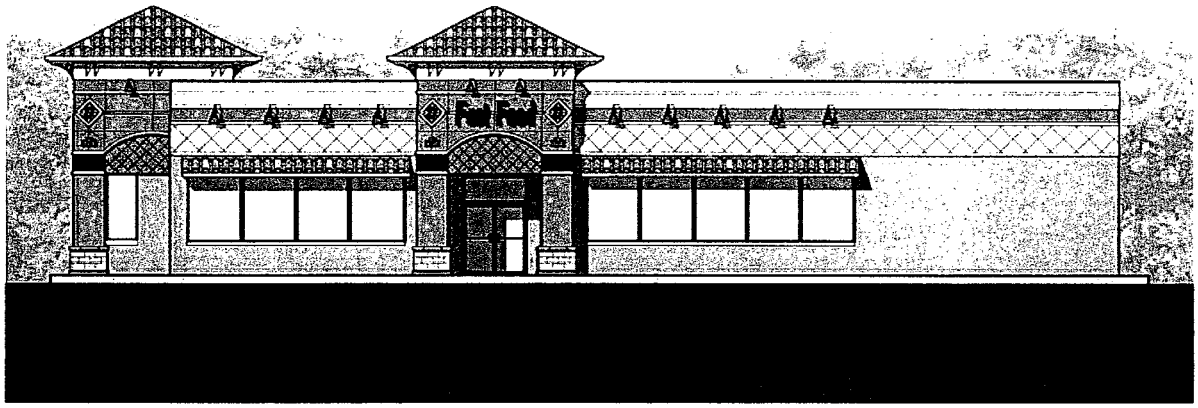
- The Anchor Parcel will accommodate one or several commercial uses. The on-site pedestrian system will connect the Anchor Parcel to the adjacent Vista Parcel paralleling U.S. Highway 41 and the buildings of the Anchor Parcel will be designed to compliment the Vista Parcels. The parking area will be designed to minimize hardscaped areas, visually and physically.

- Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the Vista Parcels and all other free-standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large adorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration on the following page)



Buildings will also provide a minimum of two of the following building design treatments:

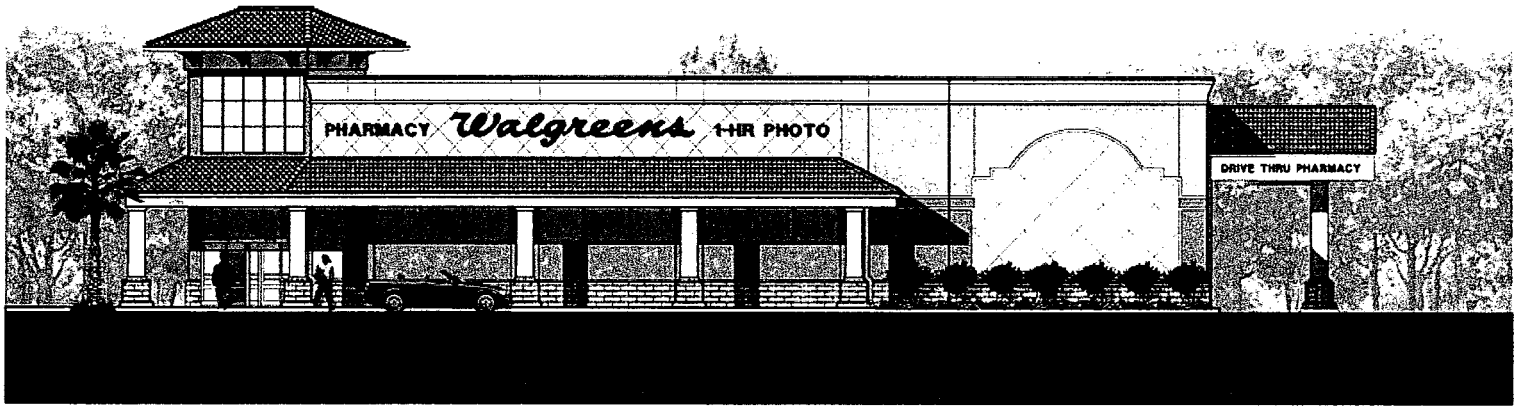
- Canopies or portico, integrated with the buildings' massing and style
- Overhangs
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character

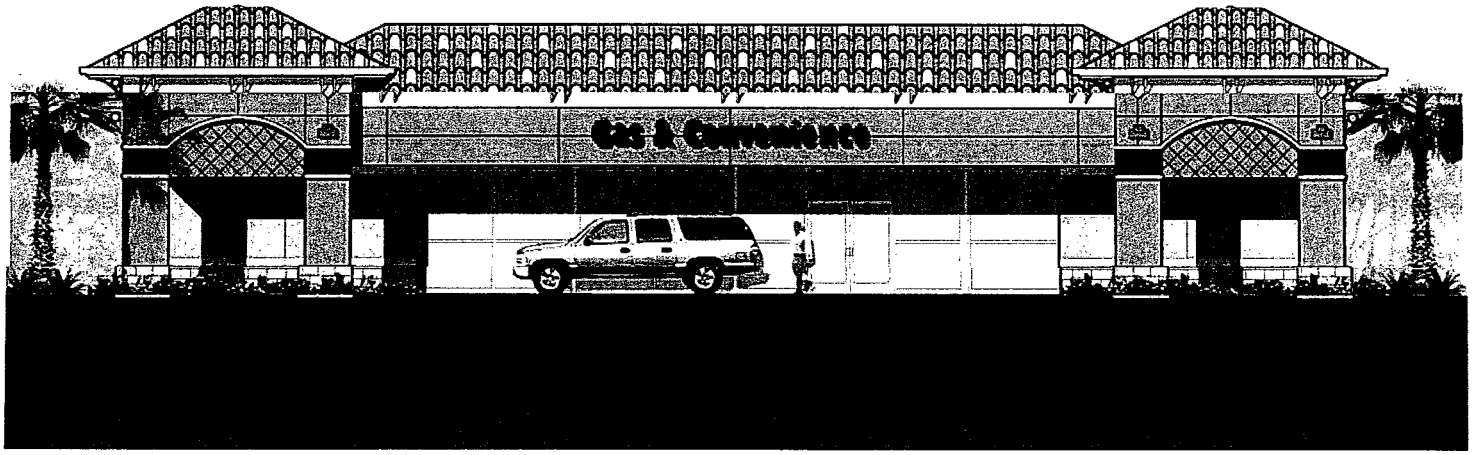


Building facades may include a repeating pattern and will include no less than two of the design elements listed below. At least one of these design elements may repeat horizontally.

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 6 inches in width, such as a reveal, and offset or a projecting rib
- Architectural banding
- Pattern change

PARADISE SHOPPES OF ESTERO





Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs where required
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum facia of 8 inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of two reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which incorporates benches or other seating components and decorative landscape planters.

Exterior building colors and materials contribute significantly to the visual impact of a building.

Predominant exterior building materials will include, but are not limited to:

- Stucco
- EFIS
- Architectural Block
- Tinted, textured, other that smooth or ribbed, concrete masonry units; or
- Natural Stone and/or Pre-cast Concrete

Customer parking for the Anchor Parcel will be in accordance with Section 34-1046 Design Standards, Item 7. In addition to Item 7, customer parking will be located in front of the Anchor Parcel building.

C. Common / Public Areas

- Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.

- Project architectural features will be developed within common areas of the project and will be coordinated in the design, color and style. Architectural features shall be permitted throughout the site.

- The Paradise Shoppes of Estero will provide a variety of publicly accessible amenities such as bicycle racks, benches and trash receptacles, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.

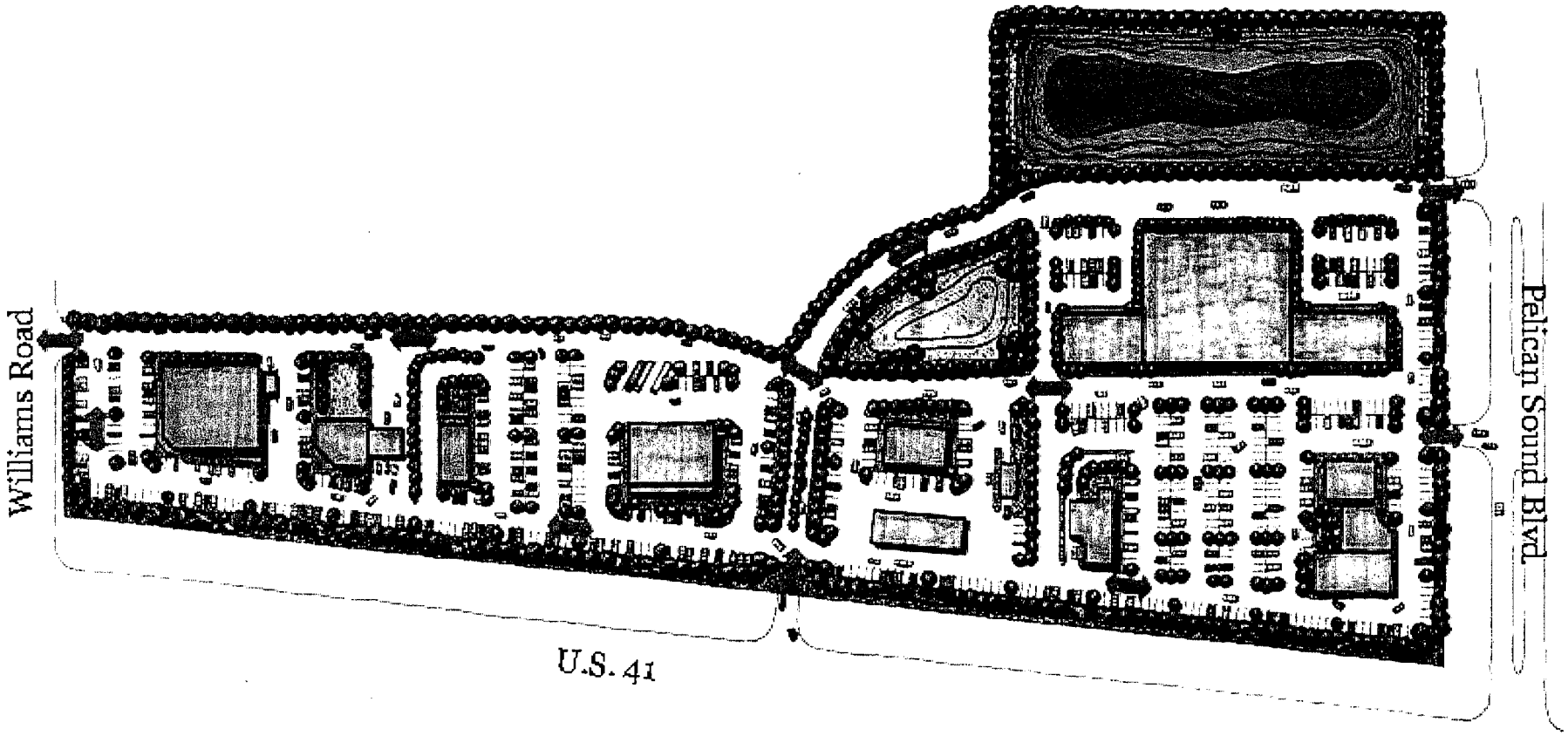
- A pedestrian way network shall be established throughout the project as shown on the Conceptual Site Plan on the following page. The pedestrian system will serve to link Anchor and vista areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of treated surfaces, signage or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.

    - The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc. This pedestrian way will include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum unobstructed pedestrian way of 5 feet average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances where appropriate.

    - The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan on the following page. This pedestrian way system will be designed to promote safe and convenient linkage from the parking area to the entire project. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatment and other traffic calming techniques. This pedestrian way system shall be a minimum of 4 feet in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12 feet high with a 4 foot spread for canopy trees and equivalent specification for shade palms at the time of planting.

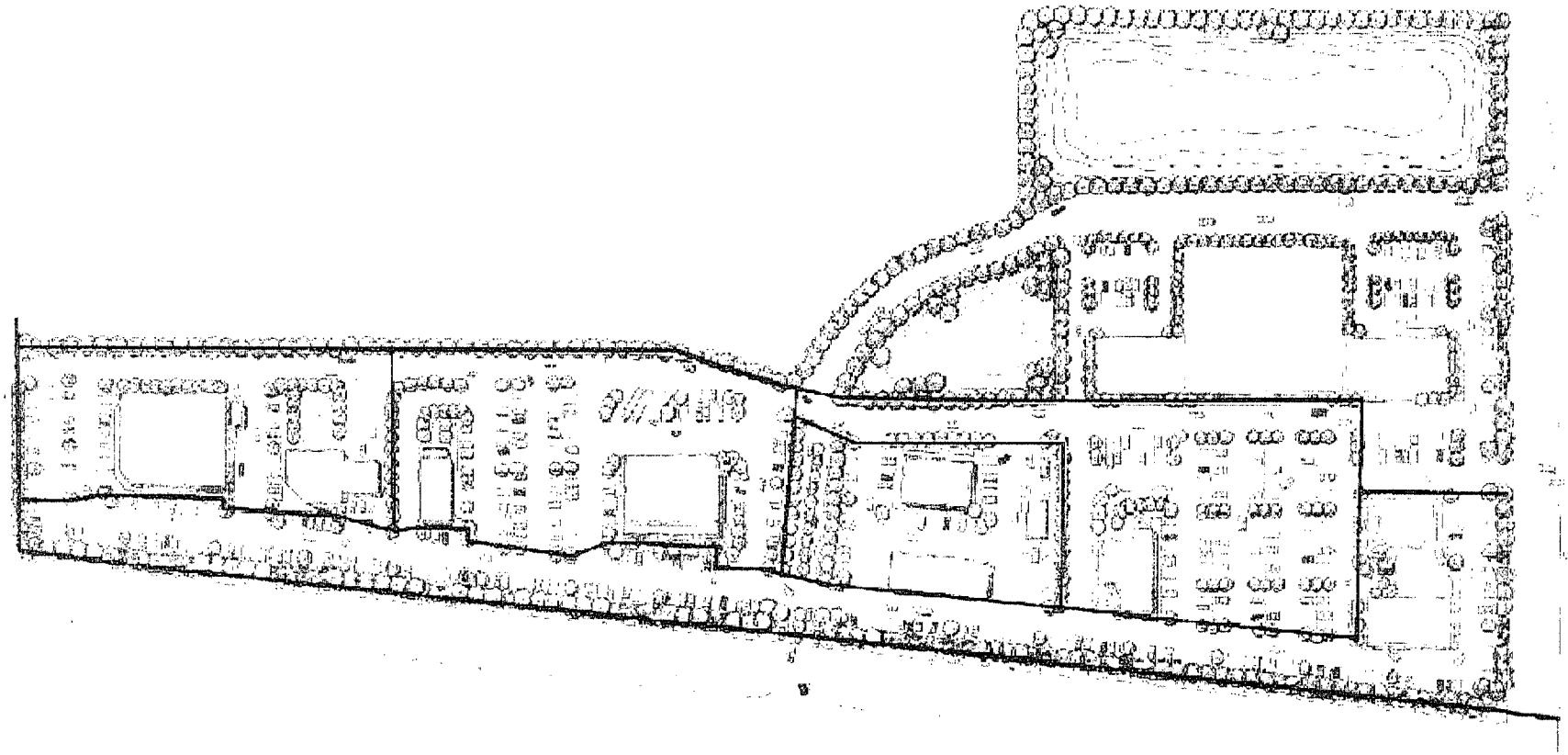
    - The perimeter pedestrian way system is designed to link free-standing uses with the parking and vista area pedestrian way as shown on the Conceptual Site Plan on the following page. Vehicular crossings will be identified with signage, landscaping and clearly marked through uses of varied pavement treatments or other traffic calming techniques.

PARADISE SHOPPES OF ESTERO



Conceptual Site Plan: Vehicular Circulation

PARADISE SHOPPES OF ESTERO



Conceptual Site Plan: Pedestrian Circulation

Landscaping

A. General

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement and satisfy LDC native plant requirements. Any non-native landscape material use shall be allowed under the LDC and will be used to provide additional color and texture for areas to be enhanced such as main vehicular and pedestrian entries, circulation routes, building perimeter plantings and pedestrian amenity open space.

B. Perimeter

- Buildings along U.S. Highway 41 will be designed in accordance with LDC Article IV; the setback requirements for the Estero Overlay. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- Where parking or service areas along U.S. Highway 41 are located within 75 feet of the right of way line, the developer must maintain a minimum 30 foot setback for parking or service areas from the U.S. Highway 41 right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made (subject to FDOT review and utility conflicts) to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk.

- Where an access road for a drive-thru is located along U.S. Highway 41 within 75 feet of the right of way line, the developer must maintain a maximum 25 foot building setback from the U.S. Highway 41 right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk (subject to FDOT review, utility conflicts and spacing issues).

- Where buildings along Williams Road or Pelican Sound Boulevard are designed such that parking areas are in front of the building, an enhanced 30 foot buffer consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with

a ±2 feet undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- The height of required trees within buffers shall be 12 feet overall in height. Canopy trees shall have a 4 foot canopy spread at the time of planting.

- Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Paradise Shoppes of Estero boundary concurrent with site development within each vista area or anchor parcel respectively.

- Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting and utilities will be permitted within perimeter landscape buffers.

- Perimeter landscape berms located within the Paradise Shoppes of Estero boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.

- The developer and adjacent landowners endeavor to provide a unified homogenous landscape and entry feature for Pelican Sound Boulevard. The entry feature will be designed to compliment the Paradise Shoppes of Estero project.

C. Internal

Per LDC Sections 34-1042 thru 34-1047, internal landscaping will be provided to minimize hardscaped areas, both visually and physically, accentuate entryways, define pedestrian areas and enhance the pedestrian walkway system. In all landscaped areas, existing native trees will be preserved.

PARADISE SHOPPES OF ESTERO

U.S. 41 Parking/Pedestrian/U.S. 41 Circulations Retail Shops Entrance

Entrance from U.S. 41

Creation of Focal Points

Signage

A. All signs shall be of consistent architectural style and shall feature like building materials and sign structures. Sign Structures will be uniform in size, color and building material.

B. All signs will comply with the land development code sign guidelines at the time of the issuance of the sign permit.

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Trees (Med. & Large)

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Acacia choriophylla	Cinnecord	Juniperus silicicola	Southern Red Cedar
Acacia farneslana	Sweet Acacia	Juniperus virginiana	Red Cedar
Acer rubrum	Red Maple	Laguncularia racemosa	White Mangrove
Acer saccharum subs. Floridanum	Florida Maple	Liriodendron tulipifera	Tulip Poplar
Annona glabra	Pond Apple	Magnolia grandiflora	Southern Magnolia
Betula nigra	River Birch	Magnolia virginiana	Sweet Magnolia
Bourreria succulenta	Strongbark	Morus rubra	Red Mulberry
Bursera simaruba	Gumbo Limbo	Myrcanthes fragrans	Simpson Stopper
Celtis laevigata	Sugarberry	Nyssa sylvatica	Black Gum
Cercis canadensis	Red Bud	Persea palustris	Florida Red Bay
Chionanthus virginicus	White Fringetree	Pinus elliottii	Slash Pine
Chrysobalanus icaco	Cocoplum	Pinus elliottii 'densa'	South Florida Slash Pine
Chrysophyllum oliviforme	Satin Leaf	Pinus palustris	Longleaf Pine
Citharexylum spinosum	Fiddlewood	Pinus taeda	Loblolly Pine
Clusia rosea	Pitch Apple	Piscidia piscipula	Jamaica Dogwood
Cocoloba diversifolia	Pigeon Plum	Plantanus occidentalis	Sycamore
Cocoloba uvifera	Seagrape	Prunus angustifolia	Chickasaw Plum
Conocarpus erectus	Buttonwood	Prunus caroliniana	Cherry Laurel
Cordia sebestena	Geiger Tree	Prunus myrtifolia	West Indian Cherry
Cornus florida	Dogwood	Quercus alba	White Oak
Diospyros virginiana	Persimmon	Quercus falcata	Southern Red Oak
Eugenia axillaris	White Stopper	Quercus laurifolia	Laurel Oak
Eugenia confusa	Redberry Stopper	Quercus michauxii	Swamp Chestnut Oak
Eugenia foetida	Spanish Stopper	Quercus nigra	Water Oak
Eugenia rhombea	Red Stopper	Quercus shumardii	Shumard Oak
Gordonia lasianthus	Loblolly Bay	Quercus virginiana	Live Oak
Guaiacum sanctum	Lignum Vitae	Rhizophora mangle	Red Mangrove
Gymnanthes lucida	Crabwood	Salix caroliniana	Coastal Plain Willow
Hibiscus tiliaceus	Mahoe	Sapindus saponaria	Wingleaf Soapberry
Ilex cassine	Dahoon Holly	Schaefferia frutescens	Florida Boxwood
Ilex opaca	American Holly	Sideroxylon foetidissimum	Mastic
Ilex vomitoria	Yaupon Holly	Sideroxylon salicifolium	Willow Bustic
Ilex x attenuata	East Palatka Holly	Swietenia mahagoni	Mahogany
Jacquinia keyensis	Joewood	Taxodium distichum	Bald Cypress
		Ulmus alata	Winged Elm
		Ulmus americana var. floridana	Florida Elm
		Viburnum obovatum	Walter's Viburnum

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Shrubs

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Ardisia escallonioides	Marlberry		
Baccharis halimifolia	Saltbush		
Calicarpa americana	Beautyberry		
Capparis cynophallophora	Jamaican Caper		
Cassia ligustrina	Privet Cassia		
Cephalanthus occidentalis	Buttonbush		
Clethera alnifolia 'Ruby Spice'	Sweet Pepperbush		
Cordia globosa	Bloodberry		
Cyrilla racemiflora	Titi		
Dodonaea viscosa	Varnishleaf		
Erithalis fruticosa	Black Torch		
Ernodia littoralis	Beach Creeper		
Erythrina herbacea	Coral Bean		
Foresteria segregata	Florida Privet		
Genipa clusiifolia	Seven-Year-Apple		
Hamelia patens	Firebush		
Hypericum spp.	St. John's Wort		
Illicium floridanum	Florida Anise		
Itea virginica	Virginia Sweetspire		
Iva frutescens	Marsh Elder		
Lantana involucrata	Native White Lantana		
Licania michauxii	Gopher Apple		
Lyonia lucida	Fetterbush		
Myrica cerifera	Wax Myrtle		
Opuntia spp.	Prickly Pear		
Psychotria nervosa	Wild Coffee		
Randia aculeata	White Indigo Berry		
Rapanea punctata	Myrsine		
Rivina humilis	Rouge Plant		
Sambucus simpsonii	Elderberry		
Scaevola plumieri	Scaevola		
Sophora tomentosa	Necklace Pod		
Stachytarpheta jamaicensis	Blue Porterweed		
Styrax americanus	Snowbell		
Suriana maritima	Bay Cedar		
Yucca aloifolia	Spanish Bayonet		
Zamia pumila	Coontie		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Grasses

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Andropogon brachystachys	Shortspike Bluestem		
Eragrostis elliottii	Elliot Love Grass		
Eragrostis spectabilis	Purple Love Grass		
Muhlenbergia capillaris	Muhly Grass		
Sorghastrum secundum	Lopsided Indiangrass		
Spartina bakeri	Sand Cordgrass		
Tripsacum dactyloides	Fakahatchee Grass		
Tripsacum floridanum	Florida Gamma Grass		
Uniola paniculata	Sea Oats		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Ferns

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Acrostichum danaeifolium	Leather Fern		
Blechnum serrulatum	Swamp Fern		
Ctenitis sloanei	Florida Tree Fern		
Nepherolepsis spp.	Swordfern/Boston Fern		
Osmunda regalis	Royal Fern		
Pteridium aquilinum	Bracken		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Aquatics

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Canna flaccida	Yellow Canna		
Equisetum spp.	Horsetail		
Juncus effusus	Soft Rush		
Nuphar luteum	Spatterdock		
Nymphaea odorata	White Water Lily		
Pontederia lanceolata	Pickerelweed		
Sagittaria spp.	Arrowhead		
Scirpus spp.	Giant Bulrush		
Thalia geniculata	Alligator Flag		

MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

DATE: November 2, 2004

TO: Board of County Commissioners

FROM: Diana M. Parker/ Salvatore Territo
County Hearing Examiners

RE: Hearing Examiner Recommendation

Enclosed you will find the following Examiner Recommendation:

HEARING DATE: OCTOBER 13, 2004
CONTINUED HRG. DATE: OCTOBER 27, 2004

DCI2004-00013 **THE PARADISE GROUP, in reference to CAMARGO MPD**

The above referenced Hearing Examiner Recommendation has been rendered as of this date. The Development Services Division has advised that the BOCC Zoning Hearing is tentatively scheduled for **Monday, November 29, 2004.** Development Services will forward a copy of the Recommendation to the Board prior to that time in the pink zoning notebooks.

If you have any procedural questions, please let our office know.

cc: Tim Jones / Asst. Co. Atty.
Jamie Princing / Community Development
Andy Getch / LCDOT
Sue Noe /Economic Development

DCI2004-00013
Chip Block / Community Development
Tim Jones / Asst. County Atty.
Matt Noble / Community Development

JAMIE PRINCING
COMMUNITY DEVELOPMENT

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2004-00013
APPLICANT: THE PARADISE GROUP, in reference to CAMARGO MPD
HEARING DATE: OCTOBER 13, 2004
CONTINUED HRG. DATE: OCTOBER 27, 2004

I. APPLICATION:

This matter came before the Lee County Hearing Examiner as an Application for an Amendment to a Commercial Planned Development (CPD) pursuant to the Lee County Land Development Code (LDC).

Filed by THE PARADISE GROUP, 3265 Meridian Parkway, Weston, Florida 33331 (Applicant); CHARLES M. LONG, et al, 2201 2nd Street, Fort Myers, Florida 33901 (Owner); PARADISE DEVELOPMENT GROUP, 2901 Rigsby Lane, Safety Harbor, Florida 34695 (Contract Purchaser); SHELLIE JOHNSON, AICP, % BARRACO AND ASSOCIATES, INC., 2271 McGregor Boulevard, Fort Myers, Florida 33901; MATT UHLE, % KNOTT, CONSOER, EBELINI, HART & SWETT, 1625 Hendry Street, Unit 301, Fort Myers, Florida 33901; and TED TREESH, % METRO TRANSPORTATION GROUP, INC., 12651 McGregor Boulevard, Fort Myers, Florida 33919 (Agents).

Request is to amend the existing Mixed Use Planned Development (MPD) zoning to adopt a new Master Concept Plan (MCP) to allow the continued development of a vacated portion of the overall project. The existing MPD was approved in Resolution Z-98-029 for up to 300,000 square feet of commercial floor area (of which not more than 100,000 square feet can be retail use), a total of 500 beds in an assisted living facility, and a potential conversion of up to 100,000 square feet of retail uses to 75,000 square feet of office uses. The requested amendment would permit up to 100,000 square feet of retail on the vacated section of the MPD south of Pelican Sound Boulevard which was previously designated for commercial uses. No changes to the residential portion of the MPD are included in this request, and no uses have been requested for the vacated commercial area located north of Pelican Sound Boulevard. Blasting is not a proposed development activity within this project.

The subject property is located at Estero, Florida (northwest corner of Williams Road and U.S. 41 intersection), in Section 33, Township 46 South, Range 25 East, Lee County, Florida (District #3).

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Chip Block. The Staff Report is incorporated herein by this reference.

III. RECOMMENDATION OF HEARING EXAMINER:

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners **APPROVE** the Applicant's request for an amendment to the existing MPD to adopt a new Master Concept Plan (MCP) to allow the continued development of a vacated portion of the overall project for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

A. CONDITIONS:

1. Resolution Z-98-029 remains in effect unless specifically amended by actions within this zoning case.

2. The development of this portion of the project must be consistent with the two-page Master Concept Plan entitled "Camargo MPD," stamped received JUL 09, 2004, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

The development of this portion of the project is limited to a maximum of 100,000 square feet of floor area.

3. Conditions 3 and 4 of Resolution Z-98-029 are hereby amended replacing the Schedule of Uses and Property Development Regulations for this portion of the development with the following:

a. Schedule of Uses

Accessory Uses and Structures (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3108)(See Note 1 below)
Administrative Offices
ATM (automatic teller machine)
Auto Parts Store - without installation facilities
Automobile Service Station (Limited to one use located on either Parcel 3 or 4 in conjunction with a convenience store and car wash) See Note 2
Banks and Financial Establishments (LDC Section 34-622(c)(3)): Groups I and II
Boat Parts Store, without installation
Broadcast Studios
Business Services, Group I
Car Wash (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and convenience store)
Clothing Stores, general (LDC Section 34-622(c)(8))
Clubs:
- Commercial
- Fraternal, membership organization (LDC Section 34-2111)
- Private (LDC Section 34-2111)

Computer and Data Processing Services
Consumption on Premises (LDC Section 34-1261 et seq.)(strictly limited in conjunction with a Restaurant use only)

Convenience Food and Beverage Store (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and car wash) See Note 2
Cultural Facilities (LDC Section 34-622(c)(10))
Day Care Center, Child, Adult
Department Store (Limited to a maximum of 25,000 square feet per store)
Drive-through Facility for any Permitted Use (limited to a maximum of 5 parcels. Any drive through facility placed on Parcels 1, 2, 5, and 6 may only be placed on a western facing building facade. On the parcel containing the automobile service station/convenience food and beverage store/car wash, the car wash entrance and exit must face east and west respectively. A drive through facility on Parcel 7 may only be placed on the northern facade so long as the vehicles travel in an east to west direction.
Drugstore (limited to only one within the project)
Entrance Gates and Gatehouse (LDC Section 34-1741 et seq.)
Essential Services (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
Essential Service Facilities (LDC Section 34-622(c)(13)):Group I (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
Excavation: Water retention (LDC Section 34-1651)
Fences, Walls (LDC Section 34-1741)
Food and Beverage Service, Limited
Food Stores (LDC Section 34-622(c)(16)): Group I
Hardware Store (limited to a maximum of 10,000 square feet)
Health Care Facilities (LDC Section 34-622(c)(20)):Groups I, II, and III
Hobby, Toy, and Game Store
Household and Office Furnishings (LDC Section 34-622(c)(22)), Groups I and II (Household use as limited by the Land Development Code and Office use is limited to businesses like Kinko's Office Depot, Office Max or other like business. Large newspaper printing facilities are prohibited.)
Insurance Companies (LDC Section 34-622(c)(23))
Laundry or Dry Cleaning (LDC Section 34-622(c)(24)): Group I
Lawn and Garden Supply Stores (LDC Section 34-2081)
Library
Medical Office
Nonstore Retailers (LDC Section 34-622(c)(30)), all groups
Package Store (LDC Section 34-1261 et seq.)(In conjunction with a multiple-use occupancy complex only; free-standing stores are prohibited)
Paint, Glass and Wallpaper
Parks (LDC Section 34-622(c)(32)): Groups I and II
Parking Lot: Accessory (see Note 1 below)
Garage, public parking
Temporary
Personal Services (LDC Section 34-622(c)(33)):
Group I, limited to - ATM's
Barbershops and Beauty Shop
Clothing Alterations and Repair including Dressmakers, Seamstresses and Tailors

Laundry Agents (wherein the establishment may do its own pressing and finish work but not the laundering or dry cleaning which is performed elsewhere)
Photo Agents (wherein drop-off and pickup film services are provided but the actual processing and developing is done elsewhere)
Shoe Repair Services (wherein shoe repair or shoe shining for individual customers is performed)

Group II, limited to -
Beauty spas
Health clubs or spas
Reducing or slenderizing salons
Steam or turkish baths

Group III, limited to -
Artificial limbs
Crutches
Hearing aids
Hospital beds
Optical supplies
Orthopedic supplies
Wheelchairs

Pet Services (outdoor pens, enclosures, and dog runs are prohibited)
Pet Shop (outdoor pens, enclosures, and dog runs are prohibited)
Pharmacy
Post Office
Real Estate Sales Office (LDC Sections 34-1951 et seq., and 34-3021)
Recreational Facilities: Commercial (LDC Section 34-622(c)(38)): Groups II and IV
Religious Facilities (LDC Section 34-2051 et seq.)
Rental or Leasing Establishment (LDC Section 34-622(c)(39))(All storage must be indoor and outdoor display is prohibited):

Group I, limited to -
Beach chairs, umbrellas, and similar facilities
Bicycles
Moped and scooters
Passenger car pickup and drop off (no maintenance or repairs and limited storage)

Group II, limited to -
Appliances
Bicycles
Costumes
Furniture
Garden equipment
Movies, videotapes and similar home entertainment
Party and banquet supplies
Tools and equipment primarily for home use

Repair Shops (34-622(c)(40)): Groups I and II
Research and Development Laboratories (LDC Section 34-622(c)(41)): Groups II and IV

Restaurant, Fast Food (Limited to one within the project; must be located on either Parcel 2 or 5)
Restaurants (LDC Section 34-622(c)(43)): Groups I, II, and III
Schools: Commercial (LDC Section 34-622(c)(45)) (LDC Section 34-2381)
Self Service Fuel Pumps (only in conjunction with an Automobile Service Station or Convenience Food and Beverage Store) See Note 2
Signs, in accordance with Land Development Code Chapter 30
Social Services (LDC Section 34-622(c)(46)): Group I
Specialty Retail Shops (LDC Section 34-622(c)(47)): Groups I, II, III, and IV (no outdoor storage or display permitted)
Studios (LDC Section 34-622(c)(49))
Temporary Uses (LDC Section 34-3041 et seq.)(limited solely to temporary contractor's office and storage shed),
Theater, indoor (LDC Section 34-2471 et seq.)
Used Merchandise Stores (LDC Section 34-622(c)(54)): Groups I and II
Variety Store
Wholesale Establishments (LDC Section 34-622(c)(56)): Group III

NOTE:

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

2. A maximum of eight (8) fueling positions (four pump structures) are permitted within this development. A Special Exception will be required to permit more than eight (8) fueling station (four pump structures).

b. <u>Site Development Regulations</u>

Development based on the use within this 22-acre portion of the MPD must comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area:	7,500 square feet
Width:	75 feet
Depth:	100 feet

Minimum Setbacks:

Street:	variable according to the functional classification of the street or road (Section 34-2191 et seq)
Side:	15 feet
Rear:	20 feet
Water Body:	zero feet

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

Maximum Lot Coverage: 60 percent

Maximum Building Height: 45 feet

Minimum Building Separation: Minimum building separation is the greater of either the minimum required setbacks or one-half the sum of the height of the buildings. (LDC Section 34-935(e)(4))

4. Condition 7 of Resolution Z-98-029 is hereby amended to include the following buffer:

A minimum 30-foot-wide native landscaped arterial road buffer must be provided. In areas where native vegetation does not exist, the developer will plant five native trees and 15 native shrubs per 100 linear feet. This buffer must include a 2-foot-high undulating berm (with landscaping on the berm) running parallel to U.S. 41. New landscaping will be planted in a well designed and clustered manner.

5. No blasting activities are permitted as part of this planned development. If blasting is necessary, then a public hearing amendment of this planned development will be required in order to permit the activity.

6. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

7. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).

8. Development of this commercial project must be in compliance with the revised Design Guidelines attached hereto as **Exhibit B.**

9. Outdoor dining is permitted on the subject property only in conjunction with the Restaurant and Fast-Food Restaurant uses. NO other outdoor uses or outdoor sales, display, or storage is allowed on the 22-acre commercial site.

B. <u>DEVIATIONS:</u>

Deviations (1), (3), (5) and (6) previously approved in Z-98-029 remain in effect for this 22-acre portion of the project.

Deviation (7) seeks relief from LDC Section 10-415(b)(1) which requires 50 percent of the open space percentage requirement be provided through the onsite preservation of existing native vegetation communities; to allow the preservation of the westerly 10 acres in accordance with Resolution Z-98-029. The Hearing Examiner recommends **APPROVAL** of this Deviation.

IV. HEARING EXAMINER DISCUSSION:

Outstanding Issue(s): The number of gas pumps at a convenience food and beverage store or automobile service station, and the use of "saturation" as a basis for restricting the number of gas stations and/or pumps in an area. Applicant was requesting 16 fueling positions (eight 2-sided fuel pumps) but Staff recommended approval of only 8 fueling positions (four 2-sided fuel pumps), citing the 14 other convenience food and beverage stores and gas stations within a 5-mile radius of the site.

This is a request to amend the 83.4-acre Camargo Trust MPD to adopt a new Master Concept Plan (MCP), and reinstate commercial zoning for the 22-acre parcel lying south of Pelican Sound Drive. The 83+-acre MPD is located on the west side of U.S. 41, north of Williams Road, and is bisected by Pelican Sound Drive. It is surrounded by residential uses on the north and west, commercial uses on the south (across Williams Road), and a recently approved mixed use DRI on the east (across U.S. 41). It is designated Suburban in the Lee Plan and the proposed MCP amendment is consistent with the intent and provisions of that land use designation.

The Camargo Trust MPD was initially approved in 1998 for 300,000 square feet of commercial uses - 100,000 retail and 200,000 office, 300 dwelling units, 105 hotel/motel units and an Assisted Living Facility (ALF). In accordance with the Land Development Code regulations, the MPD zoning approvals stayed in effect for five years - until 2003. In 2003, a 2-year extension was granted only for the residential component of the MPD, and that component recently received its local development order. An ALF has been constructed on a parcel lying west of the 22-acre commercial area and along Williams Road.

The balance of the MPD was subsequently vacated in 2003, because the property owner had not proceeded with plans for development of the commercial components. This request will reinstate the commercial zoning approvals only on the 22-acre commercial parcel lying south of Pelican Sound Drive; the commercial area to the north of Pelican Sound Drive will retain its vacated MPD zoning status.

Applicant herein is the contract purchaser for the 22-acre subject property, and intends to develop it with 100,000 square feet of retail uses on eight development parcels. The development parcels are depicted on the new MCP as seven outparcels, ranging in size from about one acre to 2.5 acres, fronting on U.S. 41, and one 4.48 anchor parcel located westward of the outparcels. The anchor parcel is abutted on the west by the internal roadway and a rectangularly shaped 3±-acre water management lake, which separates the development parcel from the residential development. It is abutted on the south by a 3/4-acre dry retention area, and on the north boundary by Pelican Sound Drive. Access to each development parcel will be from an internal (reverse frontage) roadway; no outparcel will have direct access to U.S. 41 or Williams Road.

This commercial project is planned with one full access to Williams Road on the south, and two full accesses to Pelican Sound Drive on the north, and two restricted accesses to U.S. 41 on the east. These are the same access points that were approved in the 1998 rezoning.[1]

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[1] The MPD also depicts other access points to Williams Road and Pelican Sound Drive. The existing ALF has a separate access point onto Williams Road, and the developing residential component of the MPD has separate access points to Williams Road and Pelican Sound Drive.

The northernmost access to U.S. 41 is a right-in/right-out and left-in located about midway the U.S. 41 length between Pelican Sound Drive and Williams Road, and the southernmost access to U.S. 41 is a right-in/right-out only between Outparcels 6 and 7, just north of the Williams Road intersection.

Williams Road is a 2-laned roadway that widens to three lanes at its intersection with U.S. 41. Williams Road accommodates the traffic of the local residents, as well as that from the commercial development on the south side of Williams Road. Staff and Applicant anticipate the U.S. 41/Pelican Sound Drive intersection will eventually be signalized, but do not expect that to occur for several years at least. They pointed out the signalization will be needed to accommodate the traffic from the recently approved DRI on the east side of U.S. 41, and the future residential and commercial developments in this area. Until that occurs, however, Williams Road is the only signalized intersection available to the subject property.

Applicant proposes to put the typical outparcel uses, i.e., banks, fast food restaurants, drug stores, convenience food and beverage stores or gas stations, on the seven outparcels. The anchor parcel may be developed with a commercial center, and may contain at least one 25,000-square-foot department store offering a variety of goods and materials, such as T. J. Max, Ross, Pier One, etcetera. Although Dollar General and similar stores would qualify as a department store, Applicant did not believe those types of stores would lease space at this site. They explained they intend to develop an upscale project and did not believe such stores could afford the rent associated with an upscale development.

Applicant also discussed their belief that they were reducing the intensity of this commercial project from what had been originally approved in 1998. They commented that they were reducing the development amount to 100,000 square feet, and were eliminating or restricting some of the more intensive commercial uses that had been approved for this site in 1998, which will have a corresponding reduction in this project's traffic impacts on the surrounding roadways. They stressed this reduction in intensity and in traffic impacts clearly supported their request for the 16 fueling positions at a convenience food and beverage store and/or service station, as these uses were known to result in higher volumes of traffic.

Applicant met, as required by the LDC, with the appropriate citizen groups in Estero, and has reached an agreement with those groups regarding additional buffering requirements, site and architectural designs for the project, and the restriction of uses, and/or their location, on the site. For example, the locations of the drive-thru facilities, wherever possible, will be restricted to the west sides of the buildings, and the location of the convenience food and beverage store/gas station will be restricted to the parcels on either side of the midpoint access onto U.S. 41.

Four Deviations were approved in 1998, and those four will not be affected by the proposed MCP amendment. Applicant is seeking an additional Deviation with this new MCP - to allow the 10-acre preservation area approved in 1998 to fulfill the 50 percent native vegetation preservation requirement, instead of having to provide that open space and preservation on the 22 acres. They explained that the 1998 approval established the 10-acre preservation area on the western boundary to meet the native vegetation and open space requirements for the entire MPD, including the development of this 22-acre parcel.

Staff recommended approval, with conditions, of the MPD amendment, finding the request, as conditioned, was consistent with the intent of the Lee Plan and the Land Development Code, and would be compatible with the existing and planned uses in the area. They found

that the uses, as conditioned, were appropriate at this location and would not be detrimental or injurious to the neighborhood or the public health, safety and welfare.

They also recommended approval of the Deviation, finding that it would enhance the project and would promote and protect the public health, safety and welfare.

Staff explained that they and Applicant were not in agreement regarding the number of fueling positions that should be allowed on this site. Applicant was requesting 16 fueling positions (eight 2-sided pumps) for the gas station and/or convenience food and beverage store uses, noting that the 1998 rezoning approved those uses without any limitations on the number of pumps or fueling positions. However, Staff was recommending a maximum of only 8 fueling positions (eight 2-sided pump structures), owing to the Board of County Commissioners' (BOCC) concerns about "oversaturation" of those uses throughout Lee County, and its requests for such information in commercial rezonings.

Staff had found 14 existing gas stations/convenience food and beverage stores within a 5-mile radius of the subject property, and were aware of numerous other approved, but unbuilt, commercial projects, in the vicinity of the subject property, that allowed those same uses. They believed the BOCC's recent approvals of commercial rezoning cases, in which the number of gas pumps (fueling positions) were reduced or limited, based upon the number of stations and pumps ("saturation") in the surrounding area, were precedent supporting their recommendation.

Applicant argued that the County's reliance on a "saturation" criterion was misplaced because it was not a standard or criterion contained or addressed in the Lee Plan or the Land Development Code. They stressed that such criteria was too subjective, which made it hard for applicants and developers to address or anticipate in the preparation of their rezoning requests and site design. They further argued that approving the use on the initial zoning did not guarantee that the use would be constructed on the subject property. The ultimate end-users of a project were market driven, and intimated that County Staff had historically taken the position that they could not base their decisions on market factors. Using the saturation criterion was, thus, inconsistent with the established policies of the County. Applicant also asserted that their request for 16 fueling positions was already a reduction from the norm, because the current market trend was for convenience food and beverage stores and gas stations to have as many as 24 to 32 fueling positions. For those reasons, Applicant believed that Staff was wrong to restrict the requested use to eight fueling positions (four pumps), and asked the Hearing Examiner to recommend approval of the 16 fueling positions (eight pumps).

Staff agreed there was no "saturation" standard in either the Lee Plan or the Land Development Code which clearly documented the number of gas pumps that could be approved in a rezoning. They advised, however, that the saturation factor was not the sole criterion for their recommended limitation on fuel pumps. They also reviewed the proposal in terms of compatibility with the surrounding uses and development, consistency with the Lee Plan, and potential impacts on surrounding land uses, as they wanted to ensure that their recommendation could be legally supported by the provisions of the Lee Plan and the Land Development Code.

Staff also conceded that there was no "magic number" of existing convenience food and beverage stores, gas stations, or gas pumps that automatically mandated the approval or denial of a request for gas pumps. They believed the BOCC's ultimate decision was based

on compatibility and consistency with the Lee Plan, not on the number of stations and/or pumps in the area. They asserted that the BOCC used a "sliding scale," dependent upon the facts and circumstances of each case, in making its decision to restrict or deny additional gas pumps.

Staff expounded on the concerns and issues they discovered during their review of the requested amendment. First, they were concerned that the larger number of fueling positions would result in more traffic entering and leaving the site, thereby creating potentially dangerous conditions for the drivers on the surrounding roadways, particularly on U.S. 41, since the only signalized intersection was at Williams Road. Southbound traffic on U.S. 41 would not pose a problem; it was the northbound traffic that would have to cut across the southbound lanes to both enter and exit the site at the midpoint access and at Pelican Sound Drive. If the site had better access to U.S. 41, Staff might have felt more comfortable recommending approval of the larger number of fueling positions.

Another of Staff's concerns was the effect the higher volume of traffic would have on the internal traffic flow patterns. The proposed location of the gas pumps on the middle two outparcels required the incoming traffic to utilize the internal access road to get to Williams Road, or even to Pelican Sound Drive, to achieve access to the northbound lanes of U.S. 41. He believed that locating the convenience food and beverage store and/or gas stations to the corner parcel at Pelican Sound Drive or at Williams Road would reduce the amount of traffic actually having to utilize the internal road. Thus, he asserted that his professional opinion was based on compatibility issues - not saturation issues

He also explained that Staff was not trying to unduly deny Applicant the extra fueling positions/gas pumps, but they believed that a more in-depth review of the situation was necessary before the higher number was approved. For that reason, Staff had recommended a condition whereby Applicant could obtain the larger number of fueling positions/gas pumps by going through the Special Exception review process. That purpose of that review process was to acknowledge that, while a particular use might be contained in the LDC Use tables for a commercial project, the use itself might not be wholly appropriate for the site on which it was to be placed. The Special Exception process would allow Staff to perform a more in-depth review the traffic situation and the site constraints before allowing the larger number of fueling positions/pumps.

The public hearing was attended by several residents of the area and several members of the Estero citizen's committees. While they supported the overall plan, they all expressed their concerns and fears regarding the existing traffic situation and Applicant's proposed full access point onto Williams Road. These residents were already "living" with a bad situation which has arisen because the configuration of the turn lanes on Williams Road are inadequate to accommodate the existing traffic associated with the residents in the area, and the customers for the existing Albertson's store on the south side of Williams Road. They pointed out that this situation will only worsen with the opening of the Galloway dealership, located on Albertson's south boundary, and the residential component of the Camargo Trust.

These residents and community leaders asked that, at the very least, the Hearing Examiner or BOCC restrict the proposed access point onto Williams Road to a right-in/right-out only. While this additional traffic would add to problems in the area, at least with a right-in/right-out access onto Williams Road, the confusion and potentially dangerous situation would be somewhat lessened. They also objected strongly to Staff's recommendation that the convenience food and beverage stores and/or gas stations be relocated to the outparcels on

Pelican Sound Drive and at Williams Road. They envisioned such a site arrangement would generate major traffic congestion, confusion, and hazardous conditions for everybody on the roadways surrounding the subject property.

The undersigned Hearing Examiner concurs, for the most part, with Staff's analysis, findings and recommendation of approval, with conditions, finding that the request, as conditioned, meets the approval criteria set out in LDC Section 34-145. She finds that the request, as conditioned, would be consistent with the intent and provisions of the Lee Plan and the Land Development Code, and would be compatible with the surrounding uses in the area.

The Hearing Examiner understands Staff's stated reasoning in the evaluation and recommendation relating to the eight fueling positions, but is uncertain whether the predominant basis for the restricted number of fueling positions is compatibility and consistency with the Lee Plan. She notes that Staff's study to determine the existing and approved, but unbuilt, number of fueling positions within a 5-mile radius of the subject property gives the perception that at least a portion of the basis for their determination is the "saturation" of the area with those uses. While the BOCC has requested that information in several previous cases, that request has not been adopted nor instituted as a part of the LDC or Lee Plan review criteria, even though it, clearly, bears some of the weight in Staff's and the BOCC's consideration and decision making.

The Hearing Examiner points out Staff's concession that, although the BOCC requested this information in several previous cases, it never directed Staff to continue performing these "information gathering" duties as part of every rezoning review process. Nor did the BOCC provide any direction on how Staff was to utilize the information obtained in the review process. While Staff is attempting to anticipate the BOCC's request for information by doing these "studies," they are including this information in their Staff Reports, deeming the information to be a "Special Case Issue" for lack of a better description. This very inclusion gives the strong perception that the number of fueling positions at convenience food and beverage stores and gas stations has some special significance and basis in Staff's and the BOCC's decisions.

The Hearing Examiner believes the BOCC needs to evaluate the basis of this information in their decision making. If they want to continue utilizing and relying upon the information in their decision making, she recommends that the BOCC direct Staff to properly prepare guidelines for the accumulation and use of this information in a rezoning case. While the Hearing Examiner understands the BOCC has discretionary powers, the perception of a "discretionary" decision that does not appear to have a basis in public health, safety and welfare concerns typically will not be upheld if challenged to a local state court. The use of the information could become a critical factor in future rezonings as more and more infilll parcels come in for rezoning approval. It is the Hearing Examiner's opinion that the formal adoption of the purpose for this information and the guidelines relating to its use will establish the public health, safety and welfare concern that is being addressed by the use of the information.

The Hearing Examiner shares the concerns expressed by the residents of Estero regarding the existing situation at Williams Road and the potential problems the will be caused by this project having a left-turn out onto Williams Road. Applicant suggested, and Staff agreed, that the situation will be reviewed in more detail at the Development Review stage, at which time, the proper roadway improvements will be determined. Nevertheless, the Hearing Examiner points out that this project is will meet commercial site location standards with only

a right-in/right-out access point, and will work with that restricted access point, if not to the extent desired by Applicant. Noting the potential seriousness of this situation to the public health, safety and welfare, the Hearing Examiner has chosen to recommend that the access point be restricted to a right-in/right-out until such time as Williams Road is improved to allow a left turn out for this project.

It is the opinion of the Hearing Examiner that the conditions imposed herein are reasonably related to the impacts anticipated from the proposed use, and, with other regulations, will safeguard the public's interests.

The Hearing Examiner finds that the approved Deviation herein will enhance the objective of the Commercial Planned Development, and will promote and protect the public health, safety and welfare.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

A. That the Applicant has proved entitlement to this request, as conditioned, by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes or regulations.

B. That the request, as conditioned, will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.

C. That the request, as conditioned, is consistent with the densities, intensities and general uses set forth in the Lee Plan.

D. That the request, as conditioned, is compatible with existing or planned uses in the surrounding area.

E. That approval of the request, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities, and the development will be served by streets with the capacity to carry traffic it generates.

F. That the request, as conditioned, will not adversely affect environmentally critical areas and natural resources.

G. That the proposed mix of uses, as conditioned, are appropriate at the subject location.

H. That the recommended conditions to the Master Concept Plan are reasonably related to the impacts anticipated from the proposed development, and, with other regulations, will provide sufficient safeguard to the public interest.

I. That the approved Deviation, as conditioned, will enhance the objective of the proposed development, and will promote the protection of the public health, safety and welfare.

J. That urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

K. That approval of this request, as conditioned, will not affect the vacated status of the Camargo Trust commercial parcels located on the north side of Pelican Sound Drive, and will have no effect on the already developing or developed residential and ALF parcels.

VI. LIST OF EXHIBITS:

Master Concept Plan, two pages, dated July 8, 2004, not revised, prepared by Barraco and Associates, Inc., date stamped "Received July 9, 2004 Community Development"

STAFF'S EXHIBITS

1 Memo from Alvin Block to Chief Hearing Examiner, re: New Schedule of Uses, dated October 27, 2004

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

APPLICANT'S EXHIBITS

1 Composite Exhibit, entitled Paradise Shoppes of Estero, dated October 13, 2004

2 Paradise Shoppes of Estero Project Overview (Composite of 21 pages)

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

VILNIUS' EXHIBITS

1 Hand-drawn sketch of the project with connecting roadways

2 Email transmission, dated October 9, 2004, re: July 12th ECPP Meeting

VII. PRESENTATION SUMMARY:

October 13, 2004 Hearing:

The Hearing Examiner explained the hearing process and placed all the participants under oath. Matt Uhle, with Knott, Consoer, Ebelini, Hart & Swett, introduced himself and stated he represented the Applicant, Paradise Development Group. He referred to his memorandum to the Hearing Examiner, dated October 12, 2004, that outlined the two outstanding issues that he and Staff disagreed with.

He stated he would begin the Applicant's presentation by presenting some procedural and historical background regarding the subject property that needed clarification. Following that, Shellie Johnson, with Barraco and Associates, Inc., would provide expert planning testimony about the proposed Master Concept Plan (MCP), compared to the previously approved MCP in relation to the design guidelines. Then Ted Treesh, with the Metro Transportation Group, Inc., would testify regarding traffic issues and Mike Roeder of Knott, Consoer, Ebelini, Hart

& Swett, would attest to Lee Plan consistency issues. Additionally, Owen Ewing, with Paradise Development Group, would address an issue in dispute, and then he (Mr. Uhle) would provide a summary of where the issues stood.

Going forward, Mr. Uhle referred to the approved 1998 version of the MCP that was included in the Resolution attached to the Staff Report. Since it was attached to the Staff Report, he believed it did not need to be presented as an exhibit in the hearing. He stated that the 83-acre subject property was rezoned by the Board of County Commissioners (BOCC) in 1998, noting the MPD had more than one component. There were residential areas located at the "back" on the northwest and north sides of Pelican Sound Drive, and commercial properties along U.S. 41 both north and South of Pelican Sound Drive. The 1998 plan was relatively general with no specific site plan presented and could have been referred to a "bubble" plan. A large number of uses were approved at that time that included 100,000 square feet of retail use, 200,000 square feet of office use, a 105-room hotel, an Assisted Living Facility (ALF) of up to 500 units, and a provision for the conversion of square footage into other kinds of square footage.

Subsequent to the approval of that plan, time passed with no development activity taking place until 2003 when the back residential portion was placed under contract to Shelby Homes. That sale created some problems, because the MCP, which was good for five years, was not vested at that time because no development order had been pulled. In order to facilitate the construction of the Shelby Homes project, now known as The Meadows, an extension of the MCP was required. Staff initially expressed concern about extending the commercial portion because the Estero Community Planning Panel (ECPP) plan had been adopted within that 5-year period. The ECPP plan included new regulations and the perceptions of development in Estero had changed. Therefore, Staff was reluctant to approve the extension. Ultimately, because the residential portion was not controversial and was the most pressing part from the owner's perspective, everyone agreed to do just the residential component. The BOCC ultimately approved the extension that only applied to the residential component of the project.

Then, a development order for the residential section of the MPD was issued and the commercial section was vacated. Subsequently, the Applicant, Paradise Development Group, entered into a contract to purchase the southern 22 acres of commercial property, which lead to some procedural problems. The property owner wanted to reinstate the commercial zoning on the northern 10 acres as well. However, Paradise Development Group was not the Applicant for that additional acreage and the question arose whether the MPD could be broken into two different CPD's and filed as stand-alone properties, or if it would be better to process this request as an MPD amendment.

Ultimately, it was decided the best way was to have successive MPD amendments, which had to be authorized by all of the parties with an interest in the complete 83 acres, even though it only affected the 22 acres under contract to Paradise Development Group. The new MCP would not change anything, relative to the vested residential component. For the commercial portion to the north, no uses were being requested on that parcel, and it would be the subject of a subsequent application, currently being worked on but not yet filed. The end result was that the Applicant wanted to reinstate the previous uses that were approved in the1998 rezoning. From the negotiations with Staff and the Estero community, their proposal was less intense in square footage and in the list of uses than what had been approved in 1998, and the current MCP was much more detailed.

Next, Shellie Johnson, a Planner with Barraco and Associates, Inc., stated that her resume was on file with the Hearing Examiner's office and requested to be accepted as an expert in land use planning, as in previous hearings. The Hearing Examiner confirmed that Ms. Johnson had appeared before her in a previous hearing and, after receiving no objections, the Hearing Examiner accepted her as requested.

Ms. Johnson noted that the 22-acre subject property was located on U.S. 41 in Estero and was bordered on the north by Pelican Sound Drive and on the south by Williams Road. She advised that they had attended the ECPP's June 16, 2004 meeting where the project was received favorably. A discussion on some of the uses and the orientation of buildings ensued and the Applicant subsequently met with that group two additional times to work out some of their issues and concerns.

Ms. Johnson presented an exhibit, labeled as Applicant's Composite Exhibit 1, that included a revised Schedule of Uses showing the changes made, in red, as part of the Resolution. The Hearing Examiner confirmed with Chip Block, Principal Planner with the Department of Community Development, that he had seen the list with the changes marked in red. Mr. Block replied that he did not have that exact exhibit; however, the highlighted changes made the intent clearer. He had seen the Resolution and he did not believe the new exhibit created any problems for Staff as there was nothing new from the full Schedule of Uses they had reviewed.

Continuing, Ms. Johnson related that to the east and across U.S. 41, was the future site of the North Pointe MPD; to the south, some existing commercial development; to the west was the residential portion of the MPD and an existing ALF that was not part of the development. To the north was the other residential and commercial components of the previously approved MPD. Further, she stated that the project included eight development parcels that ranged in size from approximately one to five acres. There were also a storm water lake and a dry retention area. Access was proposed from the three road frontages, with two access points on Pelican Sound Drive, one on Williams Road and two onto U.S. 41. The project's primary entrance was on U.S. 41, and a right-in/right-out only access was proposed between Parcels 6 and 7. All of the buffer requirements for Estero would be met, including a 30-foot-wide buffer along the U.S. 41 frontage.

The requested deviation for open space was from Land Development Code (LDC) Section 10-415(b)(1) which required that 50 percent of the open space be met through the preservation of indigenous vegetation. During the 1998 approval process, a 7-acre indigenous preserve area was set aside in the residential portion of the project. That, combined with applicable credits, created 10 acres of preserve, which satisfied the indigenous preserve requirement for the entire MPD.

Ms. Johnson noted that connectivity for vehicles and pedestrian traffic was achieved with a drive isle through the western portion of the project, with easy in and out access to each of the parcels and the associated parking areas. That, combined with defined entryways, helped move traffic in and off the site. Walkways were proposed for pedestrian circulation within the site and, wherever a pedestrian, vehicular conflict was evident, those areas would be identified with the appropriate signage and special pavement treatment. The landscaped portions of the site was also being used to enhance the shopping experience and the pedestrian friendliness of the environment.

The ultimate goal was to create a unified site design that promoted safety and functional circulation, as well as creating an aesthetically pleasing environment. The proposed set of architectural and landscape guidelines, submitted as part of the Staff Report, would unify the development and create some sort of special identity for the project itself. Examples of some of the architectural components used to unify the site were articulated building facades, defined entryways, variations in roof types, a common color pallette, and common or standardized signage and lighting. In addition, the landscape would also create a unified element that would be a cohesive design for the entire site and help the identity of the project and marketability. Some examples of the landscape features included site improvements, such as the parking areas, creating green windows that would help create focal points when looking in from outside of the project, and special treatment of entryways. Examples of buffering were included in Applicant's Composite Exhibit 1.

Continuing, Ms. Johnson advised that the previously approved MPD provided for up to 300,000 square feet of commercial and office space, but the current request proposed no more than 100,000 square feet. In addition, some of the more intense uses that were approved on the 1998 MPD had been removed or deleted from the Schedule of Uses for their project. She noted that the architectural landscape guidelines demonstrated cohesiveness and unification of the development and were being proposed as part of the zoning process, rather than waiting until the development order process.

In conclusion, she noted that, in terms of the concept plan, the proposed MCP showed a greater detail of how the land would be parcelized and how internal circulation would work for pedestrians and vehicles.

The Hearing Examiner inquired if they had expected a traffic light for their entrance and Ms. Johnson deferred to the traffic consultant. She also confirmed there currently was no light at Pelican Sound Drive, but there was one at Williams Road.

Additionally, the Hearing Examiner was concerned that the parking areas depicted on their artist rendering seemed to concentrate all the parking in the north end, to which Ms. Johnson responded that the rendering was only conceptual, and they would comply with the County's requirements.

At that point, Tim Jones, Chief Assistant County Attorney, stated that he had the same parking concern as the Hearing Examiner and was trying to reconcile the parking with the parcels. It appeared that parking for the large building with wings was on the other two parcels. While he believed it was possible to do that, it would require the appropriate conditions, special exceptions and shared parking arrangements, etc. However, he was unsure if any of those things had been provided in the examples. Normally, under Lee County regulations, parking for one use could not be placed on another parcel, unless it was properly provided for in the approval.

Ms. Johnson replied that the artist rendering was conceptual and the building footprints were not set in stone. It was just supplied to show how general circulation would work internally for the project. She believed that, upon subdivision of the land into eight parcels, each parcel would be required to accommodate the required parking for the proposed use. Mr. Block interceded that Note 1 on page 4 of the Staff Report read, "All accessory uses, including accessory parking, must be located on the same tract, parcel, outparcel, or lot where a principal use is located. Accessory uses must be incidental and subordinate to the principal

use of the tract, parcel, outparcel, or lot." Therefore, parking must be contained on the parcels, and they could not share across parcels.

Next, the Hearing Examiner advised that Mr. Uhle's memo had mentioned that they wanted the site development regulations to control and wondered if that meant he wanted the retail development regulations removed at the current time. Mr. Uhle replied that it was a tangled issue and he understood it better after reviewing the original approval. The original approval had different property development regulations for different types of uses, and those regulations carried forward into their application. When Mr. Block made his recommendation, he extracted two of the columns from their proposal and established different regulations. After reviewing the Staff Report, Mr. Uhle thought it was not a good idea to have two different standards for different kinds of uses, because there might be disputes as to which category the use fell into. Their current recommendation was just to create one uniform set of standards that applied to all of the development on the 22-acre site.

The Hearing Examiner clarified with Mr. Block that the changes only applied to the 22-acre portion of the site and would not affect the two parcels north of Pelican Sound Drive. She wondered if it would change the original approval of those two parcels that would be reinstated at some future time. He responded that the intent of the application and the intent of the legal descriptions they had received were only applicable to the 22-acre portion of the project. The northern 10-acre vacated commercial portion would require the same process as the current hearing and could have separate property development regulations. That northern parcel would probably proceed in the same manner as the current application in order to amend the MPD to establish new regulations. Whatever was established for that parcel would only be applicable on that 10-acre site. Mr. Uhle suggested that verbiage be added to the recommendation to make the matter clearer that it only applied to the southern 22-acre parcel and Mr. Block also suggested it read, "as applicable to the approved MCP." In that manner, they could go back to the approved plan and only find that particular outline.

Next, the Hearing Examiner questioned why she received a Schedule of Uses attached to the memorandum from Mr. Uhle, dated October 12, 2004. Mr. Uhle related that it was the same Schedule of Uses that was in the Staff Report and that when his explanation was presented, it would become clearer why he did not go through all the limitations and how the two Schedules differed.

At that point, the Applicant's next witness came forward to make his presentation. Ted Treesh, with Metro Transportation Group, stated that his resume was on file with the Hearing Examiner's Office and requested to be accepted as an expert in transportation planning, as has been done in the past. After hearing no objections, the Hearing Examiner accepted him as such.

Mr. Treesh advised that they evaluated the surrounding roadways for available capacity. Based on that analysis, they determined that there was sufficient capacity on the surrounding roadways to accommodate the rezoning request. He then referred to page 11 of the Staff Report that indicated that the current Level of Service (LOS) on U.S. 41 was "F." That was the level for the 4-laned portion of the highway; however, the roadway in their area was currently under construction to six lanes which would create additional capacity.

Next, he referred to his letter to Ms. Johnson, dated June 23, 2004, and stated that the section of U.S. 41 in proximity to the subject property was unique in terms of its development over the past few years, and where the traffic counts were done to calculate the LOS. The

calculation site extended south from Corkscrew Road to the count station located just north of old U.S. 41. Three Oaks Parkway, a parallel segment to U.S. 41, had been extended through The Brooks development down to Coconut Road, and was slated to be extended even farther south into the City of Bonita Springs to intersect with Imperial Street. Such interconnection would alleviate some of the north-south traffic on U.S. 41.

The Memorandum dated June 23, 2004 clarified the meeting held with Staff and how the LOS was calculated, based on the projected build-out and on traffic counts during peak season at the intersection of Pelican Sound Drive and U.S. 41. Staff agreed that a traffic count taken directly at the site was more relevant than a count taken 2.5 miles south of the project.

Next, Mr. Treesh addressed the Hearing Examiner's concern regarding the access drives and noted they had been constructed prior to the widening of U.S. 41, and had been reconstructed with the improvement to six lanes. He indicated there was a northbound left turn at the midpoint of the project and a full median opening at Pelican Sound Drive. U.S. 41 was a Florida Department of Transportation (FDOT) highway, and, unless access management regulations were changed, he did not anticipate the center access drive being converted to a full median opening. He advised that no signal was anticipated at that location, either. The opening at Pelican Sound Drive was a full median opening, which could indicate that it might become a signalized intersection in the future when the traffic volume warranted it. He anticipated there would be a traffic signal at Pelican Sound Drive, noting that it would be subject to the results of the current rezoning request, the future rezoning approvals on the property to the north, and the recent approval of the North Pointe DRI on the east side of U.S. 41.

At that point, the Hearing Examiner questioned what the LOS would be when U.S. 41 was widened to six lanes. Mr. Treesh replied that it had been projected to be LOS "C" after the completion of the six lanes and the completion of their project. He advised that the pavement and the medians were finished for the widening and estimated the widening would be completed by the spring of 2005.

Mike Roeder, Director of Planning with Knott, Consoer, Ebelini, Hart & Swett, was the Applicant's next witness. He asked to be accepted as an expert witness in land use planning, as has been done in previous hearings. After hearing no objections, the Hearing Examiner accepted him as such. He advised that his presentation would relate to the Lee Plan consistency, pointing out that the Staff Report had thoroughly documented the consistency of the request with Lee Plan.

The basic, Lee Plan Policy 1.1.5, was the definition of the suburban land use category and allowed for a mixture of residential and commercial uses. The subject property was already zoned as MPD and allowed commercial uses up to 300,000 square feet. They were now only proposing 100,000 square feet for the 22-acre subject property.

One policy not mentioned in the Staff Report was Lee Plan Policy 6.1.2.2, the site location standards, which the request met. The site was located at the intersection of an arterial road, U.S. 41, and a major collector road, Williams Road.

Lee Plan 2.2.1 dealt with the timing issues, Objective 2.1, covered location and Policy 2.1.1 talked about the location of contiguous, compact development and encouraged infill projects, which he believed their project to be. Additionally, Objective 2.2 and Lee Plan Policy 2.2.1

related to development timing and availability of infrastructure and services, all of which were available. Staff had noted that since it was first approved in 1998, a lot of development had occurred and approved in the area, including the Coconut Point Mall, the North Pointe DRI, Albertson's, and Pelican Sound that was virtually complete.

Lee Plan Policy 5.1.5 covered neighborhood compatibility and their project would border Shelby Homes, which was part of the MPD. Staff had noted it was already buffered by the internal roadway system and all the developers were aware that the site was mixed development. Lee Plan Policy 6.1.4 also dealt with compatibility with existing and adjacent land uses.

Going forward, Mr. Roeder advised there were no environmental issues as the property had been pasture and the indigenous preserve was concentrated on the residential portion of the site. In conclusion, he stated that the request was consistent with the Lee Plan and the LDC.

Mr. Uhle questioned Mr. Roeder if there was anything in the Lee Plan that, directly or indirectly, made it clear how many gas pumps should be permitted on the site. He replied there was no guidance, however, eight pumps was sort of a "given" number, although there appeared to be a definite trend toward more pumps at gas stations. With all things being equal, if all stations had more pumps, he believed there would be fewer stations because each station could handle more business.

Mr. Uhle advised that the issue of the number of gas pumps was frequently referred to as the concept of "saturation" and wondered if there was any generally accepted definition of "saturation" in any planning text that Mr. Roeder was familiar with. Mr. Roeder replied that he had never seen any articles on it, either current or during his educational process. It was such a fluid concept, and, in a fast-growing area such as Lee County, he was unsure how it could be measured. It appeared that Lee County had always agreed, in the past, to let the market determine what was needed on a site.

Mr. Uhle confirmed that Mr. Roeder was not aware of any legitimate planning reason, such as compatibility, that would justify limiting the number of pumps to eight. Further, Mr. Uhle advised that Staff had recommended denial of the department store use and the Applicant was proposing approval with a maximum of 25,000 square feet. He inquired if Mr. Roeder was aware of any reason to not approve their request for department store, to which Mr. Roeder replied that he could not think of any reason. He could only conclude that the typical concept of a department store was a very large store and, although their site was not large, he thought that was the reason Staff stated it did not belong there. However, in his opinion, with the limit of 25,000 square feet, it could clearly be accommodated and there were stores of that size that would qualify as a department store. Additionally, "department stores" did not have any special external impacts that would need to be addressed in a special way.

The Hearing Examiner confirmed that the Applicant was amenable to restricting the department store to 25,000 square feet and wondered what type of store would be in that class, considering that the average Publix Store, although not a department store, was an average of 50,000 square feet. Mr. Uhle advised that Mr. Ewing would provide details on that matter and would be speaking after Mr. Roeder.

Next, the Hearing Examiner reiterated Mr. Roeder's testimony that, although there was no definition of saturation or a planning policy for it, he believed the County's position had been to let the market determine the uses on the property. She knew that the same issue had

been raised in other zoning cases for convenience stores or gas stations. He stated his belief that the County did not want to pick "winners or losers" based on a better location or a better run store. Stores typically go out of business all the time, but there was always another store to come in and recycle the building.

The Hearing Examiner wondered if Staff had told him that the saturation argument was the BOCC's method or means of trying to better restrict the uses in the area, and inquired if he had a problem with that, from a planning standpoint. He responded there was an obligation to define what was meant and to place specific standards on it. That had never been done on this matter, and it was needed, otherwise the restriction was arbitrary. The Hearing Examiner confirmed that Mr. Roeder thought there had never been an explanation of the difference in the approval numbers, between 8, 12, or 16 gas pumps.

Owen Ewing, a Vice President with Paradise Development Group, advised they had the subject property under contract and were going through the development process. He related that the northern portion of the 22-acre site was the ideal location for a specialty retail business that would probably be 30,000 to 40,000 overall square feet. Because of the way "department store" was defined in the LDC, the exclusion of it could really affect stores such as T. J. Max, Ross, Pier One and other like stores that had a mixed use of sales items. They felt the exclusion of that category would be too limiting to the development of the project.

The Hearing Examiner inquired if stores such as Dollar General would also fit into that category. Mr. Ewing advised that, with the high cost of development in Estero, he did not believe such a store would be able to afford to lease in that development. The Hearing Examiner confirmed that the type of end user would be constrained by the size of the store front and the lease or purchase cost of the store and would most likely be a high-end retailer.

Continuing, Mr. Ewing stated the gas pumps and service convenience stores had changed over the years. There were many new products and components that make up a convenience store, such as the inclusion of Starbucks. He believed the additional pumps made sense from a service standpoint.

The Hearing Examiner inquired if Paradise Development Group had built any other developments in Lee County. Mr. Ewing advised that, within the past two years, they had completed a Walgreen's store at International Center Boulevard and Daniels Parkway in a similar situation in that an MPD was resurrected. He stated that Paradise Development Group had developments in eight different states and had completed more than 40 Publix and Walgreen's stores, and were familiar with that type of development.

Returning, Mr. Uhle related that the Staff Report did not include some of the uses they had put on their list and it did not include some of the limitations that they had added to some of those uses. As an example of some of the extensive limitations, he read from the Revised Schedule of Uses attached to his memorandum of October 12, 2004, as follows,

> DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE, restricted to a maximum of five parcels. On parcels 1, 2, 5, and 6, the drive-through facilities shall be placed on the western building facade. The automobile service station parcel may have a drive-through car wash with the entrance and exit facing east and west respectively. Parcel 7 drive-through facility may be placed on the northern facade provided the vehicles pull through said facility from east to west.

He believed that example showed the result of their discussions with the community and they wanted all of the restrictions to which they had committed to be included in the Hearing Examiner's Recommendation. The six uses they wanted to be included were not in the Staff Report, clarifying that it was not just that the uses were struck through, they were not included.

Mr. Uhle agreed with the elimination of the "Printing and Publishing (LDC Section 34-622(c)(36)) use. However, they did not agree with the elimination of "Department Store," which they had requested approval of with the limitation of 25,000 square feet.

With regard to the increased maximum number of fuel pumps to 16, and based on past performances, he could present a merciless presentation based on a legal and planning perspective. However, he would just put forward that there was really no standard or any kind of standard articulated in these cases. He believed the suitability and compatibility should be looked at, and that there was no reason to deny their request based on compatibility. The number of pumps was not regulated on the property in the 1998 rezoning, and, subsequent to that, there were new Estero regulations in effect relative to the use that now must be complied with. Therefore, the use was much more strictly regulated now than when it was approved with no restrictions in 1998.

For the site development regulations, they had proposed one set of standards. He referred to the Minimum Building Separation requirement in the Staff Report and advised that the word "half" had been omitted from the standard LDC Section 34-935(e)(4) regulation. The elimination of the word "half" would severely affect their plan.

Item 4 of his Memorandum requested the addition of a condition requiring compliance with the design guidelines that were attached to the Staff Report and ensured their commitment to the community. However, subsequent to the issuance of the Staff Report, he had e-mail dialogue with the ECPP, which had requested more time to discuss the refinement of the guidelines, to which he had no objections. Therefore, he requested that the hearing be held open for two weeks for submission of a revised version of design guidelines that would meet everyone's needs.

At that point, the Hearing Examiner recalled Mr. Treesh to inquire if the 25,000-square-foot department store traffic generation count was calculated differently from that of a series of smaller stores like a strip center. Mr. Treesh advised that would be hard to ascertain and advised that they had looked at it as an integrated retail center and did not differentiate between the two. However, the larger the square footage for a single use, the more destination trips there would be. It did not necessarily mean more trips; it just meant more destination trips to various stores and was just a different trip characteristic compared to total volume.

Mr. Treesh advised that, when the Traffic Impact Study (TIS) was prepared, he considered the trip generation based on the worst case scenario of 100,000 square feet of retail uses. The ITE manual meant one user or several users, but the typical surveys that went into the studies were of multiple users on a single site with integrated access, shared parking and a layout similar to the proposed concept. In summary, the Hearing Examiner confirmed with Mr. Treesh that, in his opinion, if the 25,000-square-foot restriction was placed on the department store, it would not have a major impact on the results he had found in the TIS. Mr. Treesh confirmed that it would not, and reiterated that those details would again be reviewed at the time of the Development Order, when the user was known.

At that point, Alvin Chip Block began the County's presentation, by asking to be accepted as an expert witness. After hearing no objections from the Applicant, the Hearing Examiner accepted him as such.

He stated that the request was to amend the existing Mixed Use Planned Development (MPD) zoning for a project that had been approved in June 1998. The residential component of that MPD had been extended for two years in June 2003. He stated that the Staff Report, prepared September 23, 2004, contained the Staff's analysis of the requested amendment to the planned development, and their analysis of the Lee Plan. It also provided a recommendation of approval of the amendment to the MPD, with seven conditions that started on page 7 of the Staff Report, and a recommended finding of consistency with the Lee Plan.

Then, Mr. Block referred to corrections that needed to be made in the Staff Report. On page 8 of the Staff Report, under the "Introduction/Synopsis" section, the sentence that stated, "Both parcels from on U.S. 41. . . ." should read, "Both parcels front on U.S. 41. . . ." Additionally on page 11 under the "Uses" section, "thee car wash facilities . . . .," should read "these car wash facilities . . . ."

Continuing, Mr. Block related that the Board of County Commissioners (BOCC) had directed Staff to review and document certain uses within a 5-mile radius of the subject property. Those statistics were documented under the section entitled "Uses" on page 11 of the Staff Report. Staff found there were 14 existing automobile service stations or convenience food and beverage store uses within that 5-mile radius. They also identified seven car washes within the same radius, some were standalone uses and others were accessory uses for convenience food and beverage stores.

The Hearing Examiner questioned if the number of convenience food and beverage and/or service stations within the 5-mile radius had any bearing on the number of pumps that Staff reviewed and recommended for approval. She noted that, for the past year, the saturation argument has been brought up repeatedly in hearings and the number of pumps reduced. She wanted to know if there was any relationship between the number of service stations or convenience stores with gas pumps and the number of pumps ultimately recommended for approval by Staff.

Mr. Block replied that he would report his analysis based on his position as the lead planner on the case and also based on his position as a supervisor when he reviewed a Staff Report prepared by other planners on his team. He agreed with the Applicant that there was no standard in the LDC or Lee Plan as to a saturation point or a basis for approval or denial of the number of pumps. However, they had to recognize that the BOCC had to be supplied with their requested information. For his reports and for those on his team, the information and the rationale for the basis of their recommendations was provided, whether it was for approval or denial. He then would try to relate that information back to the LDC for either compatibility issues, consistency with the Lee Plan, or impacts on surrounding land uses. Most of the time, the recommendation was for approval, because there was no basis for denial. He tried to ensure that he and his Staff felt comfortable that there was a legal basis for approval or denial and not just because the area was reaching a saturation point.

Next, the Hearing Examiner questioned if the BOCC had suggested a certain number to Staff that would be the ceiling or threshold for a saturation cutoff point. Mr. Block stated that he was the planner on the case where this issue was first introduced and the BOCC had asked

questions in that regard. That case was a commercial project off of Six Mile Cypress Parkway, south of the Twins' training facility. At that time, the BOCC did not provide any type of ceiling/limitation on the number of pumps, gas stations, convenience stations or car washes. Since then, the numbers had been provided to the BOCC, as part of the public hearing process. The results shown in the BOCC's approval or denial in their Resolutions, were based on compatibility and consistency with the Lee Plan, although there was no set standard and each was reviewed on a case-by-case basis. He believed it to be a sliding scale, except for what was contained within the rules and regulations for the ECPP.

Then, the Hearing Examiner wondered, if the 16 pumps requested by the Applicant would logistically fit on the site and met all the requirements, would Staff base their analysis solely on consistency with the Lee Plan and compatibility, in their determination that 16 pumps was too many. Mr. Block responded that in any review made by him or his team and reviewed by him, he tried to get to that point so they would have at least some legal basis for their recommendation before the Hearing Examiner and the BOCC, rather than have it be just a haphazard number.

The Hearing Examiner stated that she understood compatibility and consistency, but was still unsure how Staff decided, after reviewing the 5-mile radius study, whether or not to recommend denial of the entire use. She inquired if there was a definitive number established as policy, even if not provided by the BOCC. He reiterated that his reports were reviewed by the Director of the Zoning Division, Pam Houck, and there was no definitive number. He and his Staff would provide the numbers to the Hearing Examiner so that they were in the record when presented to the BOCC. If the BOCC saw something important for that case in those numbers, from a consistency or compatibility standpoint that may not have been addressed in the conditions, the BOCC could establish conditions within the legal basis contained in their hearing.

Continuing, Mr. Block stated that the proposal under the Applicant's Master Concept Plan (MCP) had the convenience food and beverage store limited to Parcels 3 and 4, located at the center entrance of the subject property. That access point had a northbound left in, off U.S. 41 and a right in/right out turning movement onto U.S. 41, but was not located at the better controlled intersections of either Williams Road or the future signalized Pelican Sound Drive. These were rather intense uses at that location, and anyone wishing to head north upon leaving them would have to either drive back to the parallel frontage road, and proceed either northward to Pelican Sound Drive or go south to Williams Road.

Utilizing the existing Pelican Sound Drive access would require the driver to wait for the U.S. 41 traffic before making a safe, left-hand turn, as Pelican Sound Drive was not currently signalized, or come down to the traffic signal on Williams Road, however, that traffic would also travel pass an Assisted Living Facility (ALF) and some residential areas. Because of that fact and the fact that the Applicant proposed 16 pumps (four pump islands with two gasoline pumping machines on each side), he was concerned that the larger number of pumps (16 versus 8), would result in more traffic entering and leaving the site and traffic circulation problems within the site. If the site had better access onto U.S. 41, he would have felt more comfortable recommending approval of 16 gas pumps. He believed there was a compatibility issue, which was the reason Staff was only recommending approval of 8 pumps instead of the 16 pumps proposed by the Applicant.

He also believed Staff's recommendation would give the Applicant the opportunity to go through the Special Exception process, which meant they would not be required to amend the MPD approval, as per Note 2 on page 5 of the Staff Report, which read:

> Limited to a maximum of eight (8) pumps unless a greater number is approved as a Special Exception. . . .

He pointed out that the Special Exception process would open up the issue for public input should the Applicant want to increase the number of pumps in the future and would provide Staff a better opportunity to review the project and determine if adequate access was available. In addition, it would give Staff the chance to review the use's (gas pumps) individual characteristics and impacts, and make sure they would not be negative impacts on the community.

Next, Mr. Block referred to the Applicant's memorandum of October 12, 2004 and the request for a department store use. Staff was concerned about that use as it took other users into consideration, such as a Wal-Mart, Sam's or Costco, which they had seen happen before. There would be a different type of impact associated with those uses, as compared to the other uses mentioned by Mr. Treesh. Mr. Block agreed with Mr. Treesh's calculation of the traffic generation as part of a retail center use, noting that he had heard the same in the past and was what he would have expected.

Mr. Block agreed with the request for the 25,000-square-foot department store use because the Applicant had further restricted the use to not more than four department stores within the project. Additionally, Mr. Block agreed that the limitations, as offered in the Applicant's revised Schedule of Uses, would be appropriate. During the time of the hearing continuance, he stated that an electronic Schedule of Uses would be created in cooperation with Mr. Uhle, and provided to the Hearing Examiner as a complete revised Schedule of Uses. Mr. Block indicated he had no objections to the limitations of the uses that Staff inadvertently left out.

Item 2 in the Memorandum referred to the increase in the number of fuel pumps and Staff had not changed their recommendation of only eight pumps.

After he reviewed the language in the site development regulations and compared the two property development regulations for office and retail, he agreed that it did not make sense to have two separate regulations, particularly since the ECPP had agreed with the limitations. He explained that a mixed development with retail and office uses could decide to convert to a condominium use and separate regulations would create development problems. Therefore, he recommended that a single set of property development regulations, utilizing the office regulations, would be appropriate.

Lastly, regarding Item 4 of the Memorandum, Mr. Block agreed with the addition of a condition requiring compliance with the design guidelines as that was something that the Applicant had negotiated with the ECPP. He also suggested that they submit the same design guidelines along with the revised Schedule of Uses after the two-week continuance.

At that point, Mr. Uhle thanked Mr. Block for giving the first coherent explanation he had heard regarding saturation, although he did not agree with everything in it. Mr. Block advised that at times, Staff did not have entirely clear directions from their superiors, but they did the best they could.

After a brief recess, Mr. Block announced that their report was attached to the Staff Report and there were no environmental issues. Further, there were no issues with the Lee County Department of Transportation (LCDOT).

Beginning the public input, Greg Toth, speaking on behalf of the ECPP, acknowledged that the hearing would be left open for two weeks in order to finalize the design guidelines and standards, and the landscaping standards. He commented there was a concern about the maximum building height of 65 feet for community use. After speaking with the Applicant and Mr. Uhle during the recess, Mr. Toth advised that the Applicant was willing to reduce that height limitation to 45 feet, as they did not have any community use clients for the project.

Next, Mr. Toth related that the ECPP was not comfortable with a drive-through feature on all of the outparcels. He suggested that the Walgreen's drive-through could be located on the western side of the building, thereby enhancing the aesthetics from the street. They also felt that a maximum of three drive-through facilities should be sufficient. He felt that the gap created by a drive-through feature that was parallel to a building should be placed on the western sides of the buildings.

Again, after speaking with the Applicant, it was indicated that they may be willing to remove the Cleaning and Maintenance Services. The ECPP was concerned about where the trucks would be parked and the Applicant did not believe that type of business would be in the development.

Additionally, the ECPP wanted assurance that the authorization for Clubs would not be an approval for a night club or a bottle club. The Applicant had indicated they wanted a restaurant, but Mr. Toth believed that was covered under a different category and wanted the Clubs category addressed.

For the Consumption on Premises (COP) category, the ECPP wanted to ensure that there would not be a bar or nightclub, and that the COP was an ancillary use of a restaurant.

Next, Mr. Toth believed that the 25,000-square-foot limitation on the department store category would prevent a "big box" retailer from locating in the project. Also, they requested that the rental or leasing establishment category read "indoor storage only."

Lastly, Mr. Toth stated that it was unclear to him how the exchange of square footage from office to retail was applied. Mr. Uhle responded that it was part of the original approval, and the Applicant had not requested it as part of the current request.

Next to speak was Arnold Rosenthal, residing at the Villages of County Creek in Estero, who advised that many of his concerns had been addressed. He agreed with the two-week extension of the hearing for Staff and the Applicant to clear up some concerns. However, he reminded them that there were three parties in this discussion. The Hearing Examiner clarified that the intent by Mr. Uhle was to meet with the ECPP to get the revised design guidelines and Staff had indicated they would meet with Mr. Uhle regarding the Schedule of Uses, more so than the design guidelines.

Continuing, Mr. Rosenthal related that Don Eslick, Neal Noethlich and Bob Perry could not attend the current hearing and he requested that they be allowed to speak at the continued hearing in two weeks, if it would not lengthen the hearing process. The Hearing Examiner inquired if the parties wanted an actual hearing to be held in two weeks. Mr. Uhle did not

believe that 2-week continuation was a problem, but he was concerned if the record was left open for a date that may be two months into the future.

The Hearing Examiner requested an opinion from the Chief Assistant County Attorney, Tim Jones, who replied that, if the intention was to allow more of the public to get on the record in order to speak before the BOCC, the hearing would have to be continued to a specific date and a time certain. However, the input of written submittals only could not be used to create the right for someone to speak (at the BOCC hearing) if they had not already spoken.

A discussion ensued about the possibility of lengthening the recommendation process by allowing an additional hearing date. Mr. Uhle believed a 2-week delay was acceptable but did not want anything any longer.

Mr. Ewing returned and advised that they were on a time frame. They had worked with the neighborhood association in June, July, August and September and received their recent memorandum a few days ago. He believed they had addressed all of their considerations, to a point. They were still flexible to leaving the record open for another two weeks but he could not continue the public hearing. Mr. Ewing advised they would make every effort to resolve the Schedule of Uses and had submitted a design booklet and landscaping that they were willing to commit to. He stated that, from their standpoint, they were very set with the design guidelines and considered it very explicit as to what their commitment was, and did not want to keep the record open. He felt that a few more issues could be resolved in addition to a change to the Schedule of Uses and believed they had gone a great distance with the ECPP, but they should go forward.

The Hearing Examiner stated that was where the problem lay. The Applicant would be working with the public on the revised guideline situation which would be submitted to the Hearing Examiner. Other than at a public hearing, the Hearing Examiner would not have an opportunity to know if the public agreed with the revised guidelines. Any comments made to the BOCC about the revised guidelines may not be allowed at that level. Mr. Ewing stated they had hoped to go before the BOCC in December, to which the Hearing Examiner advised that her caseload was caught up at this point and believed a recommendation could be issued within five business days after receipt of the submissions.

Continuing, Mr. Rosenthal voiced his concern about the traffic on U.S.41. Currently the minimum travel on Williams Road was a safety hazard as compared to what it would be in the future. Traffic coming from Albertson's and several other stores went out approximately 200 feet from U.S. 41 onto Williams Road, and everyone going north used that route to reach the traffic signal. There were three lanes within that 200 feet, one going east, one going west and the middle lane being a turn lane. Half of that turn lane went to U.S. 41 and the other half was from U.S. 41 going into Albertson's. That resulted in a very short left-turn lane, that held only four cars waiting to turn onto U.S. 41.

The Hearing Examiner asked for clarification, and he explained that traffic leaving Albertson's to go north on U.S. 41 had to pull out onto Williams Road and get into the left turn lane. However, traffic heading west on Williams Road and wanting to turn left into Albertson's used the western half of that eastbound left turn lane to get into Albertson's.

