Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION
STAFF REPORT

CASE NUMBER: DCI2021-00012
CASE NAME: BRIGHTWATER RPD F/K/A STONEYBROOK NORTH
TYPE OF CASE: MAJOR PLANNED DEVELOPMENT AMENDMENT
HEARING EXAMINER DATE: APRIL 28, 2022
SUFFICIENCY DATE: FEBRUARY 25, 2022

REQUEST:

An application has been submitted by Stacy Hewitt, AICP, of Banks Engineering, on behalf of North Brook Holdings, LLC, to amend the existing 741.22-acre Brightwater Residential Planned Development (RPD) f/k/a Stoneybrook North to 1) reconfigure tracts; 2) relocate dwelling units to the interior; 3) add 'Dwelling Unit, Townhouse' to the approved schedule of uses; 4) add Brightwater Country Club and allow limited non-resident access to the Crystal Lagoon amenity; 5) add 225 dwelling units [increase maximum dwelling units from 1,275 to 1,500]; 6) convert ±590 single-family dwelling units to senior adult housing; 7) incorporate voluntary enhancements; and 8) allow fill material to be moved within the site across Pritchett Parkway. This amendment also includes three new deviation requests.

The subject property is located on both sides of Pritchett Parkway, north of the I-75 and Bayshore Road interchange, Bayshore Planning Community, Lee County, FL. (District #5). The legal description for this property can be found in Attachment E.

SUMMARY:

Staff recommends **APPROVAL** of the applicant's request, with the Conditions found in Attachment C. The applicant requested three additional deviations; staff recommends approval of two and withdrawal of the third deviation.

HISTORY OF PARCEL:

The subject property is approximately 741.22 acres in size and was originally rezoned to Residential Planned Development (RPD) under Resolution Number Z-02-070 (Attachment H), which approved 1,275 single-family and two-family attached dwelling units with accessory uses. This planned development has been amended by the following zoning actions:

- ADD2013-00083, which approved an updated Master Concept Plan, and added additional access points onto Pritchett Parkway (Attachment I);

- ADD2014-00074, which was approved to create the Stoneybrook North Community Development District (Attachment J). This was approved as an agenda item with the Board of County Commissioners;
- ADD2015-00134, which approved an amended Master Concept Plan to reconfigure development tracts, lakes, roadways, open spaces, and amend the schedule of uses (Attachment K); and
- ADD2020-00046 which approved an amended Master Concept Plan and schedule of uses, and updated conditions of the original approval documents, regarding environmental preservation, gopher tortoise preserves, and buffer requirements (Attachment L).

Construction of the Brightwater RPD has commenced since the approval of the zoning on this property, with single family homes constructed on the eastern portion of Pritchett Parkway. Additionally, land is in the process of being cleared on the western portion of Pritchett Parkway.

CHARACTER OF THE AREA:

The subject property is located north of the intersection of Bayshore Road and Interstate 75, and is principally accessed by Pritchett Parkway, a County-maintained Major Collector Road. Pritchett Parkway meanders from the southeast corner to the northwest corner of the development, bifurcating the development into eastern and western portions. Residential development is planned for both sides of Pritchett Parkway. The subject property is located in the General Interchange, Sub-outlying Suburban, and Wetlands Future Land Use categories, and is located in the Bayshore Community Plan Area. Surrounding development is characterized by predominantly low density residential uses and agricultural land.

The following are the zoning districts and existing land uses that surround the subject property:

North:

Properties to the north are zoned Agricultural (AG-2) and are located in the Open Lands and Density Reduction/Groundwater Resource future land use categories. Development to the north, is comprised of large lot residential development and agricultural uses.

East:

Properties to the east are separated by Popash Creek are zoned Agricultural (AG-2), Single-Family Residential (RS-1), and Recreational Vehicle Park District (RV-3). These areas are developed with a mix of residential uses, and are in the Sub-outlying Suburban future land use category.

South:

Property to the south is generally separated by Pritchett Parkway and Interstate 75, and is zoned Commercial Planned Development, as approved under Resolution Z-10-032 (Attachment M). This property is in the General Interchange and Suburban future land use categories. This property is currently undeveloped

West:

Properties to the west are zoned Agricultural (AG-2 and AG-3) and are located in the Sub-Outlying Suburban future land use category. These properties are largely developed with large lot single family homes and agricultural uses. Staff notes that the development shares its western border with Hunters Glen, which is a residential subdivision on larger lots ranging from half acre to full acre lots.

ANALYSIS

The applicant has provided a request statement that describes the proposed changes and expected results of these changes to the planned development (Attachment D). This request intends to amend the existing Brightwater Residential Planned Development (RPD) f/k/a Stoneybrook North to make the following changes:

1. Reconfigure Tracts;
    - Revise configuration of Tracts I, J and K
    - Label the Recreation Facility area west of Pritchett Parkway as Tract B1 and allow optional conversion to R-1A (±10-30 units) while clarifying the schedule of uses include the potential indoor and outdoor consumption on premises for the Recreation Facility use;
    - Tract F: Revise the southern portion from "R-1" to "R-1A" to allow optional two-family attached units and relabel this area to Tract F1. This change does not alter the restriction requiring minimum 7,500 SF single-family detached units within 500' of north boundary;
2. Transfer ±45 units to internal Tracts F1, J and B1 from Tract O and Tracts E and N adjacent to Popash and Bayshore Creeks;
3. Add "Dwelling unit, Townhouse" to the schedule of uses for Tract J (maximum 150 units/35- foot height);
4. For Tract K, amend the schedule of uses which allows "Club, Private" to "Brightwater Country Club" to allow limited non-resident access, subject to conditions proposed by the applicant;
5. Increase the maximum number of dwelling units from 1,275 to 1,500 (an increase of 225 dwelling units, including 48 dwelling units from property located in the General Interchange future land use category, and 177 additional dwelling units, offset by change to adult senior housing);
6. Convert ±590 Single-family units to adult senior housing for Tracts A, B, B1, C & D to reduce traffic equivalent to ±440 homes and offsets additional units subject to a condition requiring the unit mix at time of development order not to exceed the maximum trips approved as part of this zoning request.
7. Propose a condition regarding the transporting of fill material across Pritchett Parkway at an intersection to other portions of the project; and
8. Incorporate the following voluntary enhancements/opportunities to benefit adjacent communities:
    - Tract E1 (±9.73 acres on Bayshore Creek): removal of ±35 dwelling units from the perimeter of the project and transfer internal to the site (Tracts F, J or B1) and limit uses to: Drainage; Excavation, water retention; Fences/Walls; Park, Group I limited to nature

preserve or passive or active recreation; Parks. Group I; Recreation Facilities, Private on-site, Streets and street rights of way; and Utility rights-of-way. This area is immediately across Pritchett Parkway from the Hunter's Glen subdivision. If the residential development is eliminated, there is an opportunity to let existing vegetation remain and/or to create a wider shelf and remove spoil along Bayshore Creek, providing additional capacity to Bayshore Creek.

- Oakmont Subdivision: Remove residential development from Tract N (±10.37 acres east of Popash Creek) which abuts the north property boundary of the Oakmont Subdivision. Removal of ±10 dwelling units from the perimeter to transfer to internal Tracts F, J, or B1 and limit uses to: Drainage; Excavation, water retention; Fences/Walls; Park, Group I Park, Group I; Recreation Facilities, Private on-site, Streets and street rights of way; and Utility rights-of-way. The area not developed as residential may remain in its natural wooded state.
- Tract O (±14.43 acres around existing Lake L1) Transfer residential density to internal Tracts F, J or B1 and limit uses to: Drainage; Excavation, water retention; Fences/Walls; Park, Group I limited to limited to nature preserve or passive or active recreation; Park, private; Recreation Facilities, Private on-site, Streets and street rights of way; and Utility rights-of-way.
- Tract D will provide the opportunity for enhanced fire safety for Hunter's Glen by including conditions (36d) to include easements for turnarounds during construction, to provide an easement and stubbed watermains for fire hydrants, and providing opportunities for enhanced protection for the Seminole Campground.

Planned Development Amendment:

Section 34-612 of the Lee County Land Development Code describes the intent of the utilization of the Planned Development zoning district. The purpose of this district is to further implement the goals, objectives, and policies of the Lee Plan, while providing some degree of flexibility in the planning and design of proposed developments.

Section 34-380(a) of the Lee County Land Development Code states that amendments to the Master Concept Plan or its attendant documentation may be requested at any time during the useful life of the Planned Development.

Master Concept Plan:

The applicant has provided an amended Master Concept Plan (MCP) which depicts the changes to the existing planned development proposed by the applicant. The MCP shows development tracts, buffers and open space areas, access points, lakes, deviation locations, and tracts from which development density will be transferred to other internal development tracts (Attachment Z).

Development Density

The applicant has provided a density calculation to demonstrate how density is calculated for the development (Attachment N):

Future Land Use Category	Acreage	Maximum Standard Density	Dwelling Units
Sub-Outlying Suburban	674.27 acres	2 units per acre	1348.5 Dwelling Units
Preserved Freshwater Wetlands	63.5 acres	2 units per acre	127 Dwelling Units
General Interchange	3.45 acres	14 units per acre	48.3 Dwelling Units
Total Maximum Standard Density			**1524 Total Dwelling Units**

The applicant seeks 24 units less than the maximum allowable standard density. Conditions are proposed by the applicant to limit certain development areas to adult senior housing. This request does not propose alternate density for these units, but these conditions are a mechanism to reduce the number of vehicular trips generated by the development.

Proposed Brightwater Country Club and Crystal Lagoon

In the request statement, the applicant describes the intent of Brightwater Country Club, as a privately-owned and operated facility with a fully gated recreational water amenity (called Crystal Lagoon), to serve the residents and guests of the RPD. Residential memberships in the Brightwater Country Club will be included in every purchase of a home in the Brightwater RPD. In addition, the applicant proposes non-resident access to the Brightwater Country Club, limited to reservations made online through a portal website.

Lee County Land Development Code (LDC) Section 34-620 states that the "…Director is authorized to determine that uses that are not specifically listed in the use activity groups or in any use regulation table are permitted by right or by special exception in a particular zoning district based upon the placement of similar uses in the various districts." LDC Section 34-933 also states "Uses that are not specifically listed in section 34-934 may also be permitted if, in the opinion of the Director, they are substantially similar to a listed permitted use." The applicant opines that the proposed use does not clearly fit into a single use definition, but rather is similar to a number of defined uses. Similar uses in the Land Development Code include: Club, Country, Recreation facilities, Private off-site, and Recreational Facilities, Commercial, Group III. LDC Section 34-2 define these terms as follows:

> *Club, country* means a building and associated recreational facilities constructed in conjunction with a golf course (but not including the golf course itself), open only to members and their

guests for a membership fee. Occasionally such facilities may be leased to outsiders for banquets, weddings, etc.

Recreation facilities, private on-site means recreation equipment or facilities such as residential multi-slip docking facilities; community horse stables, arenas, riding paths, paddocks or similar facilities; swimming pools, tennis, shuffleboard, handball or racquetball courts; or swings, slides, and other playground equipment that is owned, leased or operated by a homeowners', co-op, or condominium association and located in the development or neighborhood controlled by the association.

Recreation facilities, commercial means recreation equipment or facilities not classified as a park (34-622(c)(32)), or as personal, private-on-site, or private-off-site facility, but instead operated as a business and open to the public for a fee. See section 34-622(c)(38).

Because the use does not fit wholly within any of the specific uses above, the applicant introduces the following definition for the Brightwater Country Club to be applied to the proposed use:

Brightwater Country Club means a building and associated recreational facilities constructed in conjunction with the Brightwater Crystal Lagoon, open to members and their guests for a membership fee, and also includes daily non-resident reservations based on available parking capacity at the time of online reservation. Occasionally such facilities may be leased to outsiders for banquets, weddings, etc.

The applicant notes that the primary difference between the LDC's definition of Club, Country and the definition for Brightwater Country Club is that the primary recreation facility referenced in the definition will be a lagoon, not a golf course. Functionally, the Brightwater Country Club will operate similarly to a golf course based country club in all other respects, including reservation based access for members of the public that are not residents to the Brightwater RPD.

Development Pattern Considerations:

The applicant provided a brief history in the request statement on how the Lee Plan has changed since the original rezoning of the Stoneybrook North RPD back in 2004. At the time of approval, the property was located in the Outlying Suburban, Wetlands, and Interchange future land use categories. The Outlying Suburban future land use category allowed for a maximum of two dwelling unit per acre. The Outlying Suburban future land use category has since been amended to allow up to three units per acre. During this time, the subject property was re-designated to sub-outlying suburban to retain the previous allowable density for the RPD. Additionally, the portion of the development previously designated as Interchange future land use category has since been re-designated as General Interchange future land use category, which allows a maximum standard density of 14 units per acre, where density was not previously considered. At the time of this planned development amendment, the future land use category designations for the subject property are Sub-Outlying Suburban, Wetlands, and General Interchange.

Policy 1.1.11 describes the Sub-Outlying Suburban future land use category as low density residential with less infrastructure that what is needed to suit higher density development. Portions of the development that are located in this future land use category are requested to meet the density maximum of two units per acre. Approximately 91 percent of the development is located within this category. Staff finds this Planned Development Amendment consistent with Policy 1.1.11.

Policy 1.3.2 describes the General Interchange areas as those areas intended to primarily serve the traveling public such as hotels, restaurants, and gift shops. Due to the location of the General Interchange areas, a mix of commercial, industrial, and residential dwelling units are allowable in this category. The maximum standard density for properties designated as General Interchange 14 dwelling units per acre. The area in the development designated as General Interchange is approximately 3.45 acres, and generates approximately 48 dwelling units. As proposed, many of these units will be transferred internally to the development. No commercial or industrial uses are contemplated on this portion of the property. Staff finds the proposed amendment consistent with Policy 1.3.2.

Portions of the development are located in the Wetlands Future Land Use category as defined in Objective 1.5 of the Lee Plan. The applicant notes that there are approximately 63.5 acres of the freshwater wetlands that are proposed to be preserved as part of this planned development in order to relocate developable density from the wetland areas to upland areas. The previous zoning proposed approximately 5 acres of wetland impacts, but these impacts are no longer proposed for this development. Staff finds the proposed amendment consistent with Objective 1.5 and Goal 124.

Objectives 2.1 and 2.2 encourage new growth in future urban areas where adequate facilities exist or are assured and where compact and contiguous development patterns can be created. Policy 2.2.1 encourages clustered mixed use development within Lee County where sufficient infrastructure exists. This Planned Development is already entitled to a mix of uses that would be consistent with these Objectives and Policy. The applicant has provided sufficient documentation to demonstrate that the available infrastructure would support the development intensity that is proposed. This is evidenced by the letters of utility availability and the Traffic Impact Statement (Attachments V and O). Staff finds this Planned Development Amendment consistent with Objective 2.1, Objective 2.2, and Policy 2.2.1.

Policy 5.1.2 prohibits residential development where natural physical constraints or hazards exist, including hurricane and flood hazards, soil or geologic conditions, environmental limitations, or aircraft noise. The subject property is not within the coastal high hazard area, or in an airport noise zone. Flood zones for this property include AE-EL20, AE-EL22, X, and X (Shaded). Portions of the development adjacent to Bayshore and Popash Creeks are located in a FEMA floodway. Development as proposed does not include residential uses within these floodways. Staff finds that the proposed development is consistent with Policy 5.1.2.

