



January 20, 2022

Mr. Chahram Badamtchian, AICP
Senior Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33908

**RE: CenterPlace MPD Amendment (DCI2021-00042)
RESUBMITTAL**

Dear Mr. Badamtchian,

It is my pleasure to submit to you the attached revised documents related to the CenterPlace MPD Amendment request. The following information has been provided to assist in Staff's review following your comments received on December 7, 2021.

1. One (1) electronic copy of the Comment Letter Responses;
2. One (1) electronic copy of the Revised Request Statement;
3. One (1) electronic copy of the Revised Boundary Survey;
4. One (1) electronic copy of the Revised Title Opinion;
5. One (1) electronic copy of the Revised Master Concept Plan;
6. One (1) electronic copy of the Revised Proposed Conditions;
7. One (1) electronic copy of the Soils Map;
8. One (1) electronic copy of the Revised Indigenous Preserve Management Plan; and
9. One (1) electronic copy of the Revised Surface Water Management Plan.

The following is a list of Staff's comments with the Applicant's in **bold**.

Planning Review

Please provide an updated version of policy 1.1.9 (University Community), as per Ordinance 21-09.

Response: This policy has been updated, as requested.

Please remove Standard 11.3 from your Lee Plan narrative, as this is not in the previous or most recently updated Lee Plan.

Response: This language has been removed, as requested.

Please provide an updated version of policy 5.1.1 (residential) as per Ordinance 21-09.

Response: This policy has been updated, as requested.

Legal Description Review:

Sec. 34-202(a). Submittal Requirements for applications requiring public hearing.

(6) Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a)(6).

- The survey must be based upon the title certification submitted in accord with section 34-201(a)(7). When the Title Certification is submitted, the legal description on the boundary survey must match that which is shown on the title.

- The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.

Response: Please see the attached Revised Boundary Survey.

(7) Please provide a title certification in accordance with the requirements of Lee County LDC §34-202(a)(7).

- Document submitted needs to be one of the two forms listed in LDC §34-202(a)(7)(a) with required content included.

Response: A Title Opinion prepared by Greenspoon Marder, LLP, is attached.

Environmental Review – Elizabeth Workman

Revise MCP sheet 2 of 2 Open Space Table to provide a line item for the “created indigenous vegetation area” (18.95 acres) within the Community Park Tract in addition to the asterisk.

Response: The Open Space Table has been amended as requested. Please see the attached revised MCP.

Indicate if the “other open space area” category includes the other eight acres of general open space. The number stated (200.08 acres) did not change from previous MCP approvals.

Response: The “other open space area” category has been amended to remove the acreage of created indigenous vegetation area. Please see the attached revised MCP.

It is my understanding from the request narrative that there will be a total of 18.95 acres (includes the 8.00 acres currently being added) of indigenous restoration proposed within the Community Park Tract. The indigenous management plan submitted indicates that the restoration area will be located within the Phase 6 tract (see Passarella, Appendix A). Please revise for consistency and clarity. Revise documents accordingly.

Indicate in the indigenous management plan if soil amendments are being proposed due to the poor quality of the soil due to mining. Indicate the soil types within the Community Park Tract to justify either way.

Indicate in the indigenous management plan what the water source will be to irrigate the restoration plantings.

Response: As shown on Appendix A of the revised Lee County Indigenous Preserve Management Plan (attached), the proposed Lee County Indigenous Vegetation Restoration Area is identified as the 8.04± acre blue hatched area located adjacent to the Existing Community Park/Lee County Indigenous Restoration Area, which is shaded solid blue. The proposed indigenous vegetation restoration area is not located within the limits of Phase 6, but is located within the Community Park Tract.

As requested, please see the attached Soils Map for the indigenous vegetation restoration area. Please note that soil classifications are general in nature. The map includes two soil types noted as, Matlacha gravelly fine sand – Urban land complex and Water.

Soil amendments are currently not proposed; however, topsoil may be utilized within the indigenous vegetation restoration area to enhance soil conditions within the planting area if needed.

Planting of the restoration will be timed such that vegetation is planted during the wet season or any time of year when conditions are hospitable for planting installation and the likelihood of survivorship is increased. If irrigation is needed within the indigenous restoration area, temporary irrigation may be installed and will utilize existing on-site irrigation sources.

The attached Lee County Indigenous Preserve Management Plan has been updated to allow for the use of topsoil and temporary irrigation within the restoration area, as needed.

Natural Resources Review:

Please revise the surface water management plan to address each aspect outlined in LDC 34-373(b)(1).

Response: The surface water management plan has been revised to address each aspect required in LDC section 34-373(b)(1).

If you have any questions, please do not hesitate to contact me directly at (239) 319-0026 or jfrantz@rviplanning.com.

Sincerely,

RVi Planning + Landscape Architecture

A handwritten signature in blue ink, reading "Jeremy Frantz". The signature is written in a cursive, flowing style. To the right of the signature is a vertical yellow line.

Jeremy Frantz, AICP
Project Director



CENTERPLACE MPD Request Statement

I. BACKGROUND/PROJECT HISTORY

The Center Place MPD is currently comprised of 871 acres and allows for the development of up to 1,950 dwelling units; 250 hotel rooms; 200,000 square feet of retail; and 140,000 square feet of office/research/development pursuant to Zoning Resolution Z-17-014, as amended (see section IV. Property History).

As a part of Zoning Resolution 14-021, a 40-acre parcel was dedicated to Florida Gulf Coast University (FGCU) to become a part of the FGCU campus in compliance with Lee Plan Policy 18.1.16 par. 6 (policy was later renumbered). The donated property is the subject property ("Property") of this application and is located south of Alico Road and the Center Place MPD, east of Miromar Lakes MPD, north of FGCU, and west of the Center Place MPD and the future CR 951 extension in unincorporated Lee County, Florida.

In 2017, this policy was amended by Ordinance 17-10, removing the site dedication requirement to FGCU. Since that time, Taylor Morrison of Florida, Inc. ("Applicant") now has the property under contract as FGCU has elected not to incorporate this parcel into the and the property.

The CenterPlace MPD currently allows 1,950 units, of which there are pending or approved DO's to allow for the construction of 1,186 residential units. Permitted non-residential development is currently unbuilt.

The CenterPlace MPD is currently limited to a maximum of 487 single-family or zero lot line dwellings. However, a pending amendment to Lee Plan policy 15.1.16 par. 8 proposes to remove this limitation on single-family residential or zero lot line dwellings to 25%/487-unit limitation on single-family dwelling units and zero lot line units for Area 9, which includes the CenterPlace MPD.

II. REQUEST & JUSTIFICATION

The Applicant is requesting approval to rezone the 40+/- acre property from Agricultural (AG-2) to Mixed Use Planned Development (MPD) in order to allow for the incorporation of the 40-acre FGCU parcel into the existing CenterPlace MPD as a unified development. This will allow for the construction of residential uses and ancillary uses within the 40-acre property as a part of the Esplanade Lake Club community. The request does not require any changes to the previously approved density as these units will be subtracted from the overall 1,950 units previously approved.

This amendment request will include an amended Master Concept Plan, zoning conditions, and schedule of deviations to accommodate the development of the site with single-family dwellings. No changes to the site development regulations or maximum density or intensity of previously approved uses are proposed. The request is further described as follows:

1. Modifications to Master Concept Plan
 - a. Adding the 40-acre Property.
 - b. Adjusting buffers and development tracts to incorporate the development of the 40-acre Property
 - c. Changing the development table to reflected updated acreages.
 - d. Modifying the Notes Table to reflect the removal of Lee Plan Policy 15.1.16 par. 8 (This change is also proposed as a part of ADD2021-00107, but shown here until approval)
 - e. *Please note that MCP changes proposed in pending ADD2021-00198 are incorporated into this submittal for consistency between these two submittals.*
2. Modification to Schedule of Deviations.
 - a. Adding a new deviation to allow the indigenous vegetation retention requirements for the project to be provided via restoration plantings instead of the preservation of existing indigenous vegetation.
3. Modifying Conditions 1 and 3
 - a. Updating the Master Plan date.
 - b. Adding additional acreage to the created indigenous upland vegetation.

The current AG-2 zoning will not allow residential development at intensities comparable to surrounding development and is inconsistent with the underlying University Community Future Land Use Category (FLUC). Moreover, the location of the Property makes development as a standalone community difficult. However, the proposed rezoning allows the Property to be incorporated into a unified development within the CenterPlace MPD with the requisite flexibility to fully develop the Property in accordance with market demand for residential uses in the University Community/Alico Rd. corridor and in a coordinated manner with the surrounding community.

III. EXISTING CONDITIONS

The Property is zoned Agricultural (AG-2) and Mixed Use Planned Development (MPD) and is located within the University Community FLUC. The 40+/- acre subject property proposed for addition to the MDP was a part of a former Cemex mining operation but has been vacant since its dedication to FGCU.

The Property is located adjacent to the CenterPlace MPD, Miromar Lakes MPD, and the FGCU campus. The Property will be accessed from Alico Road (a four-lane county-maintained major collector). Access will be provided through the previously approved access points for CenterPlace MPD and will be a part of the Esplanade Lake Club community so no new access points to Alico Rd. are required.

The surrounding land use pattern generally consists of residential uses and Florida Gulf Coast University (FGCU) properties, as further described below:

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING	EXISTING LAND USE
NORTH	University Community	MPD	Single- and Multi-Family Residential (Center Place MPD)
SOUTH	University Community & Wetlands	MPD	Vacant
EAST	University Community	MPD	Residential (Center Place MPD/Wildblue MPD)
WEST	University Community	MPD	Residential (Miromar Lakes MPD)

IV. PROPERTY HISTORY

The following summarizes past zoning actions and comprehensive plan land use changes relevant to the Property.

The Property has been subject to several Lee Plan Changes to the University Community Land Use Category:

- Ordinance 10-40 "2009/2010 Regular Amendment Cycle, Alico West Ordinance."
 - Map and text amendments removing the property from the DR/GR and adding to the University Community category.
- Ordinance 14-03 "University Community DRI Requirement Ordinance."
 - Removed DRI requirements.
- Ordinance 17-10 "Centerplace Ordinance (CPA2016-00011)."
 - Map and text amendments related to University Community category to accommodate Mixed Use development of CenterPlace MPD.
- CPA2021-00002 - Pending Lee Plan Amendment
 - Proposes to amend Policy 15.1.16 par. 8 to remove maximum percentage and unit limitation for single-family residential and zero lot line units.

The following zoning resolutions and amendments are relevant to the subject property and the CenterPlace MPD:

Subject Property:

- Original Zoning – None

Center Place MPD:

- Z-14-021
- Z-17-014
- ADD2017-00139

- ADD2017-00170
- ADD2018-00100
- ADD2018-10042
- ADD2019-00078
- ADD2019-00098
- ADD2020-00148
- ADD2021-00019
- ADD2021-00068
- ADD2021-00107 (Pending approval)
- ADD2021-00198 (Pending approval)

V. PUBLIC INFRASTRUCTURE

As outlined in the enclosed application, the Property will be incorporated into the CenterPlace MPD and serviced by the same public infrastructure without any increases to previously approve density or intensity of uses. Potable water and sanitary sewer services will be provided by Lee County Utilities.

The Property will utilize existing accesses to the Esplanade Lake Club community along Alico Rd. Transportation analysis and mitigation has been addressed through previous approvals for CenterPlace MPD. Most recently, CPA2021-00002 included additional analysis of the impact of 1,950 single-family units in the CenterPlace MPD and found that “the transportation facilities within a three-mile radius will not be impacted if the 25% restriction to Single Family Dwelling units is removed from the Conditions and the site could be developed with up to 1,950 Single Family Dwelling Units under the ‘worst case’ analysis.”

There are adequate public facilities and services in the immediate vicinity of the project to serve the proposed development in terms of schools, fire, EMS and Sheriff’s protection.

Due to the absence of new impacts to public infrastructure, a waiver from these submittal requirements has been requested.

VI. PROPOSED USES/DESIGN STANDARDS

The Applicant does not propose any changes to the Schedule of Uses or design standards approved in Resolution Z-17-014, as amended. The previously approved Schedule of Uses allows for a range of commercial, retail, office, hotel, and research and development uses. The 40-acre addition will be designated as an “R-MF” tract, which allows for to live-work, single-family (detached), live work, multiple family buildings, townhomes, two-family (attached), and related uses. No changes to the currently approved wet slips or their locations are proposed.

Required perimeter buffers and other design elements will be provided on the 40-acre parcel without the need for deviations to required perimeter buffers or any further amendments to previously approved deviations related to design standards. Required open space will be provided as required in the LDC with minimal modifications to Deviation #1 to reflect the addition of the new parcel.

The project is located within the University Community; therefore, no planning community-specific design requirements apply to this amendment request.

As shown on the proposed Master Concept Plan, the 40-acre addition will serve as a logical extension of the residential development pattern in the CenterPlace MPD and more specifically, the Esplanade Lake Club community.