Further, Mr. Rosenthal advised that the day before the hearing, in off season traffic, the eastbound left turn lane was filled with nine cars, and there was no way for the westbound traffic to get into Albertson's. Those same turn lanes will be used by traffic associated with

the forthcoming Galloway Ford business. West Bay Club had 900 homes and would also be coming up Williams Road. In addition, the residential portion of the current project would probably build several hundred new homes. The addition of all the extra traffic at that location would be like a demolition derby. The concern now, in off season, was safety, and that would be worse with all the new homes and new development. He believed a traffic analysis should be done on those turn lanes because it was definitely not safe. In conclusion, he advised that a gas station on that corner outparcel would create an even bigger traffic concern with the cars coming and going.

Then, Richard Steele, a member of the Board of Directors of Pelican Sound, stated that he was the Pelican Sound delegate to the Estero Community Council leaders and his principal concern was traffic. There were 1,299 homes in their development and one of the three exits from their community was onto Williams Road and was primarily used by their residents when traveling north. Ordinarily there wasn't a problem until there were about eight cars and then the whole road blocked up. The Hearing Examiner confirmed that Mr. Steele was speaking on behalf of the Board of Directors of Pelican Sound and they were aware of his appearance at the hearing.

Next, Donald Vilnius, residing at 22199 Natures Cove Court, stated that he was a member of the ECCL, a representative for West Bay Club, Director and Officer of the West Bay Club Property Owner's Association. He was also on the committee that reviewed the North Pointe development and briefly participated with the current project.

He advised that they had concerns about the LDC standards, the height of the parking lot lights, and the design guidelines. They were also concerned that the building heights would possibly go beyond what was agreed upon in the hearing. He did not understand why it was necessary for the retail buildings to be 45 feet high. Additionally, they did not agree with the number of fuel pumps and had concerns with the orientation of the drive-through facilities and the landscaping standards.

Although Mr. Ewing came to their community and supplied some plans, much of the information only became evident in late September, and was not given to them. He agreed that Williams Road was a traffic concern, and stated that the same situation would occur with the turn lanes at Pelican Sound Boulevard and the project's internal access road. The distance between the center line of the internal access road and the first lane on U.S. 41 was about 286 feet, and the white line, for stopping, was back approximately 30 feet. He lived at West Bay Club at the end of Williams Road, and he could attest to the turning problem. Albertson's and the other businesses had already stressed the capacity of that area, and he believed Lee County was trying to funnel everything to Williams Road. Galloway Ford was also constructing an internal access road to funnel their traffic to U.S. 41 at Williams Road. He asserted that the intersection should be handled in a different way and Lee County should look at alternatives, such as additional setbacks and the widening of U.S. 41 to accommodate multiple turn lanes and the growth on the west side of that roadway.

Continuing, he related that the completion of the West Bay Club would create additional traffic. The Meadows and the other acreage near O'Donnels Landscaping Company would add to the tremendous population already in the area. Further, he asserted that the Coconut Pointe and North Pointe developments would draw more traffic into Williams Road from the east side of U.S. 41. The Hearing Examiner advised that Staff could possibly have some information as to the timing to widen Williams Road and did not believe that it could remain

a 2-laned road much longer with all the construction that was happening in the area, but she did not know if such improvements were on a current time table.

Mr. Vilnius stated there was a similar situation at Coconut Point Road where a parallel road jogged west in order to provide a back-up area, w hich the Hearing Examiner stated may have been a requirement of the intersection separations for future plans. She understood his point that the same type of design would eliminate some of the back-up situations on Williams Road. He noted that he had spoken with Albertson's, and was advised that their business doubles in season from 1,700 to about 3,400 daily customers.

Then, Mr. Vilnius presented a hand-drawn map, labeled as Vilnius Exhibit 1 and an email regarding the July 12 ECPP meeting, dated October 9, 2004, labeled as Vilnius Exhibit 2. In conclusion, he wondered if anything would be done with the billboards on the property.

Mr. Ewing returned to request Mr. Vilnius's phone number so that he could be included in meetings. He related they had met with certain key players on the Board of Directors, but it was the first time he had met Mr. Vilnius or knew of his concerns.

Mr. Uhle did not object to the email, Applicant's Exhibit 2, but added that it was obviously hearsay and requested a copy of it. The Hearing Examiner noted that copies of those exhibits would be distributed to all interested parties after the hearing.

Next to speak, Robert Brice, was sworn, and stated that he resided in the West Bay Club development at 5070 Indigo Bay Boulevard in Estero. He noted that he was President of the Indigo Shores Association, and represented 92 completed units that were occupied fully during the season, but were only partially occupied year round by one-third of the members. The Hearing Examiner confirmed that he speaking on behalf of the Board of the Indigo Shores Association and they were aware of his presence at the hearing.

He related that, since he moved in five years ago, the traffic had become astounding. They initially moved from Bonita Bay because it became very crowded and it was difficult to get out on the two lanes that eventually increased to five lanes. He was surprised that the planning for the current project did not address the Williams Road situation and hoped that plans had already been thought of. Since the Three Oaks Parkway was cut through to Corkscrew Road, traffic barreled down Williams Road and through the light as fast as possible. The people waiting to make the turn at that light were literally taking their lives in their hands. In conclusion, he stated that he was not present because of the proposed development, but because the traffic was a very dangerous situation for the residents of Indigo Shores and all the other people in the area.

The next witness was Jeff Mangan, the Chief Operating Officer for the company developing West Bay Club on Williams Road. He commended the developer on the fine job they had done on their project, and agreed with Staff that it was a great development for the area.

However, they also had traffic concerns and felt they could be resolved, to a great degree, with the signalization of Pelican Sound Boulevard. He realized that Florida Department of Transportation (FDOT) was the entity that needed to approve that without the necessary warrants, but he was hopeful that Lee County and Staff would encourage FDOT to consider the signalization of the intersection, before the necessary warrants.

To begin the rebuttal, Mr. Uhle wondered if Mr. Treesh had any perspective or reaction to Staff's standing on the number of gas pumps. Mr. Treesh replied that he had performed traffic studies for many gas stations around the country for the past 12 years. As with the trip characteristics for the larger building, a gas station also had unique trip characteristics. A gas station did not generate a lot of new destination trips, but generated the majority of its trips from the traffic already traveling the adjacent roadways. Having worked with many gas station developers over the years, he knew that they located their sites based on the traffic volume on the roadways. Fifteen years ago, gas stations were developed on the major corners of intersections and had two driveways on every corner for left and right turns. Today, with access management and medians, the situation was completely different and now gas stations were located on corners that had right in, right out access. They wanted to capture the driver who was on their way from point "A" to point "B" when they discovered they needed gas. If they didn't get gas at one station, they would get it at the next corner. Typically, drivers did not make left turns across roadways to get to a gas station; they would make a right in, and right out, which was the easiest movement to make.

The gas station, as laid out on the conceptual drawing, was adjacent to the access drive in the center of the property where you could turn left in, and right in, but there was only a right out. Other stations in the area included a Mobil station of the east side of U.S. 41, just several hundred yards from Pelican Sound Boulevard, that captured the northbound traffic between Bonita Springs and Fort Myers. Another station was located on the west side of U.S. 41, north of Broadway in Estero, to capture the southbound traffic. Traveling farther south, near Pelican Landing, was another Mobil station and finally a gas station in front of the Albertson's grocery store. Mr. Treesh noted that he did not see a problem with 16 pumps, as long as the circulation pattern on the site was large enough to accommodate it.

Continuing, he stated that they did not propose any relocation or modification to the access drive, shown on the original MCP, and referred to by Mr. Uhle. Currently, Williams Road was a 2-laned road with no raised median, which permitted full movement into and out of the access drive. Some of the concerns mentioned by the public were related to the Albertson's project on the south side, noting that this project's driveway would align with that driveway. Normally that type of question would be handled at the development order stage; however, he noted that this project would have to provide right turn (deceleration) lanes for the traffic coming into the site from U.S. 41. As the cars decelerated to turn into this site, traffic on Williams Road could continue to the west. A left turn lane would also be provided on Williams Road and anyone coming from the West Bay Club would be able to sit in the left turn lane.

During the widening of U.S. 41, signal timing was left to the contractors and it was not a high priority for them. Upon completion of the widening project, Lee County would optimize and maintain the timing of the signal to accommodate queues on both U.S. 41 and Williams Road. However, he noted that the priority would be for U.S. 41. A right-turn lane was being added on Williams Road as opposed to the current left turn lane and a shared through/right-turn lane. It may be possible that additional lanes would be needed in the future and that would be reviewed, in terms of their project impacts, at the development order stage. One of the primary reasons impact fees were paid was so that the Lee County could maintain the facilities for adequate capacity.

The Hearing Examiner inquired if Mr. Treesh knew of any plans to widen Williams Road to which he replied he did not believe there was anything in the MPO, in terms of the 2020 plan, for any widening. It was basically a dead-end road. Their primary access was from Pelican

Sound Drive, where the intensity of the development was and they had no objections in trying to get the signal sooner rather than later. It would definitely make life easier for everyone to get into and out of the project. In terms of a retail project, it had quite good access that included full access at an existing signal, a future signal and a directional median opening with a right in. He advised there was even room available on the Pelican Sound Drive median for extra turn lanes, if needed; however, they did not see that as a critical issue. In addition, they were limited because of the ALF facility that was being developed.

At that point, Mr. Block clarified that the colored MCP on the wall was not the MCP being considered for recommendation of approval, but rather it was the black and white version with the pink lines.

Then, Mr. Vilnius returned and stated that he did not see any evidence of a right turn lane being constructed on Williams Road at U.S. 41. There would be left turns facing each other by Albertson's meaning that cars would be everywhere. Mr. Treesh advised that Williams Road would probably be widened slightly to accommodate the right turn lane. He advised that it would not impact what was happening in between the Albertson's drive and U.S. 41 at all. It would allow the left-turn cars to stay in the lane and not enter any traffic while trying to get to U.S. 41.

The Hearing Examiner surmised that the traffic plans were conjecture at this time because none of the plans would be definite until the time of their development order. An extensive review of the traffic would be done at that time, and they would be required to do what was necessary to ensure the capacity on the roadway was not adversely impacted. The safety of the public was also taken into consideration. The Hearing Examiner further commented that because the process was not part of the public hearing, there was nothing she could do about it; it was beyond her control. If the entire community was concerned about the transportation impacts and the current problems with Williams Road, she suggested that they contact Scott Gilbertson or Dave Loveland at LCDOT and express their concerns in order to expedite an improvement date. She was aware that there were so many roads in the county and so much going on, that Williams Road may not be a priority for LCDOT until they realized how much development was occurring in the area and the already-existing problems. The BOCC would be made aware of the situation through her Recommendation, but the circumstances might change between the current time and the time the Applicant came in for their development order. That was the proper place for the decision to be made regarding the required turn lanes, setbacks and other items related to traffic.

Mr. Vilnius thanked the Hearing Examiner for her advice and noted that it was clearly a poorly designed system and hoped the BOCC could help alleviate the situation. He stated that he did not blame the developer, as he realized every development wanted as many access points to their businesses as possible. He just wanted to make the point that the new development would exacerbate an existing problem.

Next, Mr. Rosenthal stated that he believed the traffic engineer was trying to minimize the impact. However, he wanted to read Lee Plan Policy 6.1.4 into the record, as follows,

> Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.

He submitted that sufficient public facilities were not available to handle the traffic and it was a violation of the Lee Plan. The Hearing Examiner noted that Staff could condition that situation during the development order stage, and reiterated there was nothing she could do at this point as it would be handled later in the development process.

Mr. Treesh continued his presentation by reiterating that sufficient public facilities were available to accommodate the project. The issues raised were just operational issues that LCDOT would address at the development order stage. The Hearing Examiner stated that if LCDOT found concerns with the conflicting left-turn lanes, it would be addressed. Mr. Treesh advised that LCDOT could limit the project's accesses to right-in/right-out and some other different approaches.

Then, Mr. Uhle confirmed with Mr. Ewing that he agreed with the following changes:

- the height limitation was acceptable at 45 feet
- the removal of the Cleaning and Maintenance Services from the Schedule of Uses
- the exclusion of a bottle club or night club in the Club use
- limiting COP to restaurants that did not include bars and night clubs
- limiting outdoor displays and storage to rental and leasing establishments
- giving consideration to not renewing the current leases for the billboards once they owned the property, although it was never finally agreed upon one way or the other

Mr. Ewing was the next rebuttal witness, and explained the rationale for the identification of the parcels for the convenience store. Firstly, he indicated that the site being considered was Parcel 4, not Parcel 3 as mentioned by Mr. Treesh. Most gas stations and convenience stores would prefer to be on the hard corner because of better exposure. After the first discussions with the neighborhood groups, with whom they had an agreement to limit the use to either Parcel 3 or 4, they reviewed the plan to see if the use could be placed more internally. The user agreed that the use would be kept off of the north side and would thereby create a right-in/right-out situation. Mr. Ewing estimated that most of the customers would be going south on U.S. 41 and would not be using Williams Road or Pelican Sound Drive, unless they lived back in the neighborhood. He noted three accomplishments by the Applicant; they worked with the neighborhood associations, they helped the internal situation of the development by making it interior; and they softened the use, by making it less visible to the community, in relation to the total development.

Next, he addressed the five drive-through situations. Parcel 7 would house an approved Walgreen's store; Parcel 6 would be a bank; and Parcel 5 would be more of a fast-food-type use; and they would all adhere to the architectural guidelines. He believed the northern parcel would possibly have two additional drive-through facilities, such a restaurant or another bank. He noted that more restaurants, i.e. Outback's, now had a convenience drive up, and not necessarily a drive through. Mr. Ewing believed that the request for five drive-through facilities was within reason and within those five, they had committed to have the cars exit to the west on four of the five drive-through facilities, to soften the impact. Their plan only had one drive-through facility exiting east, toward U.S. 41.

Then, Mr. Block clarified that Mr. Ewing had stated that the convenience food and beverage store use would only be on Parcel 3. Mr. Ewing responded that the revised Schedule of Uses, stated one use on either Parcel 3 or Parcel 4; currently, they were dealing with Parcel 3 but that could change.

In conclusion, Mr. Uhle noted that the Staff correctly reviewed their request, relative to what had been approved previously, and reiterated that their requested project was less intense than what had been previously approved. Their proposed project, on a square footage per acre basis, was not as intense a project, working out to be less than 5,000 square feet per acre. He understood some of the concerns about traffic but noted that, in a sense, they were reducing the amount of traffic from what was contemplated in 1998. The location of the southern access point on Williams Road, approved in 1998, was pushed as far west as possible and they did not propose to change that. Mr. Treesh had testified that the Williams Road concerns were operational issues and would be addressed at the development order stage. If their access onto Williams Road was denied, they would have an issue regarding compliance with the commercial site location standards, which they did not want. They could make the argument that they still complied with the site location standards because Pelican Sound Drive was a collector road, but they did not believe there was any reason to bring it up at this time. They would address any concerns during the development order stage, but, with traffic being reduced and the same access points being kept, he did not see any reason to go beyond that.

Finalizing Staff's position, Mr. Block reiterated that Staff had recommended approval of the request and would express their changes in the Schedule of Uses which would be worked on before the next hearing date. The results would be shared with Mr. Eslick for the ECPP distribution. Addressing Mr. Vilnius's question regarding improvements for Williams Road, Mr. Block advised that he was not aware of anything for the Williams Road portion at the intersection of U.S. 41. However, Mr. Vilnius could contact Mr. Loveland or Mr. Gilbertson regarding any future improvements.

After a brief recess, the hearing was continued to Wednesday, October 27, 2004 at 1:30 p.m. to allow additional time for the Applicant, Staff and the public to work on design guidelines and the Schedule of Uses.

October 27, 2004 Hearing:

The Hearing Examiner explained the hearing was the continuation of Case DCI2004-00013, Paradise Group in reference to Camargo MPD. She recalled that, at the last hearing, they had gotten through both Staff's and Applicant's presentations, and the public input. The hearing was continued to allow Staff and the Applicant to work together and with the members of the Estero Citizens Committees regarding the Schedule of Uses and design guidelines. She inquired if they had been able to accomplish anything during the interm.

Mr. Block noted he thought they had accomplished most everything, but he had a submittal that would have to be corrected, as some information had been left out. As to her question, they had the opportunity to sit down and work with the Applicant on the Schedule of Uses. He understood that the Applicant had worked with the community on the design guidelines, and he felt they were at the point of everyone agreeing to everything. The Hearing Examiner noted there were a couple of people present at this hearing that she did not recall seeing at the first hearing, so she would give them the opportunity to speak.

Matt Uhle advised that he had the revised design guidelines, which he wanted substituted for the attachment (Attachment D) to the Staff Report. That Attachment was a version of the guidelines that have now been revised. The Hearing Examiner agreed to the substitution, and Mr. Uhle mentioned that they had previously asked for a condition to be added that would require compliance with those revised guidelines.

Continuing, in Mr. Block's October 27, 2004 memo, the omission he was referring to was that they and the community had agreed to a Note 3, which he read into the record. "No outdoor sales, display, or storage except for outdoor dining." The Hearing Examiner stated she may reword that somewhat, because it appeared that outdoor dining was either sales, display, or storage. She did not feel it fell into one of those categories, but she understood the intent.

Mr. Uhle mentioned the List of Uses attached to the Staff Report and also their memo that was representative of the position the Applicant took. He noted that Mr. Block's memo was consistent with their position, clearly with the exception of the limitation on the number of gas pumps. One other item relating to convenience stores was the Applicant's lengthy note, and Mr. Block's Schedule of Uses does not include that note. Mr. Uhle thought the note was not necessary, but he would, at the appropriate time, like to have his client discuss what he meant by the note to see if they really needed the note or not.

The Hearing Examiner requested clarification on the eight fuel pumps mentioned in the last hearing. To her, eight fuel pumps were the actual structure and then there would be 16 pumping stations. She asked that, for her benefit, they use the actual number of physical structures OR the number of pumping stations. In that way, she would be clear on the issue and not tell the BOCC that the Applicant was asking for 16 pumping stations, if they were actually asking for eight.

Mr. Uhle clarified they were looking for 16 pumping stations. The Hearing Examiner thought that was what they were requesting, but she did not want any confusion in the record. She wanted it to be consistent, so that, when she wrote up her Recommendation, it would be clear. Mr. Block stated if they put down that it could serve no more than 16 vehicles at a time that would be entirely satisfactory.

Mr. Block said they were also getting ready to do some clarifications in the LDC, and he would make a suggestion that the Staff take a look at that to see if they could make it clearer. They wanted to use the same term throughout all the documents. The Hearing Examiner commented that would be very helpful to all parties.

The Hearing Examiner asked if Mr. Uhle wanted to make a presentation on the meetings that they had. Mr. Uhle stated that he had no presentation, and just wanted the opportunity to react to the public's input. He explained that they did meet with the community, and the document with the changes was the product of those meetings. He was not sure the community was satisfied with those changes, but they would have the opportunity to speak for themselves.

The Hearing Examiner asked Mr. Block if he had a presentation. Mr. Block answered by saying Staff had prepared a Memorandum, dated October 27, 2004, which the Hearing Examiner should have received. Mr. Uhle had just added a third note, which Mr. Block had unintentionally omitted from the Revised Schedule of Uses. The Schedule of Uses before the Hearing Examiner had been shared with Don Eslick, with the ECPP, and Matt Uhle as they went through the process to try to get the language exactly right so both sides would agree. Mr. Uhle had agreed, in e-mails, that the language, as amended now, was acceptable. Mr. Block felt that Mr. Eslick would feel the same way, but noted that he could speak for himself.

The Hearing Examiner inquired if Mr. Eslick had any statements that he wished to put on the record regarding the Estero guidelines and the meetings they had held, once he was sworn it. Mr. Eslick introduced himself noting he was a member of the ECPP, and had participated in two hearings that the Panel had conducted. Subsequently, he had participated in two meetings with the Developer representing the Panel, along with other members of the Panel. He did not know what was already in the record from the prior hearing, so if he duplicated some of the things already discussed, he would skip those and go forward.

As to the design standards, he noted he had reviewed them, and they had been discussed at length the past week, and numerous changes were made. He only had two questions with respect to those changes. On Page 2, there was a reference to LDC Article IX, the Estero Design Guidelines. While that might be a correct reference, he was not an attorney, but knew that all his copies of the Estero LDC provisions were in Chapter 34, Sections 1042 through 1047. The Hearing Examiner wondered if he was actually talking about Article IV, to which Mr. Eslick agreed. He said his only concern was that it be a correct reference to the Design Standards that have been established for Estero, and are implemented by the Estero Design Review Committee as part of the development order approval process.

The other concern he had was on Pages 10 and 14, where there were references to the spread of the trees that needed to be installed in different parts of the project. When the Committee met, only on Page 4 was a 4-foot spread mentioned, and they had indicated they desired to have a 6-foot spread. At the time, the reference on Page 14 said 6-foot, and now it says 4-foot. He felt they lost on that one, and he would like have the 6-foot spread used throughout. That was what they had negotiated on successfully in many other projects in Estero.

As to the Uses and Notes, with the correction that Mr. Block placed into the record, the only concern that the Committee had was with the number of drive-thrus. Consistently the developer has expressed his interest in having five drive-thrus, and the Committee did not believe that many were necessary, and would argue to have it limited to four.

In conversations with Mr. Uhle, he had indicated that a condition would be added that would reference the design or appearance standards. Mr. Eslick said he assumed that was in the record already, and that was certainly important for Estero for them to have any effect. The same was true of the building height limitations. He understood that had been changed from 65 to 45 feet, and the ECPP would support that change.

Mr. Eslick reaffirmed what had been said regarding the community's concern about the intersection of U.S. 41 and Williams Road. In particular, the ability of westbound traffic on Williams Road to be able to turn left and go north on U.S. 41, and the impact that the southern exit and entrance to Paradise Shoppes might have on the already difficult situation that was already there. He understood that was a DOT issue, but he wanted to call this issue to the attention of the BOCC, as it was a very serious problem. The Hearing Examiner clarified that he was actually speaking about the eastbound lanes on Williams Road. Mr. Eslick agreed. He thought it would complicate matters because of the limited queuing lane.

Continuing, Mr. Eslick addressed the two billboards that were currently on the site. He noted they had conversations before the applicants had acquired ownership rights, as well as conversations with the prior owner, who had indicated a willingness to remove the billboards. The new developers have a nice set of design and appearance standards to try and make

the project look attractive, and to maintain two billboards in the middle of that did not make any sense.

Finally, Mr. Eslick felt there was an urgency in the matter of landscaping on U.S. 41, and he would like to see it dealt with at the zoning level. That section of road has been under construction for a year and a half, and the State had allocated $704,000.00 for landscaping of the median. Unfortunately, the State standards for landscaping prohibit the planting of trees in the median because they might obstruct the view of the billboards from drivers heading north on U.S. 41. The County was preparing to submit to the State a landscape plan for this segment, and the County would very much like to eliminate the billboards, so that they can improve the landscape plan that they file with the State. He said they would appreciate the Hearing Examiner prohibiting these billboards through a zoning condition.

Richard Andersen was sworn in. He introduced himself and noted he lived at 22483 Fountain Lakes Boulevard, Estero, Florida 33928. He stated that, for several years, he had been observing the traffic buildup on Williams Road. Years before, there was practically no traffic, but as development had increased, it was apparent that more and more traffic utilized Williams Road. West Bay Club was certainly adding to the traffic, as well as other subdivisions and condominium complexes.

When the Albertson's store was built, it became apparent that the exit coming onto Williams Road was going to present a problem as the local people started shopping at Albertson's and exiting at Williams Road to U.S. 41 at the signal. He said an extra turning lane was added to the two lanes of Williams Road, and in the last three years it had become quite noticeable that the traffic was now backing up far enough to even block people from exiting Albertson's, particularly when they were going in an easterly direction.

Mr. Anderson said his concern and purpose for attending the hearing was the addition of the south exit for this project, which he believed was going to be put in opposite the Albertson's exit and add even more traffic. While there were several ways to correct the situation by loading the lanes while waiting for the signal at Williams and U.S. 41, he did not think that was the appropriate thing to do, because of the other developments in the neighborhood, and the increasing densities that were being requested by owners trying to increase the sale values of their property by building high-rises etc.

His suggestion was to restrict that access coming out of the Paradise Shoppes. They should not be allowed to cross traffic from their exit to make a lefthand turn east onto Williams Road. If the traffic cannot get out of Albertson's now, he wondered how people were going to cut through two lanes of traffic. Even in double stacking by making additional lanes, they will far surpass the number of cars that could be accommodated. He recommended that this not only be prohibited by a sign, but also by some sort of barrier in the middle to keep that from happening. The Hearing Examiner said that would be something like a "porkchop," and Mr. Anderson agreed.

Carl Hoke was sworn in, and noted he was a resident of Fountain Lakes. He stated he was present to address a point of general interest as to the efficiency of the intersection at Williams Road and U.S. 41. It was evident from the very beginning that the left turn stacking lane was insufficient to handle the traffic that was in existence three years ago. It only held a maximum of four cars, and, recently, he noted eight cars waiting to make the left turn. It not only affected Fountain Lakes, but also West Bay. West Bay was concerned because they were trying to increase their density.

That situation would also affect the new development of homes/patio houses that were to be built on Williams Road, as well as the Albertson's traffic. Mr. Hoke reiterated the problems he was speaking about was caused by the cars that will come out of the Paradise Shoppes and make a left turn. The road was insufficient to handle the situation, and he thought the only solution was to prohibit a lefthand turn onto Williams Road.

Timothy Jones, Assistant County Attorney, introduced himself, noting his comments were in regard to the billboards mentioned by Mr. Eslick. He indicated that, unfortunately for the County, the Florida Legislature mad some changes to the Statutes, and to put the burden on the County. If the County did as Mr. Eslick asked and required the removal of the billboards, the County must then pay for those billboards. In a couple of previous cases, the BOCC has not been willing to do that. It does not mean they will not do it in this case, but it should be considered as a part of the deliberations and recommendations to the BOCC that it was an issue. The Hearing Examiner noted that was like a condemnation situation; Mr. Jones stated it was not really a condemnation, but a positive statutory requirement.

The Hearing Examiner brought up the situation of access to Williams Road by the ALF, wondering if it was using the same driveway/access point, or if they had another driveway farther to the west. Mr. Uhle said that it appeared to him that they had another driveway, at which time, Mr. Block drew attention to the aerial photograph that revealed an apparent access point in the center of the property, whuch he believed was that of the ALF. The Hearing Examiner noted that The Meadows residential community had an access point over in the southwest corner, according to the MCP. Therefore, there would actually be three separate access points in the area.

Mr. Uhle stated he had three questions for Mr. Ewing. Mr. Uhle drew his attention to the note following Convenience Food and Beverage Store on the proposed Schedule of Uses, and asked Mr. Ewing to read the part that followed the actual reference to the use. Mr. Ewing read, "Restricted to Automobile Service Station parcel and one additional use such as a wine or liquor store 'up-scale' in nature in keeping with the overall architectural and landscape intent of the project." Mr. Uhle asked him to elaborate on what he meant about the additional use such as the wine or liquor store, upscale in nature.

Mr. Ewing referenced the MCP, stating they had anticipated, from a leasing standpoint on the northern end of the property, to have an upscale liquor or wine store, or something to that effect, where it would be more boutique-like. Many of these coming into the market now are upscale in nature, which is why they had separated it out. They did not want to limit liquor and beer to the convenience store because they wanted to have the opportunity to do something upscale in the northern portion of the site.

Mr. Uhle noted he had not insisted on pressing that issue because he did not think what Mr. Ewing had described was a convenience store, and inquired whether Mr. Block had an opinion on that. Mr. Block said it appeared that what Mr. Ewing was talking about was actually a package store, which, under the Schedule of Uses, was not a free-standing package store, but could be part of a multiple use occupancy complex, and he gave examples of such an arrangement. What he was understanding from Mr. Ewing was that it may be a stand-alone store within their project, but not a freestanding store such as an ABC Liquor Store.

It could be free standing on its own outparcel. He saw the term, as recommended in Staff's Schedule of Uses, that would permit that use within the Center, as long as it was connected to the Center itself. The Hearing Examiner felt that needed to be clarified. She saw a free-standing store as one of the outparcels, but she was not sure that somebody else reading the report would understand that. Mr. Block agreed with the Hearing Examiner, and thought the note that Mr. Uhle had Mr. Ewing read was not absolutely necessary. They would just need to make the clarification on the package store's permitted use.

Mr. Block referred back to the third page of the Staff's memo regarding the recommended Schedule of Uses, in which free-standing package stores were prohibited. If the Hearing Examiner wanted to take that one extra step to say may be permitted in conjunction with a multiple-use occupancy complex, which was how it was termed in the LDC, it should satisfy what he was understanding from Mr. Ewing. Mr. Uhle felt that would probably work. Mr. Ewing felt that verbiage really came from negotiating with the neighborhood association, and they had wanted to make it clear what their intentions were.

Mr. Block noted he had chosen to the term multiple-use occupancy complex because of the parking requirements. Multiple-use occupancy was defined as having five or more stores, so it would be like a shopping center in that case. That was a term in the LDC that they could rely on.

Mr. Uhle noted they had heard the drive-thru issue raised by Mr. Eslick. He asked for Mr. Ewing to explain why they were asking for five drive-thrus, and what efforts had been made to limit their impact on the community. Mr. Ewing referred to the Site Plan. Looking at the configuration of the property, one could see the normal retail development type was on the northern boundary of the property, while on the southern portion, they had four parcels identified. From the development standpoint, this made sense because the property lends itself to do outparcel development. With all the guidelines that they had agreed to through this development process, they had minimized the impact of having four drive-thrus on the lower half of the parcel.

In the agreement with the neighborhood association, they had a drive-thru for the Walgreen's store that would occupy Parcel 7 (at Williams Road). The drive-thru would be entered from the east and exited toward the west. The Hearing Examiner inquired if the drive-thru was on the east or the west side of the building. Mr. Ewing stated the drive-thru was on the north side, but the access to it was going from east to west. The concern of the neighborhood association was that they did not want to have the cars exiting the drive-thru onto U.S. 41. They wanted to shield the drive-thrus to the back of the buildings themselves.

Mr. Ewing pointed to the MCP had shown the drive-thru on the north side of the bank parcel, but they had redesigned the bank and located the drive-thru on the west side of the structure. Therefore, they had been able to shield the drive-thru on Parcel 6.

The drive-thru on Parcel 5 was originally shown perpendicular to U.S. 41, but they had rotated the building to a north-south orientation. They had then been able to put the drive-thru on the west side of the building, shielding it from the U.S. 41 corridor.

Parcel 4 was designed for the convenience food and beverage store, with gas pumps. They had the convenience store and the gas islands facing U.S. 41. They had shown the neighborhood association a site plan which located the car wash on the north side of the

building. That would be the only drive-thru that would actually go from west to east, as the cars would discharge the carwash facing U.S. 41.

From a standpoint of common development, these southern parcels lent themselves to outparcel use with drive-thrus. Basically, they want the opportunity to do one more drive-thru in the northern portion , which they had agreed to locate on the west side of the building, being screened from U. S. 41. Mr. Ewing said that was the rationale for the five drive-thrus.

Mr. Uhle questioned Mr. Ewing about the issue that was raised on the design guidelines on the 4-foot verses the 6-foot spread (canopy). Mr. Ewing said that, during the development order process they would be putting in buffering all along the U.S. 41 corridor, which was very similar to another project they had done in Lee County. They were forced to do the entire landscape corridor at the start of the initial phase of development. They would also be starting the landscaping on the rear (westerly) buffer wall. Therefore, they would be putting in the entire landscape and buffering requirements at the start of the project. They felt they were meeting the Code requirements of a 4-foot canopy spread, and was sure the project would be a well-designed landscape project.

Mr. Ewing continued by saying they were open to suggestions, and wanted to work with the community by developing something very attractive. The Applicant just thought the County's request was more than what they wanted to concede to at this point in time.

The Hearing Examiner asked if there was a difference in the height of a tree with a 6-foot canopy verses a 4-foot canopy. Mr. Ewing said a 4-foot tree would probably be 12 feet in height, and a 6-foot tree would be about 14 to 16 feet in height. Also, there was a substantial cost increase with the taller tree. He noted that, through this process, they had worked willingly with Staff, and, from that standpoint, they felt they would stay firm on the 4-foot canopy requirement.

Mr. Ewing said he would like to address the issue of the billboards. Legally, they did not own those billboards, nor did they own the lease to those billboards, but they would work with the community as far as seeing what they could do to have the billboards removed from the property. It was something they would make an effort to do, but obviously they would like to see the neighborhood association work with them on some of these other issues.

The Hearing Examiner asked if the billboards were on their property, and it was determined they were. She inquired if their contract to purchase included the lease agreement, to which he noted it did not, which was very common in this situations. Leased parcels are always deleted from a contract. Sometimes they purchased them and sometimes they do not. The Hearing Examiner wanted to know where they were located on the property, and Mr. Ewing responded they were somewhere near the center. She said she would locate them when she conducted her site visit.

The Hearing Examiner stated she did not have a particular problem with any of the requests that had been voiced. She would go out and look at the property again, especially to locate the billboards. She said she was a little concerned about the Williams Road access point. She would also look at that while she was there. She inquired if there was anyway possible to do a cross easement with the ALF parcel, and use their access point onto Williams Road. She wondered if any of the traffic experts had thought about that. Mr. Ewing said he had no idea, but he understood the concern.

The problem was that they were not at a stage right now where they have enough information or enough parties together in the room to actually fix the problem. He appreciated the public's concerns, and it may be when it was all said and done that will be what would happen. He felt it was very difficult to find a solution to this problem, based on just one traffic person being present, and just having a conceptual plan to use. Mr. Ewing said they could certainly work with the surrounding land owners and the community during the development order process to find a solution to the problem, but he did not want to prejudge what that would be.

The Hearing Examiner commented that it could be right-in, right-out only, which, at least, let Applicant meet their site location standards. Mr. Ewing said that, once they were through the development order process, Applicant would bring in their consultants and would meet with LCDOT consultants, to come up with some sort of improvement to Williams Road. At this point in time, not having a full access onto Williams Road, certainly jeopardized his tenant, Walgreens. He did not see how the County could take that access away based on the limitations that are on U.S. 41, and it was certainly going to affect his ability to build a Walgreens drug store.

The Hearing Examiner said she understood what he was saying, but her concern ,and she was sure the BOCC's concern, was going to be public safety. She knew he was talking about the success or failure of a portion of the project, but her concern right now had to be public safety. If that was a very bad intersection now, a left turn in and out for this project could create additional problems. She would take a look at that, but it would be the BOCC who would make the final decision on this project. She said she would certainly relay his comments, as well as the public's comments and concerns.

Ted Treesh mentioned to keep in mind that U.S. 41 was under construction right now, which caused side streets to back up more than they normally would. A lot of the issues he had heard regarding this matter were created by the Albertson's Store, and the left turn into their store. The Applicant's left turn into their project coming from the west really was not an issue because they were providing turn lanes; the left out was the issue. As in any left out, cars are waiting on the driveway. Traffic may backup periodically beyond the driveway, but as traffic cleared there was the opportunity to turn out onto the street. Williams Road was a dead end street to the west, although it had a lot of residential units, but it was not a thru road like U.S. 41 where the light turns and cars leave and cars come back in.

The Hearing Examiner understood the points he was making, but stated that Williams Road was not constructed in such a manner that one would be able do a U-turn either. If someone decided to come out to the right and then make a U-turn to get back into that left turn lane, it will cause a hazard. Mr. Treesh said he had already been working with the developer and had looked at some concepts. They were going to meet with DOT once they received their Development Order to come up with some solutions. He felt there was a solution, but they did not want to limit it at this stage. The hearing was then closed.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Carl Barraco, % Barraco and Associates, Inc., 2271 McGregor Boulevard, Fort Myers, Florida 33901

2. Owen Ewing, % Paradise Development Group, 2901 Rigsby Lane, Safety Harbor, Florida 33786

3. William Fisher, % Fisher and Associates, Inc., 2315 Bellair Road, Clearwater, Florida 33764

4. Mike Roeder, % Knott, Consoer, Ebelini, Hart & Swett, 1625 Hendry Street, Unit 301, Fort Myers, Florida 33904

5. Elena Mandia, % Passarella & Associates, 9110 College Point Court, Fort Myers, Florida 33919

6. Paul Tremblay, % Paradise Development Group, 2901 Rigsby Lane, Safety Harbor, Florida 33786

ADDITIONAL COUNTY STAFF:

1. Tim Jones, Chief Assistant County Attorney, P. O. Box 398, Fort Myers, Florida 33902-0398

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VII.):

For:

1. Arnold Rosenthal, 20981 Andiron Place, Estero, Florida 33928

2. Greg Toth, ECPP, 12651 McGregor Boulevard, Unit 4-403, Fort Myers, Florida 33919

Against: **NONE**

General:

1. Richard P. Andersen, 22483 Fountain Lakes Boulevard, Estero, FL 33928

2. Robert J. Brice, 5070 Indigo Bay Boulevard, Unit 102, Estero, Florida 33920

3. Donald F. Eslick, 23650 Via Veneto #604, Bonita Springs, Florida 34134

4. Carl Hoke, 22625 Forest View Drive, Estero, Florida 33928

5. Jeff Mangan, 22050 S. Tamiami Trail, Estero, Florida 33928

6. Richard J. Steele, 20918 Island Sound Circle, Unit 201, Estero, Florida 33928

7. Donald Vilnius, 22199 Natures Cove Court, Estero, Florida 33928

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER RECOMMENDATION:

For: NONE

Against: NONE

General:

1. Robin Boyle, Editor, South Lee Messenger, 19260 San Carlos Boulevard, Fort Myers Beach, FL 33931

2. Denise L. Scott, News-Press

IX. LEGAL DESCRIPTION:

See Exhibit A (scanned legal description).

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the Hearing Examiner or any county commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

Revocation, suspension or amendment of any permit variance, special exception or rezoning granted as a result of the Hearing Examiner action which is the subject of the unauthorized communication. [LDC Section 34-52(b)(1)b.2.]; OR

A fine not exceeding $500.00 per offense, by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. [LDC Section 1-5(c)]

XI. HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. This recommendation is made this 2nd day of November, 2004. Notice or copies will be forwarded to the offices of the Lee County Board of County Commissioners.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

C. The Board of County Commissioners will hold a hearing at which they will consider the record made before the Hearing Examiner. The Department of Community Development will send written notice to all hearing participants of the date of this hearing before the Board of County Commissioners. Only participants, or their representatives, will be allowed to address the Board. The content of all statements by persons addressing the Board shall be strictly limited to the correctness of Findings of Fact or Conclusions of Law contained in the recommendation, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the earlier hearing before the Hearing Examiner and not otherwise disclosed in the record.

D. The original file containing the original documents used in the hearing before the Hearing Examiner will be brought by the Staff to the hearing before the Board of County Commissioners. Any or all of the documents in the file are available on request at any time to any County Commissioner.

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.

DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

EXHIBIT PH-3.C.1

DESCRIPTION

Parcel in
Section 33, Township 46 South, Range 25 East
Lee County, Florida

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee county, Florida being part of lands described in official record book 2787, page 1398, Lee County Records, being more particularly described as follows.

From the southwest corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N00°58'23"W along the west line of said fraction for 30.00 feet to an intersection with the North right-of-way line of Williams Road (60 feet wide); thence run N88°33'52"E along said right-of-way line for 1382.17 feet to the Southeast corner of lands described in a deed recorded in Official Record Book 3516, at Page 1579, Lee County Records; said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING run N00°58' 23"W along the east line of said lands for 1845.84 feet to the southwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4459, Lee County Records, said point being designated as POINT "A"; thence run N88°25'54"E along the south right-of-way line of said Pelican Sound Drive for 1720.01 feet to an intersection with the westerly right of way line of Tamiami trail (State Road 45); thence run S04°52'56"W along said right of way line for 1860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said right of way line 268.35 feet to an intersection with the east line of the Southwest Quarter (SW 1/4) of said section 33; thence run N01°03'48"W along said east line for 632.82 feet to the Northeast corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 33; thence run S88°32'50"W along the north line of said fraction for 660.73 feet to the northwest corner of said fraction; thence run S01°02'16"E along the west line of said fraction for 632.62 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°33'52"W along said right-of-way line for 600.86 feet to the POINT OF BEGINNING.

Containing 59.33 acres, more or less.

AND

From the point designated POINT "A" run N00°58'23"W 200.01 feet to the Northwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4459, Lee county records said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING continue N00°58'23"W for 572.68 feet to an intersection with the North line of the Southwest Quarter (SW 1/4) of said section 33; thence run N88°25'54"E along said North line for 1799.34 feet to an intersection with the westerly right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said westerly right-of-way line for 576.30 feet to the Northeast corner of said Pelican Sound Drive; thence run S88°25'54"W parallel with the North line of said fraction and along the north line of said Pelican Sound Drive for 1740.54 feet to the POINT OF BEGINNING.

Containing 23.26 acres, more or less.

Applicant's Legal Checked by [illegible] 3/24/2004.

Containing a Total of 82.59 acres, more or less

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment)
And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

OCI 2004-00013

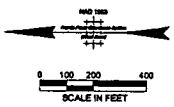
Scott A. Wheeler 3/10/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

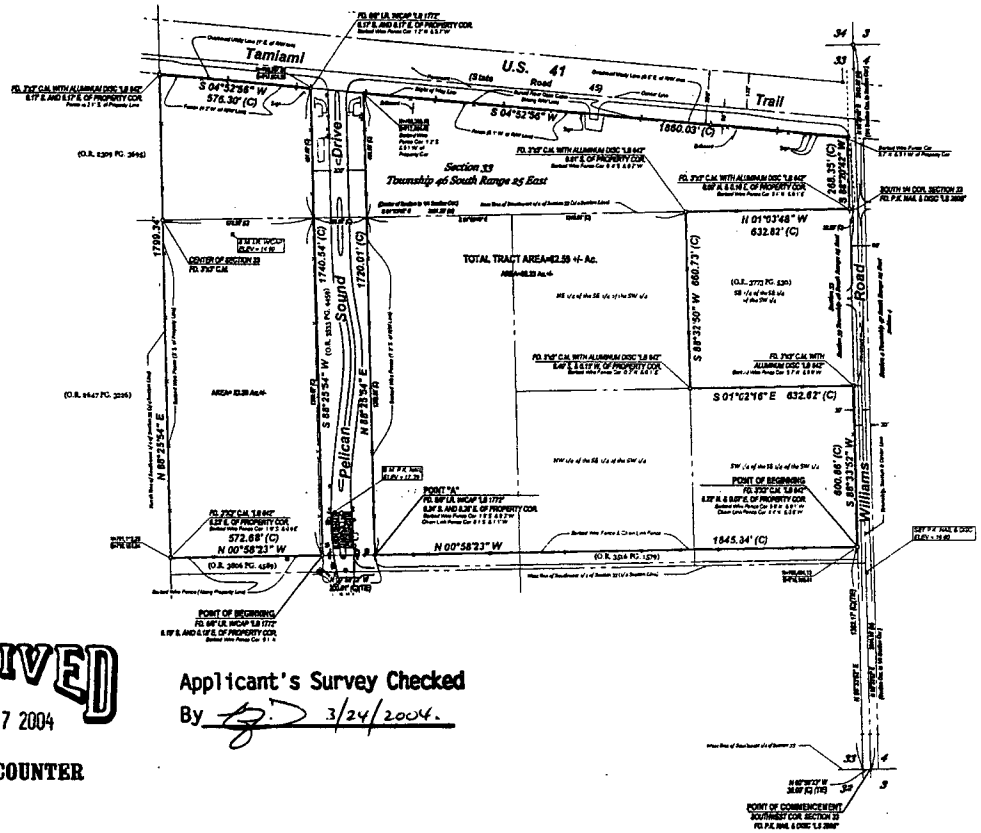
L:\21840 - Camargo Residential\DESC\21840s07desc.doc

RECEIVED
MAR 17 2004
PERMIT COUNTER

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

EXHIBIT A





Applicant's Survey Checked
By 3/24/2004.

RECEIVED
MAR 17 2004
PERMIT COUNTER

OCI 2004-00013

LEGEND:

(C)	CALCULATED	●	FOUND NAIL AS NOTE
C/L	CENTER LINE	●	SET 1/2" IRON ROD WITH CAP STAMPED LB5840
CONC.	CONCRETE	●	SET 4"x4" CONC. MONUMENT STAMPED LB5840
C.M.	CONCRETE MONUMENT	●	SET P.K. NAIL WITH DISC STAMPED LB5840
C.M.P.	CORRUGATED METAL PIPE	●	FOUND CONC. MONUMENT AS NOTED
COR.	CORNER	●	FOUND IRON PIPE OR IRON ROD AS NOTED
(D)	DEED	■	DRAINAGE INLET
FDOT	FLORIDA DEPT. OF TRANSPORTATION	●	DRAINAGE MANHOLE
FD.	FOUND	■	METERED GAS SECTION
GOV.	GOVERNMENT	●	LIGHT POLE
H.C.R.	HENDRY COUNTY RECORDS	~	CONCRETE POWER POLE
I.P.	IRON PIPE	~	WOOD POWER POLE
I.R.	IRON ROD	●	GUY POLE
L.B	LICENSED BUSINESS	●	GUY ANCHOR
(M)	MEASURED	●	GAS LINE MARKER
(P)	PLAT	●	FIBER OPTIC LINE MARKER
PG.	PAGE	●	TELEPHONE RISER
P.B.	PLAT BOOK	●	4" WELL
P.K.	PARKER-KALON	⊥	FIRE HYDRANT
P.R.M.	PERMANENT REFERENCE MONUMENT	⊸	WATER VALVE
R/W	RIGHT OF WAY		
S/L	SECTION LINE		
TOB	TOP OF BANK		
WIT.	WITNESS		

NOTES:

1. DATE OF LAST FIELD WORK: NOVEMBER 3, 2003.
2. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELIMITATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
4. NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
5. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
6. BEARINGS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983/90 ADJUSTMENT) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 33 TO BEAR N 88°33'52" E.
7. THERE ARE NO IMPROVEMENTS OTHER THAN THE SUBSTANTIAL VISIBLE IMPROVEMENTS SHOWN.
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
9. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
10. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
11. ACCORDING TO F.I.R.M. COMMUNITY PANEL 125124 0465C, EFFECTIVE SEPTEMBER 16, 1986, PARCEL IS IN FLOOD ZONE B.
12. ELEVATIONS SHOWN ARE IN FEET ABOVE NATIONAL GEODETIC VERTICAL DATUM (1929 ADJUSTMENT) AND ARE BASED ON A LEVEL CIRCUIT FROM LEE COUNTY PUBLIC WORKS BENCH MARK GPS 2000 A016 (ELEV. 12.73).

DESCRIPTION

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee county, Florida being part of lands described in official record book 2797, page 1388, Lee County Records, being more particularly described as follows:

From the southwest corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N00°58'23"W along the west line of said fraction for 30.00 feet to an intersection with the North right-of-way line of Williams Road (80 feet wide); thence run N88°33'52"E along said right-of-way line for 1302.17 feet to the Southeast corner of lands described in a deed recorded in Official Record Book 3016, at Page 1016, Lee County Records; said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING run N00°58'23"W along the east line of said lands for 1845.34 feet to the southwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3030, at Page 4488, Lee County Records, said point being designated as POINT "A"; thence run N88°23'54"E along the south right-of-way line of said Pelican Sound Drive for 1730.01 feet to an intersection with the westerly right-of-way line of Tamiami Trail (State Road 45); thence run S04°32'36"W along said right of way line for 1650.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°33'52"W along said right of way line 268.35 feet to an intersection with the east line of the Southwest Quarter (SW 1/4) of said section 33; thence run N01°03'48"W along said east line for 632.62 feet to the Northeast corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 33; thence run S88°33'50"W along the north line of said fraction for 660.73 feet to the northwest corner of said fraction; thence run S01°02'16"E along the west line of said fraction for 632.62 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°33'52"W along said right-of-way line for 600.66 feet to the POINT OF BEGINNING.

containing 30.33 acres, more or less.

AND

From the point designated POINT "A" run N00°58'23"W 200.01 feet to the Northwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3030, at Page 4488, Lee county records said point being the POINT OF BEGINNING. From said POINT OF BEGINNING continue N00°58'23"W for 372.68 feet to an intersection with the North line of the Southwest Quarter (SW 1/4) of said section 33; thence run N88°23'54"E along said North line for 1730.34 feet to an intersection with the westerly right-of-way line of Tamiami Trail (State Road 45); thence run S04°32'36"W along said westerly right-of-way line for 576.30 feet to the Northeast corner of said Pelican Sound Drive; thence run S88°23'54"W parallel with the North line of said fraction and along the north line of said Pelican Sound Drive for 1740.54 feet to the POINT OF BEGINNING.

Containing 32.26 acres, more or less.

Containing a Total of 62.59 acres, more or less.

Bearings hereinabove-mentioned are State Plane for the Florida West Zone (1983/90 adjustment)
And are based on the South line of the Southwest Quarter (SW 1/4) of said Section 33 to bear N88°23'52"E.

THIS SURVEY IS FOR THE BENEFIT OF:

I HEREBY CERTIFY THAT A SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 61G17-6 F.A.C. CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING,EASEMENTS OR FREEDOM FROM ENCUMBRANCES. ABSTRACT NOT REVIEWED. SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

3/10/04
DATE SIGNED

SCOTT A. WHEELER (FOR THE FIRM - LB-5840)
PROFESSIONAL SURVEYOR AND MAPPER FLORIDA
CERTIFICATE NO. 5746
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
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POST OFFICE DRAWER 2800
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PHONE (239) 461-1170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-5840

PREPARED FOR

SHELBY HOMES
6363 NW 6TH WAY
SUITE 250
FORT LAUDERDALE, FL 33390
PHONE (954) 318-1000
FAX (954) 318-2000
WWW.SHELBY-HOMES.COM

PROJECT DESCRIPTION

CAMARGO PROPERTY

US 41 AT
PELICAN SOUND DRIVE

PART OF SECTION 33
TOWNSHIP 46 SOUTH
RANGE 25 EAST
ESTERO
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

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

FILE NAME	31846SV.DWG
LAYOUT	LAYOUT1
LOCATION	J:\31846\DWG & JPW\DWGS
PLOT DATE	TUE 3-9-2004 - 4:36 PM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	11-03-03
DRAWN BY	PETER OLSEN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	3426-31-33-11-16-69
PLAN REVISIONS	
03-23-2004	REV. PROJECT DESC

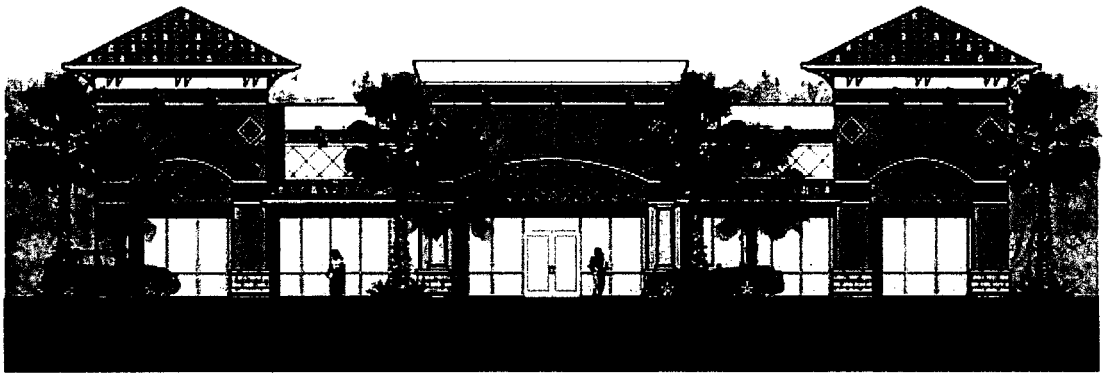
EXHIBIT PH-3.D.3

EXHIBIT 6-A

BOUNDARY SURVEY

PROJECT FILE NO.	SHEET NUMBER
31846 33-46-25	1 of 1

PARADISE SHOPPES OF ESTERO



Project Overview

This document describes the intent of the applicant in developing the Paradise Shoppes of Estero project, and proposes design guidelines by which the project will be constructed. The objective is to provide the Estero community and Lee County the assurances that this project will be developed to meet the language and intent of the Estero Plan, while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Paradise Shoppes of Estero project is located on the northwest corner of U.S. Highway 41 and Williams Road. The project is strategically nestled in the heart of Estero bounded by new commercial development, which will provide services, plazas and amenities to be enjoyed by all ages. The project architecture, layout and design will incorporate features exceeding both the current Lee County design guidelines, found in LDC Article IV, and the Estero Plan, Goal 19 of the Lee County Comprehensive Plan.

In developing the property located at the northwest corner of U.S. Highway 41 and Williams Road it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19, the Estero Plan) and the development constraints presented with a 22-acre site at this location. The following base postulations, as well as policies that influence this type of development, were utilized.

- The subject property is located at the intersection of an arterial roadway –U.S. Highway 41, and two secondary roadways –Williams Road and Pelican Sound Boulevard. Access driveways are evenly distributed among the complementary roadways. U.S. Highway 41 is a primary thoroughfare and can safely support commercial development.

EXHIBIT B

- The proposed development site is within the Suburban land use category, which was designated for areas that are primarily residential but allow commercial development as neighborhood centers are necessary to promote the quality of life in these areas. Commercial development is limited to neighborhood centers and industrial development is not allowed. The Lee Plan projects less intense development in these areas, more characteristic of a suburban area.

- The intent of these design guidelines and standards is to meet and exceed the requirements of the Estero Plan, yet allowing for the development of a large commercial project containing one or more major anchors.

Design Guidelines and Standards

The following design guidelines are intended to establish the standard with which this development will comply. The guidelines however, are intended to be flexible to allow for a more detailed analysis by the Lee County development review staff and the Estero Development Review Committee at the time of local development order.

- The Paradise Shoppes of Estero is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Article IV, the Estero Design Guidelines.

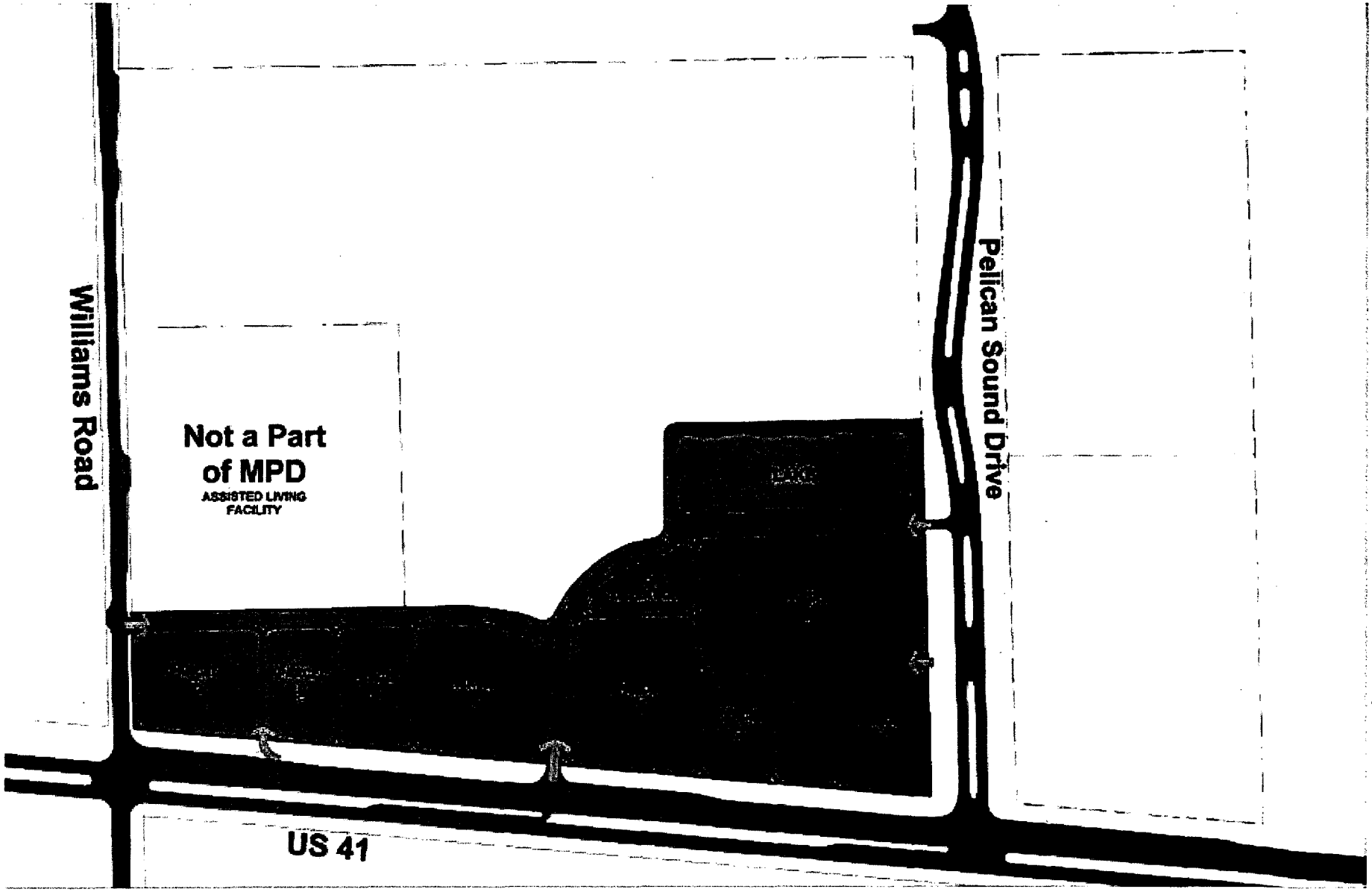
- The Paradise Shoppes of Estero will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping and lighting throughout the site.

- The Paradise Shoppes of Estero will be developed on a 22-acre site as part of the Estero Overlay that designates an area of architecturally attractive landscaped buildings that cater to the needs of the community.

A. Vista Areas – Parcels 1-7 *(See Illustration on following page)*

- Architectural Standards: The Vista Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be

PARADISE SHOPPES OF ESTERO



Parcel Map

reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways or columns, appropriately scaled for the public. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complimentary elements such as roof treatments, signage, landscaping and building materials and colors.

- Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from U.S. Highway 41 to the free-standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to U.S. Highway 41.

- Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall meet the design standards of Lee County Development Code Section 34-625 and shielded to eliminate light intrusion crossing the property line when abutting residential and assisted living facility uses.

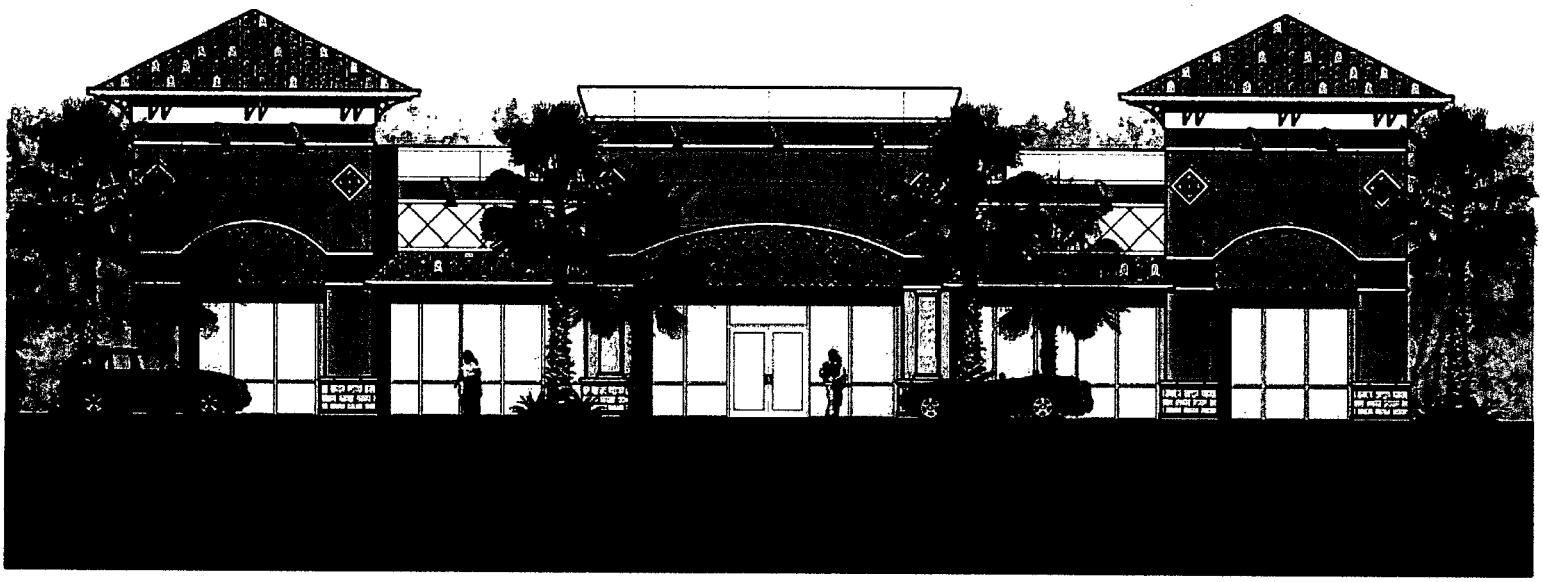
- Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complimentary to the overall master landscape plan. The Paradise Shoppes of Estero landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasizes plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas. A Landscape Plan for the entire project perimeter buffer will be provided at the time of the first Development Order for the site.

B. Anchor Parcel – Parcel 8

- The Anchor Parcel will accommodate one or several commercial uses. The on-site pedestrian system will connect the Anchor Parcel to the adjacent Vista Parcel paralleling U.S. Highway 41 and the buildings of the Anchor Parcel will be designed to compliment the Vista Parcels. The parking area will be designed to minimize hardscaped areas, visually and physically.

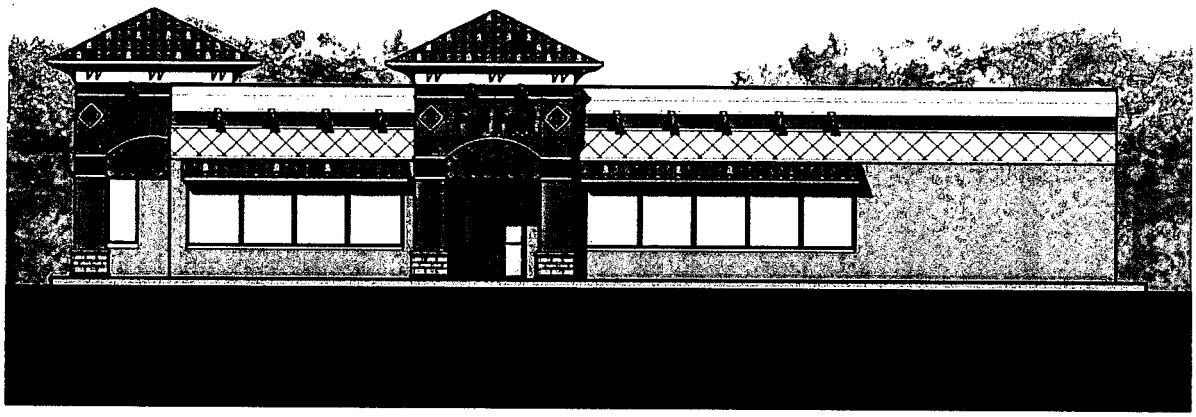
- Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the Vista Parcels and all other free-standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large adorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration on the following page)

PARADISE SHOPPES OF ESTERO



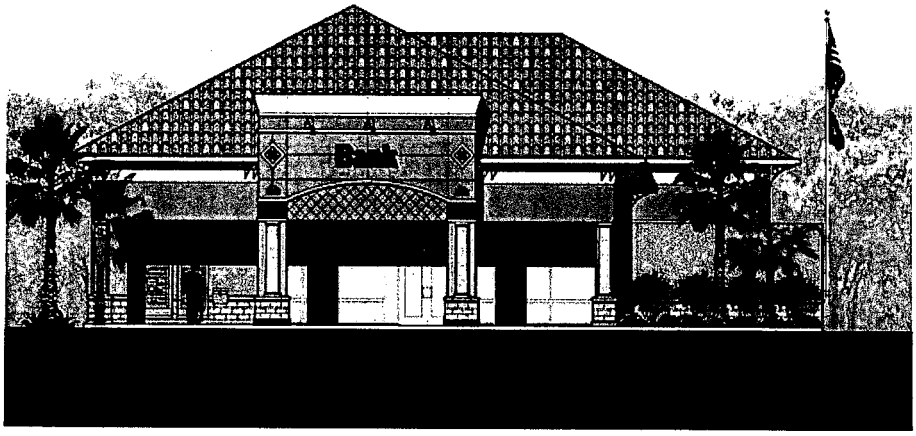
Buildings will also provide a minimum of two of the following building design treatments:

- Canopies or portico, integrated with the buildings' massing and style
- Overhangs
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character

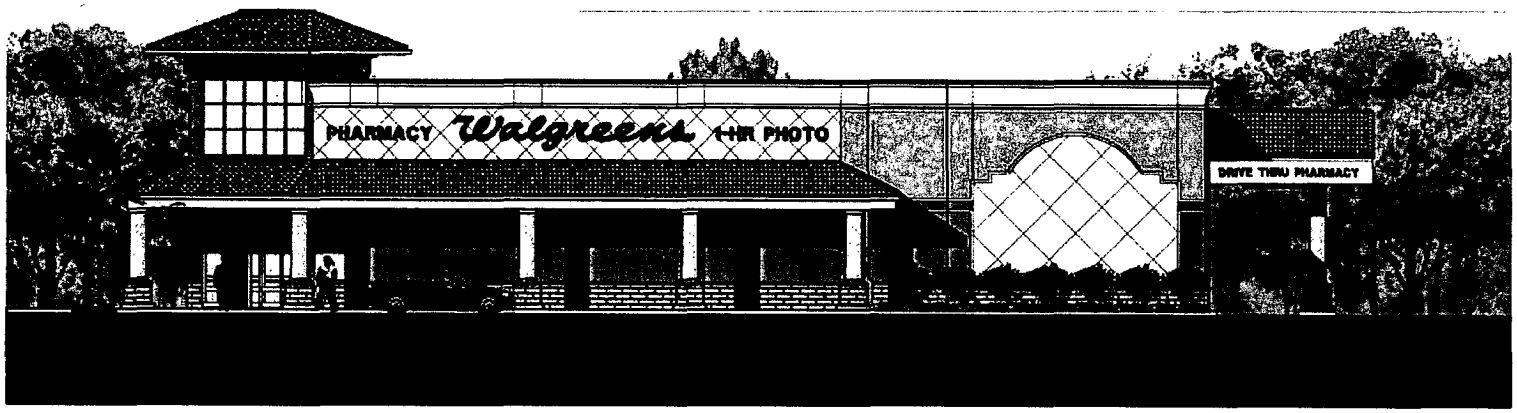


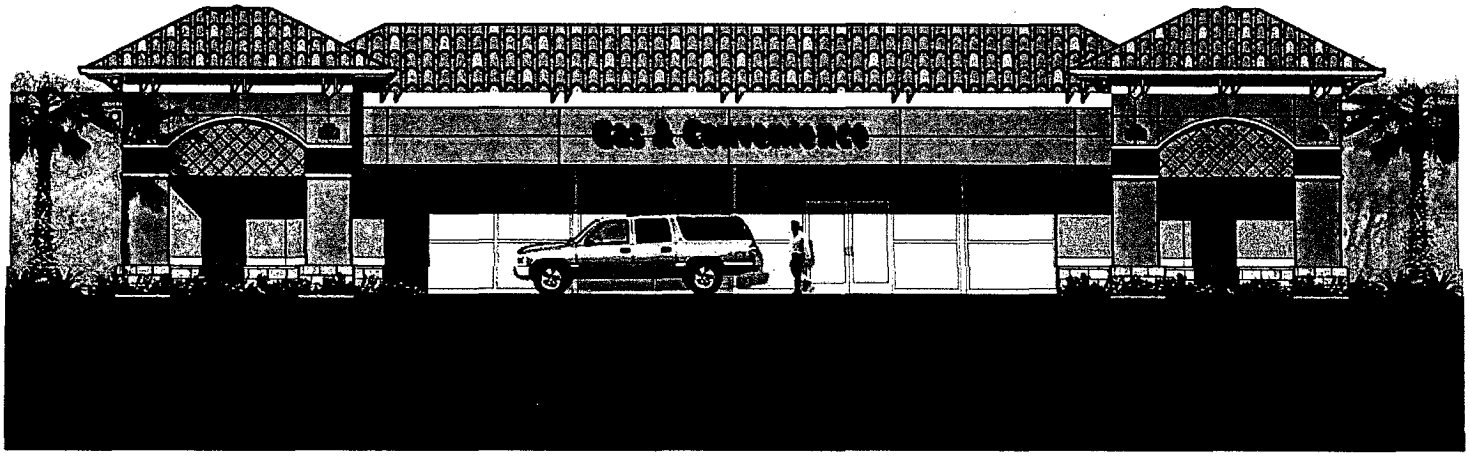
Building facades may include a repeating pattern and will include no less than two of the design elements listed below. At least one of these design elements may repeat horizontally.

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 6 inches in width, such as a reveal, and offset or a projecting rib
- Architectural banding
- Pattern change



PARADISE SHOPPES OF ESTERO





Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs where required
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum facia of 8 inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of two reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which incorporates benches or other seating components and decorative landscape planters.

Exterior building colors and materials contribute significantly to the visual impact of a building.

Predominant exterior building materials will include, but are not limited to:

- Stucco
- EFIS
- Architectural Block
- Tinted, textured, other that smooth or ribbed, concrete masonry units; or
- Natural Stone and/or Pre-cast Concrete

Customer parking for the Anchor Parcel will be in accordance with Section 34-1046 Design Standards, Item 7. In addition to Item 7, customer parking will be located in front of the Anchor Parcel building.

C. Common / Public Areas

- Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.

- Project architectural features will be developed within common areas of the project and will be coordinated in the design, color and style. Architectural features shall be permitted throughout the site.

- The Paradise Shoppes of Estero will provide a variety of publicly accessible amenities such as bicycle racks, benches and trash receptacles, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.

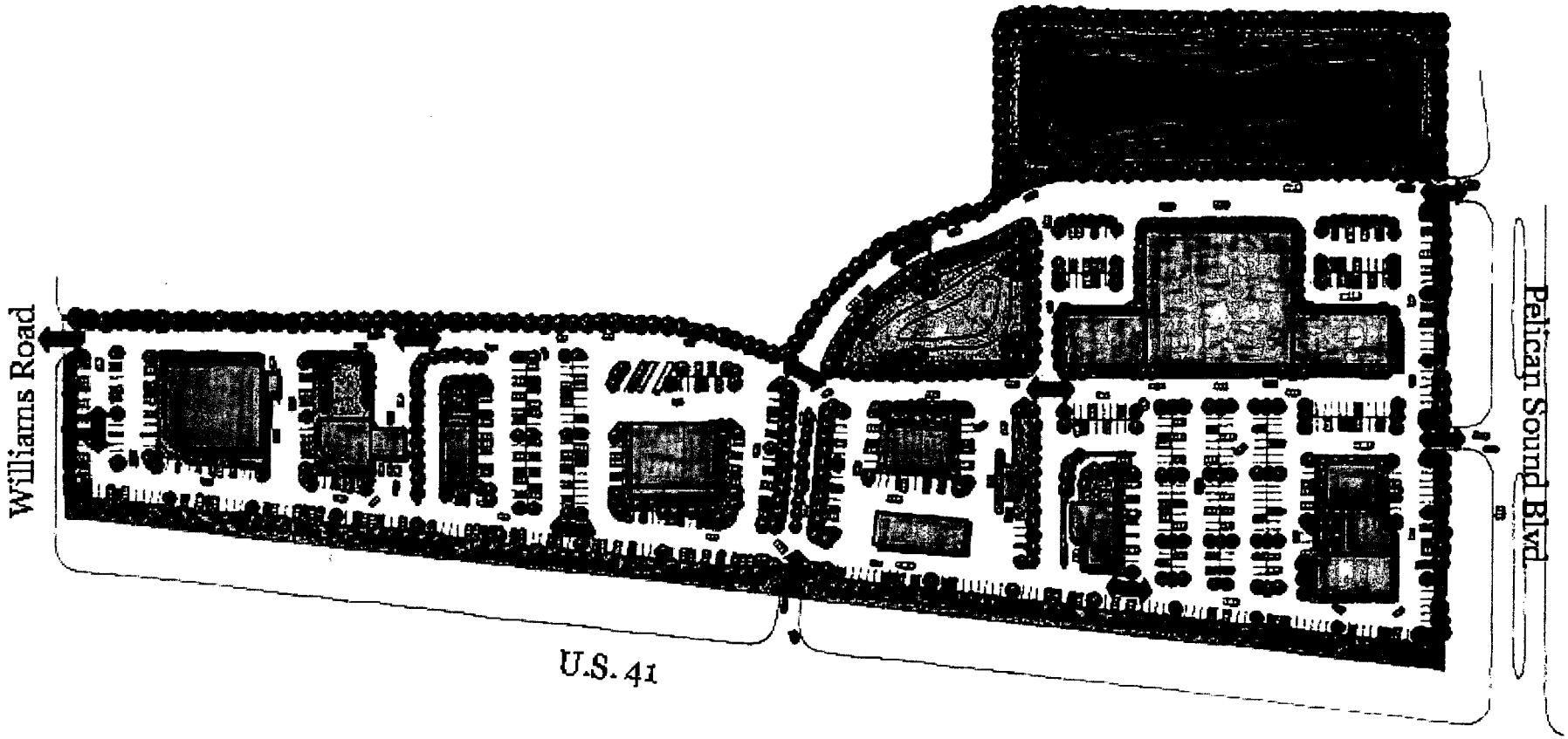
- A pedestrian way network shall be established throughout the project as shown on the Conceptual Site Plan on the following page. The pedestrian system will serve to link Anchor and vista areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of treated surfaces, signage or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.

    - The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc. This pedestrian way will include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum unobstructed pedestrian way of 5 feet average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances where appropriate.

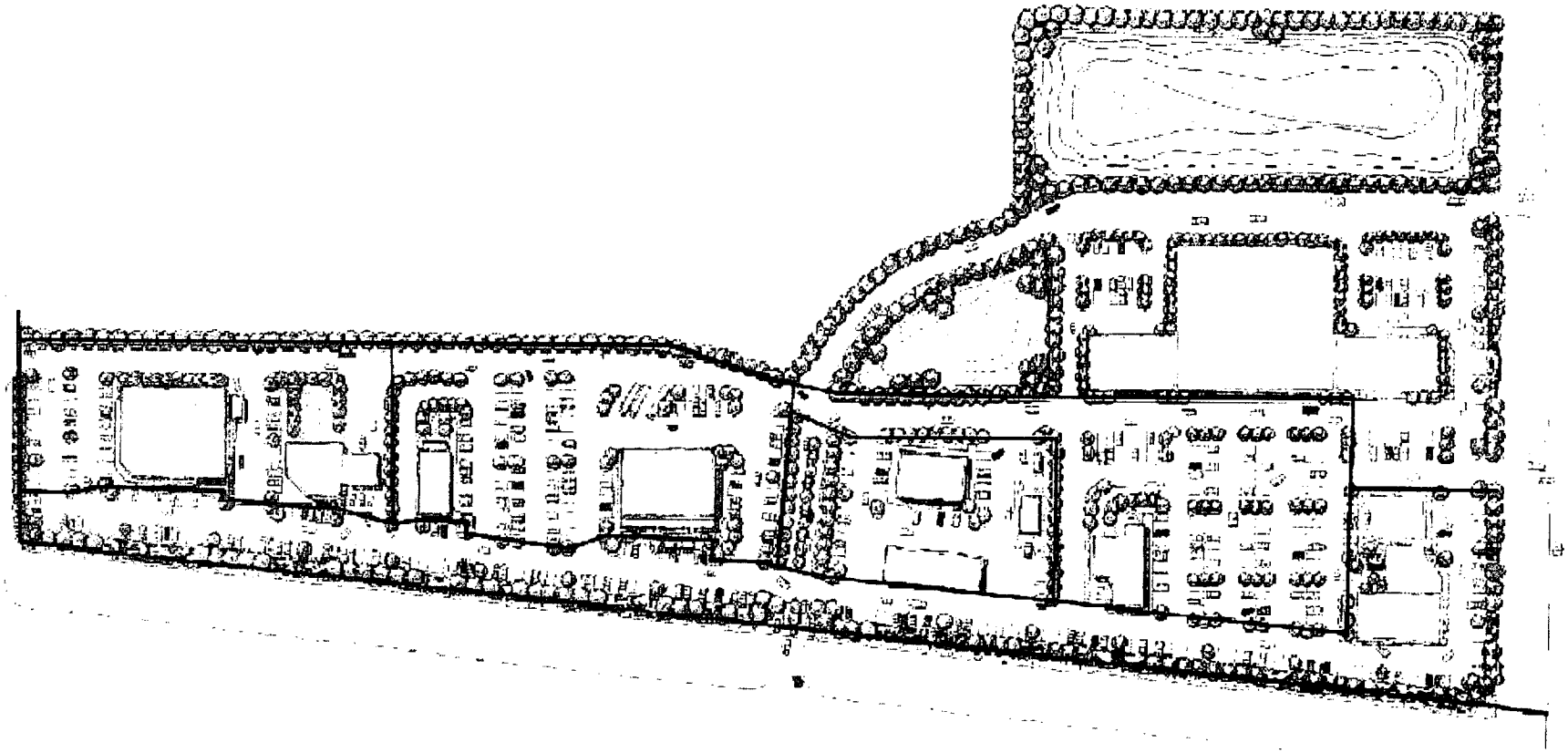
    - The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan on the following page. This pedestrian way system will be designed to promote safe and convenient linkage from the parking area to the entire project. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatment and other traffic calming techniques. This pedestrian way system shall be a minimum of 4 feet in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12 feet high with a 4 foot spread for canopy trees and equivalent specification for shade palms at the time of planting.

    - The perimeter pedestrian way system is designed to link free-standing uses with the parking and vista area pedestrian way as shown on the Conceptual Site Plan on the following page. Vehicular crossings will be identified with signage, landscaping and clearly marked through uses of varied pavement treatments or other traffic calming techniques.

PARADISE SHOPPES OF ESTERO



Conceptual Site Plan: Vehicular Circulation



Conceptual Site Plan: Pedestrian Circulation

Landscaping

A. General

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement and satisfy LDC native plant requirements. Any non-native landscape material use shall be allowed under the LDC and will be used to provide additional color and texture for areas to be enhanced such as main vehicular and pedestrian entries, circulation routes, building perimeter plantings and pedestrian amenity open space.

B. Perimeter

- Buildings along U.S. Highway 41 will be designed in accordance with LDC Article IV; the setback requirements for the Estero Overlay. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- Where parking or service areas along U.S. Highway 41 are located within 75 feet of the right of way line, the developer must maintain a minimum 30 foot setback for parking or service areas from the U.S. Highway 41 right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made (subject to FDOT review and utility conflicts) to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk.

- Where an access road for a drive-thru is located along U.S. Highway 41 within 75 feet of the right of way line, the developer must maintain a maximum 25 foot building setback from the U.S. Highway 41 right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk (subject to FDOT review, utility conflicts and spacing issues).

- Where buildings along Williams Road or Pelican Sound Boulevard are designed such that parking areas are in front of the building, an enhanced 30 foot buffer consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with

a ±2 feet undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- The height of required trees within buffers shall be 12 feet overall in height. Canopy trees shall have a 4 foot canopy spread at the time of planting.

- Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Paradise Shoppes of Estero boundary concurrent with site development within each vista area or anchor parcel respectively.

- Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting and utilities will be permitted within perimeter landscape buffers.

- Perimeter landscape berms located within the Paradise Shoppes of Estero boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.

- The developer and adjacent landowners endeavor to provide a unified homogenous landscape and entry feature for Pelican Sound Boulevard. The entry feature will be designed to compliment the Paradise Shoppes of Estero project.

C. Internal

Per LDC Sections 34-1042 thru 34-1047, internal landscaping will be provided to minimize hardscaped areas, both visually and physically, accentuate entryways, define pedestrian areas and enhance the pedestrian walkway system. In all landscaped areas, existing native trees will be preserved.

PARADISE SHOPPES OF ESTERO

U.S. 41 | Parking/Pedestrian/U.S. 41 Circulations | Retail Shops Entrance

Entrance from U.S. 41

Creation of Focal Points

Signage

A. All signs shall be of consistent architectural style and shall feature like building materials and sign structures. Sign Structures will be uniform in size, color and building material.

B. All signs will comply with the land development code sign guidelines at the time of the issuance of the sign permit.

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Trees (Med. & Large)

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Acacia choriophylla	Cinnecord	Juniperus silicicola	Southern Red Cedar
Acacia farnesiana	Sweet Acacia	Juniperus virginiana	Red Cedar
Acer rubrum	Red Maple	Laguncularia racemosa	White Mangrove
Acer saccharum subs. Floridanum	Florida Maple	Liriodendron tulipifera	Tulip Poplar
Annona glabra	Pond Apple	Magnolia grandiflora	Southern Magnolia
Betula nigra	River Birch	Magnolia virginiana	Sweet Magnolia
Bourreria succulenta	Strongbark	Morus rubra	Red Mulberry
Bursera simaruba	Gumbo Limbo	Myrcanthes fragrans	Simpson Stopper
Celtis laevigata	Sugarberry	Nyssa sylvatica	Black Gum
Cercis canadensis	Red Bud	Persea palustris	Florida Red Bay
Chionanthus virginicus	White Fringetree	Pinus elliottii	Slash Pine
Chrysobalanus icaco	Cocoplum	Pinus elliottii 'densa'	South Florida Slash Pine
Chrysophyllum oliviforme	Satin Leaf	Pinus palustris	Longleaf Pine
Citharexylum spinosum	Fiddlewood	Pinus taeda	Loblolly Pine
Clusia rosea	Pitch Apple	Piscidia piscipula	Jamaica Dogwood
Cocoloba diversifolia	Pigeon Plum	Plantanus occidentalis	Sycamore
Cocoloba uvifera	Seagrape	Prunus angustifolia	Chickasaw Plum
Conocarpus erectus	Buttonwood	Prunus caroliniana	Cherry Laurel
Cordia sebestena	Geiger Tree	Prunus myrtifolia	West Indian Cherry
Cornus florida	Dogwood	Quercus alba	White Oak
Diospyros virginiana	Persimmon	Quercus falcata	Southern Red Oak
Eugenia axillaris	White Stopper	Quercus laurifolia	Laurel Oak
Eugenia confusa	Redberry Stopper	Quercus michauxii	Swamp Chestnut Oak
Eugenia foetida	Spanish Stopper	Quercus nigra	Water Oak
Eugenia rhombea	Red Stopper	Quercus shumardii	Shumard Oak
Gordonia lasianthus	Loblolly Bay	Quercus virginiana	Live Oak
Gualacum sanctum	Lignum Vitae	Rhizophora mangle	Red Mangrove
Gymnanthes lucida	Crabwood	Salix caroliniana	Coastal Plain Willow
Hibiscus tiliaceus	Mahoe	Sapindus saponaria	Wingleaf Soapberry
Ilex cassine	Dahoon Holly	Schaefferia frutescens	Florida Boxwood
Ilex opaca	American Holly	Sideroxylon foetidissimum	Mastic
Ilex vomitoria	Yaupon Holly	Sideroxylon salicifolium	Willow Bustic
Ilex x attenuata	East Palatka Holly	Swietenia mahagoni	Mahogany
Jacquinia keyensis	Joewood	Taxodium distichum	Bald Cypress
		Ulmus alata	Winged Elm
		Ulmus americana var. floridana	Florida Elm
		Viburnum obovatum	Walter's Viburnum

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Shrubs

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Ardisia escalloniolides	Marlberry		
Baccharis halimifolia	Saltbush		
Calicarpa americana	Beautyberry		
Capparis cynophallophora	Jamaican Caper		
Cassia ligustrina	Privet Cassia		
Cephalanthus occidentalis	Buttonbush		
Clethera alnifolia 'Ruby Spice'	Sweet Pepperbush		
Cordia globosa	Bloodberry		
Cyrilla racemiflora	Titi		
Dodonaea viscosa	Varnishleaf		
Erithalis fruticosa	Black Torch		
Ernodia littoralis	Beach Creeper		
Erythrina herbacea	Coral Bean		
Foresteria segregata	Florida Privet		
Genipa clusiifolia	Seven-Year-Apple		
Hamelia patens	Firebush		
Hypericum spp.	St. John's Wort		
Illicium floridanum	Florida Anise		
Itea virginica	Virginia Sweetspire		
Iva frutescens	Marsh Elder		
Lantana involucrata	Native White Lantana		
Licania michauxii	Gopher Apple		
Lyonia lucida	Fetterbush		
Myrica cerifera	Wax Myrtle		
Opuntia spp.	Prickly Pear		
Psychotria nervosa	Wild Coffee		
Randia aculeata	White Indigo Berry		
Rapanea punctata	Myrsine		
Rivina humilis	Rouge Plant		
Sambucus simpsonii	Elderberry		
Scaevola plumieri	Scaevola		
Sophora tomentosa	Necklace Pod		
Stachytarpheta jamaicensis	Blue Porterweed		
Styrax americanus	Snowbell		
Suriana maritima	Bay Cedar		
Yucca aloifolia	Spanish Bayonet		
Zamia pumila	Coontie		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Grasses

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Andropogon brachystachys	Shortspike Bluestem		
Eragrostis elliottii	Elliot Love Grass		
Eragrostis spectabilis	Purple Love Grass		
Muhlenbergia capillaris	Muhly Grass		
Sorghastrum secundum	Lopsided Indiangrass		
Spartina bakeri	Sand Cordgrass		
Tripsacum dactyloides	Fakahatchee Grass		
Tripsacum floridanum	Florida Gamma Grass		
Uniola paniculata	Sea Oats		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Ferns

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Acrostichum danaeifolium	Leather Fern		
Blechnum serrulatum	Swamp Fern		
Ctenitis sloanei	Florida Tree Fern		
Nepherolepsis spp.	Swordfern/Boston Fern		
Osmunda regalis	Royal Fern		
Pteridium aquilinum	Bracken		

PARADISE SHOPPES OF ESTERO

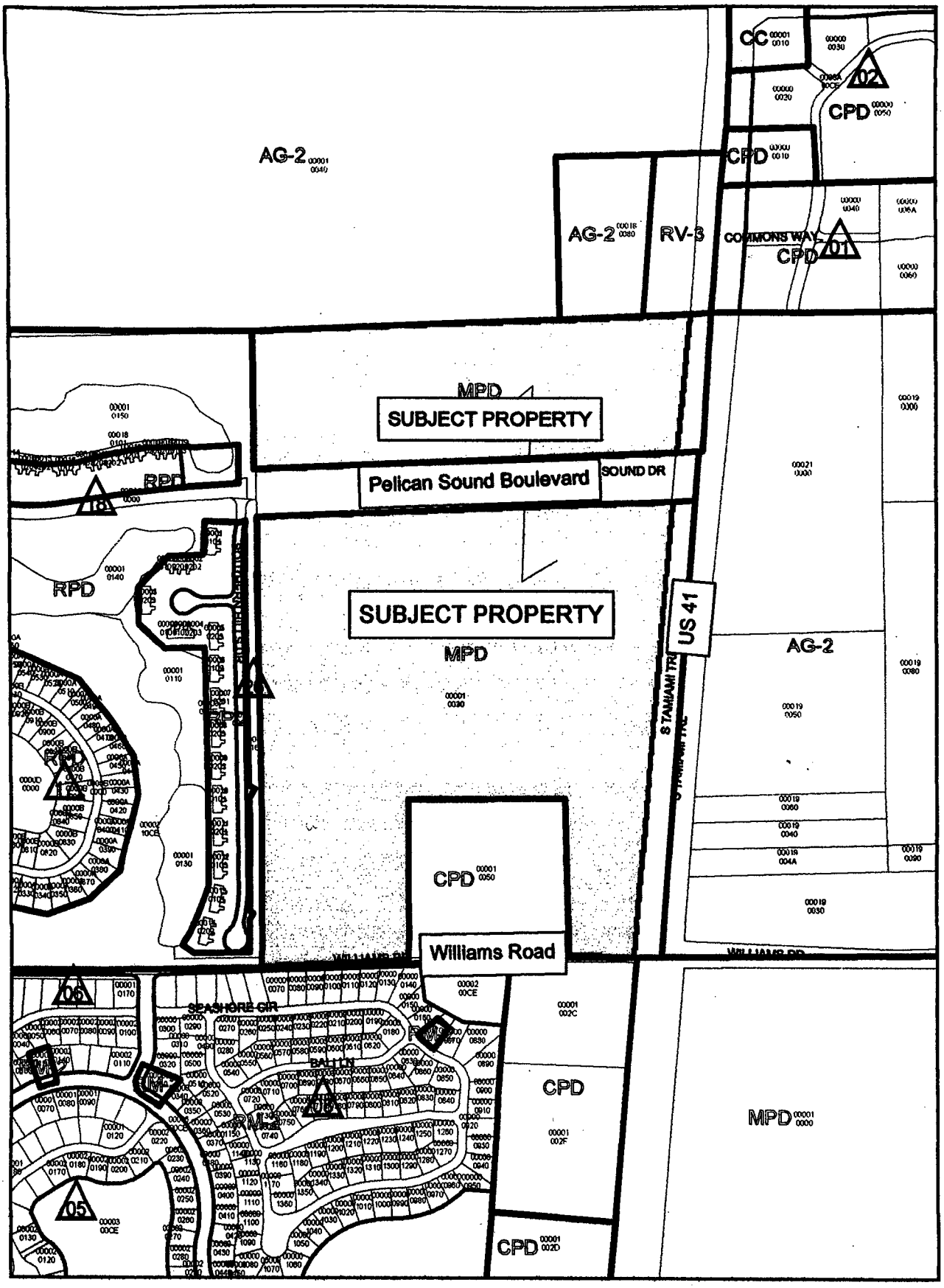
RECOMMENDED PLANTS - Native Aquatics

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Canna flaccida	Yellow Canna		
Equisetum spp.	Horsetail		
Juncus effusus	Soft Rush		
Nuphar luteum	Spatterdock		
Nymphaea odorata	White Water Lily		
Pontederia lanceolata	Pickerelweed		
Sagittaria spp.	Arrowhead		
Scirpus spp.	Giant Bulrush		
Thalia geniculata	Alligator Flag		

ZONING INTAKE MAP

8/24/2004



690 345 0 690 Feet

Attachment A

LEE COUNTY, FLORIDA

ZONING DIVISION

STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI2004-00013

HEARING EXAMINER DATE: October 13. 2004

I. APPLICATION SUMMARY:

A. Applicant: Paradise Group in ref. to Camargo MPD

B. Request: Amend the existing MPD zoning to adopt a new Master Concept Plan to allow the continued development of a vacated portion of the overall project. The existing MPD was approved in Resolution Z-98-029 for up to 300,000 square feet of commercial floor area (of which not more than 100,000 square feet can be retail use), a total of 500 beds in an assisted living facility, and a potential conversion of up to 100,000 square feet of retail uses to 75,000 square feet of office uses. The requested amendment would permit up to 100,000 square feet of retail on the vacated section of the MPD south of Pelican Sound Boulevard which was previously designated for commercial uses. No changes to the residential portion of the MPD are included in this request, and no uses have been requested for the vacated commercial area located north of Pelican Sound Boulevard. Blasting is not a proposed development activity within this project.