Policy 5.1.5 of the Lee Plan intends to protect the existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of residential development. The previous zoning approvals deemed the existing project to not be destructive to the character and integrity to the existing residential uses. Staff notes that the proposed changes to the

development do necessitate readdressing this policy to ensure that the request is still consistent with this policy. Two principal changes to the development include the addition of 225 dwelling units and the approval of the Brightwater Country Club, which proposes use of these amenities by non-residents. Although the residential density proposed is a higher density than what currently surrounds this development, the applicant has moved densities to the interior of the development while providing additional environmental enhancements at the perimeter of the development to lessen the visual impact to surrounding property owners. Additionally, in an effort to reduce the impact to the transportation system, the applicant proposes to deed restrict 590 dwelling units to be senior adult housing, which generates less trips than a standard dwelling unit. Staff notes that the residential development with the least separation from the subject property is the Hunters Glen subdivision. While no buffer is required, the original zoning approval under Resolution Z-02-070 includes a required buffer of 10 trees per hundred linear feet and a double staggered hedge row. The applicant intends to adhere to this condition. The Brightwater Country Club is proposed to operate as a reservation based amenity to reduce the influx of non-residents present at the Country Club. Staff finds this request consistent with Policy 5.1.5.

Policy 5.1.10 states that when land is divided into two or more land use categories, that the allowable density is the sum of the allowable densities for each land use category for each portion of land. The subject property is in the Sub-Outlying Suburban, General Interchange, and the Wetlands Future Land Use Categories, and based on the density analysis provided above, staff finds the proposed amendment consistent with Policy 5.1.10.

Goal 18 of the Lee Plan establishes the Objectives and Policies related to the Bayshore Community Plan. The intent of the Goal is to protect the existing rural, residential, agricultural, and equestrian-oriented character of the community by maintaining lower residential densities and minimal commercial activities.

Objective 18.1 states that the County will enforce land development regulations that ensure separation of urban and rural land uses through the implementation of open space, buffers, and setback requirements that protect environmental areas. Additionally, the objective requires planned developments to locate lower density residential uses to the perimeter of the development and higher density development in the interior of the development. Resolution Z-02-070 was conditioned to provide for the separation of rural uses and this residential development intended by this Objective. The applicant proposes a clustered residential development which focuses residential uses to the interior of the property. Staff notes the instance where residential development abuts other residential development is along the western boundary line the property shares with Hunters Glen. Hunters Glen is similarly in the Sub-Outlying Suburban future land use category, with residential development ranging from half acre to full acre lots. Resolution Z-02-070 included a condition requiring enhanced buffering along the western boundary to provide enhanced separation from the Hunters Glen subdivision. The proposed development does provide enhanced open space, buffers, and protects environmental areas. Staff finds this amendment consistent with Objective 18.1.

Objective 18.3 discourages new central sewage service north of Bayshore Road in future non-urban land use categories. The objective notes that central water is encouraged for enhanced fire protection where

economically feasible. The subject property is not located in a future non-urban area, but rather a future suburban area. The applicant was required to extend water and sewer from Bayshore Road along Pritchett Parkway, and several enhanced fire protection measures are proposed for the development staff finds this amendment consistent with Objective 18.3.

Goal 60 intends to reduce the hazards to life, health, and property created by flooding due to rainfall in a manner that preserves environmental and natural resources. This includes the incorporation or restoration of natural surface water flow ways into the surface water management system. The original zoning approval required improvements to Popash Creek and Bayshore Creek which improved drainage and removed obstacles to flow for surrounding development. The proposed amendment further incorporates natural systems by no longer impacting existing wetlands in the development, so that all 63.5 acres of freshwater wetlands are being preserved. Staff finds this amendment consistent with Goal 60.

Policy 115.1.2 requires new development and additions of existing development to not degrade surface and ground water quality. With the exception of additional preserved wetlands within the development, no new changes are proposed to the surface and ground water system as part of this amendment. Future development of the property will require an Environmental Resource Permit from the South Florida Water Management District. Staff finds this planned development amendment request consistent with Policy 115.1.2.

Goal 124 establishes Objectives and Policies for development in wetlands that works with existing state and federal permitting processes, while protecting the fragile ecological characteristics of wetland systems. Objective 124.1 aims to protect and conserve wetlands by limiting uses in wetland areas to low density residential uses, low impact recreational uses, and conservation areas. The applicant's proposed MCP aims to protect and preserve wetlands and designate these areas as open space and preserve areas while configuring development around the existing wetland. During the Development Order process, the applicant will be required to demonstrate compliance with the criteria in state and federal permitting procedures, while demonstrating compliance with the criteria found in Chapters 10, 14 and 34 of the LDC for open space and wetland areas. Staff finds the proposed rezoning consistent with Goal 124, Objective 124.1.

Goal 135 of the Lee Plan addresses the necessity to meet housing needs as Lee County grows in population. Policy 135.1.9 states that the county will ensure a mix of residential housing types on a county wide basis through the planned development process. The request increases the total number of dwelling units to 1,500 (an increase in 225), which still is under the maximum allowable density for this development. The applicant also seeks additional dwelling unit types (townhouse and senior housing), to allow for a mix of residential development. This request is consistent with Goal 135 and 135.1.9.

Environmental Considerations:

Environmental staff provided a memorandum regarding the proposed amendment to the Planned Development (Attachment Q). Staff notes that the changes do not affect the previously approved

indigenous or general open space and that previous conditions of approval will still apply to the development.

Staff conducted a site inspection on March 18, 2022 to inspect indigenous preserve areas, natural waterway areas and surrounding uses. Staff encountered a concrete path at grade along Popash Creek within established indigenous preservation areas and within the 50-foot natural waterway buffer. In order to comply with the requirements of the Land Development Code Section 10-416(d)(2)(d), environmental staff recommends the following condition of approval:

> *The developer must demonstrate on the development order plans that the constructed sidewalk within the natural waterway buffer and indigenous open space abutting Popash Creek complies with LDC Sections 10-416(d)(2)(d) and 10-416(d)(11)(b).*

Natural Resources Considerations:

Natural Resources provided a memorandum regarding the proposed amendment to the Planned Development (Attachment R). Staff notes that the proposed stormwater management system incorporates onsite wetlands and dry detention prior to ultimately discharging water into Popash and Bayshore Creeks. Staff notes that DOS2018-00034-A01 included a Water Quality Monitoring Program. In order to ensure consistency with the Lee Plan Goals, Objectives and Policies regarding water quality, staff recommends the following condition for approval:

> *Prior to local development approval, the developer must maintain compliance with the Water Quality Monitoring Program submitted with DOS2018-00034-A01.*

Transportation Considerations:

The applicant has provided a traffic impact statement for the proposed development and provided analysis on the surrounding transportation system (Attachment O). Infrastructure planning staff has provided analysis of the applicant's traffic impact statement (Attachment P). Staff concludes that Bayshore Road, east of Pritchett Parkway will operate at a Level of Service "D" without the project, and a Level of Service "F" with the project, and Mellow Drive west of Slater Road will operate at a Level of Service "F" with and without the project. Staff recommends the following conditions for consideration of approval as part of this planned development amendment:

> *"The development is allowed a maximum calculated development density/intensity with respect to new trip generation utilizing the following development scenario:*
>
> - *910 detached single-family dwelling units,*
> - *590 detached senior adult dwelling units, and*
> - *a lagoon amenity (see additional conditions below)."*
>
> *"All parking spaces for users of the lagoon amenity will be clearly delineated. Parking outside of the delineated spaces is not permitted. A maximum parking rate of 0.07 non-golf cart parking spaces per*

permitted unit is allowed for non-Brightwater RPD residents. Parking limited to Brightwater RPD residents only will be clearly marked and signed."

"Any development that includes adult senior housing must retain a declaration of covenants and restrictions that limits such use to adult senior housing."

Staff also recognizes significant impact to the intersection of Pritchett Parkway and Bayshore Road. The Florida Department of Transportation provided correspondence regarding the need to address this intersections design (Attachment T). FDOT staff states that the necessary improvements to that intersection will be required to be addressed during the access permit review in order to determine what specific improvements will need to be made to accommodate the trips proposed by the development. Staff recommends amending the Condition 20 of Resolution Z-02-070, as amended, in the following manner:

> The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. ~~At a minimum, the developer will construct a southbound turn lane as a site related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.~~ <u>The developer must coordinate with the Lee County Department of Transportation and the Florida Department of Transportation in order to find an acceptable improvements to the intersection that meet the standards of the Florida Administrative Code (FAC) 14-97.</u>

Bicycle and Pedestrian Facilities:

The subject property fronts Pritchett Parkway, which is not designated as a future bike/pedestrian way on the Lee Plan Map 3-D until westward of the subject property. At the time of development order approval, the applicant must comply with the bicycle and pedestrian facilities requirements of LDC Chapter 10.

Urban Services:

The subject property is serviced by a Fire and EMS Station that is approximately 0.9 miles southeast, and sheriff's station 7.2 miles west of the property. The proposed development will have access to Lee County Utilities for water and FGUA/SSG for wastewater (Attachment V). The request remains consistent with Lee Plan Standards 4.1.1 and 4.1.2.

Deviation Requests:

The applicant has provided an updated schedule of deviations, including three requested deviations as part of this amendment (Attachment G). Deviations 1 through 18 were previously approved and deviation 19 through 21 are proposed by the applicant in this amendment request. Staff provides the following analysis of deviations 19 through 21 based on the applicants analysis:

1. Deviation 19 seeks relief from LDC Section 10-418(1), which requires shorelines to be sinuous rather than straight, to allow existing or permitted lakes to remain as designed.

   Development Service Staff provided comment on this deviation request (Attachment U). Lee Plan Policy 61.3.12 states "the design of shorelines of retention and detention areas and other excavations must be sinuous rather than straight". Any deviation from the Code required sinuous shoreline would be inconsistent with this Lee Plan Policy. The lakes noted as part of this request were previously approved as part of Development Order approvals. Staff recommends WITHDRAWAL of this deviation, based on the fact that the lakes noted in the deviation request were previously found to be sinuous in nature during previous Development Order Approval.

2. Deviation 20 seeks relief from LDC Section 10-296(k)(1), which requires dead-end streets to provide a circular turnaround, to allow a dead-end street to be designed without a circular turnaround in Tract E as shown on MCP.

   Staff notes that this deviation is only requested in Tract E1 for a dead end roadway that is less than 100 feet in length and does not provide access to additional developable area (Attachment U). Staff recommends APPROVAL of this deviation with the following condition:

   a. At the time of development order submittal, the applicant must provide a letter of no objection to the dead-end roadway in Tract E from the fire department having jurisdiction.

3. Deviation 21 seeks relief from LDC Section 34-1264 to allow outdoor consumption on premises to be located ±466' feet from a dwelling unit under separate ownership.

   LDC Section 34-1264(b)(1) states that no establishment for the sale or service of alcoholic beverages for consumption on the premises may be located within 500 feet of a dwelling unit under separate ownership, except when approved as part of a planned development. As conditioned, Resolution Z-02-070, as amended, allowed for Consumption on Premises in accordance with LDC Section 34-1264. The proposed Master Concept Plan does note the location of COP areas, which do encroach into the 500 foot separation requirement for the consumption of alcoholic beverages from residential uses. Staff notes that the separation request is less than a 10 percent reduction form the separation requirement. Staff recommends approval of this deviation, subject to the following conditions:

   a. This deviation is only applicable to consumption on premises in conjunction with the Brightwater Country Club use in the COP area delineated on the Master Concept Plan.
   b. Live music or amplified sound is prohibited in the exterior portions of Consumption on Premises area after 10PM.

CONCLUSION:

Based on the analysis provided above, staff offers the following review of the decision-making criteria for the planned development rezoning request. Staff finds that the proposed request:

a) Complies with the Lee Plan;

Based on the analysis above, staff finds that the request is consistent with the Lee Plan. The proposed use and density is compatible with existing and proposed uses, and meets or exceeds the objectives and policies above.

b) Meets this Code and other applicable County regulations or qualifies for deviations;

The applicant seeks three deviations in addition to those previously approved, including deviations for dead end streets, reduction in separation of consumption on premises and residential uses, and a deviation to allow non-sinuous lakes. Staff recommends approval of the two deviations regarding the allowance of dead end streets and consumption on premises, but has made the determination that the deviation to allow non-sinuous lakes is not necessary, and therefore recommend withdrawal of this deviation.

c) Is compatible with existing and planned uses in the surrounding area;

The mix of uses surrounding the subject property includes residential uses and agricultural land. The proposed uses are consistent with surrounding existing and planned uses.

d) Will provide access sufficient to support the proposed development intensity;

Access is proposed on Pritchett Parkway which then connects to Bayshore Road to the south and Rich Road to the north. Staff finds that there is sufficient access to the proposed development, subject to the recommended conditions of approval.

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

Staff has reviewed the transportation impacts of the development, and has concluded that significant improvements to Bayshore Road and Pritchett Parkway will be required to address impacts to the transportation system. The developer will need to coordinate with FDOT and Lee County DOT to address intersection improvements at Pritchett Parkway and Bayshore Road.

f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and

Staff has reviewed the potential environmental impacts and has determined that the requirements of the Land Development Code and Lee Plan, as well as recommended conditions of approval, sufficiently protect existing environmentally critical areas.

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

Additionally,

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

The proposed residential use is similar to what was previously approved and sufficient landscaping and open space areas to protect residential uses surrounding the subject property. The Brightwater Country Club and Crystal Lagoon amenities, as conditioned, are appropriate accessory uses to the residential uses.

b) 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; and

Staff finds the proposed conditions appropriate for approval and as conditioned the public's interests are sufficiently addressed.

c) That each requested deviation enhances the achievement of the objectives of the planned development; and Preserves and promotes the general intent of this Code to protect the public health, safety and welfare:

There are three additional requested deviations and with the exception of the deviation regarding approval of non-sinuous lakes, staff recommends approval of all other deviations.

Staff, therefore, recommends approval of the amendment to this Residential Planned Development (RPD) as conditioned in Attachment C.

ATTACHMENTS:

A. Expert Witness Information
B. Maps: Surrounding Zoning, Future Land Use and Aerial Photograph
C. Recommended Conditions and Deviations
    1) Conditions in Strikethrough and Underline
    2) Conditions Clean Format
    3) Property Development Regulations
D. Request Statement
E. Legal Description
F. Proposed Schedule of Uses
G. Applicant Proposed Amendments to Conditions and Deviations
H. Resolution Z-02-070
I. ADD2013-00083
J. ADD2014-00074
K. ADD2015-00134
L. ADD2020-00046
M. Resolution Z-10-032
N. Density Analysis
O. Traffic Impact Statement
P. Infrastructure Planning Memorandum

Q. Environmental Memorandum
R. Natural Resources Memorandum
S. Lee County Department of Transportation Memorandum
T. Florida Department of Transportation Memorandum
U. Development Services Memorandum
V. Letters of Utility Availability
W. Waivers of Submittal Requirements
X. Deviation Exhibit
Y. Agricultural Exhibit/Littoral Planting Exhibit
Z. Master Concept Plan

ATTACHMENT A

LEE COUNTY STAFF EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(f)3.

