ADD2017-00023 Lee County ePlan

RESOLUTION NUMBER Z-15-007

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

WHEREAS, an application was filed by the property owner, JDC Property Group, LLC to amend the Airport Autopark Commercial Planned Development (CPD) Zoning Resolution Z-08-057 to remove 5.15 acres from the CPD; and

WHEREAS, the request to amend the CPD was in conjunction with a request to rezone the 5.15 acres from CPD to IPD for the project known as "Treeline Distribution Center"; and

WHEREAS, a public hearing was advertised and held on December 10, 2014, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2014-00011 and recommended approval of the request; and

WHEREAS, a public hearing was advertised and held on March 4, 2015 before the Lee County Board of County Commissioners and, at the request of the Applicant, the Board continued the hearing until April 8, 2015, upon which the public hearing was held; and

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

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

SECTION A. REQUEST

The JDC Property Group LLC filed a request to amend the Zoning Resolution Z-08-057 to remove 5.15 acres resulting in a 21.43 acre parcel. The property is located in the Tradeport Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the amended conditions specified in Section B. The remainder of Zoning Resolution Z-08-057 shall remain in full effect.

SECTION B. AMENDED CONDITIONS:

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

The following amended conditions are noted in strike through/underline and the remainder of Zoning Resolution Z-08-057 shall remain in full effect.

1. The development of this project must be substantially consistent with the 1-page Master Concept Plan, entitled AIRPORT AUTOPARK CPD, date-stamped "Received ~~FEBRUARY 5, 2009 NOVEMBER 6, 2014~~ APRIL 10, 2015, and attached hereto as Exhibit C, except as modified by the conditions below.

04-08-15Z

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This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

Development Parameters: Maximum Floor Area - 370,000 square feet of industrial/warehouse, of which a maximum of 100,000 square feet may be indoor self storage; a maximum floor area of 26,680 square feet of commercial retail uses and a maximum of 165 hotel/motel units. Maximum height requested is four stories/45 feet for commercial/industrial and five stories/60 feet for a hotel/motel use. No development blasting is requested. Development will connect to public potable water and public sanitary sewer service.

~~22. *Buffer to the West.* The Master Concept Plan must show a minimum 5-foot-wide Type A buffer to the west, adjacent to existing industrial uses and zoning.~~

~~29. *Project Notes.* Project notes #1 and #3 must be removed from the Master Concept Plan.~~

SECTION C. EXHIBITS AND STRAP NUMBER:

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

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

SECTION D. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The amended CPD Zoning, as approved:

   a. meets or exceeds all 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 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.

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3. The rezoning 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, are, or will be, available and adequate to serve the proposed land use.

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

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

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

DULY PASSED AND ADOPTED this 8th day of April, 2015.

ATTEST:
LINDA DOGGETT, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Brian Hamman
Brian Hamman, Chair

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

Neysa Borkert
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
2015 APR 30 AM 2:57

ADD2017-00023 Lee County ePlan

PROPERTY DESCRIPTION

PARCEL 1:

A PARCEL OF LAND LOCATED IN SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3198, PAGE 2357 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT "D", SOUTHWEST INTERNATIONAL COMMERCE PARK, AS RECORDED IN INSTRUMENT NUMBER 2006000472395, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SOUTHWEST INTERNATIONAL COMMERCE PARK NORTH 87°58'22" EAST, A DISTANCE OF 339.49 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED;

THENCE NORTH 00°48'07" WEST, A DISTANCE OF 662.09 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN INSTRUMENT NUMBER 2013000230860; THENCE ALONG SAID SOUTH LINE NORTH 88°04'02" EAST, A DISTANCE OF 914.42 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF TREELINE AVENUE SOUTH, PER LEE COUNTY RIGHT OF WAY MAP, PROJECT #20033734; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 01°04'42" EAST, A DISTANCE OF 503.72 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE SOUTHERLY 56.94 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 36°14'57", (CHORD BEARING SOUTH 17°02'46" WEST, A DISTANCE OF 56.00 FEET) TO A POINT ON A REVERSE CURVE TO THE LEFT; THENCE SOUTHERLY 107.21 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 94°30'10", (CHORD BEARING SOUTH 12°04'50" EAST, A DISTANCE OF 95.46 FEET); THENCE SOUTH 01°05'08" EAST, A DISTANCE OF 9.87 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST INTERNATIONAL COMMERCE PARK; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 87°58'22" WEST ALONG SAID NORTH LINE, A DISTANCE OF 918.44 FEET TO THE POINT OF BEGINNING.

CONTAINING 13.85 ACRES, MORE OR LESS.

TOGETHER WITH

DCI 2014-00011

PARCEL 2:

A PARCEL OF LAND LOCATED IN SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3198, PAGE 2357 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT "D", SOUTHWEST INTERNATIONAL COMMERCE PARK, AS RECORDED IN INSTRUMENT NUMBER 2006000472395, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SOUTHWEST INTERNATIONAL COMMERCE PARK NORTH 87°58'22" EAST, A DISTANCE OF 1356.67 FEET; THENCE NORTH 87°59'24" EAST, A DISTANCE OF 187.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT ON A NON TANGENT CURVE TO THE LEFT;

THENCE ALONG THE EAST RIGHT-OF-WAY OF TREELINE AVENUE SOUTH, PER LEE COUNTY RIGHT OF WAY MAP, PROJECT #20033734, NORTHERLY 661.63 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 6,085.00 FEET, A CENTRAL ANGLE OF 06°13'47", (CHORD BEARING NORTH 05°28'32" WEST, A DISTANCE OF 661.30 FEET) TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN INSTRUMENT NUMBER 2013000230860; THENCE ALONG SAID SOUTH LINE NORTH 88°04'02" EAST, A DISTANCE OF 535.73 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN INSTRUMENT NUMBER 2014000184670; THENCE ALONG THE WEST BOUNDARY OF SAID LANDS SOUTH 00°20'59" EAST, A DISTANCE OF 659.65 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3344, PAGE 2141; THENCE ALONG SAID NORTH LINE SOUTH 87°59'25" WEST, A DISTANCE OF 476.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.58 ACRES, MORE OR LESS.

Applicant's Legal Checked
by GSJ 4/15/15

NOTES:

1. BEARINGS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA WEST ZONE, 1983 DATUM WITH 1990 ADJUSTMENT AND ARE BASED ON THE NORTH LINE OF SOUTHWEST INTERNATIONAL COMMERCE PARK, AS RECORDED IN INSTRUMENT NUMBER 2006000472395, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEING N 87°58'22" E.

2. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.

3. THIS SKETCH AND DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SKETCH AND DESCRIPTION ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.

NOT A SURVEY

NOT VALID WITHOUT SHEETS 1-2 OF 2

DRAWN BY:	AH
CHECKED BY:	DLS
JOB CODE:	JDCTREE
SCALE:	N/A
DATE:	29 SEPTEMBER 2014
FILE:	14-16-S&L-2
SHEET:	1 of 2

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266

Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

SKETCH AND DESCRIPTION

A PORTION OF
OFFICIAL RECORDS BOOK 3198, PAGE 2357

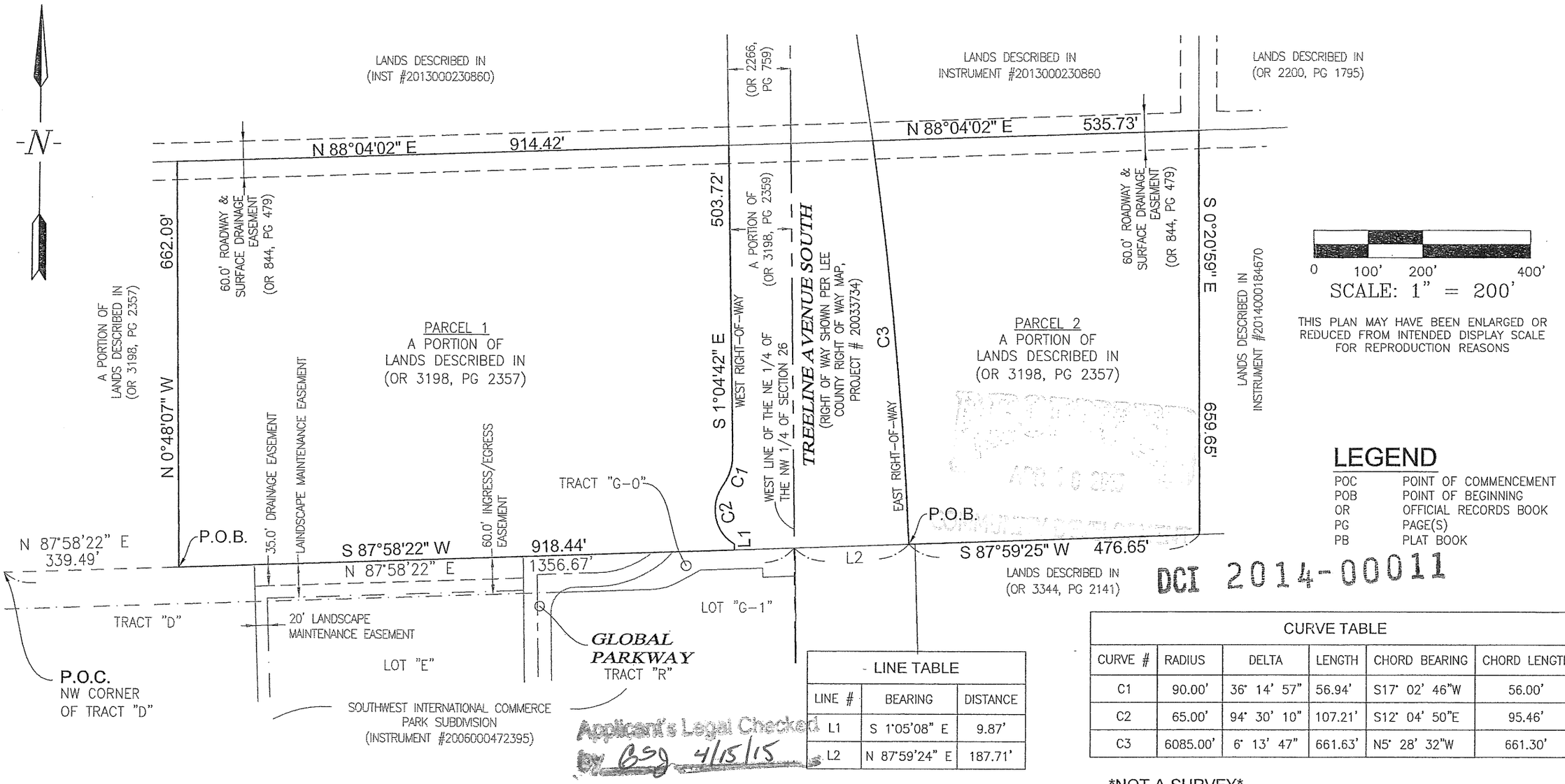
LYING IN
SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