C. Location: The subject property is located at Estero, FL 33928 (northwest corner of Williams Road and US 41 intersection), in S33-T46S-25E, Lee County, FL. (District #3)

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property: The subject property is located in the Suburban future land use category of the Lee Plan. The subject property is currently vacant and zoned Mixed Use Planned Development.

E. Surrounding Land Use:

Existing Zoning & Land Use	Future Land Use Map
North: Pelican Sound Drive; then, MPD (portion of the original zoning for the Camargo development), vacant; then, AG-2 and RV-3, recreational vehicles and vacant lands.	Suburban; then, Outlying Suburban and Urban Community

East:	US 41; then AG-2, vacant (but under application in Cases DRI2003-00002 and DCI2003-00037, North Point DRI)	Suburban (seeking Urban Community)
South:	CPD, assisted living facility; then, William Road; then, RM-2 residential and CPD, model home and supermarket	Suburban
West:	MPD, residential portion of the original MPD; then, RPD, residential	Suburban

F. Size of Property: 66± acres

II. RECOMMENDATION:

Staff recommends APPROVAL of the Applicant's request to amend the existing MPD zoning to adopt a new Master Concept Plan with the following conditions and deviations:

A. Conditions

1. Resolution Z-98-029 remains in effect unless specifically amended by actions within this zoning case.

2. The development of this portion of the project must be consistent with the two page Master Concept Plan entitled "Camargo MPD," stamped received JUL 09, 2004, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

   The development of this portion of the project is limited to a maximum of 100,000 square feet of floor area.

3. Conditions 3 and 4 of Resolution Z-98-029 are hereby amended replacing the Schedule of Uses and Property Development Regulations for this portion of the development with the following:

   a. Schedule of Uses (Strike through represents uses staff is not supporting)(Note only one use of an Automobile Service Station or Convenience Food and Beverage Store is permitted within this portion of the development, with said use limited to either Parcel 3 or 4.)

      ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3108)(See Note 1 below)
      ADMINISTRATIVE OFFICES
      ATM (automatic teller machine)

AUTO PARTS STORE - without installation facilities
AUTOMOBILE SERVICE STATION (refer to limitation at beginning of the approved Schedule)(See Note 2 below)
AUTO REPAIR AND SERVICE (LDC Section 34-622(c)(2)), Group I only
BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Groups I, II
CAR WASH (only in conjunction with an Automobile Service Station or Convenience Food and Beverage Store)
CLEANING AND MAINTENANCE SERVICES (LDC Section 34-622(c)(7))
CLOTHING STORES, general (LDC Section 34-622(c)(8))
CLUBS:
Commercial
Fraternal, membership organization (LDC Section 34-2111)
Private (LDC Section 34-2111)
COMPUTER AND DATA PROCESSING SERVICES
CONSUMPTION ON PREMISES (LDC Section 34-1261 et seq.)
CONVENIENCE FOOD AND BEVERAGE STORE (refer to limitation at beginning of the approved Schedule)
CULTURAL FACILITIES (LDC Section 34-622(c)(10))
DAY CARE CENTER, CHILD, ADULT
~~DEPARTMENT STORE~~
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY (limited to only one within the project)
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)):Group I (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD AND BEVERAGE SERVICE, LIMITED
FOOD STORES (LDC Section 34-622(c)(16)): Group I
HARDWARE STORE
HEALTH CARE FACILITIES (LDC Section 34-622(c)(20)):Groups I, II, and III
HOUSEHOLD AND OFFICE FURNISHINGS (LDC Section 34-622(c)(22)), Groups I and II (Household use as limited by the Land Development Code and Office use is limited to businesses like Kinko's Office Depot, Office Max or other like business. Large newspaper printing facilities are projibited.)
INSURANCE COMPANIES (LDC Section 34-622(c)(23))
LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I
LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
LIBRARY
MEDICAL OFFICE
NONSTORE RETAILERS (LDC Section 34-622(c)(30)), all groups
PACKAGE STORE (LDC Section 34-1261 et seq.)

PAINT, GLASS AND WALLPAPER
PARKS (LDC Section 34-622(c)(32)): Groups I or II
PARKING LOT: Accessory (see Note 1 below)
PERSONAL SERVICES (LDC Section 34-622(c)(33)): Groups I, II, and III (excluding coin operated laundries, laundromats, message establishments and message parlors)
PET SERVICES
PET SHOP
PHARMACY
POST OFFICE
~~PRINTING AND PUBLISHING (LDC Section 34-622(c)(36))~~
REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021)
RECREATIONAL FACILITIES: Commercial (LDC Section 34-622(c)(38)): Group IV
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Groups I and II (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)(All storage must be indoor)
REPAIR SHOPS (34-622(c)(40)): Groups I and II
RESEARCH AND DEVELOPMENT LABORATORIES (LDC Section 34-622(c)(41)): Groups II and IV
RESTAURANT, FAST FOOD (limited to one within the project and located on either Parcel 2 or 5)
RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II, and III
SCHOOLS: Commercial (LDC Section 34-622(c)(45)) (LDC Section 34-2381)
SELF-SERVICE FUEL PUMPS (only in conjunction with an Automobile Service Station or Convenience Food and Beverage Store)(See Note 2 below)
SIGNS in accordance with Land Development Code Chapter 30
SOCIAL SERVICES (LDC Section 34-622(c)(46)): Group I
SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): Groups I, II, III, and IV (no outdoor storage permitted)
STUDIOS (LDC Section 34-622(c)(49))
TEMPORARY USES (LDC Section 34-3041 et seq.)(limited solely to temporary contractor's office and storage shed,
THEATER, indoor (LDC Section 34-2471 et seq.)
USED MERCHANDISE STORES (LDC Section 34-622(c)(54)): Groups I and II
VARIETY STORE
WHOLESALE ESTABLISHMENTS (LDC Section 34-622(c)(56)): Group III

NOTES:

1. All accessory uses, including accessory parking, must be located on the same tract, parcel, outparcel, or lot where a principal use is

located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel, outparcel, or lot.

2. Limited to a maximum of eight (8) pumps unless a greater number is approved as a Special Exception within this planned development.

b. Site Development Regulations

Development based on the use within this portion of the MPD must comply with the following Property Development Regulations:

Office:
Minimum Lot Area and Dimensions:
Area: 7,500 square feet
Width: 75 feet
Depth: 100 feet

Minimum Setbacks:
Street: variable according to the functional classification of the street or road (Section 34-2191 et seq)
Side: 15 feet
Rear: 20 feet
Water Body: 0 (zero) feet

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

Maximum Lot Coverage: 60%

Maximum Building Height: 65 Feet

Minimum Building Separation: Minimum building separation is the greater of either the minimum required setbacks or the sum of the height of the buildings. (LDC Section 34-935(e)(4))

Retail:
Minimum Lot Area and Dimensions:
Area: 7,500 square feet
Width: 75 feet
Depth: 100 feet

Minimum Setbacks:
Street: variable according to the functional classification of the street or road (Section 34-2191 et seq.)
Side: 15 feet
Rear: 10 feet
Water Body: 0 (zero) feet

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

Maximum Lot Coverage: 60%

Maximum Building Height: 45 Feet

Minimum Building Separation: Minimum building separation is the greater of either the minimum required setbacks or the sum of the height of the buildings. (LDC Section 34-935(e)(4))

4. Condition 7 of Resolution Z-98-029is hereby amended to include the following buffer:

   A minimum 30 foot wide native landscaped arterial road buffer must be provided. In areas where native vegetation does not exist, the developer will plant five native trees and 15 native shrubs per 100 linear feet. This buffer must include a 2 foot high undulating berm (with landscaping on the berm) running parallel to US 41. New landscaping will be planted in a well designed and clustered manner.

5. No blasting activities are permitted as part of this planned development. If blasting is necessary, then a public hearing amendment of this planned development will be required in order to permit the activity.

6. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

7. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).

B. <u>Deviations</u>

All deviations previously approved in Z-98-029 remain in effect for this portion of the project.

There is only one new deviation sought:

A deviation seeking relief from LDC Section 10-415(b)(1) which requires 50 percent of the open space percentage requirement be provided through the onsite preservation of existing native vegetation communities; to allow the preservation of 10 acres in accordance with Resolution Z-98-029. This deviation is recommended to be **APPROVED.**

Since this is a portion of an overall MPD zoned project and the open space required by Resolution Z-98-029 for the overall development is in compliance with the Land Development Code, staff offers no objection to the granting of this request.

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the amendment by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

2. The requested zoning, as conditioned:

   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; and

   d) will not adversely affect environmentally critical areas or natural resources.

3. Approval of the request, as conditioned. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.

4. Urban services, as defined in the Lee Plan will be, available and adequate to serve the proposed land use.

5. The proposed use or mix of uses, as conditioned, is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.

7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

8. The deviations granted, and as conditioned:

   a) enhance the objectives of the planned development; and

   b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

This application is seeking to adopt a new Master Concept Plan for a portion of the commercial element of this approved planned development. The project had two areas planned for some form of commercial development. Both parcels from on US 41 with one north of Pelican Sound Drive and the other to the south. This application is addressing the southern commercial portion lying between Williams Road and Pelican Sound Drive.

This process is being followed because the project only received approval for development of the residential portion. The commercial portions were vacated due to their lack of an approved local development order.

The original project was approved by the Board of County Commissioners on June 29, 1998 (see Attachment B, Resolution Z-98-029). The Board granted a two-year extension for the residential portion of the project on June 24, 2003 (see Attachment C, Blue Sheet 20030368). Since that time a local development order has been issued to allow the development of the residential portion. The commercial portion remains vacated and this would re-establish, if approved, the commercial portion of the project between Williams Road and Pelican Sound Drive. The northern portion would remain vacated.

Master Concept Plan

The original Master Concept Plan was a conceptual plan with development areas and less specificity than the current plan for the project. That Plan showed access off of US 41, Williams Road, and Pelican Sound Drive. The plan did not show development parcels and the conditioning of the project had to establish the location of uses and intensity of use.

The submitted Master Concept Plan is a two-sheet plan, stamped received on July 9, 2004. The Plan shows the overall MPD project. Since this request is seeking to adopt a new Plan for the commercial portion of the site fronting along US 41 between Williams Road and Pelican Sound Drive, the Concept Plan provides greater specificity for the portion of the project being reviewed in this application.

The Plan shows 8 development parcels, a dry retention area, and a lake. The development parcels range in size from 0.98 acres to 4.84 acres. The applicant has submitted a four plus page Schedule of Uses. The Schedule has taken the originally approved uses and then amended it to address what the applicant is attempting to achieve as part of this application. Uses have been specified as to where they would be located and in some instances the total numbers of each use (such as the Convenience Food and Beverage Store).

Overall this project is seeking 100,000 square feet of retail use. This amount is consistent with the intensity of development approved by the Board in 1998. Approval of this request would re-establish zoning allowing development for commercial use on the portion of the development located between Pelican Sound Drive and Williams Road.

Lee Plan Considerations

The subject property is located in the Suburban future land use category of the Lee Plan. In the 1998 case, the Board of County Commissioners found the overall project consistent with the Lee Plan. Condition 2 of Resolution Z-98-029, specifically limited all retail uses which must meet the commercial site location standards would have to be located between Williams Road and Pelican Sound Drive. Also Finding and Conclusion #2 states, "Approval of no more than 100,000 square feet of retail uses, or uses having to meet the locational standards of Policy 6.1.2, even with conditions, is contrary to the intent of the Suburban land use designation, and will have adverse impacts on the surrounding land uses." Since this application is seeking to re-establish the ability to develop up to 100,000 square feet of retail use consistent with this previous finding, then staff recommends that this case can be found consistent with the Lee Plan.

> ***POLICY 1.1.5:*** *The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)*

The application is trying to re-establish a portion of the vacated Master Concept Plan. The applicant has eliminated some uses and further limited other uses originally approved in 1998 and which was found consistent with the Lee Plan. Development has been proceeding in this area as anticipated by the Lee Plan. Staff recommends that this case with the proposed uses, Master Concept Plan, and intensity of development be found consistent with the Suburban future land use category.

> ***POLICY 2.2.1:*** *Rezonings and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)*

The subject property is access from US 41 and from two adjoining roads: William Road and Pelican Sound Drive. These two adjoining roads provide access to the west into the developing residential areas. They also connect with US 41 providing access to the north and south. The US 41 and Williams Road intersection is now a signalized intersection. This section of US 41 is currently under improvements to enhance the capacity of the road. EMS, fire and police protection is available in the area. The proposed uses, as conditioned, are compatible with the surrounding land uses. Staff recommends the project as conditioned be found consistent with this Policy of the Lee Plan.

> ***POLICY 5.1.5:*** *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in*

Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30, 99-15, 00-22)

The design of this site places a road accessing Williams Road and Pelican Sound Drive between the proposed/developing residential portion of this site and the proposed commercial portion. Buffers are proposed along the perimeter to reduce or eliminate the impacts of commercial development. Staff recommends that this application be found consistent with this Policy of the Lee Plan.

POLICY 6.1.4: *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. (Amended by Ordinance No. 94-30, 00-22)*

Since there has been significantly no difference in the developed or expected uses in this area, since this case was originally considered, staff recommends that this request be found consistent with this Policy of the Lee Plan.

Neighborhood Compatibility

In the 1998 case, the Board found this project as conditioned to be consistent with and compatible with the neighborhood.

Since that rezoning, an Albertson's supermarket with gasoline sales, and an assisted living facility have been constructed to the south of the site. The model home sales facility remains as it existed during the original rezoning. North, there has been little to no change with the continued use of a recreational vehicle park along with vacant lands. To the west, the property has now been prepared for and is developing as a residential development, consistent with the zoning that was in place when this case was originally heard. In addition, within the MPD zoning the residential portion has been and is continuing to develop. To the east, across US 41, property remains vacant but is being sought for rezoning to a mixed use development including commercial retail, office, and multiple family residential uses. Staff finds these uses are the same or similar to those considered in 1998 and in staff's opinion the project remains compatible with the neighborhood as conditioned.

Environmental Issues

Environmental Sciences staff have reviewed the request, and do not have any issues with the proposed changes provided that Conditions 5 and 9 of Resolution Z-98-029 remain as conditions of approval. Also, condition 7 should be revised to reflect the proposed 30-foot buffer with a 2-foot undulating berm, 5 trees per 100 linear feet and a double staggered hedge. Staff also offers no objection to the to the new deviation being sought.

Special Case Issues

Uses:

The Board of County Commissioners has requested staff to provide additional analysis of cases when the following uses have been requested: Convenience Food and Beverage Store, Car Wash, and Automobile Service Station. Staff finds that there are 14 existing Automobile Service Stations/Convenience Food and Beverage uses within a five mile driving radius of the site. There are also 7 car washes within this same radius. Some of thee car wash facilities are stand alone businesses, while others are in conjunction with an automobile station or convenience store. There is significant commercial zoning which remains undeveloped where additional locations for these uses can be developed.

Blasting:

The application indicates that development blasting is not expected to used as part of this development. A condition to ensure this has been included n the recommended actions.

Transportation

The applicant's analysis of the project's trip generation finds that the total 2-way generation is 11,865 (8,935 trips with pass-by trips subtracted). The applicant admits that the Level of Service (LOS) on US 41 is currently an "F". However, the road is currently being improved to enhance the capacity of the road which is expected to improve the LOS on its completion.

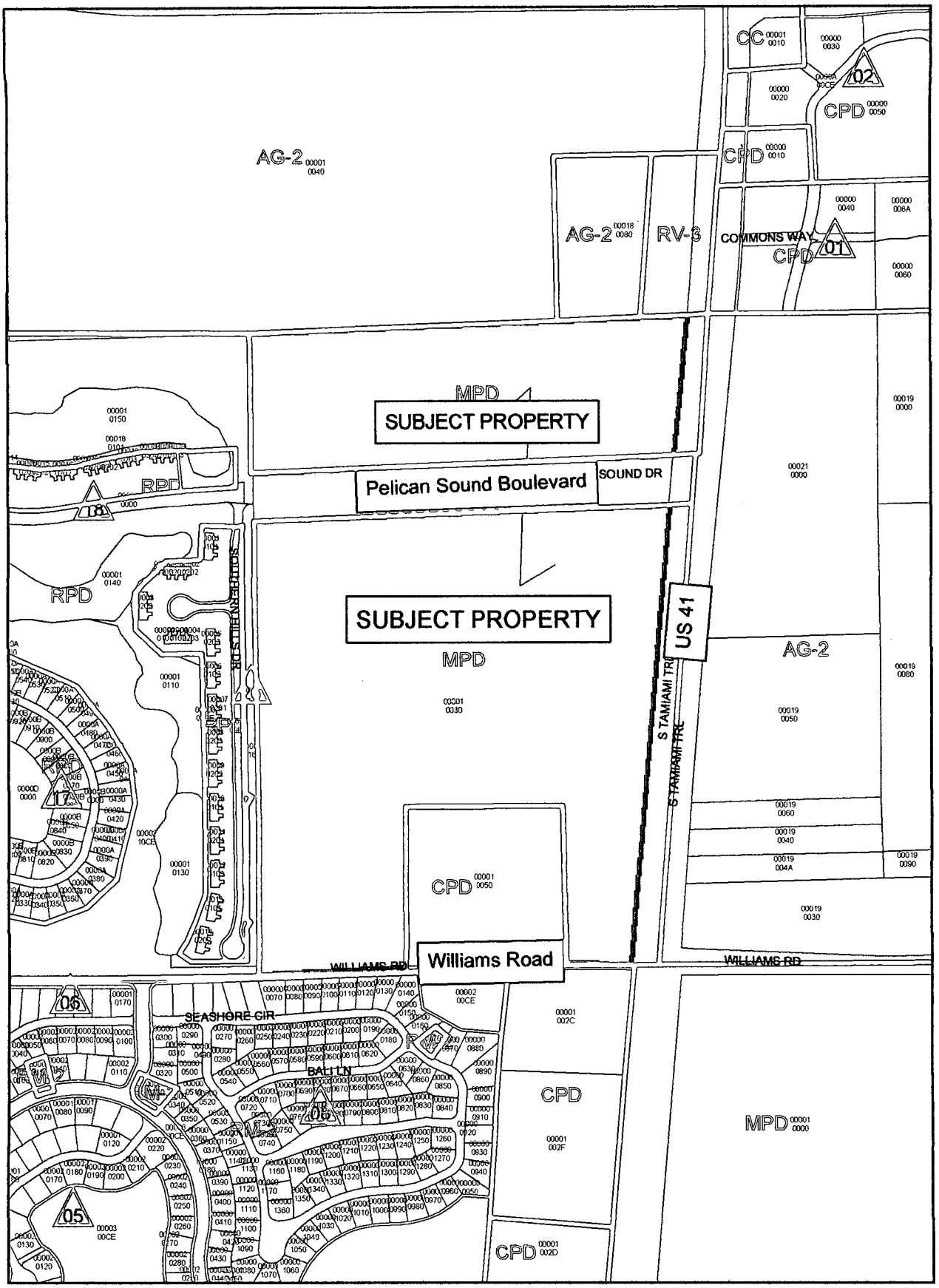
IV. ATTACHMENTS:

A. Map of surrounding zoning
B. Resolution Z-98-029
C. Blue Sheet No. 20030368
D. Applicant's supporting documentation
E. Schedule of Uses

cc: Applicant
County Attorney
Zoning/DCI File

ZONING INTAKE MAP

8/24/2004



690 345 0 690 Feet

Attachment A

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

WHEREAS, Charles M. Long, *et al.*, and Humphrey & Knott, P.A., filed an application to rezone 83.4± total acres of land from Agricultural (AG-2) to Mixed Use Planned Development (MPD) in reference to Camargo Trust MPD; and

WHEREAS, a Public Hearing was advertised and held on April 29, 1998 before the Lee County Zoning Hearing Examiner who gave full consideration to the evidence in the record (Case #97-12-021.03Z 01.01); and

WHEREAS, a second Public Hearing was advertised and held on June 29, 1998 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 the 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 83.4± total acres of land from Agricultural (AG-2) to Mixed Use Planned Development (MPD) to permit a mixed use development consisting of: 300 dwelling units; 200,000 square feet of retail space; 100,000 square feet of office space; and 105 hotel/motel units, with a maximum building height of 65 feet. The legal description of the subject property is set forth in Exhibit A, attached to this resolution. The request is APPROVED with a limitation of no more than 100,000 square feet of retail space and subject to the conditions and deviations set forth in Sections B and C below.

SECTION B. CONDITIONS:

1. The development and use of the subject property will be in substantial compliance with the approved Master Concept Plan (MCP) entitled "Camargo Trust Property" (File No. D-0249-03, last revised 01/21/98, stamped received February 6, 1998) as prepared by Wilson, Miller, Barton, and Peek, Inc., except as modified by the conditions herein. Unless specifically approved as part of this rezoning, development must comply with all applicable local development regulations.

2. This development is limited to a total of 300,000 square feet of commercial uses, of which ONLY 100,000 square feet may be retail commercial uses or uses that must meet Lee Plan commercial site location standards. All retail uses or commercial uses that have to meet commercial site location standards must be located south of Pelican Sound access road on the 10.6-acre and 5.8-acre commercial parcels fronting on U.S. 41. The Assisted Living Facility within the commercial component of this project is limited to a maximum of 500 beds.

   A maximum of 100,000 square feet of approved retail space may be replaced by a maximum of 75,000 square feet of additional general or medical office uses pursuant to a 4:3 retail/office equivalency factor.

ATTACHMENT B

Development of the residential portion of this project may not exceed six dwelling units per gross residential acre. Any Assisted Living Facility within the residential component will be limited to the Density Equivalents found in Division 12 of Article VII of Chapter 34 of the Land Development Code (LDC).

3. The following Schedule of Use sets out the permitted uses within this planned development. Some commercial uses have been limited to specific areas of the project.

The statement, "Uses that are not specifically listed in this section may also be permitted if, in the opinion, of Lee County Department of Community Development or designee, they are substantially similar to a listed permitted use" found on the MCP has no force as part of this planned development. Adding uses to this planned development may be allowed through the amendment process as described within the LDC.

Schedule of Uses

Residential "R"

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ASSISTED LIVING FACILITY (LDC Sections 34-1491 *et seq.*, and 34-1411) - As limited in Condition 2 above
CONSUMPTION ON PREMISES - In clubhouse only
CLUBS:
- Country
- Private (LDC Section 34-2111)

DWELLING UNIT:
- Single-family
- Duplex
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
HOME CARE FACILITY
HOME OCCUPATION (LDC Section 34-1771 *et seq.*)
MODELS:
- Display center (LDC Section 34-1951 *et seq.*)
- Model home (LDC Section 34-1951 *et seq.*)
- Model unit (LDC Section 34-1951 *et seq.*)

PARKING LOT:
- Accessory

PLACE OF WORSHIP (LDC Section 34-2051 *et seq.*)
RECREATIONAL FACILITIES: Private, On-Site
RELIGIOUS FACILITIES (LDC Section 34-2051 *et seq.*)
RESIDENTIAL ACCESSORY USES [LDC Section 34-622(c)(42)] (LDC Section 34-1171 *et seq.*)
SIGNS in accordance with Chapter 30

Commercial "C"
[All uses with an asterisk (*) may only be developed south of the Pelican Sound access.]

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ANIMALS: Clinic (LDC Section 34-1321 *et seq.*) - within an enclosed building only
ASSISTED LIVING FACILITY (LDC Sections 34-1491 *et seq.*, and 34-1411) - As limited in Condition 2
* ATM (automatic teller machine)
* AUTO PARTS STORE - without installation services
* AUTOMOBILE SERVICE STATION
* AUTO REPAIR AND SERVICE [LDC Section 34-622(c)(2)], Group I only
* BAIT AND TACKLE SHOP
* BANKS AND FINANCIAL ESTABLISHMENTS [LDC Section 34-622(c)(3)]: Groups I and II
BOATS:
Boat parts store
Boat rental
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 *et seq.*)
* BUILDING MATERIAL SALES [LDC Section 34-622(c)(4) and 34-3001 *et seq.*] - NO outside storage
BUSINESS SERVICES [LDC Section 34-622(c)(5)]: Group I
* CAR WASH
CLEANING AND MAINTENANCE SERVICES [LDC Section 34-622(c)(7)]
* CLOTHING STORES, general [LDC Section 34-622(c)(8)]
CLUBS:
* Commercial
* Fraternal, membership organization (LDC Section 34-2111)
Private (LDC Section 34-2111)
COMPUTER AND DATA PROCESSING SERVICES
* CONSUMPTION ON PREMISES (LDC Section 34-1261 *et seq.*)
* CONVENIENCE FOOD AND BEVERAGE STORE
CULTURAL FACILITIES [LDC Section 34-622(c)(10)]
DAY CARE CENTER, CHILD, ADULT
* DEPARTMENT STORE
* DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD AND BEVERAGE SERVICE, LIMITED
* FOOD STORES [LDC Section 34-622(c)(16)]: Group I
FUNERAL HOME AND MORTUARY (without a crematory)
* HARDWARE STORE
* HEALTH CARE FACILITIES [LDC Section 34-622(c)(20)]: Groups I - III
* HELISTOP
* HOBBY, TOY AND GAME SHOPS [LDC Section 34-622(c)(21)]

* HOTEL/MOTEL (LDC Section 34-1801 *et seq.*) - limited to 105 rooms
* HOUSEHOLD AND OFFICE FURNISHINGS [LDC Section 34-622(c)(22)], Groups I and II
INSURANCE COMPANIES [LDC Section 34-622(c)(23)]
* LAUNDRY OR DRY CLEANING [LDC Section 34-622(c)(24)]: Group I
* LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
LIBRARY
MEDICAL OFFICE
MODEL DISPLAY CENTER
NONSTORE RETAILERS [LDC Section 34-622(c)(30)], All Groups
* PACKAGE STORE (LDC Section 34-1261 *et seq.*)
PAINT, GLASS AND WALLPAPER
PARKS [LDC Section 34-622(c)(32)]: Groups I and II
PARKING LOT:
    Accessory
    Garage, public parking
    Temporary (LDC Section 34-2022)
PERSONAL SERVICES [LDC Section 34-622(c)(33)]: Groups I - III (* ATM only)
PET SERVICES
PET SHOP
* PHARMACY
PLACE OF WORSHIP (LDC Section 34-2051 *et seq.*)
* POST OFFICE
* PRINTING AND PUBLISHING [LDC Section 34-622(c)(36)]
REAL ESTATE SALES OFFICE (LDC Sections 34-1951 *et seq.*, and 34-3021)
* RECREATION FACILITIES, Commercial [LDC Section 34-622(c)(38)]: Groups II and IV
RELIGIOUS FACILITIES (LDC Section 34-2051 *et seq.*)
* RENTAL OR LEASING ESTABLISHMENT [LDC Section 34-622(c)(39)]: Groups I and II (LDC Section 34-1201 *et seq.*, 34-1352, and 34-3001 *et seq.*) - indoor storage only
* REPAIR SHOPS [LDC Section 34-622(c)(40)]: Groups I and II
* RESEARCH AND DEVELOPMENT LABORATORIES [LDC Section 34-622(c)(41)]: Groups II and IV
* RESTAURANT, FAST FOOD
* RESTAURANTS [LDC Section 34-622(c)(43)]: Groups I, II, and III
* SCHOOLS:
    Commercial [LDC Section 34-622(c)(45)] (LDC Section 34-2381)
* SELF-SERVICE FUEL PUMPS
SIGNS in accordance with Chapter 30
SOCIAL SERVICES [LDC Section 34-622(c)(46)]: Group I only
* SPECIALTY RETAIL SHOPS [LDC Section 34-622(c)(47)]: Groups I - IV - NO outdoor storage
STORAGE:
    Indoor only, (LDC Section 34-3001 *et seq.*)
STUDIOS [LDC Section 34-622(c)(49)]
TEMPORARY USES (LDC Section 34-3041 *et seq.*)
* THEATER, indoor only (LDC Section 34-2471 *et seq.*)
* USED MERCHANDISE STORES [LDC Section 34-622(c)(54)]: Groups I and II
* VARIETY STORE
* VEHICLE AND EQUIPMENT DEALERS [LDC Section 34-622(c)(55)]: Group II only (LDC Section 34-1352)
* WHOLESALE ESTABLISHMENTS [LDC Section 34-622(c)(56)]: Group III only

4. Exhibit "B" (Attachment G to the Staff Report) sets out the Property Development Regulations within this planned development. No building located within the first 100 feet of the northern perimeter property line may exceed a height of 35 feet.

5. At the time of local development order, a detailed gopher tortoise management plan per LDC Section 10-474 must be submitted. This plan must provide for preservation of the 2.2 acres of pine flatwoods surrounding the gopher tortoise burrows, gopher tortoise fencing during construction activities, deed restrictions preventing pets and pedestrians from entering the preserve, interpretive signage delineating the boundaries of the preserve, and management guidelines to maintain the preserve as viable gopher tortoise habitat.

6. Prior to issuance of development orders for any portion of the project fronting the perimeter boundaries, the developer must provide a covenant running with the land showing a consistent architectural theme and landscaping design within the project that is compatible with and similar to any existing buildings and landscaping on this overall site.

7. The project will feature a minimum 25-foot-wide native landscaped arterial road buffer. In areas where native vegetation does not exist, the developer will plant five native trees and 15 native shrubs per 100 linear feet. This buffer must include a 2-foot-high undulating berm (with landscaping on the berm) running parallel to U.S. 41. New landscaping will be planted in a well designed and clustered manner.

8. Site identification signs, building identification signs, and directory signs must be architecturally integrated and compatible with the project's building design and color; unless stated otherwise, all signs must comply with the LDC.

9. At the time of local development order, open space must be provided per the open space table on the MCP. A total of 10.0 acres (with credits) of existing indigenous native vegetation must be preserved as delineated on the MCP.

10. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic requirements. Additional conditions may be required to obtain a local development order, consistent with local development regulations.

11. This rezoning approval does not give the Developer an undeniable right to receive local development order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.

SECTION C. DEVIATIONS:

Deviation (1) requesting relief from LDC Sections 10-8(2) and 34-2013(a) which require that all parking lots be designed to permit vehicles exiting the parking lot to enter the street right-of-way or easement in a forward motion, to allow individual parking spaces to back onto the right-of-way or easement for common access drives and private local roads, IS APPROVED WITH THE FOLLOWING CONDITIONS:

a) The deviation only applies to units with individual driveways and garages.

b) The minimum dimension from the garage entrance to the street must be 25 feet, unless the garage is constructed with a side facing entrance rather than a front facing entrance.

c) The posted speed of the adjacent roadway must be posted at 20 mph or less.

Deviation (2) has been WITHDRAWN.

Deviation (3) requesting relief from LDC Section 10-291(3) which requires, where practical, any residential development of at least five± acres to provide two or more means of ingress and egress, to allow only one means of ingress and egress, IS APPROVED WITH THE FOLLOWING CONDITIONS:

a) An emergency turnaround of adequate dimension is provided for emergency service providers within each development pod.

b) Each multi-family pod with one means of ingress and egress will not exceed 150 units.

c) The local Fire and Emergency Service District must provide a letter of approval prior to local Development Order approval.

Deviation (4) was WITHDRAWN at hearing.

Deviation (5) requesting relief from LDC Section 10-329(e)(3) which requires the maximum depth of excavation not exceed 12 feet, to allow excavation not to exceed 20 feet as supported by a hydrogeological report, IS APPROVED WITH THE FOLLOWING CONDITIONS:

a) The excavation dimension must be measured from the control elevation and not the dry season elevation.

b) The "Camargo Trust Property Deep Lake Management Plan," dated January 1998 must be implemented prior to the issuance of a certificate of compliance.

c) Documentation of the aeration system adequacy for each deep lake must be sealed by a professional engineer and approved by the Division of Planning, Environmental Sciences prior to development order issuance.

d) The proposed planting locations of the wetland herbaceous plant requirements of LDC Section 10-418 and additional native shade trees must be graphically detailed as part of the Deep Lake Management Plan. All plants must be grouped or clustered around the lake perimeters.

e) An as-built bathymetric survey for all lakes deeper than 12 feet is required. The survey must be submitted prior to certificate of compliance.

Deviation (6) requesting relief from LDC Section 34-2015(2) which prohibits stacked parking for multiple family dwelling units, to allow stacked parking for multiple family units which have a specific garage or driveway appurtenant to it, IS APPROVED.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A. The legal description and STRAP number of the subject property.
Exhibit B. Property Development Regulations.
Exhibit C. A reduced copy of the Camargo Trust MPD Master Concept Plan.
Exhibit D. A map depicting the subject parcel (shaded in) in relation to the surrounding area.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The Applicant proved entitlement to the MPD rezoning, as conditioned for 100,000 square feet of retail uses and 200,000 square feet of non-retail uses, by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes or regulations.

2. Approval of more than 100,000 square feet of retail uses, or uses having to meet the locational standards of Policy 6.1.2, even with conditions, is contrary to the intent of the Suburban land use designation, and will have adverse impacts on the surrounding uses and persons.

3. The MPD, as conditioned,

   a. will meet or exceed 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; and

   d. will not adversely affect environmentally critical areas or natural resources.

4. Approval of the MPD, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities, and the development will be served by streets with the capacity to carry traffic it generates.

5. The proposed use or mix of uses is appropriate at the subject location.

6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest, and are reasonably related to the impacts on the public interest created by or expected from the proposed development.

7. The requested deviations enhance the achievement of the objectives of the planned development, and preserve and promote the general intent of Chapter 34, Land Development Code, to protect the public health, safety and welfare.

8. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

The foregoing resolution was adopted by the Lee County Board of Commissioners by a motion by Commissioner Andrew Coy, and seconded by Commissioner Ray Judah and, upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED this 29th day of June, 1998.

ATTEST:
CHARLIE GREEN, CLERK

BY: Mary Rosenkrant
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: J Manning
Chairman

Approved as to form by:

Timothy Lee
County Attorney's Office

MINUTES DEPARTMENT
FILED JUL 8 1998
ma

Exhibit A

LEGAL DESCRIPTION

In Section 33, Township 46 South, Range 25 East, Lee County, Florida, more particularly described as follows:

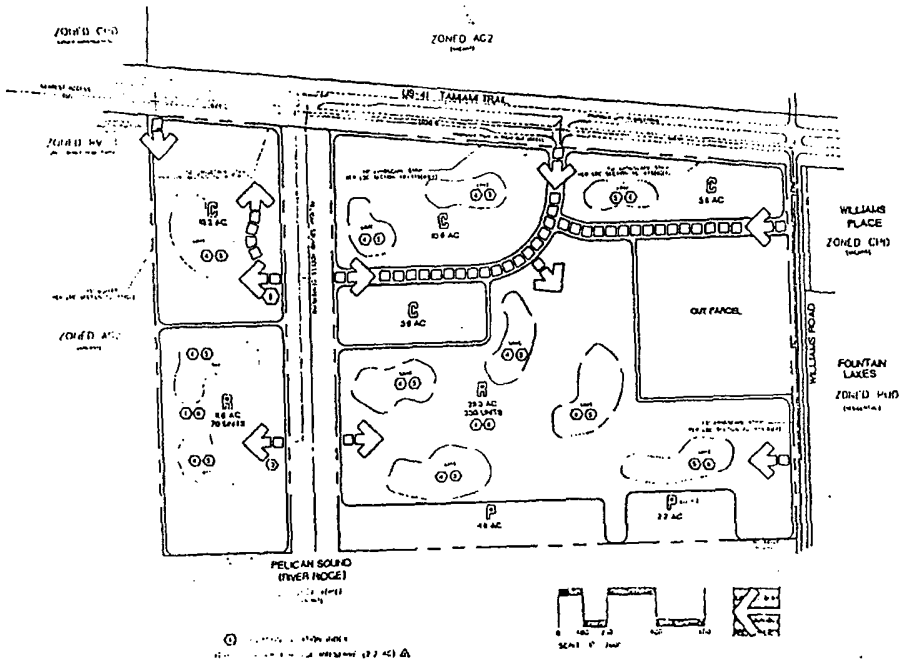
Parcel 1
Commence at the Southwest corner of Section 33, Township 46 South, Range 25 East, Lee County, Florida;
THENCE run N00°31'21"W along the West line of the Southwest Quarter (SW¼) of said Section 33 for a distance of 30.00 feet to a point on the Northerly right-of-way line of Williams Road, a 60.00 foot right-of-way;
THENCE run N89°00'54"E along said Northerly right-of-way line for a distance of 1,382.17 feet to the POINT OF BEGINNING of the parcel of land herein described;
THENCE run N00°31'21"W for a distance of 1,845.84 feet;
THENCE run N88°52'56"E for a distance of 1,720.01 feet to a point on the Westerly right-of-way line of US Highway 41, State Road No. 45, a 200 foot right-of-way;
THENCE run S05°19'58"W along said Westerly right-of-way line for a distance of 1,860.16 feet to a point on the Northerly right-of-way line of Williams Road;
THENCE run S88°49'24"W along said Northerly right-of-way line for a distance of 268.34 feet to a point on the East line of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section 33;
THENCE run S89°00'54"W along said Northerly right-of-way line for a distance of 1,261.87 feet to the POINT OF BEGINNING;
Containing 68.925 acres, more or less.

LESS AND EXCEPT the following described parcel of land:
A portion of the Southwest Quarter (SW¼) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:
The Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, LESS the South 30.00 feet thereof;
Containing 9.598 acres, more or less.

PARCEL 2
Commence at the Southwest corner of Section 33, Township 46 South, Range 25 East, Lee County, Florida;
THENCE run N00°31'21"W along the West line of the Southwest Quarter (SW¼) of said Section 33 for a distance of 30.00 feet to a point of the Northerly right-of-way line of Williams Road (a 60 foot right-of-way);
THENCE run N89°00'54"E along said Northerly right-of-way line for a distance of 1,382.17 feet;
THENCE run N00°31'21"W for a distance of 2,045.85 feet to the POINT OF BEGINNING of the parcel of land herein described;
THENCE continue N00°31'21"W for a distance of 572.68 feet to a point on the North line of the Southwest Quarter (SW¼) of said Section 33;
THENCE run N88°52'56"E along the North line of the Southwest Quarter (SW¼) of said Section 33 for a distance of 1,799.34 feet to a point on the Westerly right-of-way line of US Hwy. 41 (State Road 45 - a 200 foot right-of-way);
THENCE run S05°19'58"W along said Westerly right-of-way line for a distance of 576.30 feet;
THENCE run S88°52'56"W for a distance of 1,740.54 feet to the POINT OF BEGINNING;
Containing 23.268 acres, more or less.

STRAP NUMBER

The applicant has indicated the subject property's STRAP# is 33-46-25-00-00001.0030.



PROPERTY DEVELOPMENT REGULATIONS

"C"

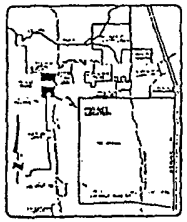
"R"

DEVIATIONS

GENERAL NOTES:

LAND USE SUMMARY

OPEN SPACE TABLE



LOCATION MAP

APPROVED

Master Concept Plan

Site Plan # 91-022 Page 1 of 2

Subject to conditions in Resolution # 91-071

Zoning Case # 91-17-CM-038 of 91

PROJECT # 91-19-MCP-038

PROJECT TYPE PD

WILSON ◆ MILLER

CAMARGO TRUST PROPERTY

EXHIBIT N-F

MASTER CONCEPT PLAN

PREPARED FOR: THE CAMARGO TRUST

FEB 5 1991

PRINTED

JAN 21 1991

Sheet 1 of 2

EXHIBIT C

Page 1 of 2

SCHEDULE OF USES

RESIDENTIAL "R"

COMMERCIAL "C"

SCHEDULE OF USES

PRESERVE "P"

DEVIATION ILLUSTRATIONS AND EXAMPLES

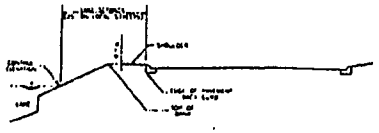
DEVIATION # 1

DEVIATION # 2

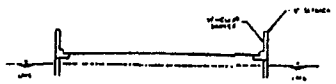
DEVIATION ILLUSTRATIONS AND EXAMPLES

DEVIATION # 3

DEVIATION # 4

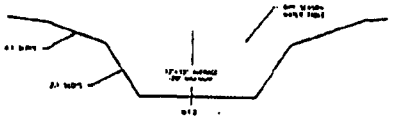


DEVIATION 4 (A-B)

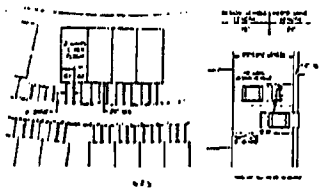


DEVIATION 4 (C)

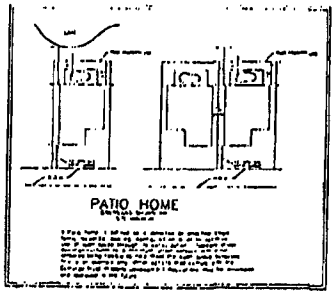
DEVIATION # 5



DEVIATION # 6



PATIO HOME ILLUSTRATION



APPROVED
Master Concept Plan
Site Plan # [illegible] Project [illegible]
Subject to conditions in Resolution [illegible]
Zoning Case # [illegible]

WILSON & MILLER

CAMARGO TRUST PROPERTY
MASTER CONCEPT PLAN
PREPARED FOR THE CAMARGO TRUST

EXHIBIT C
Page 2 of 2

PRINTED
JAN 23 [illegible]

Designed by
Drawn by
Checked by
Approved by
Date
Scale
File
Sheet 2 of 2

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY BLUE SHEET NO: 20030368

1. REQUESTED MOTION:

ACTION REQUESTED: APPROVE the extension of the vacated zoning Master Concept Plan for Camargo Trust for the residential component only.

WHY ACTION IS NECESSARY: The Applicant has applied for a two year extension of the Mixed Use Planned Development zoning.

WHAT ACTION ACCOMPLISHES: Allows the requested extension for the residential portion of the project.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #____ A4A

3. MEETING DATE: 06-24-2003

4. AGENDA
___CONSENT
X ADMINISTRATIVE
___APPEALS
___PUBLIC
___WALK ON
TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)
___STATUTE
___ORDINANCE
___ADMIN. CODE
___OTHER

6. REQUESTOR OF INFORMATION:
A. COMMISSIONER _____
B. DEPARTMENT Community Development
C. DIVISION Zoning
BY Mary Gibbs

7. BACKGROUND:

This is an application to allow for the extension of the duration of rights for the residential portion of the approved Mixed Use Planned Development Zoning Case 97-12-021.03Z 01.01, Resolution Z-98-029. The subject property is located at 21780 S Tamiami Trail., Estero. The subject property was zoned for mixed uses.

Adjacent property to the north is vacant AG-2 zoned property and an existing recreational vehicle park zoned RV-3. To the south is William Road and a developing CPD, Koreshan CPD. The developing use is an Assisted Living Facility. South of Williams Road is existing, developed RM-2 zoning (Fountain Lakes) and CPD zoning (Williams Place CPD). To the west is developed RPD zoning (Pelican Sound). To the east is US 41 with undeveloped AG-2 zoning east of the road.

The Subject property remains a vacant, undeveloped parcel.

This request for extension of the Master Concept Plan is to be reviewed based upon the findings of fact contained in Section 34-381(c)(1) of the Land Development Code. The second page provides the necessary findings along with the recommended staff findings in **bold** print.

8.MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

A Department Director	B Purchasing or Contracts	C Human Rel.	D Other	E County Attorney	F County Administration				G County Manager
Mary Gibbs					6/9/03	6/10/03	RISK 6/4/03	6/11/03	

10. COMMISSION ACTION:
___APPROVED
___DENIED
___DEFERRED
___OTHER

Rec. by CoAtty
Date: 6/6/03
Time: 9:00 am
Forwarded To:

6/9/03 TD 3:45pm BH 6/12 2:00

U:\200304\DCI20030.002\2\draft blue sheet for DCI2003-00022.wpd

ATTACHMENT C

(c) An approved master concept plan may be extended as follows:

(1) A vacated master concept plan or a phase of a planned development may be extended by the Board of County Commissioners for a period of no more than two years from the date of the extension based on the following findings of fact:

a. The master concept plan is consistent with the current Lee Plan, including, but not limited to, density, intensity and concurrency requirements:

Staff Finding: **The residential portion of this development abuts existing residential development in the adjoining projects. The approved residential density within the subject development is consistent with the Lee Plan land uses and intensities. Concurrency issues will be addressed as part of the local development order process. Staff finds extension of the residential portion of this project remains consistent with the Lee Plan and recommends that the residential portion be extended.**

Staff does not support extension of the commercial portion of this development since there have been changes to the Lee Plan and the current plan had not been reviewed based on Goal 19 of the Plan. This Goal, with related Objectives and Policies, was added to protect the character, natural resources, and quality of life in Estero as part of Ordinance 02-05. Staff finds it is appropriate to require the commercial portion be approved through the public hearing process.

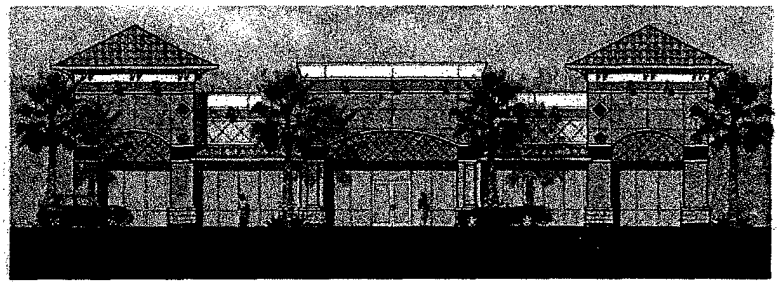
b. The development shown by the master concept plan has not become incompatible with existing and proposed uses in the surrounding area as the result of development approvals issues subsequent to the original approval of the master concept plan; and

Staff Finding: **The approved residential portion of the project abuts existing residential development. The approved density and land uses are compatible with the adjoining residential projects. Staff supports approval of the extension of the residential portion of this project. Since the original Master Concept Plan was not a specific Plan, the commercial portion of the project should be re-analyzed based upon the current Lee County Comprehensive Plan and Land Development Code.**

c. The development shown by the master concept plan will not, by itself or in conjunction with other development, place an unreasonable burden on essential service facilities.

Staff Finding: **Staff finds that there are adequate essential services in the area to support the residential portion of the project.**

Based upon the above noted findings, staff recommends partial APPROVAL of this request for extension of the master concept plan for this Mixed Use Planned Development. This approval is strictly limited to the residential portion of this planned development. The commercial portion is DENIED and will have to be approved through the public hearing process.



Project Overview

This document describes the intent of the applicant in developing the Paradise Shoppes of Estero project, and proposes design guidelines by which the project will be constructed. The objective is to provide the Estero community and Lee County the assurances that this project will be developed to meet the language and intent of the Estero Plan, while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Paradise Shoppes of Estero project is located on the northwest corner of U.S. Highway 41 and Williams Road. The project is strategically nestled in the heart of Estero bounded by new commercial development, which will provide services, plazas and amenities to be enjoyed by all ages. The project architecture, layout and design will incorporate features exceeding both the current Lee County design guidelines, found in LDC Section 10-600, and the Estero Plan, Goal 19 of the Lee County Comprehensive Plan.

In developing the property located at the northwest corner of U.S. Highway 41 and Williams Road it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19, the Estero Plan) and the development constraints presented with a 22-acre site at this location. The following base postulations, as well as policies that influence this type of development, were utilized.

- The subject property is located at the intersection of an arterial roadway – U.S. Highway 41, and two secondary roadways – Williams Road and Pelican Sound Boulevard. Access driveways are evenly distributed among the complementary roadways. U.S. Highway 41 is a primary thoroughfare and can safely support commercial development.

- The proposed development site is within the Suburban land use category, which was designated for areas that are primarily residential but allow commercial development as neighborhood centers are necessary to promote the quality of life in these areas. Commercial development is limited to neighborhood centers and industrial development is not allowed. The Lee Plan projects less intense development in these areas, more characteristic of a suburban area.

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- The intent of these design guidelines and standards is to meet and exceed the requirements of the Estero Plan, yet allowing for the development of a large commercial project containing one or more major anchors.

Design Guidelines and Standards

The following design guidelines are intended to establish the standard with which this development will comply. The guidelines however, are intended to be flexible to allow for a more detailed analysis by the Lee County development review staff and the Estero Development Review Committee at the time of local development order.

- The Paradise Shoppes of Estero is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Section 10-600, the Estero Design Guidelines.

- The Paradise Shoppes of Estero will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping and lighting throughout the site.

- The Paradise Shoppes of Estero will be developed on a 22-acre site as part of the Estero Overlay, that designates an area of architecturally attractive landscaped buildings that cater to the needs of the community.

A. Village Areas

- Architectural Standards: The Village Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways or columns, appropriately scaled for the public. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complimentary elements such as roof treatments, signage, landscaping and building materials and colors.

  Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from U.S. Highway 41 to the free-standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to U.S. Highway 41.

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- Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall be located on poles no more that 30' 0" in height and shielded to minimize light intrusion crossing the property line when abutting residential and assisted living facility uses.

- Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complementary to the overall master landscape plan. The Paradise Shoppes of Estero landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasizes plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas.

B. Anchor Parcel

- The Anchor Parcel will accommodate one or several retail uses. The on-site pedestrian system will connect the Anchor Parcel to the adjacent Vista Parcel paralleling U.S. Highway 41 and the buildings of the Anchor Parcel will be designed to compliment the Vista Parcels. The parking area will be designed to minimize hardscaped areas, visually and physically.

- Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the Vista Parcels and all other free-standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large adorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration on the following page)

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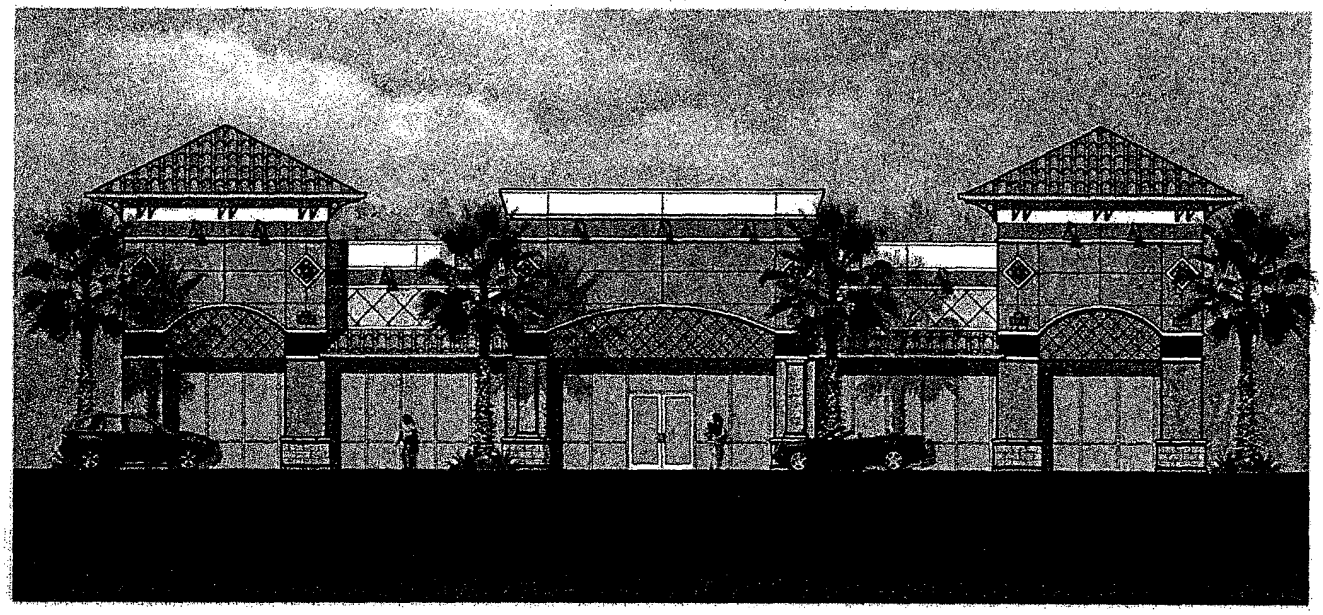

Buildings will also provide a minimum of two of the following building design treatments:

- Canopies or portico, integrated with the buildings' massing and style
- Overhangs
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character

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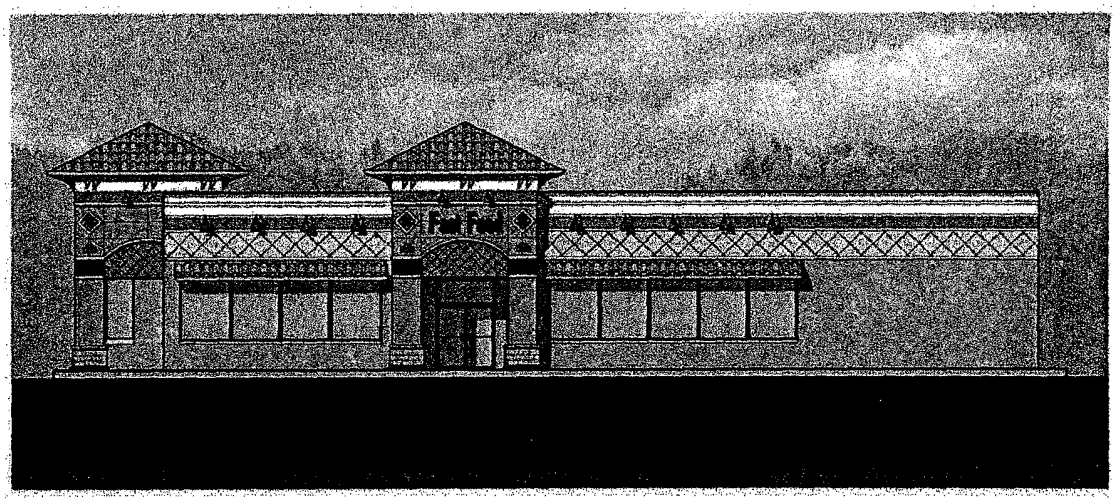

Building facades may include a repeating pattern and may include no less than two of the design elements listed below. At least one of these design elements may repeat horizontally.

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 6 inches in width, such as a reveal, and offset or a projecting rib
- Architectural banding
- Pattern change

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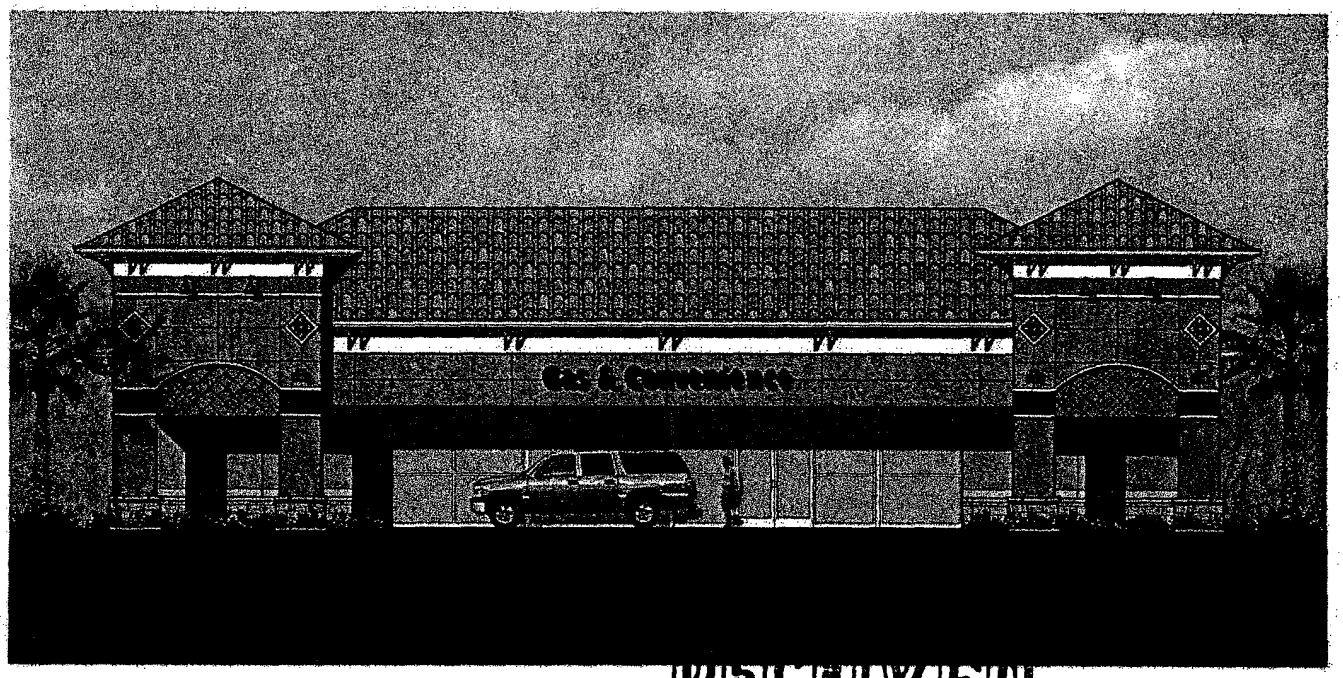
PARADISE SHOPPES OF ESTERO



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Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs where required
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum facia of 8 inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of two reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which incorporates benches or other seating components and decorative landscape planters.

Exterior building colors and materials contribute significantly to the visual impact of a building.

Predominant exterior building materials will include, but are not limited to:

- Stucco
- EFIS
- Architectural Block
- Tinted, textured, other that smooth or ribbed, concrete masonry units; or
- Natural Stone and/or Pre-cast Concrete

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Customer parking for the Anchor Parcel will be in accordance with Section 34-1046 Design Standards, Item 7. In addition to Item 7, customer parking will be located in front of the Anchor Parcel building.

C. Common / Public Areas

- Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.
- Project architectural features will be developed within common areas of the project and will be coordinated in the design, color and style. Architectural features shall be permitted throughout the site.

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- The Paradise Shoppes of Estero will provide a variety of publicly accessible amenities, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.

- A pedestrian way network shall be established throughout the project as shown on the Conceptual Site Plan on the following page. The pedestrian system will serve to link Anchor and vista areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of treated surfaces, signage or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.

  - The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc.. This pedestrian way may include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum unobstructed pedestrian way of 5 feet average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances where appropriate.

  - The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan on the following page. This pedestrian way system will be designed to promote safe and convenient linkage from the parking area to the entire project. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatment and other traffic calming techniques. This pedestrian way system shall be a minimum of 4 feet in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12 feet high with a 4 feet spread for canopy trees and equivalent specification for shade palms at the time of planting.

  - The perimeter pedestrian way system is designed to link free-standing uses with the parking and village area pedestrian way as shown on the Conceptual Site Plan on the following page. Vehicular crossings will be identified with signage, landscaping and clearly marked through uses of varied pavement treatments or other traffic calming techniques.

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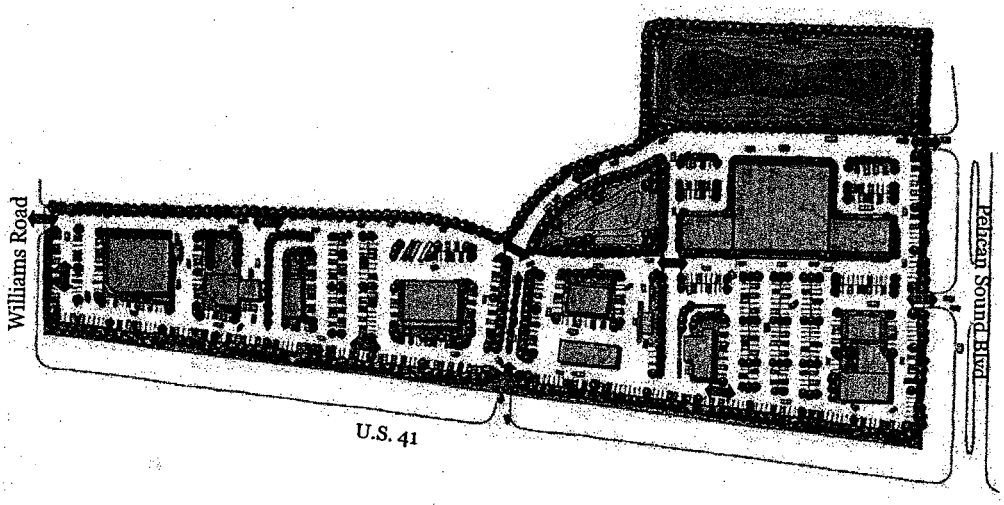
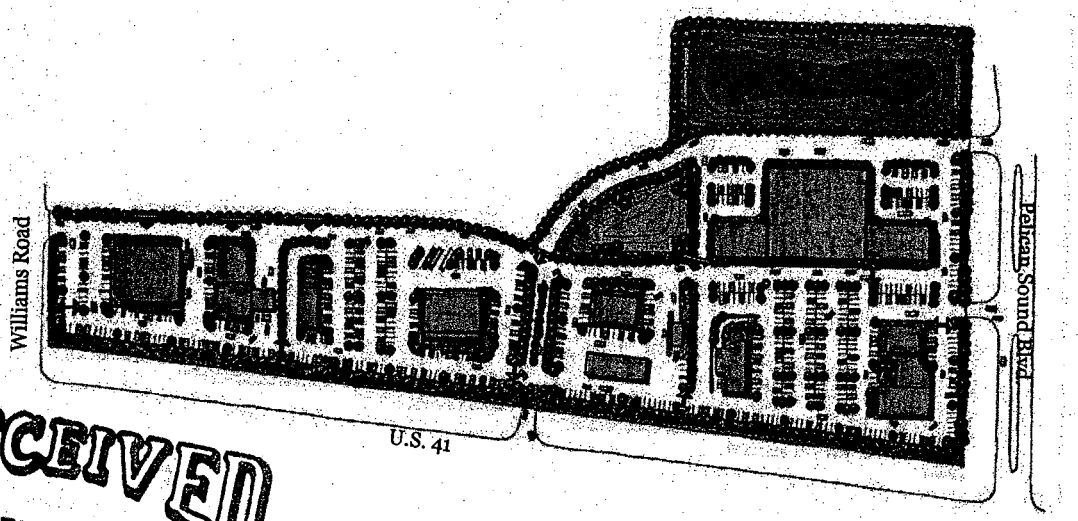


Conceptual Site Plan: Vehicular Circulation

Conceptual Site Plan: Pedestrian Circulation



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Landscaping

A. General

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement and satisfy LDC native plant requirements. Any non-native landscape material use shall be allowed under the LDC and will be used to provide additional color and texture for areas to be enhanced such as main vehicular and pedestrian entries, circulation routes, building perimeter plantings and pedestrian amenity open space.

B. Perimeter

- Buildings along U.S. Highway 41 will be designed in accordance with LDC Section 10-600; the setback requirements for the Estero Overlay. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- Where parking or service areas along U.S. Highway 41 are located within 75 feet of the right of way line, the developer must maintain a minimum 30 foot setback for parking or service areas from the U.S. Highway 41 right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles.
  Trees may be clustered to allow view corridors to internal buildings.
  Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.
  Further, sidewalk improvements may be made (subject to FDOT review and utility conflicts) to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk.

- Where an access road for a drive-thru is located along U.S. Highway 41 within 75 feet of the right of way line, the developer must maintain a maximum 25 foot building setback from the U.S. Highway 41 right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles .
  Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk (subject to FDOT review, utility conflicts and spacing issues).

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- Where buildings along Williams Road or Pelican Sound Boulevard are designed such that parking areas are in front of the building, an enhanced 30 foot buffer consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with a ± 2 feet undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- The height of required trees within buffers shall be 12 feet overall in height. Canopy trees shall have a 6 feet canopy spread at the time of planting.

- Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Paradise Shoppes of Estero boundary concurrent with site development within each village area or anchor parcel respectively.

- Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting and utilities will be permitted within perimeter landscape buffers.

- Perimeter landscape berms located within the Paradise Shoppes of Estero boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.

- The developer and adjacent landowners endeavor to provide a unified homogenous landscape and entry feature for Pelican Sound Boulevard. The entry feature will be designed to compliment the Paradise Shoppes of Estero project.

C. Internal

Per LDC Sections 34-1042 thru 34-1047, internal landscaping will be provided to minimize hardscaped areas, both visually and physically, accentuate entryways, define pedestrian areas and enhance the pedestrian walkway system. In all landscaped areas, existing native trees will be preserved.

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U.S. 41 | Parking/Pedestrian/U.S. 41 Circulation | Retail Shops

Entrance from U.S. 41

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Creation of Focal Points

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Signage

A. All signs shall be of consistent architectural style and shall feature like building materials and sign structures. Sign Structures will be uniform in size, color and building material.

B. All signs will comply with the land development code sign guidelines at the time of the issuance of the sign permit.

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Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

Estero Community Planning Panel
Meeting Summary for
Paradise Shoppes of Estero
June 16, 2004

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On June 14, 2004, the project known as Paradise Shoppes of Estero was presented to the Estero Community Planning Panel for Panel consideration and review. The proposed project is for the development of a +/-23 acre commercial site that is part of a previously approved Mixed-Use Planned Development.

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The project team included the following attendees:

Owen Ewing, Vice President of Development, The Paradise Group
Paul Tremblay, Associate Director of Site Development, The Paradise Group
William Fisher, President, Fisher Architects
Matt Uhle, Project Attorney, Knott, Consoer, Ebelini, Hart & Swett, P.A.
Rob Price, Project Consultant, Metro Transportation Group, Inc.
Carl Barraco, P.E., President, Barraco and Associates, Inc.
Shellie Johnson, AICP, Senior Planner, Barraco and Associates, Inc.
Chris Bundschu, Bundschu-Kraft, Inc.

The presentation included a brief history of the entire +/-83 acre project site that described the previous MPD approval for the subject property.

The original approval included development of 300 dwelling units, 100,000 square feet of retail space, 200,000 square feet of office space, and 105 hotel/motel units. It was explained that the purpose of our presentation was to consider the development proposed for the southern commercial portion of the project site only and that the residential component of the project was moving forward as originally approved.

The history described the reduced intensity of development proposed today as compared to what could have been developed under the original proposal. Today, the developer proposes 100,000 square feet of retail commercial space only.

The presentation described the proposed project as a Neighborhood Commercial Center that falls within the Suburban Future Land Use Category and within the Estero Planning Community, consists of eight development parcels, a lake and retention area. The following is a summary of highlighted aspects of the proposed development as described in the presentation:

- The Paradise Group (developer) is a quality retail developer most noted for grocery and drug store developments and specialty retail shops

- The project will include architectural and landscape design guidelines to promote a unified, aesthetically pleasing development, examples of which include:

  - Common architectural elements and features
  - Common color palette
  - Consistent site lighting standards and fixtures
  - Common signage
  - Screening of site improvements through use of landscape buffers
  - Creation of focal points
  - Emphasis on use of native plants

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- The project site will have access from U.S. 41, Pelican Sound Boulevard and Williams Road and will include right-in turn lanes as deemed necessary

- The project will include a coordinated internal pedestrian system linked to external walkways and will include signage and special pavement treatments to ensure safe movement throughout the project site, and

- Vehicular connectivity to all areas of the development site will be provided with clear identity of entryways, landscaped parking areas and appropriate screening and buffering.

The Panel responded positively to the proposed development, complimenting the Developer on their efforts to create a unified theme for the project, including the creation of development guidelines. The Developer agreed to provide a copy of the guidelines to the Panel for their review and comment and indicated the guidelines would be included as part of the final application submittal to Lee County.

There were some concerns raised about the Schedule of Uses and the need for a gas station. The Developer responded by stating the gas station would remain as a proposed and probable use, but assured the Panel only one gas station would be included in the project and it was proposed to be located internal to the project site (Parcel 4 or 5) as opposed to either the corner of Williams Road and U.S. 41 or the corner of Pelican Sound Boulevard and U.S. 41.

A second use issue of concern was fast food restaurants. The Developer stated the possibility of having two fast food restaurants, which the Panel was not keen on. The discussion led to the definition of a fast food restaurant and whether limiting the site development to one fast food restaurant would preclude the ability to add an eating facility such as a Subway. The Panel commented it was not so much the use as it was the look of the use that was the concern, and suggested consideration of tight development guidelines that would assure these uses would fit in with the unified theme of the overall development.

The Panel asked for further meetings and discussion on these issues, which the Developer agreed to.

The Panel suggested limiting pet services to having no outdoor runs and prohibiting outdoor storage within the site. The Developer agreed to these provisions.

There was also some discussion on the proposed landscape buffers, particularly along U.S. 41 as it compared to the 30-foot buffer proposed at the North Point development located across the highway from this project site. The Developer stated the proposed buffer along U.S. 41 is 25-feet deep. The Panel indicated this was acceptable but may want further discussion.

The Panel indicated a liking to the single parking access row along the U.S. 41 frontage which reduced the pavement area adjacent to the roadway. The Panel suggested holding on to that design layout as the project moves through the development review process. Additionally, there was some concern expressed that due to the four-sided openness of the site plan in terms of building placement, treatment of the rear and sides of the building was going to be equally as important as the treatment of the front of the building. The Developer concurred with this statement.

The Panel complimented the Developer on their integration of signage, lighting, architecture and landscape and was supportive of the project. The Panel requested follow-up meetings to discuss further the issues of concern as outlined in this summary. The Developer is moving forward on the scheduling of meetings with the Panel.

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Schedule of Deviations
Paradise Shoppes of Estero
Exhibit 6N

PROPOSED DEVIATION:

A deviation to Section 10-415(b)(1) which requires 50 percent of the open space percentage requirement be provided through the onsite preservation of existing native vegetation communities to permit the preservation of 10 acres in accordance with Resolution Z-98-029.

Justification: The indigenous preservation requirement for the entire development site requires preservation of 15 acres, 10 of which have been provided in the residential portion of the Master Concept Plan and was the amount approved through the original MPD. The remaining commercial portions of the site do not contain indigenous preserve areas and while they do contained scattered, individual native trees, preservation of these trees cannot be provided due to site design requirements for project development.

Previously Approved Deviations:

Please see Resolution Number Z-98-029.

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METRO TRANSPORTATION GROUP, INC.
Your Transportation Resource

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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

June 23, 2004

Ms. Shellie Johnson
Barraco & Associates
P.O. Box 2800
Fort Myers, Florida 33902

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COMMUNITY DEVELOPMENT
DCI2004-00013

RE: Camargo Trust MPD
DCI2004-00013

Dear Ms. Johnson:

Metro Transportation Group Inc. (Metro) has reviewed the comments issued by the Lee County Development Services Division for the Camargo MPD, dated April 15, 2004. The comments and Metro's response to those comments are listed below for reference.

TIS Checklist

The pass-by was calculated for the overall trips, rather than just the retail.

The trip generation was revised to reflect the pass-by trip reduction only on the retail use. The revised Table 5 from the TIS is shown below with the correct pass-by calculation. Table 1A and 2A were also revised and are attached for reference. The Level of Service projections did not change as a result of this change to the new trips.

Table 5
Revised Trip Generation
Paradise Group/Camargo Applications

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Trip Generation	205	200	405	550	610	1,160	11,865
Less Pass-by Traffic	-40	-25	-65	-130	-140	-270	-2,930
Total New Trips	165	175	340	420	470	890	8,935

The TIS shows level of service "F" on U.S. 41.

Upon receipt of this comment from staff, Metro attended a meeting with Development Services staff to further explain the Level of Service analysis that was conducted on U.S. 41 adjacent to the subject site. This explanation is also in the original TIS but bears repeating. The existing roadway link traffic data and the growth rates for the majority of roadways in the study area were obtained from the 2002 Lee County Traffic Count

Report (2003 traffic count was not published at the time of the first TIS), with the exception of the link of U.S. 41 between Corkscrew Road and Williams Road, adjacent to the subject site frontage. The 2002 Lee County Traffic Count Report indicates that the count location for this segment is located just north of Old 41 (approximately 2.6 miles south of Williams Road). It was indicated to staff that there are several major roadway projects recently completed that divert traffic from the U.S. 41 corridor between Corkscrew Road and Coconut Road, particularly the recent completion of the Three Oaks Parkway extension. Therefore, the peak hour, peak direction, peak season volume shown in Table 2A for the link of U.S. 41 between Corkscrew Road and Williams Road was taken from the weekday P.M. peak hour turning movement count conducted by Metro in February, 2004. This actual count would be more representative of the peak hour, peak direction volume on the segment of U.S. 41 adjacent to the subject site than would a count done approximately 3.6 miles south of the site.

Since there was no traffic count taken by Metro south of William Road, the Lee County traffic volumes were utilized. This segment does show a future LOS "F" even without the project. However, the proposed re-zoning will not "significantly" impact this segment (significant impact being defined as having a greater than 10% impact on the LOS "C" service volume). It is likely, that if traffic data were collected on the segment of U.S. 41 between Williams Road and Corkscrew Road, that the Level of Service would be much better. The same can be said for U.S. 41 south of Coconut Road when the extension of Three Oaks Parkway, Sandy Lane and other roadway projects that are funded for construction in the next three years are completed.

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

Sincerely,

Ted B. Treesh
Principal/Regional Manager

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Attachments

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TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES

Revised 6/23/04

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 340 VPH IN= 165 OUT= 175

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 890 VPH IN= 420 OUT= 470

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Corkscrew Road	E. of U.S. 41	4LD	0	1070	1910	2040	2070	25.0%	118	6.2%
U.S. 41	N. of Old U.S. 41	6LD	670	2490	2850	2920	2920	15.00%	71	2.5%
	N. of Coconut Rd.	6LD	670	2490	2850	2920	2920	35.00%	165	5.8%
	N. of Williams Rd.	6LD	670	2490	2850	2920	2920	45.00%	212	7.4%
	N. of Pelican Sound Blvd.	6LD	670	2490	2850	2920	2920	55.00%	259	9.1%
	N. of Corkscrew Rd.	4LD	0	1200	1980	2110	2110	30.00%	141	7.1%
	S. of Hickory Drive	4LD	0	1200	1980	2110	2110	20.00%	94	4.7%
Williams Road	E. of U.S. 41	2LU	0	130	420	550	880	15.00%	71	16.8%

Level of Service Thesholds for Corkscrew Road, Williams Road (collector) and U.S. 41 N. of Corkscrew Road taken from Lee Co. Link Specific Service Volume Table (Sept. 2003)

Level of Service Thresholds for U.S. 41 N. of Old 41 to N. of Pelican Sound Blvd. taken from Generalized LOS Tables provided by Lee Co. since this roadway is under construction to 6-Lanes

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TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D
PCS NO. 15	0.104	0.58
PCS NO. 22	0.102	0.69
PCS NO. 25	0.097	0.58

Revised 6/23/04

TOTAL PROJECT TRAFFIC AM = 340 VPH IN = 165 OUT= 175

TOTAL PROJECT TRAFFIC PM = 890 VPH IN= 420 OUT= 425

ROADWAY	SEGMENT	PCS	BASE YR ADT	2002 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Corkscrew Road	E. of U.S. 41	15	6600	15800	9	10.19%	981	1593	25.00%	44	106	1637	1699
U.S. 41	N. of Old U.S. 41	25	29100	43100	9	4.46%	2366	2943	15.00%	26	64	2969	3006
	N. of Coconut Rd.	25	29100	43100	9	4.46%	2366	2943	35.00%	61	149	3004	3091
	N. of Williams Rd.	25		SEE		4.46%	1986	2470	40.00%	70	170	2540	2640
	N. of Pelican Sound Blvd.	25		NOTE		4.46%	1986	2470	50.00%	88	213	2558	2683
	N. of Corkscrew Rd.	25	29100	43100	9	4.46%	2366	2943	30.00%	53	128	2995	3070
	S. of Hickory Drive	25	29100	35100	8	2.37%	2022	2273	20.00%	35	85	2308	2358
Williams Road	E. of U.S. 41	22	2100	3700	5	11.99%	272	480	15.00%	26	64	506	544

The 2003 Peak Hour, Peak Season, Peak Direction Volumes for U.S. 41 South of Williams Road and U.S. 41 North of Corkscrew Road were calculated based on the 2002 Traffic Count Report and the historical growth rate

NOTE: The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume for U.S. 41 between Williams Road and Corkscrew Road was taken from a recent traffic count conducted by Metro at U.S. 41 and Pelican Sound Boulevard

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COMMUNITY DEVELOPMENT

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Exhibit 6-M
Camargo MPD

Schedule of Uses
Revised

Residential "R"

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et.seq.* 34-1863 and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ASSISTED LIVING FACILITY (LDC Sections 34-1491 *et seq.*, and 34-1411) – As limited in Condition 2, Z-98-029)
CLUBS:
- Country
- Private (LDC Section 34-2111)

DWELLING UNIT:
- Single Family
- Duplex
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC section 34-1741 *et.seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et.seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
HOME CARE FACILITY
HOME OCCUPATION (LDC Section 34-1771 *et seq.*)
MODELS:
- Display center (LDC Section 34-1951 *et seq.*)
- Model home (LDC Section 34-1951 *et seq.*)
- Model unit (LDC Section 34-1951 *et seq.*)

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PARKING LOT:
- Accessory

PLACES OF WORSHIP (LDC Section 34-2051 *et seq.*)
RECREATIONAL FACILITIES: Private, On-Site
RELIGIOUS FACILITIES (LDC Section 34-2051 *et seq.*)
RESIDENTIAL ACCESSORY USES [LDC Section 34-622(c)(42)] (LDC Section 34-1171 *et seq.*)
SIGNS in accordance with Chapter 30

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ZONING

2271 McGregor Boulevard • Fort Myers, Florida 33901
Phone (239) 461-3170 • Fax (239) 461-3169

ATTACHMENT E

Commercial "C"
[No uses are being requested on the "C" parcel north of Pelican Sound Blvd]

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ATM (automatic teller machine)
AUTO PARTS STORE – without installation services
AUTOMOBILE SERVICE STATION Restricted to one use on parcel 3 or parcel 4 w/ convenience store and car wash.
BANKS AND FINANCIAL ESTABLISHMENTS [LDC Section 34-622(c)(3)]: Groups I and II
BOATS:
Boat parts store
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 *et seq.*)
BUSINESS SERVICES [LDC Section 34-622(c)(5)]: Group I
CAR WASH Restricted to Automobile Service Station parcel in conjunction with convenience store.
CLEANING AND MAINTENANCE SERVICES [LDC Section 34-622(c)(7)]
CLOTHING STORES, general [LDC Section 34-622(c)(8)]
CLUBS:
Commercial
Fraternal, membership organization (LDC Section 34-2111)
Private (LDC Section 34-2111)
COMPUTER AND DATA PROCESSING SERVICES
CONSUMPTION ON PREMISES (LDC Section 34-1261 *et seq.*)
CONVENIENCE FOOD AND BEVERAGE STORE Restricted to Automobile Service Station parcel and one additional use such as a wine or liquor store "up-scale" in nature in keeping with the overall architectural and landscape intent of the project.
CULTURAL FACILITIES [LDC Section 34-611(c)(10)]
DAY CARE CENTER, CHILD, ADULT
DEPARTMENT STORE
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE Restricted to maximum of five parcels. On Parcels 1,2,5, & 6, the drive-through facilities shall be placed on the western building façade. The automobile service station parcel may have a drive-through car wash with the entrance and exit facing east and west respectively. Parcel 7 drive through facility may be placed on the northern façade provided the vehicles pull through said facility from east to west.
DRUGSTORE, PHARMACY Limit of one store for the project.
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-611(c)(13)]: Group I (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD AND BEVERAGE SERVICE, LIMITED
FOOD STORES [LDC Section 34-622(c)(16)]: Group I
HARDWARE STORE Restricted to 10,000 sf or less.
HEALTH CARE FACILITIES [LDC Section 34-622(c)(20)]: Groups I – III
HOBBY, TOY AND GAME SHOPS [LDC Section 34-622(c)(21)]
HOUSEHOLD AND OFFICE FURNISHINGS [LDC Section 34-622(c)(22)], Groups I and II Household use shall remain per code and the Office Furnishing shall be similar to Kinko's, Office Depot, Office Max or any other like kind facility. Large newspaper printing facilities will be prohibited.

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INSURANCE COMPANIES [LDC Section 34-622(c)(23)]
LAUNDRY OR DRY CLEANING [LDC Section 34-622(c)(24)]:Group I
LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
LIBRARY
MEDICAL OFFICE
NONSTORE RETAILERS [LDC Section 34-622(c)(30)], All Groups
PACKAGE STORE (LDC Section 34-1261 et seq.) Freestanding stores will are prohibited.
PAINT, GLASS AND WALLPAPER
PARKS [LDC Section 34-622(c)(32)]: Groups I and II
PARKING LOT: .
Accessory
Garage, public parking
Temporary (LDC Section 34-2022)
PERSONAL SERVICES [LDC Section 34-622(c)(33)]: Groups I – III
GROUP I

ATM's (automatic teller machines)
Barbershops or beauty shops
Clothing alterations and repair, including dressmakers, seamstresses and tailors
Laundry agents wherein the establishment may do its own pressing and finish work but the laundering or dry cleaning is performed elsewhere
Photo agents wherein drop-off and pickup film processing services are provided but the actual processing and developing is done elsewhere
Shoe repair services wherein shoe repair or shoe shining for individual customers is performed

GROUP II. The following uses are permitted provided that lodging facilities or resorts are not included:
TABLE INSET:

Beauty spas
Health clubs or spas
Reducing or slenderizing salons
Steam or Turkish baths

GROUP III. Establishments primarily engaged in the sale, rental or service of health-related devices such as:
TABLE INSET:

Artificial limbs
Crutches
Hearing aids
Hospital beds
Optical supplies
Orthopedic supplies
Wheelchairs

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PET SERVICES Outdoor pens, enclosures and dog runs are prohibited.
PET SHOP Outdoor pens, enclosures and dog runs are prohibited.
PHARMACY
POST OFFICE
PRINTING AND PUBLISHING [LDC Section 34-622(c)(36)]

REAL ESTATE SALES OFFICE (LDC Sections 34-1951 et seq., and 34-3021)
RECREATION FACILITIES, Commercial [LDC Section 34-622(c)(38)]: Groups II and IV
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT [LDC Section 34-622(c)(39)]: Groups I and II (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.) – indoor storage only
GROUP I

Beach chairs, umbrellas and similar facilities
Bicycles
Mopeds and scooters
Passenger car pickup and drop off (no maintenance or repairs, limited storage only)

GROUP II. Household.

Appliances
Bicycles
Costumes
Furniture
Garden equipment
Movies, videotapes and similar home entertainment
Party or banquet supplies
Tools and equipment primarily for home use

REPAIR SHOPS [LDC Section 34-622(c)(40)]: Groups I and II
RESEARCH AND DEVELOPMENT LABORATORIES [LDC Section 34-622(c)(41)]: Groups II and IV
RESTAURANT, FAST FOOD Restricted to one use on parcel 2 or parcel 5.
RESTAURANTS [LDC Section 34-622(c)(43)]: Groups I, II and III
SCHOOLS:
Commercial [LDC Section 34-622(c)(45)] (LDC Section 34-2381)
SELF-SERVICE FUEL PUMPS Restricted to Automobile Service Station parcel.
SIGNS in accordance with Chapter 30
SOCIAL SERVICES [LDC Section 34-622(c)(46)]: Group I only
SPECIALTY RETAIL SHOPS [LDC Section 34-622(c)(47)]: Groups I-IV – No outdoor storage
STUDIOS [LDC Section 34-622(c)(49)]
TEMPORARY USES (LDC Section 34-3041 et seq.)
THEATER, indoor only (LDC Section 34-2471 et seq.)
USED MERCHANDISE STORES [LDC Section 34-622(c)(54)]: Groups I and II
VARIETY STORE
WHOLESALE ESTABLISHMENTS [LDC Section 34-622(c)(56)]: Group III only
NO OUTDOOR SALES OR STORAGE EXCEPT FOR OUTDOOR DINING

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INSTRUCTIONS

(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Zoning Division in the following manner:

a. Signs for case **#DCI2004-00013** must be posted by **September 28, 2004.**
b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Division, and obtain duplicate copies of the sign from the Zoning Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY ZONING DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

(Return the completed Affidavit below to the Zoning Division as indicated in previous paragraph.)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Michelle Johnson WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

SIGNATURE OF APPLICANT OR AGENT

Shellie Johnson
NAME (TYPED OR PRINTED)

2271 McGregor Blvd.
ST OR PO BOX

Fort Myers, FL 33901
CITY, STATE & ZIP

#DCI2004-00013/Camargo MPD/October 13, 2004 / JSS

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 21 day of Sept, 2004, by Michelle Johnson, personally known to me or who produced _____ as identification and who did/did not take an oath.

Signature of Notary Public

Amy Dighton
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

AMY DIGHTON
Notary Public - State of Florida
My Commission Expires Aug 16, 2007
Commission # DD204627
Bonded By National Notary Assn.