Dirk Danley, AICP, Planner, Senior, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Elizabeth Workman, Senior Environmental Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Marcus Evans P.E., Senior Engineer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in Traffic Engineering and Transportation Planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Brandon Dunn, Principal Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

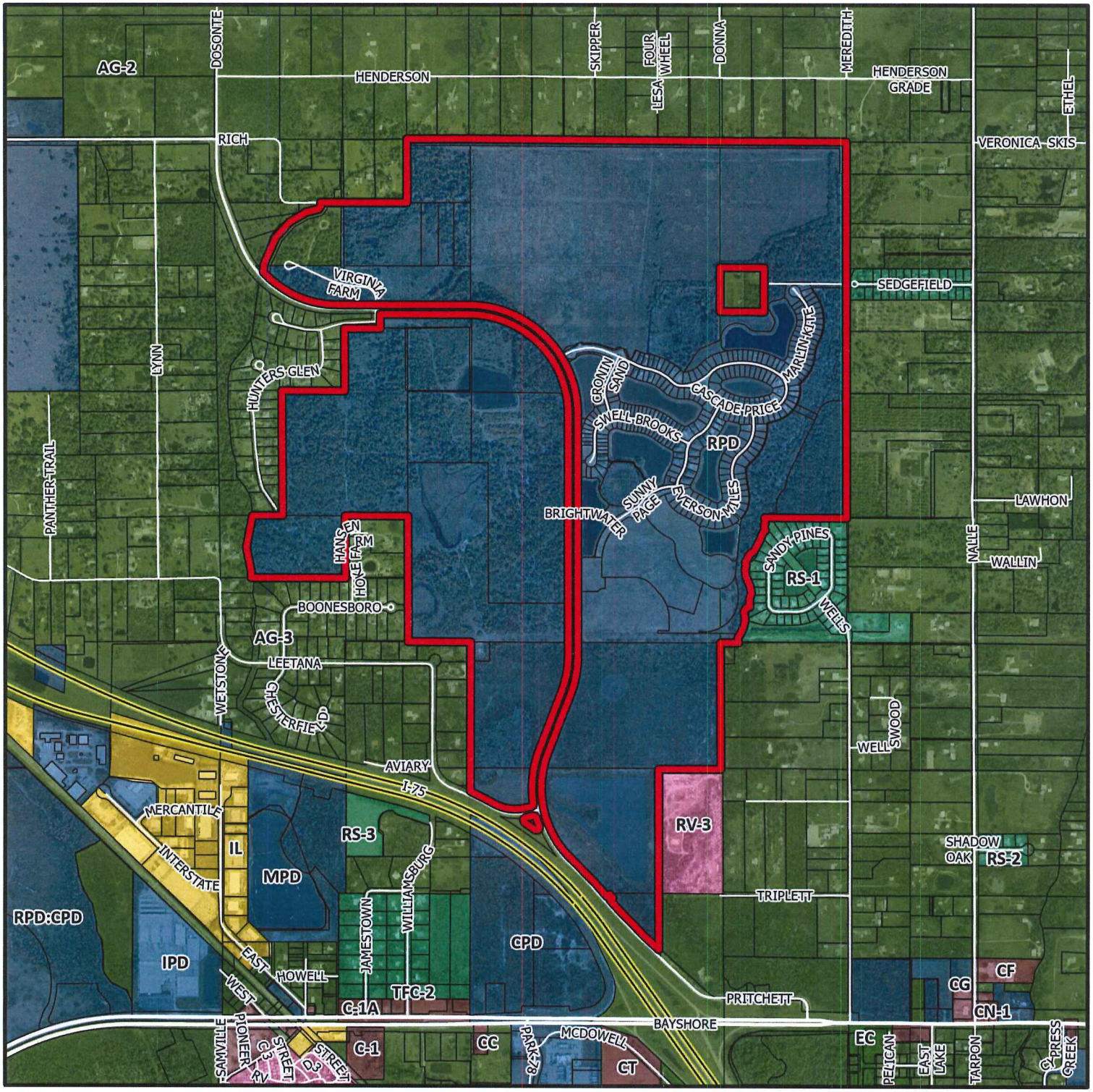
- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee Plan and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Rebecca Sweigert, Principal Environmental Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee Plan and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Lee Werst, Natural Resources Supervisor, Natural Resources, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee Plan and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.



DCI2021-00012

Zoning

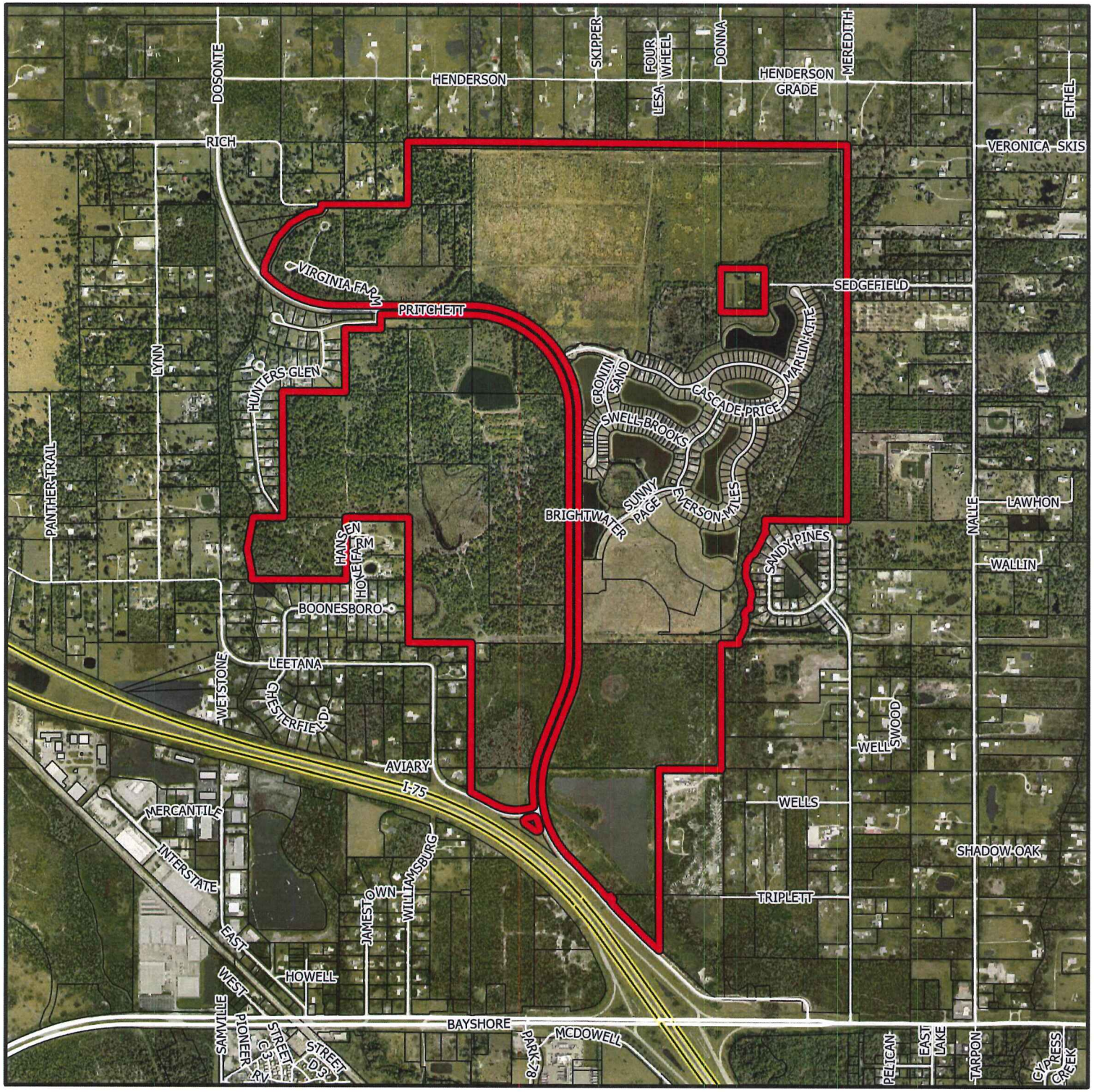
ATTACHMENT B

Subject Property

N
W
E
S

0 1,000 2,000 3,000
Feet

Lee County
Southwest Florida



DCI2021-00012

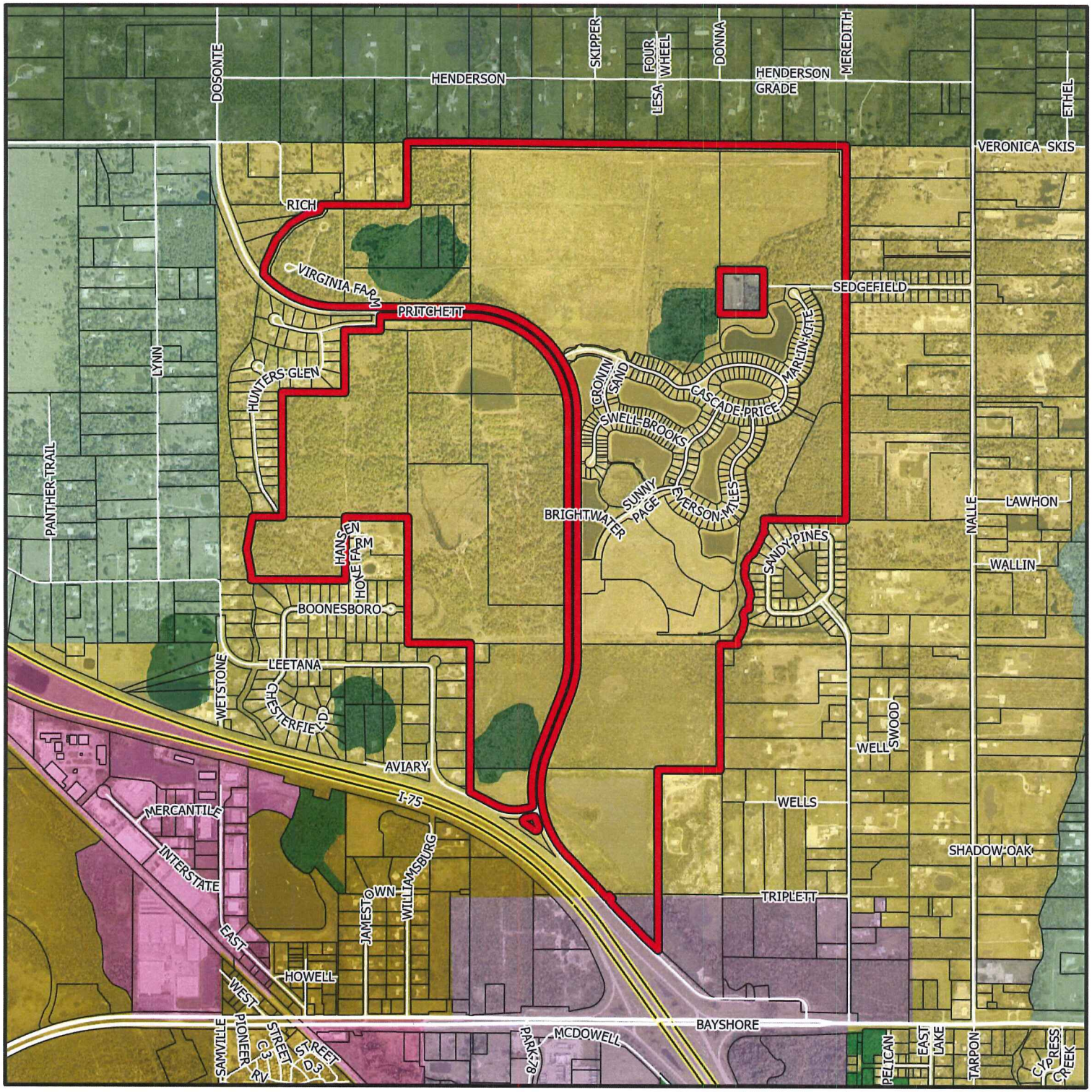
Aerial

Subject Property

N
W E
S

0 1,000 2,000 3,000
Feet

Lee County
Southwest Florida



DCI2021-00012

Future Land Use

- Subject Property
- Suburban
- Sub-Outlying Suburban
- Industrial
- Public Facilities
- General Interchange
- Rural
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland
- Wetlands
- Conservation Lands - Wetland

N
W E
S

0 1,000 2,000 3,000
Feet

Lee County
Southwest Florida

ATTACHMENT C-1

Attachment C – Conditions

Section A. - Conditions

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "~~Stoneybrook North Master Concept Plan~~Master Concept Plan Brightwater RPD F/K/A, Stoneybrook North," prepared by ~~Wilson Miller~~Banks Engineering, Inc., dated ~~March 10, 2004, printed March 17, 2004, an stamped "Received March 17 2004 Permit Counter,"~~ August 26, 2021, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at the time of local development order, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

   The development is allowed a maximum calculated development density/intensity with respect to new trip generation utilizing the following development scenario:

   a. 910 detached single-family dwelling units,
   b. 590 detached senior adult dwelling units, and
   c. Brightwater Country Club (See Condition 34)

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

   a. Schedule of Uses

~~Administrative Offices~~
~~Agriculture – SUBJECT TO Condition 24 of Resolution Z-02-070~~
~~Accessory uses and structures~~
~~Club, Private (Limited to Track K)~~
~~Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor~~
~~Food and beverage service, limited~~
~~Health Club and Spa~~
~~Parking lot, accessory~~
~~Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club~~
~~Specialty Retail Shop, Group I~~
~~Communication Tower – limited to one on the north side of Tract K and limited to a maximum of 35 feet in height~~
~~Dwelling Unit – limited to a maximum of 1,275 units consisting of:~~
~~Conventional Single-family Residence~~
~~(May be constructed on all R-1 residential tracts, see Note 1)~~
~~Two-family attached~~
~~(Limited to Tracts A, B, J and M, see Note 1)~~
~~Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts F and G must be no less than 7,500 square feet in area within 500 feet of the northern boundary.~~

~~Entrance Gate and Gatehouse, in compliance with §34-1748~~
~~Essential Services~~
~~Essential Services Facilities, Group I~~
~~Excavation, water retention~~
~~Fences, walls~~
~~Home occupation~~
~~Model Home, Model Unit and Model Display Group~~
~~Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)~~
~~Recreation Facilities, Personal~~
~~Recreation Facilities, Private on-site~~
~~Parking lot, accessory~~
~~Residential Accessory Uses~~
~~Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation~~
~~Temporary uses (§34-3041)~~

~~Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential~~
~~tracts. Two-family attached dwelling units may be constructed only on R-1A residential~~
~~tracts (Tracts A, B, J and M).~~

TRACTS A, B, F1 & M

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit
Single-family Residence
Two-family attached

[NOTE: Tracts A & B (along with B-1, C & D) are limited to adult senior housing (±590 units - See Condition 33)

Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs

Temporary uses

TRACT B-1

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Club, Private
- Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor (See Deviation 21)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
- Specialty Retail Shop, Group I

Dwelling Unit
- [NOTE: Tract B-1 (along with Tracts A, B, C & D) is limited to adult senior housing (±590 units - See Condition 33)]
- Single-family Residence
- Two-family attached

Entrance Gate and Gatehouse
Essential Services Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

TRACTS C, D, E, F, F1, G, H & I

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit
- Single-family Residence
  - [NOTE 1: Tracts C & D (along with A, B & B1) are limited to adult senior housing (±590 units - See Condition 33)]

Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, water retention

Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tract J
Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit Conventional
- Single-family Residence
- Two-family attached
- Townhouse (Maximum 150)

Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services Essential Services Facilities, Group I
Excavation, water retention Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Tract K
Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Country Club (See condition 34)
- Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor (See Deviation 21)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use at the Brightwater Country Club

Specialty Retail Shop, Group I
Communication Tower – limited to one on the north side of Tract K and limited to a maximum of 35 feet in height
Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I

Excavation, water retention
Fences, walls
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tracts E1, N and O

Drainage Excavation, water retention
Fences/Walls
Park, Group I, limited to nature preserve or passive or active recreation (Tract N only)
Signs (limited to existing billboard located on the southwest side of Tract O, Lake L1)
Recreation Facilities, Personal, Private on-site, limited to nature preserve or passive recreation

Parcels L-1 through L-34 (Lake Parcels)

Excavation, water retention

b. Site Development Regulations

See attachment C-3

3. DELETED

4. The Tract K recreational area must include at a minimum, one multi-purpose field, a playground, and picnic area, or recreational water feature. Facilities for the safe passage of pedestrians and cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located on ~~Tract F-1 and~~ Tract G and H, the Applicant must include a 30-foot-wide Type F buffer around the perimeter of the High Point sewage treatment plan property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Prior to local development order approval, the

preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(j).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve located east of Tract M and south of the LCEC easement. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for Lee County Development Services Section staff review and approval.