10/14/14
DATE SIGNED

DONALD L. SAINTENOY III, P.S.M
FL LICENSE #6761
FOR THE FIRM

EXHIBIT A

G:\SURVEY\PROJECT SURVEY 2014\16 - JDC PROPERTY TREELINE AVE\SURVEY\14-16-S&L-2.DWG



LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
OR	OFFICIAL RECORDS BOOK
PG	PAGE(S)
PB	PLAT BOOK

RECEIVED
APR 16 2015

DCI 2014-00011

Applicant's Legal Checked
By BSG 4/15/15

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S 1°05'08" E	9.87'
L2	N 87°59'24" E	187.71'

CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	90.00'	36° 14' 57"	56.94'	S17° 02' 46"W	56.00'
C2	65.00'	94° 30' 10"	107.21'	S12° 04' 50"E	95.46'
C3	6085.00'	6° 13' 47"	661.63'	N5° 28' 32"W	661.30'

NOT A SURVEY

DRAWN BY:	AH
CHECKED BY:	DLS
JOB CODE:	JDCTREE
SCALE:	1" = 200'
DATE:	29 SEPTEMBER 2014
FILE:	14-16-S&L-2
SHEET:	2 of 2

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Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380
Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

SKETCH AND DESCRIPTION

A PORTION OF
OFFICIAL RECORDS BOOK 3198, PAGE 2357

LYING IN
SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

NOT VALID WITHOUT SHEETS 1-2 OF 2

EXHIBIT A

G:\SURVEY\PROJECT SURVEY 2014\16 - JDC PROPERTY TREELINE AVE\SURVEY\14-16-S&L-2.DWG

DCI2007-00066

Zoning Map

9/29/2008

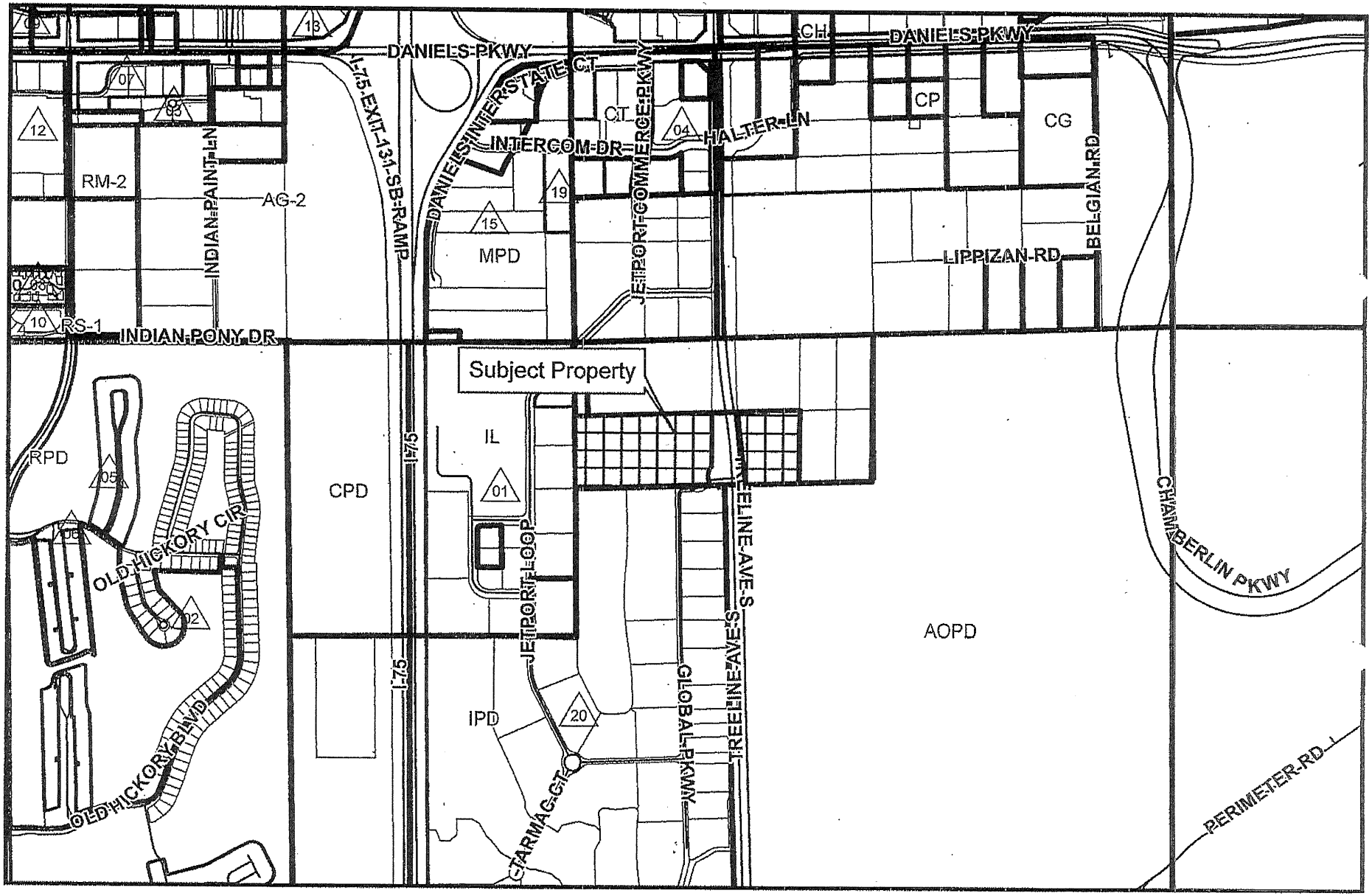

EXHIBIT B

ADD2017-00023 Lee County ePlan

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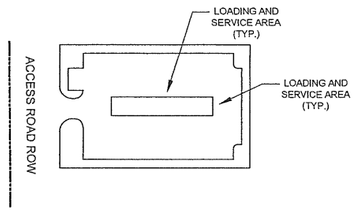
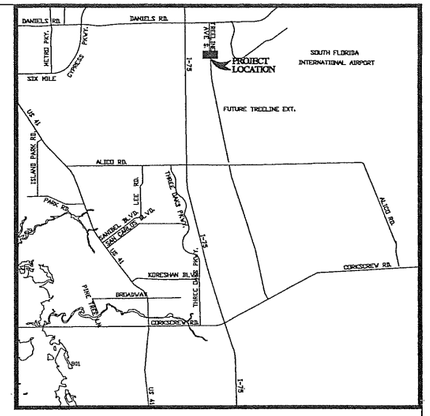
PROJECT NOTES

*THE DEVELOPER INTENDS TO VACATE ALL PERIMETER ROADWAY EASEMENTS. UPON VACATION OF THE EASEMENT EXTENDING THROUGH THE NATIVE OPEN SPACE AND CONSERVATION TRACT ALL NATIVE VEGETATION SHALL REMAIN.

TYPICAL PARCEL LAYOUT





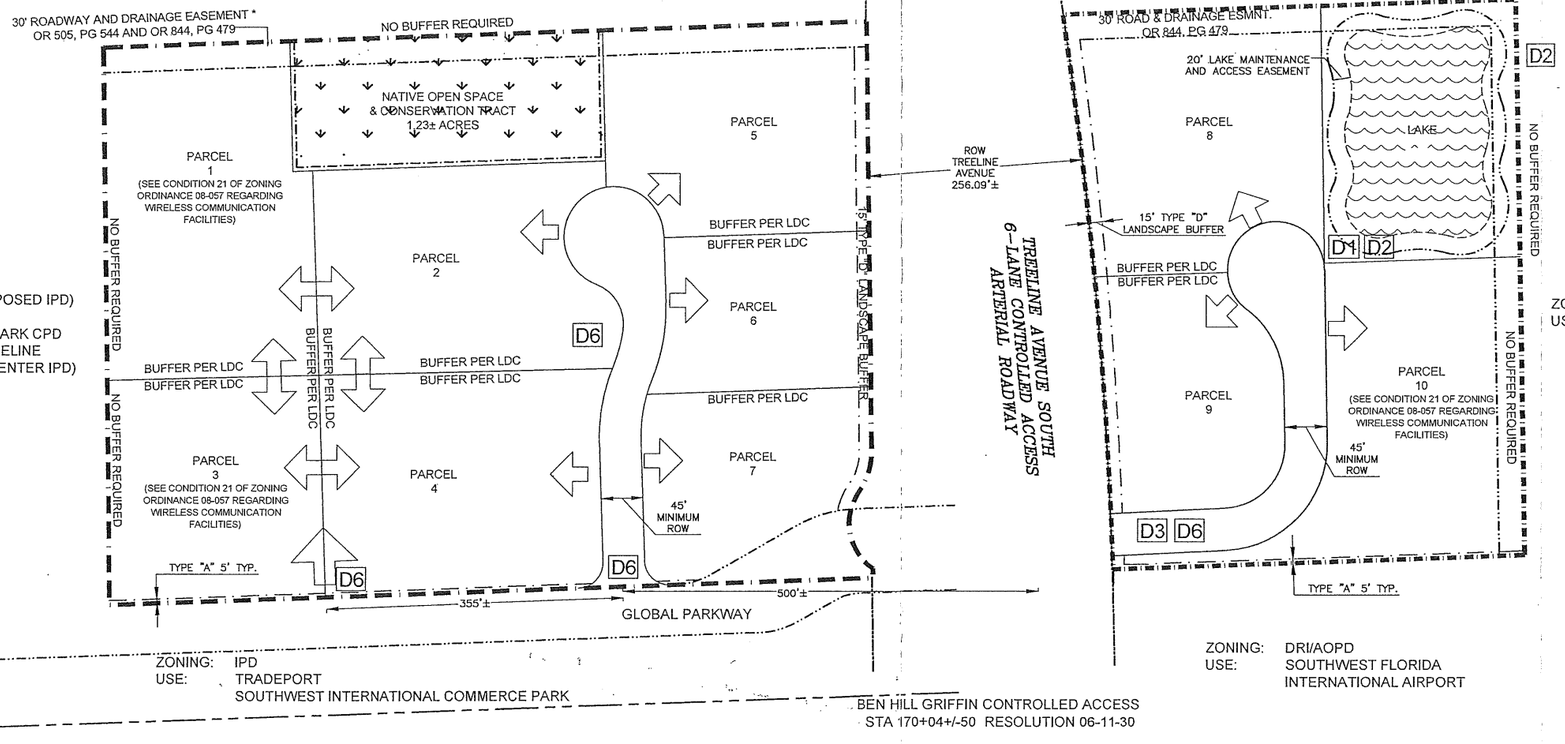
NORTH

LOCATION MAP
LEE COUNTY, FLORIDA
SECTION 26, TOWNSHIP 45S, RANGE 25E.