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LEE COUNTY
SOUTHWEST FLORIDA

APPLICATION FOR PUBLIC HEARING
FOR
UNINCORPORATED AREAS ONLY

Applicant's Name: The Paradise Group

Project Name: Camargo MPD

33-46-25-00-00001.0030

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TYPE OF APPLICATION

____ Special Exception **(attach Supplement A)**
____ Variance **(attach Supplement B)**
____ Conventional Zoning **(attach Supplement C)**
X Planned Development (not PRFPD) **(attach Supplement D)**
____ Amendment to built Planned Development **(Supplement D may be required)**
____ Private Recreational Facilities Planned Development **(attach Supplement D)**
____ DRI - with rezoning **(attach Supplement D and completed DRI Application)**
____ DRI - without rezoning **(attach copy of ADA)**

IS THIS PROJECT LOCATED IN THE ESTERO OR CAPTIVA PLANNING COMMUNITY? ☒ Yes* ☐ No

*If yes, please provide the meeting summary document and label accordingly.

****

STAFF USE ONLY

Case Number: DCI2004-00013 Commission District: #3

Current Zoning: MPD Fee Amount: $5,000

Land Use Classification: SUBURBAN Intake by: DXO

Planning Community: ESTERO

****
****

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585

DCI 2004-00013

PART—1
APPLICANT\AGENT INFORMATION

A. Name of applicant: The Paradise Group

Address: Street: 3265 Meridian Parkway

City: Weston State: Florida Zip: 33331

Phone: Area Code: 954 Number: 217-4880 Ext:

Fax: Area Code: 954 Number: 217-3992

E-mail address: ptremblay@paradisedev.com

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

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

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

_____ **Notarized Affidavit of Authorization form** is attached as **Exhibit PH-1.B.2.** [34-202(b)(1)c.]

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

_____ **Notarized Affidavit of Authorization form** is attached as **Exhibit PH-1.B.2.** [34-202(b)(1)c.]

_____ Application is County initiated. BOCC authorization is attached as **Exhibit PH-1.B.3**

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

C.1. Company Name: Barraco and Associates, Inc.

Contact Person: Shellie Johnson, AICP

Address: Street : 2271 McGregor Boulevard

City: Fort Myers State: Florida Zip: 33901

Phone: Area Code: 239 Number: 461 - 3170 Ext:

Fax: Area Code: 239 Number: 461 - 3169

E-mail address: ShellieJ@barrco.net

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

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PART 2
PROPERTY OWNERSHIP

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

A.1. **Name:** Charles M. Etal Long

Mailing Address: Street: 2201 2nd Street

City: Fort Myers State: Florida Zip: 33901

Phone: Area Code: 239 Number: Ext:

Fax: Area Code: Number:

E-mail:

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

B.1. X **Disclosure Form** is attached as **Exhibit PH-2.B.1.** [34-201(b)2]

C. **Multiple parcels** N/A

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

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

D. **Date property was acquired by present owner(s):** June 1, 1990

PART 3
PROPERTY INFORMATION

A. **STRAP Number(s):** 33-46-25-00-00001.0030

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B. **Street Address of Property:** Estero, FL 33928

C. **Legal Description**

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

X **Electronic version of the legal description** is attached as **Exhibit PH-3.C.2.**

D. **Boundary Survey or certified sketch of description:** (check appropriate response)

____ The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as **Exhibit PH-3.D.1.** [34-202(a)(2)]

____ The request is for a conventional rezoning, special exception, or variance on a parcel less than ten acres in area. Attached is a (check one) ____ Certified sketch of description attached as

OCT 2004-00013

_____ **Exhibit PH-3.D.2.** or _____ Boundary survey attached as **Exhibit PH-3.D.2.** [34-202(a)(2)]

_____ a

X The request is for a Planned Development or consists of ten or more acres. A Boundary survey, tied to the state plane coordinate system, is attached as **Exhibit PH-3.D.3.** [34-202(a)(2)]

E. Planning Community: **Estero**

F. General Location of Property: Northwest corner of Williams Road and U.S. 41

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

F.2. Directions to property:

The property is located on the northwest corner of the U.S. 41 and Williams Road intersection.

G. Surrounding property owners:

G.1. X **List of surrounding property owners** is attached as **Exhibit PH.3.G.1.** [34-202(a)(6)]

G.2. X **Map of surrounding property owners** is attached as **Exhibit PH.3.G.2.** [34-202(a)(7)]

G.3 X **2 sets of mailing labels** are attached as **Exhibit PH.3.G.3.** [34-202(a)(6)]

H. Current Zoning of Property: MPD

I. Current use of property: Vacant

_____ **Current Non-agricultural uses of the property are:**

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_____ **Current Agricultural uses on the property** are shown in **Exhibit PH-3.I.** [34-202(b)(7)]

J. Land Use Classification:

Suburban	+/- 80	Acres	100 **% of total**
		Acres	**% of total**
		Acres	**% of total**
		Acres	**% of total**

K. **Flood Hazard** (write NA if not applicable) [34-202(a)(8)]

N/A The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s. 84.48% - A10-EL11; 10.63% - A13-EL11; 4.88% - A10-EL10

____ The minimum elevation required for the first habitable floor is 10-11 NGVD (MSL)

L. **Deed Restrictions**

L.1. X There are no deed restrictions or other covenants on this property that affect this request.

L.2. ____ Deed restrictions\ covenants that may affect this request are attached as **Exhibit PH-3.L .2.**

L.3. ____ A narrative explanation as to how the deed restrictions or covenants may affect this request. is attached as **Exhibit PH-3.L.3** [34-202(b)(2)]

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

1. Width (average if irregular parcel): $1800^{+/-}$ Feet
2. Depth (average if irregular parcel): $1600^{+/-}$ Feet
3. Total area: $66^{+/-}$ acres Acres or square feet
4. Frontage on road or street: $1600^{+/-}$ Feet on US41 Street

   2nd Frontage on road or street: $1500^{+/-}$ Feet on Williams Road Street

PART 4
ACTION REQUESTED

A. **Action Requested:** [check applicable action(s)]

__ **Special Exception** for _____ **Attached is Supplement A**

__ **Variance** for _____ **Attached is Supplement B**

__ **Conventional Rezoning from:** _____ **to** _____ **Attached is Sup. C**

__ **Planned Development rezoning** from MPD **to** MPD

_____ DCI - Major: **Attached is Supplement D**

_____ DCI - Minor: **Attached is Supplement D**

_____ Request is for PRFPD zoning in the Private Recreational Facilities Overlay Area. **Attached is Supplement D**

X **Planned Development Amendment. Attached is the Supplement D**

N/A __ **Public Hearing for DRI**

_____ No rezoning is required.

_____ Rezoning is required. **Attached is the Supplement D**

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B. **Excavations:**

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X No blasting will be used in the excavation of lakes or other site elements.

____ A map indicating the general location of the proposed blasting locations is attached as **Exhibit PH-4.B** [34-202(b)(6)]

C. **Bonus Density** (put NA if not applicable)

N/A Bonus density will be used. Attached is **Exhibit PH-4.C** showing calculations. [34-202(b)(5)]

D. **Hazardous materials** (put NA if not applicable)

N/A A Hazardous materials emergency plan is attached as **Exhibit PH-4.D** [34-202(b)(4)]

E. **Mobile Home Park** (put NA if not applicable)

N/A Request includes rezoning of a Mobile Home Park. **Attached is Exhibit PH-4.E** [34-203(d)]

F. **Aviation Hazard** (put NA if not applicable)

N/A Property is subject to Airport Hazard District regulations. **Attached is Exhibit PH-4.F** [34-1001 et seq]

____ A tall structures permit will be required.

N/A Property is located within Noise zone: ____

G. **Estero Planning Community** (put NA if not applicable)

X A summary of public informational session. **Public Session is Pending** [34-373(a)(10)]

H. **Captiva Planning Community** (put NA if not applicable)

N/A A summary of public informational session. **Attached is Exhibit PH-4.H** [Lee Plan Policy 21.7]

I. **Waivers from Application Submission Requirements**: The following waivers have been approved by the Director of Zoning Services and are attached as **Exhibit PH-4.I** [Section 34-202(a)]

Section Number	Name of item
	Please see attached Request for Public Hearing Requirement Waiver

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PART 6
SUBMITTAL REQUIREMENTS

THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. TO BE SUBMITTED FOR EACH OF THE FOLLOWING EXHIBITS IS AS FOLLOWS:

Exhibits				SUBMITTAL ITEMS
Var.	Conv. Rez. or Spe. Exc.	PDs & DRIs		
1	1	12		Completed application for Public Hearing [34-201(b)]
1	1	1		Filing Fee - [34-202(a)(9)]

				SUPPLEMENTAL FORMS (select applicable form)
0	1	0	SUP A	Special Exception supplement
1	0	0	SUP B	Variance supplement
0	1	0	SUP C	Conventional rezoning
0	0	~~12~~	SUP D	Planned Development Rezoning or DRI with PD Rezoning requested
0	0	12	SUP-D	Planned Development Amendment
0	0	12	SUP D	PRFPD in Overlay Area Rezoning supplement
0	0	12	ADA	DRI no rezoning requested

				EXHIBITS
1	1	3	PH-1.B.2	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
1	1	1	PH-1.B.3	BOCC authorization (if applicable)
1	1	~~12~~	PH-1.C.2	Additional agents
1	1	3	PH-2.B.1.	Disclosure Form [34-201(b)(2)a]
1	1	2	PH-2.C.1	Subject property owners list (if applicable) [34-202(a)(5)]
1	1	2	PH-2.C.2	Subject Property Owners map (if applicable) [34-202(a)(5)]
2	2	2	PH-3.C.1	Legal Description [34-202(a)(1)]
1	1	1	PH-3.C.2	Electronic version of legal description (if available)
1	1	3	PH-3.D.1	Copy of Plat Book Page (if applicable) [34-202(a)(1)]
1	1	3	PH-3.D.2	Certified sketch of description (less than ten acres) [34-202(a)(2)]
1	1	3	PH-3.D.3	Boundary survey (all PDs and anything ten acres or more) [34-202(a)(2) & [34-373(a)(4)a.]
1	1	0	PH-3.F	Area Location Map on 8 by 11 paper pursuant sec. 34-202(a)(4) (Non Planned Developments)
0	0	0		Area Location Map for Planned Developments see Supplement D
1	1	2	PH-3.G.1	List of Surrounding Property Owners [34-202(a)(6)]

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			Exhibits	SUBMITTAL ITEMS
1	1	2	PH-3.G.2	Map of Surrounding Property Owners [34-202(a)(7)]
2	2	2	PH-3.G.3	Mailing labels [34-202(a)(6)]
0	1	12	PH-3.I	Agricultural uses at time of zoning application. [34-202(b)(7)]
1	1	3	PH-3.L.2	Deed Restrictions\Covenants [34-202(b)(2)]
1	1	3	PH-3.L.3	Narrative addressing effect of Deed Restrictions [34-202(b)(2)]
1	1	12	PH-4.B	Location of proposed blasting (if applicable). [34-202(b)(6)]
0	0	4	PH-4.C	Bonus Density units (if applicable) [34-202(b)(5)]
1	1	4	PH-4.D	Hazardous materials emergency plan (if applicable) [34-202(b)(4)]
0	1	4	PH-4.E	Mobile Home Park Information (if applicable) [34-203(d)]
1	1	4	PH-4.F	Aviation Hazard (if applicable) [34-1001 et seq.]
1	1	4	PH-4.G	Developments located within Estero Planning District [34-373-(a)(10]
1	1	4	PH-4.H	Developments located within Captiva Planning District [Lee Plan Policy 21.7)
1	1	12	PH-4.I	Approved Waivers [34-202(a)]

			ADDITIONAL REQUIREMENTS FOR DRIs NOT INVOLVING A REZONING
0	0	12	Notice of proposed change Substantial Deviations Form RPM-BSP-Proposed Change - 1 pursuant to Section 380.06(19) F.S.
0	0	12	DRI, AMDA, FQD Form RPM-BSP-ADA - 1. Application for Development Approval pursuant to Section 380.06 F.S.
0	0	12	Abandonment Form RPM-BSP-Abandonment-DRI-1. Application for abandonment of a DRI.

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EXHIBIT PH-1.B.2

PART V AFFIDAVIT A2

AFFIDAVIT FOR PUBLIC HEARING
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, * Owen C Ewing as VP Developmnt of Paradise Development Group, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

*Name of Entity (corporation, partnership, LLP, LC, etc)

Owen C Ewing
Signature

Owen C Ewing
(Type or printed name)

VP Development
(Title of signatory)

STATE OF
COUNTY OF

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 3/1/04 (date) by OWEN C. EWING (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Signature of person taking oath or affirmation

Name (typed, printed or stamped)

PENNY O. EATON
MY COMMISSION # DD 032085
EXPIRES: June 7, 2005
Bonded Thru Notary Public Underwriters

Title or rank

Serial number, if any

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, partnership, estate, etc., and then use the appropriate format for that ownership.*

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DCI 2004-00013

EXHIBIT PH-1.C.2
ADDITIONAL AGENTS

Company Name: Knott, Consoer, Ebelini, Hart & Swett, P.A.

Contact Person: Matt Uhle

Address: Street: 1625 Hendry Street, Unit 301

City: Fort Myers State: FL Zip: 33901

Phone: Area Code: 239 Number: 334-2722 Ext:

Fax: Area Code: 239 Number: 334-8458

E-mail address: muhle@knott-law.com

Company Name: Metro Transportation Group, Inc.

Contact Person: Ted Treesh

Address: Street : 12651 McGregor Boulevard

City: Fort Myers State: FL Zip: 33919

Phone: Area Code: 239 Number: 278-3090 Ext:

Fax: Area Code: 239 Number: 278-1906

E-mail address: tbt@metrotransportation.com

Company Name:

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

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Company Name:

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

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EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 33-46-25-00-00001.0030 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

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4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

DCI 2004-00013

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock
Paradise Development Group	
2901 Rigsby Lane	
Safety Harbor, FL 34695	

Date of Contract: 9-26-03

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: Owen C Ewing (Applicant)

Owen C Ewing (Printed or typed name of applicant)

RECEIVED MAR 17 2004 PERMIT COUNTER

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 3rd day of MARCH 20 04

by OWEN C. EWING who is personally known to me or who has produced as identification.

(SEAL)

Signature of Notary Public

PENNY O. EATON
Printed Name of Notary Public

PENNY O. EATON
MY COMMISSION # DD 032085
EXPIRES: June 7, 2005
Bonded Thru Notary Public Underwriters

OCT 2004-00013

LEE COUNTY
SOUTHWEST FLORIDA

SUPPLEMENT D

ADDITIONAL REQUIRED INFORMATION FOR A PLANNED DEVELOPMENT APPLICATION UNINCORPORATED LEE COUNTY

Case Number:

Project Name: Camargo MPD

Authorized agent: Barraco and Associates, Inc. c/o Shellie Johnson, AICP

STRAP Number(s): 33-46-25-00-00001.0030

DCI2004-00013

MAR 17 2004

Select one only

	DRI (rezoning required)	X	DCI-Minor - Amend. to approved master concept plan (2)
	DCI-Major		Amend. to built planned development meeting DCI threshold. (3)
	DCI-Minor		
	DCI-Minor - Existing Dev. (1)		PRFPD in Private Recreational Facilities Overlay Area [(34-341(a)(2)]

Notes:

(1) Existing development. A development that has already been developed but does not conform to the regulations for a conventional district and is requesting a rezoning to a planned development classification. It will be reviewed in the same manner as a minor planned development except that a traffic impact statement will not be required. [34-341(b)(2)d.1.]

(2) Amendments to application. Application to amend an approved major or minor master concept plan or its attendant documentation, or for the extension of a vacated master concept plan originally approved prior to December 2, 1991. It will be treated procedurally as minor planned developments. These applications will require only as much information, as deemed necessary by the director, needed to describe the changes requested, to specify the incremental change in impacts expected from the amendment, and to detail the changes in development, environment and background (surrounding land use, traffic volumes, water, wastewater and other service availability, etc.), that have occurred since the original application. [34-341(b)(2)d.2.]

(3) Amendments to built planned developments (PD). An application for a variance or other approval covered by this chapter wherein the subject property is the only part of the original planned development for which the approval is sought. Application meets the threshold for a development of county impact and will be reviewed in accordance with the provisions for reviewing developments of county impact. Applicant must be the owner of the subject property and the consent of the owners of the remainder of the original planned development will be unnecessary. However, these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property.

For purposes of this subsection, the term "built" means that all of the roads, utilities, buffering, open space, surface water management features and structures, common space, common amenities, common landscaping, gatehouses, entrance signs, entrance ways and other similar items identified as part of the final approved master concept plan have been constructed and acknowledged by the county as complete. In the case of residential planned developments or mixed developments which include residential structures, the term "built" does not mean that all residential structures must have been constructed on individual platted lots.

PART 1
GENERAL INFORMATION

A. **Comprehensive Plan Amendments** (check one):

X There are **NO** Lee Plan Amendments pending that could affect the future use of this property.

_____ The following Lee Plan Amendments **ARE** pending and could affect the future use of this property. (List uses and brief explanation of their effect on this application):

_____

_____

_____

_____

_____

_____

_____

_____

B. **Archaeological/Historical** (check one):

X There are **NO** known or recorded historical or archaeological sites on the property and no part of the property is located within a level 1 or level 2 zone of archaeological sensitivity pursuant to chapter 22. **[34-373(a)(4)f.]**

_____ There are known or recorded historical or archaeological sites on the property or part of the property is located within a level 1 or level 2 zone of archaeological sensitivity pursuant to chapter 22. Attached as **Exhibit 1-B** is a map indicating the nature and location of known or recorded historical or archaeological or areas of the property located within level 1 or level 2 zones of archaeological sensitivity including the outline of historic buildings and approximate extent of archaeological sites. **[34-373(a)(4)f.]**

C. **Public Transit** (check one):

_____ Property is **NOT** within the Lee Tran public transit service area.

X Property is within the Lee Tran public transit service area. **Exhibit 1-C** shows the property in relation to existing and proposed public transit routes,

D. **Density**

X There are no residential dwelling units proposed for this development.

_____ The property is located within one or more Future Land Use categories. Density has been calculated in **Part 3** of this application and is summarized below:

_____	Intensive Development	_____	Proposed dwelling units
_____	Central Urban	_____	Proposed dwelling units
_____	Urban Community	_____	Proposed dwelling units
_____	Suburban	_____	Proposed dwelling units
_____	Outlying Suburban	_____	Proposed dwelling units
_____	**TOTAL**	_____	Proposed dwelling units

PART 2
TYPES OF LAND AREA ON PROPERTY

A.	**Gross Acres (total area within described parcel)**		**Acres**
	1. Submerged land subject to tidal influence:	_____ Acres	
	2. Other non-freshwater Wetlands:	_____ Acres	
	3. R-O-W providing access to non-residential uses:	_____ Acres	
	4. Non-residential use areas (1)	_____ Acres	
B.	**Total area not eligible as gross residential acreage. Items A.1. + A.2 + A.3. + A.4.**		_____ **Acres**
C.	**Gross residential acres. (A minus B)** (2)		0.0 **Acres**
D.	**Gross residential acres by Land Use Category**	N/A	
	1. a. Intensive development - Upland	_____ Acres	
	b. Intensive development - freshwater wetland	_____ Acres	
	2. a. Central Urban - Upland	_____ Acres	
	b. Central Urban - freshwater wetland	_____ Acres	
	3. a. Urban Community or Suburban - Upland	_____ Acres	
	b. Urban Community or Suburban freshwater wetland	_____ Acres	
	4. a. Outlying Suburban - Upland	_____ Acres	
	b. Outlying Suburban - freshwater wetland	_____ Acres	
	5. a. Rural, Outer Island, Rural Community Preserve - Upland	_____ Acres	
	b. Rural, Outer Island, Rural Community Preserve - freshwater wetland	_____ Acres	
	6. a. Open Lands - Upland	_____ Acres	
	b. Open Lands - freshwater wetland	_____ Acres	
	7. a. DR/GR - Upland	_____ Acres	
	b. DR/GR - freshwater wetland	_____ Acres	
	8. a. Wetlands - freshwater	_____ Acres	
	b. Wetlands - not - freshwater	_____ Acres	
	9. a. New Community - Upland	_____ Acres	
	b. New Community - freshwater wetland	_____ Acres	
	10. a. University Community - Upland	_____ Acres	
	b. University Community - freshwater wetland	_____ Acres	
	11. **TOTAL** (should equal "C" above)	_____ Acres	

NOTES:

(1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included.

(2) Lands to be used for residential uses including land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-

made waterbodies.

PART 3 – NOT APPLICABLE
RESIDENTIAL DEVELOPMENTS
PRELIMINARY DENSITY CALCULATIONS*

* Notes: 1. Complete only if living units are proposed in a Future Land Use Category.
2. If more than one classification, calculations for each classification must be submitted.
3. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Intensive Development Category

1.	**Preliminary Standard Units**	**Maximum standard density**	**Units**
a.	Total upland Acres (from Part 2, D.1.a.)	_____ times 14 equals	_____
b.	Total freshwater wetland Acres (from Part 2, D.1.b.)	_____ times 14 equals	_____
c	Preliminary Total Standard units (a. plus b.) (1)		
2.	**Maximum Permitted Units**	**Maximum permitted**	**Units**
a.	Total upland Acres (from Part 2, D.1.a.)	_____ times 18 equals	_____
3.	**Total allowed standard units (A.1.c. or A.2.a., whichever is less)**		
4.	**Bonus Units** (2)		
a.	Low-moderate housing density:		_____
b.	TDR units:		_____
c.	Sub-total (A.4.a. plus A.4.b.)		_____
5.	**Total Permitted Units (A.3. plus A.4.c.):** (1)		_____

B. Central Urban Category

1.	**Preliminary Standard Units**	**Maximum standard density**	**Units**
a.	Total upland Acres (from Part 2, D.2.a.)	_____ times 10 equals	_____
b.	Total freshwater wetland Acres (from Part 2, D.2.b.)	_____ times 10 equals	_____
c.	Preliminary Total Standard units (a. plus b.) (1)		
2.	**Maximum Permitted Units**	**Maximum permitted**	**Units**
a.	Total upland Acres (from Part 2, D.2.a.)	_____ times 12.5 equals	_____
3.	**Total allowed standard units (B.1.c. or B.2.a., whichever is less)**		
4.	**Bonus Units** (2)		
a.	Low-moderate housing density:		_____
b.	TDR units:		_____
c.	Sub-total (B.4.a. plus B.4.b.)		_____
5.	**Total Permitted Units (B.3. plus B.4.c.):** (1)		_____

Notes:
(1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.
(2) If low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

C. Urban Community Category

1. **Preliminary Standard Units**	**Maximum**	**standard density**	**Units**
a. Total upland Acres (from Part 2, D.3.a.)	_____	times 6 equals	_____
b. Total freshwater wetland Acres (from Part 2, D.3.b.)	_____	times 6 equals	_____
c. Preliminary Total Standard units (a. plus b.) (1)			

2. **Maximum Permitted Units**	**Maximum**	**permitted**	**Units**
a. Total upland Acres (from Part 2, D.3.a.)	_____	times 8 equals	_____

3. **Total allowed standard units (C.1.c. or C.2.a, whichever is less)**

4. **Bonus Units** (2)

a. Low-moderate housing density:	_____
b. TDR units:	_____
c. Sub-total (D.4.a. plus D.4.b.)	_____

5. **Total Permitted Units (C.3. plus C.4.c.):** (1) _____

Notes:
(1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.
(2) If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

D. Suburban Category

1. **Preliminary Standard Units**	**Maximum**	**standard density**	**Units**
a. Total upland Acres (from Part 2, D.3.a.)	_____	times 6 equals	_____
b. Total freshwater wetland Acres (from Part 2, D.3.b.)	_____	times 6 equals	_____
c. Preliminary Total Standard units (a. plus b.) (1)			_____

2. **Maximum Permitted Units**	**Maximum**	**permitted**	**Units**
a. Total upland Acres (from Part 2, D.3.a.)	_____	times 8 equals	_____

3. **Total allowed standard units (D.1.c. or D.2.a., whichever is less)** _____

E. Outlying Suburban Category

1. **Preliminary Standard Units**	**Maximum**	**standard density**	**Units**
a. Total upland Acres (from Part 2, D.4.a.)	_____	times 3 equals	_____
b. Total freshwater wetland Acres (from Part 2, D.4.b.)	_____	times 3 equals	_____
c. Preliminary Total Standard units (a. plus b.) (1)			

2. **Maximum Permitted Units**	**Maximum**	**permitted**	**Units**
a. Total upland Acres (from Part 2, D.4.a.)	_____	times 4 equals (1)	_____

3. **Total allowed standard units (E.1.c. or E.2.a., whichever is less)** _____

Notes:
(1) Outlying suburban land located north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78), and in the Buckingham area (see Goal 19 of the Lee Plan), the maximum upland density is two (2) units per acre plus one (1) for a total of three (3) units per acre.

PART 4
ENVIRONMENTAL ISSUES

A. **Topography:** Describe the range of surface elevations of the property:

The project site is relatively flat pasture land.

B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Lee Plan), flowways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1.1 (2)] or listed species occupied habitat (see Sec. 10-4730 of the Land Development Code.

None.

continued

C. **Preservation/Conservation of Natural Features**: Describe how the lands listed in B. above will be protected by the completed project:

As described in Resolution No. Z-98-029.

D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

N/A

PART 5
SANITARY SEWER FACILITIES (34-415)

A. **Special Effluent**: If special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

N/A

B. **Private On-site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:

1. Method and degree of treatment:

   N/A

2. Quality of the effluent:

   N/A

3. Expected life of the facility:

   N/A

4. Who will operate and maintain the internal collection and treatment facilities:

   N/A

5. Receiving bodies or other means of effluent disposal:

   N/A

continued

C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

PART 6 - SUBMITTAL REQUIREMENTS

Copies*		Exhibits	Item
Sub.	Req.		
	12		Public Hearing Application form **[34-373(a)(1)]**
	1		Application Fee **[34-373(a)(2)]**
			DESCRIPTION OF EXISTING CONDITIONS
	3	**1-B**	**Historical or Archaeological sites:** The nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey, and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. The plan must show the outline of historic buildings and approximate extent of archaeological sites. A description of proposed improvements that may impact archaeological or historical resources must also be provided. **[34-373(a)(4)h.]**
	12	**1-C**	**Public Transit.** A map or other depiction of the property in relation to existing and proposed public transit routes, as well as to bus stops, if located within the Lee Tran public transit service area. **[34-373(a)(4)g.]**
	3	**6-A**	**A Boundary Survey,** prepared by a professional surveyor, that meets the minimum technical standards as set out in chapter 61G17-6, F.A.C., and which survey has been signed and sealed within one year of the application date, and which shows existing conditions on the property to full survey accuracy. **[34-373(a)(4)a.]**
	12	**6-B**	**Area Location Map** on 8.5" by 11" paper. A map marked to show the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. **[34-373(a)(4)b.]**
	12	**6-C**	**Existing zoning and current land uses** A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 500 feet. **[34-373(a)(4)c.]**
	12	**6-D**	**Aerial photograph** with the site clearly delineated. **[34-373(a)(4)d.]** **Originals only - photocopies not acceptable.**
	4	**6-E**	**Soils, vegetation, rare & unique uplands, topography.** Maps drawn at the same scale as the master concept plan marked or overprinted to show the information required by section 34-373(a)(4)e.] **[34-373(a)(4)e.]**
	4	**6-F**	**FLUCCS Map.** A Florida Land Use, Cover and Classification System (FLUCCS) map at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any federal and state jurisdictional wetlands and other surface waters, including the total acreage of federal and state wetlands. **[34-373(a)(4)f.]**
			NARRATIVE COMPLIANCE STATEMENTS
	12	**6-G**	**Lee Plan Compliance.** A narrative explanation as to how the proposed development complies with the Lee Plan. **[34-373(a)(5)]**
	3	**6-H**	**Design Standards Compliance.** A narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. **[34-373(a)(5)]**
	3	**6-I**	**Decision-making compliance.** A narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in sections 34-145(c)(2)a and e. and 34-145(d)(3). **[34-373(a)(5)]**

Copies*		Exhibits	Item
			MASTER CONCEPT PLAN
	12	**6-J**	**Master Concept Plan, Non-PRFPD** . A graphic illustration (master concept plan) of the proposed development, showing and identifying the information required by Section 34-373(a)(6). Copies of the master concept plan must be provided in two sizes, 24 inches by 36 inches, and 11 inches by 17 inches in size and must clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-373(a)(6)]**
N/A	12	**6-K**	**Master Concept Plan, PRFPD :** A clearly legible drawing, no less than 24 inches by 36 inches in size and drawn at a scale sufficient to adequately show and identify the information required by Section 34-941(g). **[34-941(g)]**
	4	**6-L**	**Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the county and in conformance with the adopted county administrative code. **[34-373(a)(7)]** TIS is not required for an existing development. **[34-341(b)(2)d.1.]**
	12	**6-M**	**Schedule of Uses.** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by section 34-373(a)(8)]. **[34-373(a)(8)]**
	12	**6-N**	**Schedule of deviations and a written justification.** A schedule of deviations and a written justification for each deviation requested as part of the master concept plan. The location of each requested deviation must be located on the master concept plan. **[34-373(a)(9)]**
			ADDITIONAL REQUIREMENTS FOR MAJOR PDs
	4	**6-O**	**Surface water management plan** A written description of the surface water management plan as required by Section 34-373(b)(1). **[34-373(b)(1)]**
N/A	12	**6-P**	**Phasing program.** If the development is to be constructed in phases or if the traffic impact statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
			ADDITIONAL REQUIREMENTS FOR LARGE PROJECTS
	4	**6-Q**	**Protected species survey.** Required for large developments (defined in Chapter 10-1), a protected species survey as required by section 10-473. **[34-373(b)(2)]**
			AMENDMENTS TO BUILT PLANNED DEVELOPMENTS
	4	**6-R**	**Proof of notice to other property owners.** Although the consent of the owners of the remainder of the original planned development is not required, the owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. **[34-373(c)]**
N/A			**REQUIREMENTS FOR DRIs**
	12	**6-S**	**Binding letter of interpretation from DCA or a complete and sufficient ADA.** **[34-373(d)(2)]**
N/A			**ADDITIONAL EXHIBITS - PRFPDs**
	4	**6-T**	Conceptual surface water management **[34-941(d)(3)b.i.1)]**
	12	**6-U**	If within an area identified as an anticipated draw down area, demonstration of compliance with section 34-941(d)(3)d. **[34-941(d)(3)d.]**
	12	**6-V**	Preliminary indigenous restoration plan (if applicable). **[34-941(e)(5)f]**
	12	**6-W**	Environmental Assessment **[34-941(g)(2)]**
	12	**6-X**	Demonstration of compatibility **[34-941(g)(4)]**

*** includes 1 original**

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: Owen C Ewing
(Applicant)

Owen C. Ewing
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 9 day of July 20 04

by Owen C. Ewing who is personally known to me or who has produced _____ as identification.

(SEAL)

Joelle Gibson
Signature of Notary Public

Joelle Gibson
Printed Name of Notary Public

JOELLE GIBSON
Notary Public, State of Florida
My Comm. Expires April 12, 2008
No. DD309892

RECEIVED
JUL 20 2004
PERMIT COUNTER

DCI 2004-00013

LEE COUNTY

PRE2004-00026

REQUEST FOR PUBLIC HEARING SUBMITTAL REQUIREMENT WAIVER

Upon written request, the director may modify the submittal requirements for Public Hearings where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF SUBMITTAL ITEMS REQUIRED FOR PUBLIC HEARING

_____ Public Hearing - General Requirements **(34-202)**
X Public Hearing - Additional requirements for:
- _____ Development of Regional Impact **(34-203(a))**
- _____ Planned Developments **(34-203(b))**
- _____ Rezonings other than Planned Developments **(34-203 (c))**
- _____ Mobile Home Park **(34-203(d))**
- X Special Exception **(34-203(e))**
- _____ Variances **(34-203(f))**

RECEI
Knott, Consoer, [illegible]
[illegible] Avett, [illegible]
AM FEB 2 3 2004 PM
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4

PLEASE PRINT OR TYPE:

STRAP Number: 33-46-25-00-00001.0030

Name of Project: Camargo Trust

Name of Applicant*: The Paradise Group

Street Address: 2901 Rigsby Lane

City: Safety Harbor State: Florida Zip: 34695

Phone #: 727-726-1115 Fax #: 727-726-2337 E-mail

*** If applicant is not the owner, a letter of authorization from the owner must be submitted.**

SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
34-323(a)(4)ei	Soils Map
34-373(a)(5)ii	FLUCCS MAP
34-323(a)(4)(e)iii	Rare and Unique Uses Map
34-373(a)(4)(e)iv	Topographical Map
34-373(a)(4)(f)	FLUCCS Map

RECEIVED
MAR 1 7 2004
PERMIT COUNTER

DCI 2004-00013

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

SCOPE OF PROJECT AND REASON(s) FOR REQUEST

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver should be approved. Use additional sheets if necessary.

(Please print or type)

See attached

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Signature of Applicant:

Directors Decision: X **Request Approved** _____ **Request Denied**

Comments:

Signature: _____ **Date:** 2-12-04

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MAR 17 2004
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DCI 2004-00013

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

SCOPE OF PROJECT AND REASON(s) FOR REQUEST

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver should be approved. Use additional sheets if necessary.

(Please print or type)

The property was zoned MPD in 1998. The documents that are the subject of the Waiver request were submitted at that time. The condition of the property has not changed in any meaningful way since the previous zoning approval.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Matthew J. Uhle

Signature of Applicant: AGENT FOR THE PARADISE GROUP

Directors Decision: _____ **Request Approved** _____ **Request Denied**

Comments:

Signature: _____ **Date:** _____

EXHIBIT 6-L

TRAFFIC IMPACT STATEMENT

FOR

PARADISE GROUP PARCEL
(a/k/a CAMARGO TRUST PARCEL)

PROJECT NO. 0401.18

DCI 2004-00013

RECEIVED
MAR 17 2004
PERMIT COUNTER

PREPARED BY:
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919-4489
239-278-3090

March 8, 2004

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VI. FUTURE TRAFFIC CONDITIONS

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VIII. CONCLUSION

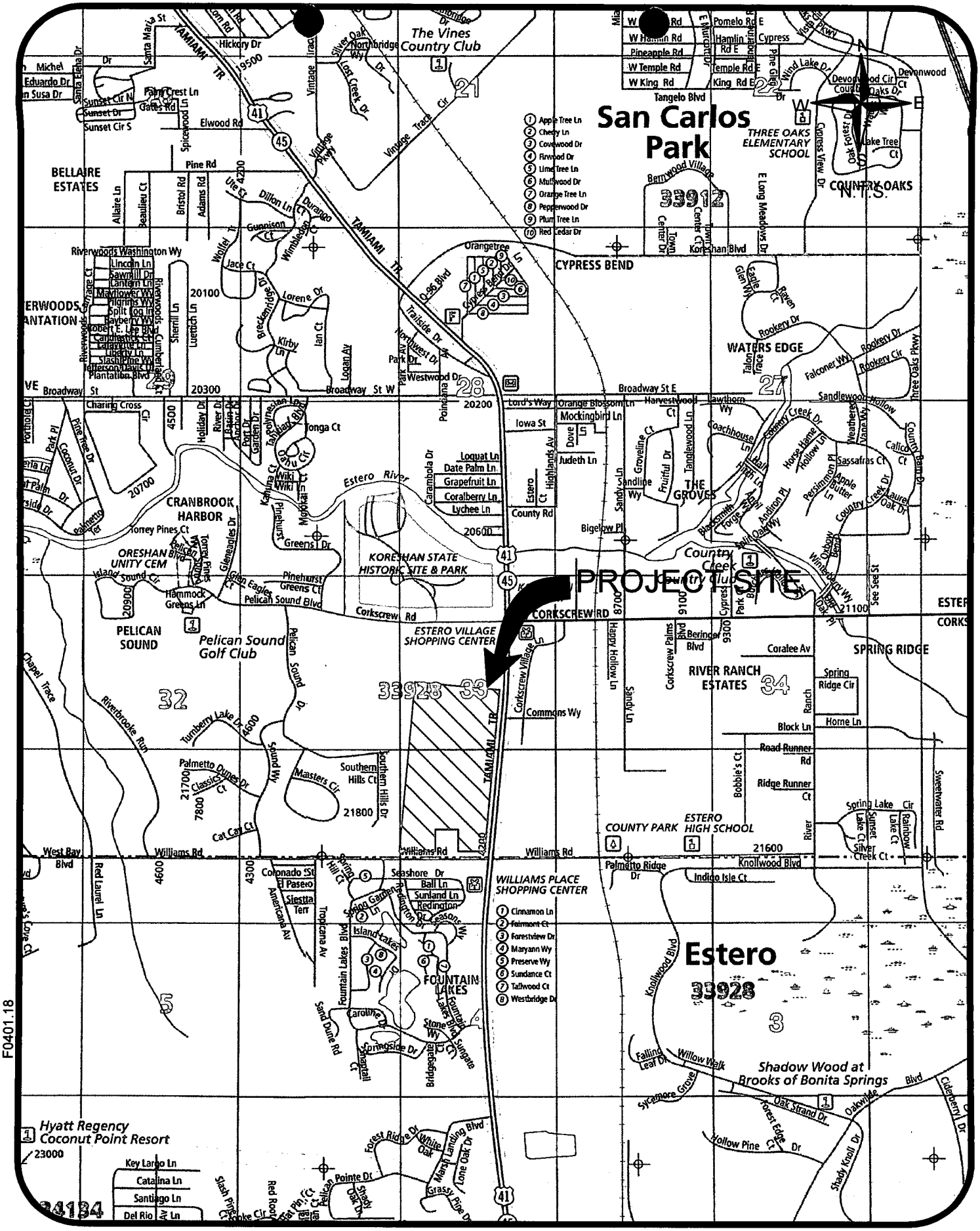
I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact analysis to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for Zoning. The development site is located on the west side of U.S. 41 north of Williams Road in the Estero area of Lee County, Florida. The site location is illustrated on **Figure 1**.

This traffic impact study is for the submittal of two (2) separate zoning applications. Each application is separate and distinct however they both have a common thread in each parcel is currently part of a single MPD that was approved in 1998 under Zoning Resolution Z-98-029 (Camargo Trust MPD). The first application is simply a renewal and modification of the original MPD plan with some changes in the maximum thresholds and permitted uses. The second application will be to add additional retail floor area to the MPD Master Concept Plan for a portion of the property near the northern boundary. For purposes of this TIS, the development of both applications was considered under one traffic analysis since the MPD will continue to share access to the public roadway system. A meeting was held with Community Development Staff to reach an agreement on the methodology for a single transportation analysis.

For tracking purposes, the first application will simply be called the "Paradise Group MPD" since it is in fact a modification to the existing MPD. The original zoning of the property expired, however the residential portion of the project was allowed to maintain the zoning in order for that portion of the property to be developed with multi-family residential units. The second application will be referred to as the "Camargo Trust MPD".

The following report will examine the anticipated trip generation of the proposed overall development and evaluate the impact the additional trips will have on the surrounding roadway network.


PROJECT SITE
San Carlos Park
The Vines Country Club
THREE OAKS ELEMENTARY SCHOOL
BELLAIRE ESTATES
CYPRESS BEND
WATERS EDGE
THE GROVES
CRANBROOK HARBOR
KORESHAN STATE HISTORIC SITE & PARK
ESTERO VILLAGE SHOPPING CENTER
PELICAN SOUND
Pelican Sound Golf Club
RIVER RANCH ESTATES
SPRING RIDGE
COUNTY PARK
ESTERO HIGH SCHOOL
WILLIAMS PLACE SHOPPING CENTER
FOUNTAIN LAKES
Estero
33928
Shadow Wood at Brooks of Bonita Springs
Hyatt Regency Coconut Point Resort
TAMIAMI TR
CORKSCREW RD
Estero River
Williams Rd
Broadway St W
Broadway St E
Corkscrew Village Ln
Commons Wy
Knollwood Blvd
Palmetto Ridge Dr
Indigo Isle Ct
Seashore Dr
Ball Ln
Sunland Ln
Redington Dr
Island Lakes
Fountain Lakes Blvd
Carolina
Sand Dune Rd
Springside Dr
Bridgegate
Stone Pine Wy
Sungate
Lake Blvd
Fountain Lakes Dr
Coronado St
El Paseo
Siesta Terr
Americana Av
Tuscana Av
Spring Garden Ln
Spring Hill Ct
Masters Cir
Southern Hills Ct
Southern Hills Dr
Palmetto Dunes Dr
Classic Ct
Cat Car Ct
Turnberry Lake Dr
Sound Wy
Pelican Sound Dr
Riverbrooke Run
Chapel Trace
West Bay Blvd
Red Laurel Ln
Key Largo Ln
Catalina Ln
Santiago Ln
Del Rio Av Ln
Pelican Pointe Dr
Forest Ridge Dr
White Oak
Marsh Landing Blvd
Lone Oak Dr
Grassy Pine Dr
Shady Oak Dr
Shady Knoll Dr
Hollow Pine Ct
Forest Edge Dr
Oak Strand Dr
Oakwilde Blvd
Willow Walk
Falling Leaf Dr
Sycamore Grove
Clubberry Dr
Knollwood Blvd
Sweetwater Rd
Silver Creek Ct
Spring Lake Cir
Lake Ct
Sunset Lane
Rainbow Lane Ct
Ridge Runner Ct
Road Runner Rd
Block Ln
Home Ln
Spring Ridge Cir
Coralee Av
Beringer Blvd
Corkscrew Palms Blvd
Hawk Hollow Ln
Sandy Ln
Bigelow Pl
County Rd
Estero Ct
Highlands Av
Iowa St
Mockingbird Ln
Dove Ln
Judeth Ln
Orange Blossom Ln
Lord's Way
Harvestwood Ct
Lawthorn Wy
Sandlewood Hollow
Country Creek Dr
Coachhouse Ln
Horse Home Hollow Ln
Weathers Vane Wy
Calico Ct
Sassafras Ct
Persimmon Pl
Apple Butter Ln
Laurel Oak Dr
Anchor Pl
Blacksmith Forge Ln
Split Oak Wy
Oxbow Bend
Winterberry Wy
See See St
Rookery Dr
Rookery Cir
Falconer Wy
Eagle Ct
Glen Wy
Raven
Talon Trace
Three Oaks Pkwy
Lakewood Blvd
Koreshan Blvd
Bernwood Village
Tangelo Blvd
Pineapple Rd
W Temple Rd
W King Rd
W Hamlin Rd
Pomelo Rd E
Hamlin Rd E
Temple Rd E
King Rd E
Cypress
Devonwood Cir
Devonwood Court
Oaks Dr
Lake Tree Ct
Oak Forest Dr
Cypress View Dr
COUNTRY OAKS
N.T.S.
Elwood Rd
Pine Rd
Hickory Dr
Palm Crest Ln
Gates Rd
Sunset Cir N
Sunset Dr
Sunset Cir S
Spicewood Ln
Vintage Trace Cir
Vintage Pkwy
Silver Oak Dr
Northbridge Way
Lost Creek Dr
Vintage Trace
Dillon Ln
Durango
Gunnison Ct
Wimbledon Ct
Wolfel Tr
Jace Ct
Breckenridge Dr
Lorene Dr
Kirby Ln
Ian Ct
Logan Av
Park Av
Park Dr
Westwood Dr
Trailside Dr
Northwest Dr
Poinciana
Orangetree Ln
Cypress Pond Ln
Q-96 Blvd
Riverwoods Washington Wy
Lincoln Ln
Sawmill Dr
Lantern Ln
Mayflower Wy
Pilgrims Wy
Split Log Ln
Bayberry Wy
Robert E. Lee Blvd
Candlestick Ct
Lafayette Ln
Liberty Ln
Jefferson Davis Ln
Plantation Blvd
Slash Pine Wy
Sherrill Ln
Luetich Ln
Allaire Ln
Beaulieu Ct
Bristol Rd
Adams Rd
Ute Ct
Charing Cross
Holiday Dr
River Dr
Port Dr
Garden Dr
Polynesian Ln
Tahiti Blvd
Jonga Ct
Pine Tree Dr
Coconut Dr
Palmetto Ter
Torrey Pines Ct
Pinehurst
Greens Dr
Greens Ct
Pelican Sound Blvd
Hammock Greens Ln
Island Sound Cir
Glen Eagles Ct
Gleneagles Dr
Kahuna Ct
Wiki Wiki Ln
Mokuna Ln
Loquat Ln
Date Palm Ln
Grapefruit Ln
Coralberry Ln
Lychee Ln
Carambola Dr
Fruitful Dr
Groveline Ct
Tanglewood Ln
Sandline Wy
Sandy Ln
Bobbie's Ct
Ridge Runner Ct
Knollwood Blvd
Palmetto Ridge Dr
Williams Rd
Broadway St W
Broadway St E
Westwood Dr
Park Dr
Lord's Way
Iowa St
Estero Ct
County Rd
Bigelow Pl
Corkscrew Rd
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Red Root
Pelican Pointe Dr
Santa Maria St
Santa Elena Dr
Michel
Eduardo Dr
Susa Dr
Vintage Trace
Vintage Pkwy
Lake Tree Ct
Oak Forest Dr
Cypress View Dr
Devonwood Court
Devonwood Cir
Oaks Dr
Wind Lake Dr
Pine Grove Dr
Cypress
Hamlin Rd E
Temple Rd E
King Rd E
Pomelo Rd E
W Hamlin Rd
W Temple Rd
W King Rd
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Tangelo Blvd
Bernwood Village
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Garden Dr
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Tahiti Blvd
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Palmetto Ter
Torrey Pines Ct
Pinehurst
Greens Dr
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Loquat Ln
Date Palm Ln
Grapefruit Ln
Coralberry Ln
Lychee Ln
Carambola Dr
Fruitful Dr
Groveline Ct
Tanglewood Ln
Sandline Wy
Sandy Ln
Bobbie's Ct
Ridge Runner Ct
Knollwood Blvd
Palmetto Ridge Dr

II. EXISTING CONDITIONS

The subject site is currently vacant. Williams Road and an existing Adult Assisted Living Facility, called the Lifecare Center of Estero, border the site to the south. To the north, the site is bordered by vacant land and the Covered Wagon Trail Trailer Park, to the east the site is bordered by U.S. 41, and across U.S. 41 is the proposed North Point Development of Regional Impact (DRI). To the west, the site is bordered by the Pelican Sound Golf and Country Club, a gated residential golf course community. The site is bi-sected by Pelican Sound Boulevard, a four lane divided roadway that serves as the primary access to the Pelican Sound Golf and Country Club (a/k/a River Ridge). The first zoning application is for the entire parcel while the second application will be limited to the portion of the site to the north of Pelican Sound Boulevard and east of the multi-family uses approved on the Master Concept Plan (to be referred to as the "northern parcel").

U.S. 41 is a currently under construction to be widened to a six-lane divided arterial in the area of the subject site. At the unsignalized intersection of Pelican Sound Boulevard, U.S. 41 will have a northbound left turn lane and a southbound right turn lane. Signalized intersections exist to the north of the site at Corkscrew Road and to the south at Williams Road. U.S. 41 will have a posted speed limit of 50 mph adjacent to the subject site and is under the jurisdiction of the Florida Department of Transportation (FDOT).

Williams Road is a two lane Collector road that extends east from it's terminus into the West Bay Club gated golf course residential community just over one mile west of U.S. 41. East of U.S. 41, Williams Road extends to Three Oaks Parkway and serves as a primary access to Estero High School. Williams Road has a posted speed limit of 35 mph west of U.S. 41 and is under the jurisdiction of Lee County.

In order to obtain a better understanding of the peak hour traffic conditions that exist at the Pelican Sound Boulevard/U.S. 41 intersection, Metro conducted a weekday midday and P.M. peak hour traffic count at the subject intersection in February, 2004.

III. PROPOSED DEVELOPMENT

The proposed zoning applications consist of two (2) applications, as discussed in the Introduction of this report. The first application, called the Paradise Group application, will modify the existing MPD and either eliminate or reduce the intensity of several uses permitted on the subject site. The second application will then add uses to the northern section of the property, or that portion of the property that lies north of Pelican Sound Boulevard.

Table 1 indicates the size and uses that are currently approved in the MPD (Resolution Z-98-029). Also indicated in Table 1 are the uses that are being requested as part of the first re-zoning application and the bottom portion of Table 1 indicates the size and uses that are being requested as part of the second re-zoning application.

Table 1
Paradise Group/Camargo MPD
Land Uses
Permitted and Requested

Land Use	Size
Permitted Under Z-98-029	
Office	200,000 s.f.
Retail	100,000 s.f.
Multi-Family Residential	300 Units
Hotel	105 Rooms
Assisted Living Facility	500 Beds
Paradise Re-Zoning Application (Total Parcel)	
Retail	100,000 s.f.
Multi-Family Residential	300 Units
Camargo Re-Zoning Application (Northern Parcel Only)	
Office	25,000 s.f.
Retail	75,000 s.f.

Therefore, in order to complete on transportation analysis, the two zoning applications were combined since they will share common infrastructure, including access to the public roadways. **Table 2** indicates the overall density that was analyzed as part of this Traffic Impact Statement. It should be noted that the zoning for multi-family portion of

the MPD did not expire and this portion of the project has recently been granted a Development Order. The Development Order for the residential portion of the site does not include the maximum permitted 300 units. The Developer of the north parcel would like the flexibility to move the remaining units (with the cumulative count not to exceed 300 units) to the "northern parcel" as part of the second application. This will have no impact on the trip generation, since the overall use remains at 300 multi-family residential units.

Table 2
Paradise Group/Camargo MPD
Land Uses
Combined Applications

Land Use	Size
Office	25,000 s.f.
Retail	175,000 s.f.
Multi-Family Residential	300 Units

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 7th Edition. Land Use Code 710 (General Office) was used for the office use, Land Use Code 820 (Shopping Center) was used for the retail uses and Land Use Code 230 (Multi-Family Residential) was used for the multi-family units. The trip generation equations for these proposed land uses are located in the Appendix of this report for reference. **Table 3** indicates the number of trips anticipated to be generated by the proposed combined re-zoning applications.

Table 3
Trip Generation
Paradise Group/Camargo Applications

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Office	50	10	60	15	90	105	460
Retail	135	85	220	435	470	905	9,770
Multi-Family	20	105	125	100	50	150	1,635
Total Trips	205	200	405	550	610	1,160	11,865

The trips indicated in Table 2 for the proposed zoning applications will not entirely be new trips to the adjacent roadway system. ITE estimates that retail centers of comparable size may attract a significant amount of its traffic from vehicles already traveling the adjoining roadway system. This traffic, called "pass-by" traffic, reduces the development's overall impact on the surrounding roadway system but does not decrease the actual driveway volumes. Lee County permits a maximum reduction in trips of thirty-percent (30%) due to "pass-by" trips.

For this analysis, the "pass-by" traffic was accounted for to determine the number of "new" trips the development will add to the surrounding roadways. **Table 4** summarizes the pass-by percentage for the proposed uses. **Table 5** summarizes the development traffic and the breakdown between the new trips the development is anticipated to generate and the "pass-by" trips the development is anticipated to attract. It should be noted that the driveway volumes are not reduced as a result of the "pass-by" reduction, only the traffic added to the surrounding streets and intersections.

Table 4
Pass-by Trip Reduction Factors
Paradise Group/Camargo Applications

Land Use	Percentage Trip Reduction
Retail (LUC 820)	30%

Table 5
Trip Generation
Paradise Group/Camargo Applications

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Trip Generation	205	200	405	550	610	1,160	11,865
Less Pass-by Traffic	-60	-60	-120	-165	-185	-350	-3,560
Total New Trips	145	140	285	385	425	810	8,305

Based on the anticipated trip generation shown in Table 5, the development will be classified and analyzed based on the guidelines established for a development generating "more than 300 trip ends" during the peak hour by the Lee County Traffic Impact Statement Guidelines.

A comparison trip generation was also computed based on the intensity of the previously approved development. The zoning for the commercial portion of the MPD has since expired. As previously identified in Table 1, the previous MPD zoning permitted up to 300,000 square feet of commercial uses, of which 100,000 square feet could be retail. In addition, a hotel, ALF and the multi-family were permitted. **Table 6** indicates the number of "new" trips (Retail uses reduced by the same 30% pass-by rate) the project would have added to the roadway system should the previous MPD be restored as originally approved.

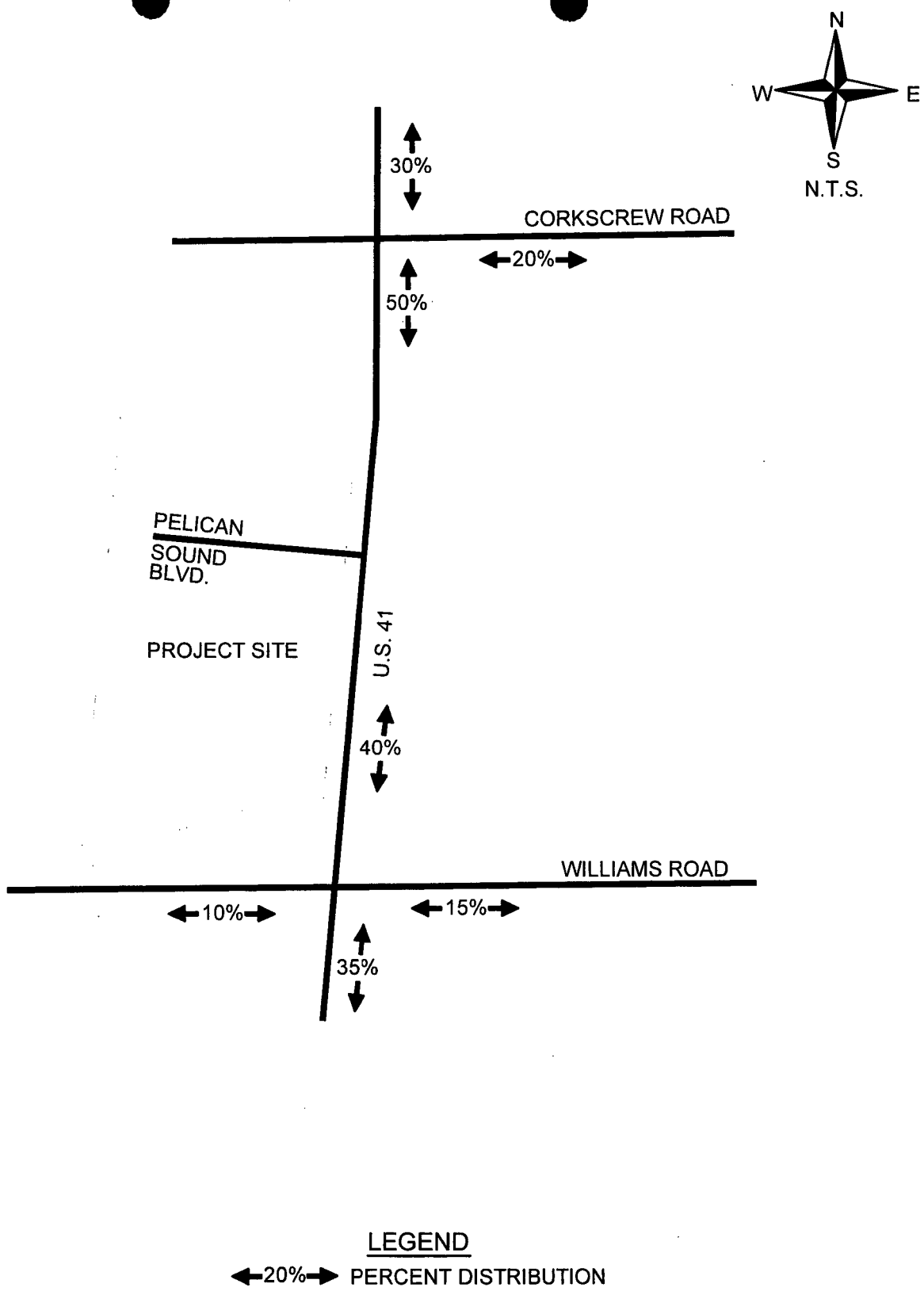
Table 6
Trip Generation
Previously Approved MPD(Res. Z-98-029)

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Trip Generation	475	250	725	530	715	1,245	12,335
Less Pass-by Traffic	-30	-20	-50	-90	-100	-190	-2,040
Total New Trips	445	230	675	440	615	1,055	10,295

As can be seen from Table 6, the previously approved MPD plan would have generated more "new" trips to the surrounding roadways due to the greater intensity of "destination uses", such as office, ALF and hotel.

V. TRIP DISTRIBUTION

The new trips shown in Table 5 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. The driveway volumes shown in Table 5 were assigned to the various proposed site access drives. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. The anticipated trip distribution of the development traffic is shown on **Figure 2**.



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TRIP DISTRIBUTION
PARADISE / CAMARGO MPD

Figure 2

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service "C" volumes, as defined by the Lee County Peak Hour, Peak Direction Service Volumes, as provided by the Lee County Department of Transportation.

Based on the information contained within Table 1A, the proposed combined projects are not expected to significantly impact any roadway link within the vicinity of the subject site as a result of the added development traffic.

VI. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2007. Based on this project build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections within the projects' area of influence for the year 2008. The existing roadway link traffic data and the growth rates were obtained from the 2002 Lee County Traffic Count Report, with the exception of the link of U.S. 41 between Corkscrew Road and Williams Road. The 2002 Lee County Traffic Count Report only has traffic data on U.S. 41 north of Old 41 (approximately 2.6 miles south of Williams Road) and on U.S. 41 south of Hickory Drive (approximately 2.7 miles north of Pelican Sound Boulevard). There are several major roadways that divert and even add traffic to the U.S. 41 corridor within this approximately 5.3 mile long section of U.S. 41, including but not limited to Corkscrew Road, Williams Road, and Coconut Road. This does not include several larger residential communities that have their only access to this segment of U.S. 41. Therefore, the peak hour, peak direction, peak season volume shown in Table 2A for the link of U.S. 41 between Corkscrew Road and Williams Road was taken from the weekday P.M. peak hour turning movement count conducted by Metro in February, 2004. The growth rate from the 2002 Lee County Traffic Count report was applied to this volume to estimate the projected 2008 background traffic conditions on this link prior to the projects being completed.

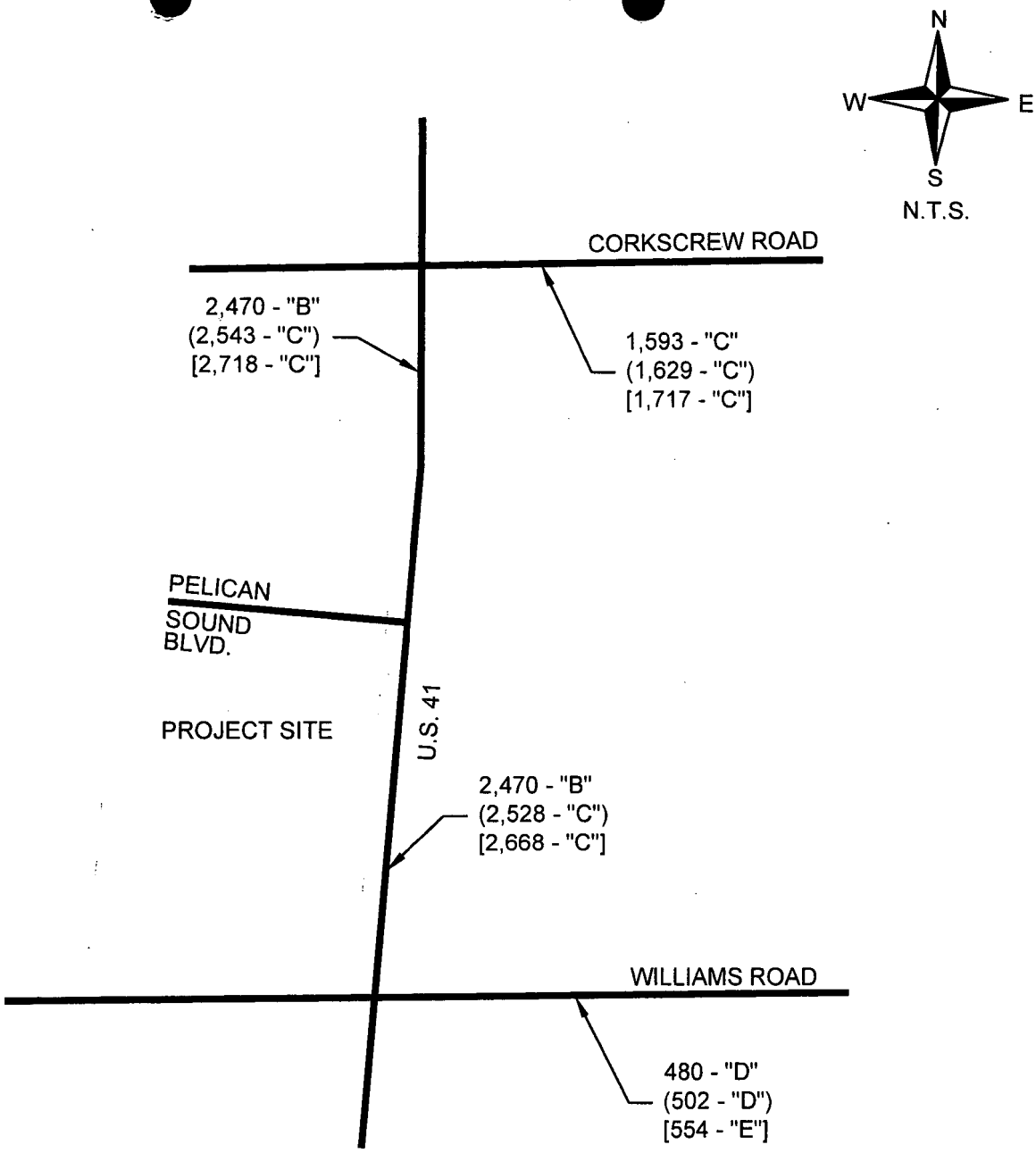
Based on the project distribution shown in Figure 3, the intersection turning movement counts and the roadway link data was analyzed for the year 2008 without the development and year 2008 with the development. **Table 2A**, contained in the Appendix of the report, outlines the methodology used in determining the 2008 traffic volumes as well as the growth rate utilized for each roadway segment.

Figure 3 indicates the year 2008 peak hour traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the Peak Hour volume and Level of Service of each link should no development occur on the subject site and the peak hour volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. These values are also derived from **Table 2A** contained in the Appendix.

The assignment of the trips to the various site access drives is shown on **Figure 4**. It should be noted that the site traffic access drives were not modified from the original MPD submittal. The access to the site includes a right-in/right-out only approximately 625 feet north of the Pelican Sound Boulevard intersection, the Pelican Sound Boulevard intersection, which is being constructed as a full median opening with the current U.S. 41 widening, a northbound left-in/right-in/right-out approximately 1,050 feet south of Pelican Sound Boulevard (also being constructed with the U.S. 41 widening), a right-in/right-out on Williams Road approximately 302 feet west of U.S. 41 and a full access to Williams Road approximately 1,250 feet west of U.S. 41. The assignments indicated in Figure 4 reflect the total driveway volumes as the driveway volumes are not reduced as a result of "pass-by" traffic, on link volumes.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

As can be seen from Figure 3, the roadway links immediately adjacent to the subject site will not be adversely impacted as a result of the proposed development. Nearly all of the roadway links analyzed as a result of this analysis are shown to operate at an acceptable Level of Service according to the Lee County Level of Service Standards. The only exception is U.S. 41 to the north of Corkscrew Road and to the south of Williams Road.



LEGEND

XXX - "C" 2008 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2008 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS AM PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2008 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS PM PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION

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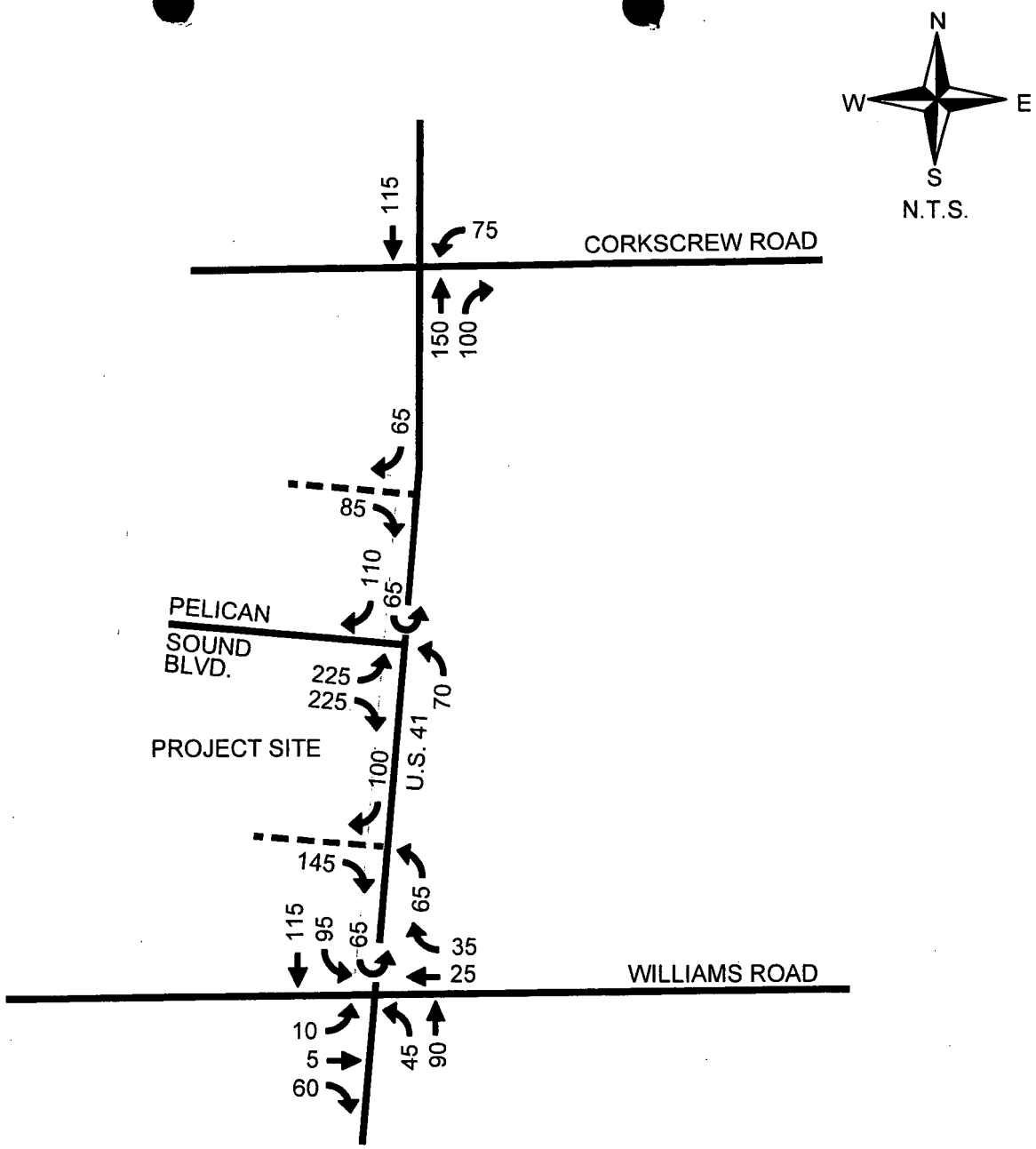
METRO

2008 100TH HIGHEST HOUR LOS ANALYSIS
PARADISE / CAMARGO MPD

Figure 3



LEGEND

← 000 WEEK DAY PM PEAK HOUR TRAFFIC
- LESS THAN 5 VEHICLES

F0401.18

METRO

PM PEAK HOUR TRAFFIC VOLUMES
PARADISE / CAMARGO MPD

Figure 4

These segments are shown to operate at LOS "F" conditions in 2008 based primarily on the fact that the background traffic volume used to determine the future volume was taken from three miles away (north of Old 41). With the recent opening of Three Oaks Parkway from Corkscrew Road to Coconut Road, the segment of U.S. 41 between these two major east/west roadways, U.S. 41 has a parallel facility. Drivers can use Three Oaks Parkway to travel north/south between these two roadways, using Corkscrew Road, Williams Road and Coconut Road to return to U.S. 41 for any longer distance travel. That is the primary reason that the traffic count conducted by Metro during the peak season of 2004 shows a dramatically lower peak hour, peak direction volume compared to the method where the K-100 and "D" (Directional) factors are applied to the Annual Average Daily Traffic (AADT) to calculate the peak hour, peak direction volume.

The segment of U.S. 41 north of Corkscrew Road is and will remain a four-lane section until funding is secured by FDOT for construction. The State and County are currently examining ways of moving the funding for construction of this segment of U.S. 41 up in the FDOT adopted Work Program.

Regardless, the proposed combined zoning application does not "significantly" impact the segments of U.S. 41 to the north and south of the subject site. "Significant impact" is defined by Lee County as having the project add more than 10% of the LOS "C" service volume to that particular link. The impact to the links along U.S. 41 range from 8.2% to the segment between Pelican Sound and Corkscrew Road to less than 6% south of Williams Road to less than 7% north of Corkscrew Road.

Intersection analysis was performed as a result of the proposed re-zoning application. The intersections analyzed as a result of this report are as follows:

- U.S. 41 @ Pelican Sound Boulevard
- U.S. 41 @ William Road

The intersections listed above were analyzed utilizing SYNCHRO 5.0 and HCS 2000. In order to perform the required capacity analyses at the U.S. 41 intersection with Pelican Sound Boulevard, SYNCHRO 5.0 was utilized due to the HCS Software's inability to

analyze unsignalized intersections on six-lane roadways. The HCS 2000 software was utilized for all remaining intersection analyses performed as a result of this analysis. It should be noted that the Pelican Sound Boulevard/U.S. 41 intersection was analyzed based on unsignalized traffic conditions. It is possible that if warrants are met in the future, this intersection could be signalized. With the widening of U.S. 41, the median opening at Pelican Sound Boulevard will remain a full median opening. FDOT has indicated that this could be a potential signalized intersection if the proper warrants are satisfied and FDOT approves a warrant analysis. FDOT typically does not approve traffic signals until the traffic is present at the intersection. In other words, warrants based on "projections" are typically not approved.

Based on the results of the capacity analyses, no intersection improvements, beyond necessary turn lane additions, will be required as a result of the addition of the project generated traffic. All turning movements and approaches at the analyzed intersections will function with an acceptable Level of Service once the project traffic is added to the intersections.

Site specific turn lanes will be analyzed at the local Development Order stage. FDOT is constructing turn lanes at the intersection of Pelican Sound Boulevard and U.S. 41 as well as the northbound directional left-in/right-in/right-out located on U.S. 41 along the frontage of the property with the ongoing U.S. 41 widening. Additional turn lanes may be required at local Development Order stage and will be identified at that time.

VIII. CONCLUSION

The proposed re-zoning of the Camargo Trust parcel to contain a maximum of 175,000 square feet of retail uses, 25,000 square feet of office uses and 300 multi-family residential units will not have an adverse impact on the surrounding roadways or intersections. Upon the addition of the development traffic to the surrounding roadway network, the roadway links directly adjacent to the subject site will operate within the adopted Level of Service standards as identified in the Lee Plan.

The traffic volume on the segments of U.S. 41 south of Williams Road, although shown in the traffic count report to operate at a poor Level of Service, are most likely overstated due to the location of the traffic data collection prepared by Lee County. With the completion of the Three Oaks Parkway corridor and the widening of I-75 in Lee County, the volume on U.S. 41 between Corkscrew Road and Coconut Road will not be as significant as it is currently portrayed.

Intersection analysis was performed at the site access intersections in addition to the intersections to the north and south of the site. The analysis indicates that the project will not significantly impact these intersections. Turn lanes will be required and will be further defined at the Local Development Order stage.

Based on the proposed uses, the development of the site, should it be developed to it's maximum potential, would generate less "new" trips to the adjacent roadways than would the original Master Concept Plan that was approved for this site in 1998.

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COMMUNITY DEVELOPMENT
DCI2004-00013

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES

Revised 6/23/04

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 340 VPH IN= 165 OUT= 175

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 890 VPH IN= 420 OUT= 470

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Corkscrew Road	E. of U.S. 41	4LD	0	1070	1910	2040	2070	25.0%	118	6.2%
U.S. 41	N. of Old U.S. 41	6LD	670	2490	2850	2920	2920	15.00%	71	2.5%
	N. of Coconut Rd.	6LD	670	2490	2850	2920	2920	35.00%	165	5.8%
	N. of Williams Rd.	6LD	670	2490	2850	2920	2920	45.00%	212	7.4%
	N. of Pelican Sound Blvd.	6LD	670	2490	2850	2920	2920	55.00%	259	9.1%
	N. of Corkscrew Rd.	4LD	0	1200	1980	2110	2110	30.00%	141	7.1%
	S. of Hickory Drive	4LD	0	1200	1980	2110	2110	20.00%	94	4.7%
Williams Road	E. of U.S. 41	2LU	0	130	420	550	880	15.00%	71	16.8%

Level of Service Thesholds for Corkscrew Road, Williams Road (collector) and U.S. 41 N. of Corkscrew Road taken from Lee Co. Link Specific Service Volume Table (Sept. 2003)

Level of Service Thresholds for U.S. 41 N. of Old 41 to N. of Pelican Sound Blvd. taken from Generalized LOS Tables provided by Lee Co. since this roadway is under construction to 6-Lanes

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COMMUNITY DEVELOPMENT
DCI2004-00013

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D
PCS NO. 15	0.104	0.58
PCS NO. 22	0.102	0.69
PCS NO. 25	0.097	0.58

Revised 6/23/04

TOTAL PROJECT TRAFFIC AM = 340 VPH IN = 165 OUT= 175
TOTAL PROJECT TRAFFIC PM = 890 VPH IN= 420 OUT= 425

ROADWAY	SEGMENT	PCS	BASE YR ADT	2002 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Corkscrew Road	E. of U.S. 41	15	6600	15800	9	10.19%	981	1593	25.00%	44	106	1637	1699
U.S. 41	N. of Old U.S. 41	25	29100	43100	9	4.46%	2366	2943	15.00%	26	64	2969	3006
	N. of Coconut Rd.	25	29100	43100	9	4.46%	2366	2943	35.00%	61	149	3004	3091
	N. of Williams Rd.	25		SEE		4.46%	1986	2470	40.00%	70	170	2540	2640
	N. of Pelican Sound Blvd.	25		NOTE		4.46%	1986	2470	50.00%	88	213	2558	2683
	N. of Corkscrew Rd.	25	29100	43100	9	4.46%	2366	2943	30.00%	53	128	2995	3070
	S. of Hickory Drive	25	29100	35100	8	2.37%	2022	2273	20.00%	35	85	2308	2358
Williams Road	E. of U.S. 41	22	2100	3700	5	11.99%	272	480	15.00%	26	64	506	544

The 2003 Peak Hour, Peak Season, Peak Direction Volumes for U.S. 41 South of Williams Road and U.S. 41 North of Corkscrew Road were calculated based on the 2002 Traffic Count Report and the historical growth rate

NOTE: The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume for U.S. 41 between Williams Road and Corkscrew Road was taken from a recent traffic count conducted by Metro at U.S. 41 and Pelican Sound Boulevard

PROJECT: F0401.18
DATE: 2/18/2004
DAY: WEDNESDAY
WEATHER: ----------
COUNT TIME: 7:00 AM - 7:00 PM

15 MINUTE SUMMARY OF INDIVIDUAL MOVEMENTS

U.S. 41 & PELICAN SOUND BOULEVARD

15 MIN BEGIN	U.S. 41								PELICAN SOUND BOULEVARD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	8	378	0	386	4	393	7	404	5	0	5	10	0	0	0	0	800
11:15 AM	5	326	0	331	2	422	10	434	3	0	9	12	0	0	0	0	777
11:30 AM	4	360	0	364	6	396	6	408	5	0	5	10	0	0	0	0	782
11:45 AM	3	387	0	390	6	368	5	379	2	0	5	7	0	0	0	0	776
12:00 PM	5	369	0	374	3	383	4	390	2	0	7	9	0	0	0	0	773
12:15 PM	2	385	0	387	6	414	6	426	1	0	5	6	0	0	0	0	819
12:30 PM	9	437	0	446	2	405	9	416	1	0	9	10	0	0	0	0	872
12:45 PM	5	403	0	408	6	388	6	400	1	0	12	13	0	0	0	0	821
1:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4:00 PM	3	476	0	479	3	366	6	375	3	0	6	9	0	0	0	0	863
4:15 PM	6	456	0	462	4	441	10	455	0	0	3	3	0	0	0	0	920
4:30 PM	3	536	0	539	1	418	13	432	3	0	3	6	0	0	0	0	977
4:45 PM	5	416	1	422	9	433	7	449	0	0	6	6	0	0	0	0	877
5:00 PM	0	484	0	484	5	400	9	414	0	0	5	5	0	0	0	0	903
5:15 PM	6	524	0	530	1	404	3	408	1	0	7	8	0	0	0	0	946
5:30 PM	6	538	0	544	4	411	6	421	1	0	8	9	0	0	0	0	974
5:45 PM	3	440	0	443	3	392	2	397	2	0	8	10	0	0	0	0	850
6:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL:	73	6915	1	6989	65	6434	109	6608	30	0	103	133	0	0	0	0	13730

PROJECT: F0401.18
DATE: 2/18/2004
DAY: WEDNESDAY
WEATHER: ----------
COUNT TIME: 7:00 AM - 7:00 PM

HOURLY SUMMARY OF INDIVIDUAL MOVEMENTS

U.S. 41 & PELICAN SOUND BOULEVARD

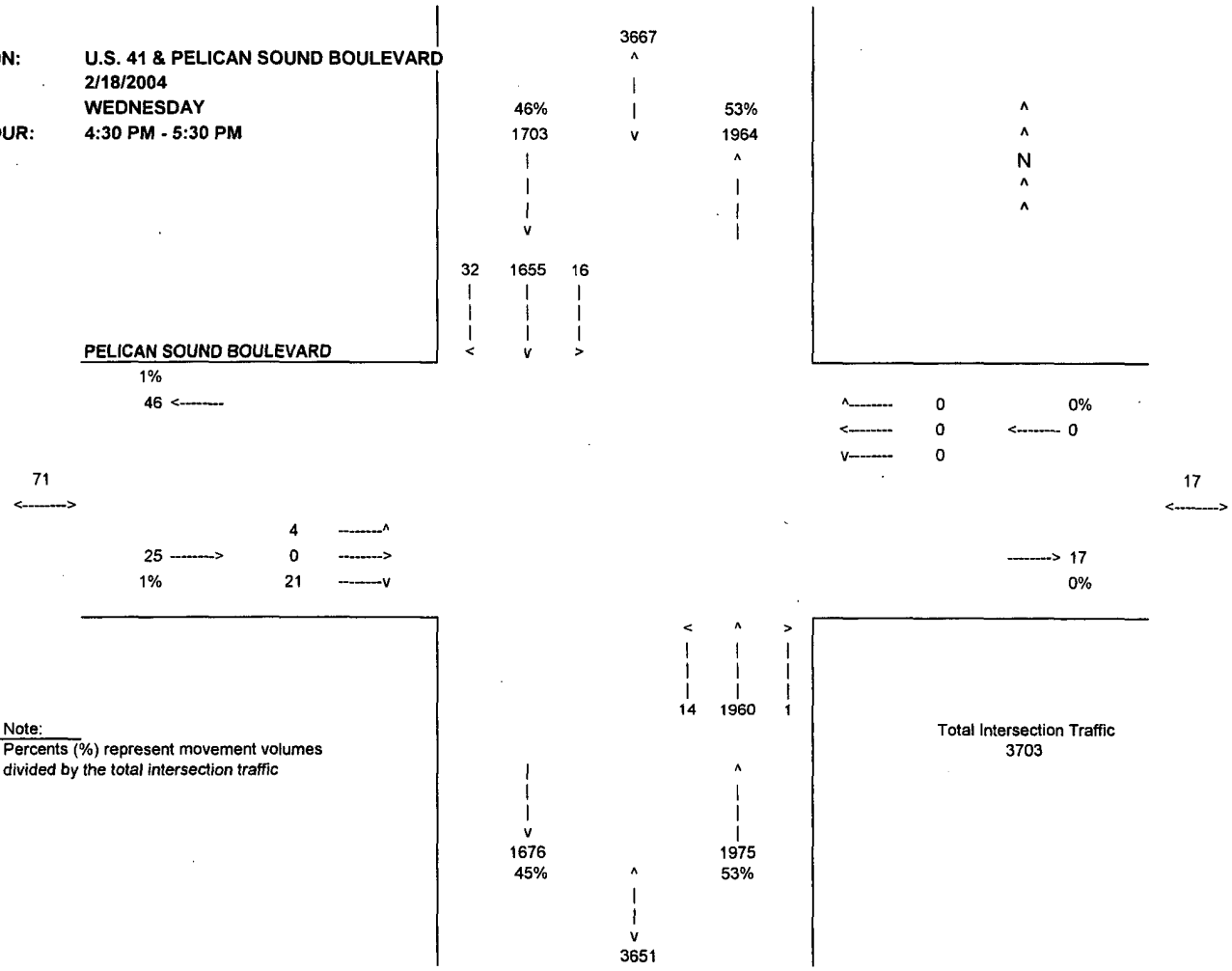
HOUR BEGIN	U.S. 41								PELICAN SOUND BOULEVARD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 AM	8	378	0	386	4	393	7	404	5	0	5	10	0	0	0	0	800
10:30 AM	13	704	0	717	6	815	17	838	8	0	14	22	0	0	0	0	1577
10:45 AM	17	1064	0	1081	12	1211	23	1246	13	0	19	32	0	0	0	0	2359
11:00 AM	20	1451	0	1471	18	1579	28	1625	15	0	24	39	0	0	0	0	3135
11:15 AM	17	1442	0	1459	17	1569	25	1611	12	0	26	38	0	0	0	0	3108
11:30 AM	14	1501	0	1515	21	1561	21	1603	10	0	22	32	0	0	0	0	3150
11:45 AM	19	1578	0	1597	17	1570	24	1611	6	0	26	32	0	0	0	0	3240
12:00 PM	21	1594	0	1615	17	1590	25	1632	5	0	33	38	0	0	0	0	3285
12:15 PM	16	1225	0	1241	14	1207	21	1242	3	0	26	29	0	0	0	0	2512
12:30 PM	14	840	0	854	8	793	15	816	2	0	21	23	0	0	0	0	1693
12:45 PM	5	403	0	408	6	388	6	400	1	0	12	13	0	0	0	0	821
1:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3:15 PM	3	476	0	479	3	366	6	375	3	0	6	9	0	0	0	0	863
3:30 PM	9	932	0	941	7	807	16	830	3	0	9	12	0	0	0	0	1783
3:45 PM	12	1468	0	1480	8	1225	29	1262	6	0	12	18	0	0	0	0	2760
4:00 PM	17	1884	1	1902	17	1658	36	1711	6	0	18	24	0	0	0	0	3637
4:15 PM	14	1892	1	1907	19	1692	39	1750	3	0	17	20	0	0	0	0	3677
4:30 PM	14	1960	1	1975	16	1655	32	1703	4	0	21	25	0	0	0	0	3703
4:45 PM	17	1962	1	1980	19	1648	25	1692	2	0	26	28	0	0	0	0	3700
5:00 PM	15	1986	0	2001	13	1607	20	1640	4	0	28	32	0	0	0	0	3673

PEAK HOUR SUMMARY

HOUR BEGIN	U.S. 41								PELICAN SOUND BOULEVARD								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:30 PM	14	1960	1	1975	16	1655	32	1703	4	0	21	25	0	0	0	0	3703

U.S. 41

LOCATION: U.S. 41 & PELICAN SOUND BOULEVARD
DATE: 2/18/2004
DAY: WEDNESDAY
PEAK HOUR: 4:30 PM - 5:30 PM



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

Total Intersection Traffic
3703

DAVID PLUMMER & ASSOCIATES
SUMMARY OF VEHICLE MOVEMENTS

LOCATION: US 41 @ WILLIAMS RD
COUNTY : LEE
CITY: ESTERO
OBSERVER: JS,MP
DATE: 02/26/03
WEATHER : GOOD
REMARKS :
ROAD CONDITION UNDER CONSTRUCTION

TIME		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND
BEGIN	END	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	TOTAL
07:00 AM	07:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15 AM	07:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:30 AM	07:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45 AM	08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:00 AM	08:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:15 AM	08:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:30 AM	08:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:45 AM	09:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:00 AM	09:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:15 AM	09:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:30 AM	09:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:45 AM	10:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 AM	10:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 AM	10:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 AM	10:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 AM	11:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	11:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 AM	11:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 AM	11:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 AM	12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 PM	12:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 PM	12:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 PM	12:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 PM	01:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00 PM	01:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:15 PM	01:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:30 PM	01:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:45 PM	02:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:00 PM	02:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:15 PM	02:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:30 PM	02:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:45 PM	03:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:00 PM	03:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:15 PM	03:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:30 PM	03:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:45 PM	04:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:00 PM	04:15 PM	37	444	19	500	6	318	25	349	26	11	13	50	2	15	5	49	948
04:15 PM	04:30 PM	36	415	14	465	5	316	31	352	22	9	9	40	1	3	9	26	883
04:30 PM	04:45 PM	55	395	19	469	13	377	32	422	35	14	10	59	2	16	16	53	1003
04:45 PM	05:00 PM	59	422	13	494	7	317	41	365	25	5	10	40	0	15	7	31	930
05:00 PM	05:15 PM	55	447	15	517	4	295	22	321	28	10	13	51	1	30	10	54	943
05:15 PM	05:30 PM	66	476	9	551	4	324	30	358	33	16	18	67	1	26	7	48	1024
05:30 PM	05:45 PM	51	466	10	527	16	311	38	365	19	14	15	48	2	24	14	64	1004
5:45 PM	06:00 PM	63	407	16	486	11	312	21	344	30	8	15	53	1	3	2	15	898

DAVID PLUMMER & ASSOCIATES
HOURLY SUMMARY OF VEHICLE MOVEMENTS

LOCATION: US 41 @ WILLIAMS RD
COUNTY : LEE
OBSERVER: JS,MP
WEATHER : GOOD
ROAD CONDITION UNDER CONSTRUCTION

CITY: ESTERO
DATE: 02/26/03
REMARKS :

TIME BEGIN	TIME END	NORTHBOUND L	NORTHBOUND T	NORTHBOUND R	NORTHBOUND Total	SOUTHBOUND L	SOUTHBOUND T	SOUTHBOUND R	SOUTHBOUND Total	EASTBOUND L	EASTBOUND T	EASTBOUND R	EASTBOUND Total	WESTBOUND L	WESTBOUND T	WESTBOUND R	WESTBOUND Total	GRAND TOTAL
07:00 AM	08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:00 AM	09:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:00 AM	10:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 AM	11:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 PM	01:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00 PM	02:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:00 PM	03:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:00 PM	04:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:00 PM	05:00 PM	187	1676	65	1928	31	1328	129	1488	108	39	42	189	73	49	37	159	3764
05:00 PM	06:00 PM	235	1796	50	2081	35	1242	111	1388	110	48	61	219	35	83	33	181	3869

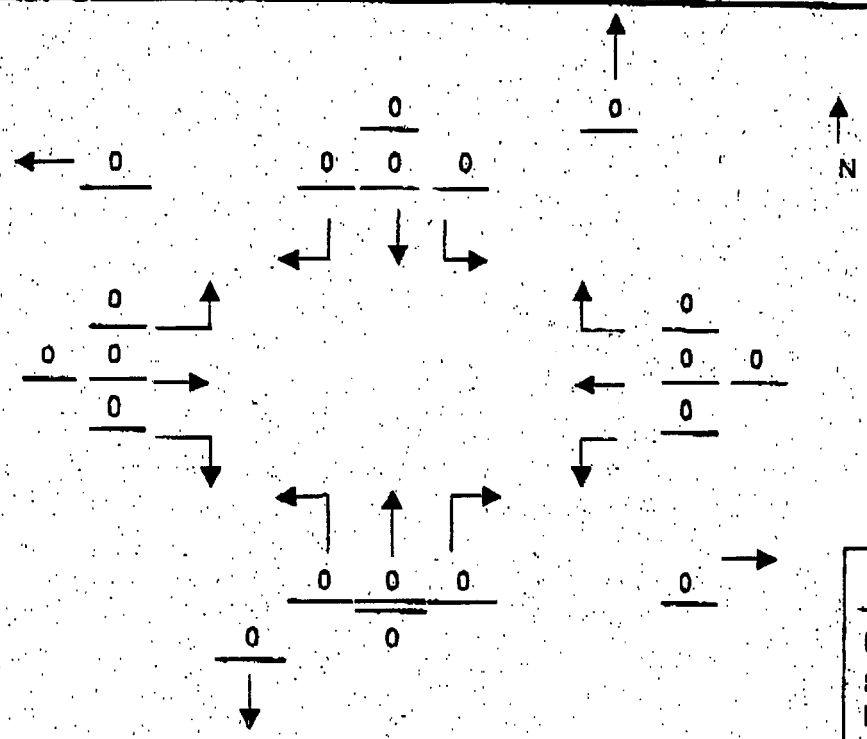
DAVID PLUMMER & ASSOCIATES
PEAK HOUR CALCULATIONS

