RESOLUTION NUMBER Z-16-016A

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA
(Revised due to Scrivener's Errors)

WHEREAS, S.J. Collins Enterprises, filed an application on behalf of the property owners, Brookshire Bath and Tennis Club Association, Inc. and S.W. Florida Land Nineteen, L.L.C. to rezone a 16.5± acre parcel from Commercial Planned Development (CPD) and Planned Unit Development (PUD) to Commercial Planned Development (CPD) in reference to Brookshire CPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on June 30, 2016; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2016-00002 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on October 5, 2016 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons; and,

WHEREAS, on October 5, 2016, the Original Resolution Number Z-16-016 was executed and included scrivener's errors that were not consistent with the Board's action on October 5, 2016, which include:

1. Condition 2 a. Schedule of permitted uses – Food Store and Supermarket: (should both include "Subject to Conditions 24 and 25");
2. Condition 3 (Hours of Operation) which provided the hours of operation for office, restaurant and retail uses within 180 feet of residential dwelling units was from 5:00 a.m. to 12:00 p.m., Monday through Sunday (should be 12:00 am); and,
3. The two Conditions numbered 7 were renumbered appropriately.

WHEREAS, this Resolution is intended solely to correct these scrivener's errors and to conform the Resolution of approval with the Board's actions on October 5, 2016; and,

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

SECTION A. REQUEST

The applicant filed a request to rezone 16.5± acres from CPD and PUD to CPD to permit development of a maximum of 140,000 square feet of commercial uses including commercial retail and restaurants. The maximum building height proposed is 40 feet. No development blasting is requested. The project will connect to public potable water and sanitary sewer service.

The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Development of this project must be consistent with the five-page Master Concept Plan (MCP) entitled "Lakeside at Brookshire," prepared by Barraco and Associates, Inc., last revised 10-7-16, and attached hereto as Exhibit C, is consistent with the conditions below. 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.

   Authorized development parameters:

   140,000 square feet of floor area for commercial office, restaurants and retail uses.

   This resolution supersedes Zoning Resolution Z-07-044A.

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

   a. Schedule of Permitted Uses

   Accessory Uses and Structures
   Administrative Offices
   Animals: Clinic - No Outdoor Runs, No Boarding, No Kennel Facilities.
   ATM (Automatic Teller Machine)
   Auto Parts Store (with or without installation)
   Bait and Tackle Shop
   Banks and Financial Establishments: Groups I and II – Banks with drive-through.
   Building Material Sales - Limited to 1,500 square feet. Fleet parking is prohibited.
   Business Services: Group I. Including Parcel and express services, Packaging services, and Messenger services. Bail bonding is prohibited.
   Cleaning and Maintenance Services - office only – Fleet parking prohibited.
   Clothing Stores, General
   Computer and Data Processing Services
   Consumption on Premises: *Subject to* Condition 25
   Contractors and Builders: Groups I and II – Office Only. Fleet parking prohibited.
   Cultural Facilities
   Department Store
   Drive Through – Limited to approved uses herein.
   Drugstore/Pharmacy – Limited to 1 stand-alone with drive-through for the entire CPD. Multi-occupancy buildings may also include Drugstore/Pharmacy uses with no drive-though.
   EMS, Fire or Sheriff's Station
   Essential Services
   Essential Service Facilities: Group I
   Excavation: Water Retention, Water Detention
   Fences, Walls
   Food and Beverage Service, Limited
   Food Stores: Groups I and II, *Subject to* Conditions 24 and 25

Golf Driving Range, Office, Pro Shop and Snack Shop – Existing only, and permitted to remain until commencement of construction of another use approved herein.
Hardware Store
Health Care Facilities: Group III only.
Hobby, Toy and Game Shops
Household and Office Furnishings, Groups I, II and III
Insurance Companies
Laundry or Dry Cleaning: Group I only - No drive-through.
Parking Lot: Accessory
Personal Services: Groups I, II, III, IV - Excluding Tattoo Parlors, Coin-Operated Laundry Facilities, Laundromats, Massage Parlors, Steam or Turkish Baths, Escort Services, Palm Readers, Fortunetellers or Card Readers. The exclusion for Massage Parlors does not include massage services provided at Spas, Chiropractors, health clubs or similar establishments.
Pet Services – No Outdoor Runs, No Boarding, No Kennel Facilities.
Pet Shop – No Outdoor Runs, No Boarding, No Kennel Facilities.
Plant Nursery
Post Office – Limited to 1,500 square feet. Fleet parking Prohibited.
Printing and Publishing
Real Estate Sales Office
Recreation Facilities Commercial: Group III (existing driving range only), Group IV – Indoor Facilities.
Rental or Leasing Establishment: Groups I, II – Limited to Costumes, Movies, Videotapes, and similar Home Entertainment, Party or Banquet Supplies and Bicycles.
Repair Shops: Groups I, II
Research and Development Laboratories, Group II
Restaurant, Fast Food (with drive through) – Must be located more than 150 feet from single-family residential use. Fast Food with drive through is limited to two stand-alone restaurants. There are no limitations on Fast Food Restaurants without drive-through facilities.
Restaurants: Groups I, II and III – Groups II and III must be located more than 150 feet from single-family residential uses.
Schools: Commercial – Including cooking school.
Signs, *Subject to* Condition 7
Social Services: Group I
Specialty Retail Shops: Groups I, II III and IV including swimming pool supplies, but excluding ammunition and firearms.
Supermarket; *Subject to* Conditions 24 and 25
Temporary Uses
Used Merchandise Stores: Groups I (excluding Pawn Shop)
Variety Store
Wholesale Establishments: Group I

b. Site Development Regulations

1. Minimum Lot Areas and Dimensions

| | |
|---|---|
| Lot Size: | 10,000 square feet |
| Lot Width: | 100 feet |
| Lot Depth: | 100 feet |

2. Minimum Setbacks

Streets

| | |
|---|---|
| Daniels Parkway: | 20 feet (See Deviation 6) |
| Six Mile Cypress Parkway: | 20 feet |
| Brookshire Lakes Boulevard: | 50 feet |
| Internal Streets: | 15 feet |
| North Property Boundary: | 130 feet |
| Side: | 10 feet |
| Rear: | 15 feet |
| Water Body: | 25 feet (See also, Deviation 5) |
| | |
| Accessory Uses: | Per LDC |
| Maximum Lot Coverage: | 40% |
| Building Height: | 40 feet |

Buildings exceeding 35 feet in height must maintain additional building setbacks and separation consistent with LDC §34-2174(a) and §34-935(e)(4).

3. Hours of Operation

Office, restaurant and retail uses within 180 feet of residential dwelling units may operate from 5:00 a.m. to 12:00 a.m. (Midnight), Monday through Sunday.

Deliveries are limited to the hours of 6:00 a.m. to 10:00 p.m.

4. Building Height

Building heights in excess of 40 feet may only be achieved by amending this resolution through the public hearing process.

Exception: Architectural features may not exceed 45 feet in height.

5. Public Address System, Loudspeakers and Outdoor Speakers

Outdoor public address systems and loudspeakers are prohibited with the following exceptions:

a. Outdoor speakers for drive-through uses, provided speakers do not face in a northerly direction.

b. Music for outdoor seating areas provided speakers do not face in a northerly direction.

Sound systems must comply with the County noise regulations.

6. Architectural Design

The developer must design all project structures with a common architectural theme. Building Areas 1 and 2 must also comply with LDC §10-640.