SEE PROJECT NOTES FOR LEE TRAN ROUTE INFORMATION

ZONING: AG-2 (PROPOSED IPD)
USE: TRADEPORT
(PROPOSED TREELINE DISTRIBUTION CENTER) (UNDEVELOPED)

ZONING: AG-2
USE: TRADEPORT (UNDEVELOPED)



ZONING: CPD (PROPOSED IPD)
USE: TRADEPORT
AIRPORT AUTOPARK CPD
(PROPOSED TREELINE DISTRIBUTION CENTER IPD)

ZONING: AOPD
USE: SOUTHWEST FLORIDA INTERNATIONAL AIRPORT

ZONING: IPD
USE: TRADEPORT
SOUTHWEST INTERNATIONAL COMMERCE PARK

BEN HILL GRIFFIN CONTROLLED ACCESS
STA 170+04+/-50 RESOLUTION 06-11-30

ZONING: DRI/AOPD
USE: SOUTHWEST FLORIDA INTERNATIONAL AIRPORT

DCI 2014-00011

MINIMUM OPEN SPACE REQUIRED
TOTAL SITE 21.53 ACRES X 30% = 6.46 ACRES

OPEN SPACE TO INCLUDE THE FOLLOWING:

PARCEL	APPROX. ACREAGE	PROVIDED
1*	2.05 AC±	0.20 AC±
2*	1.88 AC±	0.19 AC±
3*	1.56 AC±	0.16 AC±
4*	2.01 AC±	0.20 AC±
5*	1.72 AC±	0.17 AC±
6*	1.06 AC±	0.11 AC±
7*	1.15 AC±	0.11 AC±
8*	1.76 AC±	0.18 AC±
9*	1.28 AC±	0.13 AC±
10*	1.83 AC±	0.18 AC±
BUFFERS**	3.10 AC±	3.10 AC±
LAKE	0.90 AC±	0.50 AC±
PRESERVE	1.23 AC±	1.23 AC±

*MUST PROVIDE AT A MINIMUM 10%, NOT INCLUDING BUFFERS OR OTHER OPEN SPACE AREAS.
**BUFFERS INCLUDE LDC MINIMUM BUFFER FOR EACH PARCEL.

Approved as Exhibit C
MCP Page 1 of 7
Resolution # Z-15-007

PROPERTY INFORMATION

OWNER / DEVELOPER:
AIRPORT GATEWAY, LTD.
4099 TAMIAMI TRAIL NORTH, SUITE 305
NAPLES, FL 34103

STRAP NUMBERS:
26-45-25-00-00001.0010
26-45-25-00-00001.001A
26-45-25-00-00001.0000

ADDRESS: 14181 & 14180 TREELINE AVENUE SOUTH

LEGEND

1 DEVIATION

CONCEPTUAL INGRESS/EGRESS LOCATIONS

NORTH
SCALE IN FEET
0' 50' 100' 200'

Revision	Date	Description	By
5	09/2014	Amend CPD to Remove 5.15+/- Acres	SU
4	1/13/09	Revise per Draft Zoning Ordinance 08-057	SU
3	10/23/08	Remove 30' easement reference on west parcel	SU
2	6/09/08	PER SUFFICIENCY REVIEW LETTER 6/06/08	SU
1	4/18/08	PER SUFFICIENCY REVIEW LETTER 4/14/08	SU

DESIGNED BY: C.D.S.
DRAWN BY: S.U.
APPROVED: D.W.A.
JOB CODE: JDCTREE
SCALE: 1" = 80'

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

AIRPORT AUTOPARK CPD

MASTER CONCEPT PLAN
DCI2007-00066

COUNTY: LEE
SUBMITTAL: CPD AMENDMENT
DATE: SEPTEMBER 201
FILE NAME: APAP - 2014 AMEND.DWG
SHEET 1 OF 1

\DGM\LOCAL\FILES\PLANNING\PROJ - PLANNING\JDCTREE - TREELINE AVE\DRAWINGS\APAP - 2014 AMEND.DWG

ADD2017-00023 Lee County ePlan

RESOLUTION NUMBER Z-99-061

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

WHEREAS, Greg Stuart, as authorized agent for William E. Fitzgerald, Trustee, filed an application on behalf of the owners of the property, Jetport Treeline Land Trust, to rezone a 29.26± acre parcel from Industrial Planned Development (IPD) to Commercial Planned Development (CPD), in reference to Lee County Airport Autopark; and

WHEREAS, a public hearing was advertised and held on September 8, 1999, with the record left open for written responses by September 17, 1999 was provided to bring this case before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case # 99-04-324.03Z 01.01; and

WHEREAS, a second public hearing was advertised and held on December 6, 1999, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone a 29.26± acre parcel from IPD to CPD, to allow a maximum of 70,000 square feet of gross floor area of distribution, warehouse, and general commercial space (of which 20,000 square feet could be commercial retail floor area) and a commercial parking lot consisting of 1,425 parking spaces. Structures will not exceed 45 feet in height. The property is located in the Airport Commerce Land Use Category and 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 defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Lee County Airport AutoPark CPD," stamped received June 28, 1999, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except

12/6/99

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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.

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

a. Schedule of Uses:

Permitted Uses:

ACCESSORY USES AND STRUCTURES (LDC §§34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
ADMINISTRATIVE OFFICES
AIRCRAFT FOOD SERVICES AND CATERING
ATM (automatic teller machine)
BANKS AND FINANCIAL ESTABLISHMENTS [LDC §34-622(c)(3)]: Group I only
BUSINESS SERVICES [LDC §34-622(c)(5)]: Groups I and II
CARETAKER'S RESIDENCE, accessory to Parking Lot, Commercial only
CLEANING AND MAINTENANCE SERVICES [LDC §34-622(c)(7)]
COMPUTER AND DATA PROCESSING SERVICES
CONTRACTORS AND BUILDERS [LDC §34-622(c)(9)]: All Groups (LDC §§ 34-1352, 34-3001 *et seq.*)
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 only (LDC §§ 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
EXCAVATION: Water retention (LDC §34-1651)
FREIGHT AND CARGO HANDLING ESTABLISHMENTS [LDC §34-622(c)(17)]
GASOLINE DISPENSING SYSTEM, SPECIAL
GOVERNMENT MAINTENANCE FACILITY
LAUNDRY OR DRY CLEANING [LDC §34-622(c)(24)]: Group II
MANUFACTURING of:
- Apparel products [LDC §34-622(c)(1)]
- Electrical machinery and equipment [LDC §34-622(c)(11)]
- Fabricated metal products [LDC §34-622(c)(14)]: Groups I, II, and III
- Furniture & Fixtures [LDC §34-622(c)(18)]
- Measuring, analyzing and controlling instruments [LDC §34-622(c)(28)]
- Novelties, jewelry, toys and signs [LDC §34-622(c)(29)], All Groups
- Rubber and plastic products [LDC §34-622(c)(44)]: Groups I and II

NON-STORE RETAILERS [LDC §34-622(c)(30)]: Group I
PARCEL AND EXPRESS SERVICES
PARKING LOT:
- Accessory
- Commercial
- Garage, public parking

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Temporary (LDC §34-2022)
PERSONAL SERVICES [LDC §34-622(c)(33)]: Group I (limited only to ATM's and photo agents)
PHOTOFINISHING LABORATORY
PRINTING AND PUBLISHING [LDC §34-622(c)(36)]
PROCESSING AND WAREHOUSING
RENTAL OR LEASING ESTABLISHMENT [LDC §34-622(c)(39)]: Groups I and III (LDC §§34-1201 *et seq.*, 34-1352, and 34-3001 *et seq.*)
REPAIR SHOPS: Group II only
RESEARCH AND DEVELOPMENT: GROUPS II & IV
RESTAURANTS [LDC §34-622(c)(43)]: Group II only
SIGNS in accordance with chapter 30, except as deviated in Deviation (6)
SOCIAL SERVICES [LDC §34-622(c)(46)]: Groups I, II, III, and IV
STORAGE:
Indoor only (LDC §34-3001 *et seq.*)
Storage, open (LDC §34-3001 *et seq.*)
STUDIOS [LDC §34-622(c)(49)]
TEMPORARY USES (LDC §34-3041 *et seq.*)
TRANSPORTATION SERVICES [LDC §34-622(c)(53)]: Groups II, III, and IV
WAREHOUSE:
Mini-warehouse
Private
Public
WHOLESALE ESTABLISHMENTS [LDC §34-622(c)(56)]: Groups III and IV

Accessory and Subordinate Uses to PARKING LOT: Commercial:
AUTOMOTIVE REPAIR AND SERVICE: Group I only
CAR WASH

These Accessory Uses are subject to the following:

1. The use must be totally within the property containing the principal use.
2. Public access to the use may not be provided from any abutting street.

b. Site Development Regulations

Must be consistent with the Property Development Standards found in attached Exhibit "D".