VII. DECISION-MAKING COMPLIANCE

In accordance with LDC Section 34-145(d)(4), the data and analysis provided in the enclosed application demonstrate that the request meets or exceeds the following:

- a) The request will meet or exceed all performance and locational standards set forth for the proposed mixed use planned development, except where a deviation has been approved.**

The request does not include any changes to the development standards for the existing CenterPlace MPD, which was previously been found to meet or exceed all performance and locational standards in the LDC, except where deviations were previously granted or where the Applicant has requested on-site restoration of

native vegetation in lieu of preservation of existing plant communities. The same performance and locational standards will apply the 40-acre property once incorporated into the MPD.

Ingress and egress to the property will be from Alico Rd., through the existing access points for the Esplanade Lake Club Community.

b) Complies with the Lee Plan.

The request will allow for residential development in accordance with the University Community FLUC and other relevant Goals, Objectives, and Policies. Additional analysis of Lee Plan consistency is provided below.

c) Meets this Code and other applicable County regulations or qualifies for deviations.

The rezone request will incorporate the 40-acre property into the existing CenterPlace MPD, which has previously been found to meet or exceed this criterion. The previously approved development standards, deviations, and conditions approved for the existing CenterPlace MPD will apply to the subject Property and an additional deviation is proposed to address new created indigenous preservation areas. As outlined in the Deviation Justification Narrative, the restoration will fully meet the intent of the LDC by providing for a clustered area of native vegetation in an appropriate location of the site that can support the plant communities but is not suitable for development.

d) Is compatible with existing and planned uses in the surrounding area.

The rezone request will ensure that the property is developed with uses similar neighboring properties. The Property will adhere to and utilize the same development standards used throughout the CenterPlace MPD. Perimeter buffers, lakes, and setbacks will be provided to the adjacent to the Miromar Lakes MPD and FGCU campus, consistent with those provided elsewhere in the CenterPlace MPD.

Impact to surrounding land uses are minimal due to the similarity of intent and intensity of uses. The zoning conditions and LDC requirements have adequately addressed any potential impacts on adjacent uses.

e) Will provide access sufficient to support the proposed development intensity.

The request does not increase previously approved density or intensity of the CenterPlace MPD. Access to the MPD has previously been established at three points along Alico Rd. Three access points exceeds the requirement in LDC section 10-291 that residential development of more than five acres must provide more than one means of ingress or egress for the development.

f) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval.

Public infrastructure and services are available to service the proposed development. The project will require development order approvals prior to site development activities. The project's impacts will be evaluated at that time in accordance with the LDC.

The CenterPlace MPD has previously demonstrated that all analyzed roadways are projected to operate at acceptable Level of Service even if the maximum of 1,950 dwelling units were developed as single-family dwellings.

g) Will not adversely affect environmentally critical or sensitive areas and natural resources.

The request proposes to create 8 acres of indigenous vegetation to meet the intent of the LDC to provide for native preserves within developments. The existing vegetation on the 40-acre addition is relatively low quality and primarily disturbed or non-native vegetation. Per the enclosed Environmental Report, the Property contains approximately 9.60 acres of South Florida Water Management District (SFWMD) jurisdictional wetlands and 0.80 acre of SFWMD "other surface waters". These wetlands have been degraded through the historical activities on-site and contain a high degree of disturbed and exotic vegetation.

Due to the previous agricultural and mining activity, the areas of existing wetlands and other vegetation contain a high degree of exotics is also located on highly developable lands, whereas, the proposed location of created indigenous vegetation. Moreover, the addition of 8 acres of indigenous vegetation to the previously proposed

created indigenous vegetation area within the Community Park tract, will provide for a larger contiguous area of native vegetation.

Due to previous mining activities significant portions of the MPD are unsuitable for development but can readily accommodate restoration plantings. The proposal makes efficient use of this infill site intended for development per the University Community FLUC, while ensuring Lee County's vision for expansion vegetation areas are accommodated in residential communities.

h) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

Public infrastructure and services are available to service the proposed development. This property is located within the University Community FLUC. This area is programmed to include a mix of uses. As such Lee County Utilities has adequate services for the existing CenterPlace MPD's previously approved residential density.

The property is served by the San Carlos Fire District with a primary station (#53) located on Ben Hill Griffen Pkwy. The Lee County Sheriff provides service in South Zone 4.

The data and analysis provided in the enclosed application also demonstrates that the request meets or exceeds the following Planned Development Rezoning review criteria:

i) The proposed use or mix of uses is appropriate at the proposed location;

The University Community FLUC allows for a range of uses throughout the area. The request will incorporate the property into the existing CenterPlace MPD, which has previously shown to include an appropriate mix of residential, commercial, office and other uses. Moreover, the development of residential dwellings on the 40-acre addition is appropriate for this location within the MPD as it provides for compatibility with neighboring developments.

j) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

The conditions related to the existing CenterPlace MPD have previously been found to be sufficient and reasonably related to the impacts on the public interest. The previously approved conditions are proposed to apply to the property.

Condition three is proposed to be modified to add eight acres to the previously identified on-site indigenous vegetation within the Community Park tract.

k) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:
1) Enhances the achievement of the objectives of the planned development; and
2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

The Applicant has proposed one deviation is preserves intent to provide indigenous preservation on site. The intent of the application is to facilitate the redevelopment of a site that was previously impacted by mining activity. Without the deviation, it would not be possible to meet the LDC requirement for on-site native vegetation preservation.

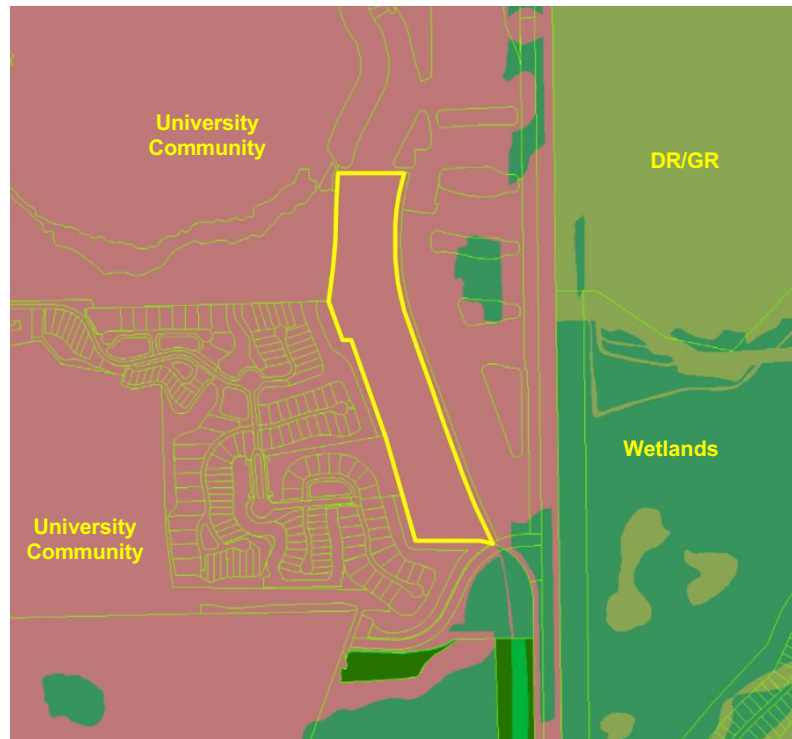
VIII. LEE PLAN COMPLIANCE

The following is an analysis of the MPD's consistency with goals, objectives and policies of the Lee County Comprehensive Plan (Lee Plan).

POLICY 1.1.9: The University Community future land use category provides for Florida Gulf Coast University (FGCU) and associated support development. The location and timing of development within this category must be coordinated with the development of FGCU and the provision of necessary infrastructure. In addition to all other applicable regulations, development within the University Community future land use category must be designed to enhance and support FGCU and will be subject to cooperative master planning with, and approval by, the FGCU President or their designee. Overall residential development within the University Village future land use category will not exceed 6,510 dwelling units. None of the 6,510 dwelling units may be used on or transferred to lands located outside of the University Community future land use category

boundaries as they exist on October 20, 2010. Specific policies related to the University Community future land use category are provided in Goal 15.

The Property is located in the University Community FLUC, as shown below.



The request is limited to residential dwellings and does not require any modifications to the schedule of uses, density, or intensity of the CenterPlace MPD, which are consistent with the intended uses, density, and intensity in the University Community category.

The existing CenterPlace MPD has previously been found consistent with the University Community FLUC. After the addition of the subject property, the CenterPlace MPD will remain consistent with this category as there will not be any dwelling units added to the MPD.

The addition of 40 acres to the MPD supports the University by facilitating the build out of the MPD which includes a mix of uses and housing products. South of the Property, the CenterPlace MPD has reserved the location for future access to FGCU which is not proposed to be changed. Infrastructure and public services are available to serve the property.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*

The proposed rezoning will allow for a clustered and logical development pattern in an area readily serviced by public infrastructure, in direct compliance with the above policy. As outlined in detail within the application, the project represents an infill development within an urbanized area of Lee County and surrounded by other residential and mixed-use development.

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrence Management Ordinance.*

The Property is contiguous to developed or developing properties and will be integrating into the existing CenterPlace MPD.

The existing CenterPlace MPD has previously been found to be consistent with this policy and letters have previously been provided demonstrating the availability of public facilities and services to support the density approved in the existing CenterPlace MPD.

The proposed rezoning fully complies with the above policy's intent to direct new growth to appropriate Future Urban Areas of the county.

POLICY 2.2.1: Rezoning and Development of Regional Impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The road network in the region has been specifically constructed to support a mix of residential uses, employment centers, and industrial activity. The request does not include any additional density and the exiting CenterPlace MPD has previously been determined to be in compliance with this policy.

Lee County utilities has both sewer and water infrastructure available to the property with capacities to serve the previously approved density and the surrounding area approved zoning. The area University Community FLUC, is designed to a mix of residential and non-residential uses supporting FGCU. The property is near existing networks, utility services and compatible, similar land uses.

GOAL 4

STANDARD 4.1.1 & 4.1.2: WATER & SEWER

Availability of potable water and sanitary sewer services have been demonstrated for the existing CenterPlace MPD through previous applications. With no changes to allowable unit count in the MPD, the addition of 40 acres into the MPD does not impact the project's previous consistency with this policy.

GOAL 5: RESIDENTIAL LAND USES. To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types.

POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned developments except if located within the Mixed Use Overlay.

The Application is to incorporate the Property into the CenterPlace MPD in accordance with this policy.

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

The Property does not include any physical constraints or hazards detrimental to residential development. As previously stated, the incorporation of the 40-acre property into the CenterPlace MPD facilitates the development of a site with a history of mining. The mining activity has resulted in portions of the CenterPlace MPD with unstable soils. The incorporation of the 40-acre property into the CenterPlace MPD facilitates a fuller utilization of previously approved density.

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities.

This policy is not applicable as the CenterPlace MPD is not considered a high-density residential development.

POLICY 5.1.4: Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard.

The Property is not located in an Industrial Development area or in Airport Noise Zone B.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.

The request is intended to allow for the development of single-family residential dwellings on the 40-acre property. The rezone request will ensure that the property is developed with uses similar neighboring properties, thereby protecting the character and integrity of the existing communities.

The Property will adhere to and utilize the same development standards used throughout the CenterPlace MPD. Perimeter buffers, lakes, and setbacks will be provided to the adjacent to the Miromar Lakes MPD and FGCU campus, consistent with those provided elsewhere in the CenterPlace MPD.

Impact to surrounding land uses are minimal due to the similarity of intent and intensity of uses. The zoning conditions and LDC requirements have adequately addressed any potential impacts on adjacent uses.

POLICY 5.1.6: Maintain development regulations that require high-density, multi-family, cluster, and mixed use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design.

The existing CenterPlace MPD includes previously approved open space, buffering, landscaping and recreation uses and was determined to be consistent with this policy. The 40-acre property will utilize the existing CenterPlace MPD development standards.

A minimum of 12 acres of open space will be added to the CenterPlace MPD. Eight acres of which will be provided in the form of restored indigenous vegetation.

A 15-foot Type "D" perimeter buffer will be constructed along the western and southern boundaries of the 40-acre property. Other landscaping throughout 40-acre property will be consistent and comparable to the previously approved landscaping for the CenterPlace MPD.

Finally, residents will be able to utilize the recreation facilities associated with the Esplanade Lake Club.

POLICY 5.1.7: Maintain development regulations that require that community facilities (such as park, recreational, and open space areas) in residential developments are functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. These pathways must be interconnected with adjoining developments and public pathways whenever possible. Townhouses, condominiums, apartments, and other types of multi-family residential development must have directly accessible common open space.

The existing CenterPlace MPD includes previously approved development regulations which will apply to the 40-acre addition. Since the subject property will be integrated into the Esplanade Lake Club community, the parks, recreational, and open space areas will be accessible to residents within the 40-acre property. The existing CenterPlace MPD has previously been determined to be consistent with this policy.

POLICY 5.1.8: Provide for adequate locations of low- and moderate-income housing through the rezoning process, the provision of public facilities and services, and the elimination of unnecessary administrative and legal barriers.

The CenterPlace MPD includes a variety of housing types at market-rate pricing. The request does not create any unnecessary barriers to the provision of low- or moderate-income housing.

GOAL 11: MIXED USE. Encourage mixed use developments that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments.