9. The use of cypress mulch is prohibited in the preserve areas

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum lot width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by the Lee County Development Services Section staff prior to construction. Minor adjustments to minimized impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint not larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval of Development Services and other applicable County staff.

14. Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the LDC. ~~with the littoral planting exhibit entitled Northbrook Littoral Planting Exhibit, attached hereto as Exhibit "D."~~

~~All lake littoral zones must be constructed as depicted in Cross Section B-B. Littoral planting quantities must be consistent with the exhibit entitled Littoral Planting Exhibit "F", North Brook, attached hereto as Exhibit "D."~~ The planting area along the northern ditch expansion must also provide native wetland plants installed three feet on-center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake 1 is existing and does not require additional plantings. Any changes to Lake 1 in Tract O will require the following within the limits of the shoreline proposed to be revised: Lake littoral plantings within Tract ~~M~~O must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake 1 (contained within Tract ~~M~~O).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Development Services staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Development Services staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake Bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries and are subject to the following conditions

    a. Prior to a local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear feet of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

    b. The development order must include a typical cross-section detail of a bulkhead and rip-rap areas on the paving, grading and landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and the LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior

to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In Determining that level of Service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. ~~At a minimum, the developer will construct a southbound turn lane as a site related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.~~ The developer must coordinate with Lee County Department of Transportation and Florida Department of Transportation in order to find an acceptable improvements to the intersection that meet the standards of the Florida Administrative Code (FAC) 14-97.

21. The developer must construct an eight-foot-wide bicycle path or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22. ~~Blasting is prohibited on this project site.~~ Deleted.

23. ~~The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.~~ Deleted.

24. Agricultural Uses:

    Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

    a) Existing bona fide agricultural uses, as shown in attached Attachment Y, may continue until approval of a local development order for the area of the project containing those uses.
    b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e. mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.
    c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided title of the Office of the County Attorney.

25. Deleted.

26. Development along Popash and Bayshore Creeks:

General Conditions:

a) Prior to issuance of a Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Division of Lee County Natural Resources:
   1) The HEC-RAS model was based upon the absence of development within 50 feet from the top of creek bank. No development is proposed within 50 feet from top of creek bank with the exception of an at-grade walking path. If any development is later proposed within 50 feet of the top of creek bank, ~~If the development parameters change from those modeled and approved during the rezoning,~~ then the developer must provide an updated HEX-RAS model pursuant to the same modeling parameters established during the rezoning process for Popash and Bayshore Creeks demonstrating that the development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms
   2) The location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order Plans, as well as the defined existing top of bank/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.
   3) All plans and documents related to the above must include the statement: “This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further Certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development.”
   4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.
   5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within the property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Floirida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined herein. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly to include initial and ongoing maintenance for these creeks that must include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and roasary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement areas is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property onto the easement area is permissible, but must be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County

Attorney and Division of Natural Resources during the platting process. The same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Homeowners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Development Order.
7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b) Prior to the issuance of the Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Division of Lee County Natural Resources in accordance with the following:
   1) The bridge crossing of Popash Creek must be a pole-supported structure.
   2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of the flood flows and each must have a maximum dimension of twenty-four (24) inches.
   3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).
   4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash creek, unless permitted elsewhere in these conditions by the Lee County Division of Natural Resources.

Bayshore Creek:

c) All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.
   1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Pritchett Parkway and within the 50-foot offset from the existing top of bank.
   2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27. In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site). Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include the following

disclosure statement. This disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

> "Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Brightwater RPD F/K/A Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to the issuance of a Certificate of Compliance for the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high for areas annotated with Buffer Note 1 or installed at 48 inches high and a minimum of 20 feet from the property line for areas annotated with Buffer Note 2 except as modified by Deviation 18.

31. Lighting
    a. Outdoor ballfield lights for any baseball field located on Tract K are prohibited.
    b. Outdoor recreational lighting for any ~~multi-purpose courts or fields~~ <u>amenities</u> located on Tract K or B-1 (with the exception of ballfields where lighting is prohibited) and Tract B-1 must be on timers. Lighting impacts will be measured at the boundary of Tracts K and B-1, and not at the boundary of any adjacent lakes or preserve areas.

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

33. <u>Declaration of covenants and restrictions must be provided as an amendment to the Phase 2 development order to reflect 590 dwelling units limited to adult senior housing within Tracts A, B, B1, C & D. Any amendment to this condition or relevant documentation must be considered through additional zoning approvals.</u>

34. <u>Brightwater Country Club consists of the building(s) and associated recreational facilities constructed in conjunction with the Brightwater Crystal Lagoon, open to members and their guests for a membership fee, and also includes daily non-resident reservation based</u>

system. Resident memberships in the Brightwater Country Club will be included in every purchase of a Brightwater home.

a. Access to Brightwater Crystal Lagoon must be fully gated;
b. Non-resident access to the Brightwater Country Club amenities and recreational facilities requires a reservation on a reservation portal website. Daily reservations to non-residents will be limited based upon parking availability in the parking lot adjacent to the Brightwater Country Club which will be monitored and controlled by Staff of the Brightwater Country Club;
c. Signage is required on Pritchett Parkway to notify the public that no parking is permitted on Pritchett Parkway;
d. The Brightwater Country Club parking lot is required to provide a minimum of 180 parking spaces. All parking spaces for users of the Crystal Lagoon amenity will be clearly delineated. Parking outside of the delineated spaces is not permitted. A maximum parking rate of 0.07 non-golf cart parking spaces per permitted unit is allowed for non-Brightwater RPD residents. Parking limited to Brightwater RPD residents only will be clearly marked and signed; and
e. Golf cart parking areas shall be available for exclusive use of Brightwater homeowners.

35. At the time of Development Order Approval, the applicant must comply with the requirements of LDC Section 10-329. In addition, access points for fill to be transported across Pritchett Parkway will be limited to a single location on both sides of Pritchett Parkway at any given time. Erosion control measures for Pritchett Parkway and the crossing area will be detailed in the Development Order process for staff review and approval.

36. Voluntary enhancements
    a. Residential uses are removed from and transferred internal to site Tract E1 (±9.73 acres)
    b. Residential uses are removed from and transferred internal to site Tract N (±10.37 acres).
    c. No residential uses and density transferred internal to site Tract O (±14.43)
    d. Tract D- Prior to construction certification of the westernmost lots abutting the Hunter's Glen subdivision property line, developer will provide:
        i. An easement to allow potential for Hunter's Glen's construction (at their option) of a turnaround for emergency, solid waste, and resident vehicles for Hunter's Glen subdivision. Developer has the right (but not the obligation) to construct this improvement.
        ii. An easement and stubbed water mains to allow potential for Hunter's Glen's construction (at their option) of fire hydrants as enhancement to Hunter's Glen subdivision fire protection. Developer has the right (but not the obligation) to construct this improvement.
    e. Development Order application and approval for Tract A must demonstrate increased open space separation to lots (varying ±35' – ±82' setback between lot lines and perimeter) along western perimeter boundary as shown on the Master Concept Plan.

f. Tract M – Prior to construction certification of easternmost lots in Tract M , developer will provide a utility easement for Seminole Campground to allow (at their option):
    i. Connection to central sewer to take the Seminole Campground WWTP off-line; and
    ii. Opportunity for water main looping for increased fire protection. Developer has the right (but not the obligation) to construct this improvement.

37. Each development order must reference the "Brightwater Site-Wide Construction Water Quality Monitoring Program" on file with case number DOS2018-00034-A01 which may be amended from time to time as needed to address current circumstances without requiring a zoning amendment.

38. The developer must amend previous relevant development order approvals to demonstrate on the development order plans that the constructed sidewalk within the natural waterway buffer and indigenous open space abutting Popash Creek. Development order plans must demonstrate compliance with LDC Sections 10-416(d)(2)(d) and 10-416(d)(11)(b).

Section B. – Deviations

1. Deviaiton (1) – Withdrawn

2. Deviation (2) – Withdrawn

3. Deviation (3) seeks relief from §10-418(2)d, which requires the installation of native wetland herbaceous plants at a calculation of 25 percent of the total linear feet of shoreline multiplied by the 20-foot-wide planted littoral shelf and divided by four to obtain two-foot-on-center spacing, and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract ~~M~~O lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16~~, as amended by ADD2015-00134 and restated herein~~.

4. Deviation (4) – Withdrawn

5. Deviation (5) – Withdrawn

6. Deviation (6) – Withdrawn

7. Deviation (7) seeks relief from §10-329(d)(4), which requires excavations to be sloped at a ratio not greater than six (6) horizontal to one (1) vertical from the top of bank to a water depth of two feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18

8. Deviation (8) – Withdrawn

9. Deviation (9) – Withdrawn

10. Deviation (10) – Withdrawn

11. Deviation (11) – Withdrawn

12. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. The entrance apron into each parking lot would be paved.
    b. The handicapped parking space(s) in each lot would be paved
    c. The Applicant will keep the portion or the street in front of each model free from gravel or shell that may be tracked out of the model home parking area(s) by departing vehicles.

14. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A ~~US Home~~ [Developer's Name] Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the following condition:

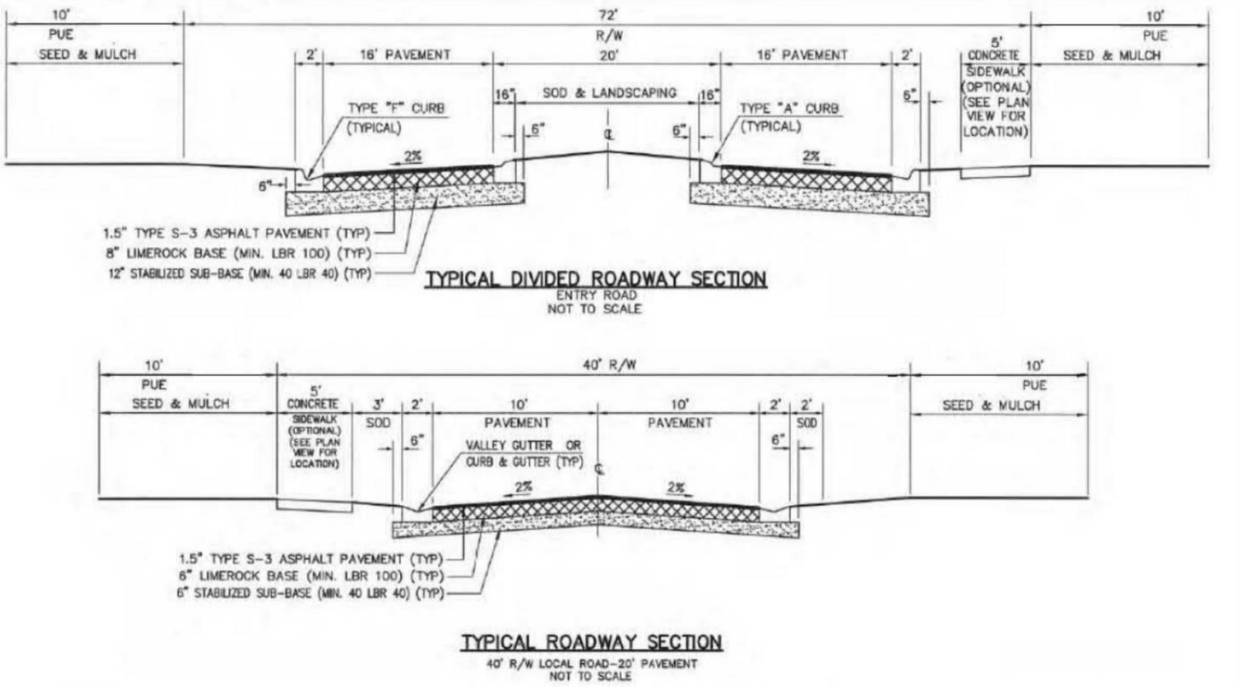
    a. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped "Received Apr 07 2003 Community Development" and attached as Attachment X.

15. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30- 94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the ~~Heritage Creek~~ [Community Name] project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. This deviation is APPROVED, SUBJECT TO the following condition:

    a. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped "Received Apr 07 2003 Community Development" and attached as Attachment X.

16. Deviation (16) – Withdrawn

17. Deviation 17 seeks relief from LDC Section 10-296(e)(2)h.5.ii. and iii., which require Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road, to allow internal roadways to be designed and constructed in accordance with the following cross sections approved by DOS2015-00083, as amended:



This deviation is APPROVED, SUBJECT TO the following condition:

a. The developer must provide a pedestrian way along one side of all streets internal to the development and must extend each pedestrian way from intersection to intersection.

18. Deviation 18 seeks relief from LDC Section 10-416(d)(9), which requires a 50-foot-wide vegetated natural waterway buffer containing six native canopy trees and 50 native shrubs per 100 linear feet, which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio, to allow existing vegetation to remain to meet the buffer requirements and to allow areas to remain in their natural state if no vegetation exists with no planting plan required. This deviation is APPROVED, SUBJECT TO the following condition:

a. The areas at the northwestern corner of the property within the required natural waterway buffer depicted on the Master Concept Plan with annotations referencing Buffer Note 1 and Buffer Note 2 may not be planted.

19. Deviation 19 seeks relief from LDC Section 10-418(1), which requires shorelines to be sinuous rather than straight, to allow existing or permitted lakes to remain as designed.

    Staff recommends WITHDRAWAL of this deviation, based on the fact that the lakes noted in the deviation request were previously found to be sinuous in nature during previous Development Order Approval.

20. Deviation 20 seeks relief from LDC Section 10-296(k)(1), which requires deadend streets to provide a circular turnaround, to allow a dead-end street in Tract E as shown on MCP.

    Staff recommends **approval** of this deviation with the following conditions:

    a. At the time of development order submittal, the applicant must provide a letter of no objection to the dead-end roadway in Tract E from the fire department having jurisdiction.

21. Deviation 21 seeks relief from LDC Section 34-1264 to allow outdoor consumption on premises to be located ±466' feet from a dwelling unit under separate ownership.

    Staff recommends **approval** of this deviation, subject to the following conditions:

    a. Consumption on premises is only permitted in conjunction with the Brightwater Country Club use in the COP area delineated on the Master Concept Plan.
    b. Live music or amplified sound is prohibited in the exterior portions of Consumption on Premises area after 10PM.