3. Prior to local development order approval, the potential Big Cypress fox squirrel nest on-site must be re-surveyed specifically for fox squirrel presence. The protected species survey must be prepared per LDC §10-473 and submitted to the Division of Planning, Environmental Sciences for review and approval. If fox squirrel use of the site is verified, final management details per LDC §10-474 must be submitted including a phased exotic

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removal plan.

4. The open space table included on the approved MCP is hereby adopted. If, however, the realignment of Treeline Avenue affects the open space allocations, Applicant must comply with the open space provisions and regulations in effect at that time.

5. 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.

6. Approval of this rezoning does not give the developer the undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

7. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

8. In the event Treeline Avenue is realigned from its current configuration, the 40-foot and 30-foot Treeline Avenue arterial road buffers depicted on the Master Concept Plan are no longer required and will be replaced with a standard LDC Type D landscaping buffer.

9. Revisions to the Master Concept Plan caused by the proposed design and realignment of Treeline Avenue may be approved by the Division of Community Development through the Administrative Amendment process. These revisions may include such things as site access, provision of open space, reconfiguration of parcels to include the vacated Treeline Avenue right-of-way, and roadway setback requirements. Approval of this rezoning does not guarantee the developer access to Treeline Avenue as depicted on the MCP. The final design of Treeline Avenue has not been determined and is subject to change. Accordingly, the site access depicted on the MCP could be revised based upon the final design of Treeline Avenue.

10. The project may increase its commercial parking space allocation through the Master Concept Plan Administrative Amendment process consistent with the guidelines set forth in LDC §34-380 and supported by an updated Traffic Impact Statement and other documentation deemed appropriate by the Director of Community Development.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §34-2194(c)(1) requirement to provide a minimum water body setback of 25 feet, to allow a setback of 20 feet. This deviation is APPROVED.

2. Deviation (2) seeks relief from the LDC §10-329(e)(1)a. requirement to provide a 50-foot

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setback for water retention or detention excavations from a property owner proposed right-of-way or easement for a collector or arterial street AND from any private property line under separate ownership, to allow a 25-foot setback for the three lakes to be contained on the property. This deviation is APPROVED, as depicted on the Master Concept Plan, subject to Condition 9.

3. Deviation (3) seeks relief from the LDC §10-296(D), Table 4 (7)(c)(1 & 2) requirement to provide one and one-half inch asphalt FDOT S-111 concrete or commercial for Class A local streets and one-inch type S-111 asphaltic concrete for Class B privately maintained residential streets, to allow for cement, concrete, pavers, or similar decorative paving materials within the project entrance areas. This deviation is APPROVED, SUBJECT TO the condition the alternative wearing surface will be for private streets only, the structural number of the alternative street cross-section must be equivalent to the structural number of a standard flexible pavement cross-section, and the alternative wearing surface will not be within the Treeline Avenue right-of-way or any other county-maintained right-of-way.

4. Deviation (4) seeks relief from the LDC §10-416(2)A. & D. requirements to provide parking lot internal landscaping so that no parking space may be more than 100 feet from a tree planting and no more than an average of 10 parking spaces must occur in an uninterrupted row, to allow a 200-foot standard with no more than 20 parking spaces based upon the development of a minimum 20-foot-wide planting area. This deviation is APPROVED, SUBJECT TO the following conditions:

   a. parking islands must be staggered as depicted in attached Exhibit "E" entitled staff exhibit "Deviation 4: Parking Internal Landscaping Condition"; and

   b. required canopy trees must have a minimum 12-foot height with a 2-inch caliper at 12 inches above the ground and a 4-foot-wide canopy at time of planting. A minimum of two parking canopy trees must be planted in each 20-foot-wide parking island.

5. Deviation (5) - WITHDRAWN AT HEARING

6. Deviation (6) seeks relief from the LDC §30-153(2) requirement for identification signs to be located at least 15 feet from a right-of-way line or easement, to allow the identification signs to be located within the median of the entrance into each portion of the development from Treeline Avenue. This deviation is APPROVED, SUBJECT TO the following condition:

   a. The siting of the sign within the median area must provide sufficient sight visibility at the intersection to provide clear visibility in both directions for traffic both entering and leaving the development. Also, sight visibility must be maintained pursuant to LDC §34-3131 as measured from a vehicle at the stop bar at the intersection.

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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 property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D. Property Development Standards
Exhibit E. Deviation 4-Parking Internal Landscaping Condition

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; 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 will be served by streets with the capacity to carry traffic generated by the development; and,

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

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; 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, are, or will be, available and adequate to serve the proposed land use.

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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 John E. Manning, seconded by Commissioner Ray Judah and, upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED this 6th day of December, 1999.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____ 12/14/99
County Attorney's Office

MINUTES OFFICE
Ruth F
FILED DEC 2 0 1999

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EXHIBIT "A"

LEGAL DESCRIPTION

THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, SUBJECT TO A 30 FOOT RIGHT-OF-WAY OVER AND ACROSS THE NORTH 30 FEET;
AND
THE EAST HALF (E1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, AND THE WEST HALF OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR ROADWAY AND SURFACE DRAINAGE OVER THE NORTHERLY 30 FEET BY THAT INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 844 AT PAGE 479 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND SUBJECT TO AN EASEMENT FOR ROAD RIGHT-OF-WAY OVER THE WEST 30 FEET OF THE WEST HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (N W1/4) OF THE ABOVE DESCRIBED LANDS BY THAT DEED RECORDED IN OFFICIAL RECORD BOOK 505 AT PAGE 544 AND IN OFFICIAL RECORD BOOK 1198 AT PAGE 1617 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA;
AND
THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, SUBJECT TO A 30 FOOT RIGHT-OF-WAY OVER AND ACROSS THE NORTH 30 FEET;

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS:

PARCEL IN
(PROPOSED TREELINE AVENUE)

A TRACT OR PARCEL OF LAND FOR THE RIGHT-OF-WAY OF TREELINE AVENUE SOUTH, LYING IN THE NORTH HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:
FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 26, RUN S00°49'34"E ALONG THE EAST LINE OF SAID FRACTION FOR 660.14 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH HALF (N1/2) OF THE NORTH HALF (N1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 26 AND THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE S00°49'34"E ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 26 FOR 660.13 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4); THENCE RUN S87°59'48"W ALONG THE SOUTH LINE OF SAID FRACTION FOR 100.02 FEET; THENCE RUN N00°49'34"W ALONG A LINE PARALLEL WITH AND 100.00 FEET WEST OF (AS MEASURED ON A PERPENDICULAR) THE EAST LINE OF SAID FRACTION FOR 660.22 FEET TO AN INTERSECTION WITH SAID SOUTH LINE OF THE NORTH HALF (N1/2) OF THE NORTH HALF (N1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 26; THENCE RUN N88°02'52"E ALONG SAID SOUTH LINE FOR 100.02 FEET TO THE POINT OF BEGINNING.
CONTAINING 1.52 ACRES MORE OR LESS.
BEARINGS HEREINABOVE MENTIONED ARE PLANE COORDINATE FOR THE FLORIDA WEST ZONE.

AND

PARCEL IN
(PROPOSED CUL-DE-SAC TREELINE AVENUE)

A TRACT OR PARCEL OF LAND FOR A CUL-DE-SAC OF TREELINE AVENUE SOUTH LYING IN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:
FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 26, RUN S87°59'48"W ALONG THE SOUTH LINE OF SAID FRACTION FOR 100.02 FEET; THENCE RUN N00°49'34"W ON A LINE PARALLEL WITH AND 100.00 FEET WEST OF (AS MEASURED ON A PERPENDICULAR) THE EAST LINE OF SAID FRACTION FOR 10.96 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE N00°49'34"W ALONG SAID PARALLEL LINE FOR 146.42 FEET TO A POINT OF CUSP; THENCE RUN SOUTHERLY, SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT OF RADIUS 90.00 FEET (CHORD BEARING S17°17'55"W) (CHORD 56.00 FEET) (DELTA 36°14'58") FOR 56.94 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT OF RADIUS 65.00 FEET (CHORD BEARING S11°24'43"E) (CHORD 94.82 FEET) (DELTA 93°40'13") FOR 106.27 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.06 ACRE MORE OR LESS.
BEARINGS HEREINABOVE MENTIONED ARE PLANE COORDINATE FOR THE FLORIDA WEST ZONE.

THE ABOVE DESCRIPTIONS ARE AS THOSE PROVIDED BY THE CLIENT AND ARE SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

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The applicant has indicated that the STRAP numbers for the subject property are: 26-45-25-00-00001.001A, 26-45-25-00-00001.0000, and 26-45-25-00-00001.0010.