7. Signs (See also Deviations 8 and 9)

Signs must comply with the LDC, subject to the following:

a. Permitted Project Signs

The project may include identification signs not to exceed 450 square feet at the following locations:

i. One at the right-in / right-out access on Daniels Parkway,

ii. One at the corner of Daniels and Six Mile Cypress Parkway, and

iii. One at the corner of Daniels Parkway and Brookshire Lakes Boulevard.

iv. An additional project identification sign may be located at the project entrance on Six Mile Cypress Parkway, limited to 150 square feet.

b. Landscaping Around Project Signs

The developer may exercise the following option to ensure sign visibility:

The engineer and landscape plans submitted with the development order application may illustrate a 100 square foot landscape area around each sign. If the developer elects to use this landscaping option, then:

i. The developer must plant the 100 square foot area with groundcover and/or shrubs covering 75% at time of planting;

ii. The linear feet of the landscape area may be subtracted from the buffer linear feet; and

iii. The developer must submit a sign package illustrating the location of perimeter signs and the 100 square foot landscape area for each.

Prior to the issuance of a Certificate of Compliance, the perimeter signs must be visible with no tree conflicts. Changes to the perimeter signs locations with the 100 square foot landscape area will require a minor change to the development order depicting the revisions to the landscape buffer.

c. Brookshire Lakes Bath and Tennis Club Off-Site Sign Permitted

Off Site entrance signs for the Brookshire Lakes Bath and Tennis Club may be located at the northeast corner of Daniels Parkway and Brookshire Lakes Boulevard, without impacting the maximum number of signs or sign area for the CPD.

This condition may not be interpreted to mean the County authorizes placement of signs in the Daniels Parkway right-of-way.

d. Generally

i. Project or building signage must be located on the building facades facing the internal private roadway or parking areas and may not face toward Brookshire Village residences. Project and building signage may face Daniels Parkway.

ii. Illuminated signs may not face Six Mile Cypress Parkway. This restriction does not prohibit internal directional signs or informational signs, such as unit numbers on doors and walls, or where required by the Florida Building Code.

iii. Illuminated ground mounted signs are allowed along Six Mile Cypress Parkway. The sign at the Six Mile Cypress Parkway entrance must be positioned perpendicular to the road.

iv. Non illuminated signs directing deliveries may face Brookshire Village limited to a maximum height of 15 feet and a maximum sign area of 25 square feet.

8. Construction Traffic

Construction traffic must utilize the existing right-in/right-out site access on Ben C. Pratt/Six Mile Cypress Parkway or the right-in/right-out site access constructed on Daniels Parkway. Construction traffic may not use Brookshire Lakes Boulevard.

9. Pedestrian and Bicycle Facilities

Pedestrian and bicycle facilities on Brookshire Lake Boulevard and Six Mile Cypress Parkway are site-related improvements ineligible for Road Impact Fee Credits.

10. Sidewalks

The developer must construct a sidewalk connecting to existing sidewalks on the surrounding roadways to promote a pedestrian-friendly town center environment. The sidewalks internal to the site are site-related improvements ineligible for Road Impact Fee Credits.

11. Minimum Required Road Improvements

a. If required by the LDC, road improvements at the following intersections are site-related and ineligible for road impact fee credits:

i. Daniels Parkway and Brookshire Lake Boulevard:

(1) Eastbound left-turn lane extension; and

(2) Southbound right-turn lane,** (**unless LDOT concludes the developer has met the criteria for an administrative deviation under Administrative Code AC-11-4 "Turn Lane Policy").

ii. Daniels Parkway and the Southern Site Access:

(1) Westbound right-turn lane; and southbound right-turn lane; and

iii. Brookshire Lake Boulevard and the West Site Access.

(1) Westbound left and right-turn lanes.

b. The County will determine the length of required turn lanes during the development order review process.

c. The County may require additional road improvements as a condition of development order approval based upon the TIS with the development order application.

d. The developer may elect to construct required road improvements:

i. Coincident with the first development order, or

ii. Incrementally in conjunction with an approved phasing plan.

12. Blasting Prohibited

Development blasting is prohibited.

13. Concurrency

Zoning approval does not constitute a finding that the proposed project meets the concurrency requirements of the Lee Plan or LDC. The developer must demonstrate compliance with concurrency requirements prior to issuance of a local development order.

14. Vehicular/Pedestrian Impacts

Zoning approval does not address mitigation of vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order

15. Lee Plan Consistency/Concurrency

Zoning approval does not guarantee local development order approval. Future development order must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), as well as the remainder of the Lee Plan.

16. Development Permits

Issuance of a county development permit does not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the County if the developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

17. Accessory Uses

Accessory uses must be located on the same tract, parcel or outparcel as the principal use. In addition, accessory uses must be incidental and subordinate to the principal use.

18. Trellises

Development order landscape and architectural plans may incorporate attached trellises to Building Areas 1 and 2. The vertical square footage of attached trellises may be utilized to meet the 10% planting requirement.

Attached trellis areas must be:

- Supplied with irrigation,
- Integrated into building perimeter planting areas and architectural features.

19. Lake Maintenance

The development order plans must illustrate and label lake maintenance access areas. These areas must be wide enough for maintenance equipment to access the lake shoreline without damaging required plant material or water management structures.

20. Landscaping

Prior to development order approval, the required landscaping for the buffers, deep lake trees, and lake littorals must be 100% native. The general trees, building perimeter, 5% enlarged building perimeter, parking canopy trees and parking islands may be ornamental landscape material, but may not be listed as a Category 1 or Category 2 species on the Florida Exotic Pest Plant Council List of Invasive Plant Species.

21. Window Treatments on Eastern Facing Building Facades

The development order plans for Building Areas 2 and 3 must reflect the use of window treatments to decrease potential bird strikes. Examples of acceptable window treatments include non-reflective tinting, ultraviolet reflective decals, exterior sun shades or similar treatments.

22. Ben C. Pratt/Six Mile Cypress Parkway Buffer

The developer order plans must reflect a Type "D" buffer along Ben C. Pratt/Six Mile Cypress Parkway including 10 trees per 100 linear feet and a double hedge row with shrubs a minimum of 24 inches in height at the time of planting. (*See*, East Buffer Cross-section: MCP Sheet 4).

23. Access Maintenance

If the County determines the project's driveway access to Daniels Parkway must be modified, the private entity legally responsible for maintaining the access will be responsible for the costs of modification.

The developer must construct a pedestrian connection from the project to the sidewalk on Brookshire Lake Boulevard using internal sidewalks and a crosswalk across Brookshire Lake Boulevard.

24. Outdoor Display of Merchandise

Outdoor storage and outdoor display of merchandise for sale is prohibited except in conjunction with a Food Store or Supermarket.

25. Consumption on Premises

a. Indoor Consumption on Premises

i. Indoor consumption on premises is permitted in conjunction with a Group II or III Restaurant, Food Store, or Supermarket.

b. Outdoor Consumption on Premises

i. Outdoor consumption on premises is permitted in conjunction with Food Store or Supermarket, but no closer than 250 feet from a residential dwelling structure, subject to the following:

(1) The developer must enclose seating areas with fencing or other structure.

(2) Seating areas are limited to 4,000 sf. In the general location shown on the MCP

(3) The hours of operation are limited to 10:00 a.m. to 11:00 p.m., Monday through Sunday.

ii. Outdoor consumption on premises in conjunction with a Group II or III restaurant is permitted. However, if outdoor consumption is proposed within 500 feet of a residential dwelling structure, the request will be subject to administrative review and approval.