ATTACHMENT C-2

Attachment C – Conditions

Section A. - Conditions

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Master Concept Plan Brightwater RPD F/K/A, Stoneybrook North," prepared by Banks Engineering, Inc., dated August 26, 2021, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at the time of local development order, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

   The development is allowed a maximum calculated development density/intensity with respect to new trip generation utilizing the following development scenario:

   a. 910 detached single-family dwelling units,
   b. 590 detached senior adult dwelling units, and
   c. Brightwater Country Club (See Condition 34)

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

   a. <u>Schedule of Uses</u>

      <u>Tracts A, B, F1 & M</u>

      Administrative Offices
      Agriculture – SUBJECT TO Condition 24
      Accessory uses and structures
      Dwelling Unit
            Single-family Residence
            Two-family attached

      [NOTE: Tracts A & B (along with B-1, C & D) are limited to adult senior housing (±590 units - See Condition 33)

      Entrance Gate and Gatehouse
      Essential Services
      Essential Services Facilities, Group I
      Excavation, water retention
      Fences, walls
      Home occupation
      Model Home, Model Unit and Model Display Group
      Recreation Facilities, Personal
      Recreation Facilities, Private on-site
      Parking lot, accessory
      Residential Accessory Uses
      Signs
      Temporary uses

Tract B-1

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Club, Private
- Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor (See Deviation 21)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
- Specialty Retail Shop, Group I

Dwelling Unit
- [NOTE: Tract B-1 (along with Tracts A, B, C & D) is limited to adult senior housing (±590 units - See Condition 33)]
- Single-family Residence
- Two-family attached

Entrance Gate and Gatehouse
Essential Services Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tracts C, D, E, F, F1, G, H & I

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit
- Single-family Residence
  - [NOTE 1: Tracts C & D (along with A, B & B1) are limited to adult senior housing (±590 units - See Condition 33)]

Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls

Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tract J

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit Conventional
- Single-family Residence
- Two-family attached
- Townhouse (Maximum 150)

Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services Essential Services Facilities, Group I
Excavation, water retention Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Tract K

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Country Club (See condition 34)
- Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor (See Deviation 21)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use at the Brightwater Country Club

Specialty Retail Shop, Group I
Communication Tower – limited to one on the north side of Tract K and limited to a maximum of 35 feet in height
Entrance Gate and Gatehouse
Essential Services

Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tracts E1, N and O

Drainage Excavation, water retention
Fences/Walls
Park, Group I, limited to nature preserve or passive or active recreation (Tract N only)
Signs (limited to existing billboard located on the southwest side of Tract O, Lake L1)
Recreation Facilities, Personal, Private on-site, limited to nature preserve or passive recreation

Parcels L-1 through L-34 (Lake Parcels)

Excavation, water retention

b. Site Development Regulations

See attachment C-3

3. DELETED

4. The Tract K recreational area must include at a minimum, one multi-purpose field, a playground, and picnic area, or recreational water feature. Facilities for the safe passage of pedestrians and cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located on Tract G and H, the Applicant must include a 30-foot-wide Type F buffer around the perimeter of the High Point sewage treatment plan property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Prior to local development order approval, the

preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(j).

7. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve located east of Tract M and south of the LCEC easement. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for Lee County Development Services Section staff review and approval.

9. The use of cypress mulch is prohibited in the preserve areas

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum lot width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by the Lee County Development Services Section staff prior to construction. Minor adjustments to minimized impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint not larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval of Development Services and other applicable County staff.

14. Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the LDC with the littoral planting exhibit entitled Northbrook Littoral Planting Exhibit, attached hereto as Attachment X.

All lake littoral zones must be constructed as depicted in Cross Section B-B. Littoral planting quantities must be consistent with the exhibit entitled Littoral Planting Exhibit, North Brook, attached hereto as Attachment X. The planting area along the northern ditch expansion must also provide native wetland plants installed three feet on-center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake 1 is existing and does not require additional plantings. Any changes to Lake 1 in Tract O will require the following within the limits of the shoreline proposed to be revised: Lake littoral plantings within Tract O must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake 1 (contained within Tract O).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Development Services staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Development Services staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake Bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries and are subject to the following conditions

    a. Prior to a local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear feet of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

    b. The development order must include a typical cross-section detail of a bulkhead and rip-rap areas on the paving, grading and landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and the LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior

to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In Determining that level of Service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. The developer must coordinate with Lee County Department of Transportation and Florida Department of Transportation in order to find an acceptable improvements to the intersection that meet the standards of the Florida Administrative Code (FAC) 14-97.

21. The developer must construct an eight-foot-wide bicycle path or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22. Deleted.

23. Deleted.

24. <u>Agricultural Uses:</u>

    Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

    a) Existing bona fide agricultural uses, as shown in attached Attachment Y, may continue until approval of a local development order for the area of the project containing those uses.
    b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e. mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.
    c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided title of the Office of the County Attorney.

25. Deleted.

26. Development along Popash and Bayshore Creeks:

General Conditions:

a) Prior to issuance of a Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Division of Lee County Natural Resources:
    1) The HEC-RAS model was based upon the absence of development within 50 feet from the top of creek bank. No development is proposed within 50 feet from top of creek bank with the exception of an at-grade walking path. If any development is later proposed within 50 feet of the top of creek bank, then the developer must provide an updated HEX-RAS model pursuant to the same modeling parameters established during the rezoning process for Popash and Bayshore Creeks demonstrating that the development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms
    2) The location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order Plans, as well as the defined existing top of bank/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.
    3) All plans and documents related to the above must include the statement: “This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further Certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development.”
    4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.
    5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within the property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Floirida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined herein. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly to include initial and ongoing maintenance for these creeks that must include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and roasary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement areas is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property onto the easement area is permissible, but must be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Division of Natural Resources during the platting process. The same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Homeowners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Development Order.
7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b) Prior to the issuance of the Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Division of Lee County Natural Resources in accordance with the following:
   1) The bridge crossing of Popash Creek must be a pole-supported structure.
   2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of the flood flows and each must have a maximum dimension of twenty-four (24) inches.
   3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).
   4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash creek, unless permitted elsewhere in these conditions by the Lee County Division of Natural Resources.

Bayshore Creek:

c) All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.
   1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Pritchett Parkway and within the 50-foot offset from the existing top of bank.
   2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27. In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site). Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include the following disclosure statement. This disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

"Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Brightwater RPD F/K/A Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to the issuance of a Certificate of Compliance for the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high for areas annotated with Buffer Note 1 or installed at 48 inches high and a minimum of 20 feet from the property line for areas annotated with Buffer Note 2 except as modified by Deviation 18.

31. Lighting
    a. Outdoor ballfield lights for any baseball field located on Tract K are prohibited.
    b. Outdoor recreational lighting for any amenities located on Tract K or B-1 (with the exception of ballfields where lighting is prohibited) and Tract B-1 must be on timers. Lighting impacts will be measured at the boundary of Tracts K and B-1, and not at the boundary of any adjacent lakes or preserve areas.

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

33. Declaration of covenants and restrictions must be provided as an amendment to the Phase 2 development order to reflect 590 dwelling units limited to adult senior housing within Tracts A, B, B1, C & D. Any amendment to this condition or relevant documentation must be considered through additional zoning approvals.

34. Brightwater Country Club consists of the building(s) and associated recreational facilities constructed in conjunction with the Brightwater Crystal Lagoon, open to members and their guests for a membership fee, and also includes daily non-resident reservation based system. Resident memberships in the Brightwater Country Club will be included in every purchase of a Brightwater home.

    a. Access to Brightwater Crystal Lagoon must be fully gated;

b. Non-resident access to the Brightwater Country Club amenities and recreational facilities requires a reservation on a reservation portal website. Daily reservations to non-residents will be limited based upon parking availability in the parking lot adjacent to the Brightwater Country Club which will be monitored and controlled by Staff of the Brightwater Country Club;
c. Signage is required on Pritchett Parkway to notify the public that no parking is permitted on Pritchett Parkway;
d. The Brightwater Country Club parking lot is required to provide a minimum of 180 parking spaces. All parking spaces for users of the Crystal Lagoon amenity will be clearly delineated. Parking outside of the delineated spaces is not permitted. A maximum parking rate of 0.07 non-golf cart parking spaces per permitted unit is allowed for non-Brightwater RPD residents. Parking limited to Brightwater RPD residents only will be clearly marked and signed; and
e. Golf cart parking areas shall be available for exclusive use of Brightwater homeowners.

35. At the time of Development Order Approval, the applicant must comply with the requirements of LDC Section 10-329. In addition, access points for fill to be transported across Pritchett Parkway will be limited to a single location on both sides of Pritchett Parkway at any given time. Erosion control measures for Pritchett Parkway and the crossing area will be detailed in the Development Order process for staff review and approval.

36. Voluntary enhancements
    a. Residential uses are removed from and transferred internal to site Tract E1 (±9.73 acres)
    b. Residential uses are removed from and transferred internal to site Tract N (±10.37 acres).
    c. No residential uses and density transferred internal to site Tract O (±14.43)
    d. Tract D- Prior to construction certification of the westernmost lots abutting the Hunter's Glen subdivision property line, developer will provide:
        i. An easement to allow potential for Hunter's Glen's construction (at their option) of a turnaround for emergency, solid waste, and resident vehicles for Hunter's Glen subdivision. Developer has the right (but not the obligation) to construct this improvement.
        ii. An easement and stubbed water mains to allow potential for Hunter's Glen's construction (at their option) of fire hydrants as enhancement to Hunter's Glen subdivision fire protection. Developer has the right (but not the obligation) to construct this improvement.
    e. Development Order application and approval for Tract A must demonstrate increased open space separation to lots (varying ±35' – ±82' setback between lot lines and perimeter) along western perimeter boundary as shown on the Master Concept Plan.
    f. Tract M – Prior to construction certification of easternmost lots in Tract M, developer will provide a utility easement for Seminole Campground to allow (at their option):

i. Connection to central sewer to take the Seminole Campground WWTP off-line; and
ii. Opportunity for water main looping for increased fire protection. Developer has the right (but not the obligation) to construct this improvement.

37. Each development order must reference the "Brightwater Site-Wide Construction Water Quality Monitoring Program" on file with case number DOS2018-00034-A01 which may be amended from time to time as needed to address current circumstances without requiring a zoning amendment.

38. The developer must amend previous relevant development order approvals to demonstrate on the development order plans that the constructed sidewalk within the natural waterway buffer and indigenous open space abutting Popash Creek. Development order plans must demonstrate compliance with LDC Sections 10-416(d)(2)(d) and 10-416(d)(11)(b).

Section B. – Deviations

1. Deviation (1) – Withdrawn

2. Deviation (2) – Withdrawn

3. Deviation (3) seeks relief from §10-418(2)d, which requires the installation of native wetland herbaceous plants at a calculation of 25 percent of the total linear feet of shoreline multiplied by the 20-foot-wide planted littoral shelf and divided by four to obtain two-foot-on-center spacing, and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract O lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16.
4. Deviation (4) – Withdrawn

5. Deviation (5) – Withdrawn

6. Deviation (6) – Withdrawn

7. Deviation (7) seeks relief from §10-329(d)(4), which requires excavations to be sloped at a ratio not greater than six (6) horizontal to one (1) vertical from the top of bank to a water depth of two feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18

8. Deviation (8) – Withdrawn

9. Deviation (9) – Withdrawn

10. Deviation (10) – Withdrawn

11. Deviation (11) – Withdrawn

12. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. The entrance apron into each parking lot would be paved.
    b. The handicapped parking space(s) in each lot would be paved
    c. The Applicant will keep the portion or the street in front of each model free from gravel or shell that may be tracked out of the model home parking area(s) by departing vehicles.

14. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A [Developer's Name] Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the following condition:

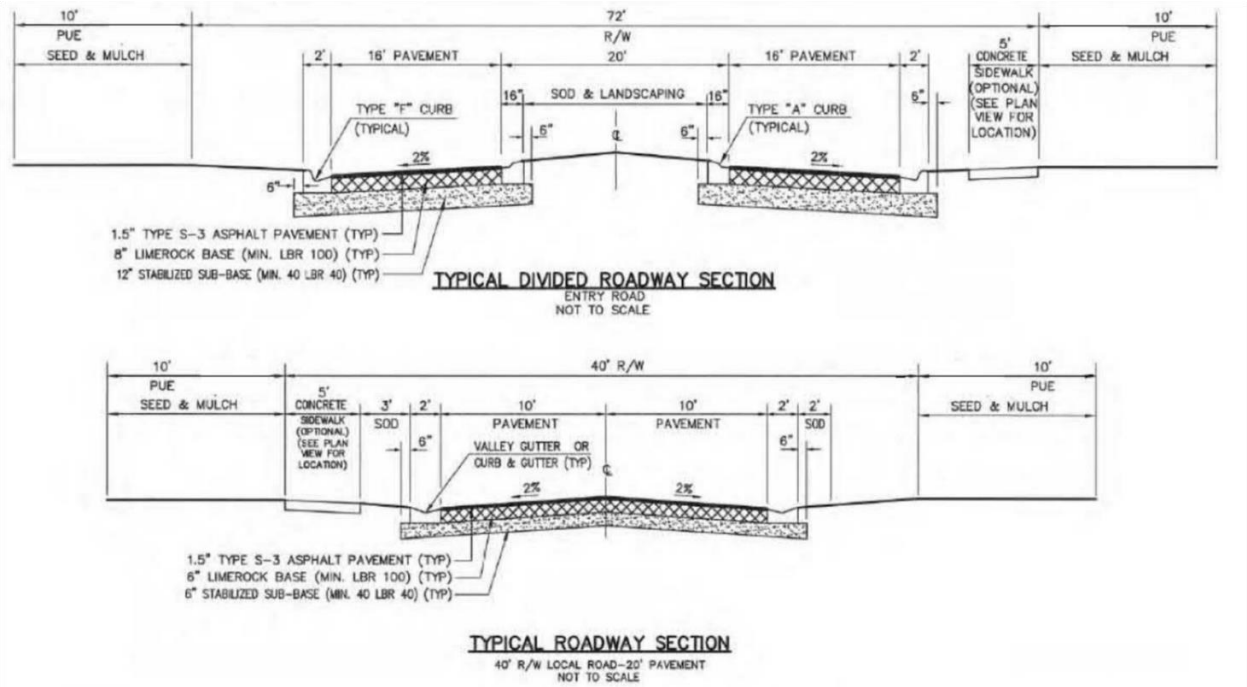
    a. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped "Received Apr 07 2003 Community Development" and attached as Attachment X.

15. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30- 94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the [Community Name] project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. This deviation is APPROVED, SUBJECT TO the following condition:

    a. The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped "Received Apr 07 2003 Community Development" and attached as Attachment X.

16. Deviation (16) – Withdrawn

17. Deviation 17 seeks relief from LDC Section 10-296(e)(2)h.5.ii. and iii., which require Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road, to allow internal roadways to be designed and constructed in accordance with the following cross sections approved by DOS2015-00083, as amended:



This deviation is APPROVED, SUBJECT TO the following condition:

a. The developer must provide a pedestrian way along one side of all streets internal to the development and must extend each pedestrian way from intersection to intersection.

18. Deviation 18 seeks relief from LDC Section 10-416(d)(9), which requires a 50-foot-wide vegetated natural waterway buffer containing six native canopy trees and 50 native shrubs per 100 linear feet, which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio, to allow existing vegetation to remain to meet the buffer requirements and to allow areas to remain in their natural state if no vegetation exists with no planting plan required. This deviation is APPROVED, SUBJECT TO the following condition:

    a. The areas at the northwestern corner of the property within the required natural waterway buffer depicted on the Master Concept Plan with annotations referencing Buffer Note 1 and Buffer Note 2 may not be planted.