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ZONING MAP

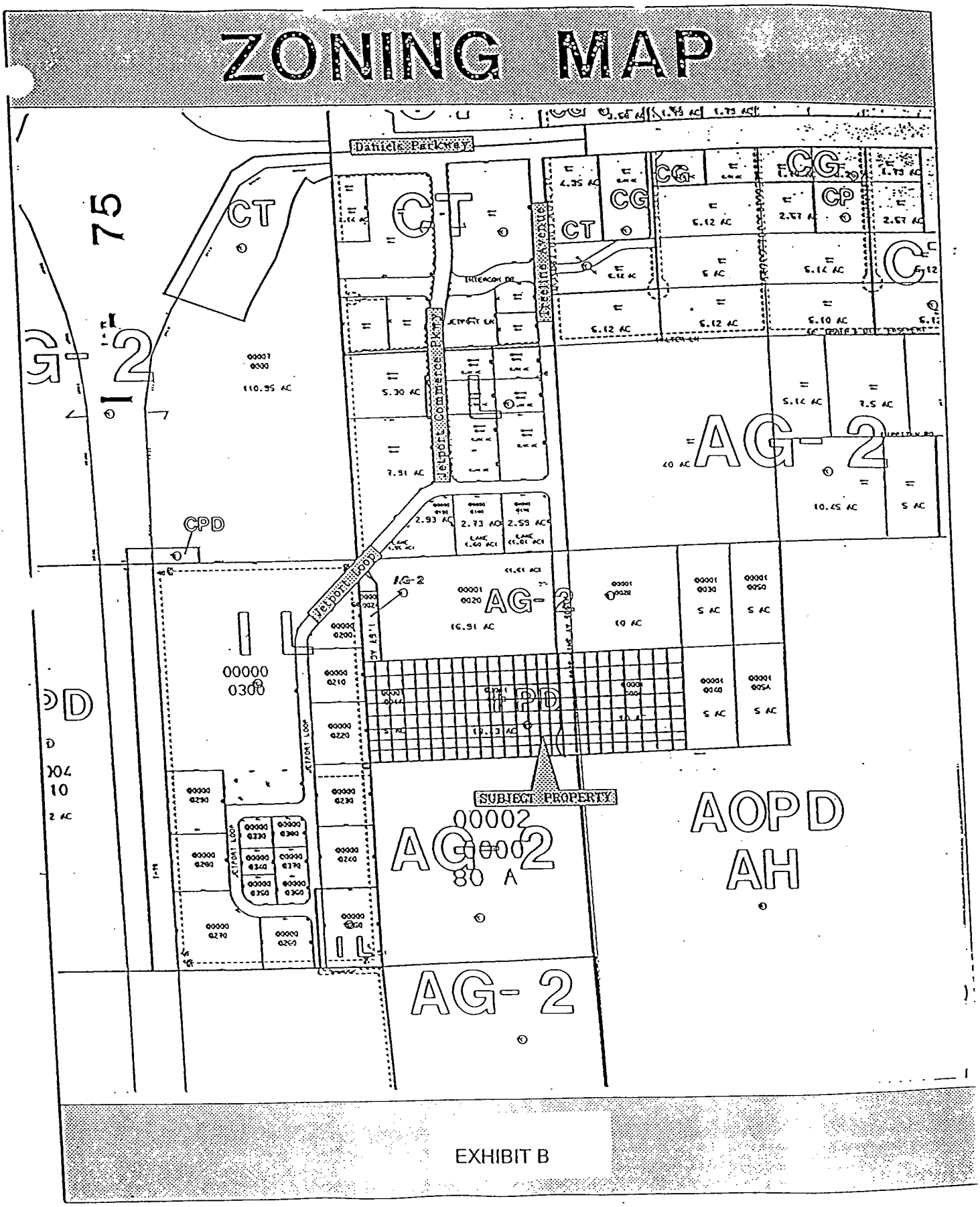


EXHIBIT B

ADD2017-00023 Lee County ePlan

PROJECT NOTES AND GENERAL CONDITIONS

1. THE MASTER CONCEPT PLAN DEPICTS THE PROJECT'S GENERAL CONFIGURATION AND AS SUCH IS FOR CONCEPTUAL REVIEW AND ZONING PURPOSES ONLY. THE PLAN'S FINAL SITE DEVELOPMENT AREA, INTERNAL CIRCULATION AND PARKING, SURFACE WATER MANAGEMENT AREA AND OTHER FUNCTIONAL ELEMENTS, WILL BE DETERMINED AT THE TIME OF FINAL DEVELOPMENT ORDER PERMITTING.
2. UNLESS OTHERWISE NOTED, PROJECT PARKING AND CIRCULATION WILL CONFORM TO DIVISION 25 AND DIVISION 26 OF THE LEE COUNTY LAND DEVELOPMENT CODE. THE PROJECT WILL CONFORM TO DIVISION 6 OPEN SPACE, BUFFERING AND LANDSCAPE AND ARTICLE IV OF SIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND DEVELOPMENTS.
3. THE PROJECT'S SURFACE WATER MANAGEMENT SYSTEM WILL COMPLY AND BE MAINTAINED IN ACCORDANCE WITH ALL RELEVANT LOCAL, STATE AND FEDERAL RULES AND REGULATIONS.
4. PHASE ONE MAY CONSIST OF ROADS, UTILITIES AND THE SURFACE WATER MANAGEMENT SYSTEM FOR ANY IDENTIFIED TRACTS. INDIVIDUAL LOTS AND TRACTS SHALL OBTAIN INDIVIDUAL DEVELOPMENT ORDERS AND FURTHER SUBDIVIDING MAY BE PERMITTED AT THE TIME OF FINAL DEVELOPMENT ORDER PERMITTING.
5. THE PROJECT IS NOT DIRECTLY SERVED BY LEE TRAN PUBLIC TRANSIT. THE LEE TRAN ROUTE 80 SERVICES DANIELS ROAD TO THE INTERNATIONAL AIRPORT THE NEAREST BUS STOP IS GREATER THAN 1/4 MILE FROM THE SITE.

SCHEDULE OF DEVIATIONS

D.1 A REQUEST TO DEVIATE FROM THE LDC 34-2194(C)(1), CPD REAR WATERBODY SETBACK, THAT REQUIRES A 25 FT. REAR WATER BODY SETBACK; TO PERMIT A MINIMUM 20 FT. REAR WATER BODY SETBACK.

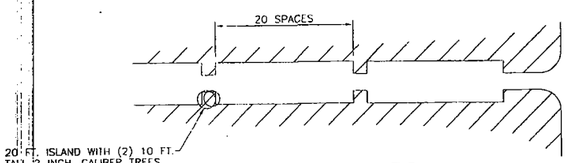
D.2 A REQUEST TO DEVIATE FROM THE LDC 10-329(E)(1)(A)(3), SETBACKS FOR WATER RETENTION OR DETENTION EXCAVATIONS, THAT REQUIRES A FIFTY FOOT SETBACK FROM ROW AND SEPARATE PROPERTY LINES, TO PERMIT A 25 FT SETBACK

D.3 A REQUEST TO DEVIATE FROM THE LDC 10-296(D) TABLE 4 (7)(C)(1&2), LOCAL STREET WEARING SURFACE THAT REQUIRES ONE AND ONE-HALF INCH ASPHALT FOOT S-III CONCRETE FOR COMMERCIAL CLASS A LOCAL STREETS, & CLASS B PRIVATELY MAINTAINED RESIDENTIAL LOCAL STREETS ONE INCH TYPE S-111 ASPHALTIC CONCRETE; TO ALLOW FOR CEMENT CONCRETE, PAVERS OR SIMILAR DECORATIVE PAVING MATERIALS WITHIN THE PROJECT ENTRANCE AREAS.

D.4 A REQUEST TO DEVIATE FROM THE LDC 10-416(2) A. & D. PARKING LOT INTERNAL LANDSCAPING THAT REQUIRES NO PARKING SPACE MAY BE MORE THAN 100-FT. FROM A TREE PLANTING AND THAT NO MORE THAN AN AVERAGE OF TEN PARKING SPACES MUST OCCUR IN AN UNINTERRUPTED ROW; TO PERMIT A 200-FT STANDARD WITH NO MORE THAN TWENTY PARKING SPACES BASED UPON THE DEVELOPMENT OF A MINIMUM TWENTY FOOT WIDE PLANTING ISLAND WITH TWO TREES FOR THE COMMERCIAL PARKING LOT.

D.5 A REQUEST TO DEVIATE FROM THE LDC 10-415(B)(1), INDIGENOUS OPEN SPACE, THAT REQUIRES THAT A 30% OF A LARGE PROJECT'S OPEN SPACE CONSIST OF NATIVE, INDIGENOUS VEGETATION; TO PERMIT 0.32 ACRES OF PRESERVED 621 CYPRESS INDIGENOUS LANDS AS SHOWN ON THE MCP.

D.6 A REQUEST TO DEVIATE FROM THE LDC 30-153(2)(A)(4), ON-SITE IDENTIFICATION SIGNS, THAT REQUIRES SIGNS TO BE SET BACK A MINIMUM OF 15 FEET FROM ANY STREET RIGHT-OF-WAY OR EASEMENT AND TEN FT. FROM ANY OTHER PROPERTY LINE; TO ALLOW PROJECT IDENTIFICATION SIGNS IN A MEDIAN WITHIN THE PROJECT'S INTERNAL ROAD RIGHT-OF-WAY.



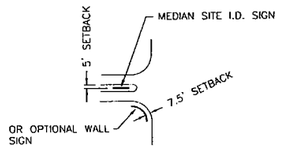
DEVIATION 4 – N.T.S.

SCHEDULE OF PROJECT USES:

ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
AIRCRAFT FOOD SERVICES AND CATERING
ATM (AUTOMATIC TELLER MACHINE)
* AUTOMOBILE SERVICE STATION
* AUTO REPAIR AND SERVICE
  GROUP I
BANKS AND FINANCIAL ESTABLISHMENTS
  GROUP I
BUSINESS SERVICES
  GROUP I
  GROUP II
CARETAKERS RESIDENCE
CAR WASH
CLEANING AND MAINTENANCE SERVICES
COMPUTER DATA PROCESSING SERVICES
CONTRACTORS AND BUILDERS
  GROUP I
DRIVE THROUGH FACILITY FOR ANY PERMITTED USE
ENTRANCE GATE AND GATEHOUSE
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES
  GROUP I
  GROUP II
EXCAVATION
  WATER RETENTION
FREIGHT AND CARGO HANDLING ESTABLISHMENTS
GASOLINE DISPENSING SYSTEM, SPECIAL
GOVERNMENT MAINTENANCE FACILITY
INSURANCE COMPANIES
LAUNDRY OR DRY CLEANING
  GROUP II
MANUFACTURING OF
  APPAREL PRODUCTS
  ELECTRICAL MACHINERY AND EQUIPMENT
  FABRICATED METAL PRODUCTS
  MEASURING, ANALYZING AND CONTROLLING INSTRUMENTS
  NOVELTIES, JEWELRY, TOYS AND SIGNS
  RUBBER AND PLASTIC PRODUCTS
MEDICAL OFFICE
MULTISLIP DOCKING FACILITY

PARKING LOT
  ACCESSORY
  COMMERCIAL
  GARAGE, PUBLIC PARKING
  TEMPORARY
PARCEL AND EXPRESS SERVICES
PERSONAL SERVICES
  GROUP I
PRINTING AND PUBLISHING
PROCESSING AND WAREHOUSING
RENTAL OR LEASING ESTABLISHMENTS
  GROUP I
  GROUP III
  GROUP IV
REPAIR SHOP
  GROUP II
  GROUP III
  GROUP IV
RESEARCH AND DEVELOPMENT LABORATORIES
  GROUP II
  GROUP IV
* RESTAURANT, FAST FOOD
* RESTAURANTS
  GROUP II
  GROUP III
* SELF SERVICE FUEL PUMPS
SIGNS IN ACCORDANCE WITH CHAPTER 30 AND DEVIATION 6
STORAGE
  INDOOR ONLY
  STORAGE, OPEN
TEMPORARY USES
TRANSPORTATION SERVICES
  GROUP I
  GROUP II
  GROUP III
  GROUP IV
WAREHOUSE
  MINI-WAREHOUSE
  PRIVATE
  PUBLIC
WHOLESALE ESTABLISHMENT
  GROUP III
  GROUP IV

* SUBJECT TO LEE PLAN SITE LOCATION STANDARDS



DEVIATION 6 – N.T.S.