PEAK HOUR BEGIN	PEAK HOUR END	NORTHBOUND L	NORTHBOUND T	NORTHBOUND R	NORTHBOUND Total	SOUTHBOUND L	SOUTHBOUND T	SOUTHBOUND R	SOUTHBOUND Total	EASTBOUND L	EASTBOUND T	EASTBOUND R	EASTBOUND Total	WESTBOUND L	WESTBOUND T	WESTBOUND R	WESTBOUND Total	GRAND TOTAL
AM PEAK																		
01:30 PM	06:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PEAK HOUR FACTOR			#N/A				#N/A				#N/A				#N/A			#N/A
MIDDAY PEAK																		
12:00 PM	01:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PEAK HOUR FACTOR			#N/A				#N/A				#N/A				#N/A			#N/A
PM PEAK																		
04:45 PM	05:45 PM	231	1811	47	2089	31	1247	131	1409	105	45	56	206	14	95	38	197	3901
PEAK HOUR FACTOR			0.95				0.97				0.77				0.77			0.95

FDOT/DPA
RAW TURNING MOVEMENT DIAGRAM

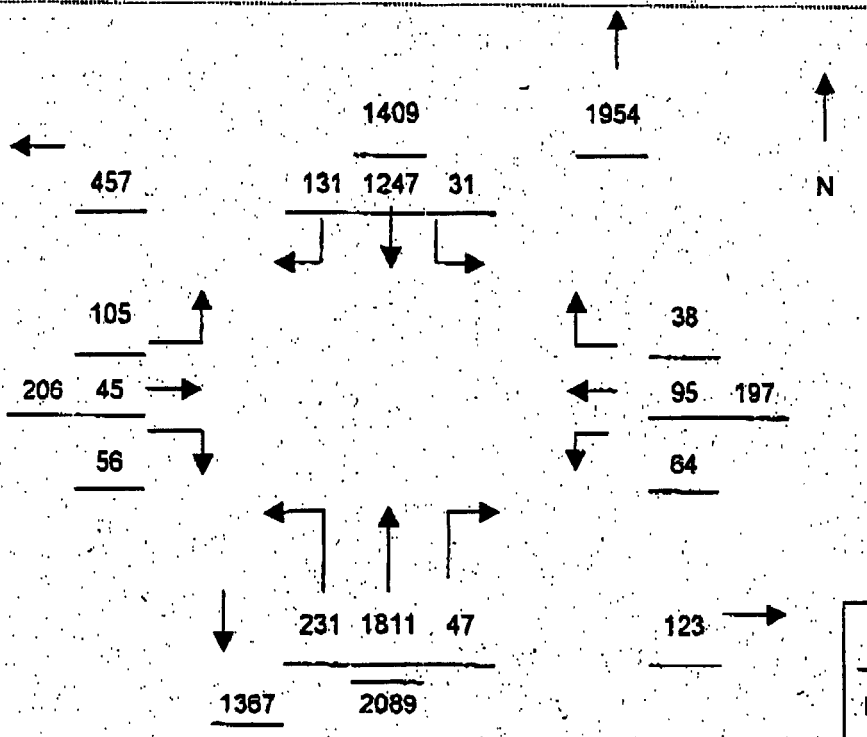
LOCATION: US 41 @ WILLIAMS RD
COUNTY : LEE
OBSERVER: JS,MP
CITY: FC RT MYERS
DATE: 02 26/03

AM Peak Hour



TRUCK %	
NB =	%
SB =	%
EB =	%
WB =	%

PM Peak Hour



TRUCK %	
NB =	3 %
SB =	3 %
EB =	1 %
WB =	4 %

DAVID PLUMMER & ASSOCIATE
SUMMARY OF VEHICLE MOVEMENTS

LOCATION: US 41 @ CORKSCREW RD.
COUNTY : LEE
OBSERVER: JS,MP
WEATHER : GOOD
ROAD CONDITION UNDER CONSTRUCTION

CITY: ESTERO
DATE: 02/27/03
REMARKS :

TIME		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND
BEGIN	END	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	TOTAL
07:00 AM	07:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15 AM	07:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:30 AM	07:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45 AM	08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:00 AM	08:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:15 AM	08:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:30 AM	08:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:45 AM	09:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:00 AM	09:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:15 AM	09:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:30 AM	09:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:45 AM	10:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 AM	10:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 AM	10:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 AM	10:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 AM	11:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	11:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 AM	11:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 AM	11:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 AM	12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 PM	12:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 PM	12:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 PM	12:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 PM	01:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00 PM	01:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:15 PM	01:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:30 PM	01:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:45 PM	02:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:00 PM	02:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:15 PM	02:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:30 PM	02:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:45 PM	03:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:00 PM	03:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:15 PM	03:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:30 PM	03:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:45 PM	04:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:00 PM	04:15 PM	17	379	54	450	95	227	6	328	20	18	7	45	103	15	93	211	1034
04:15 PM	04:30 PM	12	423	43	478	74	237	7	318	6	12	5	23	113	12	63	188	1007
04:30 PM	04:45 PM	14	407	63	484	55	234	9	298	10	15	8	33	108	7	77	192	1007
04:45 PM	05:00 PM	16	456	49	521	102	249	14	365	7	7	3	17	92	15	74	181	1084
05:00 PM	05:15 PM	11	433	54	498	85	257	9	351	14	18	3	35	107	12	73	192	1076
05:15 PM	05:30 PM	11	416	52	479	88	262	2	352	9	12	3	24	132	13	72	217	1072
05:30 PM	05:45 PM	15	413	40	468	88	277	14	379	5	15	10	30	73	8	60	141	1018
05:45 PM	06:00 PM	8	422	22	452	83	240	6	329	7	18	2	27	118	9	70	197	1005

DAVID PLUMMER & ASSOCIATES
HOURLY SUMMARY OF VEHICLE MOVEMENTS

LOCATION: US 41 @ CORKSCREW RD.
COUNTY : LEE
CITY: ESTERO
OBSERVER: JS,MP
DATE: 02/27/03
WEATHER : GOOD
REMARKS :
ROAD CONDITION UNDER CONSTRUCTION

TIME		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND
BEGIN	END	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	TOTAL
07:00 AM	08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:00 AM	09:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
09:00 AM	10:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 AM	11:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	12:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 PM	01:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00 PM	02:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:00 PM	03:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:00 PM	04:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:00 PM	05:00 PM	59	1665	209	1933	326	947	36	1309	43	52	23	118	416	49	307	772	4132
05:00 PM	06:00 PM	45	1684	168	1897	344	1036	31	1411	35	63	18	116	430	42	275	747	4171

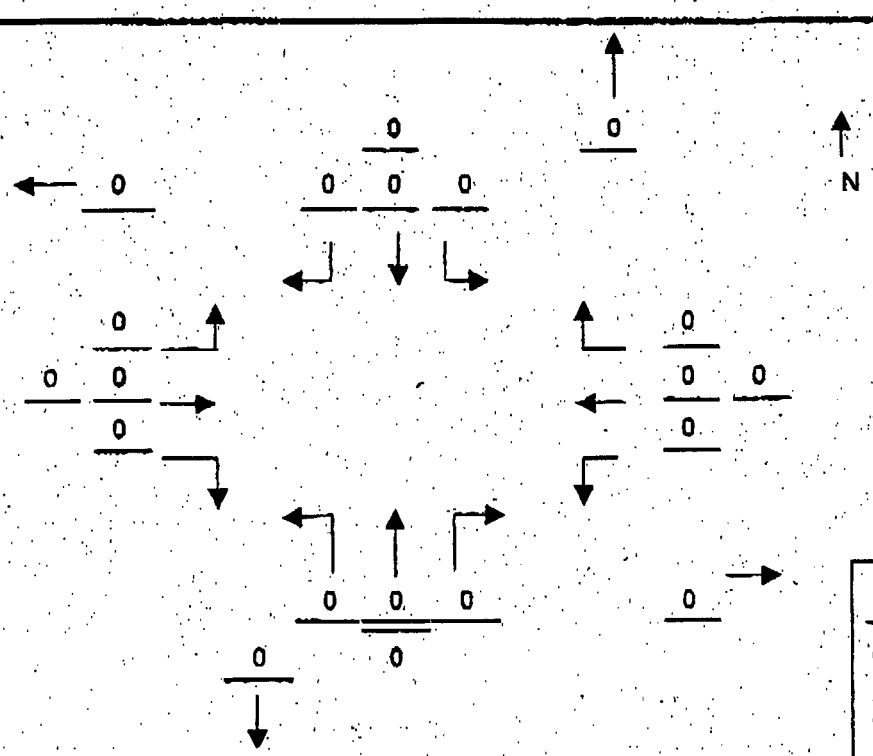
DAVID PLUMMER & ASSOCIATES
PEAK HOUR CALCULATIONS

PEAK HOUR		NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				GRAND
BEGIN	END	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	TOTAL
AM PEAK																		
01:30 PM	06:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PEAK HOUR FACTOR			#N/A				#N/A				#N/A				#N/A			#N/A
MIDDAY PEAK																		
12:00 PM	01:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PEAK HOUR FACTOR			#N/A				#N/A				#N/A				#N/A			#N/A
PM PEAK																		
04:45 PM	05:45 PM	53	1718	195	1966	363	1045	39	1447	35	52	19	106	404	48	279	731	4250
PEAK HOUR FACTOR			0.94				0.95				0.76				0.84			0.98

FDOT/DPA
RAW TURNING MOVEMENT DIAGRAM

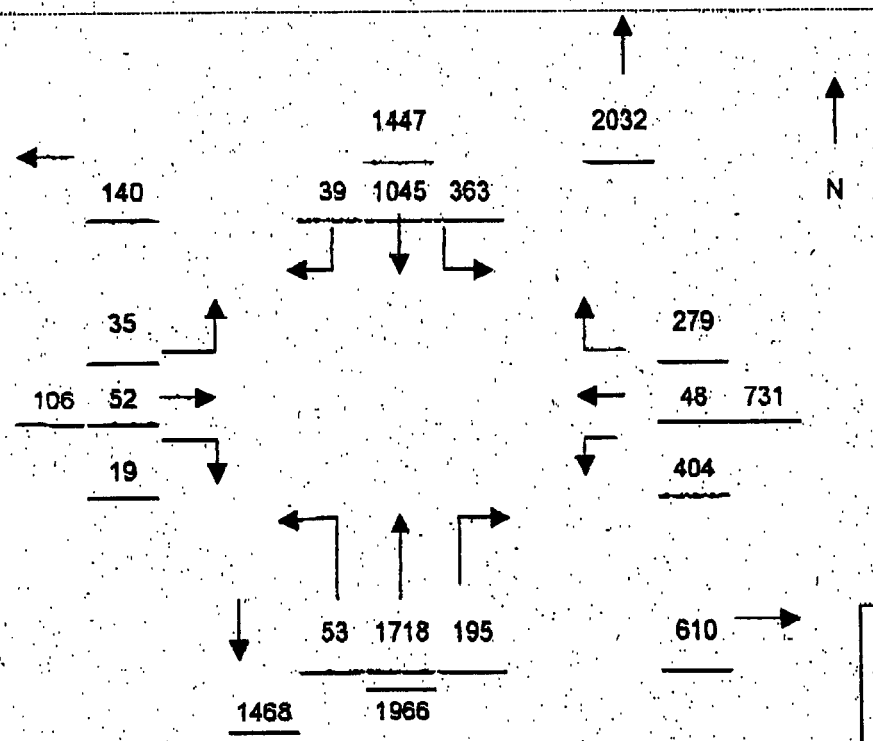
LOCATION: US 41 @ CORKSCREW RD.
COUNTY : LEE
OBSERVER: JS,MP
CITY: ESTERO
DATE: 02/27/03

AM Peak Hour



TRUCK %	
NB =	%
SB =	%
EB =	%
WB =	%

PM Peak Hour



TRUCK %	
NB =	2 %
SB =	5 %
EB =	4 %
WB =	2 %

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

d:\los02\input1

Uninterrupted Flow Highway
Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	100	340	680	970	1,300
2	Divided	990	1,610	2,330	3,010	3,420
3	Divided	1,490	2,410	3,490	4,510	5,130

Arterials
Class I (>0.00 to 1.99 signalized intersections per mile)
Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	280	760	900	920
2	Divided	450	1,630	1,900	1,950	**
3	Divided	670	2,490	2,850	2,920	**
4	Divided	890	3,220	3,610	3,700	**

Class II (>2.00 to 4.50 signalized intersections per mile)
Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	210	660	850	900
2	Divided	*	490	1,460	1,790	1,890
3	Divided	*	760	2,240	2,700	2,830
4	Divided	*	1,000	2,970	3,490	3,670

Class III (more than 4.50 signalized intersections per mile)
Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	370	720	850
2	Divided	*	*	870	1,640	1,790
3	Divided	*	*	1,340	2,510	2,690
4	Divided	*	*	1,770	3,270	3,480

Controlled Access Facilities
Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	120	740	930	960	**
2	Divided	270	1,620	1,970	2,030	**
3	Divided	410	2,490	2,960	3,040	**

Collectors
Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	530	800	850
1	Divided	*	*	560	840	900
2	Undivided	*	*	1,180	1,620	1,710
2	Divided	*	*	1,240	1,710	1,800

Note: the service volumes for I-75 (freeway) should be from FDOT's most current version of LOS Handbook.

SHORT REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Corkscrew/US 41
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	3/9/2004	Jurisdiction	Lee Co.
Time Period	PM Peak	Analysis Year	2008 - Background

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	1	1	1	2	1	1	1	3	1	2	3	1
Lane group	L	T	R	L	T	R	L	T	R	L	T	R
Volume (vph)	45	60	25	510	60	350	65	2150	245	450	1305	50
% Heavy veh	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup lost time	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Ext. eff. green	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Arrival type	3	3	3	3	3	3	4	4	4	3	3	3
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0		0	0		65	0		95	0		10
Lane Width	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/hr												
Bus stops/hr	0	0	0	0	0	0	0	0	0	0	0	0
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0

Phasing	Excl. Left	WB Only	Thru & RT	04	Excl. Left	SB Only	Thru & RT	08
Timing	G = 5.0	G = 14.0	G = 9.0	G =	G = 9.0	G = 8.0	G = 50.0	G =
	Y = 2	Y = 5	Y = 5	Y =	Y = 3	Y = 5	Y = 5	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate	48	64	27	543	64	303	69	2287	160	479	1388	43
Lane group cap.	75	143	121	613	443	377	135	2275	673	584	2866	848
v/c ratio	0.64	0.45	0.22	0.89	0.14	0.80	0.51	1.01	0.24	0.82	0.48	0.05
Green ratio	0.04	0.08	0.08	0.17	0.23	0.23	0.08	0.42	0.42	0.17	0.52	0.52
Unif. delay d1	56.6	53.1	52.2	48.3	36.5	43.4	53.4	35.0	22.7	48.3	18.2	13.9
Delay factor k	0.22	0.11	0.11	0.41	0.11	0.35	0.12	0.50	0.11	0.36	0.11	0.11
Increm. delay d2	16.9	2.2	0.9	14.6	0.2	11.9	3.3	20.1	0.2	9.1	0.1	0.0
PF factor	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.876	0.876	1.000	1.000	1.000
Control delay	73.5	55.3	53.1	62.9	36.6	55.4	56.6	50.8	20.0	57.4	18.3	13.9
Lane group LOS	E	E	D	E	D	E	E	D	C	E	B	B
Apprch. delay	61.2			58.5			49.0			28.0		
Approach LOS	E			E			D			C		
Intersec. delay	43.6			Intersection LOS						D		

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SHORT REPORT

General Information		Site Information	
Analyst	tbt	Intersection	Corkscrew/US 41
Agency or Co.	Metro Transportation Group	Area Type	All other areas
Date Performed	3/9/2004	Jurisdiction	Lee Co.
Time Period	PM Peak	Analysis Year	2008 - With PROJECT

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	1	1	1	2	1	1	1	3	1	2	3	1
Lane group	L	T	R	L	T	R	L	T	R	L	T	R
Volume (vph)	45	60	25	585	60	350	65	2300	345	450	1420	50
% Heavy veh	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup lost time	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Ext. eff. green	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Arrival type	3	3	3	3	3	3	4	4	4	3	3	3
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0		0	0		75	0		115	0		10
Lane Width	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/hr												
Bus stops/hr	0	0	0	0	0	0	0	0	0	0	0	0
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0

Phasing	Excl. Left	WB Only	Thru & RT	04	Excl. Left	SB Only	Thru & RT	08
Timing	G = 5.0	G = 15.0	G = 8.0	G =	G = 9.0	G = 8.0	G = 50.0	G =
	Y = 2	Y = 5	Y = 5	Y =	Y = 3	Y = 5	Y = 5	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate	48	64	27	622	64	293	69	2447	245	479	1511	43
Lane group cap.	75	127	108	642	443	377	135	2275	673	584	2866	848
v/c ratio	0.64	0.50	0.25	0.97	0.14	0.78	0.51	1.08	0.36	0.82	0.53	0.05
Green ratio	0.04	0.07	0.07	0.18	0.23	0.23	0.08	0.42	0.42	0.17	0.52	0.52
Unif. delay d1	56.6	54.1	53.2	48.7	36.5	43.1	53.4	35.0	24.1	48.3	18.7	13.9
Delay factor k	0.22	0.11	0.11	0.48	0.11	0.33	0.12	0.50	0.11	0.36	0.13	0.11
Increm. delay d2	16.9	3.2	1.2	27.8	0.2	9.9	3.3	42.9	0.3	9.1	0.2	0.0
PF factor	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.876	0.876	1.000	1.000	1.000
Control delay	73.5	57.3	54.4	76.5	36.6	53.0	56.6	73.6	21.4	57.4	18.9	13.9
Lane group LOS	E	E	D	E	D	D	E	E	C	E	B	B
Apprch. delay	62.3			66.8			68.6			27.9		
Approach LOS	E			E			E			C		
Intersec. delay	54.1			Intersection LOS						D		

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SHORT REPORT

General Information		Site Information	
Analyst	*tbt*	Intersection	*Williams/US 41*
Agency or Co.	*Metro Transportation Group*	Area Type	*All other areas*
Date Performed	*3/9/2004*	Jurisdiction	*Lee Co.*
Time Period	*PM Peak*	Analysis Year	*2008 - BACKGROUND*

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	1	1	1	1	1	1	1	3	1	1	3	1
Lane group	L	T	R	L	T	R	L	T	R	L	T	R
Volume (vph)	115	50	60	95	110	70	245	2265	60	40	1565	140
% Heavy veh	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup lost time	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Ext. eff. green	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Arrival type	3	3	3	3	3	3	4	4	4	4	4	4
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0		15	0		15	0		10	0		25
Lane Width	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/hr												
Bus stops/hr	0	0	0	0	0	0	0	0	0	0	0	0
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0

Phasing	EW Perm	02	03	04	Excl. Left	NS Perm	07	08
Timing	G = 25.0	G =	G =	G =	G = 16.0	G = 64.0	G =	G =
	Y = 5	Y =	Y =	Y =	Y = 5	Y = 5	Y =	Y =

Duration of Analysis (hrs) = 0.25 | Cycle Length C = 120.0

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate	122	53	48	101	117	59	261	2410	53	43	1665	122
Lane group cap.	252	396	336	286	396	336	338	2912	861	304	2912	861
v/c ratio	0.48	0.13	0.14	0.35	0.30	0.18	0.77	0.83	0.06	0.14	0.57	0.14
Green ratio	0.21	0.21	0.21	0.21	0.21	0.21	0.71	0.53	0.53	0.71	0.53	0.53
Unif. delay d1	41.8	38.7	38.8	40.6	40.1	39.0	25.7	23.4	13.5	16.6	18.8	14.1
Delay factor k	0.11	0.11	0.11	0.11	0.11	0.11	0.32	0.37	0.11	0.11	0.17	0.11
Increm. delay d2	1.5	0.2	0.2	0.8	0.4	0.3	10.6	2.1	0.0	0.2	0.3	0.1
PF factor	1.000	1.000	1.000	1.000	1.000	1.000	0.219	0.712	0.712	0.219	0.712	0.712
Control delay	43.3	38.8	39.0	41.3	40.5	39.3	16.2	18.8	9.6	3.8	13.7	10.1
Lane group LOS	D	D	D	D	D	D	B	B	A	A	B	B
Apprch. delay	41.3			40.5			18.3			13.2		
Approach LOS	D			D			B			B		
Intersec. delay	18.7			Intersection LOS						B		

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SHORT REPORT

General Information		Site Information	
Analyst	*tbt*	Intersection	*Williams/US 41*
Agency or Co.	*Metro Transportation Group*	Area Type	*All other areas*
Date Performed	*3/9/2004*	Jurisdiction	*Lee Co.*
Time Period	*PM Peak*	Analysis Year	*2008 - With PROJECT*

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Num. of Lanes	1	1	1	1	1	1	1	3	1	1	3	1
Lane group	L	T	R	L	T	R	L	T	R	L	T	R
Volume (vph)	125	55	120	95	135	105	290	2355	60	200	1680	140
% Heavy veh	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup lost time	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Ext. eff. green	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Arrival type	3	3	3	3	3	3	4	4	4	4	4	4
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0		15	0		15	0		10	0		25
Lane Width	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/hr												
Bus stops/hr	0	0	0	0	0	0	0	0	0	0	0	0
Unit Extension	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0

Phasing	EW Perm	02	03	04	Excl. Left	NS Perm	07	08
Timing	G = 25.0	G =	G =	G =	G = 16.0	G = 64.0	G =	G =
	Y = 5	Y =	Y =	Y =	Y = 5	Y = 5	Y =	Y =

Duration of Analysis (hrs) = *0.25* | Cycle Length C = *120.0*

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adj. flow rate	133	59	112	101	144	96	309	2505	53	213	1787	122
Lane group cap.	229	396	336	284	396	336	321	2912	861	304	2912	861
v/c ratio	0.58	0.15	0.33	0.36	0.36	0.29	0.96	0.86	0.06	0.70	0.61	0.14
Green ratio	0.21	0.21	0.21	0.21	0.21	0.21	0.71	0.53	0.53	0.71	0.53	0.53
Unif. delay d1	42.8	38.8	40.4	40.6	40.7	40.0	34.8	24.1	13.5	35.2	19.4	14.1
Delay factor k	0.17	0.11	0.11	0.11	0.11	0.11	0.47	0.39	0.11	0.27	0.20	0.11
Increm. delay d2	3.7	0.2	0.6	0.8	0.6	0.5	40.1	2.8	0.0	7.0	0.4	0.1
PF factor	1.000	1.000	1.000	1.000	1.000	1.000	0.219	0.712	0.712	0.219	0.712	0.712
Control delay	46.5	39.0	41.0	41.4	41.3	40.5	47.8	20.0	9.6	14.7	14.2	10.1
Lane group LOS	D	D	D	D	D	D	D	C	A	B	B	B
Apprch. delay	43.0			41.1			22.8			14.0		
Approach LOS	D			D			C			B		
Intersec. delay	21.7			Intersection LOS						C		

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Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Volume (veh/h)	230	245	85	2480	1890	140
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (veh/h)	250	266	92	2696	2054	152
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None					
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	3138	685	2207			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	3138	685	2207			
tC, single (s)	6.8	6.9	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	0	33	62			
cM capacity (veh/h)	5	395	241			

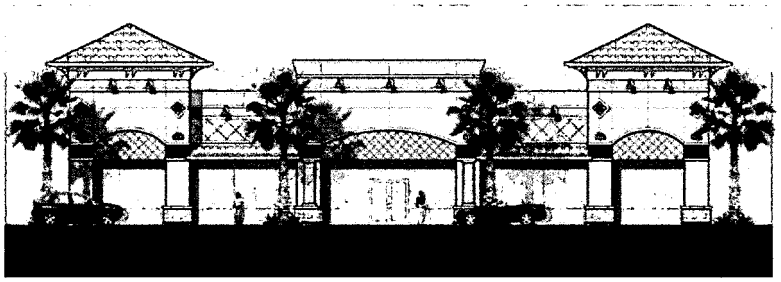
Direction, Lane #	EB 1	EB 2	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3	SB 4
Volume Total	250	266	92	899	899	899	685	685	685	152
Volume Left	250	0	92	0	0	0	0	0	0	0
Volume Right	0	266	0	0	0	0	0	0	0	152
cSH	5	395	241	1700	1700	1700	1700	1700	1700	1700
Volume to Capacity	46.09	0.67	0.38	0.53	0.53	0.53	0.40	0.40	0.40	0.09
Queue Length (ft)	Err	119	43	0	0	0	0	0	0	0
Control Delay (s)	Err	31.0	28.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Lane LOS	F	D	D							
Approach Delay (s)	4857.6		1.0				0.0			
Approach LOS	F									

Intersection Summary			
Average Delay	455.6		
Intersection Capacity Utilization	72.6%	ICU Level of Service	C

TRIP GENERATION EQUATIONS
CAMARGO/PARADISE
TRAFFIC IMPACT STATEMENT

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Retail (LUC 820)	Ln (T) = 0.60 Ln(X) + 2.29, 61% entering	Ln (T) = 0.66 Ln(X) + 3.40, 48% entering	Ln (T) = 0.60 Ln(X) + 2.29
T = Trips, X = 1,000 square feet of floor area			
General Office (LUC 710)	Ln (T) = 0.80 Ln(X) + 1.55, 88% entering	T = 1.12 (X) + 78.81, 17% entering	Ln (T) = 0.77 Ln(X) + 3.65
T = Trips, X = 1,000 square feet of floor area			
Multi-Family Residential (LUC 230)	Ln (T) = 0.80 Ln(X) + 0.26, 17% entering	Ln (T) = 0.82 Ln(X) + 0.32, 67% entering	Ln (T) = 0.85 Ln(X) + 2.55
T = Trips, X = # of Units			

PARADISE SHOPPES OF ESTERO



Project Overview

This document describes the intent of the applicant in developing the Paradise Shoppes of Estero project, and proposes design guidelines by which the project will be constructed. The objective is to provide the Estero community and Lee County the assurances that this project will be developed to meet the language and intent of the Estero Plan, while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Paradise Shoppes of Estero project is located on the northwest corner of U.S. Highway 41 and Williams Road. The project is strategically nestled in the heart of Estero bounded by new commercial development, which will provide services, plazas and amenities to be enjoyed by all ages. The project architecture, layout and design will incorporate features exceeding both the current Lee County design guidelines, found in LDC Section 10-600, and the Estero Plan, Goal 19 of the Lee County Comprehensive Plan.

In developing the property located at the northwest corner of U.S. Highway 41 and Williams Road it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19, the Estero Plan) and the development constraints presented with a 22-acre site at this location. The following base postulations, as well as policies that influence this type of development, were utilized.

- The subject property is located at the intersection of an arterial roadway – U.S. Highway 41, and two secondary roadways – Williams Road and Pelican Sound Boulevard. Access driveways are evenly distributed among the complementary roadways. U.S. Highway 41 is a primary thoroughfare and can safely support commercial development.

- The proposed development site is within the Suburban land use category, which was designated for areas that are primarily residential but allow commercial development as neighborhood centers are necessary to promote the quality of life in these areas. Commercial development is limited to neighborhood centers and industrial development is not allowed. The Lee Plan projects less intense development in these areas, more characteristic of a suburban area.

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- The intent of these design guidelines and standards is to meet and exceed the requirements of the Estero Plan, yet allowing for the development of a large commercial project containing one or more major anchors.

Design Guidelines and Standards

The following design guidelines are intended to establish the standard with which this development will comply. The guidelines however, are intended to be flexible to allow for a more detailed analysis by the Lee County development review staff and the Estero Development Review Committee at the time of local development order.

- The Paradise Shoppes of Estero is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Section 10-600, the Estero Design Guidelines.

- The Paradise Shoppes of Estero will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping and lighting throughout the site.

- The Paradise Shoppes of Estero will be developed on a 22-acre site as part of the Estero Overlay, that designates an area of architecturally attractive landscaped buildings that cater to the needs of the community.

A. Village Areas

- Architectural Standards: The Village Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways or columns, appropriately scaled for the public. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complimentary elements such as roof treatments, signage, landscaping and building materials and colors.

Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from U.S. Highway 41 to the free-standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to U.S. Highway 41.

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- Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall be located on poles no more that 30' 0" in height and shielded to minimize light intrusion crossing the property line when abutting residential and assisted living facility uses.

- Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complementary to the overall master landscape plan. The Paradise Shoppes of Estero landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasizes plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas.

B. Anchor Parcel

- The Anchor Parcel will accommodate one or several retail uses. The on-site pedestrian system will connect the Anchor Parcel to the adjacent Vista Parcel paralleling U.S. Highway 41 and the buildings of the Anchor Parcel will be designed to compliment the Vista Parcels. The parking area will be designed to minimize hardscaped areas, visually and physically.

- Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the Vista Parcels and all other free-standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large adorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration on the following page)

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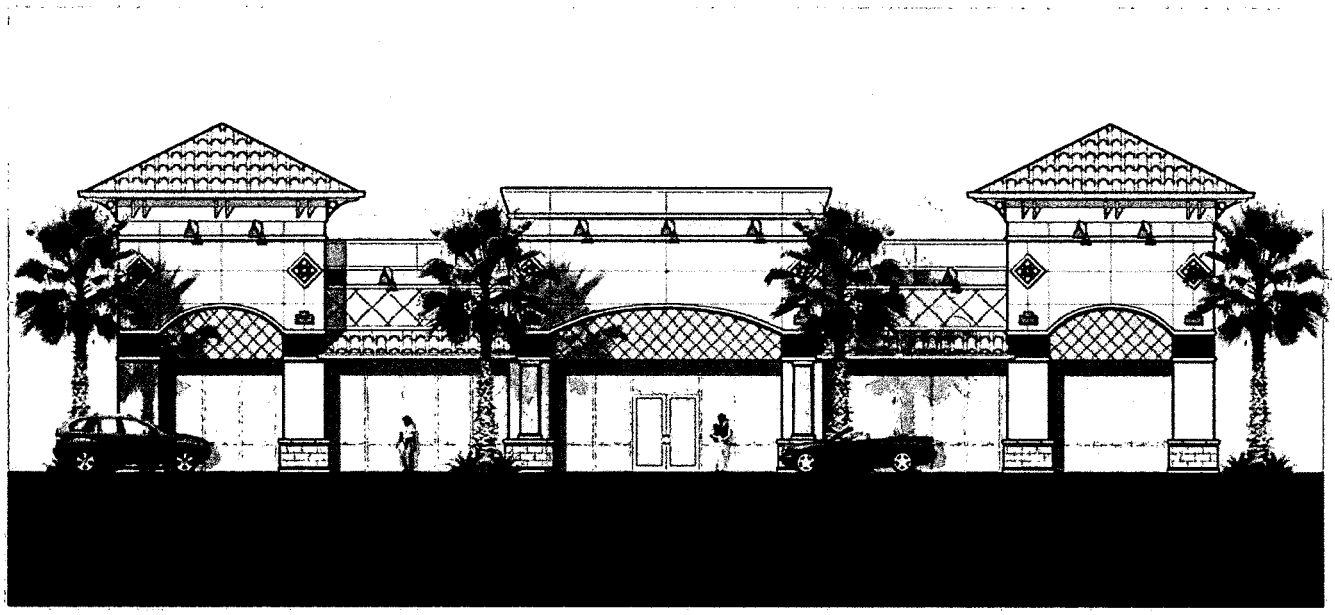

Buildings will also provide a minimum of two of the following building design treatments:

- Canopies or portico, integrated with the buildings' massing and style
- Overhangs
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character

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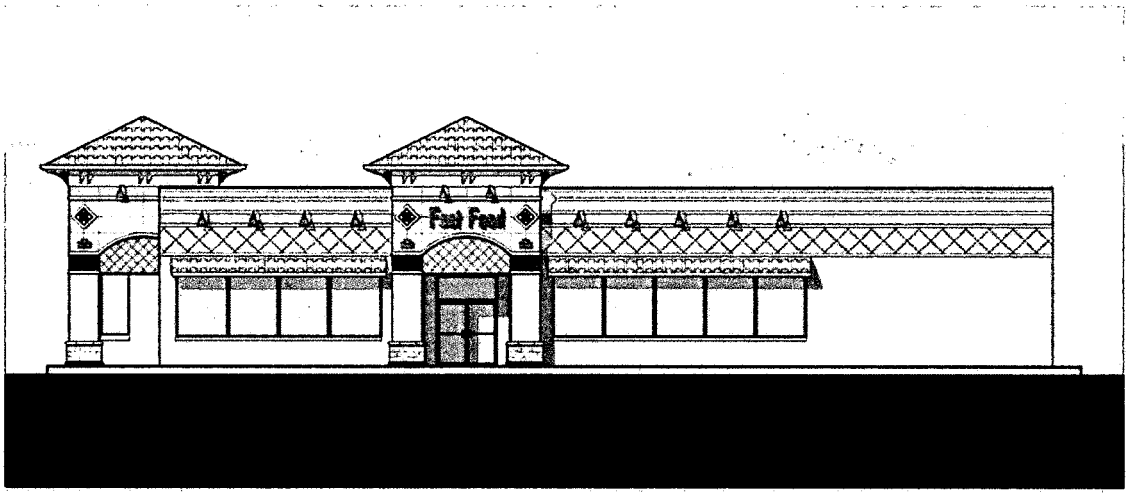

Building facades may include a repeating pattern and may include no less than two of the design elements listed below. At least one of these design elements may repeat horizontally.

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 6 inches in width, such as a reveal, and offset or a projecting rib
- Architectural banding
- Pattern change

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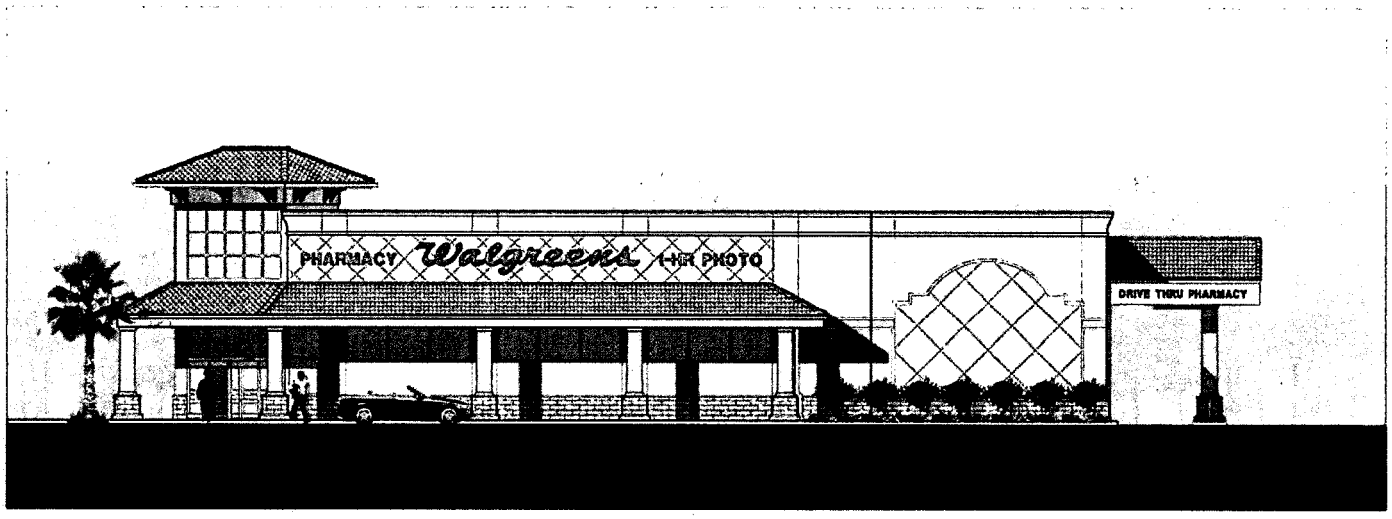
PARADISE SHOPPES OF ESTERO



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Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs where required
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum facia of 8 inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of two reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which incorporates benches or other seating components and decorative landscape planters.

Exterior building colors and materials contribute significantly to the visual impact of a building.

Predominant exterior building materials will include, but are not limited to:

- Stucco
- EFIS
- Architectural Block
- Tinted, textured, other that smooth or ribbed, concrete masonry units; or
- Natural Stone and/or Pre-cast Concrete

Customer parking for the Anchor Parcel will be in accordance with Section 34-1046 Design Standards, Item 7. In addition to Item 7, customer parking will be located in front of the Anchor Parcel building.

C. Common / Public Areas

Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.

Project architectural features will be developed within common areas of the project and will be coordinated in the design, color and style. Architectural features shall be permitted throughout the site.

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- The Paradise Shoppes of Estero will provide a variety of publicly accessible amenities, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.

- A pedestrian way network shall be established throughout the project as shown on the Conceptual Site Plan on the following page. The pedestrian system will serve to link Anchor and vista areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of treated surfaces, signage or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.

  - The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc.. This pedestrian way may include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum unobstructed pedestrian way of 5 feet average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances where appropriate.

  - The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan on the following page. This pedestrian way system will be designed to promote safe and convenient linkage from the parking area to the entire project. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatment and other traffic calming techniques. This pedestrian way system shall be a minimum of 4 feet in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12 feet high with a 4 feet spread for canopy trees and equivalent specification for shade palms at the time of planting.

  - The perimeter pedestrian way system is designed to link free-standing uses with the parking and village area pedestrian way as shown on the Conceptual Site Plan on the following page. Vehicular crossings will be identified with signage, landscaping and clearly marked through uses of varied pavement treatments or other traffic calming techniques.

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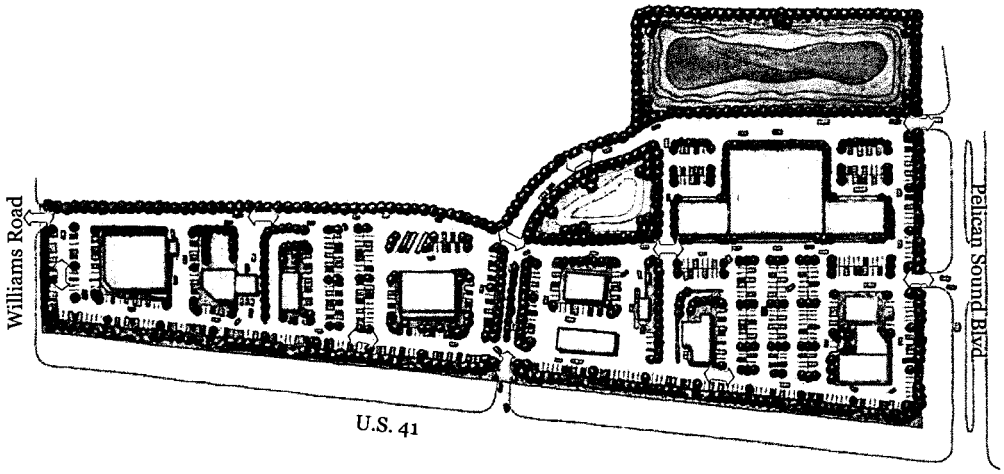
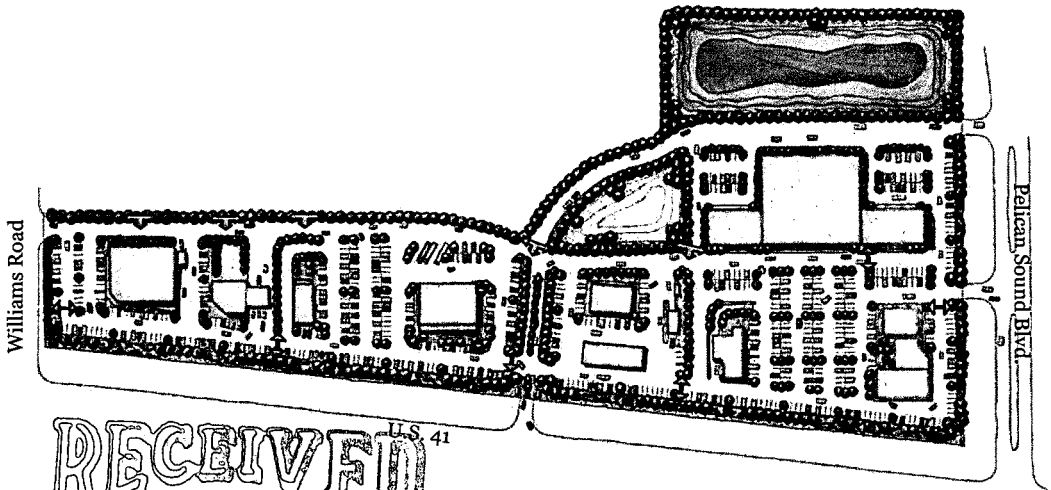


Conceptual Site Plan: Vehicular Circulation

Conceptual Site Plan: Pedestrian Circulation



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Landscaping

A. General

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement and satisfy LDC native plant requirements. Any non-native landscape material use shall be allowed under the LDC and will be used to provide additional color and texture for areas to be enhanced such as main vehicular and pedestrian entries, circulation routes, building perimeter plantings and pedestrian amenity open space.

B. Perimeter

- Buildings along U.S. Highway 41 will be designed in accordance with LDC Section 10-600; the setback requirements for the Estero Overlay. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- Where parking or service areas along U.S. Highway 41 are located within 75 feet of the right of way line, the developer must maintain a minimum 30 foot setback for parking or service areas from the U.S. Highway 41 right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles.
  Trees may be clustered to allow view corridors to internal buildings.
  Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.
  Further, sidewalk improvements may be made (subject to FDOT review and utility conflicts) to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk.

- Where an access road for a drive-thru is located along U.S. Highway 41 within 75 feet of the right of way line, the developer must maintain a maximum 25 foot building setback from the U.S. Highway 41 right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles .
  Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk (subject to FDOT review, utility conflicts and spacing issues).

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- Where buildings along Williams Road or Pelican Sound Boulevard are designed such that parking areas are in front of the building, an enhanced 30 foot buffer consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with a ± 2 feet undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- The height of required trees within buffers shall be 12 feet overall in height. Canopy trees shall have a 6 feet canopy spread at the time of planting.

- Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Paradise Shoppes of Estero boundary concurrent with site development within each village area or anchor parcel respectively.

- Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting and utilities will be permitted within perimeter landscape buffers.

- Perimeter landscape berms located within the Paradise Shoppes of Estero boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.

- The developer and adjacent landowners endeavor to provide a unified homogenous landscape and entry feature for Pelican Sound Boulevard. The entry feature will be designed to compliment the Paradise Shoppes of Estero project.

C. Internal

Per LDC Sections 34-1042 thru 34-1047, internal landscaping will be provided to minimize hardscaped areas, both visually and physically, accentuate entryways, define pedestrian areas and enhance the pedestrian walkway system. In all landscaped areas, existing native trees will be preserved.

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PARADISE SHOPPES OF ESTERO

U.S. 41 | Parking/Pedestrian/U.S. 41 Circulation | Retail Shops

Entrance from U.S. 41

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Creation of Focal Points

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Signage

A. All signs shall be of consistent architectural style and shall feature like building materials and sign structures. Sign Structures will be uniform in size, color and building material.

B. All signs will comply with the land development code sign guidelines at the time of the issuance of the sign permit.

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Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

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Schedule of Uses
Revised

Residential "R"

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et.seq.* 34-1863 and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ASSISTED LIVING FACILITY (LDC Sections 34-1491 *et seq.*, and 34-1411) – As limited in Condition 2, Z-98-029)
CLUBS:
- Country
- Private (LDC Section 34-2111)

DWELLING UNIT:
- Single Family
- Duplex
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC section 34-1741 *et.seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et.seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
HOME CARE FACILITY
HOME OCCUPATION (LDC Section 34-1771 *et seq.*)
MODELS:
- Display center (LDC Section 34-1951 *et seq.*)
- Model home (LDC Section 34-1951 *et seq.*)
- Model unit (LDC Section 34-1951 *et seq.*)

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PARKING LOT:
- Accessory

PLACES OF WORSHIP (LDC Section 34-2051 *et seq.*)
RECREATIONAL FACILITIES: Private, On-Site
RELIGIOUS FACILITIES (LDC Section 34-2051 *et seq.*)
RESIDENTIAL ACCESSORY USES [LDC Section 34-622(c)(42)] (LDC Section 34-1171 *et seq.*)
SIGNS in accordance with Chapter 30

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Commercial "C"
[No uses are being requested on the "C" parcel north of Pelican Sound Blvd]

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ATM (automatic teller machine)
AUTO PARTS STORE – without installation services
AUTOMOBILE SERVICE STATION Restricted to one use on parcel 3 or parcel 4 w/ convenience store and car wash.
BANKS AND FINANCIAL ESTABLISHMENTS [LDC Section 34-622(c)(3)]: Groups I and II
BOATS:
Boat parts store
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 *et seq.*)
BUSINESS SERVICES [LDC Section 34-622(c)(5)]: Group I
CAR WASH Restricted to Automobile Service Station parcel in conjunction with convenience store.
CLEANING AND MAINTENANCE SERVICES [LDC Section 34-622(c)(7)]
CLOTHING STORES, general [LDC Section 34-622(c)(8)]
CLUBS:
Commercial
Fraternal, membership organization (LDC Section 34-2111)
Private (LDC Section 34-2111)
COMPUTER AND DATA PROCESSING SERVICES
CONSUMPTION ON PREMISES (LDC Section 34-1261 *et seq.*)
CONVENIENCE FOOD AND BEVERAGE STORE Restricted to Automobile Service Station parcel and one additional use such as a wine or liquor store "up-scale" in nature in keeping with the overall architectural and landscape intent of the project.
CULTURAL FACILITIES [LDC Section 34-611(c)(10)]
DAY CARE CENTER, CHILD, ADULT
DEPARTMENT STORE
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE Restricted to maximum of five parcels. On Parcels 1,2,5, & 6, the drive-through facilities shall be placed on the western building façade. The automobile service station parcel may have a drive-through car wash with the entrance and exit facing east and west respectively. Parcel 7 drive through facility may be placed on the northern façade provided the vehicles pull through said facility from east to west.
DRUGSTORE, PHARMACY Limit of one store for the project.
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-611(c)(13)]: Group I (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD AND BEVERAGE SERVICE, LIMITED
FOOD STORES [LDC Section 34-622(c)(16)]: Group I
HARDWARE STORE Restricted to 10,000 sf or less.
HEALTH CARE FACILITIES [LDC Section 34-622(c)(20)]: Groups I – III
HOBBY, TOY AND GAME SHOPS [LDC Section 34-622(c)(21)]
HOUSEHOLD AND OFFICE FURNISHINGS [LDC Section 34-622(c)(22)], Groups I and II Household use shall remain per code and the Office Furnishing shall be similar to Kinko's, Office Depot, Office Max or any other like kind facility. Large newspaper printing facilities will be prohibited.

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INSURANCE COMPANIES [LDC Section 34-622(c)(23)]
LAUNDRY OR DRY CLEANING [LDC Section 34-622(c)(24)]:Group I
LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
LIBRARY
MEDICAL OFFICE
NONSTORE RETAILERS [LDC Section 34-622(c)(30)], All Groups
PACKAGE STORE (LDC Section 34-1261 et seq.) Freestanding stores will are prohibited.
PAINT, GLASS AND WALLPAPER
PARKS [LDC Section 34-622(c)(32)]: Groups I and II
PARKING LOT: .

Accessory
Garage, public parking
Temporary (LDC Section 34-2022)

PERSONAL SERVICES [LDC Section 34-622(c)(33)]: Groups I – III
GROUP I

ATM's (automatic teller machines)
Barbershops or beauty shops
Clothing alterations and repair, including dressmakers, seamstresses and tailors
Laundry agents wherein the establishment may do its own pressing and finish work but the laundering or dry cleaning is performed elsewhere
Photo agents wherein drop-off and pickup film processing services are provided but the actual processing and developing is done elsewhere
Shoe repair services wherein shoe repair or shoe shining for individual customers is performed

GROUP II. The following uses are permitted provided that lodging facilities or resorts are not included:
TABLE INSET:

Beauty spas
Health clubs or spas
Reducing or slenderizing salons
Steam or Turkish baths

GROUP III. Establishments primarily engaged in the sale, rental or service of health-related devices such as:
TABLE INSET:

Artificial limbs
Crutches
Hearing aids
Hospital beds
Optical supplies
Orthopedic supplies
Wheelchairs

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PET SERVICES Outdoor pens, enclosures and dog runs are prohibited.
PET SHOP Outdoor pens, enclosures and dog runs are prohibited.
PHARMACY
POST OFFICE
PRINTING AND PUBLISHING [LDC Section 34-622(c)(36)]

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REAL ESTATE SALES OFFICE (LDC Sections 34-1951 et seq., and 34-3021)
RECREATION FACILITIES, Commercial [LDC Section 34-622(c)(38)]: Groups II and IV
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT [LDC Section 34-622(c)(39)]: Groups I and II (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.) – indoor storage only
GROUP I

Beach chairs, umbrellas and similar facilities
Bicycles
Mopeds and scooters
Passenger car pickup and drop off (no maintenance or repairs, limited storage only)

GROUP II. Household.

Appliances
Bicycles
Costumes
Furniture
Garden equipment
Movies, videotapes and similar home entertainment
Party or banquet supplies
Tools and equipment primarily for home use

REPAIR SHOPS [LDC Section 34-622(c)(40)]: Groups I and II
RESEARCH AND DEVELOPMENT LABORATORIES [LDC Section 34-622(c)(41)]: Groups II and IV
RESTAURANT, FAST FOOD Restricted to one use on parcel 2 or parcel 5.
RESTAURANTS [LDC Section 34-622(c)(43)]: Groups I, II and III
SCHOOLS:
Commercial [LDC Section 34-622(c)(45)] (LDC Section 34-2381)
SELF-SERVICE FUEL PUMPS Restricted to Automobile Service Station parcel.
SIGNS in accordance with Chapter 30
SOCIAL SERVICES [LDC Section 34-622(c)(46)]: Group I only
SPECIALTY RETAIL SHOPS [LDC Section 34-622(c)(47)]: Groups I-IV – No outdoor storage
STUDIOS [LDC Section 34-622(c)(49)]
TEMPORARY USES (LDC Section 34-3041 et seq.)
THEATER, indoor only (LDC Section 34-2471 et seq.)
USED MERCHANDISE STORES [LDC Section 34-622(c)(54)]: Groups I and II
VARIETY STORE
WHOLESALE ESTABLISHMENTS [LDC Section 34-622(c)(56)]: Group III only
NO OUTDOOR SALES OR STORAGE EXCEPT FOR OUTDOOR DINING

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ORGANIZATIONAL WRITTEN ACTION OF

THE INCORPORATOR

OF

PDG III, INC.

The undersigned, being the sole incorporator named in the Articles of Incorporation of **PDG III, INC.** (the "Corporation"), acting without meeting pursuant to the Florida General Corporation Act, hereby consents to and adopts the following actions, preambles, and resolutions as of the date specified herein:

1. **Certificate of Incorporation**. It is noted that the Corporation's Articles of Incorporation were duly filed in the office of the Secretary of State of the State of Florida. An acknowledged copy thereof, together with a letter from the Secretary of State acknowledging receipt and filing of such Articles of Incorporation and full payment of all charter fees and other money due the State of Florida incident to the incorporation, are to be filed in the minute book.

2. **Date of Activation**. It is noted that pursuant to such filing with the Secretary of State of Florida, the effective date of incorporation is as stated in the Articles filed in the minute book.

3. **Board of Directors**. RESOLVED that, until changed by its stockholders, this Corporation's Board of Directors consists of three (3) members.

4. **Election of Initial Board of Directors**. RESOLVED that the following persons be and hereby are elected as the members of the Board of Directors:

   MICHAEL P. CONNOR
   GEORGE K. KIDMAN
   ROBERT A. FORLIZZO

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5. **Election of Officers**. RESOLVED, that the following persons be and are hereby elected to be officers of the Corporation to assume the duties and responsibilities fixed by the Bylaws and to serve until their respective successors are chosen and qualified:

PRESIDENT:	MICHAEL P. CONNOR
EXECUTIVE VICE PRESIDENT:	GEORGE K. KIDMAN
VICE PRESIDENT:	ROBERT LEE HOFFMAN
VICE PRESIDENT:	OWEN C. EWING

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VICE PRESIDENT:	MICHAEL T. WAGNER
VICE PRESIDENT:	OLIVER PERDOMO
VICE PRESIDENT:	PETER H. MONROE
TREASURER:	GEORGE K. KIDMAN
SECRETARY:	MICHAEL T. WAGNER
ASSISTANT SECRETARY:	M. BRIDGET BLAKE

6. **Stock Purchase**. WHEREAS, the Corporation has received an offer from Paradise Development Group, Inc. to purchase 100 shares of stock of the Corporation for the par value of said Shares; and

NOW, THEREFORE, IT IS RESOLVED, that upon receipt of the consideration, appropriate stock certificates be issued as soon as possible to the above-named individuals to reflect ownership of the shares so purchased.

7. **Administrative Resolutions**. The following administrative resolutions are hereby adopted and approved:

7.1 **Bylaws**. RESOLVED, that the proposed form of Bylaws for the regulation and management of the affairs of the Corporation which has been read, section by section, is hereby adopted and ordered to be made a part of the permanent records to follow the Articles of Incorporation in the Minute Book.

7.2 **Corporate Seal**. RESOLVED, that the corporate seal, the impression of which is affixed in the margin hereof, is approved and is designated as the official Corporate Seal of the Corporation.

7.3 **Stock Certificate**. RESOLVED, that the form of stock certificate attached to these minutes is adopted and approved.

7.4 **Minute Book**. RESOLVED, that the Corporation shall maintain as part of its corporate record, a corporate minute book which shall include a record of its Articles of Incorporation and Amendments thereto, its Bylaws and Amendments thereto, minutes of all meetings, or written actions in lieu thereof of its Directors and Shareholders, and its stock transfer ledger.

8. **Registered Office/Agent**. RESOLVED, that the registered office and registered agent of the Corporation, initially designated in the Articles of Incorporation, are hereby approved and ratified.

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9 **Bank Accounts**. RESOLVED, that such bank or banks as the President shall select (with the advice of the Board) is[are] designated as a depository of this Corporation, and that funds so deposited may be withdrawn upon the execution of a check, draft, note, or other documents of the Corporation, which documents may be drawn and executed by the officers of the Corporation specified in such bank's resolution.

FURTHER RESOLVED, that the form resolutions required by the bank or banks to effect the foregoing arrangement are hereby adopted as the action of the Corporation.

10 **Organizational Expenses**. RESOLVED, the Treasurer be and hereby is authorized to pay all fees and expenses incident to and necessary for the organization of this Corporation.

FURTHER RESOLVED, the Corporation shall deduct its organizational expenditures as permitted by law.

11 **Insurance**. RESOLVED the Corporation, through its proper officers, is authorized to purchase property damage, liability, worker's compensation, and other appropriate insurance on behalf of the Corporation.

12 **Licenses and Permits**. RESOLVED, that the President of the Corporation is directed to obtain in the name of the Corporation such licenses and permits as may be required for the conduct of the business of the Corporation by any Federal, state, county or municipal governmental ordinance or regulation and to do all things necessary or convenient to qualify the Corporation to transact its business in compliance with the laws and regulations of any appropriate Federal, state, county or municipal governmental authority.

The undersigned, being the sole incorporator of **PDG III, INC.**, does hereby ratify, approve, consent to and confirm all of the above preambles, resolutions and actions.

DATED as of the 8th day of March, 2004.

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ROBERT A. FORLIZZO

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Barraco and Associates, Inc.
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Civil Engineers, Land Surveyors and Planners

Exhibit 6-M
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Schedule of Uses
Revised

Residential "R"

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et.seq.* 34-1863 and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
ASSISTED LIVING FACILITY (LDC Sections 34-1491 *et seq.*, and 34-1411) – As limited in Condition 2, Z-98-029)
CLUBS:
- Country
- Private (LDC Section 34-2111)

DWELLING UNIT:
- Single Family
- Duplex
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC section 34-1741 *et.seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et.seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
HOME CARE FACILITY
HOME OCCUPATION (LDC Section 34-1771 *et seq.*)
MODELS:
- Display center (LDC Section 34-1951 *et seq.*)
- Model home (LDC Section 34-1951 *et seq.*)
- Model unit (LDC Section 34-1951 *et seq.*)

PARKING LOT:
- Accessory

PLACES OF WORSHIP (LDC Section 34-2051 *et seq.*)
RECREATIONAL FACILITIES: Private, On-Site
RELIGIOUS FACILITIES (LDC Section 34-2051 *et seq.*)
RESIDENTIAL ACCESSORY USES [LDC Section 34-622(c)(42)] (LDC Section 34-1171 *et seq.*)
SIGNS in accordance with Chapter 30

Commercial "C"
[All uses with an asterisk (*) may only be developed south of the Pelican Sound access.]

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ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
~~ANIMALS: Clinic (LDC Section 34-1321 et seq.) – within an enclosed building only~~ Deleted June 14, 2004
~~ASSISTED LIVING FACILITY (LDC Sections 34-1491 et seq., and 34-1411)~~ Deleted June 14, 2004
*ATM (automatic teller machine)
*AUTO PARTS STORE – without installation services
*AUTOMOBILE SERVICE STATION Restricted to one use on parcel 3 or parcel 4 w/ convenience store and car wash. Added July 12, 2004
*AUTO REPAIR AND SERVICE [LDC Section 34-622(c)(2)], Group I only
~~*BAIT AND TACKLE SHOP~~ Deleted June 14, 2004
*BANKS AND FINANCIAL ESTABLISHMENTS [LDC Section 34-622(c)(3)]: Groups I and II
BOATS:
Boat parts store
~~Boat rental~~ Deleted July 12, 2004
BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION (LDC Section 34-1441 *et seq.*)
~~BUILDING MATERIAL SALES (LDC Section 34-822(c)(4) and 34-3001 et seq.) No outside storage~~ Deleted June 14, 2004
BUSINESS SERVICES [LDC Section 34-622(c)(5)]: Group I
*CAR WASH Restricted to Automobile Service Station parcel inconjuction with convenience store. Added July 12, 2004
CLEANING AND MAINTENANCE SERVICES [LDC Section 34-622(c)(7)]
*CLOTHING STORES, general [LDC Section 34-622(c)(8)]
CLUBS:
*Commercial
*Fraternal, membership organization (LDC Section 34-2111)
Private (LDC Section 34-2111)
COMPUTER AND DATA PROCESSING SERVICES
*CONSUMPTION ON PREMISES (LDC Section 34-1261 *et seq.*)
*CONVENIENCE FOOD AND BEVERAGE STORE Restricted to Automobile Service Station parcel (3 or 4) and one additional use such as a wine or liquor store "up-scale" in nature without convenience store appurtenances in keeping with the overall architectural and landscape intent of the project. Added July 12, 2004.
CULTURAL FACILITIES [LDC Section 34-611(c)(10)]
DAY CARE CENTER, CHILD, ADULT
*DEPARTMENT STORE
*DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE Restricted to maximum of five parcels. Addded July 12, 2004
DRUGSTORE, PHARMACY Limit of one store for the project. Added July 12, 2004
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
ESSENTIAL SERVICE FACILITIES [LDC Section 34-611(c)(13)]: Group I (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD AND BEVERAGE SERVICE, LIMITED
*FOOD STORES [LDC Section 34-622(c)(16)]: Group I
~~FUNERAL HOME AND MORTUARY (without a crematory)~~ Deleted July 12, 2004.
*HARDWARE STORE Restricted to 10,000 sf or less. Added July 12, 2004
*HEALTH CARE FACILITIES [LDC Section 34-622(c)(20)]: Groups I – III

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~~*HELISTOP~~ Deleted June 14, 2004
*HOBBY, TOY AND GAME SHOPS [LDC Section 34-622(c)(21)]
~~*HOTEL/MOTEL (LDC Section 34-1801 et seq.) – limited to 105 rooms~~ Deleted June 14, 2004
*HOUSEHOLD AND OFFICE FURNISHINGS [LDC Section 34-622(c)(22)], Groups I and II Household use shall remain per code and the Office Furnishing shall be similar to Kinko's, Office Depot, Office Max or any other like kind facility. Large newspaper printing facilities will be prohibited. Added July 12, 2004.
INSURANCE COMPANIES [LDC Section 34-622(c)(23)]
*LAUNDRY OR DRY CLEANING [LDC Section 34-622(c)(24)]:Group I
*LAWN AND GARDEN SUPPLY STORES (LDC Section 34-2081)
LIBRARY
MEDICAL OFFICE
~~MODEL DISPLAY CENTER~~ Deleted June 14, 2004
NONSTORE RETAILERS [LDC Section 34-622(c)(30)], All Groups
*PACKAGE STORE (LDC Section 34-1261 et seq.)
PAINT, GLASS AND WALLPAPER
PARKS [LDC Section 34-622(c)(32)]: Groups I and II
~~PARKING LOT:~~ Deleted June 14, 2004
~~Accessory~~
~~Garage, public parking~~
~~Temporary (LDC Section 34-2022)~~
PERSONAL SERVICES [LDC Section 34-622(c)(33)]: Groups I – III (*ATM only) List (July 12, 2004):
GROUP I

ATM's (automatic teller machines)
Barbershops or beauty shops
Clothing alterations and repair, including dressmakers, seamstresses and tailors
~~Coin-operated laundries wherein coin-operated or other facilities are provided for self-service laundering or dry cleaning~~
~~Laundromats~~
Laundry agents wherein the establishment may do its own pressing and finish work but the laundering or dry cleaning is performed elsewhere
Photo agents wherein dropoff and pickup film processing services are provided but the actual processing and developing is done elsewhere
Shoe repair services wherein shoe repair or shoeshining for individual customers is performed

GROUP II. The following uses are permitted provided that lodging facilities or resorts are not included:
TABLE INSET:

Beauty spas
Health clubs or spas
~~Massage establishments~~
~~Massage parlors (article VII, division 3)~~
Reducing or slenderizing salons
Steam or Turkish baths

GROUP III. Establishments primarily engaged in the sale, rental or service of health-related devices such as:
TABLE INSET:

Artificial limbs
Crutches
Hearing aids

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Hospital beds
Optical supplies
Orthopedic supplies
Wheelchairs

PET SERVICES
PET SHOP
*PHARMACY
~~PLACE OF WORSHIP (LDC Section 34-2051 et seq.)~~ Deleted June 14, 2004
*POST OFFICE
*PRINTING AND PUBLISHING [LDC Section 34-622(c)(36)]
REAL ESTATE SALES OFFICE (LDC Sections 34-1951 et seq., and 34-3021)
*RECREATION FACILITIES, Commercial [LDC Section 34-622(c)(38)]: Groups II and IV
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
*RENTAL OR LEASING ESTABLISHMENT [LDC Section 34-622(c)(39)]: Groups I and II (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.) – indoor storage only List July 12, 2004:

GROUP I

Beach chairs, umbrellas and similar facilities
Bicycles
Mopeds and scooters
Passenger car pickup and dropoff (no maintenance or repairs, limited storage only)

GROUP II. Household.

Appliances
Bicycles
Costumes
Furniture
Garden equipment
Movies, videotapes and similar home entertainment
Party or banquet supplies
Tools and equipment primarily for home use

*REPAIR SHOPS [LDC Section 34-622(c)(40)]: Groups I and II
*RESEARCH AND DEVELOPMENT LABORATORIES [LDC Section 34-622(c)(41)]:Groups II and IV
*RESTAURANT, FAST FOOD Restricted to one use on parcel 2 or parcel 5. Added July 12, 2004.
*RESTAURANTS [LDC Section 34-622(c)(43)]: Groups I, II and III
*SCHOOLS:
Commercial [LDC Section 34-622(c)(45)] (LDC Section 34-2381)
*SELF-SERVICE FUEL PUMPS
SIGNS in accordance with Chapter 30
SOCIAL SERVICES [LDC Section 34-622(c)(46)]: Group I only
*SPECIALTY RETAIL SHOPS [LDC Section 34-622(c)(47)]: Groups I-IV – No outdoor storage
~~STORAGE:~~
~~Indoor only, (LDC Section 34-3001 et seq.)~~ Deleted June 14, 2004
STUDIOS [LDC Section 34-622(c)(49)]
TEMPORARY USES (LDC Section 34-3041 et seq.)
*THEATER, indoor only (LDC Section 34-2471 et seq.)
*USED MERCHANDISE STORES [LDC Section 34-622(c)(54)]: Groups I and II
*VARIETY STORE

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~~*VEHICLE AND EQUIPMENT DEALERS [LDC Section 34-622(c)(55)]: Group II only (LDC Section 34-1352)~~
Deleted June 14, 2004
WHOLESALE ESTABLISHMENTS [LDC Section 34-622(c)(56)]: Group III only

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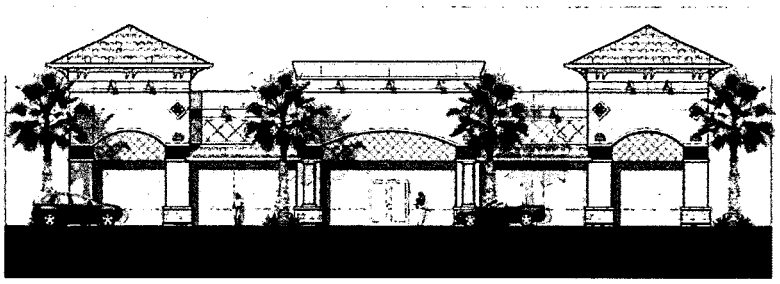
PARADISE SHOPPES OF ESTERO



Project Overview

This document describes the intent of the applicant in developing the Paradise Shoppes of Estero project, and proposes design guidelines by which the project will be constructed. The objective is to provide the Estero community and Lee County the assurances that this project will be developed to meet the language and intent of the Estero Plan, while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Paradise Shoppes of Estero project is located on the northwest corner of U.S. Highway 41 and Williams Road. The project is strategically nestled in the heart of Estero bounded by new commercial development, which will provide services, plazas and amenities to be enjoyed by all ages. The project architecture, layout and design will incorporate features exceeding both the current Lee County design guidelines, found in LDC Section 10-600, and the Estero Plan, Goal 19 of the Lee County Comprehensive Plan.

In developing the property located at the northwest corner of U.S. Highway 41 and Williams Road it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19, the Estero Plan) and the development constraints presented with a 22-acre site at this location. The following base postulations, as well as policies that influence this type of development, were utilized.

- The subject property is located at the intersection of an arterial roadway – U.S. Highway 41, and two secondary roadways – Williams Road and Pelican Sound Boulevard. Access driveways are evenly distributed among the complementary roadways. U.S. Highway 41 is a primary thoroughfare and can safely support commercial development.

- The proposed development site is within the Suburban land use category, which was designated for areas that are primarily residential but allow commercial development as neighborhood centers are necessary to promote the quality of life in these areas. Commercial development is limited to neighborhood centers and industrial development is not allowed. The Lee Plan projects less intense development in these areas, more characteristic of a suburban area.

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- The intent of these design guidelines and standards is to meet and exceed the requirements of the Estero Plan, yet allowing for the development of a large commercial project containing one or more major anchors.

Design Guidelines and Standards

The following design guidelines are intended to establish the standard with which this development will comply. The guidelines however, are intended to be flexible to allow for a more detailed analysis by the Lee County development review staff and the Estero Development Review Committee at the time of local development order.

- The Paradise Shoppes of Estero is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Section 10-600, the Estero Design Guidelines.

- The Paradise Shoppes of Estero will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping and lighting throughout the site.

- The Paradise Shoppes of Estero will be developed on a 22-acre site as part of the Estero Overlay, that designates an area of architecturally attractive landscaped buildings that cater to the needs of the community.

A. Village Areas

- Architectural Standards: The Village Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways or columns, appropriately scaled for the public. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complimentary elements such as roof treatments, signage, landscaping and building materials and colors.

- Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from U.S. Highway 41 to the free-standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to U.S. Highway 41.

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- Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall be located on poles no more that 30' 0" in height and shielded to minimize light intrusion crossing the property line when abutting residential and assisted living facility uses.

- Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complementary to the overall master landscape plan. The Paradise Shoppes of Estero landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasizes plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas.

B. Anchor Parcel

- The Anchor Parcel will accommodate one or several retail uses. The on-site pedestrian system will connect the Anchor Parcel to the adjacent Vista Parcel paralleling U.S. Highway 41 and the buildings of the Anchor Parcel will be designed to compliment the Vista Parcels. The parking area will be designed to minimize hardscaped areas, visually and physically.

- Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the Vista Parcels and all other free-standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large adorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration on the following page)

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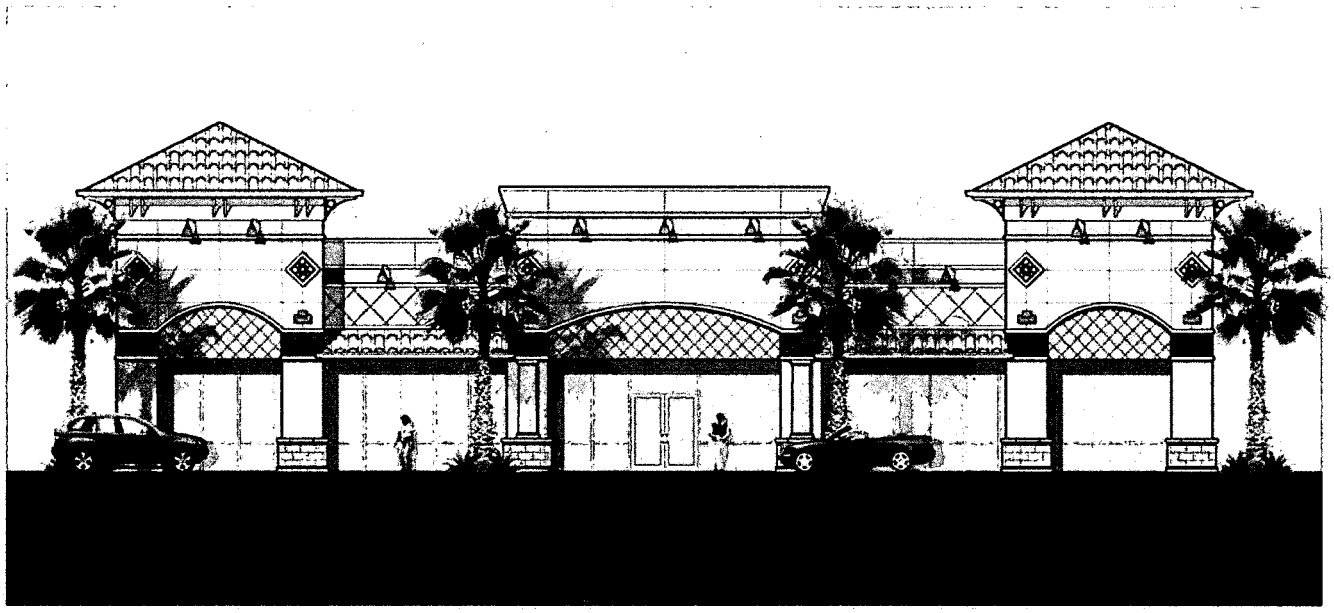

Buildings will also provide a minimum of two of the following building design treatments:

- Canopies or portico, integrated with the buildings' massing and style
- Overhangs
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character

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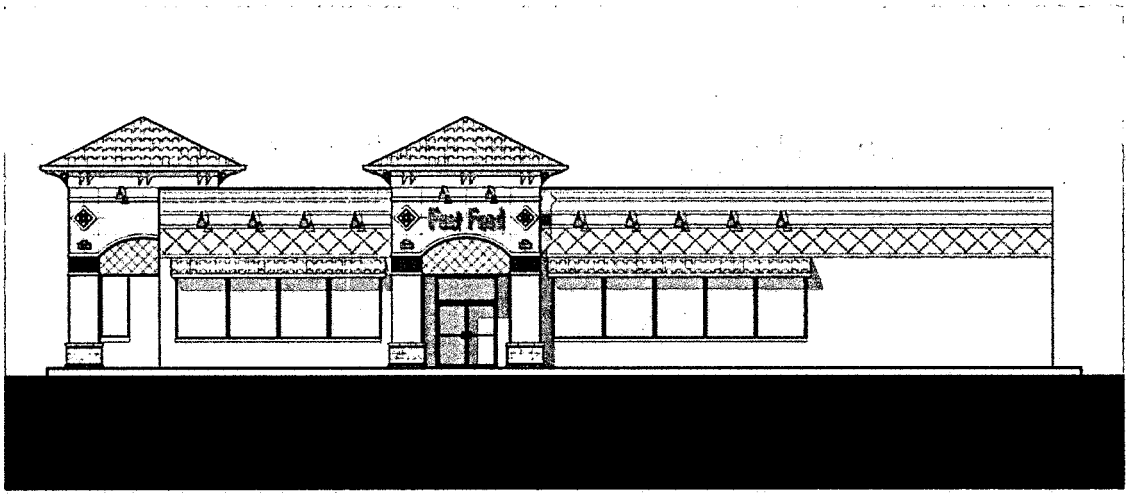

Building facades may include a repeating pattern and may include no less than two of the design elements listed below. At least one of these design elements may repeat horizontally.

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 6 inches in width, such as a reveal, and offset or a projecting rib
- Architectural banding
- Pattern change

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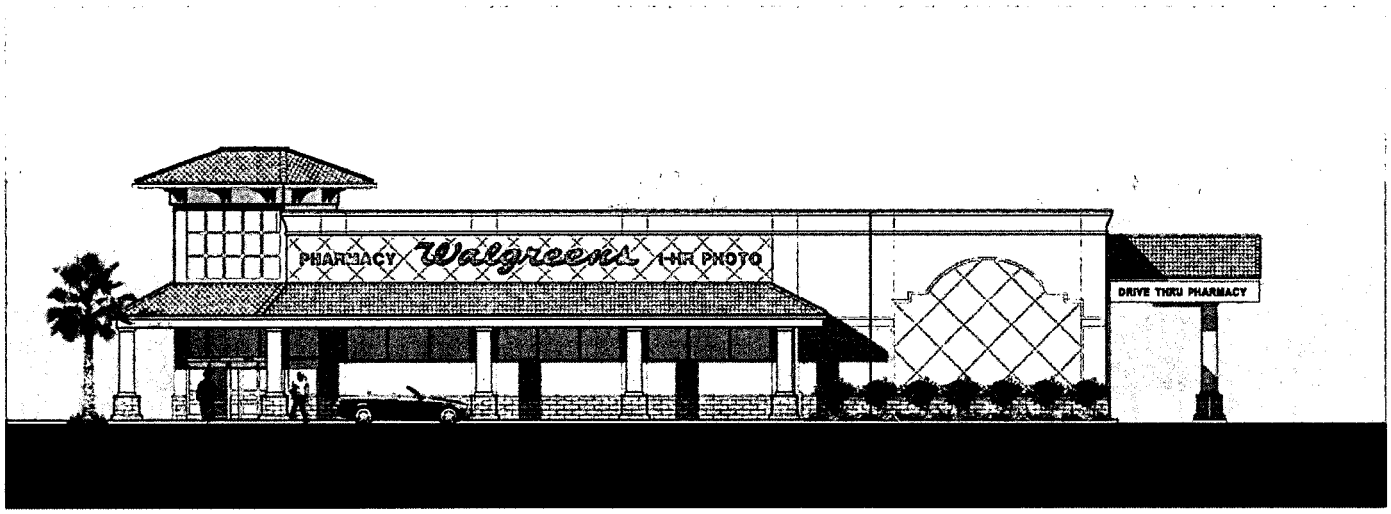
PARADISE SHOPPES OF ESTERO



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Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs where required
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum facia of 8 inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of two reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which incorporates benches or other seating components and decorative landscape planters.

Exterior building colors and materials contribute significantly to the visual impact of a building.

Predominant exterior building materials will include, but are not limited to:

- Stucco
- EFIS
- Architectural Block
- Tinted, textured, other that smooth or ribbed, concrete masonry units; or
- Natural Stone and/or Pre-cast Concrete

Customer parking for the Anchor Parcel will be in accordance with Section 34-1046 Design Standards, Item 7. In addition to Item 7, customer parking will be located in front of the Anchor Parcel building.

C. Common / Public Areas

- Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.
- Project architectural features will be developed within common areas of the project and will be coordinated in the design, color and style. Architectural features shall be permitted throughout the site.

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- The Paradise Shoppes of Estero will provide a variety of publicly accessible amenities, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.

- A pedestrian way network shall be established throughout the project as shown on the Conceptual Site Plan on the following page. The pedestrian system will serve to link Anchor and vista areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of treated surfaces, signage or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.

  - The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc.. This pedestrian way may include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum unobstructed pedestrian way of 5 feet average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances where appropriate.

  - The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan on the following page. This pedestrian way system will be designed to promote safe and convenient linkage from the parking area to the entire project. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatment and other traffic calming techniques. This pedestrian way system shall be a minimum of 4 feet in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12 feet high with a 4 feet spread for canopy trees and equivalent specification for shade palms at the time of planting.

  - The perimeter pedestrian way system is designed to link free-standing uses with the parking and village area pedestrian way as shown on the Conceptual Site Plan on the following page. Vehicular crossings will be identified with signage, landscaping and clearly marked through uses of varied pavement treatments or other traffic calming techniques.

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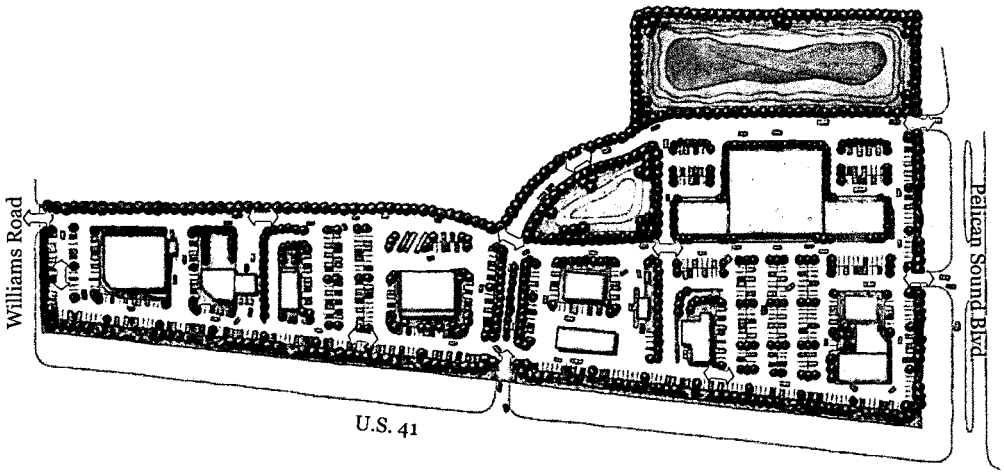
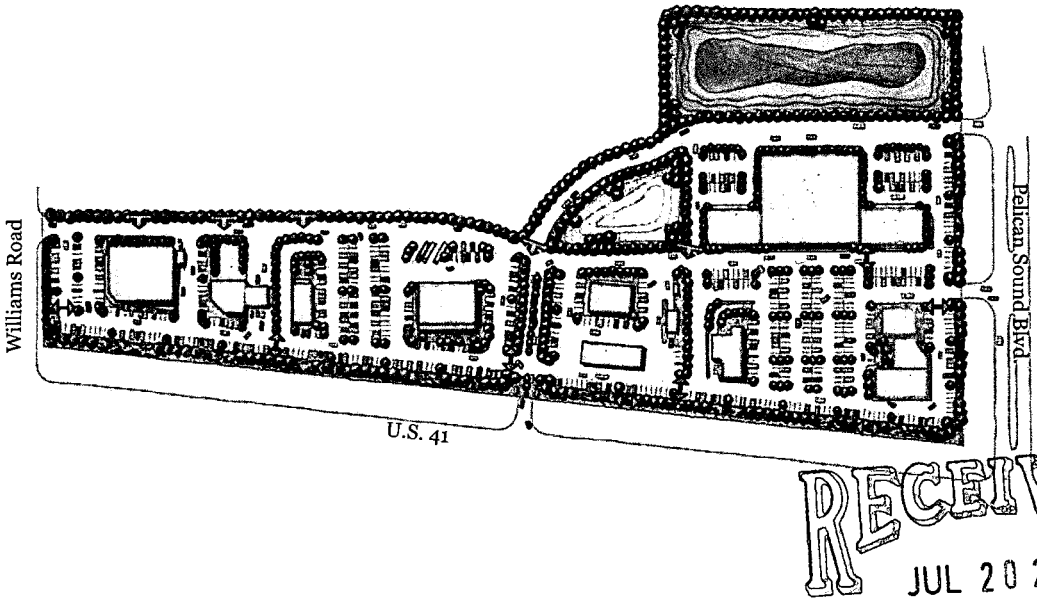


Conceptual Site Plan: Vehicular Circulation

Conceptual Site Plan: Pedestrian Circulation



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Landscaping

A. General

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement and satisfy LDC native plant requirements. Any non-native landscape material use shall be allowed under the LDC and will be used to provide additional color and texture for areas to be enhanced such as main vehicular and pedestrian entries, circulation routes, building perimeter plantings and pedestrian amenity open space.

B. Perimeter

- Buildings along U.S. Highway 41 will be designed in accordance with LDC Section 10-600; the setback requirements for the Estero Overlay. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- Where parking or service areas along U.S. Highway 41 are located within 75 feet of the right of way line, the developer must maintain a minimum 30 foot setback for parking or service areas from the U.S. Highway 41 right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles.
  Trees may be clustered to allow view corridors to internal buildings.
  Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.
  Further, sidewalk improvements may be made (subject to FDOT review and utility conflicts) to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk.

- Where an access road for a drive-thru is located along U.S. Highway 41 within 75 feet of the right of way line, the developer must maintain a maximum 25 foot building setback from the U.S. Highway 41 right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles .
  Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk (subject to FDOT review, utility conflicts and spacing issues).

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- Where buildings along Williams Road or Pelican Sound Boulevard are designed such that parking areas are in front of the building, an enhanced 30 foot buffer consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with a ± 2 feet undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- The height of required trees within buffers shall be 12 feet overall in height. Canopy trees shall have a 6 feet canopy spread at the time of planting.

- Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Paradise Shoppes of Estero boundary concurrent with site development within each village area or anchor parcel respectively.

- Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting and utilities will be permitted within perimeter landscape buffers.

- Perimeter landscape berms located within the Paradise Shoppes of Estero boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.

- The developer and adjacent landowners endeavor to provide a unified homogenous landscape and entry feature for Pelican Sound Boulevard. The entry feature will be designed to compliment the Paradise Shoppes of Estero project.

C. Internal

Per LDC Sections 34-1042 thru 34-1047, internal landscaping will be provided to minimize hardscaped areas, both visually and physically, accentuate entryways, define pedestrian areas and enhance the pedestrian walkway system. In all landscaped areas, existing native trees will be preserved.

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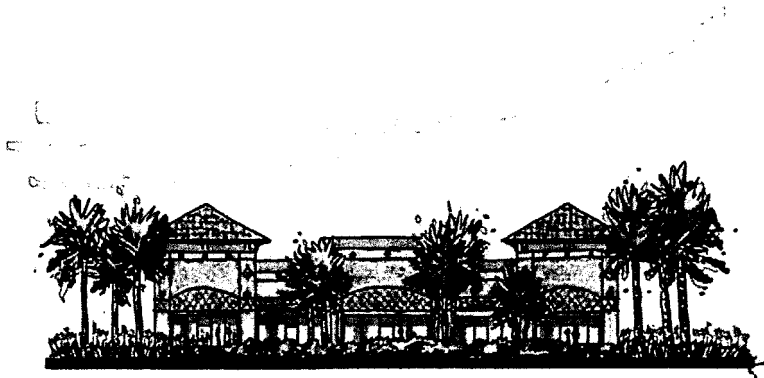
PARADISE SHOPPES OF ESTERO

U.S. 41 | Parking/Pedestrian/U.S. 41 Circulation | Retail Shops

Entrance from U.S. 41



Creation of Focal Points

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Signage

A. All signs shall be of consistent architectural style and shall feature like building materials and sign structures. Sign Structures will be uniform in size, color and building material.

B. All signs will comply with the land development code sign guidelines at the time of the issuance of the sign permit.

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Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

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COMMUNITY DEVELOPMENT

CAMARGO MPD

DCI2004-00013 - PDA APPLICATION

SUFFICIENCY RESPONSE

Original

July 9, 2004

2271 McGregor Boulevard • Fort Myers, Florida 33901
Phone (239) 461-3170 • Fax (239) 461-3169

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REVISED SCHEDULE OF DEVIATIONS

REVISED TIS

AGRICULTURAL USES AFFIDAVIT

REVISED LOCATION MAP

REVISED SCHEDULE OF USES

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COMMUNITY DEVELOPMENT
REC'D SECOND FLOOR

2004-00013

Barraco and Associates, Inc.
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Civil Engineers, Land Surveyors and Planners

July 9, 2004

Mr. Alvin "Chip" Block, AICP
Principal Planner
Lee County Zoning and Development Services
1500 Monroe Street
Fort Myers, Florida 33901

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COMMUNITY DEVELOPMENT
REC'D SECOND FLOOR

Re: Camargo MPD
DCI2004-00013 – PDA Application (PD Amendment)

Dear Mr. Block:

Please accept the following information in response to your April 15, 2004 correspondence regarding the above referenced project. The following responses are provided to directly correspond to your Sufficiency Questions.

Legal Requirements Sufficiency Checklist

1a2) If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner.

The Disclosure of Interest must list the officers and stockholders of the Corporation/LLC and indicate the percentage of their ownership interest. This was omitted.

The revised Disclosure of Interest form is attached.

7) Miscellaneous Items.

RE: Public Informational Meetings with Local Planning Community Panels:

Requirement: The applicant must schedule a public informational meeting with the Estero Planning Community Panel as required by Section [34-373(a)(10)] before the application can be found Sufficient. Then, provide Staff with a summary memorandum of the meeting containing the following information: the date, time and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

The applicant stated on the application that a public informational meeting with the Estero Planning Community is pending. Until that information is received and reviewed, this project cannot go forward.

2271 McGregor Boulevard • Fort Myers, Florida 339(
Phone (239) 461-3170 • Fax (239) 461-3169

DCI2004-00013

Mr. Alvin "Chip" Block
July 9, 2004

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Please find attached a meeting summary of the Estero Community Planning Panel.

Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent resubmittals."

Environmental Sciences Planned Development Sufficiency Checklist

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order.

Pending ES staff field inspection.

So noted. A copy of the Protected Species Survey has been included in this re-submittal.

5) Open Space. The percentage of open space must be clearly stated on the Master Concept Plan unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet.

Please submit an open space table.

An open space table has been added to Sheet 2 of the Master Concept Plan.

6) Parks, Recreation Areas and Indigenous Areas. The general location of proposed parks, recreation areas and facilities as well as indigenous areas to be preserved must be shown on the Master Concept Plan.

Please revise MCP to delineate the indigenous preservation required per LDC Section 10-415(b)(1). If there is not adequate existing indigenous plant communities, but there is existing native trees, then the balance of the indigenous open space requirement must be met through the preservation of native trees per LDC Section 10-415(b)(1)(b).

The indigenous preservation area, as approved per Resolution No. Z-98-029 is now shown on the Master Concept Plan on Sheet 1.

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable.

The proposed buffers do not meet the current LDC standards. Please revise the MCP to meet the current LDC standards.

The buffers have been revised according to the Estero guidelines and are reflected on Sheet 1 of the Master Concept Plan. A 30-foot buffer along the U.S. 41 frontage is proposed.

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REC'D SECOND FLOOR

11) Schedule of Deviations. A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan must be submitted.

No deviations have been requested. Please clarify if the applicant is requesting the same deviations as listed in Z-98-029.

The applicant is requesting the same deviations as listed in Resolution No. Z-98-029. A note to this effect has been added to Sheet 2 of the MCP.

There is one new deviation concerning the required indigenous preserve area. This has been included in the re-submittal packet.

12) Miscellaneous Items.