26. Landscape Areas within 10 Foot Parking Islands (See Deviation 4)

Prior to development order approval, 10 foot parking islands must provide the following:

a. Canopy trees must be small, maturing standard trees;

b. Shrubs and groundcover must cover 75% of the island at time of installation;

c. No turf grass; and

d. No light pole may share a parking island with required parking canopy trees or palms

27. Landscape Buffer between Adjacent Properties (See Deviation 5)

Prior to development order approval, project landscape plans must depict 50% of required general trees planted around the lake perimeter. These trees must be in addition to required deep lake trees, if any.

28. Compact Parking (See Deviation 7)

The developer may construct up to 25% of required parking as "compact" parking spaces 8' x 18' in dimension.

Compact parking may be located solely behind Building Areas 1 and 2 and along the perimeter of the site. The MCP and development order site plan(s) must reflect the location of compact spaces consistent with this limitation.

In addition, compact parking spaces must be clearly identified as "compact" spaces using signs and striping. The developer will direct employees and tenants to park in designated compact parking spaces.

29. Transit

The matter will be addressed during the development order review process.

30. Surface Water Management System

Prior to the issuance of a development order for the surface water management system with no vertical construction, the littoral plants, deep lake trees, and northern buffer must be illustrated on the approved landscape plans and it must be installed prior to the issuance of the first Certificate of Compliance.

SECTION C. DEVIATIONS:

1. Excavation Setback. Deviation (1) seeks relief from the LDC §10-329(d)(1)a.3 requirement to provide excavations be set back 50 feet from private property lines under separate ownership. The deviation seeks a 30 feet setback from the property boundary and 0 feet from internal property lines for the relocated water management lake on the north and northwest boundary of the project. This deviation is APPROVED.

2. Intersection Separation - Collector Roads. Deviation (2) seeks relief from the LDC §10-285(a) requirement to provide 330 foot intersection separation for collector roads. The deviation seeks a 279 foot intersection separation on Brookshire Lake Boulevard. This deviation is APPROVED.

3. Connection Separation – New Access. Deviation (3) seeks relief from the LDC §10-285 (h) requirement that excuses controlled access roadways from the connection separation standards set forth in subsection (a). The applicant requested a deviation to authorize the project driveway access to Daniels Parkway, a Controlled Access Roadway governed by resolution. The right-in/right-out access to Daniels Parkway shown on the MCP was expressly authorized by the Board of County Commissioners on April 5, 2016 (See, R. 16-04-08) and therefore is governed by the exemption from the connection separation standard expressed in LDC 10-285(h)(1).

Connection separation standards do not apply to controlled access roads with designated access points. This interpretation is derived from a plain reading of LDC §10-285(h), which expressly states that the separation standards are inapplicable to controlled access roadways.

Daniels Parkway is a controlled access roadway. Controlled access roads are regulated by LDC §10-295(h)(1), which expressly provides only the access points identified by the controlled access resolution may be approved by the Director.

The access point in question was approved by the Board in April 2016. Therefore, the access is now "identified by the controlled access resolution." The Board approved driveway access is within the scope of §10-285(h).

This deviation is DENIED.

4. Landscape Areas. Deviation (4) seeks relief from the LDC §10-416.c.2.c requirement to provide 18 foot landscape areas within vehicle use areas when project area is greater than ten acres. The deviation seeks to permit 10 foot parking islands to allow design flexibility. This deviation is APPROVED, SUBJECT TO Condition 26.

5. Landscape Buffering. Deviation (5) seeks relief from the LDC §10-416(d) requirement to provide landscape buffering between adjacent properties. The deviation seeks to allow no landscape buffer between the storm water lot and commercial lot. This deviation is APPROVED, SUBJECT TO Condition 27.

6. Building and Parking Facilities Street Setbacks from Daniels Parkway. Deviation (6) seeks relief from the LDC §34-2192(b)(4) requirement to provide a 40 foot building setback and a 25 foot parking facility setback from Daniels Parkway right-of-way. The deviation seeks to allow a 20 foot building setback and a 15 foot parking setback in recognition of the following: (1) Daniels Parkway is not centered within the right-of-way, (2) liner buildings will improve site design by diminishing the view of large parking areas from Daniels Parkway, and (3) the retention lake will be relocated to the north of the site. This deviation is APPROVED.

7. Parking Space Dimension. Deviation (7) seeks relief from the LDC §34-2016(1) requirement to provide 90 degree parking spaces to be 9 feet x 18 feet. The deviation seeks to authorize up to 25% of the parking spaces to be 8 feet x 18 feet for "compact" parking. This deviation is APPROVED, SUBJECT TO Condition 28.

8. Signs. Deviation (8) seeks relief from the LDC §30-153(2) a.1.ii requirement that limits ground mounted identification signs along the Daniels Parkway frontage to a maximum of two signs with a combined sign area of both signs does not exceed 300 square feet. The requested deviation would allow three signs on Daniels Parkway with up to 450 square feet of combined sign area. This deviation is APPROVED, SUBJECT TO Condition 7.

9. Signs. Deviation (9) seeks relief from the LDC §30-181 requirement that restricts offsite directional signs for residential developments. The deviation seeks to allow the Brookshire Lakes subdivision to maintain a project sign at the project entrance on Brookshire Lakes Boulevard. This deviation is APPROVED, SUBJECT TO Condition 7.

10. Turn Lanes. Deviation (10) seeks relief from the LDC §10-288 in combination with Administrative Code AC-11-4, that requires turn lanes to be constructed where turning volumes make turn lane improvements necessary to protect the health, safety and welfare of the public, or to reduce adverse traffic impacts on the adjacent street system. The requested deviation would eliminate the potential requirement for a southbound right turn lane at the intersection of Brookshire Lake Boulevard and Daniels Parkway. This deviation is DENIED.

SECTION D. EXHIBITS:

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

1. The request for CPD zoning on the 16.5 acre parcel is consistent with the Lee Plan. See, Lee Plan Vision Statement - Paragraph 15 (South Fort Myers Planning Community), Goals 4, 6, 11; Objectives 2.1, 2.2, and Policies 1.7.6, 2.1.1, 2.2.1, 2.12.1, 4.1.1, 6.1.1, 6.1.3, 6.1.7; Lee Plan Map 16.

2. As conditioned, the CPD zoning designation:

   a. is consistent with County regulations. LDC §§ 34-341(a), 34-411, 34-413, and 34-612(2);

   b. is compatible with existing or planned uses in the surrounding area. Lee Plan Goals 4, 6; Objectives 2.1, 2.2, and Policies 2.1.1, 5.1.5, 6.1.4, 6.1.7; and

   c. will not adversely affect environmentally sensitive areas or natural resources. See, Lee Plan Objective 77.2 and Policy 6.1.6.

3. The expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. See, Lee Plan Goal 11, Standard 11.3; Policies 4.1.2, 6.1.5, 38.1.6, 39.1.1; See also, LDC §34-411(d) and (e).

4. Urban services are available to serve the development. See, Lee Plan Goal 11, Standards 11.1, 11.2 and 11.3; Objectives 2.1 and 2.2; Policies 2.2.1, 2.2.2, and Maps 3C, 6 (potable water) and 7 (sanitary sewer).

5. The proposed uses are appropriate at the subject location. See, Lee Plan Goal 6; Policies 1.1.1, 2.1.1, 2.2.2 and 6.1.7.

6. The County regulations and recommended conditions of approval provide sufficient safeguards to protect the public interest. See, Lee Plan Policies 5.1.5, 6.1.6; LDC §34-411(c), and §34-932(c).

7. The recommended conditions are reasonably related to the impacts expected from the proposed development. Lee Plan Policies 5.1.5, 6.1.3, LDC §34-145(d)(4)a.2.(b), §34-411.