OBJECTIVE 11.1: MIXED USE DEVELOPMENT. Allow and encourage mixed use development within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development.

The existing CenterPlace MPD is in the University Community future land use area and was previously approved for a mix of residential and non-residential uses. The property will be accessible by Alico Rd., through the Esplanade Lake Club Community. The property is also nearby Ben Hill Griffin Pkwy. and I-75 to the west.

GOAL 15: UNIVERSITY COMMUNITY. In order to ensure that development within the University Community land use category protects and enhances the ability of Florida's 10th University to provide secondary education as described in the Mission Statement of that institution and to assure that land uses or development activities do not interfere with, disrupt, or impede the efficient operation of that institution the following Objectives and Policies will apply to all development within the University Community land use category. The Application (Volume 1 of 2) (1992) and the Support Document (Volume 2 of 2) (1992) to the Amendment to the Lee County Comprehensive Plan for the University Community is incorporated by reference herein as a resource and information document.

OBJECTIVE 15.1: FUTURE LAND USE. In order to ensure that the location and timing of development within the University Community is coordinated with the development of the University and the provision of necessary infrastructure; and, that all associated support development within the University Community is designed to enhance the University; all development within the University Community will be subject to cooperative master planning which must conform to the following policies.

POLICY 15.1.1: Lee County will, through public and private economic and business development initiatives, promote the University Community as a catalyst for economic diversification and the promotion of employment throughout Lee County and the Region. Within the University Community land use category the focus of this endeavor (the emphasis) will be on university related scientific research and high technology development activities.

The request does not include any change to the previously approved uses in the existing CenterPlace MPD, which was previously been found consistent with this policy. Incorporating the 40-acre property without modifying the allowed dwelling units, intensity, or uses will not impact the project's consistency with this policy.

POLICY 15.1.2: The University Community will provide a mix of housing types with densities sufficient to meet the needs of and designed to accommodate the varying lifestyles of students, faculty, administration, other university personnel and employees of the associated support development.

The request does not include any change to the previously approved mix of housing types or densities. The existing CenterPlace MPD was previously found to be consistent with this policy. Incorporating the 40-acre property will not impact the project's consistency with this policy.

POLICY 15.1.4: Lee County will maintain and as necessary adopt regulations further defining how densities for individual parcels within the University Community will be determined. The regulations will address how the total number of units will be tallied to ensure that the overall total number of residential units within the University Village do not exceed 6,510 dwelling units. The regulations will provide a mechanism for clustering densities within the University Community.

The request does not include any increase to the previously dwelling units. Incorporating the 40-acre property will not impact the project's consistency with this policy.

POLICY 15.1.5: In order to create a cohesive community, site design within the University Community must utilize alternative modes of transportation such as pedestrian networks, mass transit opportunities, sidewalks, bike paths and similar facilities. Site design must link related land uses through the use of alternative modes of transportation thus reducing automobile traffic within the University Community. The county will work cooperatively with the University on these matters as the University proceeds through the Campus Master Plan Process.

As part of the local development order approval for primary infrastructure installation on property within Area 9 of the University Community, the developer must demonstrate that the proposed plan of development supports pedestrian, bicycle and transit opportunities. A multi-modal interconnection between the property and the FGCU campus must be provided at no cost to Lee County consistent with Lee Plan Policy 15.1.16.5.

The request will facilitate the creation of a cohesive community by incorporating the Property into the previously approved CenterPlace MPD. The Centerplace MPD was previously found to be consistent with this policy and sidewalks and bicycle facilities are provided throughout the existing CenterPlace MPD and will be continued in the 40-acre addition. South of the Property, the CenterPlace MPD has reserved the location for future access to FGCU, which is not proposed to be changed.

POLICY 15.1.7: A diverse mixture of land uses will be encouraged within the University Community.

The project will be incorporated into the previously approved CenterPlace MPD. Incorporating the 40-acre property will not impact the project's consistency with this policy.

POLICY 15.1.9: Prior to the commencement of development within the University Community land use category, an area-wide Conceptual Water Management Master Plan must be submitted to and approved by Lee County and South Florida Water Management District staff. This water management plan will be integrated with the Conceptual Master Plan and be prepared through a cooperative effort between the property owner, Lee County, and South Florida Water Management District. This master plan will ensure that the water management design of any development within the University Community will maintain or improve the currently existing quality and quantity of groundwater recharge. This plan must be consistent with the drainage basin studies that were prepared by Johnson Engineering, and approved by the SFWMD. Lee County will amend the county land development regulations to require all new development to be consistent with the appropriate basin study. Prior to zoning or development order approval on any portion of Area 9, the developer must demonstrate through modeling, accepted by Lee County staff, that the proposed development will not create significant impacts on present or future water resources.

The project will be incorporated into the surface water management system for the Esplanade Lake Club community. The project will require development order approvals prior to site development activities. The project's impacts will be evaluated at that time in accordance with the LDC.

POLICY 15.1.11: If not otherwise addressed by the Conceptual Master Plan, the landowner(s) within the University Village will coordinate infrastructure connections and interconnections, including but not limited to roadways, utilities and water management, with the University Campus through the established Board of Regents' master planning, review and approval process.

The project will be incorporated into previously approved infrastructure serving the existing CenterPlace MPD. Incorporating the 40-acre property will not impact the project's consistency with this policy.

POLICY 15.1.12: To encourage a variety of wildlife habitats and university study sites, special consideration will be given in the Conceptual Master Plan to the preservation of portions of the most pristine and diverse wildlife habitat areas (such as, pine flatwoods, palmetto prairies, and major cypress slough systems) as an incentive to reduce, on a one-for-one basis, open space requirements in other developments within the University Community. The implementation of this policy will occur at the time of zoning and development review.

The 40-acre property has been heavily impacted by previous mining activity. As such, the request proposes a deviation from LDC section 10-415 to allow for the restoration of indigenous vegetation on site.

POLICY 15.1.13: The use of septic tanks will be prohibited except for temporary septic tanks for model homes, construction trailers, and temporary sales offices. Permanent septic tanks will be limited to rest room facilities in golf courses, existing agricultural operations, or any agricultural operation of twenty five acres or more.

The request does not include the use of septic tanks. The property will utilize the sanitary sewer facilities serving the CenterPlace MPD.

POLICY 15.1.16: For those lands in Area 9, all development must be designed to enhance and support the University. All rezonings in this area must include a specific finding that the proposed uses qualify as Associated Support Development, as that term is defined in the glossary. The final design and components will be determined as part of the rezoning process and must be consistent with the following development standards:

1. Mixed Use: Development must incorporate a mix of uses (multiple types of residential development along with non-residential development) and be consistent with the intent of Goals 11 and 15 and

Policy 1.1.9. Development on Alico West, Area 9, must be rezoned to a planned development as specified by the Land Development Code. The following maximum development parameters per use are approved for Area 9, subject to transportation mitigation requirements:

- **Residential: A maximum of 1,950 units**
- **Retail: A maximum 200,000 square feet**
- **Office/Research/Development: A maximum of 140,000 square feet**
- **Hotel: 250 rooms**

No change to the previously approved uses in the CenterPlace MPD are proposed. Incorporating the 40-acre property will not impact the project's consistency with this policy.

2. Density: To ensure the creation of a development that has sufficient residential mass to support the proposed non-residential intensity, while providing a mixture of housing types to meet the needs and accommodate the varying lifestyles of persons related directly and indirectly to the University as required by Policy 15.1.2, the total project must not exceed a total of 1,950 dwelling units.

No change to the previously approved maximum dwelling units in the CenterPlace MPD are proposed. Incorporating the 40-acre property will not impact the project's consistency with this policy.

4. Office, Research and Development Facilities: Research and development facilities and office buildings are encouraged which will attract the targeted industries as established by the State of Florida and by Lee County to create economic diversity and to create synergy between FGCU and private facilities. As required by Policy 15.1.1, the emphasis will be on University related scientific research and high technology development activities but may also include and allow a diversity of activities that support the University and private development within Area 9 in keeping with the predominant land uses as established by Policy 15.2.2.

No change to the previously approved office and research and development facilities in the CenterPlace MPD are proposed. Incorporating the 40-acre property will not impact the project's consistency with this policy.

5. Connectivity to FGCU: To further implement Policy 15.1.5 relative to alternative modes of transportation, Area 9 will be designed with a connection to FGCU. This connection will be a pedestrian-friendly multi-modal facility, with traffic calming, multi use paths, and other pedestrian oriented safety features. The connection to FGCU must be constructed consistent with the FGCU Campus Master Plan and Development Agreement.

No change to the previously approved connection to FGCU is proposed. The connection remains to the south of the proposed addition in the CenterPlace MPD. Incorporating the 40-acre property will not impact the project's consistency with this policy.

6. Pedestrian Friendly Design: The development will be designed as a pedestrian-friendly community. Areas targeted and marketed as student housing, as well as retail, office, and research and development areas, will include pedestrian oriented design features, including traffic calming, sidewalks on both sides of the road system, safety call boxes, and facilities to accommodate the FGCU Eagle Express, Lee Tran, and other alternative modes of transportation.

No changes to the previously approved development standards are proposed as a part of this request. The existing CenterPlace MPD is proposed to include sidewalks in accordance with the LDC.

7. Parking: Parking in Area 9 should be screened and minimized to the furthest extent possible in order to create a walkable community that considers the needs of pedestrians and recognizes the possibility for internal trip capture. Parking may be minimized by using on-street parking, shared parking, or structured parking.

No changes to existing parking areas in the CenterPlace MPD are included in this request. A perimeter buffer will screen parking for residential dwellings from surrounding communities.

8. Residential Uses: Single-family residential units and zero lot line units, as defined in the Land Development Code, will be limited to a maximum of 25% of the total approved dwelling units in the planned development.

This policy is proposed to be deleted by CPA2021-00002.

9. Town Square: Area 9 may contain public and private entertainment venues, including but not limited to facilities such as theaters, bars and cocktail lounges, restaurants, bowling alleys, batting cages, arcades, as well as passive recreation facilities.

The additional lands proposed for inclusion will be developed with residential dwelling types already permitted by the MPD zoning approval. No changes to the previously approved list of uses are proposed. Incorporating the 40-acre property will not impact the project's consistency with this policy.

10. Landscaping: All plantings used in buffers and landscaping must be at least 75% native. Irrigation must be provided through a central irrigation system that complies with the Lee County Water Conservation Ordinance. Irrigation control boxes and wells are prohibited on individual residential lots.

No changes to the previously approved development standards are proposed. Buffer plantings and landscaping will be at least 75% native species and be irrigated through a central irrigation system in compliance with this policy. Incorporating the 40-acre property will not impact the project's consistency with this policy.

11. Florida Gulf Coast University Participation: The owner or agent for Development of Regional Impact or planned development rezoning requests must conduct two meetings with the President of FGCU or designees and will provide detailed information to such representatives at those meetings relating to the Site Plan and Master Concept Plan for any proposed development within Area 9. The developer must invite Lee County zoning and planning staff to participate in such meetings. These meetings must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meetings, list of attendees; a summary of the concerns or issues that were raised at the meetings; and a proposal of how the applicant will respond to any issues that were raised.

Two meetings have been held with FGCU representatives.

A meeting between Charles Cook, Barbara Kininmonth, and Katherine Green was held for an on-site inspection on June 24, 2021. History of ownership of the property, and Taylor Morrison's intended uses on the property were also discussed.

A second meeting was held between Charles Cook, Barbara Kininmonth and Katherine Green on August 6, 2021, to discuss Taylor Morrison's due diligence findings and financial impacts of the wetlands on site for the purposes of updating the FGCU Foundation's Executive Committee.

Additionally, an affidavit of authorization is attached. If required, Lee County staff will be invited to additional meetings to demonstrate FGCU participation.

12. Stormwater Retention for adjacent transportation facilities: Area 9 will accommodate stormwater detention/retention requirements for the Alico Road widening and County Road 951 extension adjacent to the property, if constructed.

No changes to the previously approved stormwater detention/retention related to the Alico Road widening are proposed.

POLICY 61.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely, and will support allocations of the resource on the basis 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality freshwater compatible with that use, consistent with financial and technical constraints.

The Applicant has obtained Environmental Resource Permit (ERP #36-03568-P-05) from the South Florida Water Management District. The previously approved master drainage system and established conservation areas through the ERP and as required in the existing CenterPlace MPD zoning and subsequent development orders are in compliance with this policy.

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.

POLICY 125.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.

The 40-acre addition will include stormwater lakes adjacent to the residential tract to address water quality. The surface water system will be incorporated into the Esplanade Lake Club's existing stormwater system (ERP permit #36-03568-P-05). A major modification to the ERP will be obtained from the South Florida Water Management District at the time of DO. The project will continue to comply with the enhanced stormwater management conditions contained in the original zoning approval.

IX. CONCLUSION

The application has demonstrated the proposed incorporation of the 40-acre property into the existing CenterPlace MPD will be compatible with the surrounding development pattern, and directly supports the County's intent for the University Community land use category.