The MCP does include the entire area of the original MPD zoning. However, the notes indicate the open space will be provided per Z-98-029 which concentrated the open space, especially the indigenous preservation within the residential tracts. Please revise the MCP to clearly delineate the limits of the MPD including the residential tracts.

Sheet 1 of the Master Concept Plan now reflects the entire project, including the indigenous preserve area. An open space table is provided on Sheet 2.

T.I.S. Checklist

2) Trip End Rates or Equations. The TIS must contain the equations or the average trip end generations for each type of use proposed and the name of the document from which this information was obtained (i.e., ITE TRIP GENERATION, current edition).

The pass-by was calculated for the overall trips, rather than just for retail.

Please see the revised TIS, dated June 23, 2004.

7) Level of Service Analysis. The TIS for projects generating more than 100 net new trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the Level of Service for all links within the area of influence.

The TIS shows level of service "F" on U.S. 41.

Please see the revised TIS, dated June 23, 2004.

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

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COMMUNITY DEVELOPMENT
REC'D SECOND FLOOR

1) Initiation of Application – Legal Requirements, Ownership, Except for Condominiums, Timeshare Condominiums, or Subdivisions, where there is more than one owner, either legal or equitable, all such owners must jointly initiate the application or petition.

1a) The application was signed by the owner of the property or an authorized representative.

Please advise what legal entity is the "Paradise Development Group" (e.g., corporation, partnership, limited liability corporation).

The Disclosure must list the interest holder/beneficiaries of Paradise Development Group. Please provide a new Disclosure with this information.

The corrected forms are attached.

6) All applications requiring a public hearing must include the following:

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated.

Please refer to the Legal Requirements section of this checklist.

A legal description was provided as part of the initial application submittal. It is labeled Exhibit PH-3.C.1.

6o) Statement from the owner describing the type and intensity of agricultural use existing on the site on the date of application. The statement must include acreage figures for each use and an exhibit showing the location of the uses on a copy of the boundary sketch. The exhibit must be titled "Agricultural Uses at time of Zoning Application."

Staff is not able to find this required information. If it has been submitted please direct staff to where it may be found, otherwise please provide this required information.

The entire 82.59-acre site is in agricultural use. An affidavit has been included in this re-submittal.

9) Description of existing conditions. The application for a Planned Development must be accompanied by the following:

9b) Map of Roads. A map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on abutting property.

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The application does not provide a map containing this required information. Please provide the information required by this Section.

The Location Map, Exhibit 6-B, has been revised to reflect this.

12) Scale of Plans/Required Information. The Master Concept Plan must be clearly legible and drawn at a scale sufficient to adequately show and identify the following information:

12c) Streets. If it is a subdivision, the plan must also show the general location of all proposed internal street rights-of-way or easements, and the general location of all points of vehicular ingress and egress from the proposed internal rights-of-way or easements into multiple-family, commercial or industrial use lots.

The Plan does not provide the general location of points of ingress and egress into the individual parcels from the proposed development roads. Please revise the Plan to provide this information.

Sheet 1 of the Master Concept Plan has been revised to reflect points of ingress/egress to the individual parcels.

Also remove the note in the lower right hand corner of the Plan. This information is not required on the Master Concept Plan.

The note has been removed.

12d3) Setbacks. The minimum proposed setbacks for principal structures on each lot or parcel (including outparcels).

The setbacks are described in the Property Development Regulations Table on Sheet 2 of the Master Concept Plan. These setbacks apply to all parcels associated with this submittal.

12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for a specific zoning district will be used, reference to the specific district will be sufficient.

Comparing the requested use to the Master Concept Plan, the Schedule refers to Residential "R" Parcels and Commercial "C" Parcels. However, the submitted Master Concept Plan does not identify which parcel(s) are designated as "R" or "C". Please revise the Plan to show the proposed use of each parcel as required by this Section.

The plan has been revised to clearly delineate the different areas of development for the entire planned development. The uses in the Schedule, Residential vs. Commercial

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correlate with the use areas proposed and shown on the Master Concept Plan. All commercial uses listed in the Schedule are applicable to Parcels 1-8 of this application.

While the entire 83 acres of the MPD has been included in the application purely for legal reasons, only the +/- 22 acres of commercial south of Pelican Sound Boulevard is actually affected, as the residential development area has not been vacated, and no uses have been requested for the commercial parcel north of Pelican Sound Boulevard.

12e) Development Areas. Individual development areas (i.e., residential, retails, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following:

It is not clear on the Plan what area(s) are or are not included in this application. Please revise the Plan so it is clear which area(s) are part of this application.

The plan has been revised to clearly reflect the commercial portion of the planned development that is the purpose of this application.

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type.

The application indicates that there are no residential dwelling units in this application. However, the application also includes a Schedule of Uses proposing residential units and the Master Concept Plan includes property development regulations for residential. Please correct this application as needed to either provide for the number of residential units or remove residential uses and regulations from the application materials.

Please see response 12d4.

12e5) Health Care. If a health care facility is proposed, the number of beds.

The application includes health care facilities. Please provide the proposed number of beds for this use as required by this Section.

The health care facility has been removed from the Schedule of Uses.

12e6) Commercial/Industrial. If commercial or industrial is proposed, the type(s) and the total floor area of each type.

The Master Concept Plan does not provide this required information. Please provide the information required by this Section.

A Retail/Commercial Intensity Table has been added to Sheet 2 of the Master Concept Plan.

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12f) Service Areas. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions.

Please revise the Master Concept Plan to provide this information.

The plan has been revised to reflect the general service areas for each parcel.

12j) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable.

Please revise the Master Concept Plan to provide the information required by this Section.

The buffers have been revised.

12k) Public Transit. Proposed access and facilities for public transit, in accordance with Sections 34-411(e) and 10-442.

The Master Concept Plan will need to be revised to show the information required by this Section.

There are no proposed facilities for pubic transit. A note to this effect has been added to Sheet 2 of the Master Concept Plan.

13) Traffic Impact Statement. A traffic impact statement must be provided in a format and to the degree of detail required by a form furnished by the county and in conformance with the adopted county administrative code.

Please refer to the TIS portion of this checklist.

14a) Types of Uses. The types of uses proposed for the entire site. For projects with residential uses, the summary must include the types of proposed dwelling units.

As stated earlier, the application provides for uses which are not shown on the Master Concept Plan. Please either revise the Schedule or show where the uses may be developed in accordance with the LDC.

The application and Concept Plan have been revised to clarify.

14b) Units by Uses. The number of units (gross square feet for commercial/industrial uses, number of units for residential or motel/hotel uses, number of beds for institutional type uses, etc.) for each proposed use.

The application is not clear and the Master Concept Plan does not depict the intensity of this development. Please provide the information as required by the LDC.

Please see the Retail/Commercial Intensity Table on Sheet 2 of the Master Concept Plan.

14c) Open Space Percentage. The proposed percentage of open space for the entire site.

Please refer to the Environmental portion of this checklist.

An open space table has been provided on Sheet 2 of the MCP.

19) If project is located in the Estero Planning Community, applicant must submit a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

This case cannot be found sufficient until the required informational session has been held and the required minutes from that session has been provided.

So noted.

If you should have any questions or require additional information, please advise.

Very truly yours,

BARRACO AND ASSOCIATES, INC.

Shellie Johnson, AICP
Senior Planner

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SJ/cmh

21919

Enclosure

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PDG III, INC.

Name and Office of Officers:	Stock Issued:
1. Michael P. Connor, President	615
2. George K. Kidman, Executive Vice President	235
3. Michael T. Wagner, Vice President, Secretary, Treasurer	67.5
4. Owen C. Ewing, Vice President	67.5
5. Robert D. Hoffman, Vice President	75.0
6. Peter Monroe, Vice President	N/A
7. Oliver F. Perdomo, Vice President	N/A
8. Mike McCanless, Vice President	N/A
9. Bridget M. Blake, Assistant Secretary	N/A
10. Jon Mott, Shareholder	75.0
	1,000

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Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

Estero Community Planning Panel
Meeting Summary for
Paradise Shoppes of Estero
June 16, 2004

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On June 14, 2004, the project known as Paradise Shoppes of Estero was presented to the Estero Community Planning Panel for Panel consideration and review. The proposed project is for the development of a +/-23 acre commercial site that is part of a previously approved Mixed-Use Planned Development.

The project team included the following attendees:

Owen Ewing, Vice President of Development, The Paradise Group
Paul Tremblay, Associate Director of Site Development, The Paradise Group
William Fisher, President, Fisher Architects
Matt Uhle, Project Attorney, Knott, Consoer, Ebelini, Hart & Swett, P.A.
Rob Price, Project Consultant, Metro Transportation Group, Inc.
Carl Barraco, P.E., President, Barraco and Associates, Inc.
Shellie Johnson, AICP, Senior Planner, Barraco and Associates, Inc.
Chris Bundschu, Bundschu-Kraft, Inc.

The presentation included a brief history of the entire +/-83 acre project site that described the previous MPD approval for the subject property.

The original approval included development of 300 dwelling units, 100,000 square feet of retail space, 200,000 square feet of office space, and 105 hotel/motel units. It was explained that the purpose of our presentation was to consider the development proposed for the southern commercial portion of the project site only and that the residential component of the project was moving forward as originally approved.

The history described the reduced intensity of development proposed today as compared to what could have been developed under the original proposal. Today, the developer proposes 100,000 square feet of retail commercial space only.

The presentation described the proposed project as a Neighborhood Commercial Center that falls within the Suburban Future Land Use Category and within the Estero Planning Community, consists of eight development parcels, a lake and retention area. The following is a summary of highlighted aspects of the proposed development as described in the presentation:

- The Paradise Group (developer) is a quality retail developer most noted for grocery and drug store developments and specialty retail shops

2271 McGregor Boulevard • Fort Myers, Florida 33901
Phone (239) 461-3170 • Fax (239) 461-3169

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- The project will include architectural and landscape design guidelines to promote a unified, aesthetically pleasing development, examples of which include:

  - Common architectural elements and features
  - Common color palette
  - Consistent site lighting standards and fixtures
  - Common signage
  - Screening of site improvements through use of landscape buffers
  - Creation of focal points
  - Emphasis on use of native plants

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- The project site will have access from U.S. 41, Pelican Sound Boulevard and Williams Road and will include right-in turn lanes as deemed necessary

- The project will include a coordinated internal pedestrian system linked to external walkways and will include signage and special pavement treatments to ensure safe movement throughout the project site, and

- Vehicular connectivity to all areas of the development site will be provided with clear identity of entryways, landscaped parking areas and appropriate screening and buffering.

The Panel responded positively to the proposed development, complimenting the Developer on their efforts to create a unified theme for the project, including the creation of development guidelines. The Developer agreed to provide a copy of the guidelines to the Panel for their review and comment and indicated the guidelines would be included as part of the final application submittal to Lee County.

There were some concerns raised about the Schedule of Uses and the need for a gas station. The Developer responded by stating the gas station would remain as a proposed and probable use, but assured the Panel only one gas station would be included in the project and it was proposed to be located internal to the project site (Parcel 4 or 5) as opposed to either the corner of Williams Road and U.S. 41 or the corner of Pelican Sound Boulevard and U.S. 41.

A second use issue of concern was fast food restaurants. The Developer stated the possibility of having two fast food restaurants, which the Panel was not keen on. The discussion led to the definition of a fast food restaurant and whether limiting the site development to one fast food restaurant would preclude the ability to add an eating facility such as a Subway. The Panel commented it was not so much the use as it was the look of the use that was the concern, and suggested consideration of tight development guidelines that would assure these uses would fit in with the unified theme of the overall development.

The Panel asked for further meetings and discussion on these issues, which the Developer agreed to.

The Panel suggested limiting pet services to having no outdoor runs and prohibiting outdoor storage within the site. The Developer agreed to these provisions.

There was also some discussion on the proposed landscape buffers, particularly along U.S. 41 as it compared to the 30-foot buffer proposed at the North Point development located across the highway from this project site. The Developer stated the proposed buffer along U.S. 41 is 25-feet deep. The Panel indicated this was acceptable but may want further discussion.

The Panel indicated a liking to the single parking access row along the U.S. 41 frontage which reduced the pavement area adjacent to the roadway. The Panel suggested holding on to that design layout as the project moves through the development review process. Additionally, there was some concern expressed that due to the four-sided openness of the site plan in terms of building placement, treatment of the rear and sides of the building was going to be equally as important as the treatment of the front of the building. The Developer concurred with this statement.

The Panel complimented the Developer on their integration of signage, lighting, architecture and landscape and was supportive of the project. The Panel requested follow-up meetings to discuss further the issues of concern as outlined in this summary. The Developer is moving forward on the scheduling of meetings with the Panel.

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INTRODUCTION

Passarella and Associates, Inc. conducted a protected species survey for the Paradise Shoppes of Estero site. The purpose of the survey was to review the site for Lee County protected species as outlined in Lee County's Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat).

The Paradise Shoppes of Estero parcel is located in Section 33, Township 46 South, Range 25 East, Lee County (Figure 1). The property currently supports improved pasture and woodland pasture.

LAND USES AND COVER TYPES

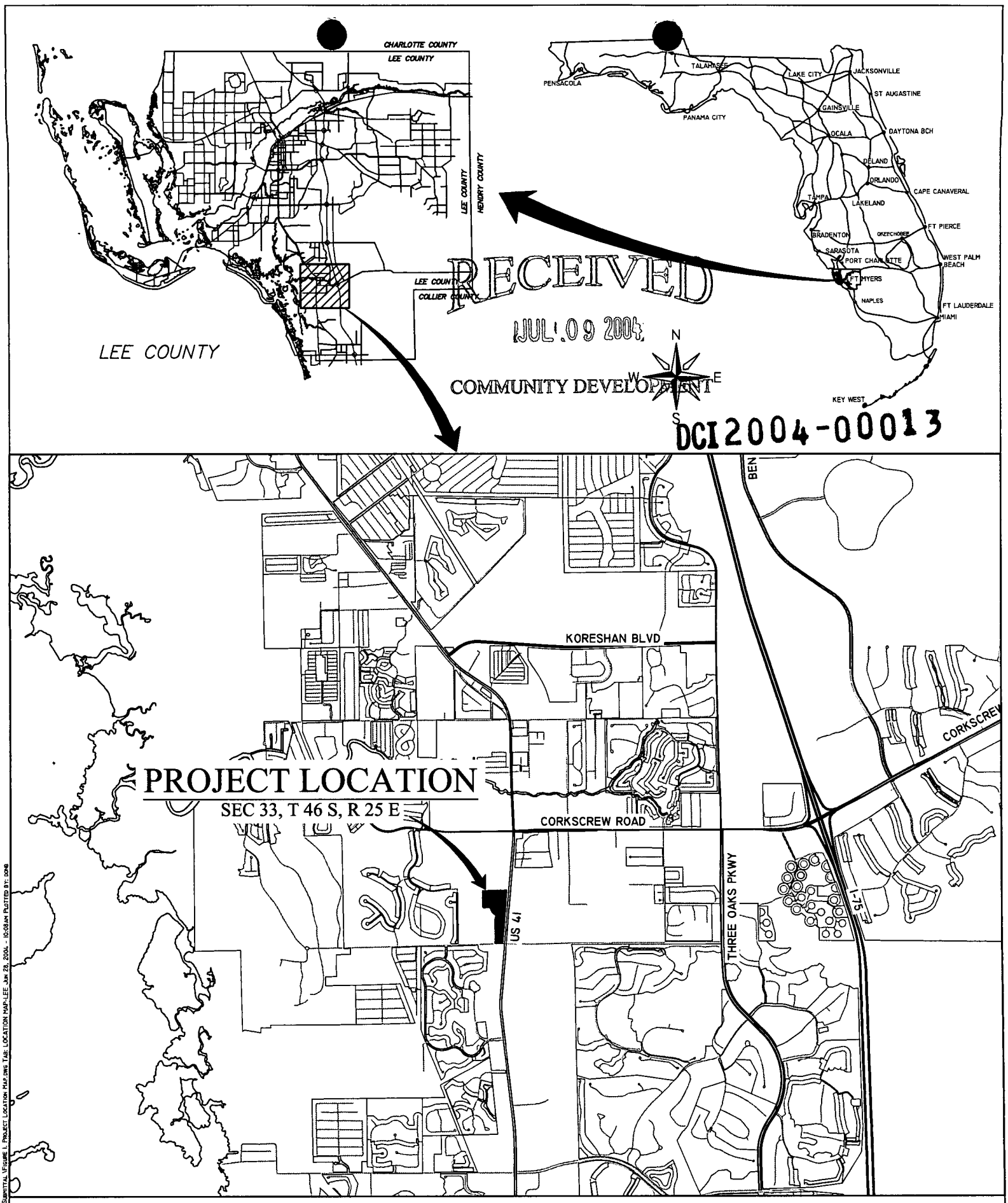
The vegetation mapping for the subject property was conducted using Lee County Property Appraisers 2002 rectified (scale 1" = 200') color aerials. Groundtruthing to map the vegetative communities was conducted on January 13, 2004, utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote disturbance and 'E' codes to show levels of exotic species invasion (i.e., melaleuca (*Melaleuca quinquenervia*), downy rose-myrtle (*Rhodomyrtus tomentosus*), and Brazilian pepper (*Schinus terebinthifoloius*)). AutoCAD (Version 2004) software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map (Figure 2). The FLUCFCS delineations depicted on a 2002 color aerial photograph are provided as Appendix A. Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Approximate Acreage	Percent of Total
2119 E2	Improved Pasture (25 - 49% Exotics)	15.31	70.5
2139 E1	Woodland Pasture (0 - 24% Exotics)	6.41	29.5
TOTALS		**21.72**	**100.0**

Improved Pasture (25 - 49% Exotics) (FLUCFCS Code 2119 E2)
This upland area is open in the canopy with widely scattered slash pine (*Pinus elliottii*). The sub-canopy is relatively open with scattered melaleuca and young slash pine. The ground cover is dominated by bahia grass (*Paspalum notatum*), yellow-eyed grass (*Xyris* spp.), pennywort (*Hydrocotyle umbellata*), coinwort (*Centella asiatica*), southern beakrush (*Rhynchospora microcarpa*), and red ludwedgia (*Ludwigia repens*).

Woodland Pastures (0 - 24% Exotics) (FLUCFCS Code 2139 E1)
This upland area was partially cleared for pasture, but contains slash pine in the canopy. The sub-canopy species include melaleuca, slash pine, downy rose-myrtle, earleaf acacia (*Acacia auriculiformis*), and rusty lyonia (*Lyonia ferruginea*). The ground cover is dominated by bahia grass, scattered saw palmetto (*Serenoa repens*), slash pine saplings, and yellow-eyed grass.



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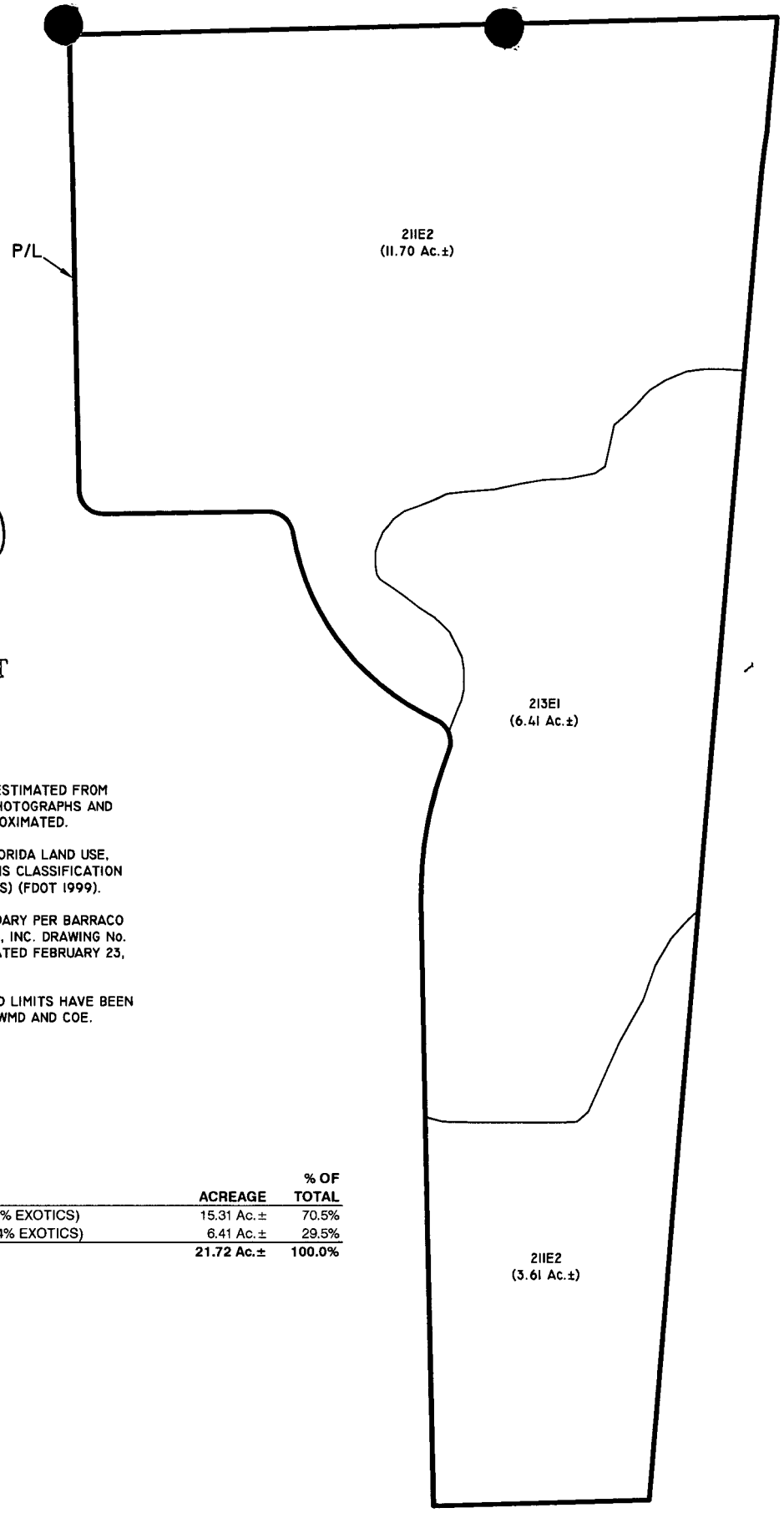
J:\2004\04-0010\46\LEE Co. SUBMITTAL\FIGURE 1. PROJECT LOCATION MAP.DWG TAB: LOCATION MAP-LEE JUN 29, 2004 - 10:08AM PLOTTED BY: DDB

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

FIGURE 1. PROJECT LOCATION MAP
PARADISE SHOPPES OF ESTERO

DRAWN BY: DB DATE: 6/8/04

SCALE: 1" = 200'



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NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21840S00.DWG DATED FEBRUARY 23, 2004

UPLAND/WETLAND LIMITS HAVE BEEN REVIEWED BY SFWMD AND COE.

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
211 E2	IMPROVED PASTURE (25-49% EXOTICS)	15.31 Ac.±	70.5%
213 E1	WOODLAND PASTURE (0-24% EXOTICS)	6.41 Ac.±	29.5%
	TOTAL	**21.72 Ac.±**	**100.0%**

FIGURE 2. PARADISE SHOPPES OF ESTERO FLUCFCS, WETLANDS, AND LEE COUNTY INDIGENOUS VEGETATION MAP

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: D.B. DATE: 5/12/04

J:\2004\04P00046\LEE Co. SUBMITTAL\FIGURE 2, 6-F, APPENDIX A.DWG TAB: FIGURE 2. FLUCFCS INDIGENOUS JUN 28, 2004 - 10:18AM PLOTTED BY: DPMB

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site, as outlined in the LDC. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Environmental Sciences staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
2119 E2	Improved Pasture (25 - 49% Exotics)*	Florida Sandhill Crane (*Grus canadensis pratensis*) **
		Florida Panther (*Felis concolor coryi*) **
2139 E2	Woodland Pastures (25 - 49% Exotics)*	Florida Sandhill Crane (*Grus canadensis pratensis*) **
		Florida Panther (*Felis concolor coryi*) **

*Habitat surveyed for the species noted as a precautionary measure although not required per the LDC.
**Species surveyed for although not required per the LDC.

The protected species survey was conducted by qualified ecologists on January 13, 2004 and June 2, 2004. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology previously approved by Lee County. The weather was partly cloudy, temperatures in the low to mid 80's, and a light breeze.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type for the site is provided in Table 3.

Table 3. Summary of Habitat Coverage

FLUCFCS Codes and Description		Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
2119 E2	Improved Pasture[2] (25 - 49% Exotics)	15.31	3,170	200	95
2139 E1	Woodland Pastures[2] (0 - 24% Exotics)	6.41	2,512	100	90

[1]Average visibility to one side of transect
[2]Habitat surveyed as a precautionary measure

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SURVEY RESULTS

No listed wildlife or listed plants were observed on the site. See Table 4 for listed species survey summary by FLUCFCS code.

Table 4. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Florida Sandhill Crane	2119 E2	95		X	
	2139 E1	90		X	
Florida Panther	2119 E2	95		X	
	2139 E1	90		X	

ABUNDANCE OF PROTECTED SPECIES OBSERVED

No Lee County protected species were observed during the surveys.

MANAGEMENT PLAN

No management plans are required as no Lee County protected species were observed during the surveys.

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REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

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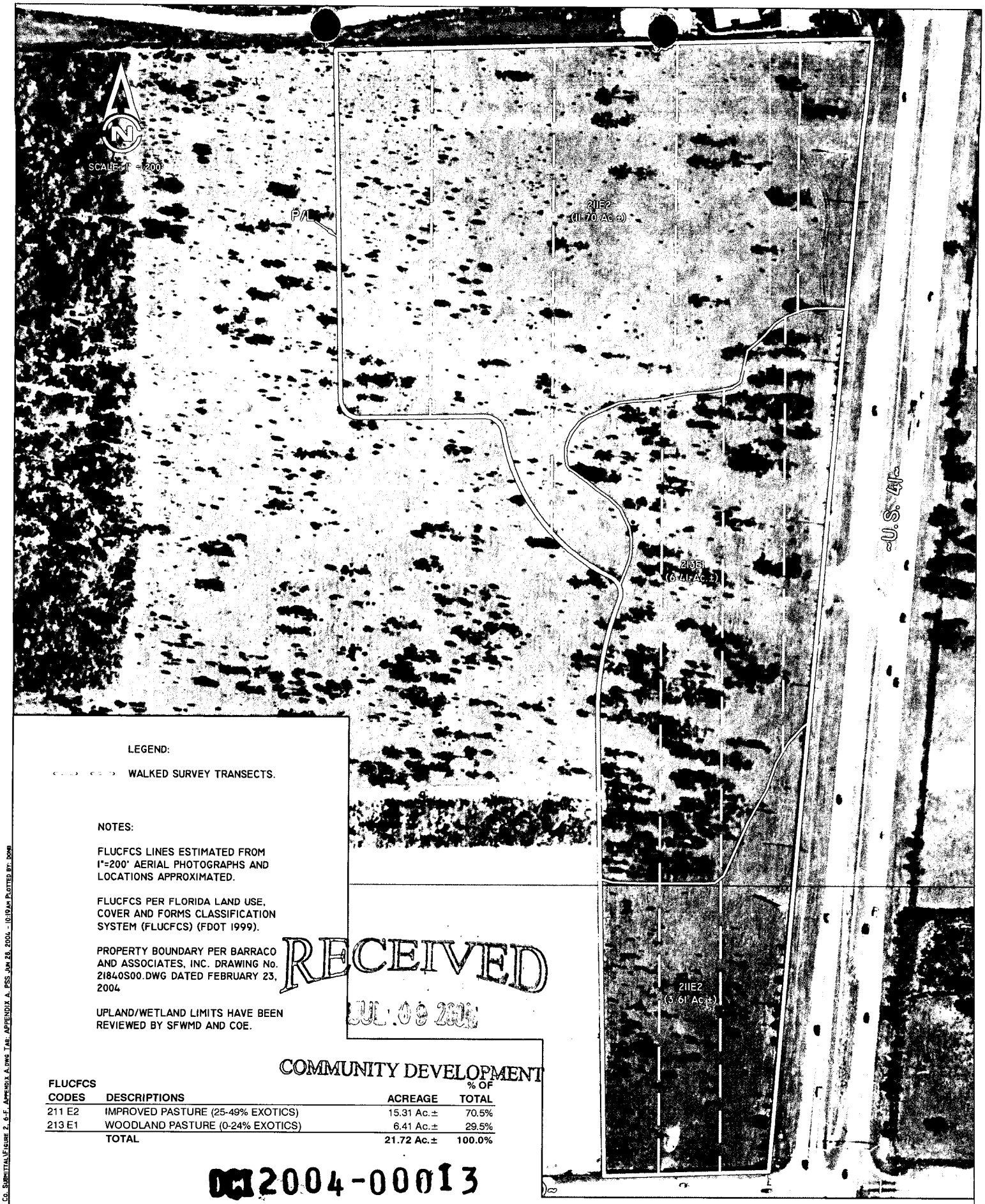

LEGEND:

WALKED SURVEY TRANSECTS.

NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21840S00.DWG DATED FEBRUARY 23, 2004

UPLAND/WETLAND LIMITS HAVE BEEN REVIEWED BY SFWMD AND COE.

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FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
211 E2	IMPROVED PASTURE (25-49% EXOTICS)	15.31 Ac.±	70.5%
213 E1	WOODLAND PASTURE (0-24% EXOTICS)	6.41 Ac.±	29.5%
	TOTAL	21.72 Ac.±	100.0%

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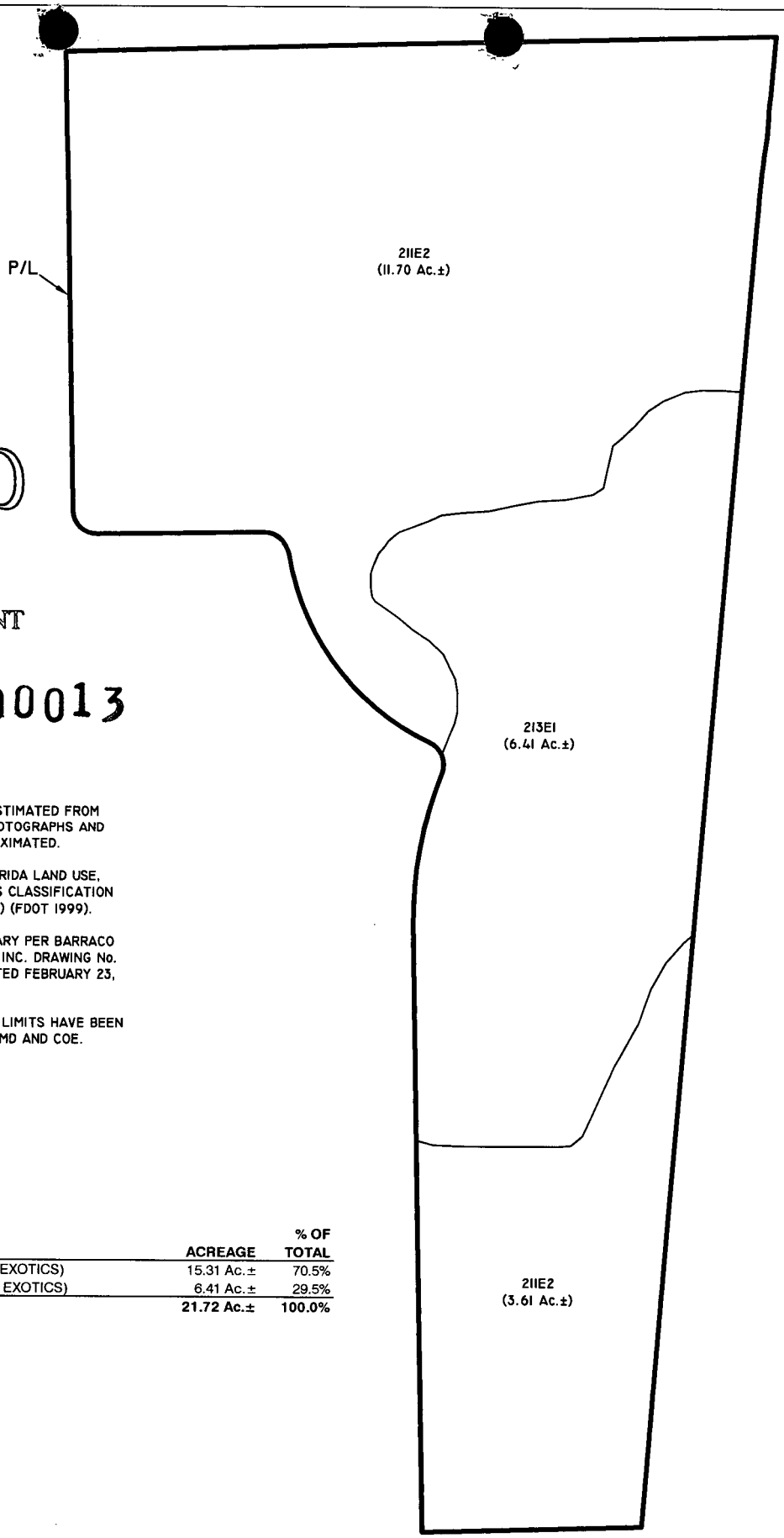
APPENDIX A. PARADISE SHOPPES OF ESTERO
AERIAL WITH PROTECTED SPECIES
SURVEY TRANSECTS AND FLUCFCS MAP

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: D.B. DATE: 5/12/04

J:\2004\04-0104\LEE CO. SUBMITTAL\FIGURE 2, 6-F, APPENDIX A.DWG TAB: APPENDIX A, PSS JUN 28, 2004 - 10:19AM PLOTTED BY: DOB



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NOTES:

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FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

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213 E1	WOODLAND PASTURE (0-24% EXOTICS)	6.41 Ac.±	29.5%
	TOTAL	**21.72 Ac.±**	**100.0%**

FIGURE 6–F. PARADISE SHOPPES OF ESTERO FLUCFCS MAP

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: D.B. DATE: 5/12/04

J:\2004\04001046\LEE Co. SUBMITTAL\FIGURE 2, 6-F, APPENDIX A.DWG TAB: FIGURE 6-F, FLUCFCS 8X11 Jun 28, 2004 - 10:18AM PLOTTED BY: DWB

Schedule of Deviations
Paradise Shoppes of Estero
Exhibit 6N

PROPOSED DEVIATION:

A deviation to Section 10-415(b)(1) which requires 50 percent of the open space percentage requirement be provided through the onsite preservation of existing native vegetation communities to permit the preservation of 10 acres in accordance with Resolution Z-98-029.

Justification: The indigenous preservation requirement for the entire development site requires preservation of 15 acres, 10 of which have been provided in the residential portion of the Master Concept Plan and was the amount approved through the original MPD. The remaining commercial portions of the site do not contain indigenous preserve areas and while they do contained scattered, individual native trees, preservation of these trees cannot be provided due to site design requirements for project development.

Previously Approved Deviations:

Please see Resolution Number Z-98-029.

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Your Transportation Resource

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TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

June 23, 2004

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Ms. Shellie Johnson
Barraco & Associates
P.O. Box 2800
Fort Myers, Florida 33902

RE: Camargo Trust MPD
DCI2004-00013

Dear Ms. Johnson:

Metro Transportation Group Inc. (Metro) has reviewed the comments issued by the Lee County Development Services Division for the Camargo MPD, dated April 15, 2004. The comments and Metro's response to those comments are listed below for reference.

TIS Checklist

The pass-by was calculated for the overall trips, rather than just the retail.

The trip generation was revised to reflect the pass-by trip reduction only on the retail use. The revised Table 5 from the TIS is shown below with the correct pass-by calculation. Table 1A and 2A were also revised and are attached for reference. The Level of Service projections did not change as a result of this change to the new trips.

Table 5
Revised Trip Generation
Paradise Group/Camargo Applications

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Trip Generation	205	200	405	550	610	1,160	11,865
Less Pass-by Traffic	-40	-25	-65	-130	-140	-270	-2,930
Total New Trips	165	175	340	420	470	890	8,935

The TIS shows level of service "F" on U.S. 41.

Upon receipt of this comment from staff, Metro attended a meeting with Development Services staff to further explain the Level of Service analysis that was conducted on U.S. 41 adjacent to the subject site. This explanation is also in the original TIS but bears repeating. The existing roadway link traffic data and the growth rates for the majority of roadways in the study area were obtained from the 2002 Lee County Traffic Count

Report (2003 traffic count was not published at the time of the first TIS), with the exception of the link of U.S. 41 between Corkscrew Road and Williams Road, adjacent to the subject site frontage. The 2002 Lee County Traffic Count Report indicates that the count location for this segment is located just north of Old 41 (approximately 2.6 miles south of Williams Road). It was indicated to staff that there are several major roadway projects recently completed that divert traffic from the U.S. 41 corridor between Corkscrew Road and Coconut Road, particularly the recent completion of the Three Oaks Parkway extension. Therefore, the peak hour, peak direction, peak season volume shown in Table 2A for the link of U.S. 41 between Corkscrew Road and Williams Road was taken from the weekday P.M. peak hour turning movement count conducted by Metro in February, 2004. This actual count would be more representative of the peak hour, peak direction volume on the segment of U.S. 41 adjacent to the subject site than would a count done approximately 3.6 miles south of the site.

Since there was no traffic count taken by Metro south of William Road, the Lee County traffic volumes were utilized. This segment does show a future LOS "F" even without the project. However, the proposed re-zoning will not "significantly" impact this segment (significant impact being defined as having a greater than 10% impact on the LOS "C" service volume). It is likely, that if traffic data were collected on the segment of U.S. 41 between Williams Road and Corkscrew Road, that the Level of Service would be much better. The same can be said for U.S. 41 south of Coconut Road when the extension of Three Oaks Parkway, Sandy Lane and other roadway projects that are funded for construction in the next three years are completed.

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

Sincerely,

Ted B. Treesh
Principal/Regional Manager

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COMMUNITY DEVELOPMENT

Attachments

DCI2004-00013

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COMMUNITY DEVELOPMENT

AFFIDAVIT

STATE OF FLORIDA)
)
COUNTY OF LEE)

DCI2004-00013

BEFORE ME this day appeared JAMES T. HUMPHREY, ESQ., who, being first duly sworn, deposes and says:

1. He serves as an agent for the Trustees of the Camargo Trust and has personal knowledge regarding the historical use of the property.

2. The entire 83 acre site described in the rezoning application is currently being used for grazing purposes, and was used for that purpose prior to the approval of the MPD zoning in 1998.

FURTHER, AFFIANT SAYETH NAUGHT.

DONE AND EXECUTED this 12 day of May, 2004.

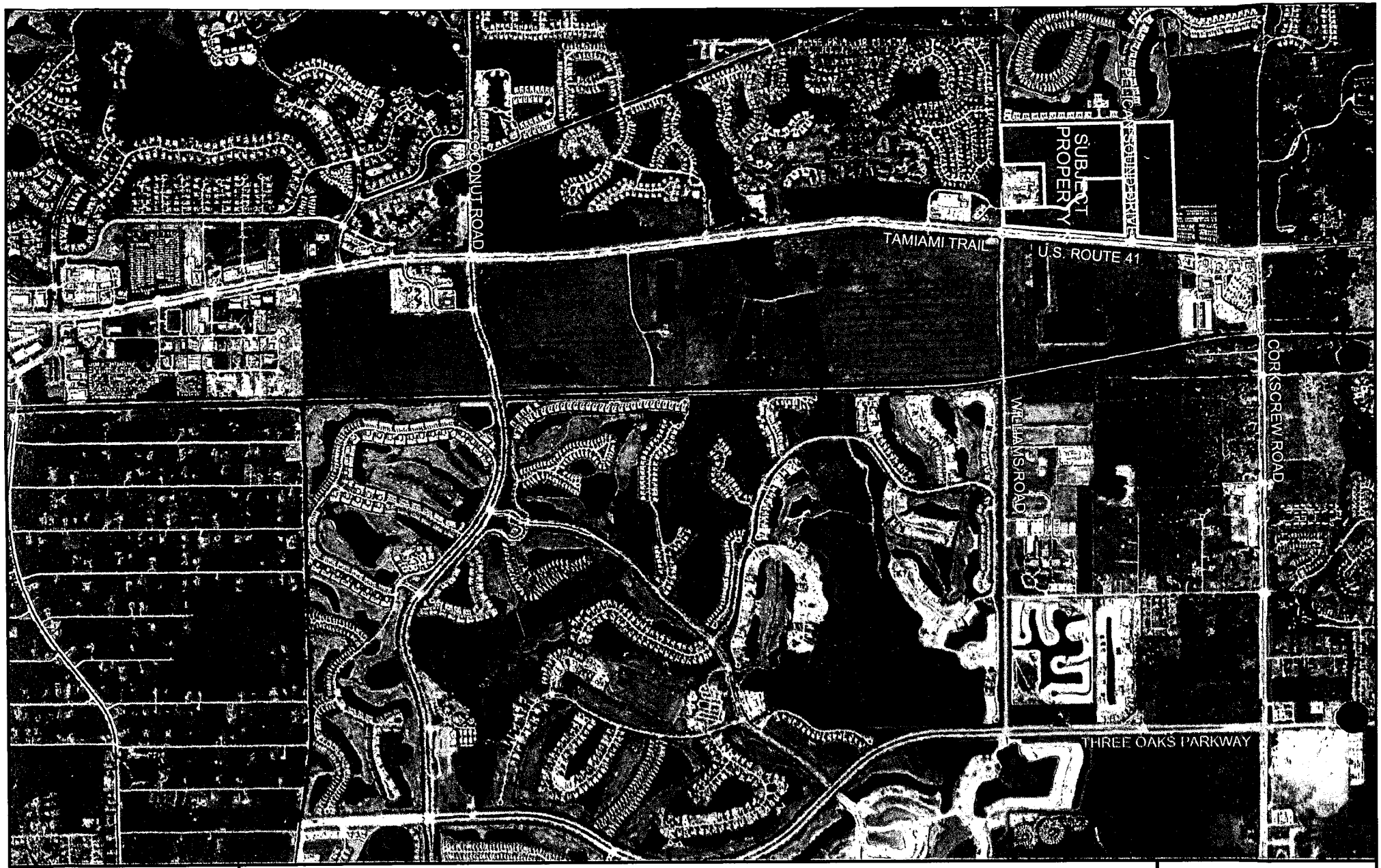
James T. Humphrey, Esq.

The foregoing instrument was acknowledged before me this 12 day of May, 2004, by James T. Humphrey, Esq. who is personally known to me.

My Commission Expires:07/09/06

Notary Public
J. Ward

J. WARD
MY COMMISSION #DD132878
EXPIRES: JUL 09, 2006
Bonded through Advantage Notary



Barraco and Associates, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS • CONSULTANTS
2271 NORTHEAST 4TH, POST OFFICE DRAWER 2000, POMPANO BEACH, FLORIDA 33060-2000
PHONE (954) 941-0000 FAX (954) 941-0000
CERTIFICATE OF AUTHORIZATION: ENGINEERING 2-8 SURVEYING LB-2460
FLORIDA CERTIFICATE OF AUTHORIZATION: ENGINEERING 2-8 SURVEYING LB-2460

0 400 800 1600
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EXHIBIT PH-3.F
EXHIBIT 6-B

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COMMUNITY DEVELOPMENT

LOCATION MAP

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LEE COUNTY, FLORIDA

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Civil Engineers, Land Surveyors and Planners

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CAMARGO MPD

PLANNED DEVELOPMENT APPLICATION

ORIGINAL

MARCH 17, 2004

2271 McGregor Boulevard • Fort Myers, Florida 33901
Phone (239) 461-3170 • Fax (239) 461-3169

LEE COUNTY
SOUTHWEST FLORIDA

Case # DCI2004-00013

Jurisdiction : Lee County

Agent/Applicant :

Owner LONG CHARLES M ETAL
%GARY BUTLER
2201 2ND ST
FORT MYERS FL 33901

Description of Request APPLICANT IS LOOKING TO AMEND MCP

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Following is a list of submittal requirements which were missing from your application received on 3/17/2004

Thank you

We appreciate your submitting all required documents for the above referenced Planned Development application.

This document is for informational purposes only and is not intended to be construed as a finding of sufficiency or completeness of the application or documentation submitted.

DCI 2004-00013

Spatial District Query Report

STRAP Number: 33-46-25-00-00001.0030

District Name	District Value(s)		Pct of Parcel in District (if fractional)	Notes
Airport Noise Zone			NOT FOUND	
Coastal Building Zone			NOT FOUND	
Coastal High Hazard Area			NOT FOUND	
Planning Community	ID Plan Community	21 Estero		
Planning Land Use 2010	Landuse	Suburban	98.87%	
	Landuse	Outlying Suburban	0.61%	1
	Landuse	Urban Community	0.52%	1
Sea Turtle Lighting Zone			NOT FOUND	
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol Soil Name	43 SMYRNA FINE SAND	77.2%	
	Map Symbol Soil Name	53 MYAKKA FINE SAND, DEPRESSIONAL	14.36%	2
	Map Symbol Soil Name	28 IMMOKALEE SAND	7.65%	
	Map Symbol Soil Name	14 VALKARIA FINE SAND	0.79%	1 2
	Map Symbol Soil Name	41 VALKARIA FINE SAND, DEPRESSIONAL	< 0.01%	1 2
Panther Habitat			NOT FOUND	
Eagle Nesting Site buffer			NOT FOUND	
Commissioner District	District Commissioner	3 Ray Judah		
Unincorporated Lee County Zoning	Zoning Designation	MPD	> 99.99%	
	Zoning Designation	RPD	[illegible]	
	Zoning Designation	AG-2	0.01%	1
	Zoning Designation	CPD	< 0.01%	1
	Zoning Designation	RV-3	< 0.01%	1

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[Modify] Report Settings

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Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with

	the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.
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EXHIBIT 6-G

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Camargo MPD
A Mixed-Use Planned Development

Lee Plan Compliance
February 10, 2004

The subject property is located in Section 33, Township 46, Range 25, and has a Future Land Use Map designation of Suburban. This land use category is designated in areas where the Lee Plan deems it appropriate to locate a mixture of residential and commercial uses that serve as protection from the more urbanized type of land uses.

This property was previously rezoned to MPD however the commercial portion of the project did not commence within the time period required as outlined in Section 34-381 of the Lee County Land Development Code. Hence, the applicant is requesting approval of the commercial portion of the project as revised in the Master Concept Plan.

The development proposal specifically addresses the following Lee County Comprehensive Plan requirements:

- **Policy 1.1.5: Suburban**

The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)

- **Policy 2.1: Development Location**

The proposed development has existing or approved contiguous development to the north, south, east and west and is described as the following:

North: Corkscrew Village Shopping Center CPD and South Estero Commercial Center CPD, which consist of retail, office and storage uses.

West: Pelican Sound Residential Community

East: Proposed North Point Mixed-Use Development

South: Assisted Living Facility; Coconut Point DRI/MPD approved for retail, office, hotel and residential uses.

The proposed development serves as an infill to other existing or approved commercial areas and residential neighborhoods adjacent to and along Williams Road, Corkscrew Road and US 41. The

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proposed development is within an area where services are already available, and would effectively use the public investment of infrastructure in this area.

- **Policy 2.1.3: All Development Must Comply with the 2020 Overlay**

According to the Division of Planning, there is currently a sufficient allocation of commercial and residential acres in this area to support the proposed development. No change is being requested as part of the Comp Plan Amendment.

- **Policy 2.2.1: New Development To Provide Required Infrastructure**

All necessary infrastructure is available at or near the proposed project, and the developer will undertake any improvements that may be required to connect the project to these existing services.

- **Policy 4.1.1: Requires Developments To Be Well Integrated And Functional**

The proposed development is planned to be designed to function easily for both pedestrian and vehicular movement. Buildings and pedestrian ways will be located to achieve this purpose, and to create an aesthetically appealing project.

- **Goal 5: Residential Land Uses**

As mentioned previously, the residential portion of this mixed-use development was approved in 1998 and is currently seeking a Development Order. With the completion of the commercial portion, the project will make effective use of land for population accommodation.

- **Policy 5.1.2: Physical Constraints or Hazards**

All units will be built to appropriate elevations to minimize the risk of flood, and adequate water storage capacity will be provided on site.

- **Goal 6: Commercial Land Uses**

The proposed commercial uses for this overall development are consistent with this plan goal of permitting orderly and well-planned commercial development at appropriate locations within the County.

- **Policy 6.1.1: Commercial Development Review Criteria**

The proposed development parcels located within this project will be reviewed for traffic and access, landscaping, screening and buffering, availability of service, compatibility and environmental considerations. The Traffic Impact Statement has demonstrated that there will be a decrease in impacts from what is already approved under the existing zoning. In addition, adequate transportation and access exists, and that public utilities are in place to service this project. As summarized within the Traffic Impact Statement, the proposed MPD will not have a detrimental effect on the surrounding roadway system. All other issues of landscaping, screening and detailed traffic issues will be addressed at the development order stage.

- **Policy 6.1.2.2: Commercial Site Location Criteria**

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The proposed commercial development will meet Policy 6.1.2.2 in terms of function, location, site area and gross floor area proposed. The site area is less than 35 acres and the project will be limited to neighborhood commercial uses with no more than 100,000 square feet of floor area. Additionally, the location of the project, at the northwest intersection of a collector (Williams Road) and an arterial (US 41) and bisected by a collector road (Pelican Sound Boulevard) meets the location requirements of this policy.

- **Policy 6.1.3: Planned Development Requirements**

The proposed commercial uses are being submitted as a Mixed-Use Planned Development. The proposed Master Concept Plan and permitted uses ensure that the project will provide for visual harmony and screening, utilize joint parking, avoid negative impacts, and provide the necessary services and facilities.

- **Policy 6.1.4: Commercial Compatibility**

The commercial uses proposed for the property are compatible with the existing and proposed adjacent commercial properties to the north, west, east and south. The design of the project, combined with the Property Development Regulations, will ensure compatibility between internal uses.

- **Policy 6.1.5: Commercial Traffic-Carrying Capacity**

The design of this project will protect the traffic-carrying capacity of the roads and streets by clustering similar uses both internally and to adjacent properties and observing setback requirements of existing rights-of-way as specified in the Property Development Regulations. The project also proposes ingress and egress from Williams Road and Pelican Sound Boulevard, eliminating the need for surrounding property owners located on the west side of US 41 from using the highway as their access to the commercial development.

- **Policy 6.1.6: Commercial LDR's**

The commercial parcels will meet the landscaping and architectural regulations contained within the Land Development Code and the Estero Overlay Districts. Additionally, the project's Property Development Regulations have been established to ensure adequate open space, setbacks and spacing.

- **Goal 11: Water, Sewer, Traffic and Environmental Review**

The proposed development will be proven to be consistent with Goal 11 through the provision of letters of capacity and availability of service from the water and sewer providers. In addition, a Traffic Impact Statement and an environmental assessment that examines the existing conditions and impacts were submitted as part of this application.

- **Objective 19.2: Commercial Land Uses**

The proposed development will maintain a unified architectural theme that will meet the intent of the Estero Community Plan. The proposed development is compatible with all adjacent uses –

commercial and mixed use developments. We are not asking for any deviations in landscaping, architecture, lighting, or signage.

- **Policy 19.2.1:** The proposed development is being reviewed as the commercial portion of a planned unit development. The residential portion of the project was reviewed and approved in 1998 as outlined in Resolution Z-98-029.

- **Policy 19.2.2:** The proposed development meets site location standards.

- **Policy 19.2.6:** Where possible, the proposed development will provide automobile, pedestrian and bicycle interconnects to adjacent properties.

- **Objective 19.5: Public Participation**

  A formal meeting with local residents is pending. We understand that final approval of this rezoning cannot be issued until community meetings have taken place.

- **Goal 77: Resource Protection**

  The proposed development has demonstrated compliance with this Goal through the submission of the environmental analysis and protected species survey in 1998. The proposed project will incorporate all applicable land development regulations and other permit requirements as the project proceeds through the development order process.

In review of these goals and policies, the proposed development will be in compliance with the Lee Plan if approved.

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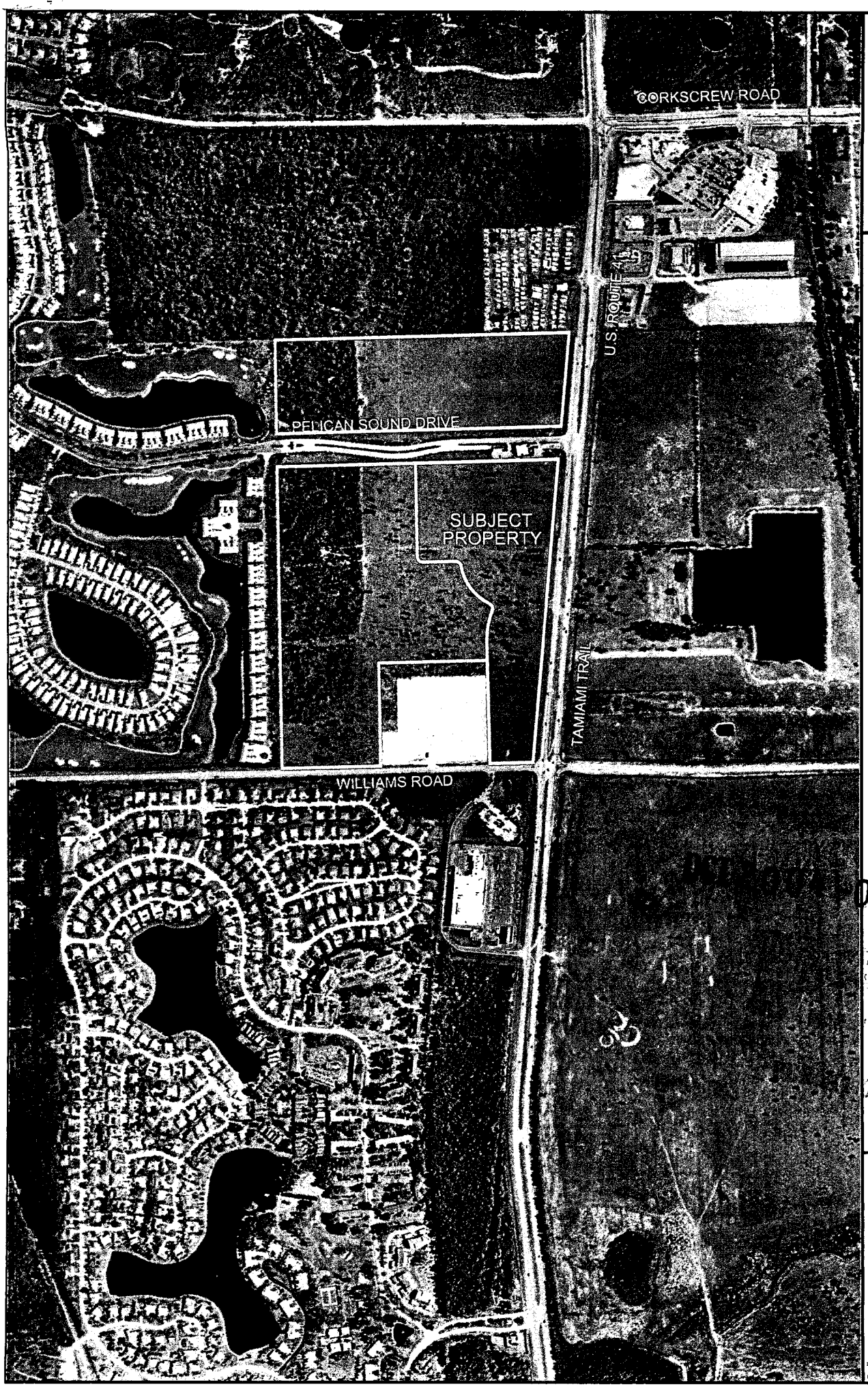

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LOCATION MAP

CAMARGO MPD
LEE COUNTY, FLORIDA

00013

7 2004

COUNTER

EXHIBIT PH-3.F
EXHIBIT 6-B

0 400 800 1600
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Barraco and Associates, Inc.
CIVIL ENGINEERS, SURVEYORS AND LAND DEVELOPMENT CONSULTANTS
2271 McGREGOR BLVD., POST OFFICE DRAWER 2800, FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170 - www.barraco.net - FAX (239) 461-3199
FLORIDA CERTIFICATES OF AUTHORIZATION - ENGINEERING 1886 - SURVEYING LB-6940

EXHIBITS 6-H AND 6-I

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Camargo MPD

Rezoning Description, Purpose and Intent:

February 9, 2004

A. Introduction:

Paradise Development Group is requesting approval of an amendment to the commercial portion of an 80- acre+/- mixed-use planned development known as Camargo MPD. The purpose of this amendment is to reinstate a previously approved MPD zoning designation that recently expired, and to amend the master concept plan for the commercial portion of the development.

In 1998, the property was rezoned to MPD to permit a mixed use development consisting of residential units, retail and office space, a hotel/motel and an assisted living facility. While the residential portion of this project has moved forward, the commercial segment has not commenced within the five-year time period allowed upon zoning approval. Hence, the applicant is requesting consideration of approval for rezoning of the commercial portion of this project so that completion of the mixed-use development might occur. The proposed zoning designation will remain MPD.

B. Location:

The project is located in the northwest corner of the intersection of U.S. 41 and Williams Road, in Estero, providing direct access to both roadways as well as Pelican Sound Boulevard. The project is within the Suburban future land use category, and falls within the boundaries of the Estero Planning Community. The commercial portion of the project runs north to south along US 41 and consists of approximately 20 acres.

C. Adjacent Uses:

The subject property is in an area that is experiencing rapid growth and development. The proposed development has existing or approved contiguous development to the north, south and west. The property to the east, directly across US 41 is currently under review as a mixed-use development of regional impact to be known as North Point.

To the west of the subject property is the single and multi-family development known as Pelican Sound. To the south of the subject property, across Williams Road is the Coconut Point DRI/MPD approved for retail, office, hotel and residential uses. The western portion of the subject parcel is currently being developed as a residential community known as The Meadows.

D. Proposed Uses:

Due to rapid growth, this area is being developed residentially and commercially as opposed to the agricultural uses of the past. This is evident by the development of surrounding properties. In keeping with this trend and providing needed services, the proposed uses for the commercial MPD will be a combination of retail, office and restaurants.

E. Zoning Justification:

As required by 34-145(d) of the LDC, the proposed development complies with all applicable Lee Plan, Land Development Code and other codes or regulations. A brief description of how the proposed development satisfies these criteria is presented below. A more comprehensive analysis of how the project complies with the Lee Plan is presented in Exhibit II-E-2.

1. This project has been designed and located to ensure that it meets or exceeds all level of service standards for public infrastructure.

   a. Water and Sewer:

   Water and Sewer service is currently available in the area via Lee County Utilities, and will be extended to the project.

   b. Transportation:

   The project will have direct access to US 41, Pelican Sound Boulevard and Williams Road. I-75 is approximately 2.5 miles from the subject property and the airport is approximately twelve miles from the site.

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   c. Fire Service:

   The Estero Fire and Rescue will provide emergency services to the project site.

2. In addition to providing adequate public services, the proposed development is consistent with the Lee Plan. Below is a brief description of how the commercial intensities are consistent with the Lee Plan and sound planning principles. For a more comprehensive analysis of Lee Plan consistency, refer to Exhibit II-E-2.

   In recent years, the area around the subject property has experienced rapid change. While the Estero Community contained mostly agricultural lands a few years ago, it has now transitioned into predominately residential and commercial land uses. Surrounding properties have recently been rezoned as mixed use planned developments, allowing for intense levels of retail, office, hotel and residential uses.

   Lee Plan Commercial Intensities:

   The proposed development serves as an infill to other commercial and mixed-use developments along US 41 in Estero.

Located at the intersection of a Major Collector (Williams Road), a Collector (Pelican Sound Boulevard) and an Arterial roadway (US 41), this site is ideal for commercial development. In addition, the mixed-use nature of the entire development fits in with the adjacent North Point and Coconut Point DRI's.

3. The proposed development is within the Estero Planning Community. The mixed use nature of the proposed development implements the Estero Vision and furthers the intent of Lee Plan Goal 19 and the Overlays in the Land Development Code.

   Specifically, buildings along US 41 will exceed the required 25' setback. All parking areas along US 41 will be adequately screened with native landscape materials. Internal connectivity of commercial parcels will be provided via drive aisles that provide movement within the overall development, thereby reducing repetitive access from adjacent roadways. In addition to external vehicular access from US 41, ingress and egress will be provided from both Pelican Sound Boulevard and Williams Road, providing easy access from residential properties west of US 41. The project will meet all architectural guidelines that are applicable to the Estero Overlay districts.

4. This proposed development meets or exceeds all of the requirements of the LDC. The specific Land Development Code policies addressed by this application are submitted below:

   - Section 10-415 (open space)
   - Section 10-416 (buffer requirements)
   - Section 10-414 (submittal requirements)
   - Section 34-2020 (parking)
   - Section 34-935(b) (perimeter setbacks)
   - Section 34-1042 through 34-1047
   - Section 10-285 (TIS)
   - The proposed uses are all consistent with the uses permitted in a Mixed Use Planned Development.
   - Will comply with the regulations of Sec. 34-937 of the LDC.
   - All necessary utilities are currently available in close proximity to the subject site, and have the capacity to serve the proposed development. This satisfies the requirements of Division 4 of Chapter 10 (utilities).
   - The proposed development meets or exceeds all setback, height, and lot coverage requirements of Chapter 34.
   - The planning efforts we have taken on this property adequately address the issues identified in Sec. 34-411 of the LDC.
   - The requested density is specifically designed to meet the requirements of Sec. 34-413 of the LDC.
   - Chapter 30 of the LDC limits signage.

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5. In addition to complying with the specific requirements listed above, the proposed development also meets or exceeds several performance categories contained in the LDC. As

detailed below, the project Master Plan sufficiently addresses compatibility with adjacent uses, impacts to natural resources, and the minimization of hazards or nuisances.

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a. Compatibility with Surrounding Uses:

The proposed development is an in-fill project. There are existing and approved developments surrounding this subject property as well as the availability of public services. Because the project "fills in" an area surrounded by existing or approved development, special attention was paid to ensure that the proposed uses were compatible with all surrounding uses.

b. Impacts to Natural Resources:

There is no substantial indigenous vegetation existing on the commercial portion of this site. At the time of the original planned development review of this project, indigenous preserve areas were identified in the western residential portion of the project site. These areas are reflected on the original master concept plan. This development combined with the latest water management and mitigation techniques and full public infrastructure ensures that the limited environmental resources of the site will adequately be addressed.

c. Damage, Hazard or Nuisance:

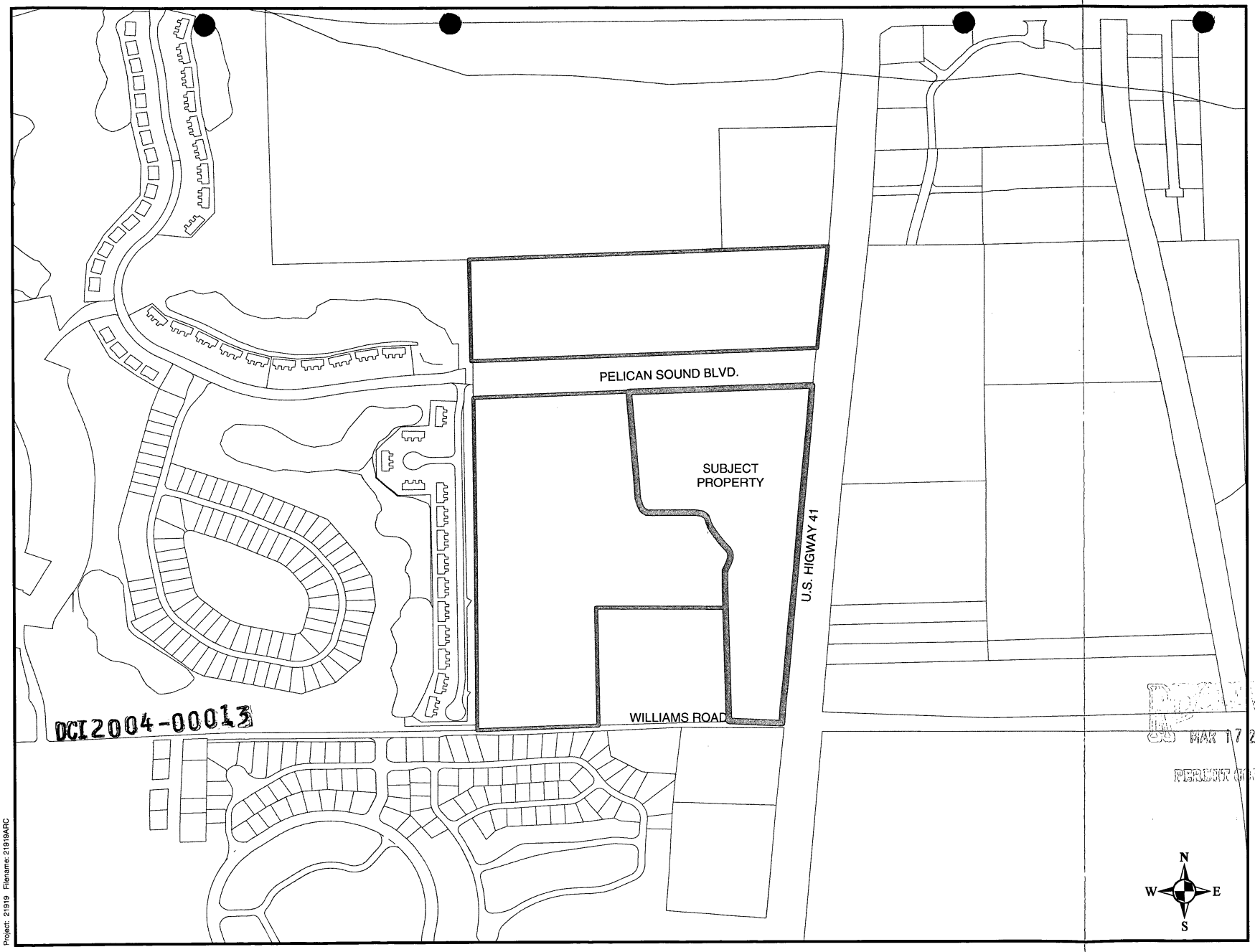
Because the development will provide adequate environmental protection, open space, and perimeter buffering, no damage, hazard or nuisances should be expected to adjacent uses.

G. Summary:

As detailed in Section 34-145(d)(3) of the Land Development Code, the attached application demonstrates the following:

1. The applicant is entitled to the rezoning because it is consistent with the Lee Plan, Land Development Code, and other applicable codes or regulations;
2. The request will meet or exceed all performance and location standards;
3. The request is consistent with the densities, intensities and general uses set forth in the Lee Plan;
4. The request is compatible with the existing or planned uses in the surrounding areas;
5. Adequate infrastructure exists to accommodate this development; and
6. The request will not adversely affect environmentally critical areas and natural resources.

Based on compliance with these, and other regulations, we respectfully contend that this zoning application will not place an undue burden upon existing transportation or planned infrastructure facilities, and that the urban facilities are available and adequate to serve the proposed land use at the proposed densities and intensities. Similarly, the proposed mix of uses is appropriate at the subject location, and is compatible with existing or planned uses in the surrounding area. For these reasons, the requested MPD should be approved.



DCI2004-00013

Legend
SENSITIVITY
1
2
Surveyed
FIRESTATIONS

ARCHEOLOGICAL SENSITIVITY MAP
CAMARGO MPD
LEE COUNTY, FLORIDA

Exhibit 1-B

Source: Lee County Property Appraiser

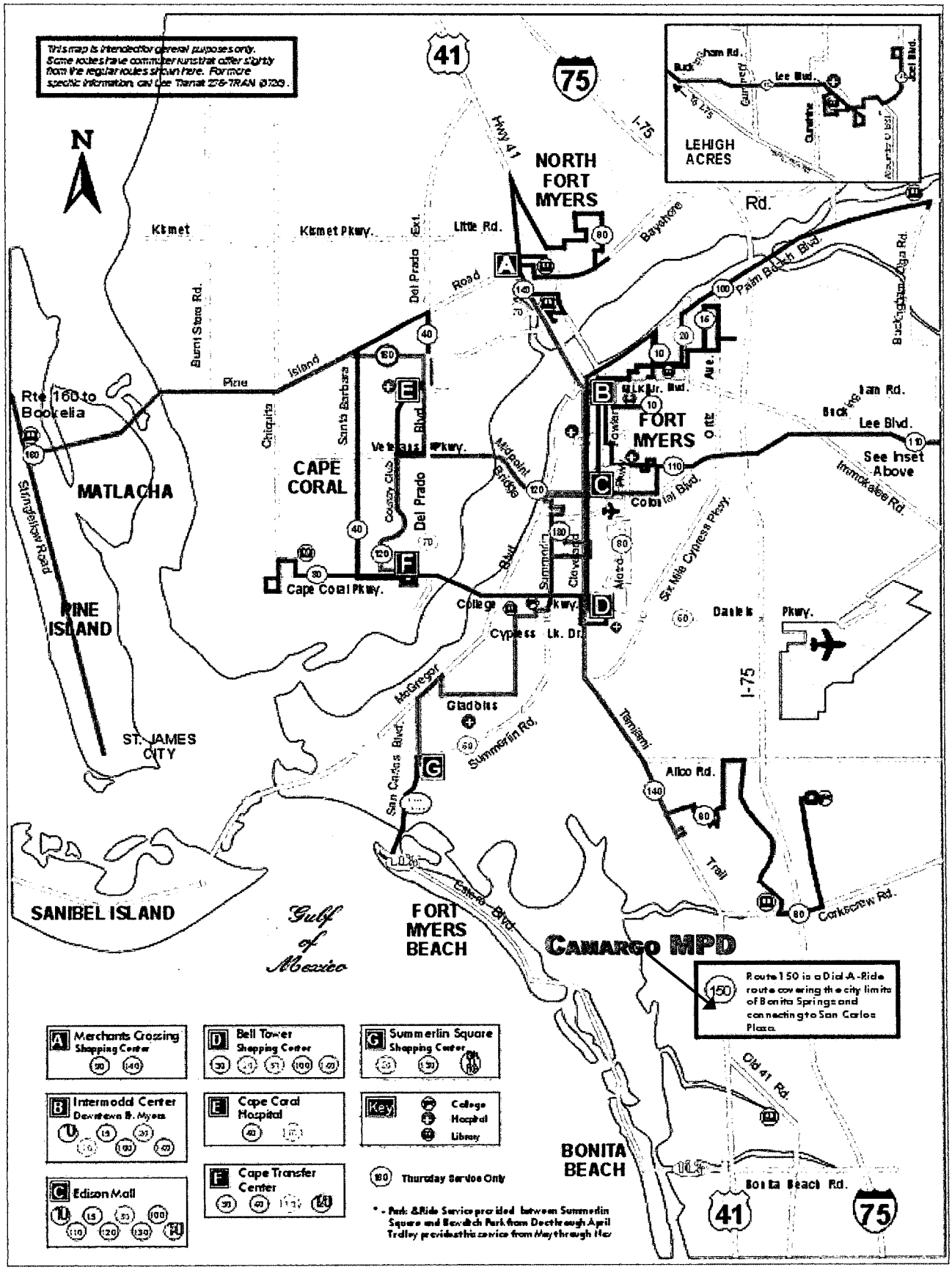
Feet
0 150 300 600

It is the responsibility of the user to verify the data contained in this document

Barraco and Associates, Inc.

Project: 21919 Filename: 21919ARC

EXHIBIT 1-C



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Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

EXHIBIT PH-3.C.1

DESCRIPTION

Parcel in
Section 33, Township 46 South, Range 25 East
Lee County, Florida

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee county, Florida being part of lands described in official record book 2787, page 1398, Lee County Records, being more particularly described as follows.

From the southwest corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N00°58'23"W along the west line of said fraction for 30.00 feet to an intersection with the North right-of-way line of Williams Road (60 feet wide); thence run N88°33'52"E along said right-of-way line for 1382.17 feet to the Southeast corner of lands described in a deed recorded in Official Record Book 3516, at Page 1579, Lee County Records; said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING run N00°58' 23"W along the east line of said lands for 1845.84 feet to the southwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4459, Lee County Records, said point being designated as POINT "A"; thence run N88°25'54"E along the south right-of-way line of said Pelican Sound Drive for 1720.01 feet to an intersection with the westerly right of way line of Tamiami trail (State Road 45); thence run S04°52'56"W along said right of way line for 1860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said right of way line 268.35 feet to an intersection with the east line of the Southwest Quarter (SW 1/4) of said section 33; thence run N01°03'48"W along said east line for 632.82 feet to the Northeast corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 33; thence run S88°32'50"W along the north line of said fraction for 660.73 feet to the northwest corner of said fraction; thence run S01°02'16"E along the west line of said fraction for 632.62 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°33'52"W along said right-of-way line for 600.86 feet to the POINT OF BEGINNING.

Containing 59.33 acres, more or less.

AND

From the point designated POINT "A" run N00°58'23"W 200.01 feet to the Northwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4459, Lee county records said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING continue N00°58'23"W for 572.68 feet to an intersection with the North line of the Southwest Quarter (SW 1/4) of said section 33; thence run N88°25'54"E along said North line for 1799.34 feet to an intersection with the westerly right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said westerly right-of-way line for 576.30 feet to the Northeast corner of said Pelican Sound Drive; thence run S88°25'54"W parallel with the North line of said fraction and along the north line of said Pelican Sound Drive for 1740.54 feet to the POINT OF BEGINNING.

Containing 23.26 acres, more or less.

Containing a Total of 82.59 acres, more or less

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment)
And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

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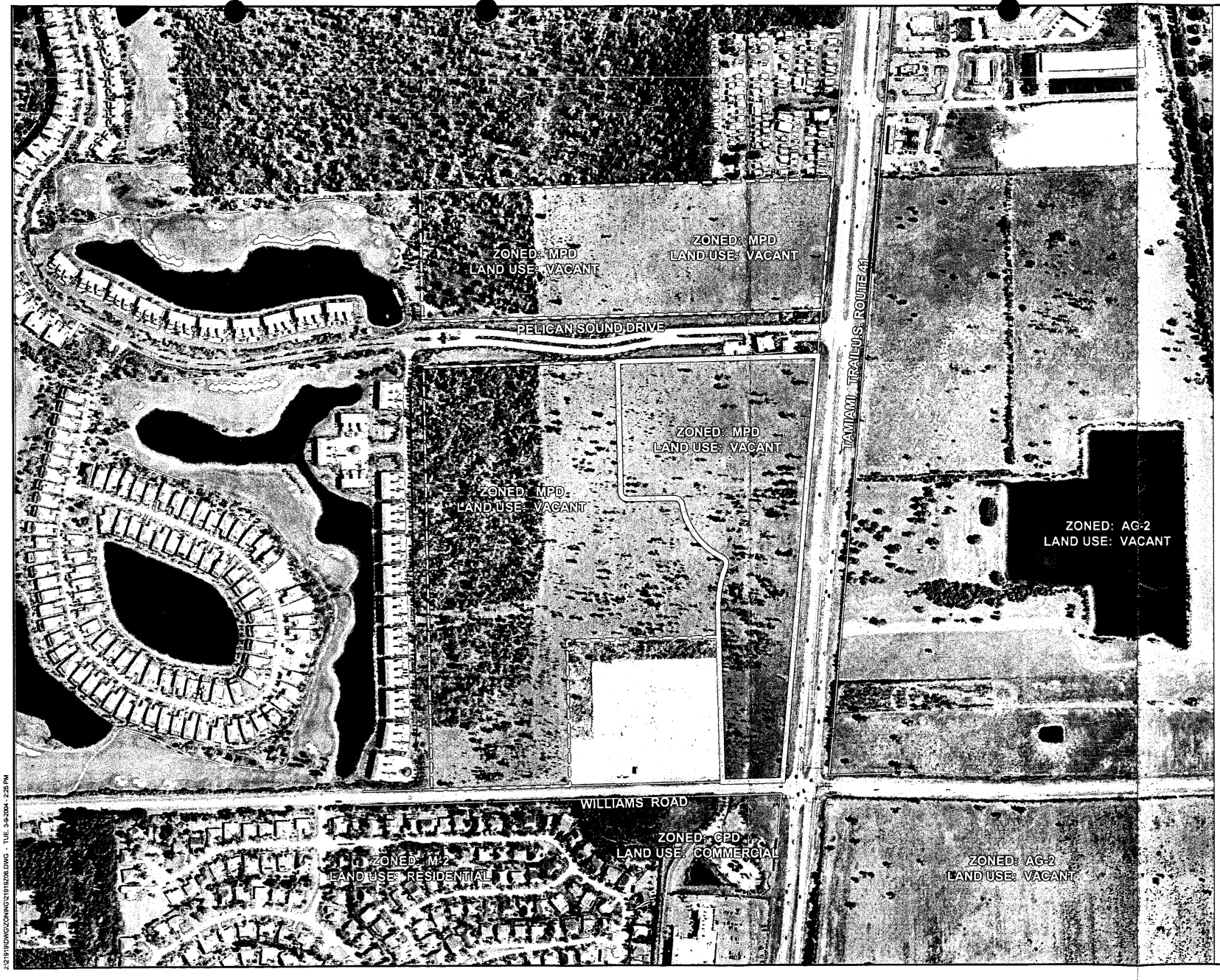
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\21840 - Camargo Residential\DESC\21840s07.desc

DCI 2004-00013

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169



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AERIAL PHOTOGRAPH, ZONING AND LAND USE MAP

CAMARGO MPD
LEE COUNTY, FLORIDA

DCI2004-00013

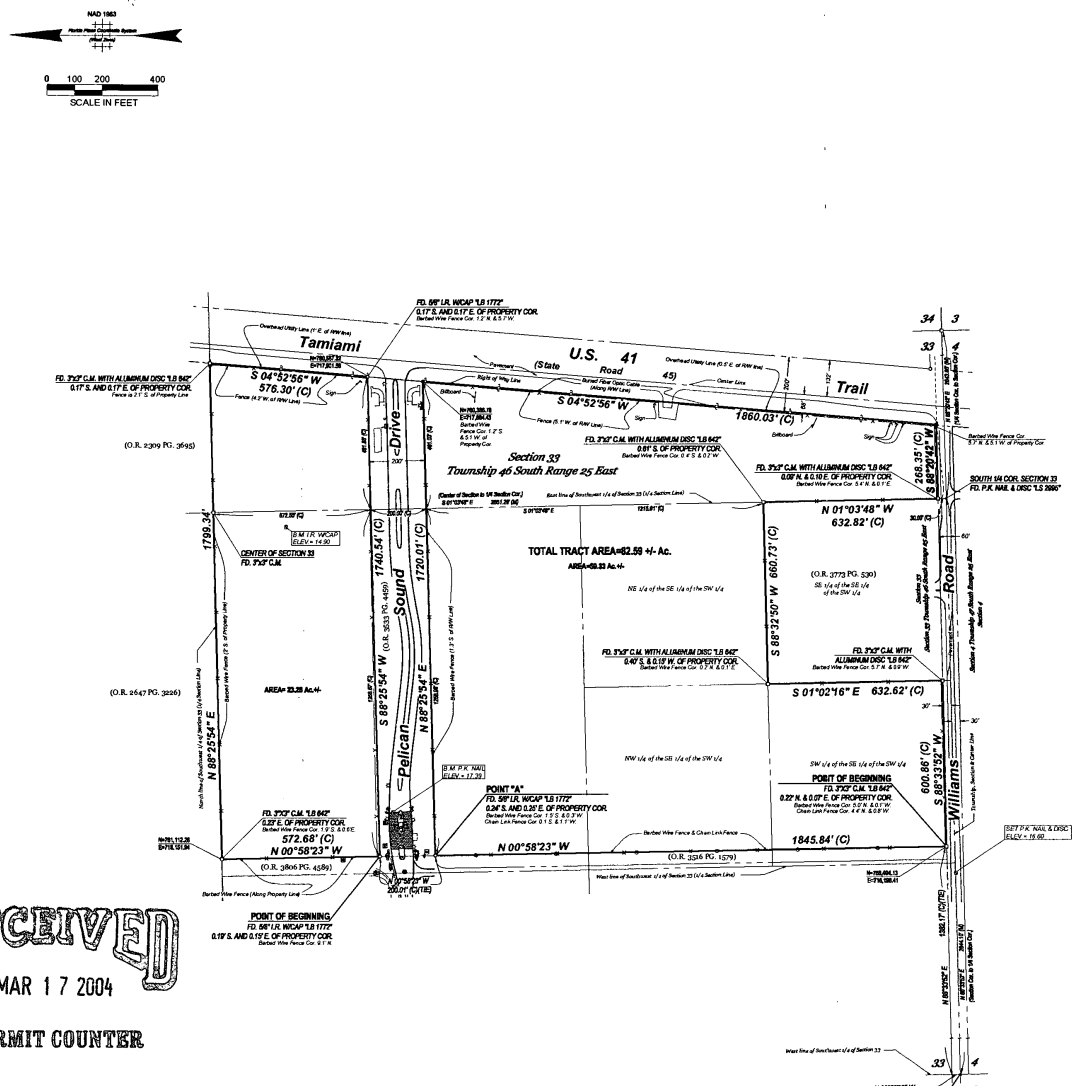
RECEIVED
MAR 17 2004
PERMIT COUNTER

EXHIBIT 6-C AND 6-D

0 100 200 400
SCALE IN FEET

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING - LANDSCAPE DESIGN
2271 McGREGOR BLVD., POST OFFICE DRAWER 2800, FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170 - WWW.barraco.net - FAX (239) 481-3189
FLORIDA CERTIFICATES OF AUTHORIZATION - ENGINEERING 7996 - SURVEYING LB-6940

J:\2191\91DWG\ZONING\2191SD6.DWG - TUE, 3-9-2004 - 2:25 PM



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MAR 17 2004
PERMIT COUNTER

OCI 2004-00013

LEGEND:

(C)	CALCULATED	▲ FOUND NAIL AS NOTED
C/L	CENTER LINE	● SET 1/2" IRON ROD WITH CAP STAMPED LB6940
CONC.	CONCRETE	● SET 4"x4" CONC. MONUMENT STAMPED LB6940
C.M.	CONCRETE MONUMENT	▲ SET P.K. NAIL WITH DISC STAMPED LB6940
C.M.P.	CORUGATED METAL PIPE	⊡ FOUND CONC. MONUMENT AS NOTED
COR.	CORNER	○ FOUND IRON PIPE OR IRON ROD AS NOTED
(D)	DEED	DI DRAINAGE INLET
FDOT	FLORIDA DEPT. OF TRANSPORTATION	MH DRAINAGE MANHOLE
FD.	FOUND	ME MITERED END SECTION
GOV.	GOVERNMENT	LP LIGHT POLE
H.C.R.	HENDRY COUNTY RECORDS	CONCRETE POWER POLE
I.P.	IRON PIPE	WOOD POWER POLE
I.R.	IRON ROD	GY GUY POLE
LB	LICENSED BUSINESS	GA GUY ANCHOR
(M)	MEASURED	GL GAS LINE MAKER
(P)	PLAT	FO FIBER OPTIC LINE MARKER
PG.	PAGE	TR TELEPHONE RISER
P.B.	PLAT BOOK	WELL 4" WELL
P.K.	PARKER-KALON	FH FIRE HYDRANT
P.R.M.	PERMENANT REFERENCE MONUMENT	WV WATER VALVE
R/W	RIGHT OF WAY	
S/L	SECTION LINE	
TOB	TOP OF BANK	
WIT.	WITNESS	

NOTES:

1. DATE OF LAST FIELD WORK: NOVEMBER 3, 2003.
2. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
4. NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
5. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
6. BEARINGS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983/90 ADJUSTMENT) AND ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 33 TO BEAR N 88°33'52" E.
7. THERE ARE NO IMPROVEMENTS OTHER THAN THE SUBSTANTIAL VISIBLE IMPROVEMENTS SHOWN.
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
9. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
10. THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
11. ACCORDING TO F.I.R.M. COMMUNITY PANEL 125124 0445C, EFFECTIVE SEPTEMBER 16, 1984, PARCEL IS IN FLOOD ZONE B.
12. ELEVATIONS SHOWN ARE IN FEET ABOVE NATIONAL GEODETIC VERTICAL DATUM (1929 ADJUSTMENT) AND ARE BASED ON A LEVEL CIRCUIT FROM LEE COUNTY PUBLIC WORKS BENCH MARK GPS 2000 A010 (ELEV. 12.73).

DESCRIPTION

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee county, Florida being part of lands described in official record book 2787, page 1368, Lee County Records, being more particularly described as follows.
From the southwest corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N00°58'23"W along the west line of said fraction for 30.00 feet to an intersection with the North right-of-way line of Williams Road (60 feet wide); thence run N88°33'52"E along said right-of-way line for 1362.17 feet to the Southeast corner of lands described in a deed recorded in Official Record Book 3616, at Page 1579, Lee County Records; said point being the POINT OF BEGINNING.
From said POINT OF BEGINNING run N00°58' 23"W along the east line of said lands for 1845.84 feet to the southwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4469, Lee County Records, said point being designated as POINT "A"; thence run N88°25'54"E along the south right-of-way line of said Pelican Sound Drive for 1730.01 feet to an intersection with the westerly right of way line of Tamiami trail (State Road 45); thence run S04°52'56"W along said right of way line for 1860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said right of way line 265.35 feet to an intersection with the east line of the Southwest Quarter (SW 1/4) of said section 33; thence run N01°03'48"W along said east line for 632.82 feet to the Northwest corner of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 33; thence run S88°32'50"W along the north line of said fraction for 660.73 feet to the northwest corner of said fraction; thence run S01°02'16"E along the west line of said fraction for 632.62 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°33'32"W along said right-of-way line for 600.86 feet to the POINT OF BEGINNING.
containing 59.33 acres, more or less.
AND
From the point designated POINT "A" run N00°58'23"W 200.01 feet to the Northwest corner of Pelican Sound Drive as described in a deed recorded in Official Record Book 3533, at Page 4469, Lee county records said point being the POINT OF BEGINNING.
From said POINT OF BEGINNING continue N00°58'23"W for 572.68 feet to an intersection with the North line of the Southwest Quarter (SW 1/4) of said section 33; thence run N88°25'54"E along said North line for 1799.34 feet to an intersection with the westerly right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said westerly right-of-way line for 576.30 feet to the Northwest corner of said Pelican Sound Drive; thence run S88°25'54"W parallel with the North line of said fraction and along the north line of said Pelican Sound Drive for 1740.54 feet to the POINT OF BEGINNING.
Containing 23.26 acres, more or less.

Containing a Total of 62.59 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment)
And are based on the South line of the Southwest Quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

THIS SURVEY IS FOR THE BENEFIT OF:

I HEREBY CERTIFY THAT A SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 61G17-6 F.A.C. CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING,EASEMENTS OR FREEDOM FROM ENCUMBRANCES. ABSTRACT NOT REVIEWED. SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

3/10/04
DATE SIGNED:

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER FLORIDA
CERTIFICATE NO. 5949

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

Barraco and Associates, Inc.
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FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

SHELBY HOMES
6363 NW 6TH WAY
SUITE 250
FORT LAUDERDALE, FL 33990
PHONE (954) 318-1000
FAX (954) 318-2000
WWW.SHELBY-HOMES.COM

PROJECT DESCRIPTION

CAMARGO PROPERTY

US 41 AT
PELICAN SOUND DRIVE

PART OF SECTION 33
TOWNSHIP 46 SOUTH
RANGE 25 EAST
ESTERO
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHEELER
CERTIFICATE
NO. 5949
STATE OF FLORIDA
PROFESSIONAL SURVEYOR & MAPPER

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

FILE NAME	21840S07.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21840\DWG\SURVEYING\
PLOT DATE	TUE, 3-9-2004 - 4:29 PM
PLOT BY	PETER OLSEN

DRAWING DATA	
SURVEY DATE	11-03-03
DRAWN BY	PETER OLSEN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	54/29-31,49-52,58-59

PLAN REVISIONS	
02-23-2004	REV. PROJECT DESC.