8. The deviations recommended for approval herein enhance the planned development and preserve the intent of the LDC to protect the public health, safety and welfare.

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

| | |
|---|---|
| John Manning | Aye |
| Cecil L Pendergrass | Aye |
| Larry Kiker | Aye |
| Brian Hamman | Aye |
| Frank Mann | Aye |

DULY PASSED AND ADOPTED this 8th day of February, 2017.

ATTEST:
LINDA DOGGETT, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
John E. Manning, Chair

APPROVED AS TO FORM FOR THE RELIANCE
OF LEE COUNTY ONLY

_____
Michael D. Jacob
Managing Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
TK
2017 FEB 27 AM 11:11

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

## DESCRIPTION

ALL OF TRACTS "K" AND "L" OF THE RECORD PLAT OF BROOKSHIRE VILLAGE UNIT ONE, RECORDED IN PLAT BOOK 37, AT PAGES 75 THROUGH 82 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 19, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

L:\23345 - Brookshire\Survey\Descriptions\Tracts K_L.doc

Applicant's Legal Checked by BS 1/30/16

RECEIVED
JAN 28 2016
COMMUNITY DEVELOPMENT

DCI 2016-00002

EXHIBIT A

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

**DCI2016-00002**

**ZONING**

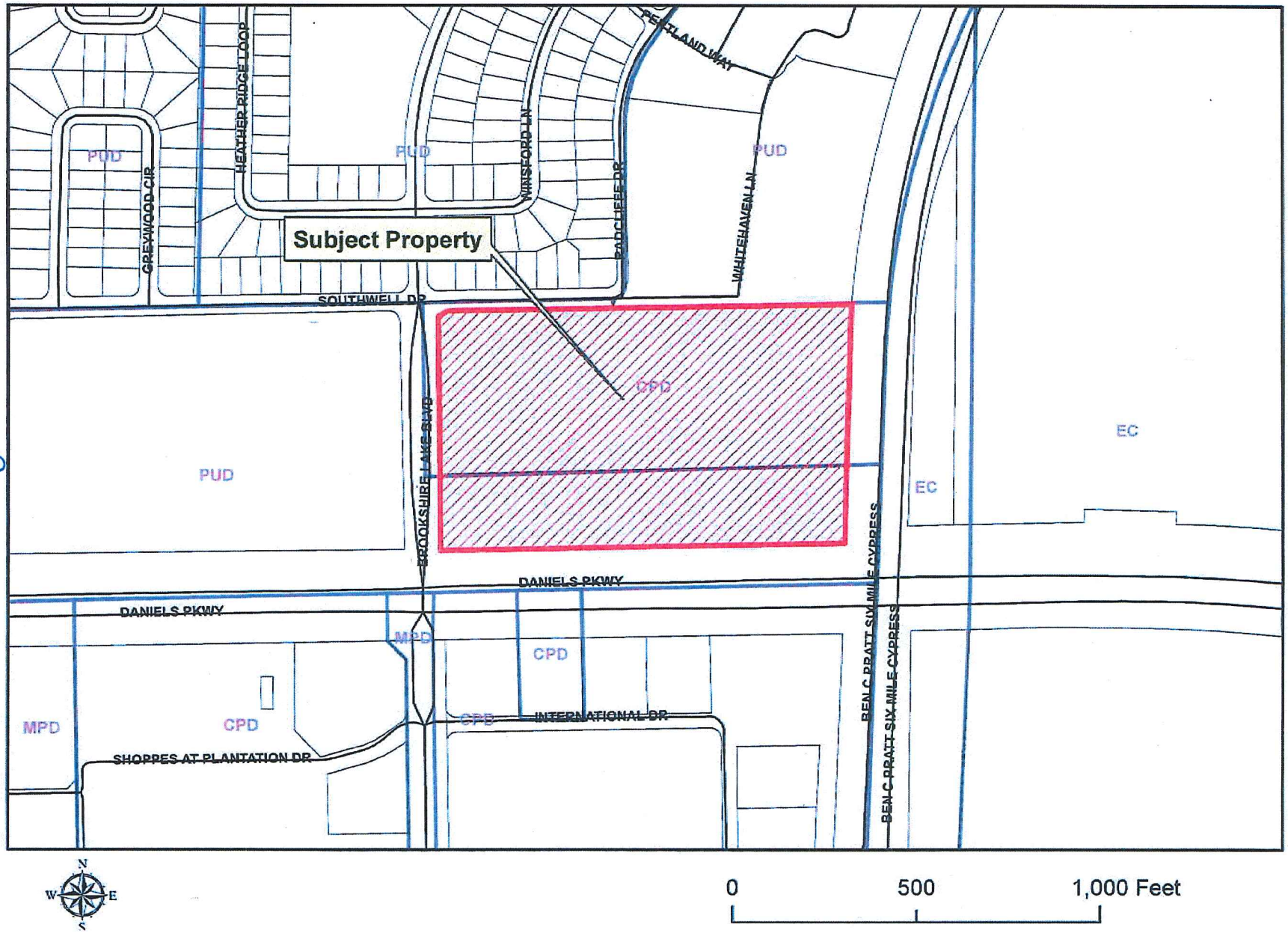



EXHIBIT B

ATTACHMENT C

# MASTER CONCEPT PLAN

# FOR

# LAKESIDE AT BROOKSHIRE
# COMMERCIAL PLANNED DEVELOPMENT

A PARCEL OF LAND IN SECTION 19 TOWNSHIP 45 SOUTH, RANGE 25 EAST
FORT MYERS, LEE COUNTY, FLORIDA

## PROJECT DATA

**SITE ADDRESS**
13451 BROOKSHIRE LAKE BLVD FORT MYERS, FL

**PROJECT DATUM**
PENDING

**ZONING**
CURRENT ZONING: CPD / PUD

**RECORD PLAT**
PENDING

**FLOOD ZONE**
ACCORDING TO F.I.R.M. (FLOOD INSURANCE RATE MAP) Nos.125124C0437 (PANEL 0437), EFFECTIVE DATE: AUGUST 28 , 2008, THE PROPERTY IS LOCATED IN FLOOD ZONE C