The addition to the MPD promotes the redevelopment of a previously impacted site and will result in the recreation of 8 acres of indigenous vegetation while meeting or exceeding the standards set forth in the LDC, except where deviations are requested or were previously approved. The requested deviation and modifications to conditions are the minimum necessary to facilitate the development of the property in a manner consistent with surrounding development.

The rezoning does not require any increase in previously approved densities or intensities and facilitates a flexible response to changing market demands in the area. Additionally, the incorporation of the 40-acre property will not impact service availability or existing infrastructure.

For these reasons, the Applicant respectfully requests approval of this rezone as proposed.



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Direct Fax: 954.333.4004
Email: mark.grant@gmlaw.com

January 10, 2022

OPINION OF TITLE

Mark F. Grant, Esq.
CenterPlace MPD Amendment
DCI2021-00042

Certified to: Lee County Board of County Commissioners

I am an attorney licensed and eligible to practice law in the State of Florida and I have searched the Public Records of Lee County, Florida and have examined the title to the real property more particularly described in the metes and bounds description attached hereto as Exhibit "A." I have made a careful examination of the Public Records of Lee County, Florida, with respect to the real property described in attached Exhibit "A." This Opinion of Title is provided to satisfy the requirements of Florida Statutes Section 177.041 and Lee County Land Administrative Code AC-13-19. Based on the foregoing, I am of the opinion that:

Title to the property, searched through December 23, 2021 at 8:00 a.m., is vested in the party below:

Florida Gulf Coast University Foundation, Inc., a Florida non-profit corporation.

The following are all of those persons or entities holding a mortgage secured by the Property:

None.

Said record title holder has fee simple title thereto subject, however, to the following encumbrances, qualifications and easements:

1. Easement Agreement Including Non-Exclusive Navigational and Recreational Rights between Alico, Inc., the Board of Regents of the State of Florida, and The Trustees of the Internal Improvement Trust Fund of the State of Florida recorded in Official Records Book 2497, Page 1569, as amended by between Alico, Inc., Florida Gulf Coast University and Miromar Lakes, L.L.C., together with the First Amendment thereto, recorded in Official Records Book 3506, Page 4776. all of the Public Records of Lee County, Florida.

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2. Easements contained in Warranty Deed from Alico, Inc., to Miromar Lakes, L.L.C., recorded in Official Records Book 3165, Page 1800, of the Public Records of Lee County, Florida, including:
 - a. Ingress, egress and utility easement across Parcel Three more particularly described in Official Records Book 3165, Pages 1812 through 1814, of the Public Records of Lee County, Florida;
 - b. Lake connection easement as more particularly described in Official Records Book 3165, Pages 1826 through 1828, as amended and restated as Instrument No. 2015000198820, of the Public Records of Lee County, Florida;
 - c. Easement for drainage, water storage or retention and related purposes, irrigation, recreation, navigation and other water related use, construction of docks, gazebos, fishing piers and other water related facilities over Parcel Four as more particularly described in Official Records Book 3165, Pages 1815 through 1818, both of the Public Records of Lee County, Florida;
 - d. Ingress, egress, drainage, utilities and recreational easement on Parcels Five and Six more particularly described in Official Records Book 3165, Pages 1819 through 1824, both of the Public Records of Lee County, Florida;
 - e. Drainage easement into north lake, located north and east of Parcel One and north of Parcel Two as described in Official Records Book 3165, Page 1801, of the Public Records of Lee County, Florida;
 - f. Easement for excavation and construction of canal on Parcel Eight as more particularly described in Official Records Book 3165, Pages 1829 through 1831, of the Public Records of Lee County, Florida; and
 - g. Easement for use of North Lake for water access, boating and general navigational and recreational rights as described in Official Records Book 3165, Page 1802, of the Public Records of Lee County, Florida.
3. Grant of License for Construction and Maintenance of Berm, Swale and Levy, and Removal of Spoil Fines, recorded as Instrument No. 2005000142684, of the Public Records of Lee County, Florida.

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4. Ingress, Egress and Utility Easement Agreement, recorded as Instrument No. 2010000230562, of the Public Records of Lee County, Florida.
5. Declaration of Covenants, Conditions and Restrictions between Alico, Inc., and the Board of Regents of the State of Florida, and The Trustees of the Internal Improvement Trust Fund of the State of Florida recorded in Official Records Book 2497, Page 1574 (there are no embedded easements within this Declaration).
6. Waiver of Reversionary Interest Contained in Deed Restriction recorded in Official Records Book 4204, Page 3541, of the Public Records of Lee County, Florida.
7. Agreement Concerning Development by and among LB at Miromar Lakes, LLC, Miromar Lakes, LLC, Alico Land Development, Inc., and Florida Gulf Coast University Board of Trustees, recorded as Instrument No. 2011000059193, of the Public Records of Lee County, Florida.
8. Declaration of Restrictions between Alico West Fund, LLC, Alico East Fund, LLC and Crockett Fund, LLC, recorded as Instrument No. 2013000219323, of the Public Records of Lee County, Florida (there are no embedded easements within this Declaration).
9. Ingress and Egress Agreement, recorded as Instrument No. 2020000307942, of the Public Records of Lee County, Florida

The 2021 real property taxes have been paid.

Respectfully submitted,

GREENSPOON MARDER LLP



Mark F. Grant, Partner
For the Firm
Florida Bar No.: 218881

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EXHIBIT "A"

LEGAL DESCRIPTION

BEING A PORTION OF SECTIONS 12 AND 13, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF TRACT "W5-6", ESPLANADE LAKE CLUB PHASE 1 AS RECORDED IN INSTRUMENT NUMBER 2019000189935 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID TRACT "W5-6", THE FOLLOWING 4 COURSES; (COURSE 1) NORTH 07°38'50" EAST, A DISTANCE OF 351.57 FEET TO A POINT OF CURVATURE; (COURSE 2) NORTHERLY, 228.68 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 2,000.00 FEET, THROUGH A CENTRAL ANGLE OF 06°33'04" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 04°22'18" EAST, 228.56 FEET; (COURSE 3) NORTH 01°05'46" EAST, A DISTANCE OF 292.24 FEET TO A POINT OF CURVATURE; (COURSE 4) NORTHERLY, 66.88 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 2,000.00 FEET, THROUGH A CENTRAL ANGLE OF 01°54'57" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 02°03'14" EAST, 66.88 FEET TO THE SOUTHEAST CORNER OF TRACT "O30", ESPLANADE LAKE CLUB PHASE 2 AS RECORDED IN INSTRUMENT NUMBER 2020000075347 SAID POINT BEING A POINT OF COMPOUND CURVATURE; THENCE ALONG THE EAST BOUNDARY LINE OF SAID TRACT "O30", NORTHERLY, 155.63 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 2,000.00 FEET, THROUGH A CENTRAL ANGLE OF 04°27'30" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 05°14'28" EAST, 155.59 FEET TO THE SOUTHWEST CORNER OF TRACT "F1, ESPLANADE LAKE CLUB PLAT THREE AS RECORDED IN INSTRUMENT NUMBER 2021000173051 OF SAID LEE COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY LINE OF SAID PLAT THREE, THE FOLLOWING 5 COURSES; (COURSE 1) NORTH 89°09'13" EAST, A DISTANCE OF 563.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE; (COURSE 2) SOUTHERLY, 1,343.46 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 2,150.00 FEET, THROUGH A CENTRAL ANGLE OF 35°48'07" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 02°09'45" EAST, 1,321.71 FEET; (COURSE 3) SOUTH 20°03'48" EAST, A DISTANCE OF 1,285.37 FEET TO A POINT OF CURVATURE; (COURSE 4) SOUTHEASTERLY, 476.13 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 5,050.00 FEET, THROUGH A CENTRAL ANGLE OF 05°24'07" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 22°45'52" EAST, 475.96 FEET; (COURSE 5) SOUTH 25°27'56" EAST, A DISTANCE OF 198.92 FEET TO A POINT ON THE BOUNDARY LINE OF MIROMAR LAKES COMMUNITY DEVELOPMENT DISTRICT AS RECORDED IN INSTRUMENT NUMBER 2008000036958 OF SAID LEE COUNTY, FLORIDA SAID POINT BEING A POINT ON A NON-TANGENTIAL CURVE; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING 3 COURSES; (COURSE 1) WESTERLY, 150.32 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 500.00 FEET, THROUGH A CENTRAL ANGLE OF 17°13'33" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 81°09'56" WEST, 149.76 FEET; (COURSE 2) NORTH 89°46'43"

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WEST, A DISTANCE OF 516.04 FEET; (COURSE 3) NORTH 15°43'44" WEST, A DISTANCE OF 920.90 FEET TO THE SOUTHEAST CORNER OF TRACT "0-3", MIROMAR LAKES UNIT XI-PENINSULA AS RECORDED IN INSTRUMENT NUMBER 2006000456819 OF SAID LEE COUNTY, FLORIDA; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING 5 COURSES; (COURSE 1) NORTH 15°43'44" WEST, A DISTANCE OF 57.53 FEET; (COURSE 2) NORTH 20°09'57" WEST, A DISTANCE OF 807.57 FEET; (COURSE 3) NORTH 89°48'06" WEST, A DISTANCE OF 80.00 FEET; (COURSE 4) NORTH 20°09'57" WEST, A DISTANCE OF 344.08 FEET; (COURSE 5) SOUTH 88°10'32" WEST, A DISTANCE OF 3.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,742,562 SQUARE FEET OR 40.004 ACRES, MORE OR LESS.



NOTES

1 15' TYPE "D" LANDSCAPE BUFFER
2 PRESERVE TO ACT AS BUFFER
3 15' TYPE "B" BUFFER
4 CONNECTION TO FLORIDA GULF COAST UNIVERSITY

REQUEST: REZONING FROM AG-2 TO MPD FOR RESIDENTIAL DEVELOPMENT

1,950 DWELLING UNITS
250 ROOM HOTEL
200,000 SF RETAIL
110,000 SF OFFICE
20,000 SF RESEARCH & DEVELOPMENT
10,000 SF MEDICAL OFFICE

FUTURE LAND USE: UNIVERSITY COMMUNITY
THIRTY FOOT (30') PRINCIPAL STRUCTURE SETBACK FROM INDIGENOUS COMMUNITIES WILL BE PROVIDED FOR FIRE PROTECTION UTILITIES TO BE PROVIDED BY LEE COUNTY UTILITIES NOT ON A LEE TRAN ROUTE