19. Deviation 19 seeks relief from LDC Section 10-418(1), which requires shorelines to be sinuous rather than straight, to allow existing or permitted lakes to remain as designed.

Staff recommends **withdrawal** of this deviation, based on the fact that the lakes noted in the deviation request were previously found to be sinuous in nature during previous Development Order Approval.

20. Deviation 20 seeks relief from LDC Section 10-296(k)(1), which requires deadend streets to provide a circular turnaround, to allow a dead-end street in Tract E as shown on MCP.

    Staff recommends **approval** of this deviation with the following conditions:

    a. At the time of development order submittal, the applicant must provide a letter of no objection to the dead-end roadway in Tract E from the fire department having jurisdiction.

21. Deviation 21 seeks relief from LDC Section 34-1264 to allow outdoor consumption on premises to be located ±466' feet from a dwelling unit under separate ownership.

    Staff recommends **approval** of this deviation, subject to the following conditions:

    a. This deviation is only applicable to consumption on premises in conjunction with the Brightwater Country Club use in the COP area delineated on the Master Concept Plan.
    b. Live music or amplified sound is prohibited in the exterior portions of Consumption on Premises area after 10PM.

ATTACHMENT C-3

Property Development Regulations

	Minimum Lot			Minimum Setback (ft.)							Max Building height (Ft.)	Min. Bldg Separation (Ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
LAND USES	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (Ft.)*	Lots	Wetlands	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-Family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-Family Attached	3,500 per unit	35 per unit	100	0 or 10**	20	20	5	20	12	25	35 or 2 stories	10	45
Townhouse	2,000	22	80	0 or 10**	20	20	5	20	15	25	35	10	N/A
Clubhouse	20,000	80	100	10	20	20	5	20	20	25	35 or 2 stories	20	45
Accessory Recreation Buildings	N/A	N/A	N/A	N/A	20	20	N/A	N/A	N/A	N/A	35 or 1 story	20	N/A

* Applies to lots of all widths ad to corner lots. Each lot, including corner lots, will have only front yard.

† Lots located within 500 feet of the northern boundary of the project on ~~Tracts F-1 and F-3~~ F and G must be no less than 7,500 square feet in area.

**Townhouses and two-family attached must provide a minimum of 10 feet building separation where units are not adjoining.

ATTACHMENT D

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Brightwater RPD f/k/a Stoneybrook North
Amendment to Planned Development
Narrative of Request

DCI2021-00012
Revised August 2021

Request Summary

The applicant is seeking an amendment to ±638.17 acres of the built ±741.22-acre Brightwater (f/k/a Stoneybrook North/Heritage Creek) Residential Planned Development (RPD) located along both sides of Pritchett Parkway in the northeast quadrant of I-75 and Bayshore Road. The request seeks to update the Master Concept Plan (MCP) and schedule of uses to 1) reconfigure tracts, 2) relocate dwelling units to the interior, 3) add townhouse use, 4) add Brightwater Country Club to allow limited non-resident access, 5) add 225 dwelling units [increase maximum dwelling units from 1,275 to 1,500], 6) convert ±590 single-family cross dwellings to senior adult housing, 7) incorporate voluntary enhancements and 8) allow fill material to Pritchett Parkway. These proposed amendments include only minor updates to the existing approved deviations and include 3 new deviation requests.

Details of the specific requests are outlined in more detail below:

1. Reconfigure Tracts;
    - Revise configuration of I, J and K
    - Label Recreation Facility area west of Pritchett Parkway as Tract B1 and allow optional conversion to R-1A (±10-30 units). Clarify schedule of uses including potential indoor and outdoor consumption on premises for Recreation Facility use.
    - Tract F: Revise southern portion from "R-1" to "R-1A" to allow optional two-family attached units and relabel to Tract F1
        i. Does not change restriction of minimum 7,500 SF single-family detached units within 500' of north boundary
2. Transfer ±45 units to internal Tracts F1, J and B1 from Tract O and Tracts E and N adjacent to Popash and Bayshore Creeks;
3. Tract J: Add Townhouse use (maximum 150 units/35' height) (Existing ±85'-150' wide Popash Creek trail preserve buffer on east);
4. Tract K: Change Club, Private to Brightwater Country Club to allow limited non-resident access (internal to Tract J and Popash Creek buffer) [See below detail];

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Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

5. Increase maximum dwelling units from 1,275 to 1,500 (increase of 225 dwelling units including 48 dwelling units from General Interchange and 177 dwelling units, offset by change to adult senior housing);
6. Tracts A, B, B1, C & D: Convert ±590 Single-family units to adult senior housing (reduces traffic equivalent to ±440 homes and offsets additional units);
    - Unit mix at time of development order must not exceed maximum trips approved as part of this zoning request.
7. Incorporate voluntary enhancements/opportunities to benefit adjacent communities:
    - Tract E1 (±9.73-acres on Bayshore Creek) Removal of ±35 d.u. from perimeter to transfer internal to the site (Tracts F, J or B1) and limit uses to: Drainage; Excavation, water retention; Fences/Walls; Park, Group I limited to nature preserve or passive or active recreation; Park, private; Recreation, Streets and street rights of way; and Utility rights-of-way. This area is immediately across Pritchett Parkway from the Hunter's Glen subdivision. If the residential development is eliminated, there is an opportunity to let existing vegetation remain and/or to create a wider shelf and remove spoil along Bayshore Creek, providing additional capacity to Bayshore Creek.
    - Oakmont Subdivision: Remove residential development from Tract N (±10.37 acres east of Popash Creek) which abuts the north property boundary of Oakmont Subdivision. Removal of ±10 d.u. from perimeter to transfer to internal Tracts F, J or B1 and limit uses to: Drainage; Excavation, water retention; Fences/Walls; Park, Group I limited to limited to nature preserve or passive recreation; Park, private; Recreation, Streets and street rights of way; and Utility rights-of-way. The area not developed as residential may remain in its natural wooded state.
    - Tract O (±14.43 acres around existing Lake L1) Transfer residential density to internal Tracts F, J or B1 and limit uses to: Drainage; Excavation, water retention; Fences/Walls; Park, Group I limited to limited to nature preserve or passive or active recreation; Park, private; Recreation, Streets and street rights of way; and Utility rights-of-way.
    - Tract D will provide opportunity for enhanced fire safety for Hunter's Glen by including the following condition (36.d): Prior to construction certification of the westernmost lots abutting the Hunter's Glen subdivision property line, developer will provide:
        i. An easement to allow potential for Hunter's Glen's construction (at their option) of a turnaround for emergency, solid waste, and resident vehicles for Hunter's Glen subdivision. Developer has the right (but not the obligation) to construct this improvement. ;
        ii. An easement and stubbed water mains to allow potential for Hunter's Glen's construction (at their option) of fire hydrants as enhancement to Hunter's Glen subdivision fire protection. Developer has the right (but not the obligation) to construct this improvement.

- Colonial Acres – Leetana Road: Provide additional separation between proposed lots and the western perimeter boundary abutting single-family lots on Leetana Road (Colonial Acres) by including the following condition (36.e): Development Order application and approval for Tract A must demonstrate increased open space separation to lots (varying ±35'-±82' setback between lot lines and perimeter) along western perimeter boundary as shown on the Master Concept Plan.
- Popash Creek and Seminole Campground: Provide opportunities for enhanced water quality for Popash Creek and increased fire protection for Seminole Campground by providing the following condition (36.f): Tract M – Prior to construction certification of easternmost lots in Tract M , developer will provide a utility easement for Seminole Campground to allow (at their option):
    i. Connection to central sewer to take the Seminole Campground WWTP off-line; and
    ii. Opportunity for water main looping for increased fire protection.
    iii. Developer has the right (but not the obligation) to construct this improvement.

8. Add proposed condition 35 to allow transporting fill material across Pritchett Parkway at an intersection to other portions of the project.

The requested amendments result in the transfer of ±45 units to internal tracts from tracts adjacent to Popash and Bayshore Creeks and residential density transfer from the southern portion of the development resulting in an increase of ±34.53 acres of non-residential area for potential use for active or passive parks as well as the opportunity for additional water storage and water quality enhancements by Bayshore Creek and Popash Creek. Trips associated with the density increase, addition of townhouses and limited non-resident access to the Brightwater Country Club are offset by the adult senior housing conversion. These requested changes are isolated to the interior of the planned development and result in the ability to provide multiple enhancements/opportunities to the subject and surrounding community with a more sustainable development plan. The applicant conducted a meeting with some of the neighboring property owners on September 23, 2020 to obtain community feedback and discuss the voluntary community enhancements/opportunities. Requested amendments will provide opportunities for positive benefits for traffic, drainage, utility, fire safety, lighting, water quality and environmental impacts.

RPD Background

The original Heritage Creek a/k/a Stoneybrook North RPD was approved on February 16, 2004 by zoning Resolution Z-02-070 which allowed 1,275 single-family and two-family attached dwelling units. The RPD has been administratively amended four times as follows:

- Administrative Amendment ADD2013-00083 was approved on November 13, 2014 which reconfigured the development tracts and added two more vehicular connections to Pritchett Parkway providing for:
  - New Master Concept Plan
  - Updated tract numbering in Schedule of Uses and Condition 4
  - Updated Condition 14 new littoral planting exhibits E & F

- ADD2014-00074 created the Stoneybrook North Community Development District.

- Administrative Amendment ADD2015-00134 was approved on October 20, 2015 to reconfigure the internal development tracts, lakes, roadways, open space and update recreational facilities internal to the development, amend the schedule of uses and update the littoral exhibits providing for:
  - Amended Condition 2 of ADD2013-00083 for New Master Concept Plan
  - Amended Condition 3 of ADD2013-00083 for amended Schedule of Uses
  - Amended Condition 4 of ADD2013-00083 for recreational area
  - Amended Condition 5 of ADD2013-00083 for new littoral planting exhibits E & F
  - Updated tract numbering in Condition 16 of Z-02-070
  - Amended Condition 31 of Z-02-070
  - Updated tract numbering in Deviation 3

- Administrative Amendment ADD2020-00046 was approved on August 20, 2020 to amend the Master Concept Plan and Schedule of Uses, update certain conditions of approval and corresponding exhibits, and correct certain typographical errors in prior zoning actions providing for a codification of earlier ADD approvals. **This approval supersedes the prior administrative amendments and controls along with the original zoning resolution.** This amendment provided:
  - New Master Concept Plan
  - Eliminated a shared access
  - Amended Schedule of Uses
  - Amended Condition 6 of Z-02-070 regarding sabal palms
  - Clarified Condition 7 of Z-02-070 regarding gopher tortoise preserves
  - Amended Condition 8 of Z-02-070 regarding conservation areas
  - Amended Condition 14 of Z-02-070 for exhibits E and F
  - Added Deviations 17 and 18 for roadway standard and natural waterway buffer

Development Status

Development order approval has been issued for the environmental preservation areas and the first phase of lots with additional phases submitted and currently under review. SFWMD has issued a construction permit for the entire planned development. Phase 1 (Tracts H & I) residential area is completed and consists of 258 lots east of Pritchett Parkway. Phase 2 (Tracts A, B, B1, C & D consisting of 590 +/- homes) and Phase 3 (Tract G consisting of 154 +/- homes) have begun permitting for site development. The

85-foot perimeter ditch and berm separation along the north provided in section A-A on Exhibit E was built and an easement granted to Lee County for future public drainage connection. The required maintenance and enhancements have been performed on Popash and Bayshore Creeks which improved drainage and removed obstacles to flow. Sabal palm relocation has occurred within the first phase limits. Exotics have been removed from the Phase 1 on-site preserve areas.

Privately funded water and sewer lines were extended to the site from Bayshore along Pritchett Parkway and then dedicated to the public which has provided increased fire protection to the area. This also allows the opportunity for Lee County (at their option) to connect Lee County Highpoint WWTP to central sewer served by Government Services Group, Inc./FGUA. Access to the Highpoint WWTP is provided through the Brightwater site allowing Lee County (at their option) to potentially remove the Popash Creek box culvert at Sedgefield Road and restore the natural creek bank.

Proposed Brightwater Country Club with Crystal Lagoon

[*Land Development Code (LDC) Section 34-933, permitted uses within Planned Developments notes, in part: "**Uses that are not specifically listed in Section 34-934 may also be permitted if, in the opinion of the Director, they are substantially similar to a listed permitted use.**"]*

Stoneybrook North is a Residential Planned Development (RPD), approved by Resolution #Z-02-070, as amended by ADD2020-00046 (the "**Existing Zoning**"), for 1,275 units. The existing zoning contains the following within the approved Schedule of Uses:

Club, Private (Limited to Tract K)

- Consumption on Premises (LDC Section 34-1261 et. seq.) Indoor and Outdoor
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club

Recreation facilities, private on-site.

The Brightwater Country Club will be privately owned and operated with a fully gated Crystal Lagoon recreational water amenity to serve the residents and guests of the RPD as a semi-private recreation facility serving the amenity and lifestyle needs of the Brightwater community. Resident memberships in the Brightwater Country Club will be included in every purchase of a Brightwater home. The number of homeowner memberships will be limited to the same number of approved dwelling units.

Non-resident access to the Brightwater Country Club amenities and recreational facilities requires purchasing reservations on the Brightwater Country Club portal website that will function similarly to the reservation portal website at

lagooninformation.com. In addition to online reservations through the portal, daily reservations to non-residents will be limited based upon parking availability in the parking lot adjacent to the Brightwater Country Club which will be monitored and controlled by Staff of the Brightwater Country Club who will ensure that the parking lots will not exceed capacity. Signage on Pritchett Parkway will notify the public that no parking is permitted on Pritchett Parkway. The Brightwater Country Club parking lot is required to provide a minimum of 180 parking spaces. Golf cart parking areas shall be available for exclusive use of Brightwater homeowners.

Pursuant to LDC Sec. 34-933 outlined above, the applicant respectfully requests the Director to qualify the "**Brightwater Country Club**" as a use substantially similar to Club, Country, which is currently a permitted use in the Land Development Code under RPD District, as defined in LDC Sec. 34-2:

- *Club, country means a building and associated recreational facilities constructed in conjunction with a golf course (but not including the golf course itself), open only to members and their guests for a membership fee. Occasionally such facilities may be leased to outsiders for banquets, weddings, etc.*

Substantially similar to the LDC definition for a Country Club, the Brightwater Country Club is proposed as follows:

- *Brightwater Country Club means a building and associated recreational facilities constructed in conjunction with the Brightwater Crystal Lagoon, open to members and their guests for a membership fee, and also includes daily non-resident reservations based on available parking capacity at the time of online reservation. Occasionally such facilities may be leased to outsiders for banquets, weddings, etc.*

The essential difference between the existing LDC Country Club definition and the proposed Brightwater Country Club definition is that the recreation facility serving the Country Club is a Crystal Lagoon and not a golf course.

Like the use and function of a country club and golf course, non-resident use of the Brightwater Country Club and its associated amenities requires purchasing daily reservations by making online reservations similar to non-resident reservations or memberships associated with country clubs and golf courses. Online reservations to the Brightwater Country Club are made on a first come, first served basis based on the number of available parking spaces. Therefore, if the Brightwater Country Club parking spaces are full, no additional reservations will be allowed. This is similar to golf course tee time reservations limited to only those available and not reserved by resident members.