EXHIBIT PH-3.D.3

EXHIBIT 6-A

BOUNDARY SURVEY

PROJECT / FILE NO	SHEET NUMBER
21840 33-46-25	1 of 1

Project Overview

This document describes the intent of the applicant in developing the Paradise Shoppes of Estero project, and proposes design guidelines by which the project will be constructed. The objective is to provide the Estero community and Lee County the assurances that this project will be developed to meet the language and intent of the Estero Plan, while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Paradise Shoppes of Estero project is located on the northwest corner of U.S. Highway 41 and Williams Road. The project is strategically nestled in the heart of Estero bounded by new commercial development, which will provide services, plazas and amenities to be enjoyed by all ages. The project architecture, layout and design will incorporate features exceeding both the current Lee County design guidelines, found in LDC Article IV, and the Estero Plan, Goal 19 of the Lee County Comprehensive Plan.

In developing the property located at the northwest corner of U.S. Highway 41 and Williams Road it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19, the Estero Plan) and the development constraints presented with a 22-acre site at this location. The following base postulations, as well as policies that influence this type of development, were utilized.

- The subject property is located at the intersection of an arterial roadway –U.S. Highway 41, and two secondary roadways –Williams Road and Pelican Sound Boulevard. Access driveways are evenly distributed among the complementary roadways. U.S. Highway 41 is a primary thoroughfare and can safely support commercial development.

- The proposed development site is within the Suburban land use category, which was designated for areas that are primarily residential but allow commercial development as neighborhood centers are necessary to promote the quality of life in these areas. Commercial development is limited to neighborhood centers and industrial development is not allowed. The Lee Plan projects less intense development in these areas, more characteristic of a suburban area.

- The intent of these design guidelines and standards is to meet and exceed the requirements of the Estero Plan, yet allowing for the development of a large commercial project containing one or more major anchors.

Design Guidelines and Standards

The following design guidelines are intended to establish the standard with which this development will comply. The guidelines however, are intended to be flexible to allow for a more detailed analysis by the Lee County development review staff and the Estero Development Review Committee at the time of local development order.

- The Paradise Shoppes of Estero is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Article IV, the Estero Design Guidelines.

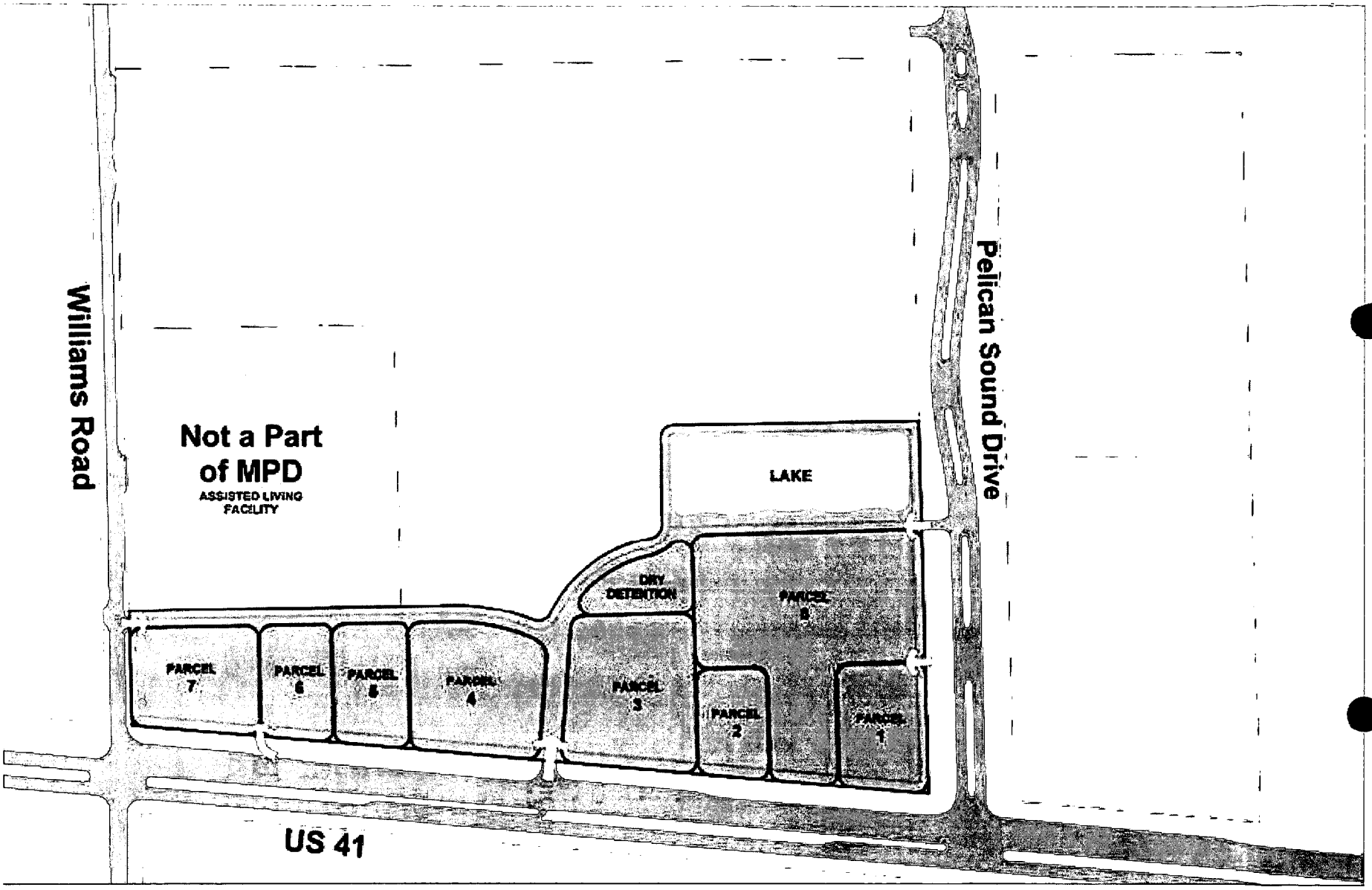
- The Paradise Shoppes of Estero will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping and lighting throughout the site.

- The Paradise Shoppes of Estero will be developed on a 22-acre site as part of the Estero Overlay that designates an area of architecturally attractive landscaped buildings that cater to the needs of the community.

A. Vista Areas – Parcels 1-7 *(See Illustration on following page)*

- Architectural Standards: The Vista Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be

PARADISE SHOPPES OF ESTERO



Parcel Map

reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways or columns, appropriately scaled for the public. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complimentary elements such as roof treatments, signage, landscaping and building materials and colors.

- Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from U.S. Highway 41 to the free-standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to U.S. Highway 41.

- Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall meet the design standards of Lee County Development Code Section 34-625 and shielded to eliminate light intrusion crossing the property line when abutting residential and assisted living facility uses.

- Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complimentary to the overall master landscape plan. The Paradise Shoppes of Estero landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasizes plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas. A Landscape Plan for the entire project perimeter buffer will be provided at the time of the first Development Order for the site.

B. Anchor Parcel – Parcel 8

- The Anchor Parcel will accommodate one or several commercial uses. The on-site pedestrian system will connect the Anchor Parcel to the adjacent Vista Parcel paralleling U.S. Highway 41 and the buildings of the Anchor Parcel will be designed to compliment the Vista Parcels. The parking area will be designed to minimize hardscaped areas, visually and physically.

- Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the Vista Parcels and all other free-standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large adorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration on the following page)

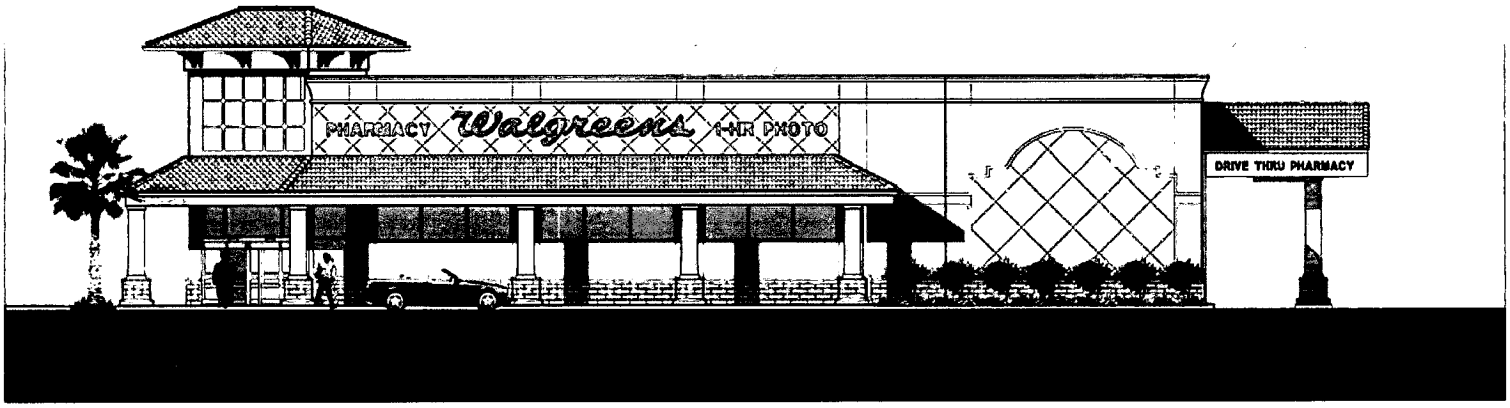
Buildings will also provide a minimum of two of the following building design treatments:

- Canopies or portico, integrated with the buildings' massing and style
- Overhangs
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character

Building facades may include a repeating pattern and will include no less than two of the design elements listed below. At least one of these design elements may repeat horizontally.

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 6 inches in width, such as a reveal, and offset or a projecting rib
- Architectural banding
- Pattern change

PARADISE SHOPPES OF ESTERO



Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs where required
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum facia of 8 inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of two reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which incorporates benches or other seating components and decorative landscape planters.

Exterior building colors and materials contribute significantly to the visual impact of a building.

Predominant exterior building materials will include, but are not limited to:

- Stucco
- EFIS
- Architectural Block
- Tinted, textured, other that smooth or ribbed, concrete masonry units; or
- Natural Stone and/or Pre-cast Concrete

Customer parking for the Anchor Parcel will be in accordance with Section 34-1046 Design Standards, Item 7. In addition to Item 7, customer parking will be located in front of the Anchor Parcel building.

C. Common / Public Areas

- Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.

- Project architectural features will be developed within common areas of the project and will be coordinated in the design, color and style. Architectural features shall be permitted throughout the site.

- The Paradise Shoppes of Estero will provide a variety of publicly accessible amenities such as bicycle racks, benches and trash receptacles, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.

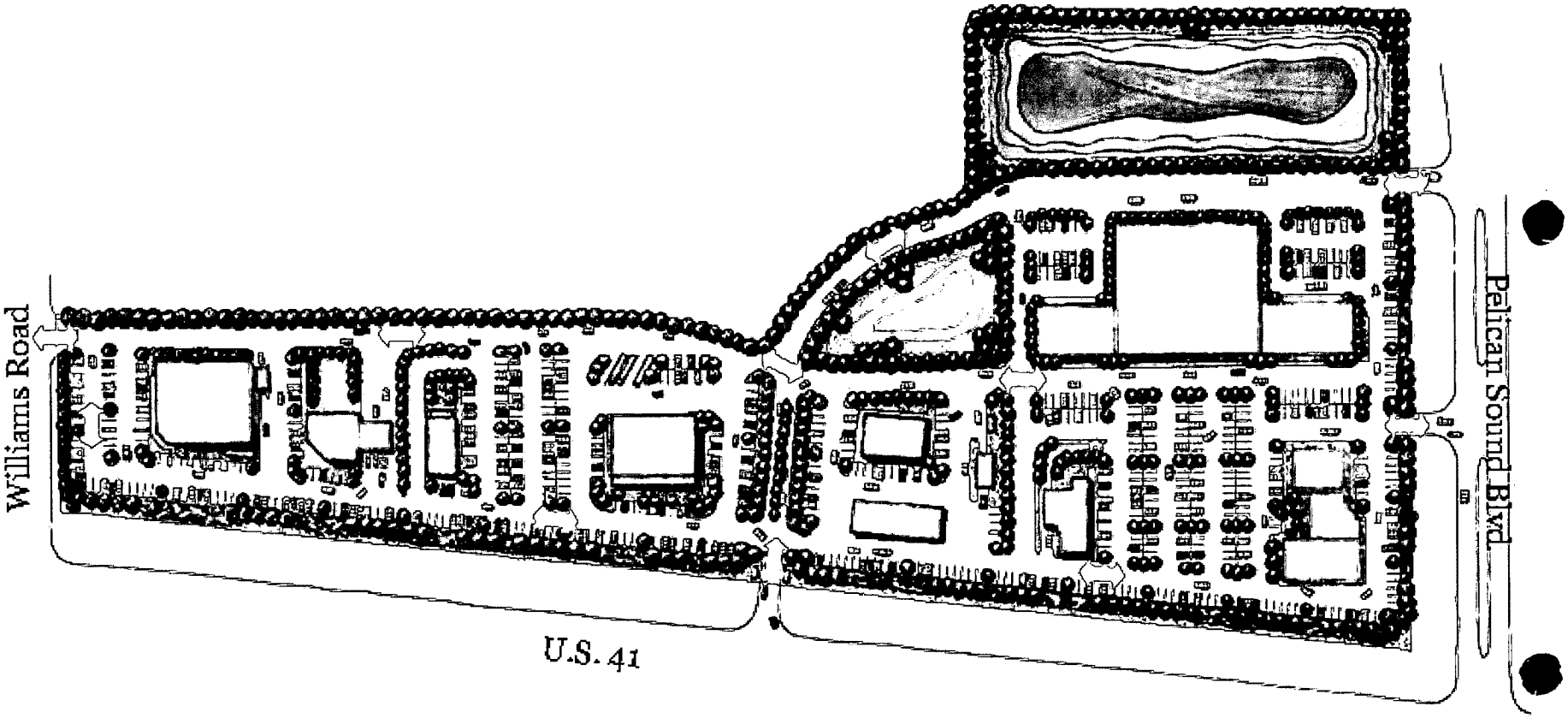
- A pedestrian way network shall be established throughout the project as shown on the Conceptual Site Plan on the following page. The pedestrian system will serve to link Anchor and vista areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of treated surfaces, signage or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.

    - The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc. This pedestrian way will include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum unobstructed pedestrian way of 5 feet average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances where appropriate.

    - The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan on the following page. This pedestrian way system will be designed to promote safe and convenient linkage from the parking area to the entire project. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatment and other traffic calming techniques. This pedestrian way system shall be a minimum of 4 feet in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12 feet high with a 4 foot spread for canopy trees and equivalent specification for shade palms at the time of planting.

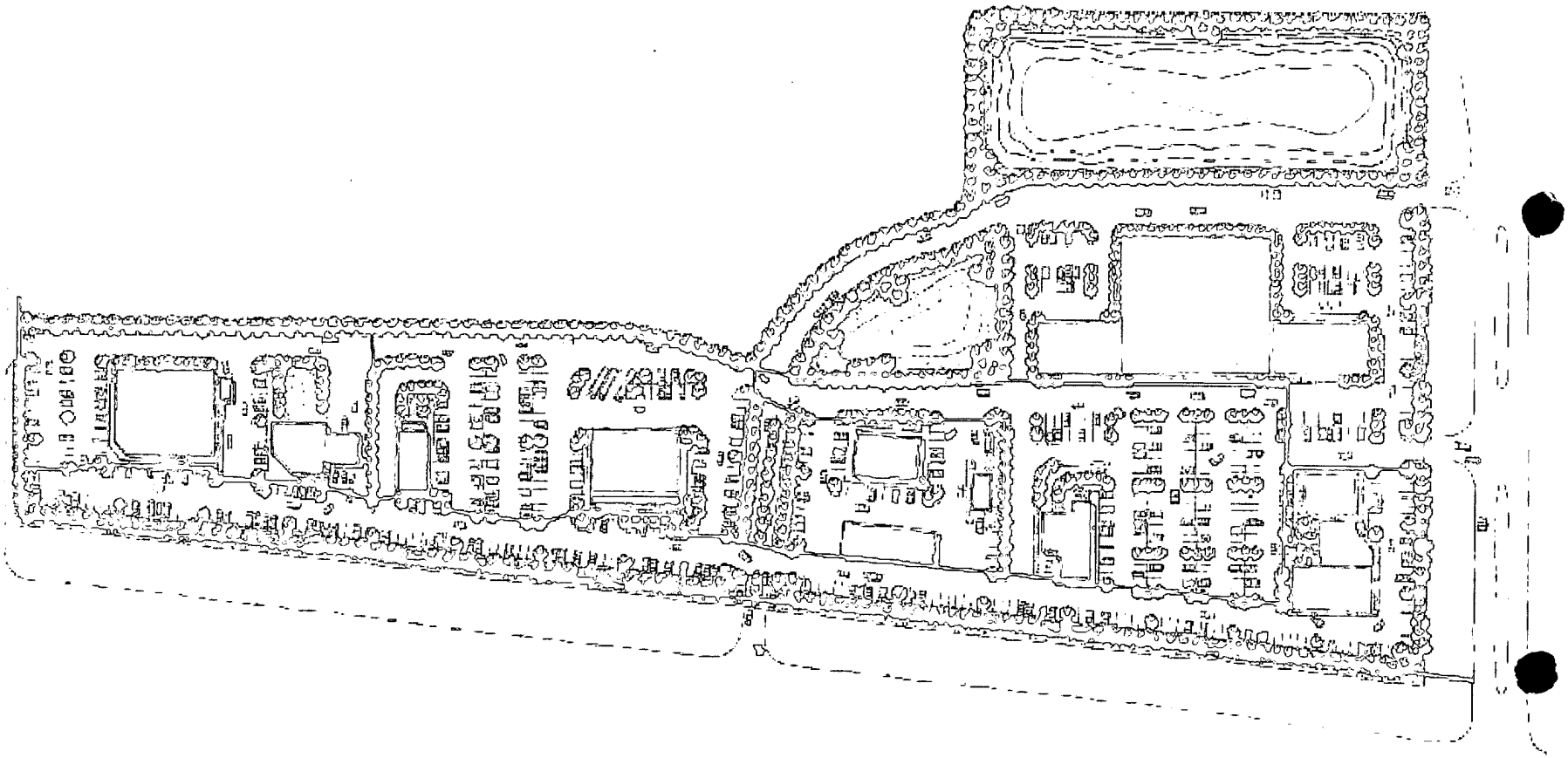
    - The perimeter pedestrian way system is designed to link free-standing uses with the parking and vista area pedestrian way as shown on the Conceptual Site Plan on the following page. Vehicular crossings will be identified with signage, landscaping and clearly marked through uses of varied pavement treatments or other traffic calming techniques.

PARADISE SHOPPES OF ESTERO



Conceptual Site Plan: Vehicular Circulation

PARADISE SHOPPES OF ESTERO



Conceptual Site Plan: Pedestrian Circulation

Landscaping

A. General

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement and satisfy LDC native plant requirements. Any non-native landscape material use shall be allowed under the LDC and will be used to provide additional color and texture for areas to be enhanced such as main vehicular and pedestrian entries, circulation routes, building perimeter plantings and pedestrian amenity open space.

B. Perimeter

- Buildings along U.S. Highway 41 will be designed in accordance with LDC Article IV; the setback requirements for the Estero Overlay. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- Where parking or service areas along U.S. Highway 41 are located within 75 feet of the right of way line, the developer must maintain a minimum 30 foot setback for parking or service areas from the U.S. Highway 41 right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made (subject to FDOT review and utility conflicts) to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk.

- Where an access road for a drive-thru is located along U.S. Highway 41 within 75 feet of the right of way line, the developer must maintain a maximum 25 foot building setback from the U.S. Highway 41 right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk (subject to FDOT review, utility conflicts and spacing issues).

- Where buildings along Williams Road or Pelican Sound Boulevard are designed such that parking areas are in front of the building, an enhanced 30 foot buffer consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with

a ±2 feet undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- The height of required trees within buffers shall be 12 feet overall in height. Canopy trees shall have a 4 foot canopy spread at the time of planting.

- Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Paradise Shoppes of Estero boundary concurrent with site development within each vista area or anchor parcel respectively.

- Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting and utilities will be permitted within perimeter landscape buffers.

- Perimeter landscape berms located within the Paradise Shoppes of Estero boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.

- The developer and adjacent landowners endeavor to provide a unified homogenous landscape and entry feature for Pelican Sound Boulevard. The entry feature will be designed to compliment the Paradise Shoppes of Estero project.

C. Internal

Per LDC Sections 34-1042 thru 34-1047, internal landscaping will be provided to minimize hardscaped areas, both visually and physically, accentuate entryways, define pedestrian areas and enhance the pedestrian walkway system. In all landscaped areas, existing native trees will be preserved.

U.S. 41 Parking/Pedestrian/U.S. 41 Circulations Retail Shops Entrance

Entrance from U.S. 41

Creation of Focal Points

Signage

A. All signs shall be of consistent architectural style and shall feature like building materials and sign structures. Sign Structures will be uniform in size, color and building material.

B. All signs will comply with the land development code sign guidelines at the time of the issuance of the sign permit.

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Trees (Med. & Large)

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Acacia choriophylla	Cinnecord	Juniperus silicicola	Southern Red Cedar
Acacia farnesiana	Sweet Acacia	Juniperus virginiana	Red Cedar
Acer rubrum	Red Maple	Laguncularia racemosa	White Mangrove
Acer saccharum subs. Floridanum	Florida Maple	Liriodendron tulipifera	Tulip Poplar
Annona glabra	Pond Apple	Magnolia grandiflora	Southern Magnolia
Betula nigra	River Birch	Magnolia virginiana	Sweet Magnolia
Bourreria succulenta	Strongbark	Morus rubra	Red Mulberry
Bursera simaruba	Gumbo Limbo	Myrcanthes fragrans	Simpson Stopper
Celtis laevigata	Sugarberry	Nyssa sylvatica	Black Gum
Cercis canadensis	Red Bud	Persea palustris	Florida Red Bay
Chionanthus virginicus	White Fringetree	Pinus elliottii	Slash Pine
Chrysobalanus icaco	Cocoplum	Pinus elliottii 'densa'	South Florida Slash Pine
Chrysophylium oliviforme	Satin Leaf	Pinus palustris	Longleaf Pine
Citharexylum spinosum	Fiddlewood	Pinus taeda	Loblolly Pine
Clusia rosea	Pitch Apple	Piscidia piscipula	Jamaica Dogwood
Cocoloba diversifolia	Pigeon Plum	Plantanus occidentalis	Sycamore
Cocoloba uvifera	Seagrape	Prunus angustifolia	Chickasaw Plum
Conocarpus erectus	Buttonwood	Prunus caroliniana	Cherry Laurel
Cordia sebestena	Geiger Tree	Prunus myrtifolia	West Indian Cherry
Cornus florida	Dogwood	Quercus alba	White Oak
Diospyros virginiana	Persimmon	Quercus falcata	Southern Red Oak
Eugenia axillaris	White Stopper	Quercus laurifolia	Laurel Oak
Eugenia confusa	Redberry Stopper	Quercus michauxii	Swamp Chestnut Oak
Eugenia foetida	Spanish Stopper	Quercus nigra	Water Oak
Eugenia rhombea	Red Stopper	Quercus shumardii	Shumard Oak
Gordonia lasianthus	Loblolly Bay	Quercus virginiana	Live Oak
Guaiacum sanctum	Lignum Vitae	Rhizophora mangle	Red Mangrove
Gymnanthes lucida	Crabwood	Salix caroliniana	Coastal Plain Willow
Hibiscus tiliaceus	Mahoe	Sapindus saponaria	Wingleaf Soapberry
Ilex cassine	Dahoon Holly	Schaefferia frutescens	Florida Boxwood
Ilex opaca	American Holly	Sideroxylon foetidissimum	Mastic
Ilex vomitoria	Yaupon Holly	Sideroxylon salicifolium	Willow Bustic
Ilex x attenuata	East Palatka Holly	Swietenia mahagoni	Mahogany
Jacquinia keyensis	Joewood	Taxodium distichum	Bald Cypress
		Ulmus alata	Winged Elm
		Ulmus americana var. floridana	Florida Elm
		Viburnum obovatum	Walter's Viburnum

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Shrubs

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Ardisia escallonioides	Marlberry		
Baccharis halimifolia	Saltbush		
Calicarpa americana	Beautyberry		
Capparis cynophallophora	Jamaican Caper		
Cassia ligustrina	Privet Cassia		
Cephalanthus occidentalis	Buttonbush		
Clethera alnifolia 'Ruby Spice'	Sweet Pepperbush		
Cordia globosa	Bloodberry		
Cyrilla racemiflora	Titi		
Dodonaea viscosa	Varnishleaf		
Erithalis fruticosa	Black Torch		
Ernodia littoralis	Beach Creeper		
Erythrina herbacea	Coral Bean		
Foresteria segregata	Florida Privet		
Genipa clusiifolia	Seven-Year-Apple		
Hamelia patens	Firebush		
Hypericum spp.	St. John's Wort		
Illicium floridanum	Florida Anise		
Itea virginica	Virginia Sweetspire		
Iva frutescens	Marsh Elder		
Lantana involucrata	Native White Lantana		
Licania michauxii	Gopher Apple		
Lyonia lucida	Fetterbush		
Myrica cerifera	Wax Myrtle		
Opuntia spp.	Prickly Pear		
Psychotria nervosa	Wild Coffee		
Randia aculeata	White Indigo Berry		
Rapanea punctata	Myrsine		
Rivina humilis	Rouge Plant		
Sambucus simpsonii	Elderberry		
Scaevola plumieri	Scaevola		
Sophora tomentosa	Necklace Pod		
Stachytarpheta jamaicensis	Blue Porterweed		
Styrax americanus	Snowbell		
Suriana maritima	Bay Cedar		
Yucca aloifolia	Spanish Bayonet		
Zamia pumila	Coontie		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Grasses

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Andropogon brachystachys	Shortspike Bluestem		
Eragrostis elliottii	Elliot Love Grass		
Eragrostis spectabilis	Purple Love Grass		
Muhlenbergia capillaris	Muhly Grass		
Sorghastrum secundum	Lopsided Indiangrass		
Spartina bakeri	Sand Cordgrass		
Tripsacum dactyloides	Fakahatchee Grass		
Tripsacum floridanum	Florida Gamma Grass		
Uniola paniculata	Sea Oats		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Ferns

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Acrostichum danaeifolium	Leather Fern		
Blechnum serrulatum	Swamp Fern		
Ctenitis sloanei	Florida Tree Fern		
Nepherolepsis spp.	Swordfern/Boston Fern		
Osmunda regalis	Royal Fern		
Pteridium aquilinum	Bracken		

PARADISE SHOPPES OF ESTERO

RECOMMENDED PLANTS - Native Aquatics

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Canna flaccida	Yellow Canna		
Equisetum spp.	Horsetail		
Juncus effusus	Soft Rush		
Nuphar luteum	Spatterdock		
Nymphaea odorata	White Water Lily		
Pontederia lanceolata	Pickerelweed		
Sagittaria spp.	Arrowhead		
Scirpus spp.	Giant Bulrush		
Thalia geniculata	Alligator Flag		

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: October 5, 2004

TO: whom it may concern

FROM: Jessica Smith
Secretary, Internal Services

RE: Error in Notice of Public Hearing - **October 13, 2004 HEX**

In the original notice sent on September 28, 2004, there was an error in the request, and a portion of the request was inadvertently cut off. Attached is the corrected notice which includes the complete request. I apologize for any inconvenience this may have caused.

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

CASE NUMBER: DCI2004-00013

CASE NAME: CAMARGO MPD

REQUEST: Amend the existing MPD zoning to adopt a new Master Concept Plan to allow the continued development of a vacated portion of the overall project. The existing MPD was approved in Resolution Z-98-029 for up to 300,000 square feet of commercial floor area (of which not more than 100,000 square feet can be retail use), a total of 500 beds in an assisted living facility, and a potential conversion of up to 100,000 square feet of retail uses to 75,000 square feet of office uses. The requested amendment would permit up to 100,000 square feet of retail on the vacated section of the MPD south of Pelican Sound Boulevard which was previously designated for commercial uses. No changes to the residential portion of the MPD are included in this request, and no uses have been requested for the vacated commercial area located north of Pelican Sound Boulevard. Blasting is not a proposed development activity within this project.

LOCATION: The subject property is located at Estero, FL 33928 (The property is located on the northwest corner of the US 41 and Williams Road intersection.), in **S**33 (Section)-**T**46 (Township)**S-R**25 (Range)**E**, Lee County, Florida.

SIZE OF PROPERTY: 66.00 Acres ±

STAFF REPORT: Direct inquiries to Alvin Block, AICP, Principal Planner, at 239-479-8371, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE: CARL A BARRACO, P. E.
BARRACO & ASSOCIATES, INC.
239-461-3170

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 1:00 p.m. on October 13, 2004, on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Jessica M Smith at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

32-46-25-00-00002.10CE
PELICAN SOUND GOLF +
4561 PELICAN SOUND BLVD
ESTERO, FL 33928

33-46-25-00-00001.0040
COLLEGE OF LIFE FOUNDATON INC
BOX 97
ESTERO, FL 33928

33-46-25-00-00001.0050
LEE COUNTY MEDICAL INVESTORS
3570 KEITH ST NW
CLEVELAND, TN 37312

33-46-25-00-00001.0060
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES JR
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0100
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TR N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0110
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TR N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0130
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES
801 LAUREL OAK DR SUITE 710
NAPLES, FL 34108

33-46-25-00-00001.0140
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES
801 LAUREL OAK DR SUITE 710
NAPLES, FL 34108

33-46-25-00-00001.0150
RIVER RIDGE COMMUNITY DEV DIST
C/O MOYER + ASSOCIATES
210 N UNIVERSITY DR STE 301
CORAL SPRINGS, FL 33071

33-46-25-00-00001.0160
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTONY P PIRES JR
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-00-00018.0080
COVERED WAGON TRAVEL TRL PARK
21450 S TAMIAMI TR
ESTERO, FL 33928

33-46-25-00-00019.0030
SPANISH LAKES INC TR
P O BOX 366879
BONITA SPRINGS, FL 34136

33-46-25-00-00019.0040
MULLIGAN RICHARD E TRUSTEE
78 CHARDON PL
NAPLES, FL 34110

33-46-25-00-00019.004A
ESTERO LAKES DEV INC
P O BOX 366879
BONITA SPRINGS, FL 34136

33-46-25-00-00019.0050
NEAR WEST INC
3880 SHERIDAN ST
HOLLYWOOD, FL 33021

33-46-25-00-00019.0060
MULLIGAN RICHARD E TR
78 CHARDON PL
NAPLES, FL 34110

33-46-25-00-00021.0000
DEWOLFE BERNARD J COTR +
16050 S TAMIAMI TRL STE 103
FT MYERS, FL 33908

33-46-25-01-00000.0010
ULB PROPERTIES OF FL LLC
1903 STANLEY GAULT PKWY
LOUISVILLE, KY 40223

33-46-25-01-00000.0020
OPUS ENTERPRISES INC
3875 MIDSHORE DRI VE
NAPLES, FL 34109

33-46-25-01-00000.0050
HITHERSAY STEVEN E TR
309 COUNTRY VIEW CT
LAKE MARY, FL 32746

DC12004-00013

All data is current at time of printing and subject to change without notice.

33-46-25-01-0000A.0000
HITHERSAY STEVEN E TR
309 COUNTRY VIEW CT
LAKE MARY, FL 32746

33-46-25-17-0000A.0000
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-18-00000.00CE
EDGEWATER IV AT PELICAN SOUND

,

33-46-25-18-00018.0101
MODEER ROBERT M + EMILY W
21551 PELICAN SOUND DR #101
ESTERO, FL 33928

33-46-25-18-00018.0102
GRANT RICHARD A + GERRY L
3219 TULIP DR
INDIANAPOLIS, IN 46227

33-46-25-18-00018.0103
RAFFERTY MICHAEL B + NANCY R
21551 PELICAN SOUND DR #103
ESTERO, FL 33928

33-46-25-18-00018.0201
DUGAN R MICHAEL + RONA G
203 JORDAN CT
COLLEGEVILLE, PA 19426

33-46-25-18-00018.0202
GARY NADER G + KATHERINE P
2 ROLAND CT
RUXTON, MD 21204

33-46-25-18-00018.0203
FINNERTY JOHN J + MARY F TR
4 MORNINGSIDE PK
PITTSFORD, NY 14534

33-46-25-18-00019.0101
EVANCHAN NICHOLAS L +
5548 FOXTAIL CIR NW
CANTON, OH 44718

33-46-25-18-00019.0102
OLSON RON E + SUSANNA
300 27TH ST DR SE
CEDAR RAPIDS, IA 52403

33-46-25-18-00019.0103
MAHER JAMES J + SONIA G
P O BOX 339
JEFFERSON, MD 21755

33-46-25-18-00019.0201
ASHE ROBERT E + CAROL A
21561 PELICAN SOUND DR #201
ESTERO, FL 33928

33-46-25-18-00019.0202
VENOSA ALBERT D + JANET S
7307 PINEHURST DR
CINCINNATI, OH 45244

33-46-25-18-00019.0203
SCHORK HAROLD G + CHRISTINA TR
2903 CABOT RD
QUINCY, IL 62301

33-46-25-26-00000.00CE
SOUTHERN HILLS AT PELICAN

,

33-46-25-26-00001.0101
BELLEVILLE MARY L
1111 LYNAUGH RD
VICTOR, NY 14564

33-46-25-26-00001.0102
GABAUER FAMILY FLORIDA LLC
143 POST OAK DR
BEAVER FALLS, PA 15010

33-46-25-26-00001.0103
GILLENWATER PAUL T
6401 BAUM DR
KNOXVILLE, TN 37919

33-46-25-26-00001.0201
KINKADE JOHN R + SUSAN E
11531 WEST VALLEY DR
CROWN POINT, IN 46307

33-46-25-26-00001.0202
FOX FRANCIS J + HELEN M
21700 SOUTHERN HILLS DR #202
ESTERO, FL 33928

33-46-25-26-00001.0203
WILLIAMS DENNIS A + MARY J
147 LEXINGTON RD
DRACUT, MA 01826

33-46-25-26-00002.0101
WCI COMMUNITIES INC
24301 WALDEN CENTER DR
SUITE 300
BONITA SPRINGS, FL 34134

33-46-25-26-00002.0102
DYSERT ROBERT J + MARILYN A
8251 SOUTHERN HILLS CT #102
ESTERO, FL 33928

33-46-25-26-00002.0103
PHILLIPS STERLING JR + AUDREY
8804 SPINNAKER CT
INDIANAPOLIS, IN 46256

33-46-25-26-00002.0201
DUNNE CHARLES B + PATRICIA K
1859 RIVER RIDGE CIR
NAPERVILLE, IL 60565

33-46-25-26-00002.0202
BOOTH TIMOTHY + RENE M
3493 WYNDE TREE DR
SEVEN HILLS, OH 44131

33-46-25-26-00002.0203
NELSON BARRY R + JOANN L
5 CASTLE PINES COURT
LAKE IN THE HILLS, IL 60156

33-46-25-26-00003.0101
HARRIS WILLIAM E + PATRICIA M
5845 TRAILWINDS DR #513
FORT MYERS, FL 33907

33-46-25-26-00003.0102
MATULIS JOHN + VALERIE
13911 FARMINGTON WAY
APPLE VALLEY, MN 55124

33-46-25-26-00003.0103
BRUNER PAUL S + SHARON L
13091 DUVAL DR
FISHERS, IN 46038

33-46-25-26-00003.0201
ALMOND JAMES C + REBECCA A
404 WOODLAND E DR
GREENFIELD, IN 46140

33-46-25-26-00003.0202
PAOLINO CAROLE M
467 DANIELLE DR
NAZARETH, PA 18064

33-46-25-26-00003.0203
KILPONEN KENNETH C + MARY ANN
8241 SOUTHERN HILLS CT #203
ESTERO, FL 33928

33-46-25-26-00004.0101
WHITTENDALE DAVID + ELAINE
11 WADSWORTH PL
SMITHTOWN, NY 11787

33-46-25-26-00004.0102
AINA OLAYINKA O
154 ELLIOT ST
PEEBLES, OH 45600

33-46-25-26-00004.0103
OLRY MARTIN A + KIMBERLY
8315 COURTNEY DR
FISHERS, IN 46038

33-46-25-26-00004.0201
HENNING JOAN D
8250 SOUTHERN HILLS CT #201
ESTERO, FL 33928

33-46-25-26-00004.0202
BURKE BARRY N + CAROL M
8133 SENECA VIEW DR
GAITHERSBURG, MD 20882

33-46-25-26-00004.0203
RAU RAYMOND + LOUISE
725 WEST TUSCOLA STREET
FRANKENMUTH, MI 48734

All data is current at time of printing and subject to change without notice.

33-46-25-26-00005.0101
LINS ROLAND R + DEETTE L
21730 SOUTHERN HILLS DR #101
ESTERO, FL 33928

33-46-25-26-00005.0102
SELLER DONALD A + PATRICIA A
1718 CLAYMONT ESTATES DR
CHESTERFIELD, MO 63017

33-46-25-26-00005.0103
SCHRODER DAVID A
21730 SOUTHERN HILLS DR #103
ESTERO, FL 33928

33-46-25-26-00005.0201
WARDELL WILLIAM W +
1066 COUNTRY CLUB RD
WEST CHESTER, PA 19382

33-46-25-26-00005.0202
DUNNE LINDA N +
76 REDSTART RD
NAPERVILLE, IL 60565

33-46-25-26-00005.0203
MCCARTHY EUGENE + DEENA 1/2 +
46 TITUS COAN RD
KILLINGSWORTH, CT 06419

33-46-25-26-00006.0101
RIGGIO FRANK X + CHRISTINE A
1053 SIPP AV
MEDFORD, NY 11763

33-46-25-26-00006.0102
DEKEERSMAEKER DAVID + STEFANIE
67 VOORHIS RD
KINNELON, NJ 07035

33-46-25-26-00006.0103
FOSTER BRIAN J
ST ANDREW HOUSE
SHIREHILL SAFFRON WALDEN
ESSEX CB11 3AQ,
GREAT BRITAIN

33-46-25-26-00006.0201
HERMANN WULF + MONICA
21740 SOUTHERN HILLS DR #201
ESTERO, FL 33928

33-46-25-26-00006.0202
TOMASSO FRANK DE + GRACE
28 RUSTYWOOD DR
TORONTO, ON M3A 1R8
CANADA

33-46-25-26-00006.0203
FIORE ALFRED A + BARBARA A
111 ARDMORE RD
HO HO KUS, NJ 07423

33-46-25-26-00007.0101
VAN LEIGHT PETER + VICTORIA
21750 SOUTHERN HILLS DR #101
ESTERO, FL 33928

33-46-25-26-00007.0102
BULTE RAYMOND H + JOYCE L
611 BEDFORD OAKS DR
KIRKWOOD, MO 63122

33-46-25-26-00007.0103
CONROY ELIZABETH G
21750 SOUTHERN HILLS DR #103
ESTERO, FL 33928

33-46-25-26-00007.0201
JARVINEN NANCY H + NATHAN C
1194 W SHERWIN AV
CHICAGO, IL 60626

33-46-25-26-00007.0202
LAPLANTE RAYE + KATHLEEN
15 CEDERGREN RD
NEW DURHAM, NH 03855

33-46-25-26-00007.0203
EVERS BRIAN J + PATRICIA L
11 JUDITH LN E
METHUEN, MA 01844

33-46-25-26-00008.0101
BARRAULT PHILIPPE + SYLVIE
1700 ODEN TOWERS
331 NORTH BRIDGE RD 188720,
SINGAPORE

33-46-25-26-00008.0102
KAPLAN WILLIAM J TR
21760 SOUTHERN HILLS DR #102
ESTERO, FL 33928

33-46-25-26-00008.0103
VANAUKEN JAMES C +
P O BOX 692
GREENVILLE, NY 12083

33-46-25-26-00008.0201
FIESEL LARRY J + MARY F
127008 CHARING CROSS RD
CARMEL, IN 46033

33-46-25-26-00008.0202
MILES JAMES A + PATTY L
225 BRYN WYCK PLACE
ST LOUIS, MO 63141

33-46-25-26-00008.0203
MEHES PAUL L TR
7465 FAIRMOUNT RD
NOVELTY, OH 44072

33-46-25-26-00009.0101
MATLOCK JAMES E + RENEE H
21420 CONCORD DR
FRANKFORT, IL 60423

33-46-25-26-00009.0102
LANDERS MICHAEL +
12830 SW 324TH PL
DAVIE, FL 33330

33-46-25-26-00009.0103
KNAUER DELMAR J + CHRISTINA R
1650 TWINING RD
WILLOW GROVE, PA 19090

33-46-25-26-00009.0201
STYGER PHILIP
INDUSTRIESTRASSE 15
STEINHAUSEN CH-6312,
SWITZERLAND

33-46-25-26-00009.0202
MIENTKIEWICZ DOUG + JODI
21770 SOUTHERN HILLS DR #202
ESTERO, FL 33928

33-46-25-26-00009.0203
EURICH VICKI A TR
1619 BROOKWOOD DR
MUSKEGON, MI 49441

33-46-25-26-00010.0101
WERNER ADAM D + ANNA M
128 OAK RIDGE LN
WINCHESTER, VA 22602

33-46-25-26-00010.0102
ANDOW STEVEN C + CARLEEN F
8557 BARBARA DR
MENTOR, OH 44060

33-46-25-26-00010.0103
REITZ ALVIN W II + CAROL B
21 W 601 MAPLE AV
MEDINAH, IL 60157

33-46-25-26-00010.0201
QUEEN JOHN W JR + CAROLYN A
464 BAXTER NECK RD
MARSTONS MILLS, MA 02648

33-46-25-26-00010.0202
MARCHESE ANDREW M + MARIANNA
238 ST CLOUD AV
WEST ORANGE, NJ 07052

33-46-25-26-00010.0203
BROOKS ADRIENNE G
P O BOX 24348
CHRISTIANSTED
ST CROIX, VI 00824

33-46-25-26-00011.0101
DRYDEN STEPHEN D
1037 MONTEREY DR
CARROLL, IA 51401

33-46-25-26-00011.0102
NALEPA WAYNE M + DIANE A
18686 YORKSHIRE DR
LIVONIA, MI 48152

33-46-25-26-00011.0103
VOIVODAS STEVEN M + LISA K
8149 CLARIDGE RD
INDIANAPOLIS, IN 46260

33-46-25-26-00011.0201
BOWER COLLEEN H +
77 TOMLIN CIR
BURR RIDGE, IL 60527

33-46-25-26-00011.0202
RUSSO JAMES J + JANICE S
9211 N NAGLE AV
MORTON GROVE, IL 60053

33-46-25-26-00012.0101
WEINTRAUB RONALD M + SANDRA L
HINDENBURG STRASSE 8
ERLANGEN D-91054,
GERMANY

33-46-25-26-00012.0103
VIE NOUVELLE LLC
5051 PELICAN COLONY BLVD #603
BONITA SPRINGS, FL 34134

33-46-25-26-00012.0202
KOEHEKER CHERYL L
416 THORNTREE LAKE CT
EUREKA, MO 63025

33-46-25-26-00013.0101
MANNING THOMAS A + HELFRIDE W
1315 HILLCREST DR NE
FRIDLEY, MN 55432

33-46-25-26-00013.0103
WESSON ROBERT M + MICHELLE L
1631 MONTMORENCY DR
VIENNA, VA 22182

33-46-25-26-00013.0202
WOODBURN TERRY V + SHARON E
306 WOODLAND EAST DR
GREENFIELD, IN 46140

33-46-25-26-00014.0101
JOHNSON DONALD D + CAROLYN R T
W 6329 LONE OAK DR
MINONG, WI 54859

33-46-25-26-00014.0103
NORDSTRAND RONALD A + MARY JO
1344 CHERRY HILL RD
MENDOTA HEIGHTS, MN 55118

33-46-25-26-00014.0202
DIMMITT SHIRLEEN Y +
1503 BRAMOOR DR
KOKOMO, IN 46902

33-46-25-26-00011.0203
BROZNOWSKI LINDA
3212 N KENMORE AV
CHICAGO, IL 60657

33-46-25-26-00012.0102
DAWSON WILLIAM S + SUSAN E TR
21800 SOUTHERN HILLS DR #102
ESTERO, FL 33928

33-46-25-26-00012.0201
FINAN EDWARD M + JUDITH A
31288 OLD STAGE RD
BINGHAM FARMS, MI 48025

33-46-25-26-00012.0203
DAVIS MARTHA B TR
21800 SOUTHERN HILLS DR #203
ESTERO, FL 33928

33-46-25-26-00013.0102
RAINSTEIN MIQUEL A + VIRGINIA
268 FORESTVIEW DR
WILLIAMSVILLE, NY 14221

33-46-25-26-00013.0201
REITER ROBERT + BARBARA
11202 WYOMING CURVE
BLOOMINGTON, MN 55438

33-46-25-26-00013.0203
HARRIS ENTERPRISES INC
438 TOBEY ROAD
APALACHIN, NY 13732

33-46-25-26-00014.0102
BOSS JOHN R + JULIE P
124 FOX TROT
DIXON, IL 61021

33-46-25-26-00014.0201
ZIMNOWSKI RANDOLPH E + LAURA L
520 MILL RD
YARDLEY, PA 19067

33-46-25-26-00014.0203
KEESEY CHARLES L + LUCINDA P
21820 SOUTHERN HILLS DR #203
ESTERO, FL 33928

All data is current at time of printing and subject to change without notice.

04-47-25-00-00001.0000
MCARDLE EDWARD J TR
P O BOX 366879
BONITA SPRINGS, FL 34136

04-47-25-00-00001.002F
LMC WILLIAMS ROAD INC
33 EAST WALL ST
FROSTPROOF, FL 33843

04-47-25-00-00006.00CE
FOUNTAIN LAKES COMM ASSOC INC
22201 FOUNTAIN LAKE BLVD #1
ESTERO, FL 33928

04-47-25-08-00000.0020
MARTINEZ HENRY L + DIANA L
22005 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0040
WYNN MARK W + HEATHER L
22013 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0060
LANING ARTHUR + DORIS
22021 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0080
PEARSON ANN P
22029 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0100
EGNA MATTHEW L
22037 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0120
DORN DEAN D + PATRICIA M
22045 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0140
SARGENT WILLIAM T + CAROLYN P
22053 SEASHORE CIR
ESTERO, FL 33928

04-47-25-00-00001.002C
WEST BAY CLUB DEV CORP
4600 WEST BAY BLVD
ESTERO, FL 33928

04-47-25-00-00002.00CE
FOUNTAIN LAKES COMM ASSOC INC
22201 FOUNTAIN LAKE BLVD #1
ESTERO, FL 33928

04-47-25-08-00000.0010
COTRONE DANIEL D +
22001 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0030
MATTEI DANIEL + CLEMENTINE P
22009 SEASHORE CIRCLE
ESTERO, FL 33928

04-47-25-08-00000.0050
WAGNER RICHARD J
22017 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0070
DORRIAN JOHN + DIANE
22025 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0090
PICKENS JEFFRY + CHERYL
22033 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0110
BROWN JEFFREY W +
22041 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0130
COLLVER ALLEN AF + JOYCE A +
22049 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0150
COOK TIMOTHY N + CAROLYN S
22057 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0160
BOWLES CAROLYN S TR
22061 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0170
HUMPHREY WAYNE + PAMELA J
22065 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0180
HOFFMAN BILL E + VICKI A
22060 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0190
ALLINDER JOE A III
22050 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0200
ACQUAVIVA DANIEL J
PO BOX 367
ESTERO, FL 33928

04-47-25-08-00000.0210
HALL FLOYD W JR + JANET L
22038 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0220
SYLVIA VICTOR + ELIZABETH
22034 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0230
GOLDBACH JOSEPH J + CHRISTINE
22030 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0240
ANASTASIA JOSEPH N + LEONTINA
462 HIGH ROCK ST
NEEDHAM, MA 02492

04-47-25-08-00000.0250
ROGERS JOANNE
22022 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0260
BAITZ CALVIN K + BEVERLY S
22018 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0270
IACOBUCCI DOLORES
22014 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0280
MURTAUGH JAMES J + DIANE C
22200 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0290
APUZZO ANN B
22207 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0300
KONTINOS NICHOLAS K + PENNY M
22051 W TREE DR
ESTERO, FL 33928

04-47-25-08-00000.0310
LEIB SCOTT E + JOSEPHINE
22061 WEST TREE DR
ESTERO, FL 33928

04-47-25-08-00000.0490
KOOPMAN VICKI L
22203 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0500
LAWLER PATRICK + LINDA
2018 ROOSEVELT HWY
HILTON, NY 14468

04-47-25-08-00000.0510
DESARIO ANTONIO TR +
2889 DAVENPORT DR
WEST CHICAGO, IL 60185

04-47-25-08-00000.0540
SCHLAGETER MATTHEW M + ANDREA
3740 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0550
PANDUR JOSEPH L + MERYL J
6522 COBBS CREEK PKWY
PHILADELPHIA, PA 19142

04-47-25-08-00000.0560
WYNN MICHAEL A + PAULA E
3720 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0570
KOSMAN DAVID A
3710 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0580
THOMASON BILLY J + MARIAN
3700 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0590
LINDQUIST RICHARD A + CAROLYN
6614 RED BARN RD
LOVES PARK, IL 61111

04-47-25-08-00000.0600
MCKELLAR ROGER K + CHERYL A
3680 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0610
VIERGUTZ JAMES W + GERALDINE A
3670 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0620
MANDERSCHIED BRIAN D
3650 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0630
GUZMAN JOSE E +
4820 WHISTLERS GREEN CIR
APT 3
NAPLES, FL 34116

04-47-25-08-00000.0640
DARGENTO ALESSEANDRO + EMILIA
3641 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0650
MULLAN DANIEL P + KIMBERLY
3651 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0660
DISCALA P L + CAROL L
3661 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0670
PEARSON DALE C + DENISE
3671 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0680
CRIBBINS MARTIN J JR
3681 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0690
FREY JOHN A + ANDREA T
3691 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0700
MOSS RUDY + LINDA E
3701 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0710
PETERSON WILLIAM F
3721 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0720
WASZAK STEPHEN E + DAWN
22186 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0850
CHETCUTI JOSEPH + CARRIE
22076 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0860
GUTIERREZ WILLIAM + SANDRA
22068 SEASHORE CIR
ESTERO, FL 33928

All data is current at time of printing and subject to change without notice.

04-47-25-08-00000.0870
SCHRAMM VIRGINIA L/E
22069 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0880
MCMANUS RUSSELL J
22073 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0890
JACHIM MICHAEL P + JILL
22077 SEASHORE CIRCLE
ESTERO, FL 33928

DCI 2004-00013

04-47-25-08-00000.0870
SCHRAMM VIRGINIA L/E
22069 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0880
MCMANUS RUSSELL J
22073 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0890
JACHIM MICHAEL P + JILL
22077 SEASHORE CIRCLE
ESTERO, FL 33928

AVERY® Address Labels
All data is current at time of printing and subject to change without notice.
Laser 5261™
Smooth Feed Sheets™
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Use template for 5161™
PRINTED

Mr. Charles M. Etal Long (owner)
C/0 Gary Butler
2201 2nd St.
Fort Myers, FL 33901

The Paradise Group (Applicant)
3265 Meridian Pkwy
Weston, FL 33331

Barraco & Associates, Inc. (agent)
Mr. Carl A. Barraco
2271 McGregor Blvd.
Fort Myers, FL 33901

Chief Dennis Merrifield
Estero Fire Rescue
19850 Breckenridge Drive Suite A
Estero, FL 33928

Mr. Ray Glowaz
Coconut Shores Homeowner's
23214 Coconut Shores
Bonita Springs, FL 34134
Mr. Don Vilnius

West Bay Club Property Owners
PO Box 820
Estero, FL 33928

DC12004-00013

Smooth Feed Sheets™
Use template for 5160®

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: September 28, 2004

TO: DCI2004-00013

FROM: Jessica Smith
Secretary, Internal Services

RE: Notice of Public Hearing - **October 13, 2004 HEX**

I, Jessica Smith, Secretary, Internal Services, Development Services Division, do hereby certify that I have mailed notices to the adjacent property owners on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

CASE NUMBER: DCI2004-00013

CASE NAME: CAMARGO MPD

REQUEST: Amend the existing MPD zoning to adopt a new Master Concept Plan to allow the continued development of a vacated portion of the overall project. The existing MPD was approved in Resolution Z-98-029 for up to 300,000 square feet of commercial floor area (of which not more than 100,000 square feet can be retail use), a total of 500 beds in an assisted living facility, and a potential conversion of up to 100,000 square feet of retail uses to 75,000 square feet of office uses. The requested amendment would permit up to 100,000 square feet of retail on the vacated section of the MPD south of Pelican Sound Boulevard which was previously designated for commercial uses. No changes to the residential portion of the MPD are included in this request, and no

LOCATION: The subject property is located at Estero, FL 33928 (The property is located on the northwest corner of the US 41 and Williams Road intersection.), in **S**33 (Section)-**T**46 (Township)**S-R**25 (Range)**E**, Lee County, Florida.

SIZE OF PROPERTY: 66.00 Acres ±

STAFF REPORT: Direct inquiries to Alvin Block, AICP, Principal Planner, at 239-479-8371, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE: CARL A BARRACO, P. E.
BARRACO & ASSOCIATES, INC.
239-461-3170

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 1:00 p.m. on October 13, 2004, on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Jessica M Smith at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

32-46-25-00-00002.10CE
PELICAN SOUND GOLF +
4561 PELICAN SOUND BLVD
ESTERO, FL 33928

33-46-25-00-00001.0040
COLLEGE OF LIFE FOUNDATON INC
BOX 97
ESTERO, FL 33928

33-46-25-00-00001.0050
LEE COUNTY MEDICAL INVESTORS
3570 KEITH ST NW
CLEVELAND, TN 37312

33-46-25-00-00001.0060
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES JR
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0100
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TR N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0110
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TR N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0130
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES
801 LAUREL OAK DR SUITE 710
NAPLES, FL 34108

33-46-25-00-00001.0140
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES
801 LAUREL OAK DR SUITE 710
NAPLES, FL 34108

33-46-25-00-00001.0150
RIVER RIDGE COMMUNITY DEV DIST
C/O MOYER + ASSOCIATES
210 N UNIVERSITY DR STE 301
CORAL SPRINGS, FL 33071

33-46-25-00-00001.0160
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTONY P PIRES JR
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-00-00018.0080
COVERED WAGON TRAVEL TRL PARK
21450 S TAMIAMI TR
ESTERO, FL 33928

33-46-25-00-00019.0030
SPANISH LAKES INC TR
P O BOX 366879
BONITA SPRINGS, FL 34136

33-46-25-00-00019.0040
MULLIGAN RICHARD E TRUSTEE
78 CHARDON PL
NAPLES, FL 34110

33-46-25-00-00019.004A
ESTERO LAKES DEV INC
P O BOX 366879
BONITA SPRINGS, FL 34136

33-46-25-00-00019.0050
NEAR WEST INC
3880 SHERIDAN ST
HOLLYWOOD, FL 33021

33-46-25-00-00019.0060
MULLIGAN RICHARD E TR
78 CHARDON PL
NAPLES, FL 34110

33-46-25-00-00021.0000
DEWOLFE BERNARD J COTR +
16050 S TAMIAMI TRL STE 103
FT MYERS, FL 33908

33-46-25-01-00000.0010
ULB PROPERTIES OF FL LLC
1903 STANLEY GAULT PKWY
LOUISVILLE, KY 40223

33-46-25-01-00000.0020
OPUS ENTERPRISES INC
3875 MIDSHORE DRI VE
NAPLES, FL 34109

33-46-25-01-00000.0050
HITHERSAY STEVEN E TR
309 COUNTRY VIEW CT
LAKE MARY, FL 32746

DC12004-00013

All data is current at time of printing and subject to change without notice.

33-46-25-01-0000A.0000
HITHERSAY STEVEN E TR
309 COUNTRY VIEW CT
LAKE MARY, FL 32746

33-46-25-17-0000A.0000
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-18-00000.00CE
EDGEWATER IV AT PELICAN SOUND
,

33-46-25-18-00018.0101
MODEER ROBERT M + EMILY W
21551 PELICAN SOUND DR #101
ESTERO, FL 33928

33-46-25-18-00018.0102
GRANT RICHARD A + GERRY L
3219 TULIP DR
INDIANAPOLIS, IN 46227

33-46-25-18-00018.0103
RAFFERTY MICHAEL B + NANCY R
21551 PELICAN SOUND DR #103
ESTERO, FL 33928

33-46-25-18-00018.0201
DUGAN R MICHAEL + RONA G
203 JORDAN CT
COLLEGEVILLE, PA 19426

33-46-25-18-00018.0202
GARY NADER G + KATHERINE P
2 ROLAND CT
RUXTON, MD 21204

33-46-25-18-00018.0203
FINNERTY JOHN J + MARY F TR
4 MORNINGSIDE PK
PITTSFORD, NY 14534

33-46-25-18-00019.0101
EVANCHAN NICHOLAS L +
5548 FOXTAIL CIR NW
CANTON, OH 44718

33-46-25-18-00019.0102
OLSON RON E + SUSANNA
300 27TH ST DR SE
CEDAR RAPIDS, IA 52403

33-46-25-18-00019.0103
MAHER JAMES J + SONIA G
P O BOX 339
JEFFERSON, MD 21755

33-46-25-18-00019.0201
ASHE ROBERT E + CAROL A
21561 PELICAN SOUND DR #201
ESTERO, FL 33928

33-46-25-18-00019.0202
VENOSA ALBERT D + JANET S
7307 PINEHURST DR
CINCINNATI, OH 45244

33-46-25-18-00019.0203
SCHORK HAROLD G + CHRISTINA TR
2903 CABOT RD
QUINCY, IL 62301

33-46-25-26-00000.00CE
SOUTHERN HILLS AT PELICAN
,

33-46-25-26-00001.0101
BELLEVILLE MARY L
1111 LYNAUGH RD
VICTOR, NY 14564

33-46-25-26-00001.0102
GABAUER FAMILY FLORIDA LLC
143 POST OAK DR
BEAVER FALLS, PA 15010

33-46-25-26-00001.0103
GILLENWATER PAUL T
6401 BAUM DR
KNOXVILLE, TN 37919

33-46-25-26-00001.0201
KINKADE JOHN R + SUSAN E
11531 WEST VALLEY DR
CROWN POINT, IN 46307

All data is current at time of printing and subject to change without notice.

33-46-25-26-00001.0202
FOX FRANCIS J + HELEN M
21700 SOUTHERN HILLS DR #202
ESTERO, FL 33928

33-46-25-26-00001.0203
WILLIAMS DENNIS A + MARY J
147 LEXINGTON RD
DRACUT, MA 01826

33-46-25-26-00002.0101
WCI COMMUNITIES INC
24301 WALDEN CENTER DR
SUITE 300
BONITA SPRINGS, FL 34134

33-46-25-26-00002.0102
DYSERT ROBERT J + MARILYN A
8251 SOUTHERN HILLS CT #102
ESTERO, FL 33928

33-46-25-26-00002.0103
PHILLIPS STERLING JR + AUDREY
8804 SPINNAKER CT
INDIANAPOLIS, IN 46256

33-46-25-26-00002.0201
DUNNE CHARLES B + PATRICIA K
1859 RIVER RIDGE CIR
NAPERVILLE, IL 60565

33-46-25-26-00002.0202
BOOTH TIMOTHY + RENE M
3493 WYNDE TREE DR
SEVEN HILLS, OH 44131

33-46-25-26-00002.0203
NELSON BARRY R + JOANN L
5 CASTLE PINES COURT
LAKE IN THE HILLS, IL 60156

33-46-25-26-00003.0101
HARRIS WILLIAM E + PATRICIA M
5845 TRAILWINDS DR #513
FORT MYERS, FL 33907

33-46-25-26-00003.0102
MATULIS JOHN + VALERIE
13911 FARMINGTON WAY
APPLE VALLEY, MN 55124

33-46-25-26-00003.0103
BRUNER PAUL S + SHARON L
13091 DUVAL DR
FISHERS, IN 46038

33-46-25-26-00003.0201
ALMOND JAMES C + REBECCA A
404 WOODLAND E DR
GREENFIELD, IN 46140

33-46-25-26-00003.0202
PAOLINO CAROLE M
467 DANIELLE DR
NAZARETH, PA 18064

33-46-25-26-00003.0203
KILPONEN KENNETH C + MARY ANN
8241 SOUTHERN HILLS CT #203
ESTERO, FL 33928

33-46-25-26-00004.0101
WHITTENDALE DAVID + ELAINE
11 WADSWORTH PL
SMITHTOWN, NY 11787

33-46-25-26-00004.0102
AINA OLAYINKA O
154 ELLIOT ST
PEEBLES, OH 45600

33-46-25-26-00004.0103
OLRY MARTIN A + KIMBERLY
8315 COURTNEY DR
FISHERS, IN 46038

33-46-25-26-00004.0201
HENNING JOAN D
8250 SOUTHERN HILLS CT #201
ESTERO, FL 33928

33-46-25-26-00004.0202
BURKE BARRY N + CAROL M
8133 SENECA VIEW DR
GAITHERSBURG, MD 20882

33-46-25-26-00004.0203
RAU RAYMOND + LOUISE
725 WEST TUSCOLA STREET
FRANKENMUTH, MI 48734

All data is current at time of printing and subject to change without notice.

33-46-25-26-00005.0101
LINS ROLAND R + DEETTE L
21730 SOUTHERN HILLS DR #101
ESTERO, FL 33928

33-46-25-26-00005.0102
SELLER DONALD A + PATRICIA A
1718 CLAYMONT ESTATES DR
CHESTERFIELD, MO 63017

33-46-25-26-00005.0103
SCHRODER DAVID A
21730 SOUTHERN HILLS DR #103
ESTERO, FL 33928

33-46-25-26-00005.0201
WARDELL WILLIAM W +
1066 COUNTRY CLUB RD
WEST CHESTER, PA 19382

33-46-25-26-00005.0202
DUNNE LINDA N +
76 REDSTART RD
NAPERVILLE, IL 60565

33-46-25-26-00005.0203
MCCARTHY EUGENE + DEENA 1/2 +
46 TITUS COAN RD
KILLINGSWORTH, CT 06419

33-46-25-26-00006.0101
RIGGIO FRANK X + CHRISTINE A
1053 SIPP AV
MEDFORD, NY 11763

33-46-25-26-00006.0102
DEKEERSMAEKER DAVID + STEFANIE
67 VOORHIS RD
KINNELON, NJ 07035

33-46-25-26-00006.0103
FOSTER BRIAN J
ST ANDREW HOUSE
SHIREHILL SAFFRON WALDEN
ESSEX CB11 3AQ,
GREAT BRITAIN

33-46-25-26-00006.0201
HERMANN WULF + MONICA
21740 SOUTHERN HILLS DR #201
ESTERO, FL 33928

33-46-25-26-00006.0202
TOMASSO FRANK DE + GRACE
28 RUSTYWOOD DR
TORONTO, ON M3A 1R8
CANADA

33-46-25-26-00006.0203
FIORE ALFRED A + BARBARA A
111 ARDMORE RD
HO HO KUS, NJ 07423

33-46-25-26-00007.0101
VAN LEIGHT PETER + VICTORIA
21750 SOUTHERN HILLS DR #101
ESTERO, FL 33928

33-46-25-26-00007.0102
BULTE RAYMOND H + JOYCE L
611 BEDFORD OAKS DR
KIRKWOOD, MO 63122

33-46-25-26-00007.0103
CONROY ELIZABETH G
21750 SOUTHERN HILLS DR #103
ESTERO, FL 33928

33-46-25-26-00007.0201
JARVINEN NANCY H + NATHAN C
1194 W SHERWIN AV
CHICAGO, IL 60626

33-46-25-26-00007.0202
LAPLANTE RAYE + KATHLEEN
15 CEDERGREN RD
NEW DURHAM, NH 03855

33-46-25-26-00007.0203
EVERS BRIAN J + PATRICIA L
11 JUDITH LN E
METHUEN, MA 01844

33-46-25-26-00008.0101
BARRAULT PHILIPPE + SYLVIE
1700 ODEN TOWERS
331 NORTH BRIDGE RD 188720,
SINGAPORE

33-46-25-26-00008.0102
KAPLAN WILLIAM J TR
21760 SOUTHERN HILLS DR #102
ESTERO, FL 33928

33-46-25-26-00008.0103
VANAUKEN JAMES C +
P O BOX 692
GREENVILLE, NY 12083

33-46-25-26-00008.0201
FIESEL LARRY J + MARY F
127008 CHARING CROSS RD
CARMEL, IN 46033

33-46-25-26-00008.0202
MILES JAMES A + PATTY L
225 BRYN WYCK PLACE
ST LOUIS, MO 63141

33-46-25-26-00008.0203
MEHES PAUL L TR
7465 FAIRMOUNT RD
NOVELTY, OH 44072

33-46-25-26-00009.0101
MATLOCK JAMES E + RENEE H
21420 CONCORD DR
FRANKFORT, IL 60423

33-46-25-26-00009.0102
LANDERS MICHAEL +
12830 SW 324TH PL
DAVIE, FL 33330

33-46-25-26-00009.0103
KNAUER DELMAR J + CHRISTINA R
1650 TWINING RD
WILLOW GROVE, PA 19090

33-46-25-26-00009.0201
STYGER PHILIP
INDUSTRIESTRASSE 15
STEINHAUSEN CH-6312,
SWITZERLAND

33-46-25-26-00009.0202
MIENTKIEWICZ DOUG + JODI
21770 SOUTHERN HILLS DR #202
ESTERO, FL 33928

33-46-25-26-00009.0203
EURICH VICKI A TR
1619 BROOKWOOD DR
MUSKEGON, MI 49441

33-46-25-26-00010.0101
WERNER ADAM D + ANNA M
128 OAK RIDGE LN
WINCHESTER, VA 22602

33-46-25-26-00010.0102
ANDOW STEVEN C + CARLEEN F
8557 BARBARA DR
MENTOR, OH 44060

33-46-25-26-00010.0103
REITZ ALVIN W II + CAROL B
21 W 601 MAPLE AV
MEDINAH, IL 60157

33-46-25-26-00010.0201
QUEEN JOHN W JR + CAROLYN A
464 BAXTER NECK RD
MARSTONS MILLS, MA 02648

33-46-25-26-00010.0202
MARCHESE ANDREW M + MARIANNA
238 ST CLOUD AV
WEST ORANGE, NJ 07052

33-46-25-26-00010.0203
BROOKS ADRIENNE G
P O BOX 24348
CHRISTIANSTED
ST CROIX, VI 00824

33-46-25-26-00011.0101
DRYDEN STEPHEN D
1037 MONTEREY DR
CARROLL, IA 51401

33-46-25-26-00011.0102
NALEPA WAYNE M + DIANE A
18686 YORKSHIRE DR
LIVONIA, MI 48152

33-46-25-26-00011.0103
VOIVODAS STEVEN M + LISA K
8149 CLARIDGE RD
INDIANAPOLIS, IN 46260

33-46-25-26-00011.0201
BOWER COLLEEN H +
77 TOMLIN CIR
BURR RIDGE, IL 60527

33-46-25-26-00011.0202
RUSSO JAMES J + JANICE S
9211 N NAGLE AV
MORTON GROVE, IL 60053

33-46-25-26-00011.0203
BROZNOWSKI LINDA
3212 N KENMORE AV
CHICAGO, IL 60657

33-46-25-26-00012.0101
WEINTRAUB RONALD M + SANDRA L
HINDENBURG STRASSE 8
ERLANGEN D-91054,
GERMANY

33-46-25-26-00012.0102
DAWSON WILLIAM S + SUSAN E TR
21800 SOUTHERN HILLS DR #102
ESTERO, FL 33928

33-46-25-26-00012.0103
VIE NOUVELLE LLC
5051 PELICAN COLONY BLVD #603
BONITA SPRINGS, FL 34134

33-46-25-26-00012.0201
FINAN EDWARD M + JUDITH A
31288 OLD STAGE RD
BINGHAM FARMS, MI 48025

33-46-25-26-00012.0202
KOEHEKER CHERYL L
416 THORNTREE LAKE CT
EUREKA, MO 63025

33-46-25-26-00012.0203
DAVIS MARTHA B TR
21800 SOUTHERN HILLS DR #203
ESTERO, FL 33928

33-46-25-26-00013.0101
MANNING THOMAS A + HELFRIDE W
1315 HILLCREST DR NE
FRIDLEY, MN 55432

33-46-25-26-00013.0102
RAINSTEIN MIQUEL A + VIRGINIA
268 FORESTVIEW DR
WILLIAMSVILLE, NY 14221

33-46-25-26-00013.0103
WESSON ROBERT M + MICHELLE L
1631 MONTMORENCY DR
VIENNA, VA 22182

33-46-25-26-00013.0201
REITER ROBERT + BARBARA
11202 WYOMING CURVE
BLOOMINGTON, MN 55438

33-46-25-26-00013.0202
WOODBURN TERRY V + SHARON E
306 WOODLAND EAST DR
GREENFIELD, IN 46140

33-46-25-26-00013.0203
HARRIS ENTERPRISES INC
438 TOBEY ROAD
APALACHIN, NY 13732

33-46-25-26-00014.0101
JOHNSON DONALD D + CAROLYN R T
W 6329 LONE OAK DR
MINONG, WI 54859

33-46-25-26-00014.0102
BOSS JOHN R + JULIE P
124 FOX TROT
DIXON, IL 61021

33-46-25-26-00014.0103
NORDSTRAND RONALD A + MARY JO
1344 CHERRY HILL RD
MENDOTA HEIGHTS, MN 55118

33-46-25-26-00014.0201
ZIMNOWSKI RANDOLPH E + LAURA L
520 MILL RD
YARDLEY, PA 19067

33-46-25-26-00014.0202
DIMMITT SHIRLEEN Y +
1503 BRAMOOR DR
KOKOMO, IN 46902

33-46-25-26-00014.0203
KEESEY CHARLES L + LUCINDA P
21820 SOUTHERN HILLS DR #203
ESTERO, FL 33928

04-47-25-00-00001.0000
MCARDLE EDWARD J TR
P O BOX 366879
BONITA SPRINGS, FL 34136

04-47-25-00-00001.002C
WEST BAY CLUB DEV CORP
4600 WEST BAY BLVD
ESTERO, FL 33928

04-47-25-00-00001.002F
LMC WILLIAMS ROAD INC
33 EAST WALL ST
FROSTPROOF, FL 33843

04-47-25-00-00002.00CE
FOUNTAIN LAKES COMM ASSOC INC
22201 FOUNTAIN LAKE BLVD #1
ESTERO, FL 33928

~~04-47-25-00-00006.00CE~~
~~FOUNTAIN LAKES COMM ASSOC INC~~
~~22201 FOUNTAIN LAKE BLVD #1~~
~~ESTERO, FL 33928~~

04-47-25-08-00000.0010
COTRONE DANIEL D +
22001 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0020
MARTINEZ HENRY L + DIANA L
22005 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0030
MATTEI DANIEL + CLEMENTINE P
22009 SEASHORE CIRCLE
ESTERO, FL 33928

04-47-25-08-00000.0040
WYNN MARK W + HEATHER L
22013 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0050
WAGNER RICHARD J
22017 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0060
LANING ARTHUR + DORIS
22021 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0070
DORRIAN JOHN + DIANE
22025 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0080
PEARSON ANN P
22029 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0090
PICKENS JEFFRY + CHERYL
22033 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0100
EGNA MATTHEW L
22037 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0110
BROWN JEFFREY W +
22041 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0120
DORN DEAN D + PATRICIA M
22045 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0130
COLLVER ALLEN AF + JOYCE A +
22049 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0140
SARGENT WILLIAM T + CAROLYN P
22053 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0150
COOK TIMOTHY N + CAROLYN S
22057 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0160
BOWLES CAROLYN S TR
22061 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0170
HUMPHREY WAYNE + PAMELA J
22065 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0180
HOFFMAN BILL E + VICKI A
22060 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0190
ALLINDER JOE A III
22050 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0200
ACQUAVIVA DANIEL J
PO BOX 367
ESTERO, FL 33928

04-47-25-08-00000.0210
HALL FLOYD W JR + JANET L
22038 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0220
SYLVIA VICTOR + ELIZABETH
22034 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0230
GOLDBACH JOSEPH J + CHRISTINE
22030 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0240
ANASTASIA JOSEPH N + LEONTINA
462 HIGH ROCK ST
NEEDHAM, MA 02492

04-47-25-08-00000.0250
ROGERS JOANNE
22022 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0260
BAITZ CALVIN K + BEVERLY S
22018 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0270
IACOBUCCI DOLORES
22014 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0280
MURTAUGH JAMES J + DIANE C
22200 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0290
APUZZO ANN B
22207 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0300
KONTINOS NICHOLAS K + PENNY M
22051 W TREE DR
ESTERO, FL 33928

04-47-25-08-00000.0310
LEIB SCOTT E + JOSEPHINE
22061 WEST TREE DR
ESTERO, FL 33928

04-47-25-08-00000.0490
KOOPMAN VICKI L
22203 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0500
LAWLER PATRICK + LINDA
2018 ROOSEVELT HWY
HILTON, NY 14468

04-47-25-08-00000.0510
DESARIO ANTONIO TR +
2889 DAVENPORT DR
WEST CHICAGO, IL 60185

04-47-25-08-00000.0540
SCHLAGETER MATTHEW M + ANDREA
3740 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0550
PANDUR JOSEPH L + MERYL J
6522 COBBS CREEK PKWY
PHILADELPHIA, PA 19142

04-47-25-08-00000.0560
WYNN MICHAEL A + PAULA E
3720 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0570
KOSMAN DAVID A
3710 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0580
THOMASON BILLY J + MARIAN
3700 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0590
LINDQUIST RICHARD A + CAROLYN
6614 RED BARN RD
LOVES PARK, IL 61111

04-47-25-08-00000.0600
MCKELLAR ROGER K + CHERYL A
3680 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0610
VIERGUTZ JAMES W + GERALDINE A
3670 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0620
MANDERSCHIED BRIAN D
3650 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0630
GUZMAN JOSE E +
4820 WHISTLERS GREEN CIR
APT 3
NAPLES, FL 34116

04-47-25-08-00000.0640
DARGENTO ALESSEANDRO + EMILIA
3641 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0650
MULLAN DANIEL P + KIMBERLY
3651 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0660
DISCALA P L + CAROL L
3661 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0670
PEARSON DALE C + DENISE
3671 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0680
CRIBBINS MARTIN J JR
3681 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0690
FREY JOHN A + ANDREA T
3691 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0700
MOSS RUDY + LINDA E
3701 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0710
PETERSON WILLIAM F
3721 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0720
WASZAK STEPHEN E + DAWN
22186 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0850
CHETCUTI JOSEPH + CARRIE
22076 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0860
GUTIERREZ WILLIAM + SANDRA
22068 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0870
SCHRAMM VIRGINIA L/E
22069 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0880
MCMANUS RUSSELL J
22073 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0890
JACHIM MICHAEL P + JILL
22077 SEASHORE CIRCLE
ESTERO, FL 33928

OCI 2004-00013

04-47-25-08-00000.0870
SCHRAMM VIRGINIA L/E
22069 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0880
MCMANUS RUSSELL J
22073 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0890
JACHIM MICHAEL P + JILL
22077 SEASHORE CIRCLE
ESTERO, FL 33928

Mr. Charles M. Etal Long (owner)
C/0 Gary Butler
2201 2nd St.
Fort Myers, FL 33901

The Paradise Group (Applicant)
3265 Meridian Pkwy
Weston, FL 33331

Barraco & Associates, Inc. (agent)
Mr. Carl A. Barraco
2271 McGregor Blvd.
Fort Myers, FL 33901

Chief Dennis Merrifield
Estero Fire Rescue
19850 Breckenridge Drive Suite A
Estero, FL 33928

Mr. Ray Glowaz
Coconut Shores Homeowner's
23214 Coconut Shores
Bonita Springs, FL 34134
Mr. Don Vilnius

West Bay Club Property Owners
PO Box 820
Estero, FL 33928

DC12004-00013

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MEMORANDUM

From The

Department Of

Community Development

Development Services Division

Date: November 17, 2004

To: DCI2004-00013

FROM: Luisa Villa

RE: Notice of Public Hearing - November 29, 2004
Lee County Board of County Commissioners Meeting

I, Luisa Villa, Internal Services Secretary, Development Services Division, do hereby certify that I have mailed **notices to the participants** in regard to the above referenced meeting, in the attached style, pursuant to the list marked and attached hereto and made a part of the certification.

NOTICE TO PARTICIPANT

CASE NUMBER: DCI2004-00013

NAME: Camargo MPD

REQUEST: Request is to amend the existing Mixed Use Planned Development (MPD) zoning to adopt a new Master Concept Plan (MCP) to allow the continued development of a vacated portion of the overall project. The existing MPD was approved in Resolution Z-98-029 for up to 300,000 square feet of commercial floor area (of which not more than 100,000 square feet can be retail use), a total of 500 beds in an assisted living facility, and a potential conversion of up to 100,000 square feet of retail uses to 75,000 square feet of office uses. The requested amendment would permit up to 100,000 square feet of retail on the vacated section of the MPD south of Pelican Sound Boulevard which was previously designated for commercial uses. No changes to the residential portion of the MPD are included in this request, and no uses have been requested for the vacated commercial area located north of Pelican Sound Boulevard. Blasting is not a proposed development activity within this project.

LOCATION: The subject property is located at Estero, FL 33928 (The property is located on the northwest corner of the US 41 and Williams Road intersection.) in S33-T46S-R25E, Lee County, FL.

PROPERTY OWNER'S REPRESENTATIVE: Ms. Shellie Johnson, AICP
239-461-3170

Notice is hereby given that the Lee County Board of Commissioners will hold a public hearing at 9:30 a.m. on November 29, 2004, to review the written recommendation made by the Hearing Examiner and make a final decision in the above-referenced case. This hearing will be held in the Commissioners' Meeting Room, 2120 Main St., Ft. Myers, FL.

he law states that, as a participant, you have the right to appear and address the Board on this case. However, the law strictly limits all testimony before the Board to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Hearing Examiner's hearing and not otherwise disclosed in the record. Statements will be limited to five (5) minutes or as the Board may otherwise allow.

Additional copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Call 479-8585 additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Luisa Villa at 479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

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CASE NUMBER DCI2004-00013

NAME OF CASE Camargo MPD

The Paradise Group
3265 Meridian Pkwy
Weston, FL 33333

Shellie Johnson, AICP
Barraco and Associates, Inc.
2271 McGregor Blvd.
Fort Myers, FL 33901

Richard P. Andersen
22483 Fountain Lakes Boulevard
Estero, FL 33928

Robert J. Brice
5070 Indigo Bay Boulevard, Unit 102
Estero, Florida 33920

Donald F. Eslick
23650 Via Veneto #604
Bonita Springs, Florida 341 34

Carl Hoke
22625 Forest View Drive
Estero, Florida 33928

Jeff Mangan
22050 S. Tarniami Trail
Estero, Florida 33928

Arnold Rosenthal
20981 Andiron Place
Estero, Florida 33928

Richard J. Steele
20918 Island Sound Circle, Unit 201
Estero, Florida 33928

Greg Toth, ECPP
12651 McGregor Boulevard Unit4-403
Fort Myers, Florida 33919

Donald Vilnius
22199 Natures Cove Court
Estero, Fl 33928

Mr. Charles M. Etal Long
2201 2nd Street
Fort Myers, FL 33901

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EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 33-46-25-00-00001.0030 **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

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JUL 08 2004
COMMUNITY DEVELOPMENT

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership
PDG III, INC.	100%
(see attached)	

DCI2004-00013

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst County Attorney
DS Reviewer - Don Blackburn
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 01/13/2005

PROJECT NAME: CAMARGO MPD

CASE #: DCI2004-00013

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 01/27/2005

Additional Comments:

Please review the attached plan to determine if it accurately reflects the approval by the BoCC on November 29, 2004 in accordance with LDC 34-377(b)(6).

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 01/14/2005

Barraco
and Associates, Inc.

www.barraco.net
Civil Engineers, Land Surveyors and Planners

RECEIVED
JAN 13 2005
PERMIT COUNTER

January 13, 2005

Mr. Timothy Jones
Assistant County Attorney
Lee County
P.O. Box 398
Fort Myers,Florida 33902-0396

Re: Camargo MPD
Zoning Case #DCI2004-00013
Resolution #Z-04-068

Dear Mr. Jones:

Attached please find 11 x 17 and 24 x 36 copies of the Paradise Shoppes of Estero final Master Concept Plan for the above referenced project.

If you should have any questions or require additional information, please advise.

Very truly yours,

BARRACO AND ASSOCIATES, INC.

Shellie Johnson, AICP
Senior Planner

SJ/bls

21919

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JAN 13 2005
PERMIT COUNTER

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

LEE COUNTY
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04 DEC -1 AM 8:58
COMM. DEV/
PUBLIC WKS. CNTR.
SECOND FLOOR

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: November 29, 2004

TO: Jamie Princing
Development Services

FROM: Ann Polito
Ann Polito
Legal Administrative Secretary

RE: **Camargo MPD**
Case #DCI2004-00013
Resolution #Z-04-068

Attached is the legal verification e-mail pursuant to the above-referenced zoning case. The applicant's attorney noted that the legal description is incorrect and has submitted a revised legal which is attached. A copy has also been submitted to the Zoning Division. Please place this letter in the appropriate zoning case file.

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

/amp
Attachment

cc: Dawn Perry-Lehnert, Assistant County Attorney

Ann Polito - RE: Camargo MPD

From: "Zsuzsanna Weigel" <ZWeigel@knott-law.com>
To: "Ann Polito" <POLITOAM@leegov.com>
Date: 11/19/2004 2:26 PM
Subject: RE: Camargo MPD

I spoke to Matt and he said that Barraco was to advise Chip Block that the legal was incorrect and they they were going to provide him with an amended copy.

Zsuzsanna Weigel
Legal Assistant to Matthew D. Uhle
Knott, Consoer, Ebelini, Hart & Swett, P.A.
239-334-2722
ZWeigel@knott-law.com

-----Original Message-----
From: Ann Polito [mailto:POLITOAM@leegov.com]
Sent: Friday, November 19, 2004 1:28 PM
To: Zsuzsanna Weigel
Subject: Camargo MPD

Suzanne, this is a reminder that we will need a letter from Matt verifying the legal description that was attached to the draft resolution. This item is going before the BOCC on 11/29/04 and we should have the verification letter before that date. Thanks for your help. Ann

Ann Polito
Legal Administrative Secretary, County Attorney's Office
politoam@leegov.com Tel 239-335-2926 Fax 239-335-2606

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

TRANSMITTAL LETTER

TO: Donna Marie Collins

FROM: Shellie Johnson, AICP

COMPANY: Lee County Attorney's Office

DATE: November 19, 2004

PROJECT NUMBER

ADDRESS:

PROJECT NAME: Paradise Shoppes of Estero

CITY, STATE, ZIP:

DISTRIBUTION TO:

RE: DCI2004-00013

2004 NOV 22 AM 11:24
RECEIVED BY
LEE CO. ATTORNEY

WE ARE SENDING THE FOLLOWING ITEMS VIA:

	STANDARD POSTAL MAIL	X	COURIER SERVICE		OTHER
	OVERNIGHT DELIVERY		CLIENT PICK-UP AT OUR OFFICE		

ITEM	COPIES	DATE	DESCRIPTION
1.	1	11-29-04	Correct legal description for CPD.
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

	AS REQUESTED		FOR BIDS DUE:		RESUBMIT ___ COPIES FOR APPROVAL
X	FOR YOUR USE		APPROVED AS SUBMITTED		SUBMIT ___ COPIES FOR DISTRIBUTION
	FOR APPROVAL		APPROVED AS NOTED		RETURN ____ CORRECTED PRINTS
	FOR REVIEW AND COMMENT		RETURNED FOR CORRECTIONS		ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:

Donna Marie:

Attached is the correct legal description for the project referenced above, scheduled for public hearing on November 29, 2004. Two copies have been provided to Chip Block in DCD.

copy to Chip as well per Shellie. ap 11-22-04

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

DESCRIPTION

Parcel in
Section 33, Township 46 South, Range 25 East
Lee County, Florida

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee County, Florida being part of lands described in Official Record Book 2787, Page 1398, Lee County Records, being more particularly described as follows.

From the southeast corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N01°03'48"W along the east line of said fraction for 30.00 feet to an intersection with the north right-of-way line of Williams Road (60 feet wide), said point being the POINT OF BEGINNING

From said POINT OF BEGINNING continue along said east fraction line N01°03'48"W for 750.21 feet to a point of curvature; thence run northerly along the arc of said curve to the right of radius 500.00 feet (delta 22°23'46") (chord bearing N10°08'05"E) (chord 194.20 feet), for 195.44 feet to a point of reverse curvature; thence run northerly along the arc of said curve to the left of radius 30.00 feet (delta 85°58'03") (chord bearing N21°39'03"W) (chord 40.91 feet) for 45.01 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the right of radius 315.00 feet (delta 55°00'10") (chord bearing N37°08'00"W) (chord 290.92 feet) for 302.39 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 33.00 feet (delta 81°14'53") (chord bearing N50°15'21"W) (chord 42.97 feet) for 46.80 feet to a point of tangency; thence run S89°07'12"W for 203.82 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 30.00 feet (delta 89°50'48") (chord bearing N45°57'24"W) (chord 42.37 feet), for 47.04 feet to a point of tangency; thence run N01°02'01"W for 572.18 feet to an intersection with the south right-of-way line of Pelican Sound Drive as recorded in Official record Book 3533, Page 4459, Lee County Records; thence run N88°25'54"E along said south right-of-way line for 874.95 feet to an intersection with the west right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said west right-of-way line for 1,860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said north right-of-way for 268.35 feet to the POINT OF BEGINNING.

Containing 21.73 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment) And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

21840s06desc.doc

Scott A. Wheeler 11/19/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: October 27, 2004

TO: Diana Parker
Chief Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

SUBJECT: DCI2004-00013, Camargo MPD

At the last Hearing Examiner hearing on this case, Staff agreed to revise the recommended Schedule of Uses to address the changes discussed during that hearing.

Staff has prepared the following to address the changes made during that meeting. Staff has also communicated with the Estero Community Planning Panel and the applicant sharing this language prior to this hearing in order to try to reach a consensus on this wording.

The following replaces Condition 3 as recommended in the originnal staff report.

3. Conditions 3 and 4 of Resolution Z-98-029 are hereby amended replacing the Schedule of Uses and Property Development Regulations for this portion of the development with the following:

a. Schedule of Uses

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, 34-2141 et seq., and 34-3108)(See Note 1 below)
ADMINISTRATIVE OFFICES
ATM (automatic teller machine)
AUTO PARTS STORE - without installation facilities
AUTOMOBILE SERVICE STATION (Limited to one use located on either Parcel 3 or 4 in conjunction with a convenience store and car wash) See Note 2
BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Groups I and II
BOAT PARTS STORE, without installation

BROADCAST STUDIOS
BUSINESS SERVICES, Group I
CAR WASH (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and convenience store)
CLOTHING STORES, general (LDC Section 34-622(c)(8))
CLUBS:
Commercial
Fraternal, membership organization (LDC Section 34-2111)
Private (LDC Section 34-2111)
COMPUTER AND DATA PROCESSING SERVICES
CONSUMPTION ON PREMISES (LDC Section 34-1261 et seq.)(strictly limited to being in conjunction with a Restaurant use only)
CONVENIENCE FOOD AND BEVERAGE STORE (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and car wash) See Note 2
CULTURAL FACILITIES (LDC Section 34-622(c)(10))
DAY CARE CENTER, CHILD, ADULT
DEPARTMENT STORE (Limited to a maximum of 25,000 square feet per store)
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE (limited to a maximum of 5 parcels. For any drive through facility placed on Parcels 1, 2, 5, and 6 these may only be placed on a western facing building facade. The parcel containing the automobile service station/convenience food and beverage store/car wash the entrance and exit must face east and west respectively. A drive through facility on Parcel 7 may only be placed on the northern facade provided that the vehicles travel in an east to west direction)
DRUGSTORE (limited to only one within the project)
ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)
ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)
ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)):Group I (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)
EXCAVATION: Water retention (LDC Section 34-1651)
FENCES, WALLS (LDC Section 34-1741)
FOOD AND BEVERAGE SERVICE, LIMITED
FOOD STORES (LDC Section 34-622(c)(16)): Group I
HARDWARE STORE (limited to a maximum of 10,000 square feet)
HEALTH CARE FACILITIES (LDC Section 34-622(c)(20)):Groups I, II, and III
HOBBY, TOY, AND GAME STORE
HOUSEHOLD AND OFFICE FURNISHINGS (LDC Section 34-622(c)(22)), Groups I and II (Household use as limited by the Land Development Code and Office use is limited to

businesses like Kinko's Office Depot, Office Max or other like business. Large newspaper printing facilities are prohibited.)