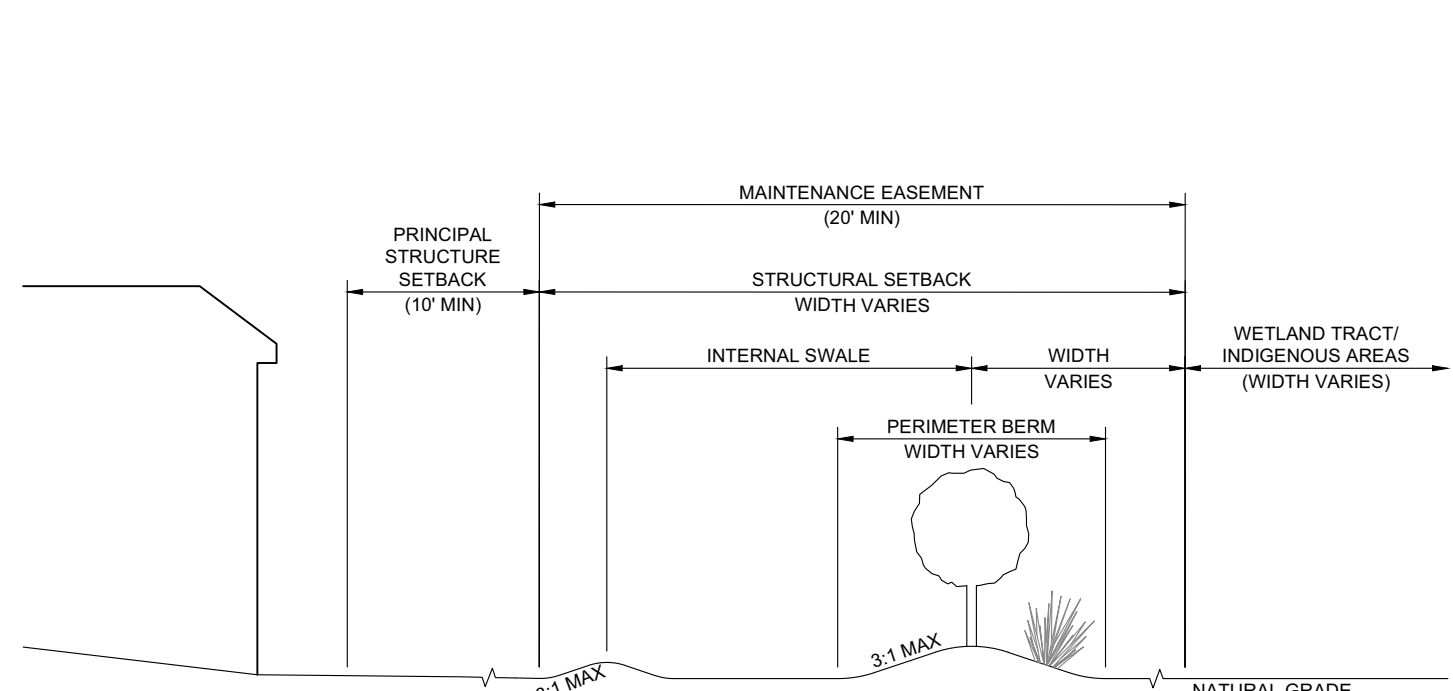
△ DEVIATION FROM PROVIDING 50% OPEN SPACE PERCENTAGE AS INDIGENOUS

PLANNED DEVELOPMENT OPEN SPACE TABLE						
AREA	APPROX. ACREAGE	REQUIRED INDIGENOUS PRESERVE	PROVIDED INDIGENOUS PRESERVE****			PROVIDED OPEN SPACE
			BASE AREA (AC)	INDIGENOUS UPLAND CREDIT %	BONUS CREDIT ***	CREDIT AC PROVIDED
TOTAL PROPERTY ACREAGE	911.0					
COMMERCIAL AREA**	43.2	6.5				13.0
RESIDENTIAL AREA**	867.8	173.6				347.1
LAKE**	354.4					88.6
CREATED INDIGENOUS VEGETATION AREA	18.95					18.95
OTHER OPEN SPACE AREAS	181.13					165.65
INDIGENOUS UPLAND						
INDIGENOUS UPLAND AREA - 1			1.9	150%	110%	1.2
INDIGENOUS UPLAND AREA - 2			0.0			0.0
INDIGENOUS UPLAND AREA - 3			0.2			0.2
INDIGENOUS UPLAND AREA - 4			0.0			0.0
INDIGENOUS UPLAND AREA - 5			0.1			0.1
INDIGENOUS UPLAND AREA - 6			0.2			0.2
INDIGENOUS UPLAND AREA - 7			0.1			0.1
INDIGENOUS UPLAND AREA - 8			0.1			0.0
INDIGENOUS UPLAND AREA - 9			0.0			0.0
INDIGENOUS UPLAND AREA - 10			0.1			0.1
INDIGENOUS UPLAND AREA - 11			0.0			0.0
INDIGENOUS UPLAND AREA - 12			0.1			0.1
INDIGENOUS UPLAND AREA - 13			0.1			0.1
INDIGENOUS UPLAND AREA - 14			0.5	110%	110%	0.1
WETLAND						
WETLAND AREA - 1			1.9			1.9
WETLAND AREA - 2			0.3			0.3
WETLAND AREA - 3			0.5			0.5
WETLAND AREA - 4			0.2			0.2
WETLAND AREA - 5			0.3			0.3
WETLAND AREA - 6			1.5			1.5
WETLAND AREA - 7			0.0			0.0
WETLAND AREA - 8			3.7			3.7
WETLAND AREA - 9			0.5			0.5
SUB-TOTAL			12.2			1.3
TOTAL	180.1		13.5			360.1
						375.9

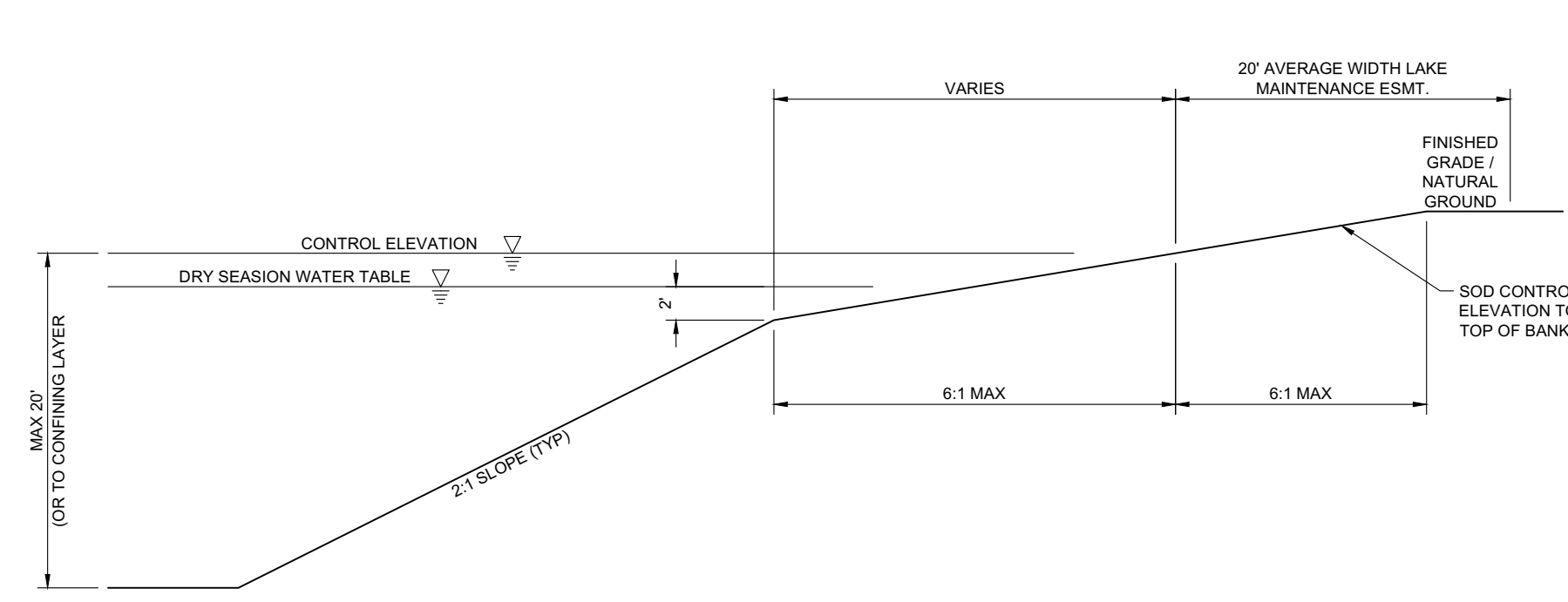
* TWENTY-FIVE PERCENT (25%) OF OPEN SPACE MAY BE COMPRISED OF LAKE AREA. THE MINIMUM AMOUNT OF LAKE AREA IS 87.5 ACRES.
** NO LOT, TRACT OR OUTPARCEL MAY PROVIDE LESS THAN TEN PERCENT (10%) OPEN SPACE.
*** AN ADDITIONAL, MAXIMUM TEN PERCENT CREDIT WILL BE GRANTED FOR PRESERVATION ADJACENT TO A ROADWAY.
**** SEE CONDITION 3.C FOR PROVISION OF 18.95 ACRES OF INDIGENOUS RESTORATION IN COMMUNITY PARK TRACT

LEGEND

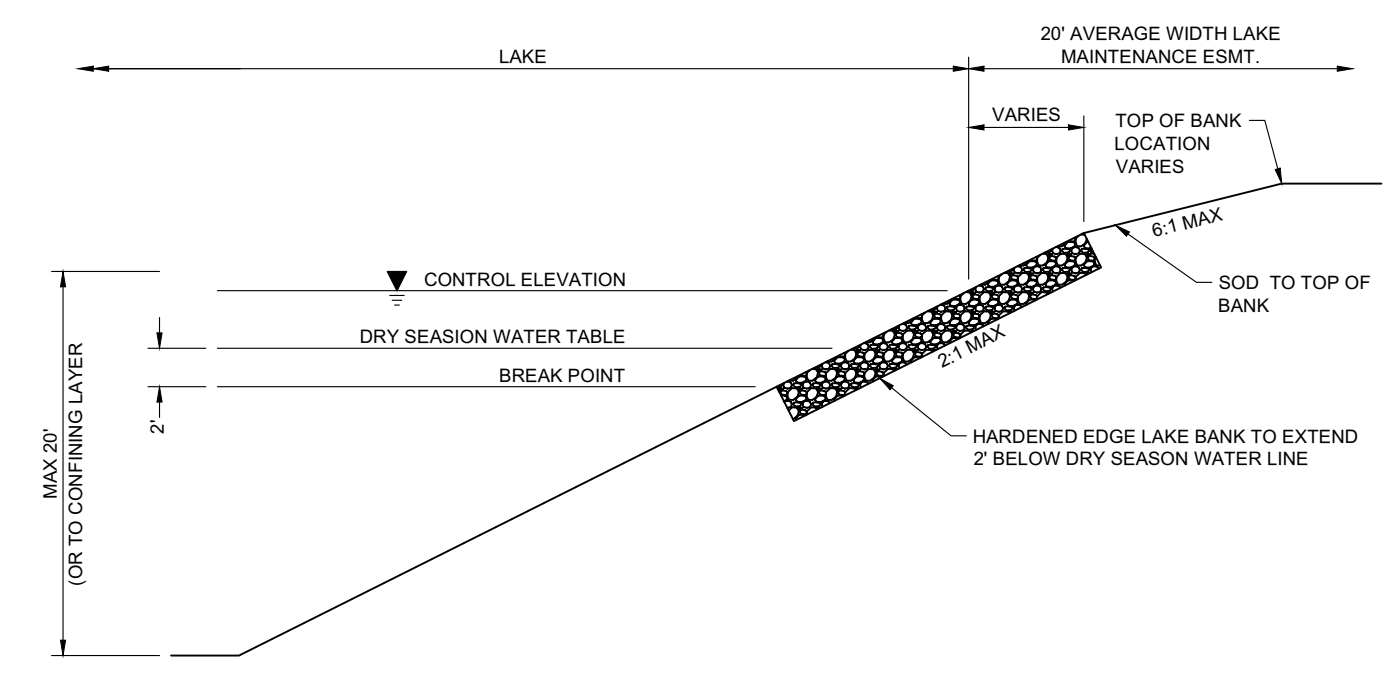
PROPOSED LAKE
PROPOSED EARTHEN PLUG
EXISTING CENTERLAKE
OPEN SPACE
C-H/R R&D COMMERCIAL HOTEL / RETAIL / RESEARCH & DEVELOPMENT
R-MF RESIDENTIAL - MULTIFAMILY
R-SF RESIDENTIAL - SINGLE FAMILY
BC BEACH CLUB
RA RESIDENTIAL AMENITY
* BOAT RAMP
● COP LOCATION
PRESERVE AREAS
INDIGENOUS UPLAND
INDIGENOUS WETLAND
OTHER WETLAND
INDIGENOUS UPLAND / WETLAND AREA
△ DEVIATION LOCATION