**STRAP NUMBERS**
19-45-25-01-00000.0K00
19-45-25-01-0000L.00CE

## DESIGN TEAM

**PROJECT ENGINEER**
CARL BARRACO, P.E.

**PROJECT MANAGEMENT**
CARL BARRACO, P.E.

**DESIGN ENGINEER**
TIM GAVIN, P.E.

**PROJECT SURVEYOR**
SCOT A. WHEELER,

**LEAD DESIGN TECHNICIAN**
WES KAYNE, I.E.

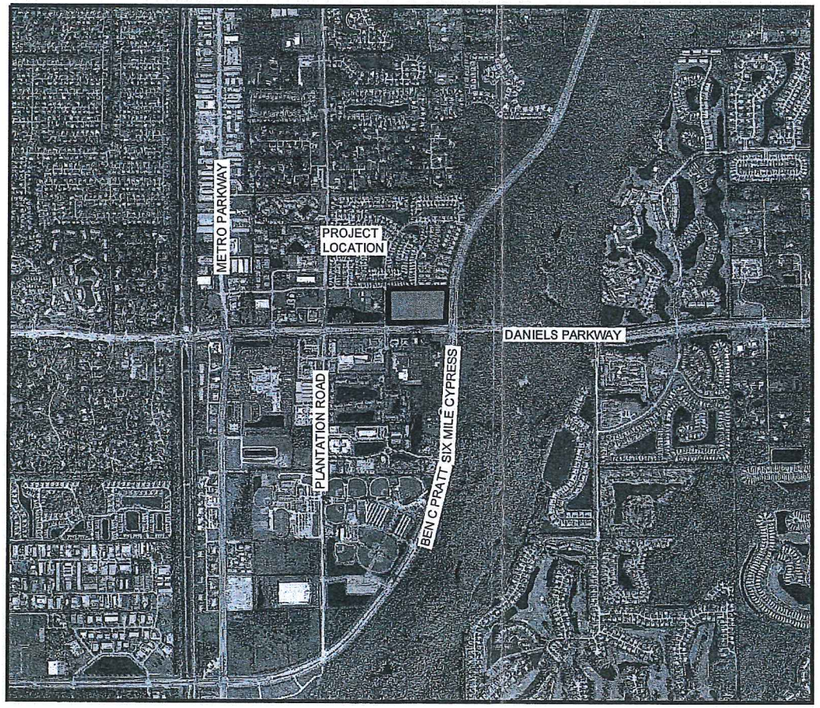
**SITE PLANNING**
ANGELICA CARLEY

**DESIGN STAFF**
JAN BILDZUKEWICZ

**LANDSCAPE DESIGN**
BY OTHERS

**QUALITY CONTROL**
PENDING

**LAND PLANNER**
JENNIFER SAPEN




PROJECT LOCATION

VICINITY MAP
0 700 1400 2800
SCALE IN FEET

N
W E
S

## INDEX OF DRAWINGS


| | | |
|---|---|---|
| 1 | COVER SHEET AND LOCATION MAP | 23345-Z01.DWG |
| 2 | MASTER CONCEPT PLAN ALTERNATE A | 23345-Z02A.DWG |
| 3 | MASTER CONCEPT PLAN ALTERNATE B | 23345-Z02B.DWG |
| 4 | PERIMETER BUFFER CROSS SECTIONS | 23345-Z03.DWG |
| 5 | DETAILS | 23345-Z03.DWG |


CROSS-REFERENCED DRAWINGS:

| XREF | DESCRIPTION | DRAWING NAME |
|---|---|---|
| A | LOCATION MAP | 23345-LOC2015.JPG |
| B | BASE LINEWORK PLAN | 23345-Z00.DWG |

Approved as Exhibit C
MCP Page 1 of 5
Resolution # Z-16-016

PLAN STATUS

**NOT FOR CONSTRUCTION**


Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940


PREPARED FOR

S.J. COLLINS ENTERPRISES

5 SW BROAD STREET PO BOX 214
FAIRBURN, GA. 30213

PHONE (770) 692-8300
FAX (770) 692-8302

PROJECT DESCRIPTION

LAKESIDE AT BROOKSHIRE

LEE COUNTY, FLORIDA


RECEIVED
OCT 12 2016
COMMUNITY DEVELOPMENT
DCI 2016-00002



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| LOCATION | J:\23345\DWG\ZONING\ |
| PLOT DATE | FRI. 10-7-2016 - 2:39 PM |
| PLOT BY | JENNIFER SAPEN |

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

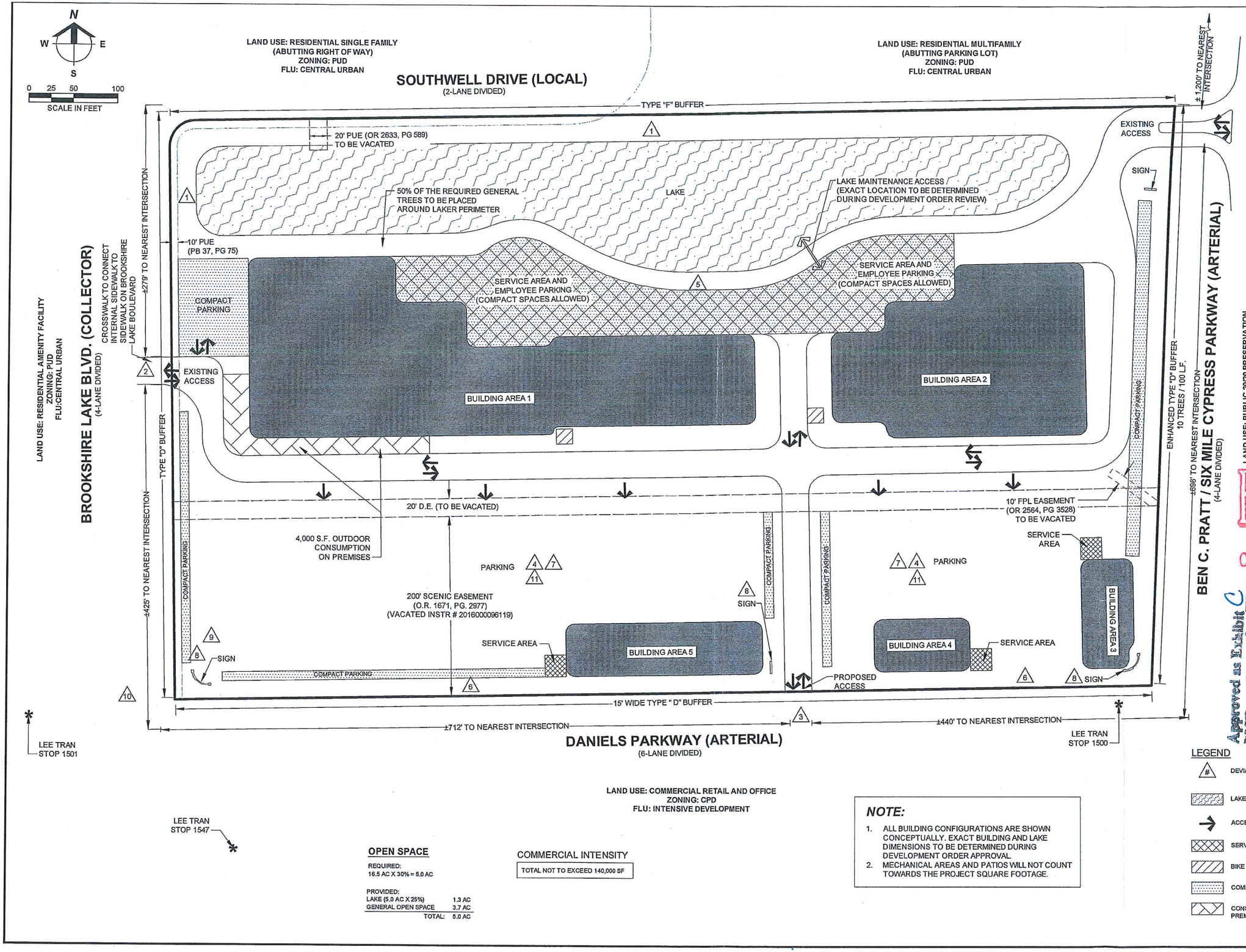
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|---|---|
| 4-8-16 | 1ST SUFFICIENCY |
| 4-20-16 | REMOVE DEVIATIONS 6 & 8 |
| 6-3-16 | ADD DEVIATIONS 12 AND 13 |
| 6-6-16 | ENHANCED EAST BUFFER |
| 6-24-16 | REMOVE DEVIATION 5 |
| 7-19-16 | PER HEX |
| 10-7-16 | RENUMBER DEVIATIONS |
| | |
| | |

PLAN STATUS

NOT FOR CONSTRUCTION

COVER SHEET AND LOCATION MAP

| PROJECT / FILE NO. | SHEET NUMBER |
|---|---|
| 23345 | 1 |




**OPEN SPACE**

REQUIRED:
16.5 AC X 30% = 5.0 AC

PROVIDED:

| | |
|---|---|
| LAKE (5.0 AC X 25%) | 1.3 AC |
| GENERAL OPEN SPACE | 3.7 AC |
| TOTAL: | 5.0 AC |

COMMERCIAL INTENSITY

TOTAL NOT TO EXCEED 140,000 SF

***NOTE:***

1. ALL BUILDING CONFIGURATIONS ARE SHOWN CONCEPTUALLY. EXACT BUILDING AND LAKE DIMENSIONS TO BE DETERMINED DURING DEVELOPMENT ORDER APPROVAL.
2. MECHANICAL AREAS AND PATIOS WILL NOT COUNT TOWARDS THE PROJECT SQUARE FOOTAGE.