INSURANCE COMPANIES (LDC Section 34-622(c)(23))

LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I

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

LIBRARY

MEDICAL OFFICE

NONSTORE RETAILERS (LDC Section 34-622(c)(30)), all groups

PACKAGE STORE (LDC Section 34-1261 et seq.)(Free-standing stores are prohibited)

PAINT, GLASS AND WALLPAPER

PARKS (LDC Section 34-622(c)(32)): Groups I and II

PARKING LOT:
- Accessory (see Note 1 below)
- Garage, public parking
- Temporary

PERSONAL SERVICES (LDC Section 34-622(c)(33)):

Group I, limited to -
- ATM's
- Barbershops and Beauty Shop
- Clothing Alterations and Repair including Dressmakers, Seamstresses and Tailors
- Laundry Agents (wherein the establishment may do its own pressing and finish work but not the laundering or dry cleaning which is performed elsewhere)
- Photo Agents (wherein drop-off and pickup film services are provided but the actual processing and developing is done elsewhere)
- Shoe Repair Services (wherein shoe repair or shoe shining for individual customers is performed)

Group II, limited to -
- Beauty spas
- Health clubs or spas
- Reducing or slenderizing salons
- Steam or turkish baths

Group III, limited to -
- Artificial limbs
- Crutches
- Hearing aids
- Hospital beds
- Optical supplies
- Orthopedic supplies
- Wheelchairs

PET SERVICES (outdoor pens, enclosures, and dog runs are prohibited)

PET SHOP (outdoor pens, enclosures, and dog runs are prohibited)

PHARMACY

POST OFFICE
REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021)
RECREATIONAL FACILITIES: Commercial (LDC Section 34-622(c)(38)): Groups II and IV
RELIGIOUS FACILITIES (LDC Section 34-2051 et seq.)
RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39))(All storage must be indoor):

Group I, limited to -
- Beach chairs, umbrellas, and similar facilities
- Bicycles
- Moped and scooters
- Passenger car pickup and drop off (no maintenance or repairs and limited storage)

Group II, limited to -
- Appliances
- Bicycles
- Costumes
- Furniture
- Garden equipment
- Movies, videotapes and similar home entertainment
- Party and banquet supplies
- Tools and equipment primarily for home use

REPAIR SHOPS (34-622(c)(40)): Groups I and II
RESEARCH AND DEVELOPMENT LABORATORIES (LDC Section 34-622(c)(41)): Groups II and IV
RESTAURANT, FAST FOOD (limited to one within the project to be located on either Parcel 2 or 5)
RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II, and III
SCHOOLS: Commercial (LDC Section 34-622(c)(45)) (LDC Section 34-2381)
SELF-SERVICE FUEL PUMPS (only in conjunction with an Automobile Service Station or Convenience Food and Beverage Store) See Note 2
SIGNS in accordance with Land Development Code Chapter 30
SOCIAL SERVICES (LDC Section 34-622(c)(46)): Group I
SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): Groups I, II, III, and IV (no outdoor storage permitted)
STUDIOS (LDC Section 34-622(c)(49))
TEMPORARY USES (LDC Section 34-3041 et seq.)(limited solely to temporary contractor's office and storage shed,
THEATER, indoor (LDC Section 34-2471 et seq.)
USED MERCHANDISE STORES (LDC Section 34-622(c)(54)): Groups I and II
VARIETY STORE
WHOLESALE ESTABLISHMENTS (LDC Section 34-622(c)(56)):

Group III

NOTE:

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

2. A maximum of 8 fuel pumps are permitted within development. A Special Exception will be required to permit more than 8 fuel pumps.

cc: Zoning/DCI file
Tim Jones, County Attorney's office (via e-mail)
Donna Marie Collins, County Attorney's office (via e-mail)

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

Joan Henry, Asst County Attorney
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 11/23/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: CAMARGO MPD

CASE #: DCI2004-00013

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 12/07/2004

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Luisa V Villa

Date: 11/23/2004

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

TRANSMITTAL LETTER

TO: Chip Block

FROM: Shellie Johnson, AICP 21840

COMPANY: Lee County Dept. of Community Development

DATE: November 19, 2004

PROJECT NUMBER

ADDRESS:

PROJECT NAME: ~~Paradise Shoppes of Estero~~ Camargo MPD

CITY, STATE, ZIP:

DISTRIBUTION TO:

RE: DCI2004-00013

WE ARE SENDING THE FOLLOWING ITEMS VIA:

	STANDARD POSTAL MAIL	X	COURIER SERVICE		OTHER
	OVERNIGHT DELIVERY		CLIENT PICK-UP AT OUR OFFICE		

ITEM	COPIES	DATE	DESCRIPTION
1.	2	11-29-04	Correct legal description for CPD.
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

	AS REQUESTED		FOR BIDS DUE:		RESUBMIT ___ COPIES FOR APPROVAL
X	FOR YOUR USE		APPROVED AS SUBMITTED		SUBMIT ___ COPIES FOR DISTRIBUTION
	FOR APPROVAL		APPROVED AS NOTED		RETURN ____ CORRECTED PRINTS
	FOR REVIEW AND COMMENT		RETURNED FOR CORRECTIONS		ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:

Chip: Attached are two copies of the correct legal description for this project. A third copy will be provided to the County Attorney's office. Thanks.

RECEIVED
NOV 22 2004
DCI2004-00013
PERMIT COUNTER

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Consultants

DESCRIPTION

Parcel in
Section 33, Township 46 South, Range 25 East
Lee County, Florida

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee County, Florida being part of lands described in Official Record Book 2787, Page 1398, Lee County Records, being more particularly described as follows.

From the southeast corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N01°03'48"W along the east line of said fraction for 30.00 feet to an intersection with the north right-of-way line of Williams Road (60 feet wide), said point being the POINT OF BEGINNING

From said POINT OF BEGINNING continue along said east fraction line N01°03'48"W for 750.21 feet to a point of curvature; thence run northerly along the arc of said curve to the right of radius 500.00 feet (delta 22°23'46") (chord bearing N10°08'05"E) (chord 194.20 feet), for 195.44 feet to a point of reverse curvature; thence run northerly along the arc of said curve to the left of radius 30.00 feet (delta 85°58'03") (chord bearing N21°39'03"W) (chord 40.91 feet) for 45.01 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the right of radius 315.00 feet (delta 55°00'10") (chord bearing N37°08'00"W) (chord 290.92 feet) for 302.39 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 33.00 feet (delta 81°14'53") (chord bearing N50°15'21"W) (chord 42.97 feet) for 46.80 feet to a point of tangency; thence run S89°07'12"W for 203.82 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 30.00 feet (delta 89°50'48") (chord bearing N45°57'24"W) (chord 42.37 feet), for 47.04 feet to a point of tangency; thence run N01°02'01"W for 572.18 feet to an intersection with the south right-of-way line of Pelican Sound Drive as recorded in Official record Book 3533, Page 4459, Lee County Records; thence run N88°25'54"E along said south right-of-way line for 874.95 feet to an intersection with the west right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said west right-of-way line for 1,860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said north right-of-way for 268.35 feet to the POINT OF BEGINNING.

Containing 21.73 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment) And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

21840s06desc.doc

RECEIVED
NOV 22 2004
DU2004-00013
PERMIT COUNTER

Scott A. Wheeler 11/19/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

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DESCRIPTION

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Containing 21.73 acres, more or less.

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21840s06desc.doc

RECEIVED
NOV 22 2004
DCI2004-00013
PERMIT COUNTER

Scott A. Wheeler 11/19/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
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John E. Albion
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Donald D. Stilwell
County Manager

Robert W. Gray
Deputy County Attorney

Diana M. Parker
County Hearing Examiner

November 10, 2004

Shellie Johnson, AICP
Barraco and Associates, Inc.
2271 McGregor Blvd.
Fort Myers, FL 33901

Re: Agenda Schedule for Camargo MPD
Case No. DCI2004-00013

Dear Ms. Shellie Johnson:

Your zoning request has been scheduled before the Board of County Commissioners to take final action after reviewing the Hearing Examiner's recommendation.

DATE & TIME: November 29, 2004, Meeting commences at 9:30 a.m.

LOCATION: Commissioners' Meeting Room
2120 Main Street
Ft. Myers, Florida

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Luisa Villa
Administrative Assistant

cc: The Paradise Group
Mr. Matt Uhle
Mr. Ted Treesh
Mr. Chip Block, AICP, Principal Planner
Zoning File

U:\200411\DCI20040.001\3\APPLICANT LETTER BCC.WPD

File

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: **DCI2004-00013**
APPLICANT: **PARADISE GROUP, in reference to CAMARGO MPD**
NEW HEARING DATE: **OCTOBER 27, 2004**

The hearing on the above-styled case began as scheduled on October 13, 2004. At the conclusion of the presentations, the matter was continued to date and time set forth below to allow additional time for the Applicant, the Staff, and the public to work on design guidelines and the Schedule of Uses.

Accordingly, this matter is continued to **WEDNESDAY, OCTOBER 27, 2004 at 1:30 P.M.**, at the Hearing Examiner's Hearing Room, 1500 Monroe Street, Second Floor, Fort Myers, Florida. Copies of this Order will be mailed to the Staff, the Applicant, the Court Reporter, and all hearing participants.

DONE AND ORDERED this 13th day of October, 2004.

DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 14th day of October, 2004.

Sharon Szenas
Administrative Assistant

14Oct04

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 07/09/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: CAMARGO MPD

CASE #: DCI2004-00013

INFORMATION SUMMARY:

NEW SUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 07/23/2004

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness
No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Rebecca T Noble

Date: 07/13/2004

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 07/20/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: CAMARGO MPD

CASE #: DCI2004-00013

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 08/03/2004

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jodi M Payne

Date: 07/21/2004

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

July 20, 2004

RECEIVED
1:40
JUL 20 2004
PERMIT COUNTER

Mr. Alvin "Chip" Block, AICP
Principal Planner
Lee County Zoning and Development Services
1500 Monroe Street
Fort Myers, Florida 33901

Re: Camargo MPD (Paradise Shoppes of Estero)
DCI2004-00013 – PDA Application (PD Amendment)

Dear Mr. Block:

On Friday, July 9, 2004 we submitted our second sufficiency response for this project for your review. At this time, we would like to supplement our sufficiency package with 12 copies of each of the following attachments:

1. Signature Page of the Disclosure of Interest Form
2. A revised Schedule of Uses based on discussions with the ECPP
3. Paradise Shoppes of Estero Architectural and Landscape Guidelines

If you should have any questions or require additional information, please advise.

Very truly yours,

BARRACO AND ASSOCIATES, INC.

Shellie Johnson, AICP
Senior Planner

SJ/cmh

21919

Enclosure

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

DCI2004-00013

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 08/24/2004

PROJECT NAME: CAMARGO MPD

CASE #: DCI2004-00013

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 09/03/2004

Additional Comments:

Sufficiency letter distribution

cc: DCI planner/working file
DCI Zone File

Distributed by: Rebecca T Noble

Date: 08/24/2004

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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District One

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District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

Writer's Direct Dial Number: 239-479-8371

August 20, 2004

CARL A. BARRACO, P. E.
BARRACO & ASSOCIATES, INC.
2271 MCGREGOR BLVD
FORT MYERS, FL 33901

Re: CAMARGO MPD
DCI2004-00013 - PDA Application (PD Amendment)

Dear BARRACO & ASSOCIATES, INC. :

The Zoning Division has reviewed the information provided and supplemented for the rezoning request referenced above. The application is now sufficient and the formal request has been drafted from your application as follows:

> Amend existing MPD zoning to reinstate the zoning and adopt a new Master Concept Plan to allow the continued development of this project approved by Resolutioin Z-98-029 which permitted up to 300,000 square feet of commercial floor area (of whiich not more than 100,000 square feet can be retail use), a total of 500 beds in an assisted living facility, and where 100,000 square feet of retail use can be converted to 75,000 square feet of office use.
>
> NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

Please review this language carefully, and notify me in writing by September 3, 2004 whether or not this wording is satisfactory. Staff's substantive comments, along with the staff report, are being prepared. This request has been tentatively scheduled for public hearing before the Lee County Hearing Examiner on October 13, 2004. However, please note that this is a tentative date that is subject to change and that Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

You may schedule or waive a formal pre-hearing conference to discuss substantive issues. Contact me if you have any questions or if you would like to meet informally prior to the public hearings.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Alvin Block

Alvin Block, AICP
Principal Planner

copy w/o attachments
- Pamela Houck, Division Director
- Joan Henry, Assistant County Attorney
- DS Reviewer - Don Blackburn
- Paul O'Connor, Planning
- Kim Trebatoski, Environmental Sciences
- Roland Ottolini, Natural Resources
- Andy Getch, LCDOT
- Kathy Babcock, Lee County School District
- Billie Jacoby, DCD Admin
- DCI Zoning File
- DCI Working File

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 479-8585

September 10, 2004

Shellie Johnson, AICP
Barraco and Associates, Inc.
2271 McGregor Blvd.
Fort Myers, FL 33901

Re: Agenda Schedule for Camargo MPD
Case No. DCI2004-00013

Dear Mrs. Johnson:

Your zoning request has been scheduled before the Hearing Examiner on October 13, 2004, at 1:00 p.m. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Be advised all exhibits presented to Hearing Examiner will be retained for the records. The Hearing Examiner encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy.

Your zoning sign will be ready for pickup any time after September 14, 2004, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than September 28, 2004, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Jessica M. Smith

Jessica M. Smith
Administrative Assistant

cc: The Paradise Group
Mr. Matt Uhle
Mr. Ted Treesh
Mr. Chip Block, AICP, Principal Planner
Zoning File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Alvin Block, AICP

DATE: 09/17/2004

PROJECT NAME: CAMARGO MPD

CASE #: DCI2004-00013

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 09/27/2004

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 09/20/2004

Barraco and Associates, Inc.

www.barraco.net

Civil Engineers, Land Surveyors and Consultants

DCI2004-00013

TRANSMITTAL LETTER

TO: Chip Block, Principal Planner

FROM: Shellie Johnson, AICP

COMPANY: Lee County

DATE: September 17, 2004

PROJECT NUMBER

ADDRESS:

PROJECT NAME: Paradise Shoppes of Estero

CITY, STATE, ZIP:

DISTRIBUTION TO:

RE: Final Requested Documents

WE ARE SENDING THE FOLLOWING ITEMS VIA:

	STANDARD POSTAL MAIL		COURIER SERVICE		OTHER
	OVERNIGHT DELIVERY		CLIENT PICK-UP AT OUR OFFICE	X	HAND DELIVERED

ITEM	COPIES	DATE	DESCRIPTION
1.	1	9/17/04	Estero Guidelines
2.	1	9/17/04	Revised Schedule of Uses
3.	1	9/17/04	Paradise Group Organizational Written Action
4.			
5.			
6.			
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

	AS REQUESTED		FOR BIDS DUE:		RESUBMIT ___ COPIES FOR APPROVAL
X	FOR YOUR USE		APPROVED AS SUBMITTED		SUBMIT ___ COPIES FOR DISTRIBUTION
	FOR APPROVAL		APPROVED AS NOTED		RETURN ____ CORRECTED PRINTS
	FOR REVIEW AND COMMENT		RETURNED FOR CORRECTIONS		ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:

RECEIVED SEP 20 2004 PERMIT COUNTER

RECEIVED SEP 17 2004 ZONING

DCI 2004 00013

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

File

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 239-479-8371

April 15, 2004

BARRACO & ASSOCIATES, INC.
2271 MCGREGOR BLVD
FORT MYERS, FL 33901

Re: CAMARGO MPD
DCI2004-00013 - PDA Application (PD Amendment)

Dear BARRACO & ASSOCIATES, INC. :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Alvin Block

Alvin Block, AICP
Principal Planner

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Joan Henry, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

Legal Requirements Sufficiency Checklist

1a2) If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. [34-202(b)(1)c.]

The Disclosure of Interest must list the officers and stockholders of the Corporation/LLC and indicate the percentage of their ownership interest. This was omitted.

7) Miscellaneous Items.

RE: Public Informational Meetings with Local Planning Community Panels:

Requirement: The applicant must schedule a public informational meeting with the Estero Planning Community Panel as required by Section [34-373(a)(10)] before the application can be found Sufficient. Then, provide Staff with a summary memorandum of the meeting containing the following information: the date, time and location of the meeting; a list of attendees; a summary of the concerns of issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised

The applicant stated on the application that a public informational meeting with the Estero Planning Community is pending. Until that information is received and reviewed, this project cannot go forward.

Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent resubmittals."

8) Contact. The Planner may be contacted regarding any questions on this Checklist.

Please contact Luis G. Machado, Planning Technician / Zoning at (239) 479-8485 or e-mail: lmachado@leegov.com

Environmental Sciences Planned Development Sufficiency Checklist

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

Pending ES staff field inspection.

5) Open Space. The percentage of open space must be clearly stated on the Master Concept Plan unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. [34-373(a)(6)f.; 34-373(a)(8)iii.]

Please submit an open space table.

6) Parks, Recreation Areas and Indigenous Areas. The general location of proposed parks, recreation areas and facilities as well as indigenous areas to be preserved must be shown on the Master Concept Plan. [34-373(a)(6)e]

Please revise MCP to delineate the indigenous preservation required per LDC Sect. 10-415(b)(1). If there is not adequate existing indigenous plant communities, but there is existing native trees, then the balance of the indigenous open space requirement must be met through the preservation of native trees per LDC Sect. 10-415(b)(1)(b).

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

The proposed buffers do not meet the current LDC standards. Please revise the MCP to meet the current LDC standards.

11) Schedule of Deviations. A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan must be submitted. [34-373(a)(9).]

No deviations have been requested. Please clarify if the applicant is requesting the same deviations as listed in Z-98-029.

12) Miscellaneous Items.

The MCP does include the entire area of the original MPD zoning. However, the notes indicate the open space will be provided per Z-98-029 which concentrated the open space, especially the indigenous preservation, within the residential tracts. Please revise the MCP to clearly delineate the limits of the MPD including the residential tracts.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Kim Trebatoski, Principal Environmental Planner
#479-8183
trebatkm@leegov.com

T.I.S. Checklist

2) Trip End Rates or Equations. The TIS must contain the equations or the average trip end generation rates for each type of use proposed and the name of the document from which this information was obtained (i.e. ITE TRIP GENERATION, current edition).

The pass-by was calculated for the overall trips, rather than just for retail.

7) Level of Service Analysis. The TIS for projects generating more than 100 net new trips during the A.M. or P.M. peak hour of the adjacent street must contain an analysis of the Level of Service for all links within the area of influence.

The TIS shows level of service "F" on U.S.41.

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

1) Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare Condominiums, or Subdivisions, where there is more than one owner, either legal or equitable, all such owners must jointly initiate the application or petition. [34-201(a)(1)a.]

1a) The application was signed by the owner of the property or an authorized representative. [34-201(a)(1)a.1.]

Please advise what legal entity is the "Paradise Development Group" (e.g. corporation, partnership, limited liability company).

The Disclosure must list the interest holder/beneficiaries of Paradise Development Group. Please provide a new Disclosure with this information.

6) All applications requiring a public hearing must include the following: [34-202(a)]

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

Please refer to the legal requirements section of this checklist.

6o) Statement from the owner describing the type and intensity of agricultural use existing on the site on the date of application. The statement must include acreage figures for each use and an exhibit showing the location of the uses on a copy of the boundary sketch. The exhibit must be titled "Agricultural Uses at time of Zoning Application." {34-202(b)(7)]

Staff is not able to find this required information. If it has been submitted please direct staff to where it may be found, otherwise please provide this required information.

9) Description of existing conditions. The application for a Planned Development must be accompanied by the following: [34-373(a)(4)]

9b) Map of Roads. A map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on abutting property. [34-373(a)(4)b]

The application does not provide a map containing this required information. Please provide the informatiion required by this Section.

12) Scale of Plans/Required Information. The Master Concept Plan must be clearly legible and drawn at a scale sufficient to adequately show and identify the following information: [34-373(a)(6)]

12c) Streets. If it is a subdivision, the plan must also show the general location of all proposed internal street rights-of-way or easements, and the general location of all points of vehicular ingress and egress from the proposed internal rights-of-way or easements into multiple-family, commercial or industrial use lots. [34-373(a)(6)b.]

The Plan does not provide the general location of points of ingress and egress into the individual parcels from the proposed development roads. Please revise the Plan to provide this information.

Also remove the note in the lower right corner of the Plan. This information is not required on the Master Concept Plan.

12d3) Setbacks. The minimum proposed setbacks for principal structures on each lot or parcel (including outparcels). [34-373(a)(6)c.]

12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for a specific zoning district will be used, reference to the specific district will be sufficient. [34-373(a)(6)c.]

Comparing the requested use to the Master Concept Plan, the Schedule refers to Residential "R" Parcels and Commercial "C" parcels. However, the submitted Master Concept Plan does not identify which parcel(s) are designated as "R" or "C". Please revise the Plan to show the proposed use of each parcel as required by this Section.

12e) Development Areas. Individual development areas (I.e. residential, retail, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following: [34-373(a)(6)d.]

It is not clear on the Plan what area(s) are or are not included in this application. Please revise the Plan so it is clear which area(s) are part of this application

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

The application indicates that there are no residential dwelling units in this application. However, the application also includes a Schedule of Uses proposing residential units and the Master Concept Plan includes property development regulatioins for residential. Please vorrect this applicatioin as needed to either provide for the number of residnetial units or remove residential uses and regulations from the applicatioin materials.

12e5) Health Care. If a health care facility is proposed, the number of beds. [34-373(a)(6)d.v.]

The applicatiion includes health care facilities. Please provide the proposed number of beds for this use as required by this Section.

12e6) Commercial/Industrial. If commercial or industrial is proposed, the type(s) and the total floor area of each type. [34-373(a)(6)d.vi.]

The Master Concept Plan does not provide this required information. Please provide the information required by this Section.

12f) Service Areas. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. [34-373(a)(6)e.]

Please revise the Master Concept Plan to provide this information.

12j) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)i.]

Please revise the Master Concept Plan to provide the information required by this Section.

12k) Public Transit. Proposed access and facilities for public transit, in accordance with sections 34-411(e) and 10-442. [34-373(a)(6)j.]

The Master Concept Plan will need to be revised to show the information required by this Section.

13) Traffic Impact Statement. A traffic impact statement must be provided in a format and to the degree of detail required by a form furnished by the county and in conformance with the adopted county administrative code. [34-373(a)(7)]

Please refer to the TIS portion of this checklist.

14a) Types of Uses. The types of uses proposed for the entire site. For projects with residential uses, the summary must include the types of proposed dwelling units. [34-373(a)(8)i.]

As stated earlier, the application provides for uses which are not shown on the Master Concept Plan. Please either revise the Schedule or show where the uses may be developed in accordance with the LDC.

14b) Units by Uses. The number of units (gross square feet for commercial/industrial uses, number of units for residential or motel/hotel uses, number of beds for institutional type uses, etc.) for each proposed use. [34-373(a)(8)ii]

The application is not clear and the Master Concept Plan does not depict the intensity of this development. Please provide the information as required by the LDC.

14c) Open Space Percentage. The proposed percentage of open space for the entire site. [34-373(a)(8)iii.]

Please refer to the Environmental portion of this checklist.

19) If project is located in the Estero Planning Community, applicant must submit a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. [Lee Plan Policy 19.5.3.]

This case cannot be found sufficient until the required informational session has been held and the required minutes from that session has been provided.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

If you have any questions concerning this portioin of the checklist, you may contact Chip Block at 239-479-8371.

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Alvin Block, AICP

DATE: 03/17/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: CAMARGO MPD

CASE #: DCI2004-00013

INFORMATION SUMMARY:

NEW SUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 03/31/2004

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness
No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jodi M Payne

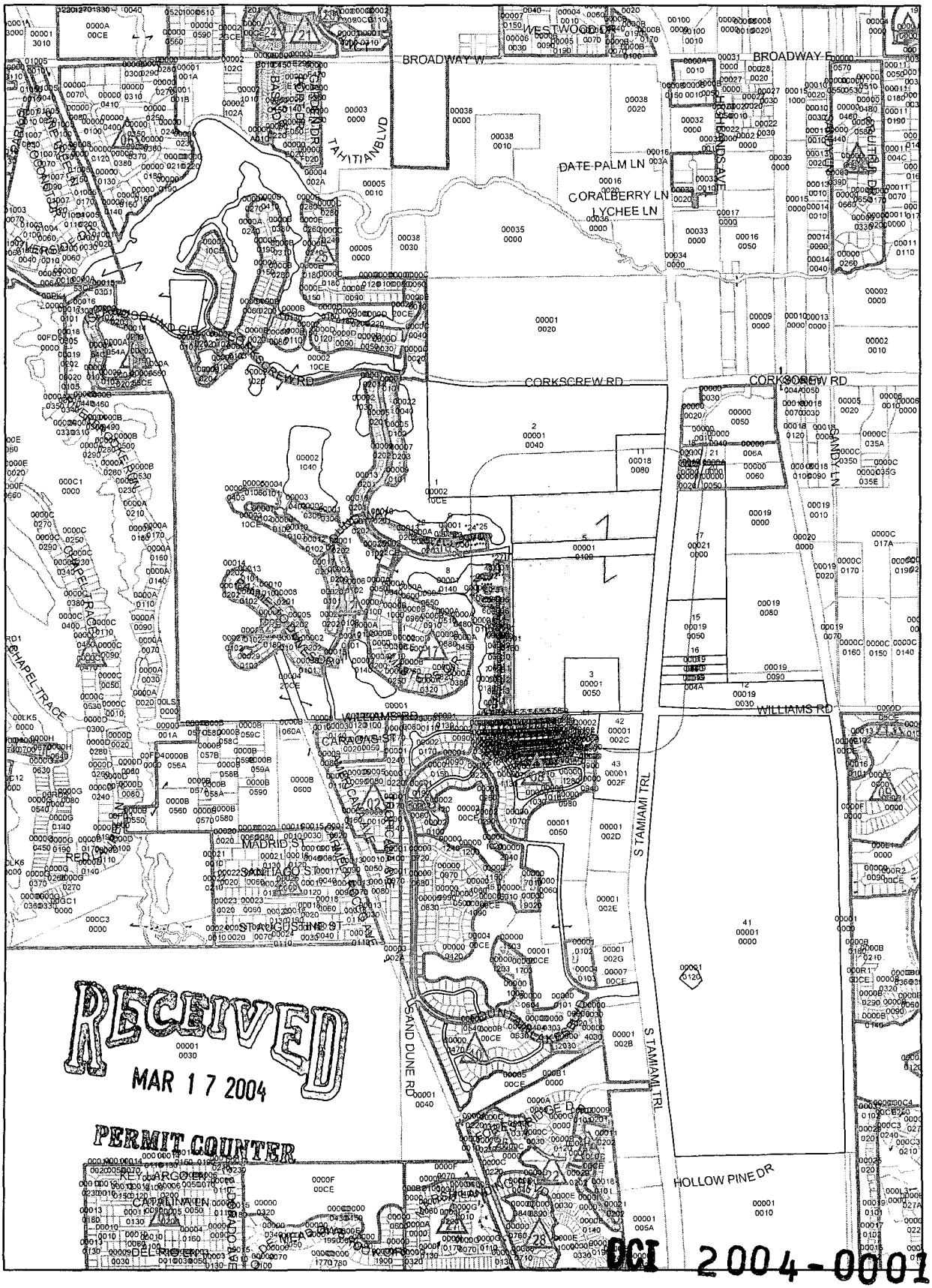
Date: 03/22/2004

EXHIBIT PH-3.G.2

VARIANCE REPORT

2/10/2004

Subject Parcels : 1 Affected Parcels : 183 Buffer Distance : 500 ft



RECEIVED
MAR 17 2004
PERMIT COUNTER

DCI 2004-00013

N W E S

33-46-25-00-00001.0030

1,900 950 0 1,900 Feet

Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org

EXHIBIT PH-3.G.1

RECEIVED
MAR 17 2004
PERMIT COUNTER

VARIANCE REPORT

Date of Report: February 10, 2004
Buffer Distance: 500 ft
Parcels Affected: 183
Subject Parcel: 33-46-25-00-00001.0030

DCI 2004-00013

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
PELICAN SOUND GOLF + 4561 PELICAN SOUND BLVD ESTERO FL 33928	**32-46-25-00-00002.10CE** ACCESS UNDETERMINED ESTERO FL 33928	PELICAN SOUND GOLF COURSE MULTI-SECTS 29 + 32 + 33-46-25	1
COLLEGE OF LIFE FOUNDATON INC BOX 97 ESTERO FL 33928	**33-46-25-00-00001.0040** 21250 S TAMIAMI TRL ESTERO FL 33928	PARL IN N 1/2 SEC 33 TWP 46 R 25 DESC IN OR 1295 PG 0302	2
LEE COUNTY MEDICAL INVESTORS 3570 KEITH ST NW CLEVELAND TN 37312	**33-46-25-00-00001.0050** 3850 WILLIAMS RD ESTERO FL 33928	PARL IN SE 1/4 OF SE 1/4 OF SW 1/4	3
RIVER RIDGE COMMUNITY DEV DIST C/O ANTHONY P PIRES JR 3200 TAMIAMI TRL N STE 200 NAPLES FL 34103	**33-46-25-00-00001.0060** RESERVED ESTERO FL 33928	PAR LYING IN E 1/2 OF W 1/2 OF SW 1/4 OF SECT DESC OR 3407 PG 871 INCLUDING PAR 22 + H-11A + H-11B LESS CONDO	4
RIVER RIDGE COMMUNITY DEV DIST C/O ANTHONY P PIRES ESQ 3200 TAMIAMI TR N STE 200 NAPLES FL 34103	**33-46-25-00-00001.0100** 21650 S TAMIAMI TRL ESTERO FL 33928	PARL IN SW 1/4 SEC DESC IN OR 3533 PG 4459	5
RIVER RIDGE COMMUNITY DEV DIST C/O ANTHONY P PIRES ESQ 3200 TAMIAMI TR N STE 200 NAPLES FL 34103	**33-46-25-00-00001.0110** NEED SITE PLAN FL	PAR LYING IN SW 1/4 OF SEC DESC IN OR 3534 PG 4806	6
RIVER RIDGE COMMUNITY DEV DIST C/O ANTHONY P PIRES 801 LAUREL OAK DR SUITE 710 NAPLES FL 34108	**33-46-25-00-00001.0130** ACCESS UNDETERMINED ESTERO FL 33928	PAR LYING IS E 1/2 OF SW 1/4 OF SECT DESC OR 3179 PG 4843	7
RIVER RIDGE COMMUNITY DEV DIST C/O ANTHONY P PIRES 801 LAUREL OAK DR SUITE 710 NAPLES FL 34108	**33-46-25-00-00001.0140** ACCESS UNDETERMINED ESTERO FL 33928	PARL LYING IN S 1/2 OF NW 1/4 OF SW 1/4 OF SEC DESC OR 3179 PG4845	8
RIVER RIDGE COMMUNITY DEV DIST C/O MOYER + ASSOCIATES 210 N UNIVERSITY DR STE 301 CORAL SPRINGS FL 33071	**33-46-25-00-00001.0150** ACCESS UNDETERMINED ESTERO FL 33928	PARL LYING IN W1/2 OF SEC 33 AND E 1/2 OF SEC 32-46-25 DESC IN OR 3485/3691	9
RIVER RIDGE COMMUNITY DEV DIST C/O ANTONY P PIRES JR 3200 TAMIAMI TRL N STE 200 NAPLES FL 34103	**33-46-25-00-00001.0160** COMMON ELEMENT FL	PARCEL LYING IN SW 1/4 OF SEC AS DESC IN OR 3516 PG 1579	10
COVERED WAGON TRAVEL TRL PARK 21450 S TAMIAMI TR ESTERO FL 33928	**33-46-25-00-00018.0080** 21450 S TAMIAMI TRL ESTERO FL 33928	S 1/2 OF S 1/2 OF NE 1/4 LYING W OF US 41	11
SPANISH LAKES INC TR P O BOX 366879 BONITA SPRINGS FL 34136	**33-46-25-00-00019.0030** ACCESS UNDETERMINED ESTERO FL 33928	S 1/2 S 1/2 S 1/2 SE 1/4 E OF TRAIL + W OF RR R/W LESS OR 1917 PG 1850	12

All data is current at time of printing and subject to change without notice.

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
MULLIGAN RICHARD E TRUSTEE 78 CHARDON PL NAPLES FL 34110	**33-46-25-00-00019.0040** 21951 S TAMIAMI TRL ESTERO FL 33928	N 1/2 OF S 220 FT OF N 1/2 OF S 1/2 OF SW 1/4 OF SE 1/4	13
ESTERO LAKES DEV INC P O BOX 366879 BONITA SPRINGS FL 34136	**33-46-25-00-00019.004A** ACCESS UNDETERMINED ESTERO FL 33928	S 1/2 OF S 220 FT OF N 1/2 OF S 1/2 OF SW 1/4 OF SE 1/4	14
NEAR WEST INC 3880 SHERIDAN ST HOLLYWOOD FL 33021	**33-46-25-00-00019.0050** ACCESS UNDETERMINED ESTERO FL 33928	N 1/2 OF SW 1/4 OF SE 1/4 E OF TAMIAMI TRL LESS S 30 FT	15
MULLIGAN RICHARD E TR 78 CHARDON PL NAPLES FL 34110	**33-46-25-00-00019.0060** ACCESS UNDETERMINED ESTERO FL 33928	N 110 FT OF N 1/2 OF S 1/2 OF SW 1/4 OF SE 1/4 E OF TAMIAMI TRL.	16
DEWOLFE BERNARD J COTR + 16050 S TAMIAMI TRL STE 103 FT MYERS FL 33908	**33-46-25-00-00021.0000** ACCESS UNDETERMINED ESTERO FL 33928	PT NW 1/4 OF SE 1/4 E OF ST RD 45	17
ULB PROPERTIES OF FL LLC 1903 STANLEY GAULT PKWY LOUISVILLE KY 40223	**33-46-25-01-00000.0010** 8661 COMMONS WAY ESTERO FL 33928	SOUTH ESTERO COMMERCIAL CENTER PB 60 PG 23 LOT 1	18
OPUS ENTERPRISES INC 3875 MIDSHORE DRI VE NAPLES FL 34109	**33-46-25-01-00000.0020** 21481 S TAMIAMI TRL ESTERO FL 33928	SOUTH ESTERO COMMERCIAL CENTER PB 60 PG 23 LOTS 2 + 3	19
HITHERSAY STEVEN E TR 309 COUNTRY VIEW CT LAKE MARY FL 32746	**33-46-25-01-00000.0050** 8800 COMMONS WAY ESTERO FL 33928	SOUTH ESTERO COMMERCIAL CENTER PB 60 PG 23 LOT 5	20
HITHERSAY STEVEN E TR 309 COUNTRY VIEW CT LAKE MARY FL 32746	**33-46-25-01-0000A.0000** RESERVED ESTERO FL 33928	SOUTH ESTERO COMMERCIAL CENTER PB 60 PG 23 TRACTS A + B LESS OR2925 PG 683 COUNTY R/W	21
RIVER RIDGE COMMUNITY DEV DIST C/O ANTHONY P PIRES ESQ 3200 TAMIAMI TRL N STE 200 NAPLES FL 34103	**33-46-25-17-0000A.0000** RIGHT OF WAY FL	MASTERS AT PELICAN SOUND PB 66 PGS 71-76 TR A + PAR DESC OR 3671/4368	22
EDGEWATER IV AT PELICAN SOUND	**33-46-25-18-00000.00CE** COMMON ELEMENT FL	EDGEWATER IV AT PELICAN SOUND CONDO AS DESC IN OR 3290 PG 4720 COMMON ELEMENTS	23
MODEER ROBERT M + EMILY W 21551 PELICAN SOUND DR #101 ESTERO FL 33928	**33-46-25-18-00018.0101** 21551 PELICAN SOUND DR #101 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 18 UNIT 101	*24
GRANT RICHARD A + GERRY L 3219 TULIP DR INDIANAPOLIS IN 46227	**33-46-25-18-00018.0102** 21551 PELICAN SOUND DR #102 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 18 UNIT 102	*24
RAFFERTY MICHAEL B + NANCY R 21551 PELICAN SOUND DR #103 ESTERO FL 33928	**33-46-25-18-00018.0103** 21551 PELICAN SOUND DR #103 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 18 UNIT 103	*24
DUGAN R MICHAEL + RONA G 203 JORDAN CT COLLEGEVILLE PA 19426	**33-46-25-18-00018.0201** 21551 PELICAN SOUND DR #201 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 18 UNIT 201	*24
GARY NADER G + KATHERINE P 2 ROLAND CT RUXTON MD 21204	**33-46-25-18-00018.0202** 21551 PELICAN SOUND DR #202 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 18 UNIT 202	*24
FINNERTY JOHN J + MARY F TR 4 MORNINGSIDE PK PITTSFORD NY 14534	**33-46-25-18-00018.0203** 21551 PELICAN SOUND DR #203 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 18 UNIT 203	*24
EVANCHAN NICHOLAS L + 5548 FOXTAIL CIR NW CANTON OH 44718	**33-46-25-18-00019.0101** 21561 PELICAN SOUND DR #101 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 19 UNIT 101	*25

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
OLSON RON E + SUSANNA 300 27TH ST DR SE CEDAR RAPIDS IA 52403	**33-46-25-18-00019.0102** 21561 PELICAN SOUND DR #102 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 19 UNIT 102	*25
MAHER JAMES J + SONIA G P O BOX 339 JEFFERSON MD 21755	**33-46-25-18-00019.0103** 21561 PELICAN SOUND DR #103 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 19 UNIT 103	*25
ASHE ROBERT E + CAROL A 21561 PELICAN SOUND DR #201 ESTERO FL 33928	**33-46-25-18-00019.0201** 21561 PELICAN SOUND DR #201 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 19 UNIT 201	*25
VENOSA ALBERT D + JANET S 7307 PINEHURST DR CINCINNATI OH 45244	**33-46-25-18-00019.0202** 21561 PELICAN SOUND DR #202 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 19 UNIT 202	*25
SCHORK HAROLD G + CHRISTINA TR 2903 CABOT RD QUINCY IL 62301	**33-46-25-18-00019.0203** 21561 PELICAN SOUND DR #203 ESTERO FL 33928	EDGEWATER IV AT PELICAN SOUND OR 3290 PG 4720 BLDG 19 UNIT 203	*25
SOUTHERN HILLS AT PELICAN	**33-46-25-26-00000.00CE** COMMON ELEMENT FL	SOUTHERN HILLS AT PELICAN SOUND CONDO AS DESC IN OR 3378 PG 2789 + AMENDED IN OR 3431 PG 4811 COMMON ELEMENTS	26
BELLEVILLE MARY L 1111 LYNAUGH RD VICTOR NY 14564	**33-46-25-26-00001.0101** 21700 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 1 UNIT 101	*27
GABAUER FAMILY FLORIDA LLC 143 POST OAK DR BEAVER FALLS PA 15010	**33-46-25-26-00001.0102** 21700 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 1 UNIT 102	*27
GILLENWATER PAUL T 6401 BAUM DR KNOXVILLE TN 37919	**33-46-25-26-00001.0103** 21700 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 1 UNIT 103	*27
KINKADE JOHN R + SUSAN E 11531 WEST VALLEY DR CROWN POINT IN 46307	**33-46-25-26-00001.0201** 21700 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 1 UNIT 201	*27
FOX FRANCIS J + HELEN M 21700 SOUTHERN HILLS DR #202 ESTERO FL 33928	**33-46-25-26-00001.0202** 21700 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 1 UNIT 202	*27
WILLIAMS DENNIS A + MARY J 147 LEXINGTON RD DRACUT MA 01826	**33-46-25-26-00001.0203** 21700 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 1 UNIT 203	*27
WCI COMMUNITIES INC 24301 WALDEN CENTER DR SUITE 300 BONITA SPRINGS FL 34134	**33-46-25-26-00002.0101** 8251 SOUTHERN HILLS CT #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 2 UNIT 101	*28
DYSERT ROBERT J + MARILYN A 8251 SOUTHERN HILLS CT #102 ESTERO FL 33928	**33-46-25-26-00002.0102** 8251 SOUTHERN HILLS CT #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 2 UNIT 102	*28
PHILLIPS STERLING JR + AUDREY 8804 SPINNAKER CT INDIANAPOLIS IN 46256	**33-46-25-26-00002.0103** 8251 SOUTHERN HILLS CT #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 2 UNIT 103	*28
DUNNE CHARLES B + PATRICIA K 1859 RIVER RIDGE CIR NAPERVILLE IL 60565	**33-46-25-26-00002.0201** 8251 SOUTHERN HILLS CT #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 2 UNIT 201	*28
BOOTH TIMOTHY + RENE M 3493 WYNDE TREE DR SEVEN HILLS OH 44131	**33-46-25-26-00002.0202** 8251 SOUTHERN HILLS CT #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 2 UNIT 202	*28
NELSON BARRY R + JOANN L 5 CASTLE PINES COURT LAKE IN THE HILLS IL 60156	**33-46-25-26-00002.0203** 8251 SOUTHERN HILLS CT #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 2 UNIT 203	*28

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HARRIS WILLIAM E + PATRICIA M 5845 TRAILWINDS DR #513 FORT MYERS FL 33907	**33-46-25-26-00003.0101** 8241 SOUTHERN HILLS CT #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 3 UNIT 101	*29
MATULIS JOHN + VALERIE 13911 FARMINGTON WAY APPLE VALLEY MN 55124	**33-46-25-26-00003.0102** 8241 SOUTHERN HILLS CT #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 3 UNIT 102	*29
BRUNER PAUL S + SHARON L 13091 DUVAL DR FISHERS IN 46038	**33-46-25-26-00003.0103** 8241 SOUTHERN HILLS CT #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 3 UNIT 103	*29
ALMOND JAMES C + REBECCA A 404 WOODLAND E DR GREENFIELD IN 46140	**33-46-25-26-00003.0201** 8241 SOUTHERN HILLS CT #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 3 UNIT 201	*29
PAOLINO CAROLE M 467 DANIELLE DR NAZARETH PA 18064	**33-46-25-26-00003.0202** 8241 SOUTHERN HILLS CT #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 3 UNIT 202	*29
KILPONEN KENNETH C + MARY ANN 8241 SOUTHERN HILLS CT #203 ESTERO FL 33928	**33-46-25-26-00003.0203** 8241 SOUTHERN HILLS CT #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 3 UNIT 203	*29
WHITTENDALE DAVID + ELAINE 11 WADSWORTH PL SMITHTOWN NY 11787	**33-46-25-26-00004.0101** 8250 SOUTHERN HILLS CT #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 4 UNIT 101	*30
AINA OLAYINKA O 154 ELLIOT ST PEEBLES OH 45600	**33-46-25-26-00004.0102** 8250 SOUTHERN HILLS CT #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 4 UNIT 102	*30
OLRY MARTIN A + KIMBERLY 8315 COURTNEY DR FISHERS IN 46038	**33-46-25-26-00004.0103** 8250 SOUTHERN HILLS CT #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 4 UNIT 103	*30
HENNING JOAN D 8250 SOUTHERN HILLS CT #201 ESTERO FL 33928	**33-46-25-26-00004.0201** 8250 SOUTHERN HILLS CT #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 4 UNIT 201	*30
BURKE BARRY N + CAROL M 8133 SENECA VIEW DR GAITHERSBURG MD 20882	**33-46-25-26-00004.0202** 8250 SOUTHERN HILLS CT #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 4 UNIT 202	*30
RAU RAYMOND + LOUISE 725 WEST TUSCOLA STREET FRANKENMUTH MI 48734	**33-46-25-26-00004.0203** 8250 SOUTHERN HILLS CT #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 4 UNIT 203	*30
LINS ROLAND R + DEETTE L 21730 SOUTHERN HILLS DR #101 ESTERO FL 33928	**33-46-25-26-00005.0101** 21730 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 5 UNIT 101	*31
SELLER DONALD A + PATRICIA A 1718 CLAYMONT ESTATES DR CHESTERFIELD MO 63017	**33-46-25-26-00005.0102** 21730 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 5 UNIT 102	*31
SCHRODER DAVID A 21730 SOUTHERN HILLS DR #103 ESTERO FL 33928	**33-46-25-26-00005.0103** 21730 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 5 UNIT 103	*31
WARDELL WILLIAM W + 1066 COUNTRY CLUB RD WEST CHESTER PA 19382	**33-46-25-26-00005.0201** 21730 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 5 UNIT 201	*31
DUNNE LINDA N + 76 REDSTART RD NAPERVILLE IL 60565	**33-46-25-26-00005.0202** 21730 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 5 UNIT 202	*31
MCCARTHY EUGENE + DEENA 1/2 + 46 TITUS COAN RD KILLINGSWORTH CT 06419	**33-46-25-26-00005.0203** 21730 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 5 UNIT 203	*31

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RIGGIO FRANK X + CHRISTINE A 1053 SIPP AV MEDFORD NY 11763	**33-46-25-26-00006.0101** 21740 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 6 UNIT 101	*32
DEKEERSMAEKER DAVID + STEFANIE 67 VOORHIS RD KINNELON NJ 07035	**33-46-25-26-00006.0102** 21740 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 6 UNIT 102	*32
FOSTER BRIAN J ST ANDREW HOUSE SHIREHILL SAFFRON WALDEN ESSEX CB11 3AQ GREAT BRITAIN	**33-46-25-26-00006.0103** 21740 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 6 UNIT 103	*32
HERMANN WULF + MONICA 21740 SOUTHERN HILLS DR #201 ESTERO FL 33928	**33-46-25-26-00006.0201** 21740 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 6 UNIT 201	*32
TOMASSO FRANK DE + GRACE 28 RUSTYWOOD DR TORONTO ON M3A 1R8 CANADA	**33-46-25-26-00006.0202** 21740 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 6 UNIT 202	*32
FIORE ALFRED A + BARBARA A 111 ARDMORE RD HO HO KUS NJ 07423	**33-46-25-26-00006.0203** 21740 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 6 UNIT 203	*32
VAN LEIGHT PETER + VICTORIA 21750 SOUTHERN HILLS DR #101 ESTERO FL 33928	**33-46-25-26-00007.0101** 21750 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 7 UNIT 101	*33
BULTE RAYMOND H + JOYCE L 611 BEDFORD OAKS DR KIRKWOOD MO 63122	**33-46-25-26-00007.0102** 21750 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 7 UNIT 102	*33
CONROY ELIZABETH G 21750 SOUTHERN HILLS DR #103 ESTERO FL 33928	**33-46-25-26-00007.0103** 21750 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 7 UNIT 103	*33
JARVINEN NANCY H + NATHAN C 1194 W SHERWIN AV CHICAGO IL 60626	**33-46-25-26-00007.0201** 21750 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 7 UNIT 201	*33
LAPLANTE RAYE + KATHLEEN 15 CEDERGREN RD NEW DURHAM NH 03855	**33-46-25-26-00007.0202** 21750 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 7 UNIT 202	*33
EVERS BRIAN J + PATRICIA L 11 JUDITH LN E METHUEN MA 01844	**33-46-25-26-00007.0203** 21750 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 7 UNIT 203	*33
BARRAULT PHILIPPE + SYLVIE 1700 ODEN TOWERS 331 NORTH BRIDGE RD 188720 SINGAPORE	**33-46-25-26-00008.0101** 21760 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 8 UNIT 101	*34
KAPLAN WILLIAM J TR 21760 SOUTHERN HILLS DR #102 ESTERO FL 33928	**33-46-25-26-00008.0102** 21760 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 8 UNIT 102	*34
VANAUKEN JAMES C + P O BOX 692 GREENVILLE NY 12083	**33-46-25-26-00008.0103** 21760 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 8 UNIT 103	*34
FIESEL LARRY J + MARY F 127008 CHARING CROSS RD CARMEL IN 46033	**33-46-25-26-00008.0201** 21760 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 8 UNIT 201	*34
MILES JAMES A + PATTY L 225 BRYN WYCK PLACE ST LOUIS MO 63141	**33-46-25-26-00008.0202** 21760 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 8 UNIT 202	*34
MEHES PAUL L TR 7465 FAIRMOUNT RD NOVELTY OH 44072	**33-46-25-26-00008.0203** 21760 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 8 UNIT 203	*34

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MATLOCK JAMES E + RENEE H 21420 CONCORD DR FRANKFORT IL 60423	**33-46-25-26-00009.0101** 21770 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 9 UNIT 101	*35
LANDERS MICHAEL + 12830 SW 324TH PL DAVIE FL 33330	**33-46-25-26-00009.0102** 21770 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 9 UNIT 102	*35
KNAUER DELMAR J + CHRISTINA R 1650 TWINING RD WILLOW GROVE PA 19090	**33-46-25-26-00009.0103** 21770 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 9 UNIT 103	*35
STYGER PHILIP INDUSTRIESTRASSE 15 STEINHAUSEN CH-6312 SWITZERLAND	**33-46-25-26-00009.0201** 21770 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 9 UNIT 201	*35
MIENTKIEWICZ DOUG + JODI 21770 SOUTHERN HILLS DR #202 ESTERO FL 33928	**33-46-25-26-00009.0202** 21770 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 9 UNIT 202	*35
EURICH VICKI A TR 1619 BROOKWOOD DR MUSKEGON MI 49441	**33-46-25-26-00009.0203** 21770 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 9 UNIT 203	*35
WERNER ADAM D + ANNA M 128 OAK RIDGE LN WINCHESTER VA 22602	**33-46-25-26-00010.0101** 21780 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 10 UNIT 101	*36
ANDOW STEVEN C + CARLEEN F 8557 BARBARA DR MENTOR OH 44060	**33-46-25-26-00010.0102** 21780 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 10 UNIT 102	*36
REITZ ALVIN W II + CAROL B 21 W 601 MAPLE AV MEDINAH IL 60157	**33-46-25-26-00010.0103** 21780 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 10 UNIT 103	*36
QUEEN JOHN W JR + CAROLYN A 464 BAXTER NECK RD MARSTONS MILLS MA 02648	**33-46-25-26-00010.0201** 21780 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 10 UNIT 201	*36
MARCHESE ANDREW M + MARIANNA 238 ST CLOUD AV WEST ORANGE NJ 07052	**33-46-25-26-00010.0202** 21780 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 10 UNIT 202	*36
BROOKS ADRIENNE G P O BOX 24348 CHRISTIANSTED ST CROIX VI 00824	**33-46-25-26-00010.0203** 21780 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 10 UNIT 203	*36
DRYDEN STEPHEN D 1037 MONTEREY DR CARROLL IA 51401	**33-46-25-26-00011.0101** 21790 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 11 UNIT 101	*37
NALEPA WAYNE M + DIANE A 18686 YORKSHIRE DR LIVONIA MI 48152	**33-46-25-26-00011.0102** 21790 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 11 UNIT 102	*37
VOIVODAS STEVEN M + LISA K 8149 CLARIDGE RD INDIANAPOLIS IN 46260	**33-46-25-26-00011.0103** 21790 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 11 UNIT 103	*37
BOWER COLLEEN H + 77 TOMLIN CIR BURR RIDGE IL 60527	**33-46-25-26-00011.0201** 21790 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 11 UNIT 201	*37
RUSSO JAMES J + JANICE S 9211 N NAGLE AV MORTON GROVE IL 60053	**33-46-25-26-00011.0202** 21790 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 11 UNIT 202	*37
BROZNOWSKI LINDA 3212 N KENMORE AV CHICAGO IL 60657	**33-46-25-26-00011.0203** 21790 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 11 UNIT 203	*37

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WEINTRAUB RONALD M + SANDRA L HINDENBURG STRASSE 8 ERLANGEN D-91054 GERMANY	**33-46-25-26-00012.0101** 21800 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 12 UNIT 101	*38
DAWSON WILLIAM S + SUSAN E TR 21800 SOUTHERN HILLS DR #102 ESTERO FL 33928	**33-46-25-26-00012.0102** 21800 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 12 UNIT 102	*38
VIE NOUVELLE LLC 5051 PELICAN COLONY BLVD #603 BONITA SPRINGS FL 34134	**33-46-25-26-00012.0103** 21800 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 12 UNIT 103	*38
FINAN EDWARD M + JUDITH A 31288 OLD STAGE RD BINGHAM FARMS MI 48025	**33-46-25-26-00012.0201** 21800 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 12 UNIT 201	*38
KOEHEKER CHERYL L 416 THORNTREE LAKE CT EUREKA MO 63025	**33-46-25-26-00012.0202** 21800 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 12 UNIT 202	*38
DAVIS MARTHA B TR 21800 SOUTHERN HILLS DR #203 ESTERO FL 33928	**33-46-25-26-00012.0203** 21800 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 12 UNIT 203	*38
MANNING THOMAS A + HELFRIDE W 1315 HILLCREST DR NE FRIDLEY MN 55432	**33-46-25-26-00013.0101** 21810 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 13 UNIT 101	*39
RAINSTEIN MIQUEL A + VIRGINIA 268 FORESTVIEW DR WILLIAMSVILLE NY 14221	**33-46-25-26-00013.0102** 21810 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 13 UNIT 102	*39
WESSON ROBERT M + MICHELLE L 1631 MONTMORENCY DR VIENNA VA 22182	**33-46-25-26-00013.0103** 21810 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 13 UNIT 103	*39
REITER ROBERT + BARBARA 11202 WYOMING CURVE BLOOMINGTON MN 55438	**33-46-25-26-00013.0201** 21810 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 13 UNIT 201	*39
WOODBURN TERRY V + SHARON E 306 WOODLAND EAST DR GREENFIELD IN 46140	**33-46-25-26-00013.0202** 21810 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 13 UNIT 202	*39
HARRIS ENTERPRISES INC 438 TOBEY ROAD APALACHIN NY 13732	**33-46-25-26-00013.0203** 21810 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 13 UNIT 203	*39
JOHNSON DONALD D + CAROLYN R T W 6329 LONE OAK DR MINONG WI 54859	**33-46-25-26-00014.0101** 21820 SOUTHERN HILLS DR #101 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 14 UNIT 101	*40
BOSS JOHN R + JULIE P 124 FOX TROT DIXON IL 61021	**33-46-25-26-00014.0102** 21820 SOUTHERN HILLS DR #102 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 14 UNIT 102	*40
NORDSTRAND RONALD A + MARY JO 1344 CHERRY HILL RD MENDOTA HEIGHTS MN 55118	**33-46-25-26-00014.0103** 21820 SOUTHERN HILLS DR #103 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 14 UNIT 103	*40
ZIMNOWSKI RANDOLPH E + LAURA L 520 MILL RD YARDLEY PA 19067	**33-46-25-26-00014.0201** 21820 SOUTHERN HILLS DR #201 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 14 UNIT 201	*40
DIMMITT SHIRLEEN Y + 1503 BRAMOOR DR KOKOMO IN 46902	**33-46-25-26-00014.0202** 21820 SOUTHERN HILLS DR #202 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 14 UNIT 202	*40
KEESEY CHARLES L + LUCINDA P 21820 SOUTHERN HILLS DR #203 ESTERO FL 33928	**33-46-25-26-00014.0203** 21820 SOUTHERN HILLS DR #203 ESTERO FL 33928	SOUTHERN HILLS AT PELICAN SOUND CONDO OR 3378 PG 2789 BLDG 14 UNIT 203	*40

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
MCARDLE EDWARD J TR P O BOX 366879 BONITA SPRINGS FL 34136	**04-47-25-00-00001.0000** MULTIPLE ADDRESSES ESTERO FL 33928	ALL SEC E OF U S 41 LESS OR 1917 PG 1852 + LESS OR 4097 PG 672	41
WEST BAY CLUB DEV CORP 4600 WEST BAY BLVD ESTERO FL 33928	**04-47-25-00-00001.002C** 22051 S TAMIAMI TRL ESTERO FL 33928	PARL IN N1/2 OF SEC 4 AS DESC IN OR 2263/0526 LESS OR 3236 PG 3467	42
LMC WILLIAMS ROAD INC 33 EAST WALL ST FROSTPROOF FL 33843	**04-47-25-00-00001.002F** 22088-100 S TAMIAMI TRL ESTERO FL 33928	PARL LOC IN THE N 1/2 OF SECT DESC IN OR 3236 PG 3467	43
FOUNTAIN LAKES COMM ASSOC INC 22201 FOUNTAIN LAKE BLVD #1 ESTERO FL 33928	**04-47-25-00-00002.00CE** COMMON ELEMENT ESTERO FL 33928	NORTHEAST WETLANDS AREA (FOUNTAIN LAKES)DES OR 2472/1646 COMMON ELEMENT	44
FOUNTAIN LAKES COMM ASSOC INC 22201 FOUNTAIN LAKE BLVD #1 ESTERO FL 33928	**04-47-25-00-00006.00CE** COMMON ELEMENT ESTERO FL 33928	RIGHT OF WAYS WITHIN FOUNTAIN LAKES - COMMON AREAS + IRRIGATION PUMP	45
COTRONE DANIEL D + 22001 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0010** 22001 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 1	46
MARTINEZ HENRY L + DIANA L 22005 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0020** 22005 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 2	47
MATTEI DANIEL + CLEMENTINE P 22009 SEASHORE CIRCLE ESTERO FL 33928	**04-47-25-08-00000.0030** 22009 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 3	48
WYNN MARK W + HEATHER L 22013 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0040** 22013 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 4	49
WAGNER RICHARD J 22017 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0050** 22017 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 5	50
LANING ARTHUR + DORIS 22021 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0060** 22021 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 6	51
DORRIAN JOHN + DIANE 22025 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0070** 22025 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 7	52
PEARSON ANN P 22029 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0080** 22029 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 8	53
PICKENS JEFFRY + CHERYL 22033 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0090** 22033 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 9	54
EGNA MATTHEW L 22037 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0100** 22037 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 10	55
BROWN JEFFREY W + 22041 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0110** 22041 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 11	56
DORN DEAN D + PATRICIA M 22045 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0120** 22045 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 12	57
COLLVER ALLEN AF + JOYCE A + 22049 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0130** 22049 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 13	58
SARGENT WILLIAM T + CAROLYN P 22053 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0140** 22053 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 14	59

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
COOK TIMOTHY N + CAROLYN S 22057 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0150** 22057 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 15	60
BOWLES CAROLYN S TR 22061 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0160** 22061 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 16 + PT OF TR A AS DESC IN OR 2991/1796	61
HUMPHREY WAYNE + PAMELA J 22065 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0170** 22065 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 17 + PT OF TR A AS DESC IN OR 2990 PG 4026	62
HOFFMAN BILL E + VICKI A 22060 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0180** 22060 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 18	63
ALLINDER JOE A III 22050 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0190** 22050 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 19	64
ACQUAVIVA DANIEL J PO BOX 367 ESTERO FL 33928	**04-47-25-08-00000.0200** 22042 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 20	65
HALL FLOYD W JR + JANET L 22038 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0210** 22038 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 21	66
SYLVIA VICTOR + ELIZABETH 22034 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0220** 22034 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 22	67
GOLDBACH JOSEPH J + CHRISTINE 22030 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0230** 22030 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 23	68
ANASTASIA JOSEPH N + LEONTINA 462 HIGH ROCK ST NEEDHAM MA 02492	**04-47-25-08-00000.0240** 22026 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 24	69
ROGERS JOANNE 22022 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0250** 22022 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 25	70
BAITZ CALVIN K + BEVERLY S 22018 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0260** 22018 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 26	71
IACOBUCCI DOLORES 22014 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0270** 22014 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 27	72
MURTAUGH JAMES J + DIANE C 22200 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0280** 22200 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 28	73
APUZZO ANN B 22207 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0290** 22207 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 29	74
KONTINOS NICHOLAS K + PENNY M 22051 W TREE DR ESTERO FL 33928	**04-47-25-08-00000.0300** 22051 WEST TREE DR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 30	75
LEIB SCOTT E + JOSEPHINE 22061 WEST TREE DR ESTERO FL 33928	**04-47-25-08-00000.0310** 22061 WEST TREE DR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 31	76
KOOPMAN VICKI L 22203 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0490** 22203 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 49	77

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
LAWLER PATRICK + LINDA 2018 ROOSEVELT HWY HILTON NY 14468	**04-47-25-08-00000.0500** 22199 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 50	78
DESARIO ANTONIO TR + 2889 DAVENPORT DR WEST CHICAGO IL 60185	**04-47-25-08-00000.0510** 22195 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 51	79
SCHLAGETER MATTHEW M + ANDREA 3740 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0540** 3740 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 54	80
PANDUR JOSEPH L + MERYL J 6522 COBBS CREEK PKWY PHILADELPHIA PA 19142	**04-47-25-08-00000.0550** 3730 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 55	81
WYNN MICHAEL A + PAULA E 3720 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0560** 3720 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 56	82
KOSMAN DAVID A 3710 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0570** 3710 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 57	83
THOMASON BILLY J + MARIAN 3700 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0580** 3700 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 58	84
LINDQUIST RICHARD A + CAROLYN 6614 RED BARN RD LOVES PARK IL 61111	**04-47-25-08-00000.0590** 3690 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 59	85
MCKELLAR ROGER K + CHERYL A 3680 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0600** 3680 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 60	86
VIERGUTZ JAMES W + GERALDINE A 3670 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0610** 3670 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 61	87
MANDERSCHIED BRIAN D 3650 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0620** 3650 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 62	88
GUZMAN JOSE E + 4820 WHISTLERS GREEN CIR APT 3 NAPLES FL 34116	**04-47-25-08-00000.0630** 22064 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 63	89
DARGENTO ALESSEANDRO + EMILIA 3641 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0640** 3641 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 64	90
MULLAN DANIEL P + KIMBERLY 3651 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0650** 3651 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 65	91
DISCALA P L + CAROL L 3661 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0660** 3661 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 66	92
PEARSON DALE C + DENISE 3671 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0670** 3671 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 67	93
CRIBBINS MARTIN J JR 3681 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0680** 3681 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 68	94
FREY JOHN A + ANDREA T 3691 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0690** 3691 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 69	95

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
MOSS RUDY + LINDA E 3701 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0700** 3701 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 70	96
PETERSON WILLIAM F 3721 BALI LN ESTERO FL 33928	**04-47-25-08-00000.0710** 3721 BALI LN ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 71	97
WASZAK STEPHEN E + DAWN 22186 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0720** 22186 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 72	98
CHETCUTI JOSEPH + CARRIE 22076 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0850** 22076 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 85	99
GUTIERREZ WILLIAM + SANDRA 22068 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0860** 22068 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 86	100
SCHRAMM VIRGINIA L/E 22069 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0870** 22069 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 87 + PT OF TR A AS DESC IN OR 2989 PG 3848	101
MCMANUS RUSSELL J 22073 SEASHORE CIR ESTERO FL 33928	**04-47-25-08-00000.0880** 22073 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 88 + PT TRACT A	102
JACHIM MICHAEL P + JILL 22077 SEASHORE CIRCLE ESTERO FL 33928	**04-47-25-08-00000.0890** 22077 SEASHORE CIR ESTERO FL 33928	TR MN FOUNTAIN LAKES S/D PB 52 PGS 94-100 LOT 89 + PT OF TR A AS DESC IN OR 2991 PG 3276	103

183 RECORDS PRINTED

PARADISE RETAIL SHOPPING CENTER
Surface Water Management Narrative
Supplement D - Exhibit 6-O

The following is a written description of the proposed Paradise Retail Shopping Center Surface Water Management Concept:

A. Run-off characteristics of the property in its existing state.

The run-off characteristics of the property, in its existing state, is that of an undeveloped parcel with surface water draining by overland flow to the west to the Pelican Sound water management system. Existing site elevations range from approximately 14.9 ' to 16.2' NGVD.

B. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies, including how drainage flow from adjacent properties will be maintained.

In its redeveloped state, run-off from the project will be directed to dry detention areas and a lake for water quality and quantity treatment prior to discharging to the Pelican Sound water management system. The proposed drainage system will be in accordance with the South Florida Water Management District Basis of Review.

C. The retention features (including existing natural features) that will be incorporated into the drainage system and legal mechanisms, which will guarantee their maintenance.

The detention features of the proposed system include utilization of open space areas and lakes within the developed project. The property owner will provide maintenance of the system.

D. How will existing natural features be preserved? Include an estimate of the ranges of the existing post development water table elevations where appropriate.

The existing condition of the project site is an open space agriculture field with no existing natural features. Therefore no natural features will need to be preserved.

E. The requirements for fill material proposed post development for other than building pads.

Fill material needed for the developed project could include onsite excavation and in- haul fill from a nearby borrow pit.

F. If the property is subject to seasonal inundation or is subject to inundation by extreme swollen, by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the affects of expected flooding.

The property is located within Zone B as shown in FIRM (Flood Insurance Rate Map), Community Panel Number 125124 465 C, dated November 4, 1992. The property is not subject to a FEMA 100 year floodplain elevation.

LEE COUNTY
SOUTHWEST FLORIDA

COURTESY NOTICE
OF RECEIPT OF ZONING APPLICATION

Date:	March 25, 2004
Case Number:	DCI2004-00013
Case Name:	CAMARGO MPD
Request:	Amend existing MPD zoning to reinstate the zoning and adopt a new Master Concept Plan to allow the continued development of this project approved by Resolutioin Z-98-029 which permitted up to 300,000 square feet of commercial floor area (of whiich not more than 100,000 square feet can be retail use), a total of 500 beds in an assisted living facility, and where 100,000 square feet of retail use can be converted to 75,000 square feet of office use.
Location:	Estero, FL 33928 (The property is located on the northwest corner of the US 41 and Williams Road intersection.)
PROPERTY OWNER'S REPRESENTATIVE:	BARRACO & ASSOCIATES, INC.
Lee County Planner:	Alvin Block, AICP 239-479-8371

The file may be reviewed Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m. at the Lee County Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

This is a courtesy notice. A public hearing date has not yet been set. You will receive another notice once the hearing date and time have been established.

JMP

32-46-25-00-00002.10CE
PELICAN SOUND GOLF +
4561 PELICAN SOUND BLVD
ESTERO, FL 33928

33-46-25-00-00001.0040
COLLEGE OF LIFE FOUNDATON INC
BOX 97
ESTERO, FL 33928

33-46-25-00-00001.0050
LEE COUNTY MEDICAL INVESTORS
3570 KEITH ST NW
CLEVELAND, TN 37312

33-46-25-00-00001.0060
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES JR
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0100
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TR N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0110
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TR N STE 200
NAPLES, FL 34103

33-46-25-00-00001.0130
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES
801 LAUREL OAK DR SUITE 710
NAPLES, FL 34108

33-46-25-00-00001.0140
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES
801 LAUREL OAK DR SUITE 710
NAPLES, FL 34108

33-46-25-00-00001.0150
RIVER RIDGE COMMUNITY DEV DIST
C/O MOYER + ASSOCIATES
210 N UNIVERSITY DR STE 301
CORAL SPRINGS, FL 33071

33-46-25-00-00001.0160
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTONY P PIRES JR
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-00-00018.0080
COVERED WAGON TRAVEL TRL PARK
21450 S TAMIAMI TR
ESTERO, FL 33928

33-46-25-00-00019.0030
SPANISH LAKES INC TR
P O BOX 366879
BONITA SPRINGS, FL 34136

33-46-25-00-00019.0040
MULLIGAN RICHARD E TRUSTEE
78 CHARDON PL
NAPLES, FL 34110

33-46-25-00-00019.004A
ESTERO LAKES DEV INC
P O BOX 366879
BONITA SPRINGS, FL 34136

33-46-25-00-00019.0050
NEAR WEST INC
3880 SHERIDAN ST
HOLLYWOOD, FL 33021

33-46-25-00-00019.0060
MULLIGAN RICHARD E TR
78 CHARDON PL
NAPLES, FL 34110

33-46-25-00-00021.0000
DEWOLFE BERNARD J COTR +
16050 S TAMIAMI TRL STE 103
FT MYERS, FL 33908

33-46-25-01-00000.0010
ULB PROPERTIES OF FL LLC
1903 STANLEY GAULT PKWY
LOUISVILLE, KY 40223

33-46-25-01-00000.0020
OPUS ENTERPRISES INC
3875 MIDSHORE DRI VE
NAPLES, FL 34109

33-46-25-01-00000.0050
HITHERSAY STEVEN E TR
309 COUNTRY VIEW CT
LAKE MARY, FL 32746

All data is current at time of printing and subject to change without notice.

33-46-25-01-0000A.0000
HITHERSAY STEVEN E TR
309 COUNTRY VIEW CT
LAKE MARY, FL 32746

33-46-25-17-0000A.0000
RIVER RIDGE COMMUNITY DEV DIST
C/O ANTHONY P PIRES ESQ
3200 TAMIAMI TRL N STE 200
NAPLES, FL 34103

33-46-25-18-00000.00CE
EDGEWATER IV AT PELICAN SOUND

,

33-46-25-18-00018.0101
MODEER ROBERT M + EMILY W
21551 PELICAN SOUND DR #101
ESTERO, FL 33928

33-46-25-18-00018.0102
GRANT RICHARD A + GERRY L
3219 TULIP DR
INDIANAPOLIS, IN 46227

33-46-25-18-00018.0103
RAFFERTY MICHAEL B + NANCY R
21551 PELICAN SOUND DR #103
ESTERO, FL 33928

33-46-25-18-00018.0201
DUGAN R MICHAEL + RONA G
203 JORDAN CT
COLLEGEVILLE, PA 19426

33-46-25-18-00018.0202
GARY NADER G + KATHERINE P
2 ROLAND CT
RUXTON, MD 21204

33-46-25-18-00018.0203
FINNERTY JOHN J + MARY F TR
4 MORNINGSIDE PK
PITTSFORD, NY 14534

33-46-25-18-00019.0101
EVANCHAN NICHOLAS L +
5548 FOXTAIL CIR NW
CANTON, OH 44718

33-46-25-18-00019.0102
OLSON RON E + SUSANNA
300 27TH ST DR SE
CEDAR RAPIDS, IA 52403

33-46-25-18-00019.0103
MAHER JAMES J + SONIA G
P O BOX 339
JEFFERSON, MD 21755

33-46-25-18-00019.0201
ASHE ROBERT E + CAROL A
21561 PELICAN SOUND DR #201
ESTERO, FL 33928

33-46-25-18-00019.0202
VENOSA ALBERT D + JANET S
7307 PINEHURST DR
CINCINNATI, OH 45244

33-46-25-18-00019.0203
SCHORK HAROLD G + CHRISTINA TR
2903 CABOT RD
QUINCY, IL 62301

33-46-25-26-00000.00CE
SOUTHERN HILLS AT PELICAN

,

33-46-25-26-00001.0101
BELLEVILLE MARY L
1111 LYNAUGH RD
VICTOR, NY 14564

33-46-25-26-00001.0102
GABAUER FAMILY FLORIDA LLC
143 POST OAK DR
BEAVER FALLS, PA 15010

33-46-25-26-00001.0103
GILLENWATER PAUL T
6401 BAUM DR
KNOXVILLE, TN 37919

33-46-25-26-00001.0201
KINKADE JOHN R + SUSAN E
11531 WEST VALLEY DR
CROWN POINT, IN 46307

33-46-25-26-00001.0202
FOX FRANCIS J + HELEN M
21700 SOUTHERN HILLS DR #202
ESTERO, FL 33928

33-46-25-26-00001.0203
WILLIAMS DENNIS A + MARY J
147 LEXINGTON RD
DRACUT, MA 01826

33-46-25-26-00002.0101
WCI COMMUNITIES INC
24301 WALDEN CENTER DR
SUITE 300
BONITA SPRINGS, FL 34134

33-46-25-26-00002.0102
DYSERT ROBERT J + MARILYN A
8251 SOUTHERN HILLS CT #102
ESTERO, FL 33928

33-46-25-26-00002.0103
PHILLIPS STERLING JR + AUDREY
8804 SPINNAKER CT
INDIANAPOLIS, IN 46256

33-46-25-26-00002.0201
DUNNE CHARLES B + PATRICIA K
1859 RIVER RIDGE CIR
NAPERVILLE, IL 60565

33-46-25-26-00002.0202
BOOTH TIMOTHY + RENE M
3493 WYNDE TREE DR
SEVEN HILLS, OH 44131

33-46-25-26-00002.0203
NELSON BARRY R + JOANN L
5 CASTLE PINES COURT
LAKE IN THE HILLS, IL 60156

33-46-25-26-00003.0101
HARRIS WILLIAM E + PATRICIA M
5845 TRAILWINDS DR #513
FORT MYERS, FL 33907

33-46-25-26-00003.0102
MATULIS JOHN + VALERIE
13911 FARMINGTON WAY
APPLE VALLEY, MN 55124

33-46-25-26-00003.0103
BRUNER PAUL S + SHARON L
13091 DUVAL DR
FISHERS, IN 46038

33-46-25-26-00003.0201
ALMOND JAMES C + REBECCA A
404 WOODLAND E DR
GREENFIELD, IN 46140

33-46-25-26-00003.0202
PAOLINO CAROLE M
467 DANIELLE DR
NAZARETH, PA 18064

33-46-25-26-00003.0203
KILPONEN KENNETH C + MARY ANN
8241 SOUTHERN HILLS CT #203
ESTERO, FL 33928

33-46-25-26-00004.0101
WHITTENDALE DAVID + ELAINE
11 WADSWORTH PL
SMITHTOWN, NY 11787

33-46-25-26-00004.0102
AINA OLAYINKA O
154 ELLIOT ST
PEEBLES, OH 45600

33-46-25-26-00004.0103
OLRY MARTIN A + KIMBERLY
8315 COURTNEY DR
FISHERS, IN 46038

33-46-25-26-00004.0201
HENNING JOAN D
8250 SOUTHERN HILLS CT #201
ESTERO, FL 33928

33-46-25-26-00004.0202
BURKE BARRY N + CAROL M
8133 SENECA VIEW DR
GAITHERSBURG, MD 20882

33-46-25-26-00004.0203
RAU RAYMOND + LOUISE
725 WEST TUSCOLA STREET
FRANKENMUTH, MI 48734

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33-46-25-26-00005.0101
LINS ROLAND R + DEETTE L
21730 SOUTHERN HILLS DR #101
ESTERO, FL 33928

33-46-25-26-00005.0102
SELLER DONALD A + PATRICIA A
1718 CLAYMONT ESTATES DR
CHESTERFIELD, MO 63017

33-46-25-26-00005.0103
SCHRODER DAVID A
21730 SOUTHERN HILLS DR #103
ESTERO, FL 33928

33-46-25-26-00005.0201
WARDELL WILLIAM W +
1066 COUNTRY CLUB RD
WEST CHESTER, PA 19382

33-46-25-26-00005.0202
DUNNE LINDA N +
76 REDSTART RD
NAPERVILLE, IL 60565

33-46-25-26-00005.0203
MCCARTHY EUGENE + DEENA 1/2 +
46 TITUS COAN RD
KILLINGSWORTH, CT 06419

33-46-25-26-00006.0101
RIGGIO FRANK X + CHRISTINE A
1053 SIPP AV
MEDFORD, NY 11763

33-46-25-26-00006.0102
DEKEERSMAEKER DAVID + STEFANIE
67 VOORHIS RD
KINNELON, NJ 07035

33-46-25-26-00006.0103
FOSTER BRIAN J
ST ANDREW HOUSE
SHIREHILL SAFFRON WALDEN
ESSEX CB11 3AQ,
GREAT BRITAIN

33-46-25-26-00006.0201
HERMANN WULF + MONICA
21740 SOUTHERN HILLS DR #201
ESTERO, FL 33928

33-46-25-26-00006.0202
TOMASSO FRANK DE + GRACE
28 RUSTYWOOD DR
TORONTO, ON M3A 1R8
CANADA

33-46-25-26-00006.0203
FIORE ALFRED A + BARBARA A
111 ARDMORE RD
HO HO KUS, NJ 07423

33-46-25-26-00007.0101
VAN LEIGHT PETER + VICTORIA
21750 SOUTHERN HILLS DR #101
ESTERO, FL 33928

33-46-25-26-00007.0102
BULTE RAYMOND H + JOYCE L
611 BEDFORD OAKS DR
KIRKWOOD, MO 63122

33-46-25-26-00007.0103
CONROY ELIZABETH G
21750 SOUTHERN HILLS DR #103
ESTERO, FL 33928

33-46-25-26-00007.0201
JARVINEN NANCY H + NATHAN C
1194 W SHERWIN AV
CHICAGO, IL 60626

33-46-25-26-00007.0202
LAPLANTE RAYE + KATHLEEN
15 CEDERGREN RD
NEW DURHAM, NH 03855

33-46-25-26-00007.0203
EVERS BRIAN J + PATRICIA L
11 JUDITH LN E
METHUEN, MA 01844

33-46-25-26-00008.0101
BARRAULT PHILIPPE + SYLVIE
1700 ODEN TOWERS
331 NORTH BRIDGE RD 188720,
SINGAPORE

33-46-25-26-00008.0102
KAPLAN WILLIAM J TR
21760 SOUTHERN HILLS DR #102
ESTERO, FL 33928

33-46-25-26-00008.0103
VANAUKEN JAMES C +
P O BOX 692
GREENVILLE, NY 12083

33-46-25-26-00008.0201
FIESEL LARRY J + MARY F
127008 CHARING CROSS RD
CARMEL, IN 46033

33-46-25-26-00008.0202
MILES JAMES A + PATTY L
225 BRYN WYCK PLACE
ST LOUIS, MO 63141

33-46-25-26-00008.0203
MEHES PAUL L TR
7465 FAIRMOUNT RD
NOVELTY, OH 44072

33-46-25-26-00009.0101
MATLOCK JAMES E + RENEE H
21420 CONCORD DR
FRANKFORT, IL 60423

33-46-25-26-00009.0102
LANDERS MICHAEL +
12830 SW 324TH PL
DAVIE, FL 33330

33-46-25-26-00009.0103
KNAUER DELMAR J + CHRISTINA R
1650 TWINING RD
WILLOW GROVE, PA 19090

33-46-25-26-00009.0201
STYGER PHILIP
INDUSTRIESTRASSE 15
STEINHAUSEN CH-6312,
SWITZERLAND

33-46-25-26-00009.0202
MIENTKIEWICZ DOUG + JODI
21770 SOUTHERN HILLS DR #202
ESTERO, FL 33928

33-46-25-26-00009.0203
EURICH VICKI A TR
1619 BROOKWOOD DR
MUSKEGON, MI 49441

33-46-25-26-00010.0101
WERNER ADAM D + ANNA M
128 OAK RIDGE LN
WINCHESTER, VA 22602

33-46-25-26-00010.0102
ANDOW STEVEN C + CARLEEN F
8557 BARBARA DR
MENTOR, OH 44060

33-46-25-26-00010.0103
REITZ ALVIN W II + CAROL B
21 W 601 MAPLE AV
MEDINAH, IL 60157

33-46-25-26-00010.0201
QUEEN JOHN W JR + CAROLYN A
464 BAXTER NECK RD
MARSTONS MILLS, MA 02648

33-46-25-26-00010.0202
MARCHESE ANDREW M + MARIANNA
238 ST CLOUD AV
WEST ORANGE, NJ 07052

33-46-25-26-00010.0203
BROOKS ADRIENNE G
P O BOX 24348
CHRISTIANSTED
ST CROIX, VI 00824

33-46-25-26-00011.0101
DRYDEN STEPHEN D
1037 MONTEREY DR
CARROLL, IA 51401

33-46-25-26-00011.0102
NALEPA WAYNE M + DIANE A
18686 YORKSHIRE DR
LIVONIA, MI 48152

33-46-25-26-00011.0103
VOIVODAS STEVEN M + LISA K
8149 CLARIDGE RD
INDIANAPOLIS, IN 46260

33-46-25-26-00011.0201
BOWER COLLEEN H +
77 TOMLIN CIR
BURR RIDGE, IL 60527

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33-46-25-26-00011.0202
RUSSO JAMES J + JANICE S
9211 N NAGLE AV
MORTON GROVE, IL 60053

33-46-25-26-00011.0203
BROZNOWSKI LINDA
3212 N KENMORE AV
CHICAGO, IL 60657

33-46-25-26-00012.0101
WEINTRAUB RONALD M + SANDRA L
HINDENBURG STRASSE 8
ERLANGEN D-91054,
GERMANY

33-46-25-26-00012.0102
DAWSON WILLIAM S + SUSAN E TR
21800 SOUTHERN HILLS DR #102
ESTERO, FL 33928

33-46-25-26-00012.0103
VIE NOUVELLE LLC
5051 PELICAN COLONY BLVD #603
BONITA SPRINGS, FL 34134

33-46-25-26-00012.0201
FINAN EDWARD M + JUDITH A
31288 OLD STAGE RD
BINGHAM FARMS, MI 48025

33-46-25-26-00012.0202
KOEHEKER CHERYL L
416 THORNTREE LAKE CT
EUREKA, MO 63025

33-46-25-26-00012.0203
DAVIS MARTHA B TR
21800 SOUTHERN HILLS DR #203
ESTERO, FL 33928

33-46-25-26-00013.0101
MANNING THOMAS A + HELFRIDE W
1315 HILLCREST DR NE
FRIDLEY, MN 55432

33-46-25-26-00013.0102
RAINSTEIN MIQUEL A + VIRGINIA
268 FORESTVIEW DR
WILLIAMSVILLE, NY 14221

33-46-25-26-00013.0103
WESSON ROBERT M + MICHELLE L
1631 MONTMORENCY DR
VIENNA, VA 22182

33-46-25-26-00013.0201
REITER ROBERT + BARBARA
11202 WYOMING CURVE
BLOOMINGTON, MN 55438

33-46-25-26-00013.0202
WOODBURN TERRY V + SHARON E
306 WOODLAND EAST DR
GREENFIELD, IN 46140

33-46-25-26-00013.0203
HARRIS ENTERPRISES INC
438 TOBEY ROAD
APALACHIN, NY 13732

33-46-25-26-00014.0101
JOHNSON DONALD D + CAROLYN R T
W 6329 LONE OAK DR
MINONG, WI 54859

33-46-25-26-00014.0102
BOSS JOHN R + JULIE P
124 FOX TROT
DIXON, IL 61021

33-46-25-26-00014.0103
NORDSTRAND RONALD A + MARY JO
1344 CHERRY HILL RD
MENDOTA HEIGHTS, MN 55118

33-46-25-26-00014.0201
ZIMNOWSKI RANDOLPH E + LAURA L
520 MILL RD
YARDLEY, PA 19067

33-46-25-26-00014.0202
DIMMITT SHIRLEEN Y +
1503 BRAMOOR DR
KOKOMO, IN 46902

33-46-25-26-00014.0203
KEESEY CHARLES L + LUCINDA P
21820 SOUTHERN HILLS DR #203
ESTERO, FL 33928

04-47-25-00-00001.0000
MCARDLE EDWARD J TR
P O BOX 366879
BONITA SPRINGS, FL 34136

04-47-25-00-00001.002C
WEST BAY CLUB DEV CORP
4600 WEST BAY BLVD
ESTERO, FL 33928

04-47-25-00-00001.002F
LMC WILLIAMS ROAD INC
33 EAST WALL ST
FROSTPROOF, FL 33843

04-47-25-00-00002.00CE
FOUNTAIN LAKES COMM ASSOC INC
22201 FOUNTAIN LAKE BLVD #1
ESTERO, FL 33928

04-47-25-00-00006.00CE
FOUNTAIN LAKES COMM ASSOC INC
22201 FOUNTAIN LAKE BLVD #1
ESTERO, FL 33928

04-47-25-08-00000.0010
COTRONE DANIEL D +
22001 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0020
MARTINEZ HENRY L + DIANA L
22005 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0030
MATTEI DANIEL + CLEMENTINE P
22009 SEASHORE CIRCLE
ESTERO, FL 33928

04-47-25-08-00000.0040
WYNN MARK W + HEATHER L
22013 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0050
WAGNER RICHARD J
22017 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0060
LANING ARTHUR + DORIS
22021 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0070
DORRIAN JOHN + DIANE
22025 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0080
PEARSON ANN P
22029 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0090
PICKENS JEFFRY + CHERYL
22033 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0100
EGNA MATTHEW L
22037 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0110
BROWN JEFFREY W +
22041 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0120
DORN DEAN D + PATRICIA M
22045 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0130
COLLVER ALLEN AF + JOYCE A +
22049 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0140
SARGENT WILLIAM T + CAROLYN P
22053 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0150
COOK TIMOTHY N + CAROLYN S
22057 SEASHORE CIR
ESTERO, FL 33928

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04-47-25-08-00000.0160
BOWLES CAROLYN S TR
22061 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0170
HUMPHREY WAYNE + PAMELA J
22065 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0180
HOFFMAN BILL E + VICKI A
22060 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0190
ALLINDER JOE A III
22050 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0200
ACQUAVIVA DANIEL J
PO BOX 367
ESTERO, FL 33928

04-47-25-08-00000.0210
HALL FLOYD W JR + JANET L
22038 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0220
SYLVIA VICTOR + ELIZABETH
22034 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0230
GOLDBACH JOSEPH J + CHRISTINE
22030 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0240
ANASTASIA JOSEPH N + LEONTINA
462 HIGH ROCK ST
NEEDHAM, MA 02492

04-47-25-08-00000.0250
ROGERS JOANNE
22022 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0260
BAITZ CALVIN K + BEVERLY S
22018 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0270
IACOBUCCI DOLORES
22014 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0280
MURTAUGH JAMES J + DIANE C
22200 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0290
APUZZO ANN B
22207 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0300
KONTINOS NICHOLAS K + PENNY M
22051 W TREE DR
ESTERO, FL 33928

04-47-25-08-00000.0310
LEIB SCOTT E + JOSEPHINE
22061 WEST TREE DR
ESTERO, FL 33928

04-47-25-08-00000.0490
KOOPMAN VICKI L
22203 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0500
LAWLER PATRICK + LINDA
2018 ROOSEVELT HWY
HILTON, NY 14468

04-47-25-08-00000.0510
DESARIO ANTONIO TR +
2889 DAVENPORT DR
WEST CHICAGO, IL 60185

04-47-25-08-00000.0540
SCHLAGETER MATTHEW M + ANDREA
3740 BALI LN
ESTERO, FL 33928

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04-47-25-08-00000.0550
PANDUR JOSEPH L + MERYL J
6522 COBBS CREEK PKWY
PHILADELPHIA, PA 19142

04-47-25-08-00000.0560
WYNN MICHAEL A + PAULA E
3720 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0570
KOSMAN DAVID A
3710 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0580
THOMASON BILLY J + MARIAN
3700 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0590
LINDQUIST RICHARD A + CAROLYN
6614 RED BARN RD
LOVES PARK, IL 61111

04-47-25-08-00000.0600
MCKELLAR ROGER K + CHERYL A
3680 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0610
VIERGUTZ JAMES W + GERALDINE A
3670 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0620
MANDERSCHIED BRIAN D
3650 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0630
GUZMAN JOSE E +
4820 WHISTLERS GREEN CIR
APT 3
NAPLES, FL 34116

04-47-25-08-00000.0640
DARGENTO ALESSEANDRO + EMILIA
3641 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0650
MULLAN DANIEL P + KIMBERLY
3651 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0660
DISCALA P L + CAROL L
3661 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0670
PEARSON DALE C + DENISE
3671 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0680
CRIBBINS MARTIN J JR
3681 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0690
FREY JOHN A + ANDREA T
3691 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0700
MOSS RUDY + LINDA E
3701 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0710
PETERSON WILLIAM F
3721 BALI LN
ESTERO, FL 33928

04-47-25-08-00000.0720
WASZAK STEPHEN E + DAWN
22186 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0850
CHETCUTI JOSEPH + CARRIE
22076 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0860
GUTIERREZ WILLIAM + SANDRA
22068 SEASHORE CIR
ESTERO, FL 33928

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04-47-25-08-00000.0870
SCHRAMM VIRGINIA L/E
22069 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0880
MCMANUS RUSSELL J
22073 SEASHORE CIR
ESTERO, FL 33928

04-47-25-08-00000.0890
JACHIM MICHAEL P + JILL
22077 SEASHORE CIRCLE
ESTERO, FL 33928