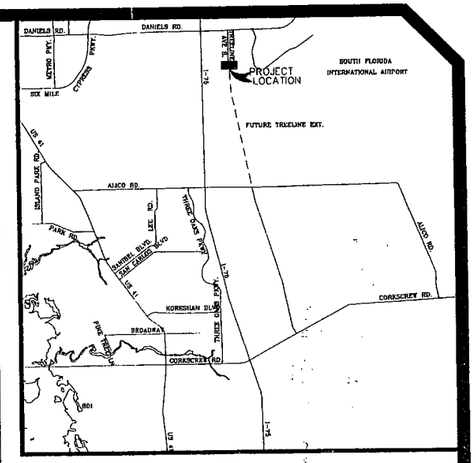
PROJECT SUMMARY DATA

SITE AREA	29.26 AC±
EAST PARCEL	10.28 AC±
WEST PARCEL	18.98 AC±
LAND USE CLASSIFICATION	AIRPORT COMMERCE
EXISTING ZONING/PROPOSED ZONING	IPD/CPD
DEVELOPMENT PROGRAM: (1)	
WEST PARCEL COMMERCIAL PARKING	1,425 SPACES
EAST PARCEL DISTRIBUTION, WAREHOUSING AND	70,000 SF. (2)
GENERAL COMMERCE	
MAX. BUILDING HEIGHT	45 FT.
WATER UTILITIES	LEE COUNTY UTILITY
FIRE DISTRICT	SOUTH TRAIL
FLOOD ZONE	B

(1) ALL PERMITTED USES ARE LAWFUL BY RIGHT ON EITHER PARCELS
(2) UP TO 20,000 SF. MAY BE USED FOR COMMERCIAL RETAIL BASED UPON CONSISTENCY WITH LEE COUNTY MINOR COMMERCIAL STANDARDS. ALL GENERAL COMMERCE, OFFICE, LIGHT MANUFACTORING AND WAREHOUSE USE INTENSITIES ARE INTERCHANGEABLE.

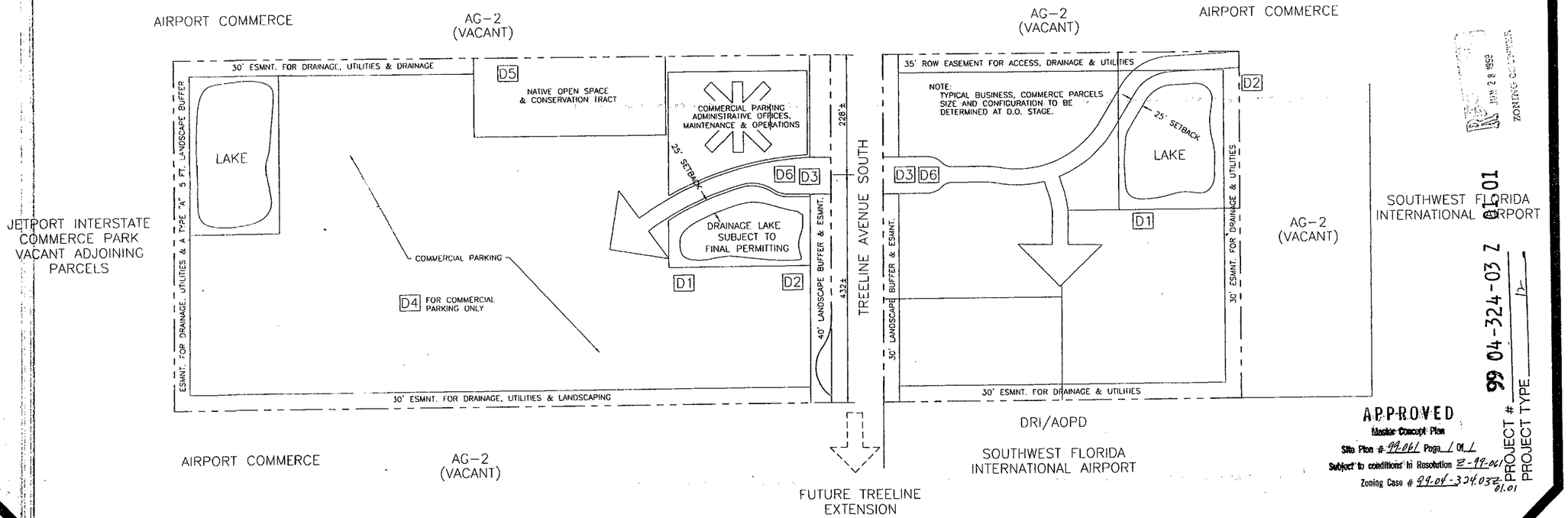
PROJECT DEVELOPMENT STANDARDS

MIN. LOT AREA DIMENSIONS:	
MIN. LOT AREA	20,000 SQ.FT.
MIN. LOT WIDTH	100 FT.
MIN. LOT DEPTH	100 FT.
MIN. BUILDING SETBACKS:	
STREET – ARTERIAL WITH ACCESS ROAD	65 FT.
STREET – ARTERIAL AND COLLECTOR WITHOUT ACCESS ROAD	25 FT.
SIDE YARD	15 FT.
REAR YARD	20 FT.
REAR YARD WATER BODY	20 FT.
MAX. BUILDING HEIGHT	45 FT.
MAX. LOT COVERAGE	45%
OPEN SPACE CALCULATIONS:	
REQUIRED PROJECT OPEN SPACE (@ 30%):	
WEST PARCEL @ 18.98 ACRES	5.69 ACRES
EAST PARCEL @ 10.28 ACRES	3.08 ACRES
TOTAL WEST PARCEL PROVIDED OPEN SPACE:	
LAKE AREAS	1.42 ACRES
NATIVE OPEN SPACE CONSERVATION TRACT (621 CYPRESS @ 0.32 AC.)	1.46 ACRES
PERIMETER LANDSCAPE BUFFERS, EASEMENTS AND INTERNAL OPEN SPACE AND LANDSCAPING AREAS	2.81 ACRES
TOTAL EAST PARCEL PROVIDED OPEN SPACE:	
LAKE AREAS	0.77 ACRES
PERIMETER LANDSCAPE BUFFERS, EASEMENTS AND INTERNAL OPEN SPACE AND LANDSCAPING AREAS	2.31 ACRES
TOTAL PROVIDED PROJECT OPEN SPACE	8.77 ACRES
EXISTING NATIVE OPEN SPACE	0.32 ACRES
TOTAL PROVIDED NATIVE OPEN SPACE	0.32 ACRES



LOCATION MAP
LEE COUNTY, FLORIDA
SECTION 26, TOWNSHIP 45S, RANGE 25E.

SEE PROJECT NOTES FOR LEE TRAN ROUTE INFORMATION



RECEIVED
JUN 28 1999
ZONING DEPARTMENT

APPROVED
Master Concept Plan
Site Plan # 99-061 Page 1 Of 1
Subject to conditions in Resolution Z-99-061
Zoning Case # 99-04-324.03Z 01.01

99 04-324-03 Z 01.01
PROJECT #
PROJECT TYPE

STUART AND ASSOCIATES
Planning & Design Services
2158 Main Street, Suite #210
Ft. Myers, Fla. 33901
PH: (941) 337-7176, FAX: (941) 337-2496
EMAIL: Designer@Dyerstreet.com