LEGEND

- # DEVIATION REQUEST
- LAKE
- ACCESS
- SERVICE AREA
- BIKE RACK AREA
- COMPACT PARKING
- CONSUMPTION ON PREMISES


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FLORIDA CERTIFICATES OF AUTHORIZATION
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PROJECT DESCRIPTION

# LAKESIDE AT BROOKSHIRE

LEE COUNTY, FLORIDA


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| PLOT BY | JENNIFER SAPEN |

CROSS REFERENCED DRAWINGS

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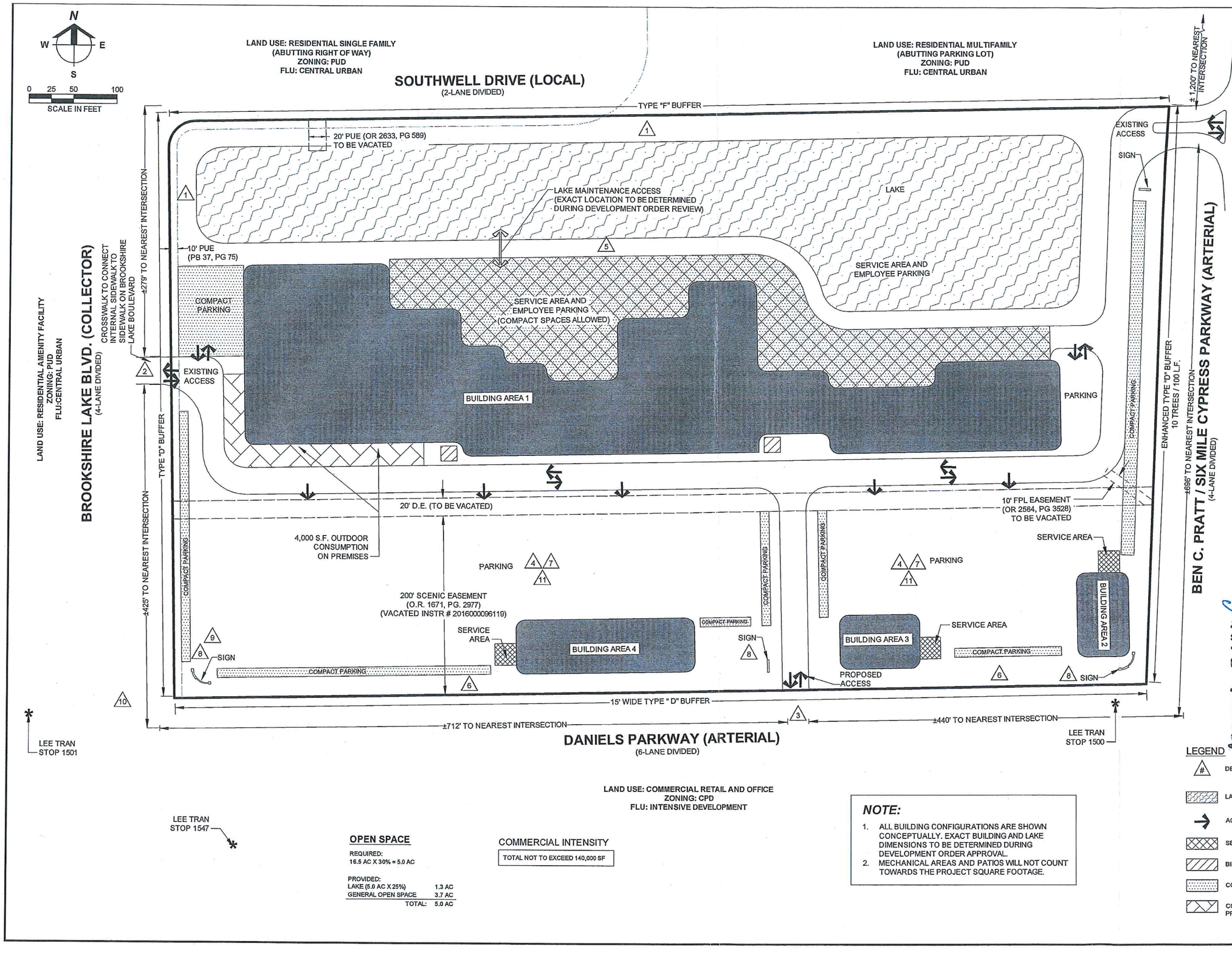
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|---|---|
| 4-8-16 | 1ST SUFFICIENCY |
| 4-20-16 | REMOVE DEVIATION #8 |
| 6-3-16 | ADD DEVIATIONS 12 AND 13 |
| 6-6-16 | ENHANCED EAST BUFFER |
| 6-24-16 | REMOVE DEVIATION 5 |
| 7-19-16 | PER HEX |
| 10-7-16 | RENUMBER DEVIATIONS |
| | |
| | |

PLAN STATUS

MASTER CONCEPT PLAN ALTERNATE A

| PROJECT / FILE NO. | SHEET NUMBER |
|---|---|
| 23345 | 2 |

Approved as Exhibit C
MCP Page 2 of 3
Resolution # Z-11-016




**OPEN SPACE**

REQUIRED:
16.5 AC X 30% = 5.0 AC

PROVIDED:

| | |
|---|---|
| LAKE (5.0 AC X 25%) | 1.3 AC |
| GENERAL OPEN SPACE | 3.7 AC |
| TOTAL: | 5.0 AC |

COMMERCIAL INTENSITY

TOTAL NOT TO EXCEED 140,000 SF

***NOTE:***

1. ALL BUILDING CONFIGURATIONS ARE SHOWN CONCEPTUALLY. EXACT BUILDING AND LAKE DIMENSIONS TO BE DETERMINED DURING DEVELOPMENT ORDER APPROVAL.
2. MECHANICAL AREAS AND PATIOS WILL NOT COUNT TOWARDS THE PROJECT SQUARE FOOTAGE.