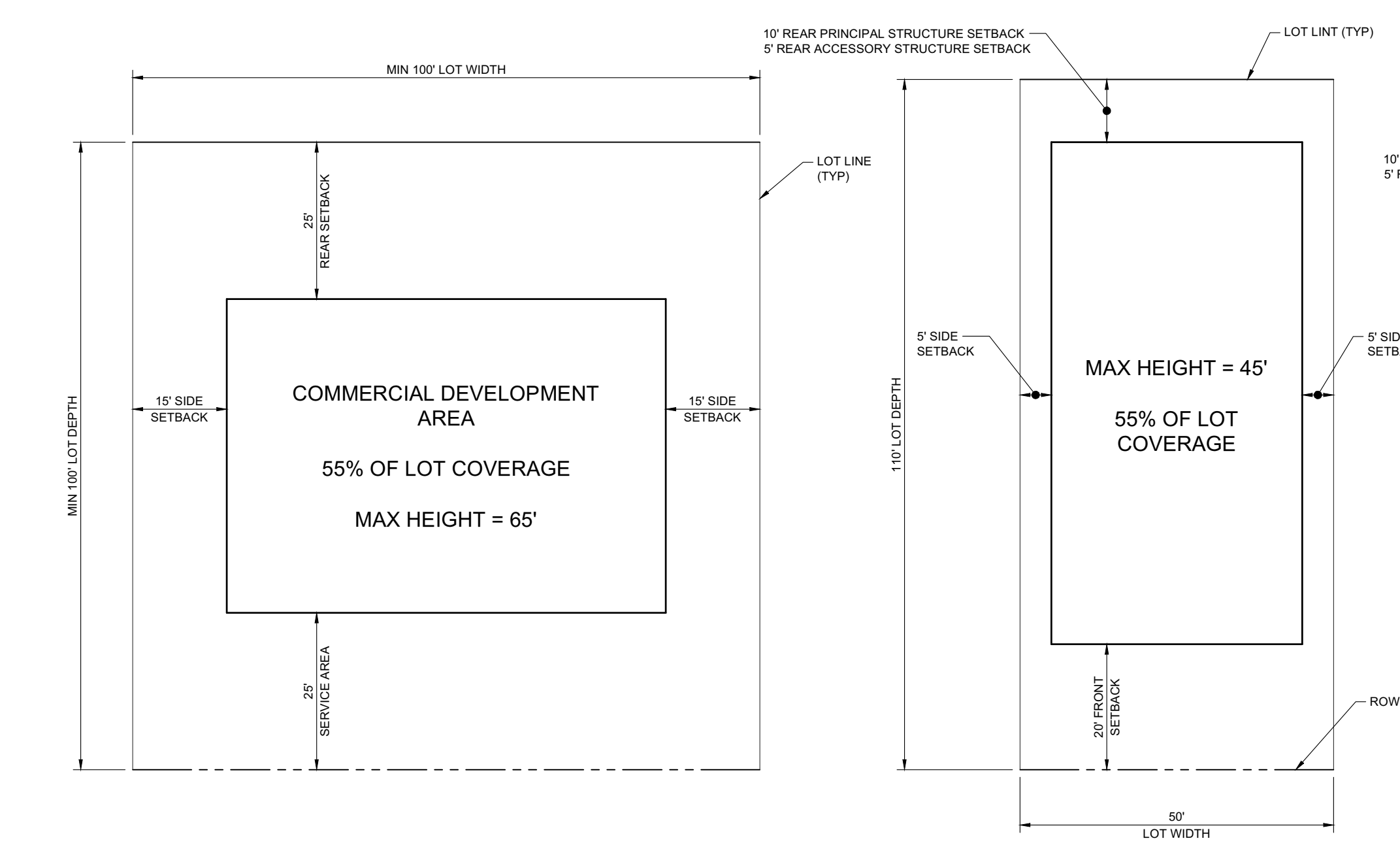
LOTS BORDERING INDIGENOUS AREAS
NTS



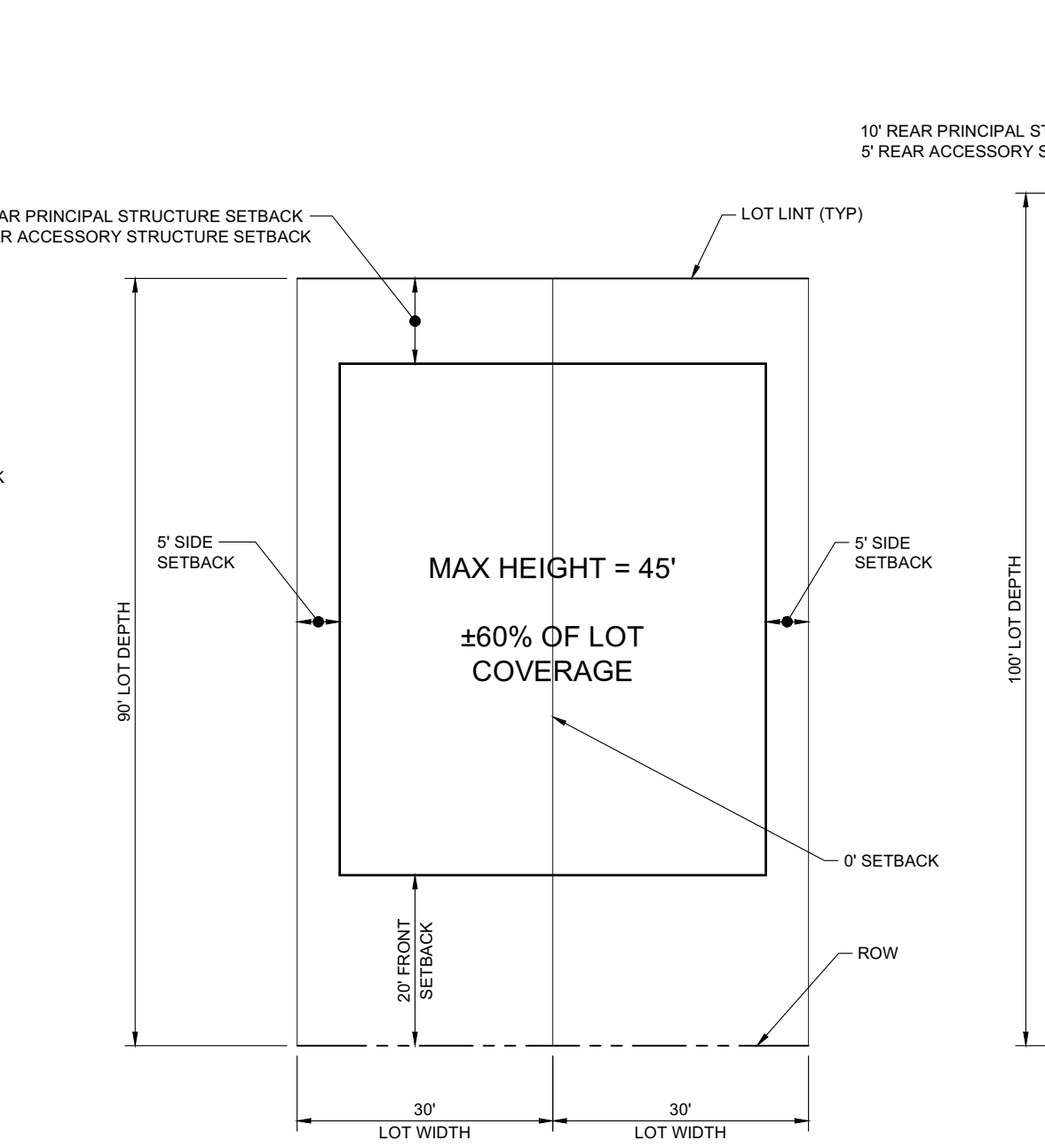
TYPICAL LAKE SECTION
NTS



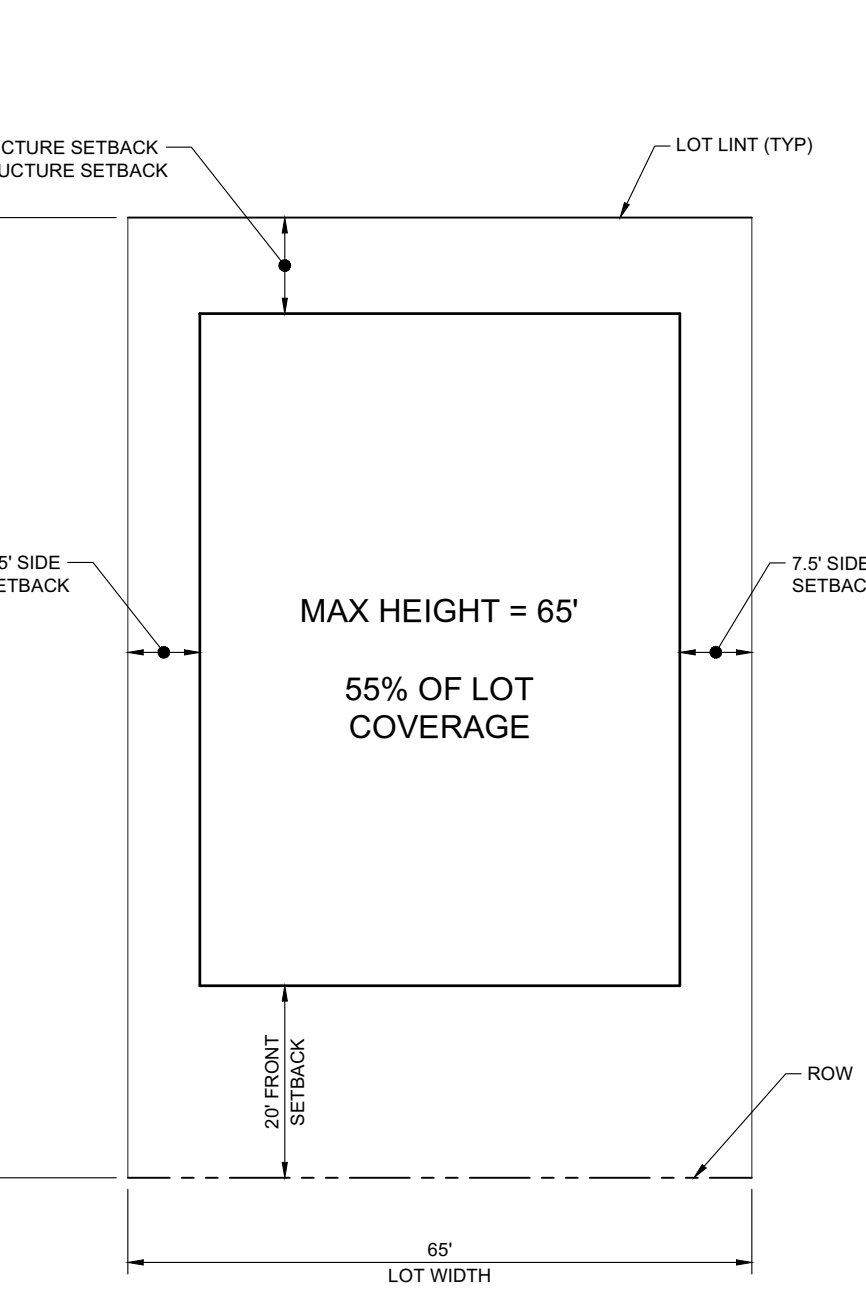
TYPICAL LAKE CROSS-SECTION (HARDENED EDGE)
NTS