Date: 6/8/99
Scale: 1" = 100'
Revisions:
JOB NO.: 99.007
Sheet 1 Of 1

MASTER CONCEPT PLAN FOR THE LEE COUNTY AIRPORT AUTOPARK CPD

PREPARED FOR: AIRPORT GATEWAY LIMITED PARTNERSHIP

ADD2017-00023 Lee County ePlan

PROJECT DEVELOPMENT STANDARDS

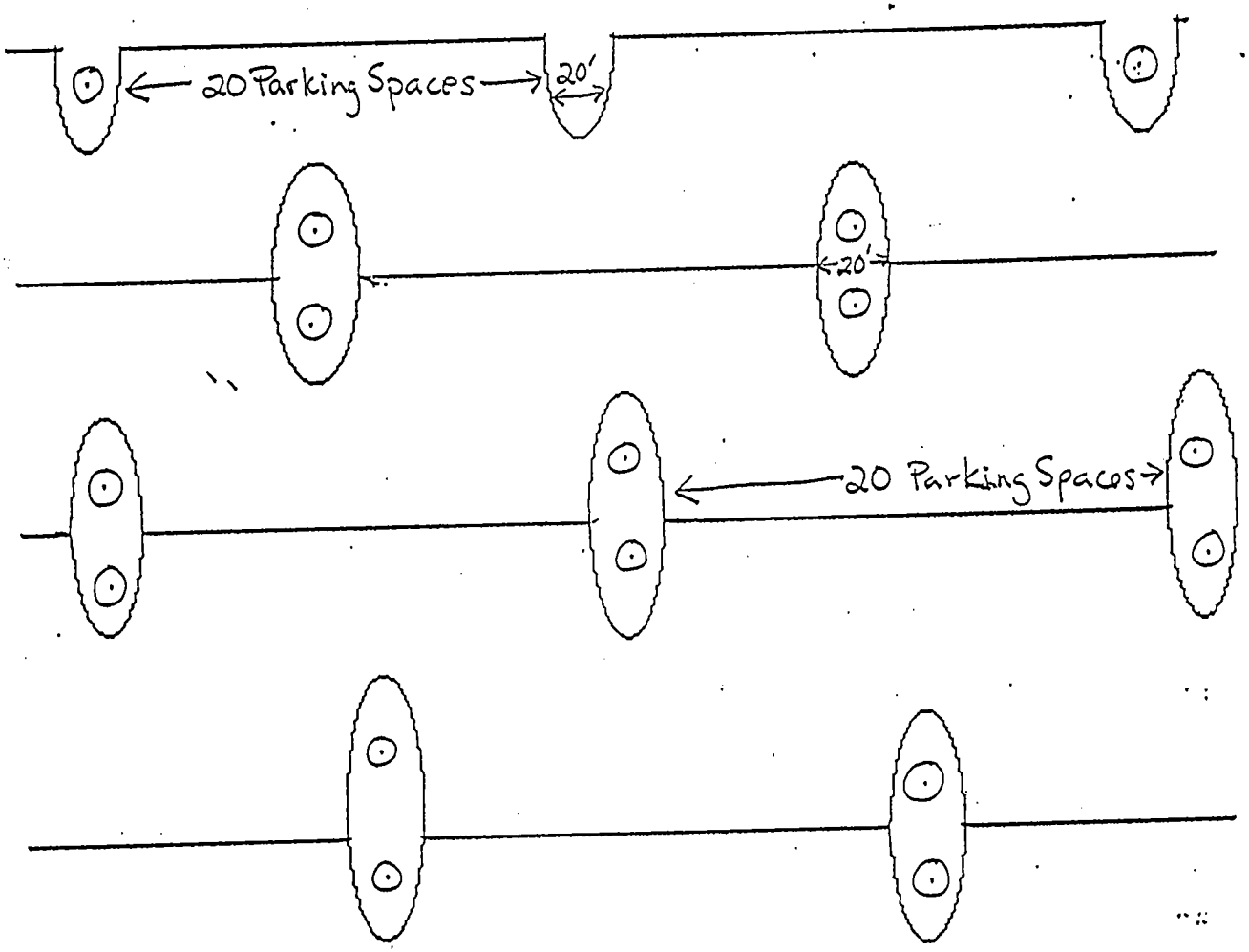
MIN. LOT AREA DIMENSIONS:	
MIN. LOT AREA	20,000 SQ.FT.
MIN. LOT WIDTH	100 FT.
MIN. LOT DEPTH	100 FT.
MIN. BUILDING SETBACKS:	
STREET – ARTERIAL WITH ACCESS ROAD	65 FT.
STREET – ARTERIAL AND COLLECTOR WITHOUT ACCESS ROAD	25 FT.
SIDE YARD	15 FT.
REAR YARD	20 FT.
REAR YARD WATER BODY	20 FT.
MAX. BUILDING HEIGHT	45 FT.
MAX. LOT COVERAGE	45%
OPEN SPACE CALCULATIONS:	
REQUIRED PROJECT OPEN SPACE (@ 30%):	
WEST PARCEL @ 18.98 ACRES	5.69 ACRES
EAST PARCEL @ 10.28 ACRES	3.08 ACRES
TOTAL WEST PARCEL PROVIDED OPEN SPACE:	
LAKE AREAS	1.42 ACRES
NATIVE OPEN SPACE CONSERVATION TRACT (621 CYPRESS @ 0.32 AC.)	1.46 ACRES
PERIMETER LANDSCAPE BUFFERS, EASEMENTS AND INTERNAL OPEN SPACE AND LANDSCAPING AREAS	2.81 ACRES
TOTAL EAST PARCEL PROVIDED OPEN SPACE:	
LAKE AREAS	0.77 ACRES
PERIMETER LANDSCAPE BUFFERS, EASEMENTS AND INTERNAL OPEN SPACE AND LANDSCAPING AREAS	2.31 ACRES
TOTAL PROVIDED PROJECT OPEN SPACE	8.77 ACRES
EXISTING NATIVE OPEN SPACE	0.32 ACRES
TOTAL PROVIDED NATIVE OPEN SPACE	0.32 ACRES

EXHIBIT D

ADD2017-00023 Lee County ePlan

EXHIBIT E

Staff Exhibit: Deviation 4 - Parking Internal Landscaping Condition



⊙ = Canopy Tree (12' minimum)

Lee County Airport Autopark CPD
Case 99-04-324.03Z 0

ADD2017-00023 Lee County ePlan

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, James R. Colosimo, Trustee, in reference to Treeline Industrial Park, has properly filed an application for a rezoning from the AG-2 district to Industrial Planned Development; and

WHEREAS, the subject property is located at 14181 Treeline Avenue South (west parcel) and 14180 Treeline Avenue South (east parcel), described more particularly as:

LEGAL DESCRIPTION: In Section 26, Township 45 South, Range 25 East, Lee County, Florida:

The Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida.

SUBJECT TO a 30 foot right-of-way over and across the North 30 feet;

AND

The East Half (E1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, AND the West Half (W1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida.

SUBJECT TO an easement for roadway and surface drainage over the Northerly 30 feet by that instrument recorded in Official Record Book 844 at Page 479 of the Public Records of Lee County, Florida; and

SUBJECT TO an easement for road right-of-way over the West 30 feet of the West Half (W1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of the above-described lands by that deed recorded in Official Record Book 505 at Page 544 and in Official Record Book 1198 at Page 1617 of the Public Records of Lee County, Florida;

AND

The Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida.

SUBJECT TO a 30 foot right-of-way over and across the North 30 feet;

LESS AND EXCEPT the following described parcel:

A tract or parcel of land for the right-of-way of Treeline Avenue South lying in the North Half (N1/2) of the Northwest Quarter (NW1/4) of Section 26, Township 45 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

continued...

10-19-92

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From the Northeast corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section 26 run S00°49'34"E along the East line of said fraction for 660.14 feet to an intersection with the South line of the North Half (N1/2) of the North Half (N1/2) of the Northwest Quarter (NW1/4) of said Section 26 and the POINT OF BEGINNING.

From said POINT OF BEGINNING continue S00°49'34"E along the East line of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of said Section 26 for 660.13 feet to the Southeast corner of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4); THENCE run S87°59'48"W along the South line of said fraction for 100.02 feet;
THENCE run N00°49'34"W along a line parallel with and 100.00 West of (as measured on a perpendicular) the East line of said fraction for 660.22 feet to an intersection with said South line of the North Half (N1/2) of the North Half (N1/2) of the Northwest Quarter (NW1/4) of said Section 26;
THENCE run N88°02'52"E along said South line for 100.02 feet to the POINT OF BEGINNING.
Containing 1.52 acres more or less.

WHEREAS, the applicant has indicated the property's current STRAP numbers are 26-45-25-00-00001.0000, 26-45-25-00-00001.0010, 26-45-25-00-00001.001A; and

WHEREAS, proper authorization has been given to A. P. DeSalvo, Inc. and Johnson Engineering, Inc., by James R. Colosimo, the Trustee of the subject parcel, to act as agents to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on Tuesday, August 25, 1992; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE WITH CONDITIONS a rezoning from the AG-2 (Agricultural) district to Industrial Planned Development, to permit a mixed use project with 50,000 square feet of commercial uses and, 295,000 square feet of light industrial uses, including 500 mini-warehouse units. This development shall not exceed 45 feet above average grade with a maximum of two stories in height, on 29.26 total acres of land.

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The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development of this project shall be in accordance with the three-page Master Concept Plan identified as "Master Concept Plan for Treeline Industrial Park IPD," (Project #19157), prepared by Johnson Engineering, Inc., dated March 2, 1991, last revised July 9, 1992, stamped Received July 10, 1992, except as modified by the conditions below. This approval does not alleviate the need to comply with all state and county development regulations except as specifically modified by this approval.

2. The uses of this property shall be limited to the schedule of uses shown on sheet #3 identified above, except as limited by Section 471.B.1. of the Zoning Ordinance which prohibits the following uses:

   Bar or Cocktail Lounge (Section 202.03);
   Consumption On Premises (Section 202.03);
   Food Stores - Groups I and II (Section 1001.16)
   excluding supermarkets;
   Restaurant, Standard - All Groups (Section 1001.44);
   Specialty Retail Shop - Group I (Section 1001.47)

   The maximum square footage shall be limited to the following:

   Industrial: 295,000 square feet
   Commercial: 50,000 square feet

3. Property Development Regulations:

   A. Minimum Lot Area and Dimensions:

Minimum Parcel/Lot Area:	20,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	150 feet

   B. Minimum Setbacks From:

Treeline Avenue South:	25 feet
Internal Roadway:	20 feet
Side Lot Line:	10 feet
Rear Lot Line:	20 feet
Abutting Roadway Easement	20 feet

   C. Maximum lot coverage of the total lot(s) area shall not exceed 45%. Note: Development area can be one lot or a combination of lots.

   D. Maximum height shall be 45 feet above finished grade with no more than two stories.

   E. In the event that abutting property is developed with, or zoned for, a residential use before this project is commenced, this project shall also comply with Zoning Ordinance Section 471.D.1.f. which states all buildings, parking areas, and shipping and receiving areas, and open storage areas of industrial land uses within an Industrial Planned Development shall be set back from the development perimeter:

   (1) 100 feet for Light Industrial Uses; and
   (2) 660 feet for Heavy Industrial uses.

4. Any requests for uses other than those approved herein on the Master Concept Plan, Sheet 3, shall require amendment of the Master Concept Plan through the public hearing amendment process in accordance with the provisions of Section 804.03.C.1.c.2) of the Zoning Ordinance.

5. A principal industrial use shall be established (i.e., Certificate of Compliance issued) on the subject property prior to the issuance of any developmental approvals for a commercial use.

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6. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order, per the Development Standards Ordinance or other Lee County Ordinance.

7. Prior to the issuance of a Certificate of Compliance for any phase of this development, the developer shall construct or cause to be constructed that portion of the Treeline Avenue Extension from its terminus to the south property line of this project. The construction of this road shall be to County standards and shall be subject to the Department of Transportation's approval. The County shall incur no costs associated with this roadway.

8. Approval of this rezoning does nothing more than change the zoning district wherein the subject property lies. It does not grant nor vest the developer with any present or future development rights that may exceed any Lee Plan use restrictions as set forth in 2010 (Roberts) Overlay or any other Lee Plan provision.