LEGEND

- DEVIATION REQUEST
- LAKE
- ACCESS
- SERVICE AREA
- BIKE RACK AREA
- COMPACT PARKING
- CONSUMPTION ON PREMISES


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PROJECT DESCRIPTION

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| PLOT BY | JENNIFER SAPEN |

CROSS REFERENCED DRAWINGS

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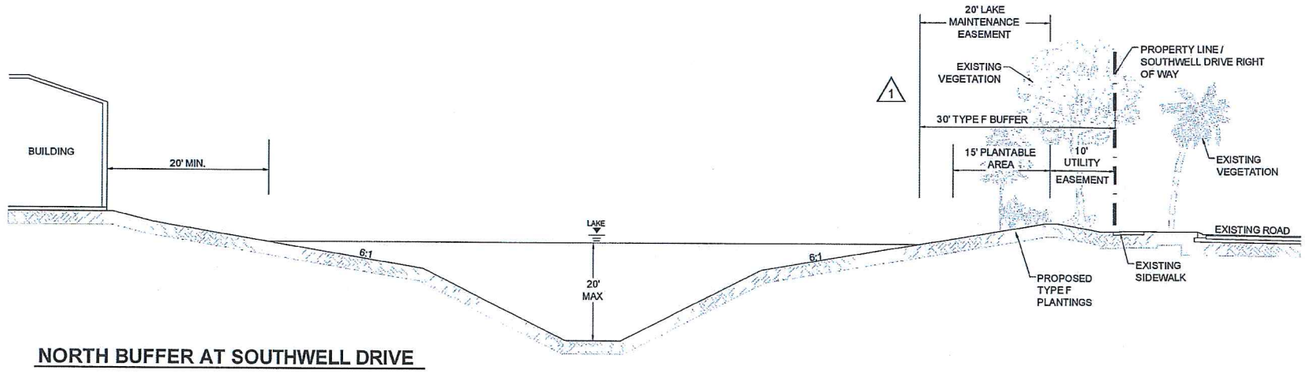
| PLAN REVISIONS | |
|---|---|
| 4-8-16 | 1ST SUFFICIENCY |
| 4-20-16 | REMOVE DEVIATION #8 |
| 6-3-16 | ADD DEVIATIONS 12 AND 13 |
| 6-6-16 | ENHANCED EAST BUFFER |
| 6-24-16 | REMOVE DEVIATION 5 |
| 7-19-16 | PER HEX |
| 10-7-16 | RENUMBER DEVIATIONS |
| | |
| | |

PLAN STATUS

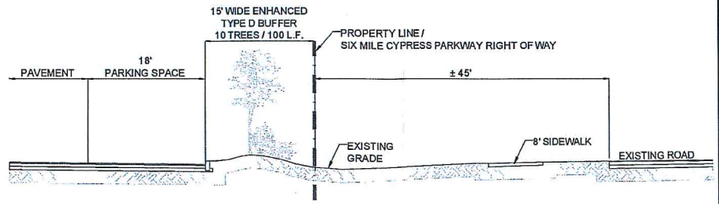
Approved as Exhibit C
MCP Page 3 of 5
Resolution # Z-16-016

MASTER CONCEPT PLAN ALTERNATE B

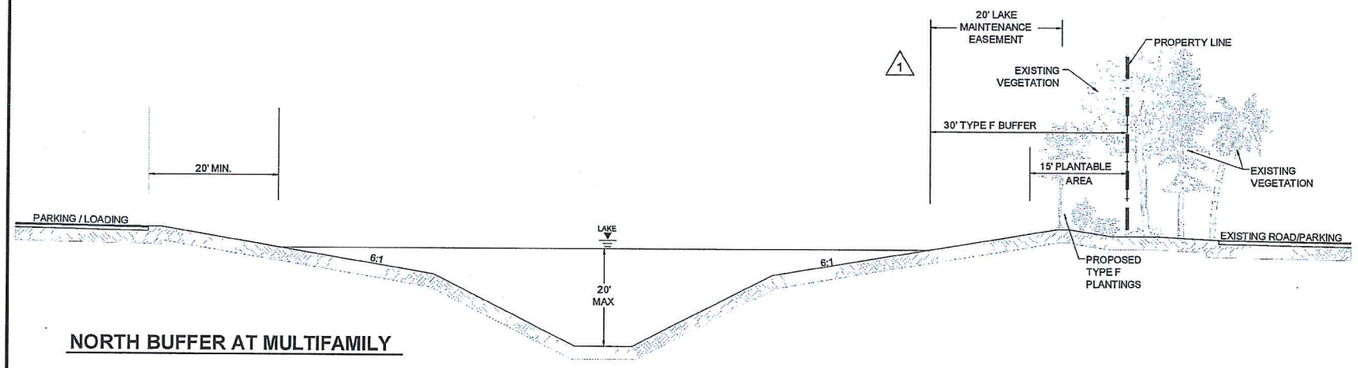
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| 23345 | 3 |



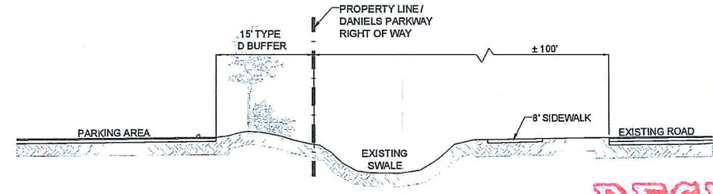

## NORTH BUFFER AT SOUTHWELL DRIVE



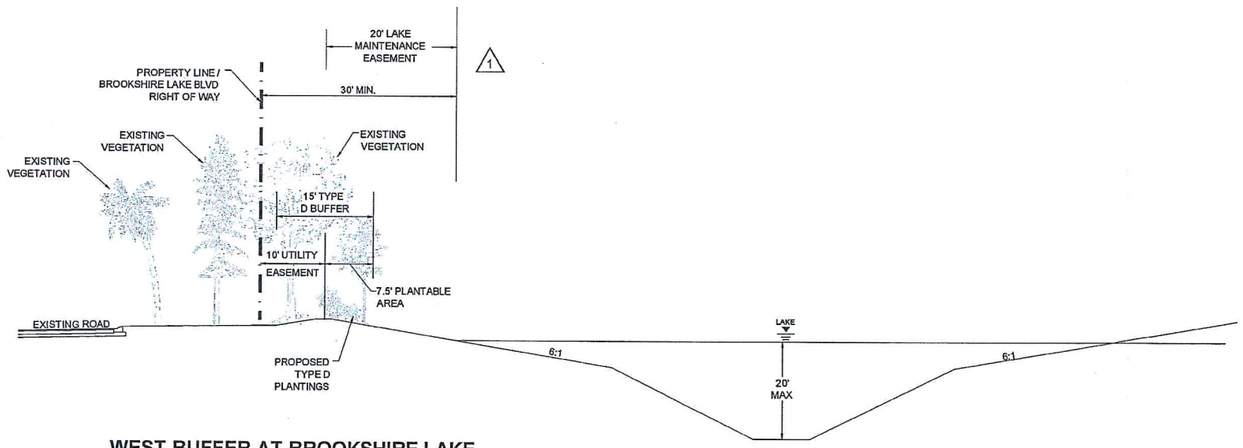

## EAST BUFFER AT SIX MILE CYPRESS PARKWAY



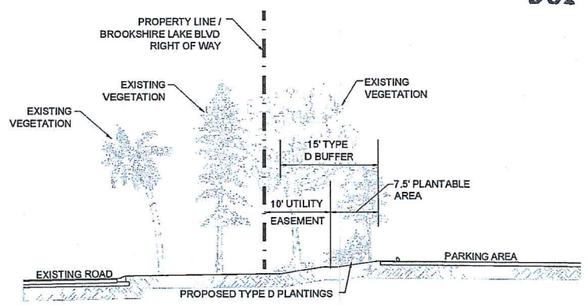

## NORTH BUFFER AT MULTIFAMILY




## SOUTH BUFFER AT DANIELS PARKWAY




## WEST BUFFER AT BROOKSHIRE LAKE BOULEVARD AND PROPOSED LAKE




## WEST BUFFER AT BROOKSHIRE LAKE BOULEVARD AND PARKING AREA

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Resolution # Z-16-016

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| PLOT BY | JENNIFER SAPEN |