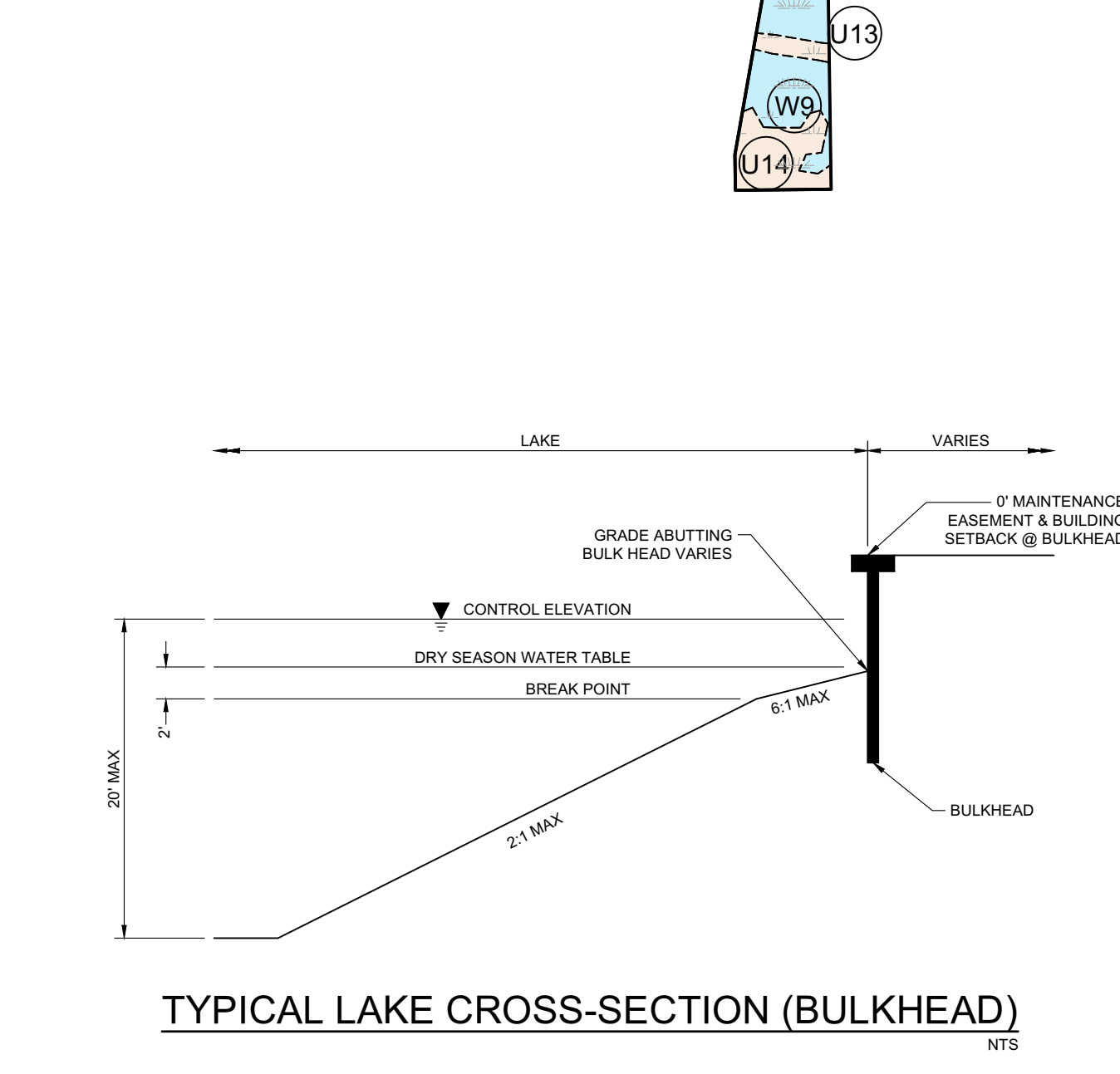
TYPICAL COMMERCIAL LOT
NTS



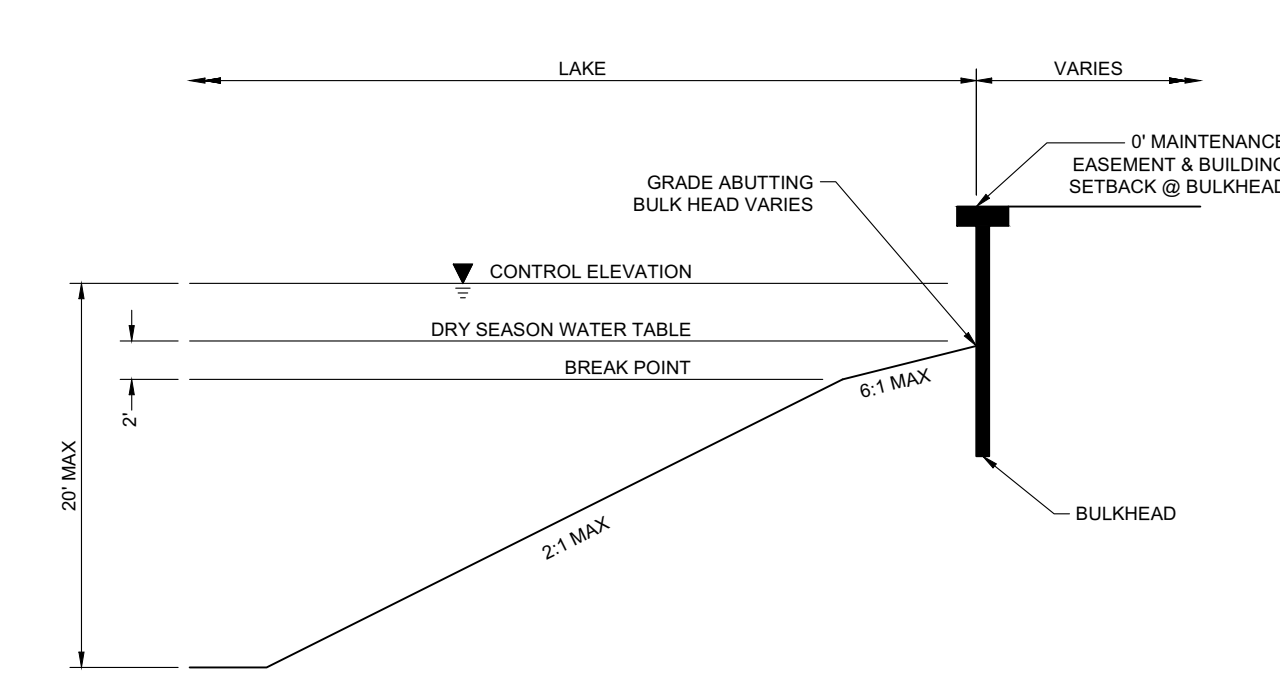
TYPICAL SINGLE FAMILY LOT
NTS



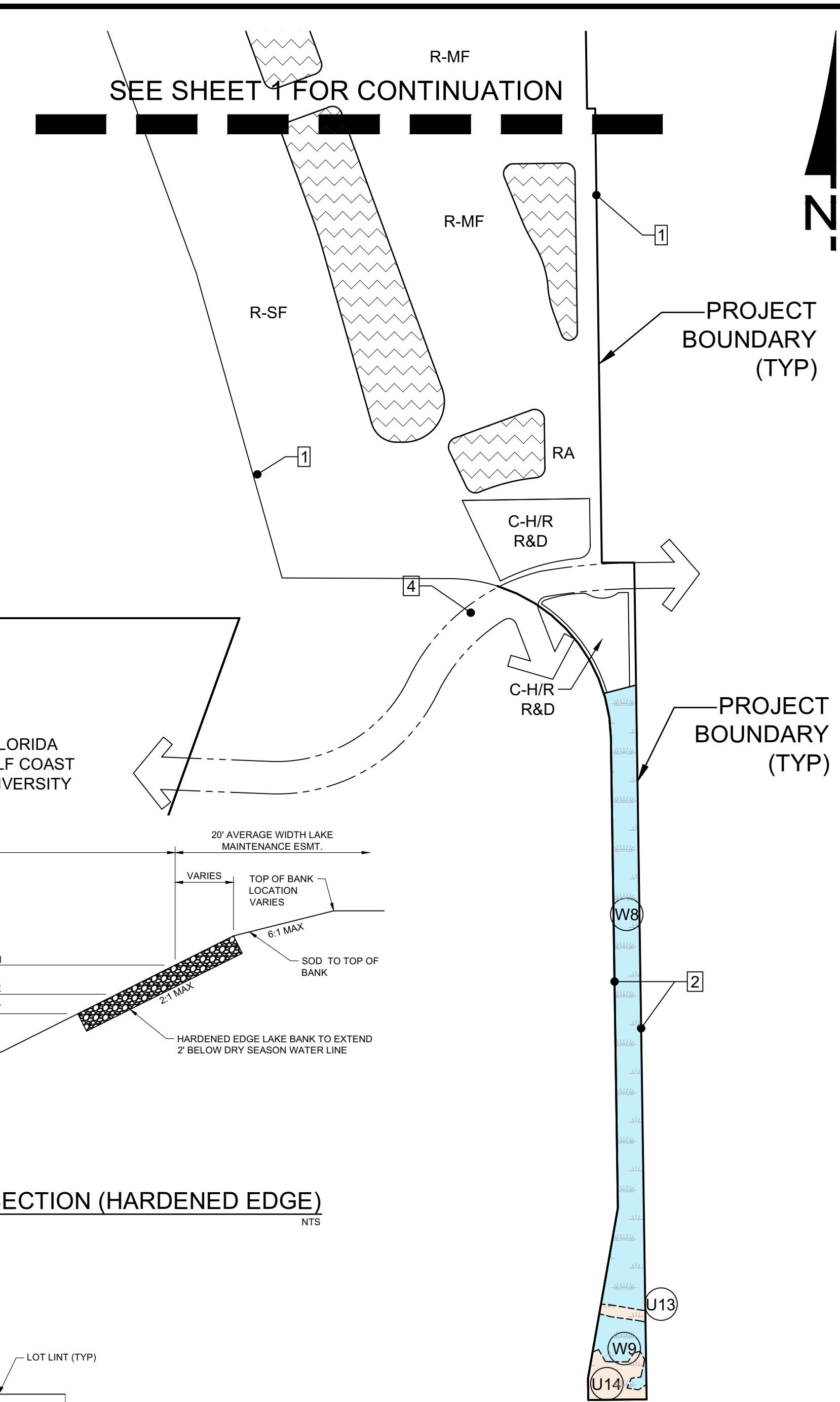
TYPICAL TWO FAMILY ATTACHED OR TOWNHOUSE
NTS



TYPICAL MULTI-FAMILY
NTS



TYPICAL LAKE CROSS-SECTION (BULKHEAD)
NTS



WALDROP ENGINEERING

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS
25100 BONITA GRANDE DRIVE - SUITE 305 BONITA SPRINGS, FL 34135
P: 239-405-7777 F: 239-405-7899 EMAIL: info@waldropengineering.com

CENTERPLACE MPD
CLIENT: TAYLOR MORRISON OF FLORIDA, INC
MASTER CONCEPT PLAN

PLAN REVISIONS

0 150 300 600
SCALE IN FEET

FLORIDA CERTIFICATE OF AUTHORIZATION #8836

SET NUMBER: 684-03-E01
SHEET: 2



CENTERPLACE MPD

Proposed Conditions

* Strike-through/underline denotes proposed changes to conditions approved per Zoning Resolution Z-17-014.

SECTION B. CONDITIONS:

1. Master Concept Plan/Development Parameters

Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "CenterPlace Master Concept Plan," stamped received ~~February 23, 2018~~ January 14, 2022, except as modified by the conditions below and attached hereto as Exhibit C. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary. This MPD zoning approval authorizes the development of up to 1,950 dwelling units (including combined maximum of 487 dwelling units allocated for single-family and two-family attached); 200,000 sq. ft. retail; 110,000 sq. ft. office; 20,000 sq. ft. research & development; 10,000 sq. ft. medical office; and 250 hotel/motel rooms.

2. Permitted Uses and Site Development Regulations

No changes

3. Environmental

- a. No changes
- b. No changes
- c. Indigenous Management Plan

The developer must submit an Indigenous Management Plan and Landscape Plan with the development order application illustrating ~~a 10.95-acre~~ an 18.95-acre indigenous restoration planting plan within the Community Park. The restoration planting plan must include 75 trees and 200 shrubs per acre. Plant material must consist of native species in one to three-gallon container sizes. No single species may comprise more than 25% of the planted vegetation.

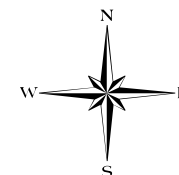
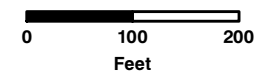
- d. No changes

Conditions 4 – 21

No changes

**LEGEND**

-  ESPLANADE LAKE CLUB - PHASE 6 LEE COUNTY
INDIGENOUS VEGETATION RESTORATION AREA



Soil Unit	Description
7	Matlacha gravelly fine sand-Urban land complex, 0 to 2 percent slopes
99	Water

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MARCH 2021.

COUNTY INFORMATION AND ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

SOILS MAPPING WAS ACQUIRED FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE WEBSITE JANUARY 2022.

SOILS MAP
ESPLANADE LAKE CLUB - PHASE 6

DRAWN BY	DATE
T.S.	1/13/22
REVIEWED BY	DATE
B.B.	1/13/22
REVISED	DATE



**ESPLANADE LAKE CLUB – PHASE 6
LEE COUNTY INDIGENOUS PRESERVE MANAGEMENT PLAN**

Revised January 2022

Prepared For:

Taylor Morrison of Florida, Inc.
551 North Cattleman Road, Suite 200
Sarasota, Florida 34232
(941) 371-3008

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

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1.0 INTRODUCTION

The following document outlines the Lee County Indigenous Preserve Management Plan for Esplanade Lake Club – Phase 6 (Project) located in Sections 12 and 13, Township 46 South, Range 25 East in Lee County.

The Project is bordered to the north and east by the Esplanade Lake Club, to the south by Florida Gulf Coast University Lake Parkway, and to the west by the Miromar Lakes residential community. The Project site is comprised of disturbed upland and wetland areas that have historically been utilized for agricultural and mining operations.

2.0 INDIGENOUS VEGETATION RESTORATION AREA

The Project site has been historically degraded by prior agricultural and mining activities conducted on-site and contains very little native vegetation cover. As such, an 8.04± acre Lee County Indigenous Vegetation Restoration Area located within the Community Park/Lee County Indigenous Restoration Area area of the existing Esplanade Lake Club will be restored with native plantings. The location of the 8.04± acre Lee County Indigenous Vegetation Restoration Area, along with the existing preserve areas within the Esplanade Lake Club, are depicted in Appendix A.

3.0 METHOD AND FREQUENCY OF PRUNING AND TRIMMING

The exotic removal activities will be done concurrently with the construction of the surface water management system for the Project. Vegetation within the Lee County Indigenous Vegetation Restoration Area will be monitored prior to and following enhancement activities. Semi-annual inspections will occur for the first two years. During these inspections, the Lee County Indigenous Vegetation Restoration Area will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Any additional potential problems will also be noted, and corrective actions taken. Once exotic/nuisance species levels have been reduced to acceptable limits (i.e., less than five percent cover), inspections will be conducted annually.

4.0 METHODS TO REMOVE AND CONTROL EXOTIC AND NUISANCE PLANTS

Exotic and nuisance vegetation within the Indigenous Vegetation Restoration Area will be treated by hand. Exotics to be treated include, but are not limited to, melaleuca (*Melaleuca quinquenervia*) and Brazilian pepper (*Schinus terebinthifolia*). The Lee County Indigenous Vegetation Restoration Area will be maintained free of invasive exotics listed in Table 1 in perpetuity.

Table 1. Prohibited Invasive Exotics

Common Name	Scientific Name
Air potato	<i>Dioscorea bulbifera</i>
Australian pine	<i>Casuarina</i> spp.
Brazilian pepper	<i>Schinus terebinthifolia</i>
Carrotwood	<i>Cupaniopsis anacardioides</i>
Chinese tallow	<i>Triadica sebifera</i>
Portia tree	<i>Thespesia populnea</i>
Indian laurel	<i>Ficus microcarpa</i>
Downy rose-myrtle	<i>Rhodomyrtus tomentosa</i>
Earleaf acacia	<i>Acacia auriculiformis</i>
Japanese climbing fern	<i>Lygodium japonicum</i>
Java plum	<i>Syzygium cumini</i>
Javanese bishopwood	<i>Bischofia javanica</i>
Melaleuca	<i>Melaleuca quinquenervia</i>
Old World climbing fern	<i>Lygodium micophyllum</i>
River redgum	<i>Eucalyptus camaldulensis</i>
Rose apple	<i>Syzygium jambos</i>
Indian rosewood	<i>Dalbergia sissoo</i>
Tropical soda apple	<i>Solanum viarum</i>
Wedelia	<i>Wedelia trilobata</i>
Weeping fig	<i>Ficus benjamina</i>
Woman's tongue	<i>Albizia lebbek</i>

Hand treatment of exotic and nuisance species will include one or more of the following methods: (1) cut exotics within 12 inches of ground elevation, hand remove cut vegetation, and treat remaining stump with approved herbicide; (2) foliar application of approved herbicide or hand pulling of exotic seedlings; and (3) foliar application of approved herbicide to nuisance and exotic grasses. Cut exotic debris will be removed from the Lee County Indigenous Vegetation Restoration Area.