In addition to online reservations through the portal, non-resident access to the Brightwater Country Club will be monitored and controlled by Staff of the Brightwater Country Club who will ensure that the parking lots will not exceed capacity.

Given the clear similarities between the "Club, Country" LDC definition and use and function of a country club/golf course in general, compared to the proposed definition and use/function of the Brightwater Country Club, the applicant respectfully requests that the Director issue an Opinion approving the Brightwater Country Club definition as a permitted use (with applicable conditions) in the RPD Zoning Amendment.

Lee Plan Consistency Analysis

The Lee Plan has changed since the 2004 Heritage Creek aka Stoneybrook North RPD approval. At the time of the original approval, the site was located in the Outlying Suburban, Wetlands and Interchange future land use categories. Density calculations included one-half of the adjacent road right-of-way at that time, which is no longer included under current regulations. The Outlying Suburban future land use category was limited to 2 dwelling units per acre in the Bayshore Community and the Interchange future land use category only allowed non-residential development. The former Outlying Suburban portion of the property is now Sub-Outlying Suburban remaining at the 2 dwelling units per acre and the former Interchange portion of the property is now General Interchange which allows multi-family development at a standard density up to 14 dwelling units per acre and bonus density up to 22 dwelling units per acre. The existing approval allowed 1,275 dwelling units. The total maximum standard density based on the current various future land use categories for the entire RPD zoning is 1,524 DU. This proposed amendment will allow 1,500 DU on 741.22 acres for a gross density of 2.03 dwelling units per acre. This amendment excludes ±102.13-acres of North Brook Phase One as recorded in Instrument number 2019000172912 of the Public Records of Lee County (258 existing residential lots) except includes TRACT-FD. The Lee County well parcel identified as STRAP number 21-43-25-00-00002.0020 (±0.92-acre) has also been removed from the application. This amendment includes ±638.17 acres of the overall ±741.22 acre Planned Development zoning. There are 258 existing residential lots within North Brook Phase One. The maximum density permitted for the amendment area is 1,318 dwelling units and the request includes 1,242 dwelling units which equates to a gross density of 1.95 dwelling units per acre.

The subject property is located within the Bayshore planning community which is described in the Lee Plan Vision Statement as follows:

> *Bayshore - The Bayshore Community, bounded by I-75, SR 31, the Caloosahatchee River and Charlotte County, is predominantly a rural residential area of single family homes on large acreages, small horse farms, citrus groves, and plant nurseries, interspersed by some larger cattle grazing operations. There are also scattered single-family subdivisions and mobile homes on smaller lots, which provide for a full range of housing prices. There is limited urban infrastructure and commercial uses. By and large, the residents of Bayshore want to see this land use pattern maintained. The vision of the future would include slow but steady growth with the building of larger single family homes on 2½ to 5 acre tracts, as well as some higher density development in the Outlying Suburban category (i.e. up to two units per acre with proper zoning), and continued support*

for the infrastructure necessary for the owners and breeders of horses. The protection of environmental resources and the maintenance of a wholesome family atmosphere is desired, as well as the protection of existing agricultural and equestrian activities. One community project that could serve these ends would be the development of an equestrian park in the community.

The proposed amendment to the built RPD allows for additional infill development within the previously approved smaller lot subdivision. The site is part of the higher density development in the former Outlying Suburban category. The requested internal additional 225 dwelling units including approximately 150 townhouses and the conversion of 590 dwelling units to senior adult housing will add to the full range of housing options and prices in the Bayshore Community while providing several community enhancements/opportunities. The subdivision was previously reviewed, approved and found consistent with the Bayshore Community and approval of the amendment will continue to further the vision statement.

The subject property is located in the Sub-Outlying Suburban, Wetlands and General Interchange future land use categories as shown in the following image.



Property to the north is within the Open Lands and Density Reduction/Groundwater Resource (DR/GR) future land use categories and is zoned AG-2 with vacant, single-family and agricultural grazing lands uses. Properties to the west are within the Sub-Outlying Suburban and General Interchange future land use categories and zoned AG-2 and AG-3 with single-family and agricultural uses and Bayshore Creek, then vacant land zoned CPD across I-75. Properties to the east are within the Sub-Outlying Suburban and General Interchange future land use categories and zoned AG-2, RV-3 and RS-1 with vacant, Seminole Campground, single-family and agricultural grazing lands uses and Popash Creek. Properties to the south are within the General Interchange future land use category and I-75 and Leetana Road.

The site complies with the requirements of Policy 5.1.10 discussed further in this analysis which allows the sum of the allowable densities for each land use category for each portion of the land to be allocated across the land. The Lee Plan describes the Sub-Outlying Suburban, General Interchange and Wetlands future land use categories as follows:

> *POLICY 1.1.11: The Sub-Outlying Suburban future land use category is characterized by low density residential areas. Generally, the infrastructure needed for higher density development is not planned or in place. This future land use category will be placed in areas where higher densities would be incompatible or where there is a desire to retain a low-density community character. Industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed.*

The original rezoning approval was a carefully crafted project that evolved over 2 years including several applicant adjustments to accommodate nearby resident and county concerns which resulted in a well-planned clustered project with extensive conditions that was found consistent with the Lee Plan and compatible with the surrounding neighborhood. Approximately 674.27 acres (±91%) of the residential planned development are within the Sub-Outlying Suburban future land use category which allows up to 2 dwelling units per acre or 1,349 dwelling units towards the site's allowable density. The requested amendment is consistent with Policy 1.1.11.

> *POLICY 1.3.2: The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial, light industrial/commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre).*

The General Interchange future land use category was amended in 2016 to allow multi-family residential uses, which were not permitted at the time of the original zoning approval. The ±3.45 acres (±0.5%) of the residential planned development at the southern tip of the site that previously did not generate any residential density now adds up to 14 standard dwelling units per acre (48 dwelling units) with an additional 8 units

per acre available for bonus density (28 dwelling units). The requested amendment does not include bonus density but does propose to add the additional 48 multi-family dwelling unit density toward the site's allowable density internal to the project on Tract J adjacent to the amenity area to allow for townhouses where it is separated by an existing heavily vegetated Popash Creek trail preserve buffer on the east varying between ±85'-150' in width. As part of the amendment, this southern tip of the property area around Lake L1 (Tract O) is proposed to transfer residential density internal and limit uses to: Drainage; Excavation, water retention; Fences/Walls; Park, Group I limited to limited to nature preserve or passive or active recreation; Park, private; Recreation, Streets and street rights of way; and Utility rights-of-way. The requested amendment is consistent with Policy 1.3.2.

> *POLICY 1.5.1: Permitted land uses in Wetlands consist of very low-density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 124 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan.*
> *Footnote 8 of Table 1(a): Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:*
> *(a) If the dwelling units are relocated off-site through the provision of Transfer of Development Rights Ordinance 86-18, as amended or replaced; or*
> *(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, and New Community from preserved freshwater wetlands at the same underlying density as permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.*

The subject property includes preservation of the ±63.5 acres (±8.5%) of the residential planned development freshwater wetlands with no impacts which are already within recorded conservation easements. The original zoning approval included ±5 acres of wetland impacts that are no longer proposed and all existing wetlands are preserved. The density for this acreage can be relocated to developable contiguous uplands designated Sub-Outlying Suburban at the same underlying density of 2 dwelling units per acre accounting for 127 dwelling units of the site's allowable density. The wetlands within the existing conservation easements are being enhanced as the adjacent uplands are constructed. Phase 1 enhancements have already been completed. The requested amendment is consistent with Policy 1.5.1.

The combined maximum density calculation from each future land use category is provided below and in the attached density calculations:

Sub-Outlying Suburban:
674.27 ac X 2 = 1,348.5 DU
Preserved Freshwater Wetlands:
63.5 ac @ 2 = 127 DU

General Interchange Standard Density:
3.45 ac X 14 = 48.3 DU
General Interchange Bonus Density (not included with request)
3.45 ac X 8 = 27.6 DU
Total Maximum Standard Density that could be requested: 1,524 DU

The request under this proposed amendment is for 1,500 dwelling units on 741.22 acres resulting in a gross density of 2.03 dwelling units per acre. This amendment includes ±638.17 acres of the overall ±741.22 acre Planned Development zoning. There are 258 existing residential lots within North Brook Phase One. The maximum density permitted for the amendment area is 1,318 dwelling units and the request includes 1,242 dwelling units which equates to a gross density of 1.95 dwelling units per acre. The requested amendment to the RPD is consistent with Policies 1.1.11, 1.3.2 and 1.5.1.

POLICY 1.7.6: The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.

The requested amendment does not change the existing acreage allocation and remains consistent with Policy 1.7.6.

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.

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

The subject property is located on Pritchett Parkway (a 2-lane arterial roadway) (in the northeast quadrant of the intersection of Interstate 75 and Bayshore Road), in Section 15, 16 and 21, Township 43 South, Range 25 East, Lee County, Florida (District #4). This site has been deemed appropriate for development since 2004 as evidenced by the prior approvals. The site is within a designated Future Suburban Area with the southern ±3.45 acres in a Future Urban Area and not within a future non-urban category. The proposed amendment to the RPD continues to promote a contiguous and compact growth pattern by adjusting the density, unit types and recreational facilities and Brightwater Country Club use internal to the project while incorporating nonresidential areas along the perimeter. The balance of adding 225 dwelling units including a maximum 150 townhouses and allowing the limited non-resident use of the recreational facilities and Brightwater Country Club while converting 590 units to senior

adult housing allows incorporation of multiple voluntary enhancements/opportunities to allow benefits to the adjacent communities and remains consistent with Objective 2.1 and Policy 2.1.1.

OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS. Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order.

STANDARD 4.1.1: WATER. 1 Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 62-550, F.A.C.).
STANDARD 4.1.2: SEWER. 1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.

The development is served by Lee County Utilities for potable water and FGUA/GSG for sanitary sewer. A letter of availability has been provided with the application demonstrating that Lee County Utilities and FGUA/GSG have sufficient capacity to service the development. Privately funded water and sewer were extended to the site from Bayshore along Pritchett Parkway and then dedicated to the public as part of development of the property. The requested rezoning is consistent with Objective 4.1, Standard 4.1.1, and Standard 4.1.2.

STANDARD 4.1.4: ENVIRONMENTAL FACTORS. 1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.

The development plan includes preservation of ±63.5 acres of the subject property as freshwater wetlands with no impacts and ±57.3 acres of uplands which are already within recorded conservation easements. The original zoning approval included impacts to ±5 acres of wetlands that are no longer proposed. The wetlands within the existing conservation easements are being enhanced as the adjacent lots are constructed. Phase 1 enhancements have already been completed. Environmental reports will be provided with new development order applications when the site is constructed. The requested amendment to the RPD remains consistent with Standard 4.1.4.

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.

> *OBJECTIVE 5.1: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.*
>
> > *POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments.*

The proposed amendment to the RPD is consistent with Goal 4 as demonstrated above. The requested amendment will result in additional housing types and a variety of price ranges within the existing attractive and safe neighborhood and remains consistent with Goal 5, Objective 5.1, Policy 5.1.1.

> *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 existing planned development approval deemed the project compatible with the adjacent uses and included conditions requiring clustered development with enhanced preservation areas, buffering with 10 trees per 100 linear feet and a double staggered hedge or conservation areas and included improvements to and maintenance of Popash and Bayshore Creeks. The requested amendment remains consistent with Policy 5.1.5 by proposing a ±10.37 acre tract with limited use and no residential development along Popash Creek, ±9.73-acre parcel with limited use and no residential development with an opportunity for stormwater management compensation along Bayshore Creek and a ±14.43 acre limited use area around Lake L1 (Tract O) which abuts the perimeter while providing a balance of adding 225 dwelling units including a maximum 150 townhouses internal to the site and allowing the limited non-resident use of the recreational facilities and Brightwater Country Club while converting ±590 units to senior adult housing and proposing multiple voluntary enhancements/opportunities to allow benefits to the adjacent communities.

> *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.*

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 clustered planned development and the proposed amendment exceed the required open space, buffering and landscaping requirements and provide recreation opportunities on both sides of Pritchett Parkway appropriate for the design and density proposed. The site provides internal sidewalks and will connect to existing sidewalks on Pritchett Parkway. The proposed townhouses will have directly accessible common open space areas and are located adjacent to the recreational facilities. The proposed density transfers support Policy 5.1.6 by clustering development and moving it internal to the site. The proposed amendment is consistent with Policies 5.1.6 and 5.1.7.

POLICY 5.1.10: In those instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan will be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that:

a. The planned development zoning is utilized; and
b. No density is allocated to lands designated as non-urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and
c. The land was under single ownership at the time this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and
d. The resultant planned development affords further protection to environmentally sensitive lands if they exist on the property.

The subject property is divided into three future land use categories and qualifies for the density to be allocated across the property. Residential Planned Development zoning is utilized and no density is allocated to lands designated as non-urban or Environmentally Critical. The southern portion of the development where the density allocation across the property from the southern tip designated General Interchange and Tract J where the townhouses are proposed were under single ownership at the time this policy was adopted and is contiguous. These properties are included in Official Records Book 2267 at page 3619 dated December 30, 1991 and this policy was adopted August 7, 1992 by Ordinance 92-35. The resultant planned development affords further protection to environmentally sensitive lands that exist on the property by preserving all of the existing wetlands on site and providing upland preservation and enhancement

opportunities to Bayshore and Popash Creeks. The requested amendment and density allocation are consistent with Policy 5.1.10.

> *OBJECTIVE 18.1: LAND USE. The county will continue to enforce land development regulations that ensure separation of urban and rural land uses through the implementation of open space, buffers, and setback requirements that protect high quality environmental areas, such as creeks, oak hammocks, floodplains and wetlands from potential impacts of development. Planned developments, through appropriate conditions of approval, will be required to locate low residential densities along the perimeters of the development. Amendments to the future land use map that increase density or intensity must demonstrate compatibility through a concurrent planned development rezoning.*

The original rezoning approval was a carefully crafted project that evolved over 2 years including several applicant adjustments to accommodate nearby resident and county concerns which resulted in a well-planned, clustered project with extensive conditions ensuring that the open space, buffers and setback requirements enhanced compatibility with the surrounding area. The zoning approval included conditions to improve, maintain and protect high quality environmental areas such as Bayshore and Popash Creek as well as the onsite wetlands. Although the original zoning allowed ±5 acres of impacts to wetlands onsite, those impacts are no longer proposed and the existing ±63.5 acres of freshwater wetlands are preserved. The proposed amendment will transfer density from Tract N on the east side of Popash Creek and Tract E1 adjacent to Bayshore Creek internal to the development which will add ±20.1 acres of additional enhancement opportunity areas. This area consists of a ±10.37 acre tract along Popash Creek that will have residential use removed and limited use and a ±9.73-acre tract that will have residential use removed and limited use along Bayshore Creek. These density transfers will lower the densities along the perimeters of the development. The requested amendment is consistent with Objective 18.1.