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

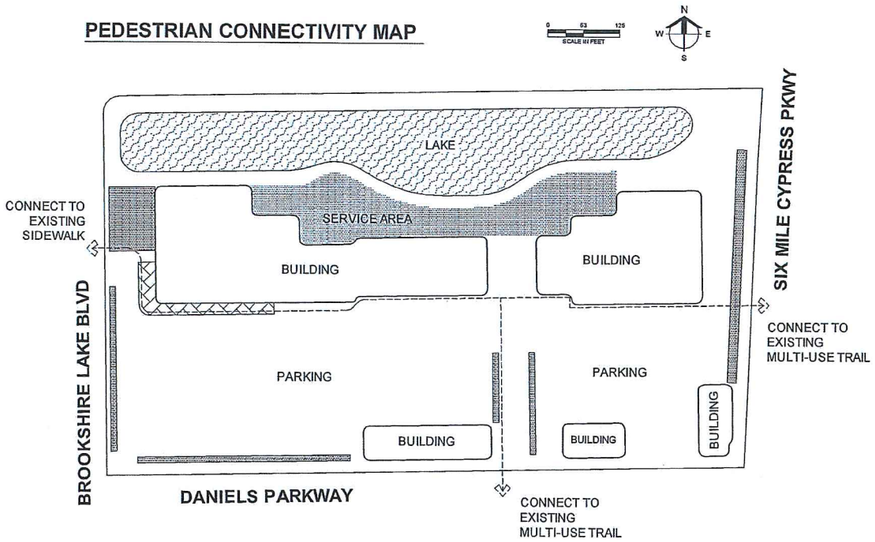
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|---|---|
| 4-8-16 | 1ST SUFFICIENCY |
| 4-20-16 | BUFFER/TREE LINEWEIGHTS |
| 6-3-16 | ADD DEVIATIONS 12 AND 13 |
| 6-6-16 | ENHANCED EAST BUFFER |
| 6-24-16 | REMOVE DEVIATION 5 |
| 7-19-16 | PER HEX |
| 10-7-16 | RENUMBER DEVIATIONS |
| | |
| | |

PLAN STATUS

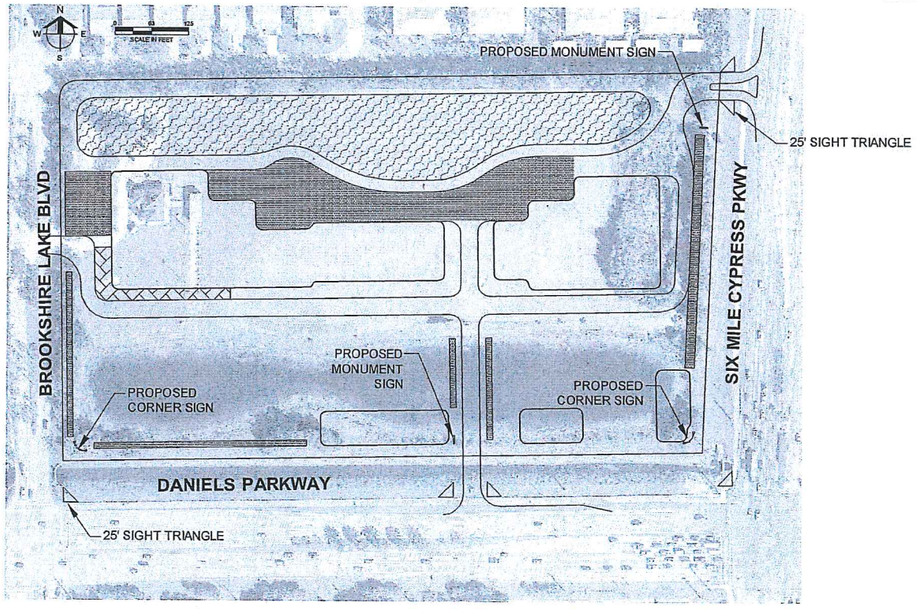
PERIMETER BUFFER CROSS SECTIONS

| PROJECT / FILE NO. | SHEET NUMBER |
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## PEDESTRIAN CONNECTIVITY MAP



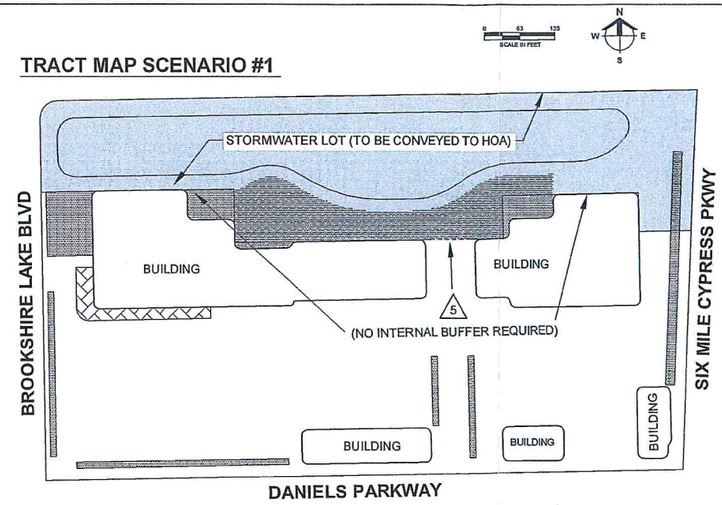

## SIGN SIGHT TRIANGLE MAP



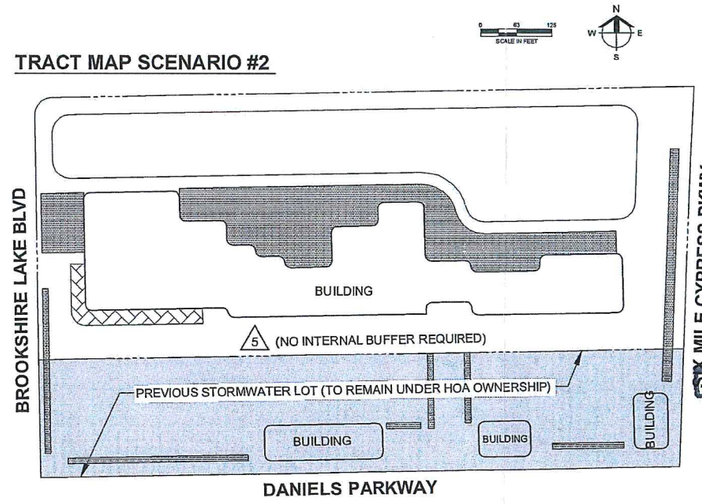

## NOTES:

1. TRACT MAP SCENARIOS AND PEDESTRIAN CONNECTIVITY MAP APPLY TO SITE PLAN ALTERNATE A OR B
2. STORMWATER TRACT IS SHOWN CONCEPTUALLY. EXACT SIZE, SHAPE AND LOCATION TO BE DETERMINED DURING DEVELOPMENT ORDER APPROVAL.

## TRACT MAP SCENARIO #1




## TRACT MAP SCENARIO #2




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MCP Page 5 of 5
Resolution # Z-16-016


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| PLOT BY | JENNIFER SAPEN |

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BASEPLAN = 23345-Z00A.DWG

| PLAN REVISIONS | |
|---|---|
| 4-8-16 | 1ST SUFFICIENCY |
| 4-20-16 | BUFFER/TREE LINEWEIGHTS |
| 6-3-16 | ADD DEVIATIONS 11 AND 12 |
| 6-6-16 | ENHANCED EAST BUFFER |
| 6-24-16 | REMOVE DEVIATION 5 |
| 7-19-16 | PER HEX |
| 10-7-16 | RENUMBERED DEVIATIONS |
| | |
| | |

PLAN STATUS

DETAILS

| PROJECT / FILE NO. | SHEET NUMBER |
|---|---|
| 23345 | 5 |