5.0 DEBRIS REMOVAL

No stacking of vegetative debris will occur in the Lee County Indigenous Vegetation Restoration Area. Vegetative debris will be hand removed.

6.0 SUPPLEMENTAL PLANTING

Supplemental planting of native species will occur within the Lee County Indigenous Vegetation Restoration Area. The density will be no less than 75 trees and 200 shrubs per acre. Trees and shrubs will be a minimum three-gallon and one-gallon size containers, respectively, and no single species may comprise more than 25 percent of the vegetation planted. The supplemental plantings will consist of tree, shrub, and ground cover species in accordance with Table 2. Due to the proximity of the Project to Southwest Florida International Airport, all species included on Table 2 are identified as Group 1 Compatible on the Lee County Port Authority Compatible and Non-Compatible Plant List.

Table 2. Supplemental Plantings for the Indigenous Vegetation Restoration Area

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)	Quantity Per Stratum
Trees					
Buttonwood	<i>Conocarpus erectus</i>	4-5 ft.	3 gal.	24 ft.	608
Jamaican dogwood	<i>Piscidia piscipula</i>	4-5 ft.	3 gal.	24 ft.	
Loblolly bay	<i>Gordonia lasianthus</i>	4-5 ft.	3 gal.	24 ft.	
Royal palm	<i>Roystonea regia</i>	4-5 ft.	3 gal.	24 ft.	
Sweetgum	<i>Liquidambar styraciflua</i>	4-5 ft.	3 gal.	24 ft.	
Mahogany	<i>Swietenia mahagoni</i>	4-5 ft.	3 gal.	24 ft.	
Gumbo limbo	<i>Bursera simaruba</i>	4-5 ft.	3 gal.	24 ft.	
Shrubs					
Blue porterweed	<i>Stachytarpheta jamaicensis</i>	3 ft.	1 gal.	14 ft.	1,787
Buttonbush	<i>Cephalanthus occidentalis</i>	3 ft.	1 gal.	14 ft.	
Fakahatchee grass*	<i>Tripsacum dactyloides</i>	3 ft.	1 gal.	14 ft.	
Firebush*	<i>Hamelia patens</i>	3 ft.	1 gal.	14 ft.	
Golden dewdrops	<i>Duranta erecta</i>	3 ft.	1 gal.	14 ft.	
Saw palmetto*	<i>Serenoa repens</i>	3 ft.	1 gal.	14 ft.	
Inkberry	<i>Ilex glabra</i>	3 ft.	1 gal.	14 ft.	
Pitch apple	<i>Clusia rosea</i>	3 ft.	1 gal.	14 ft.	
Saltbush	<i>Baccharis halimifolia</i>	3 ft.	1 gal.	14 ft.	
Small leaf clusia	<i>Clusia guttifera</i>	3 ft.	1 gal.	14 ft.	
Buttonsage	<i>Lantana involucrata</i>	3 ft.	1 gal.	14 ft.	
Ground Cover					
Beach sunflower*	<i>Helianthus debilis</i>	12 in.	2 in.	5 ft.	14,009
Firewheel	<i>Gaillardia pulchella</i>	12 in.	2 in.	5 ft.	
Bushy bluestem	<i>Andropogon glomeratus</i>	12 in.	2 in.	5 ft.	
Cinnamon fern	<i>Osmunda cinnamomea</i>	12 in.	2 in.	5 ft.	
Gulfdune paspalum	<i>Paspalum monostachyum</i>	12 in.	2 in.	5 ft.	
Giant leather fern	<i>Acrostichum danaeifolium</i>	12 in.	2 in.	5 ft.	
Leavenworth's tickseed	<i>Coreopsis leavenworthii</i>	12 in.	BR/2 in.	5 ft.	

Table 2. (Continued)

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)	Quantity Per Stratum
Ground Cover (Continued)					
Mimosa	<i>Mimosa strigillosa</i>	12 in.	2 in.	5 ft.	
Muhly grass	<i>Muhlenbergia capillaris</i>	12 in.	2 in.	5 ft.	
Narrowleaf blue-eyed grass	<i>Sisyrinchium angustifolium</i>	12 in.	2 in.	5 ft.	
Sand cordgrass*	<i>Spartina bakeri</i>	12 in.	2 in.	5 ft.	
Sword fern	<i>Nephrolepis exaltata</i>	12 in.	2 in.	5 ft.	
Wiregrass	<i>Aristida stricta</i>	12 in.	2 in.	5 ft.	

*No large groupings of this species will be utilized.

BR – Bare root

If needed, topsoil may be utilized to enhance planting conditions within the Lee County Indigenous Vegetation Restoration Area. In addition, efforts will be made to install plantings during the wet season when the likelihood of survivorship is increased; however, temporary irrigation may be utilized within the Lee County Indigenous Vegetation Restoration Area, if needed.

7.0 MONITORING REPORTS

The proposed monitoring of the Lee County Indigenous Vegetation Restoration Area will consist of baseline and time-zero monitoring events. The baseline monitoring event will document conditions within the Lee County Indigenous Vegetation Restoration Area as they exist prior to exotic removal and supplemental planting. The time-zero monitoring event will document the conditions immediately following completion of exotic removal and supplemental plantings. Sampling transects and methodology will utilize identical methods of data collection from identical sampling stations.

Quantitative vegetation monitoring will be conducted for the Lee County Indigenous Vegetation Restoration Area. The results of the quantitative vegetation monitoring and a list of observed wildlife species will be included in the monitoring reports. Monitoring reports will be provided following each monitoring event.

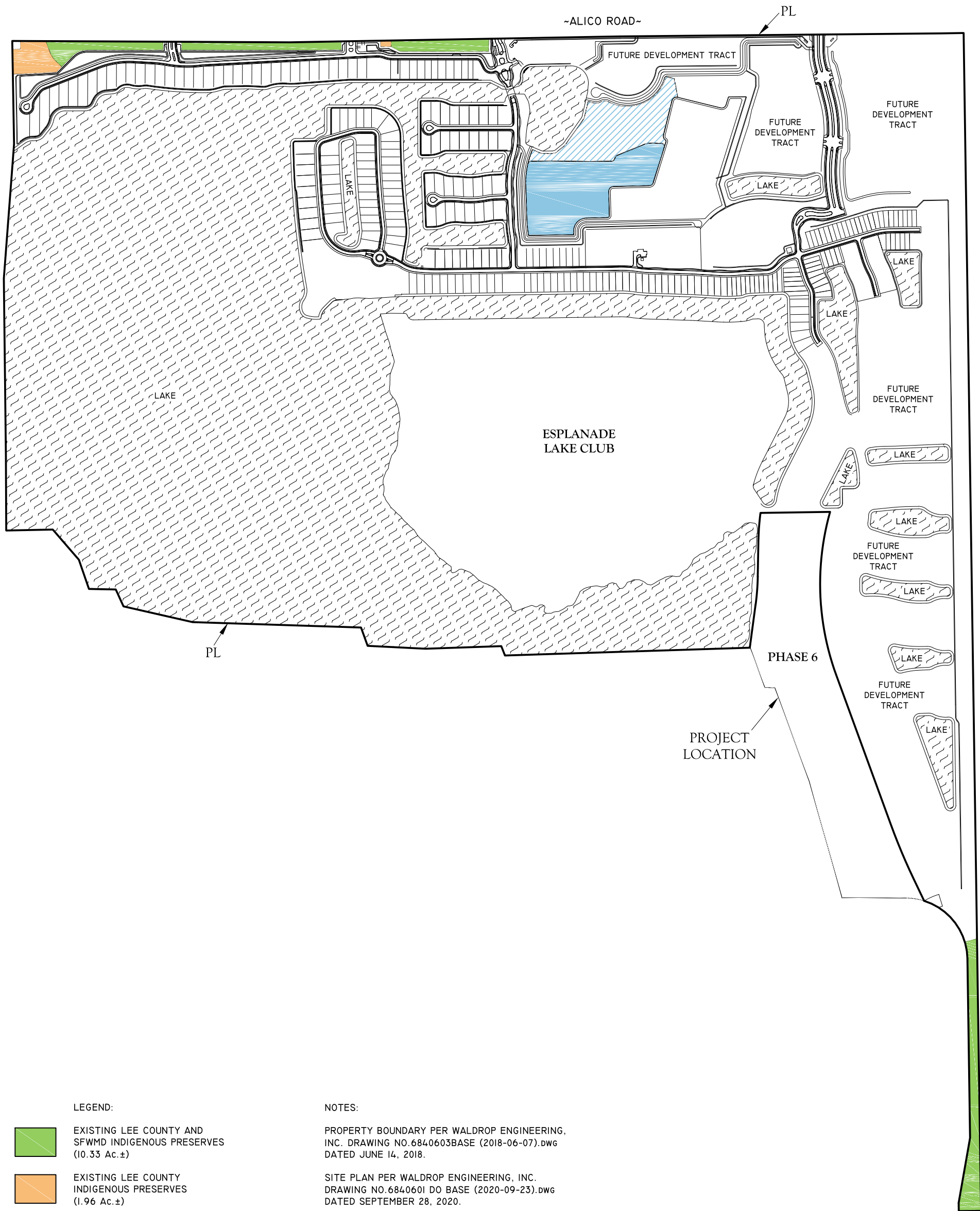
A baseline monitoring report will be submitted to Lee County Division of Environmental Sciences staff prior to Development Order approval. A time-zero monitoring report will be submitted within 60 days of completion of exotic removal and planting within the Lee County Indigenous Vegetation Restoration Area, and prior to Certificate of Compliance approval. The reports will also include a brief description of anticipated maintenance work to be conducted on-site.

APPENDIX A

INDIGENOUS VEGETATION RESTORATION AREA MAP



SCALE: 1" = 800'



LEGEND:

- EXISTING LEE COUNTY AND
SFWMD INDIGENOUS PRESERVES
(10.33 Ac.±)
- EXISTING LEE COUNTY
INDIGENOUS PRESERVES
(1.96 Ac.±)
- EXISTING COMMUNITY PARK / LEE COUNTY
INDIGENOUS RESTORATION AREA
(10.98 Ac.±)
- PHASE 6 - LEE COUNTY INDIGENOUS
VEGETATION RESTORATION AREA
(8.04 Ac.±)

NOTES:

- PROPERTY BOUNDARY PER WALDROP ENGINEERING,
INC. DRAWING NO.6840603BASE (2018-06-07).DWG
DATED JUNE 14, 2018.
- SITE PLAN PER WALDROP ENGINEERING, INC.
DRAWING NO.6840601 DO BASE (2020-09-23).DWG
DATED SEPTEMBER 28, 2020.
- PHASE 6 BOUNDARY PER WALDROP ENGINEERING
DRAWING No.2021-506 BNDY RECO ADDED TC.DWG
DATED OCTOBER 28, 2021.
- INDIGENOUS VEGETATION RESTORATION LINE PER
WALDROP ENGINEERING, INC. DRAWING NO. INDIGENOUS
8AC LINE(2021 -10-19).DWG DATED OCTOBER 19, 2021.

DRAWN BY	DATE
H.H., W.C.	10/21/21
REVIEWED BY	DATE
B.B.	10/21/21
REVISED	DATE
P.F.	10/29/21

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069



PASSARELLA
& ASSOCIATES INC

ESPLANADE LAKE CLUB - PHASE 6
INDIGENOUS VEGETATION
RESTORATION AREA MAP

DRAWING No.	11ALD2037
SHEET No.	APPENDIX A



CenterPlace MPD Surface Water Management Plan

LDC Section 34-373(b)(1)

a. The runoff characteristics of the property in its existing state;

The 40-acre property has been previously cleared and impacted by mining activity. Existing runoff discharges off site.

b. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;

Storm water runoff will be treated and attenuated on site prior to discharging into Lake 5/6. The project has an approved water management system under SFWMD ERP Permit No. 36-03568-P-05. The proposed water management system will be designed in accordance with the SFWMD Applicants Handbook and Lee County Land Development Code.

The 40-acre property will be incorporated into the CenterPlace surface water management system, which incorporates offsite discharges from the Alico Road Widening Project, however, perimeter berms will ensure no drainage flow from properties adjacent to 40-acre addition to the MPD.

c. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;

Retention features from the CenterPlace MPD will be incorporated into the drainage system. On-site attenuation will be provided through the construction of additional stormwater lakes.

The applicant will prepare and obtain an ERP major modification approval prior to or concurrently with local Development Order. The CenterPlace ERP includes maintenance provisions for existing retention features and the ERP modification will include maintenance provisions related to new retention features.

No existing natural features will be incorporated into the drainage system.

d. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;

The large existing lake within the CenterPlace MPD, identified as Lake 5/6 North in the existing ERP Permit (No. 36-03568-P-05) will be incorporated into the drainage system for the 40-acre property. Existing water table elevations are 18.30. Post-development water table elevations are 18.30.

Additionally, the MPD zoning ordinance (Z-17-014) contains numerous conditions pertaining to water management and water quality. No changes to these conditions are proposed and the site will continue to comply with all enhanced standards associated with the MPD.

e. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.

Seasonal inundation on the 40-acre addition currently discharges off site. The proposed surface water management plan will treat and attenuate stormwater runoff on-site prior to discharging into Lake 5/6.