9. Environmental conditions:

   a) Prior to any local Development Order approval for Phase III, the Lee County wetland jurisdictional line shall be surveyed and placed on the development order plans for approval. Phase III is the 19± acre parcel located west of Treeline Avenue South.

   b) Development of this site shall be in compliance with the Treeline Industrial Park Mitigation Plan, revised July 15, 1992. The mitigation plan shall be amended to clarify that monitoring reports of the cypress restoration and preserve area shall be submitted annually to the Lee County Division of Environmental Sciences, or its successor, for a period of five years. Such monitoring report may be a copy of the report being submitted to the Army Corps of Engineers, provided that such reports enable Lee County to make a determination regarding the impacts on, and the survivability of, the Resource Protection Area.

10. No lot shall have direct access onto the proposed Treeline Avenue extension.

11. Deviation (1) is a request to deviate from the requirement that lands identified as meeting the criteria of Resource Protection Areas must meet certain performance standards and may not be used for roads except in instances of overriding public interest, Section 6.01 and 8.01 of Ordinance 86-33 (Zoning Ordinance Section C.1.b.4.a., and Section 202.B.1.b.), to allow destruction of a 0.2 acre Resource Protection Area. This Deviation is approved subject to adoption of and compliance with the Treeline Industrial Park Mitigation Plan, revised July 15, 1992. The mitigation plan shall be amended prior to issuance of a Development Order to clarify that monitoring reports of the cypress restoration and preserve area shall be submitted annually to the Lee County Division of Environmental Sciences, or its successor, for a period of five years.

    Deviation (2) is a request to deviate from the requirement of one parking space per ten (10) storage cubicles (mini-warehousing) (Zoning Ordinance Section 202.16.J.3.g.), to allow the developer to provide less than the required number of parking places for the mini-warehouse use. Current regulations would require one space for each ten storage cubicles, for a total of 50 parking spaces for the 500 mini-warehouse units. A similar deviation was requested and granted for another mini-warehouse project. The Master Concept Plan in this request shows a 24-foot wide aisle between the warehouse units. That width would allow vehicles to pass around a parked vehicle, if a vehicle did park at any unit; no bottlenecks should occur. This Deviation is approved as long as 24-foot wide paved aisles are maintained between warehouse units.

    Deviation (3) is a request to deviate from the requirement of Zoning Ordinance Section C.3.b.(1) that permanent dead-end streets shall be closed at one end by a cul-de-sac, to allow the developer to eliminate the cul-de-sac for the mini-warehouse entrance area. The developer may

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wish to have a guardhouse at the entrance to the mini-warehouse portion, which might preclude the placement of a cul-de-sac in this area. This Deviation is approved subject to the following conditions:

a) That access to the site labeled (5) be provided such that any vehicles which reach the easterly parcel may have unencumbered access to enter and leave the site in a forward direction. This may be provided by the 20-foot wide circumferential access way around the site perimeter as shown on the Master Concept Plan, or by alternative means approved by the Division of Development Review.

b) That a turnaround must be provided pursuant to DSO Section C.3.b. if the access to the site is restricted by a gate or guardhouse.

c) That approval of this Master Concept Plan does not imply nor constitute approval of the east-west "30 foot roadway easement" on the north property line as a future access point for the purpose of determining minimum intersection separation standards as set out in Section C.3 of the DSO.

d) That temporary cul-de-sacs shall be constructed pursuant to DSO Section C.3.f. on the westerly access road and Treeline Avenue if, at the time of Final Development Order approval:

1) The access road on the west side of Treeline Avenue is a dead end street stub which may be extended at a future date; and

2) Treeline Avenue is not constructed beyond the property limits of this project.

Site Plan 92-048 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Industrial Planned Development zoning:

A. That the IPD rezoning request was not necessitated by changed or changing conditions.

B. That the IPD zoning, as conditioned, will not have an adverse impact on the intent of the Zoning Ordinance.

C. That the IPD zoning, as conditioned, is consistent with the goals, objectives, policies and intent of the Lee Plan, and with the densities, intensities and general uses set forth in the Lee Plan.

D. That the IPD zoning, as conditioned, meets or exceeds all applicable performance and locational standards set forth for the proposed uses.

E. That the IPD zoning, as conditioned, will protect, conserve or preserve environmentally critical areas and natural resources.

F. That the IPD zoning, as conditioned, will be compatible with existing or planned uses and will not cause damage, hazard, nuisance or other detriment to persons or property.

G. That the IPD zoning, as conditioned, will not place undue burden upon existing facilities and services, and will be served by streets with the capacity to carry the traffic generated by the development.

H. That the IPD zoning, as conditioned, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth elsewhere in the Zoning Ordinance.

I. That each approved deviation, as conditioned, enhances the achievement of the objectives of the planned development, and preserves, promotes and protects the public health, safety and welfare.

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The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Vicki Lopez-Wolfe and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Absent
Vicki Lopez-Wolfe	Aye
Donald D. Slisher	Absent

DULY PASSED AND ADOPTED this 19th day of October, A.D., 1992.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

FILED

NOV 6 1992

CLERK CIRCUIT COURT
BY _____ D.C.

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MASTER CONCEPT PLAN
FOR
TREELINE INDUSTRIAL PARK IPD

SECTION 26, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

INDEX OF PLANS

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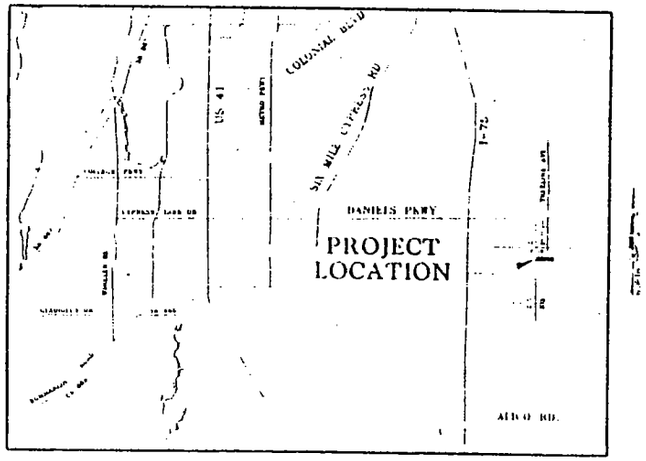

LOCATION MAP

PREPARED BY

JOHNSON ENGINEERING, INC.

[illegible]

MARCH 1992

RECEIVED
[illegible]
ZONING COUNTER

APPROVED
Master Concept Plan
This Plan is [illegible] Page [illegible] of [illegible]
Subject to conditions as contained in [illegible]
Zoning Case # [illegible]

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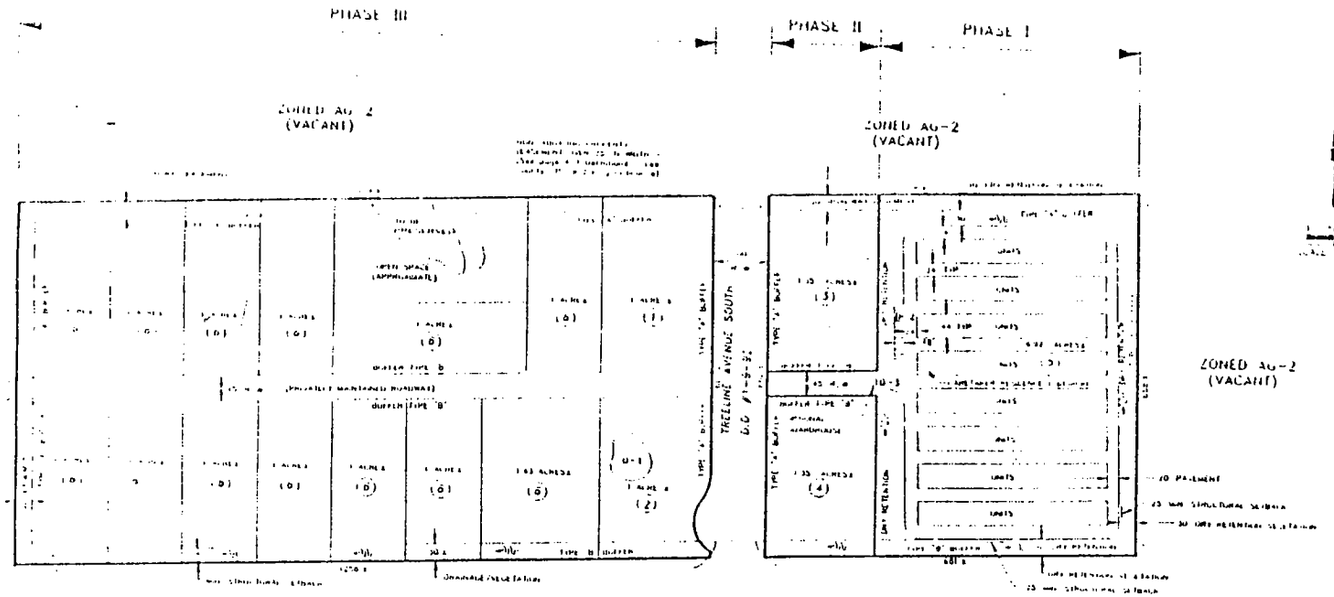
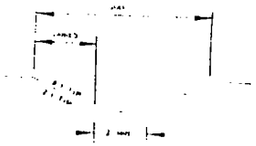


TYPICAL LOT LAYOUT



TYPICAL SWALE SECTION

APPROVED
Master Concept Plan
Site Plan # 2-14-1 Page 1 of 3
Subject to conditions in Resolution Z-14-1
Zoning Case # 13-6-3 & 0-1-1

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OCT 10 2014
ZONING COUNTER

MASTER CONCEPT PLAN
FOR
TREELINE INDUSTRIAL PARK

JOHNSON ENGINEERING, INC.

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DEERLINE INDUSTRIAL PARK

INDUSTRIAL PLANNED DEVELOPMENT

SCHEDULE OF USES

SCHEDULE OF DEVIATIONS

APPROVED

Master Concept Plan

Site Plan # [illegible] Page 2 of 3

Signed & Dated in Reference to [illegible]

Zoning Case # [illegible]

RECEIVED

JUL 18 '02

ZONING COUNTER

JOHNSON ENGINEERING, INC.