> *OBJECTIVE 18.3: SEWER AND WATER. Given the desire to maintain a low residential density, new central sewage service is not economically feasible and is discouraged north of Bayshore Road within the future non-urban land use categories. Central water service for enhanced fire protection will be encouraged where economically feasible.*

The requested amendment is consistent with Objective 18.3. The project is not located in a future non-urban land use category. Privately funded water and sewer were extended to the site from Bayshore along Pritchett Parkway and then dedicated to the public which has provided increased fire protection to the area. The requested amendment includes the following voluntary enhancements/opportunities to the adjacent communities to further provide for enhanced fire protection and improved water and sewer opportunities:

- Tract D will provide opportunity for enhanced fire safety for Hunter's Glen by including the following condition (36.d): Prior to construction certification of the westernmost lots abutting the Hunter's Glen subdivision property line, developer will provide:

i. An easement to allow potential for Hunter's Glen's construction (at their option) of a turnaround for emergency, solid waste, and resident vehicles for Hunter's Glen subdivision. Developer has the right (but not the obligation) to construct this improvement. ;
ii. An easement and stubbed water mains to allow potential for Hunter's Glen's construction (at their option) of fire hydrants as enhancement to Hunter's Glen subdivision fire protection. Developer has the right (but not the obligation) to construct this improvement.

- Colonial Acres – Leetana Road: Provide additional separation between proposed lots and the western perimeter boundary abutting single-family lots on Leetana Road (Colonial Acres) by including the following condition (36.e): Development Order application and approval for Tract A must demonstrate increased open space separation to lots (varying ±35'-±82' setback between lot lines and perimeter) along western perimeter boundary as shown on the Master Concept Plan.
- Popash Creek and Seminole Campground: Provide opportunities for enhanced water quality for Popash Creek and increased fire protection for Seminole Campground by providing the following condition (36.f): Tract M – Prior to construction certification of easternmost lots in Tract M , developer will provide a utility easement for Seminole Campground to allow (at their option):
  i. Connection to central sewer to take the Seminole Campground WWTP off-line; and
  ii. Opportunity for water main looping for increased fire protection.
  iii. Developer has the right (but not the obligation) to construct this improvement.

GOAL 59: PROTECTION OF LIFE AND PROPERTY. To reduce the hazards to life, health, and property created by flooding due to rainfall in a manner consistent with the community's criteria for the preservation of environmental values and the conservation of natural resources.

POLICY 59.1.5: The county will, through appropriate land use and engineering regulations, continue to control the introduction of obstructions or impediments within floodways.

GOAL 60: COORDINATED SURFACE WATER MANAGEMENT AND LAND USE PLANNING ON A WATERSHED BASIS. To protect or improve the quality of receiving waters and surrounding natural areas and the functions of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development.

POLICY 60.1.2: Incorporate, utilize, and where practicable restore natural surface water flowways and associated habitats.

The original zoning approval included extensive conditions requiring enhancements and maintenance for improving Popash Creek and restoring Bayshore Creek which improved drainage and removed obstacles to flow. These required enhancements have been completed. As part of the requested amendment, a ±9.73-acre tract with the opportunity for potential stormwater management compensation is proposed along Bayshore Creek in Tract E1 for opportunities for improved water quality and additional drainage/flood storage, and the potential for active or passive park use. Additionally, the site provides access to the Highpoint WWTP through the Brightwater site allowing the opportunity for the Popash Creek box culvert at Sedgefield Road to be removed by Lee County (at their option) restoring the natural creek bank. The requested amendment is consistent with Goal 59, Policy 59.1.5, Goal 60 and Policy 60.1.2

OBJECTIVE 60.4: INCORPORATION OF NATURAL SYSTEMS INTO THE SURFACE WATER MANAGEMENT SYSTEM. Incorporate natural systems into surface water management systems to improve water quality, air quality, water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief.

POLICY 60.4.1: Encourage new developments to design surface water management systems with Best Management Practices (BMPs) including, but not limited to, filtration marshes, grassed swales planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.

POLICY 60.4.2: The county encourages new developments to design their surface water management system to incorporate existing wetland systems.

The subject property includes preservation of the existing ±63.5 acres of freshwater wetlands onsite with no impacts which are already within recorded conservation easements. The original zoning approval included ±5 acres of wetland impacts that are no longer proposed and all existing wetlands are preserved. The wetlands within the existing conservation easements are being enhanced as the adjacent uplands are constructed. Phase 1 enhancements have already been completed. The requested amendment is consistent with Objective 60.4 and Policies 60.4.1 and 60.4.2.

POLICY 60.4.3: The county encourages the preservation of existing natural flow-ways and the restoration of historic natural flow-ways.

POLICY 60.4.5: The county will continue to coordinate the review of flow-ways with the other regulatory agencies and assist in the development of incentives and /or credits for implementation of regional surface water management systems that address flood protection, water quality/environmental enhancement and water conservation.)

POLICY 60.4.6: Develop a capital improvements program to provide for the reconstruction and maintenance of all flow-ways and include incentives for private participation.

OBJECTIVE 61.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS. Lee County will continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems.

POLICY 61.3.3: Keep floodways as unobstructed as possible.

POLICY 61.3.4: Natural flow patterns will be publicly restored where such action is of significant public or environmental benefit, and feasible.

As previously discussed, the applicant has already provided enhancements and maintenance for improving Popash Creek and restoring Bayshore Creek which improved drainage and removed obstacles to flow. As part of the requested amendment, a ±9.73-acre tract with the opportunity for potential stormwater management compensation is proposed along Bayshore Creek in Tract E1 for opportunities for improved water quality and additional drainage/flood storage and the potential for active or passive park use. Additionally, the site provides access to the Highpoint WWTP through the Brightwater site allowing the opportunity for the Popash Creek box culvert at Sedgefield Road to be removed by Lee County (at their option) restoring the natural creek bank. The requested amendment is consistent with Policy 60.4.3, Objective 61.3 and Policies 61.3.3 and 61.3.4. Approval of the amendment would be consistent with the incentives for private participation directed by Policies 60.4.5 and 60.4.6.

OBJECTIVE 124.1: Protect and conserve the natural functions of wetlands and wetland systems by maintaining wetland protection regulations.

POLICY 124.1.1: Ensure that development in wetlands is limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in the Wetlands category is one unit per 20 acres, except that one single family residence will be permitted on lots meeting the standards in Chapter XIII of this plan, and except that owners of wetlands adjacent to Intensive Development, Central Urban, Urban Community, Suburban, New Community, and Outlying Suburban areas may transfer densities to developable contiguous uplands under common ownership in accordance with Footnote 8b of Table 1(a), Summary of Residential Densities. In Future Limerock Mining areas only (see Map 14), impacts to wetlands resulting from mining will be allowed when those impacts are offset through appropriate mitigation, preferably within Southeast Lee County (see also Policy 33.1.3). Appropriate wetland mitigation may be provided by preservation of high quality indigenous habitat, restoration or reconnection of historic flowways, connectivity to public conservation lands, and restoration of historic ecosystems or other mitigation measures as deemed sufficient by Lee County.

The subject property includes preservation of the ±63.5 acres (±8.5%) of the residential planned development freshwater wetlands with no impacts which are already within recorded conservation easements. The original zoning approval included ±5 acres of

wetland impacts that are no longer proposed and all existing wetlands are preserved. The density for this acreage can be relocated to developable contiguous uplands designated Sub-Outlying Suburban at the same underlying density of 2 dwelling units per acre adding 127 dwelling units towards the site's allowable density. The wetlands within the existing conservation easements are being enhanced as the adjacent uplands are constructed. Phase 1 enhancements have already been completed. The requested amendment is consistent with Objective 124.1 and Policy 124.1.1.

Land Development Code Analysis

The proposed amendment complies with the findings provided in the Land Development Code Section 34-145(d)(4)a.1 as follows:

a. Complies with the Lee Plan;

The request complies with the Lee Plan as demonstrated in the above analysis.

b. Meets this Code and other applicable County regulations or qualifies for deviations;

The existing RPD and proposed amendment is in compliance with the Lee Plan, the Land Development Code with existing approved deviations, as amended and proposed additional deviations.

c. Is compatible with existing and planned uses in the surrounding area;

The existing planned development approval deemed the project compatible with the adjacent uses and included conditions requiring clustered development with enhanced preservation areas, buffering with 10 trees per 100 linear feet and a double staggered hedge or conservation areas and included improvements to and maintenance of Popash and Bayshore Creeks. The requested amendment remains compatible and enhances compatibility by relocated residential development from ±10.37-acres along Popash Creek, ±9.73-acres with potential stormwater management compensation along Bayshore Creek and transferring density from ±14.43-acres around Lake L1 (Tract O) which abut the perimeter. This is balanced with adding 225 dwelling units including a maximum 150 townhouses internal to the site, allowing the semi-private use of the recreational facilities and Brightwater Country Club, converting ±590 units to senior adult housing and incorporating multiple voluntary enhancements/opportunities to allow for benefits to the adjacent communities.

d. Will provide access sufficient to support the proposed development intensity;

Please see Traffic Impact Statement submitted with the application. The proposed amendment request does not change the currently approved access points which were found sufficient to support the existing approval. The requested amendment provides for a balance of additional density, unit type and limited non-resident access to the recreational facilities and Brightwater Country Club while adding age restrictions to

offset the traffic impacts resulting in no additional trips from what was considered in the original zoning approval.

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

Please see Traffic Impact Statement provided with the application. The site related improvements will be addressed by existing County regulations and the project will pay road impact fees pursuant to the impact fee schedule in effect at the time of building permit.

f. Will not adversely affect environmentally critical or sensitive areas and natural resources; and

The proposed rezoning will not adversely affect environmentally critical or sensitive areas and will provide further enhancements. The subject property includes preservation of the existing ±63.5 acres of freshwater wetlands onsite with no impacts which are already within recorded conservation easements. The original zoning approval included ±5 acres of wetland impacts that are no longer proposed and all existing wetlands are preserved. The wetlands within the existing conservation easements are being enhanced as the adjacent uplands are constructed. Phase 1 enhancements have already been completed. The original zoning approval included extensive conditions requiring enhancements and maintenance for improving Popash Creek and restoring Bayshore Creek which improved drainage and removed obstacles to flow. These required enhancements have been completed. As part of the requested amendment, a ±9.73-acre area with potential stormwater management compensation is proposed along Bayshore Creek in Tract E1 for opportunities for improved water quality and additional drainage/flood storage and the potential for active or passive park use.

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

The subject property is located along both sides of Pritchett Parkway in the northeast quadrant of I-75 and Bayshore Road within the majority of the property within a Future Suburban Area and the southern ±3.45 acres within a Future Urban Area and has been previously deemed appropriate for development with existing urban services available to serve the site. The attached letters of availability demonstrate that Lee County Utilities has sufficient capacity to provide water and FGCU/GSG has sufficient capacity to provide sewer services to the site. Privately funded water and sewer were extended to the site from Bayshore along Pritchett Parkway and then dedicated to the public as part of development of the property. Solid waste currently services the site. Bayshore Fire Station #131 and EMS Medic 19 are located ±1.4 miles from the site. Bayshore Elementary is ±3.3 miles from the property and Oak Hammock Middle is ±5.9 miles from the property.

2. Planned Development Rezonings. The Hearing Examiner must also find:

a) The proposed use or mix of uses is appropriate at the proposed location;
b) 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.
c) 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 proposed mix of uses is appropriate at the subject location. The balance of adding 225 dwelling units including a maximum 150 townhouses to the previously approved single-family and two-family attached dwelling units and allowing the semi-private use of the recreational facilities and Brightwater Country Club while converting 590 units to senior adult housing allows incorporation of multiple voluntary enhancements/opportunities to allow for benefits to the adjacent communities. The maximum height of all dwelling unit types remains as previously approved at 35 feet. The increased dwelling units are proposed internal to the project on Tract J adjacent to the amenity area and is separated by an existing heavily vegetate Popash Creek trail preserve buffer to the east varying between ±85'-150 feet in width. The existing and proposed 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 applicant intends to retain the existing approved deviations and proposes 3 additional deviations which enhance the achievement of the objectives of the planned development and preserve and promote the general intent to protect the public health, safety and welfare.

In conclusion, the requested amendment to the built Brightwater RPD f/k/a Stoneybrook North seeks to update the MCP and schedule of uses to 1) reconfigure tracts, 2) relocate dwelling units to the interior, 3) add townhouse use, 4) add Brightwater Country Club to allow limited non-resident access, 5) add 225 dwelling units [increase maximum dwelling units from 1,275 to 1,500], 6) convert ±590 single-family dwellings to senior adult housing, 7) incorporate voluntary enhancements and 8) allow fill material to cross Pritchett Parkway. The requested amendments result in the transfer of ±45 units to internal tracts from tracts adjacent to Popash and Bayshore Creeks and limit uses on the southern portion of the development resulting in an increase of ±34.53 acres of non-residential use on the perimeter with potential for parks as and the opportunity for potential additional water storage/water quality enhancements by Bayshore Creek. The request is in compliance with the Lee Plan, the Land Development Code together with approval of the deviations, and other applicable codes and regulations; is compatible with existing and planned uses in the surrounding area; will provide access sufficient to support the proposed development intensity; the expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval; will not adversely affect environmentally critical or sensitive areas and natural resources; efficiently uses and will be served by existing urban services, defined in the Lee Plan, and located in a Future Urban area category. The proposed use or mix of uses is appropriate at the proposed location; existing and proposed 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 existing and proposed deviations enhance the achievement of the objectives of the planned development and preserve and promote the general intent to protect the public health, safety and welfare. For these reasons, the applicant respectfully submits that the requested amendment to the RPD should be approved.

ATTACHMENT E

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF A
TRACT OR PARCEL OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

PARCEL "A"

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE S 89°45'18" E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15 FOR 1,341.49 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE S 00°00'49" E ALONG THE EAST LINE OF SAID FRACTION FOR 2,657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S 00°01'49" E ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 FOR 1,328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE N 89°41'09" W ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AS LOCATED IN NOVEMBER, 2001; THENCE SOUTHERLY ALONG SAID CENTERLINE AND THE WESTERLY LINE OF SAID OAKMONT THE FOLLOWING FORTY SIX (46) COURSES:

1.) S 05°45'58" E FOR 20.76 FEET; THENCE
2.) S 04°30'13" E FOR 37.89 FEET; THENCE
3.) S 20°35'27" W FOR 31.32 FEET; THENCE
4.) S 06°53'02" E FOR 27.63 FEET; THENCE
5.) S 26°35'47" E FOR 25.42 FEET; THENCE
6.) S 53°39'33" W FOR 27.91 FEET; THENCE
7.) S 26°59'14" W FOR 54.53 FEET; THENCE
8.) S 22°23'48" W FOR 72.99 FEET; THENCE
9.) S 28°36'16" W FOR 53.03 FEET; THENCE
10.) S 27°40'03" W FOR 45.38 FEET; THENCE
11.) S 46°19'33" W FOR 41.74 FEET; THENCE
12.) S 67°01'43" W FOR 17.24 FEET; THENCE
13.) S 31°53'19" W FOR 55.98 FEET; THENCE
14.) S 24°05'41" W FOR 40.28 FEET; THENCE
14.) S 07°28'30" W FOR 13.30 FEET; THENCE
16.) S 36°59'09" E FOR 15.90 FEET; THENCE
17.) S 00°08'07" E FOR 16.02 FEET; THENCE
18.) S 23°17'55" W FOR 34.56 FEET; THENCE
19.) S 04°55'23" E FOR 33.01 FEET; THENCE
20.) S 11°15'32" E FOR 51.93 FEET; THENCE
21.) S 23°08'35" E FOR 31.33 FEET; THENCE
22.) S 24°01'18" E FOR 66.68 FEET; THENCE
23.) S 11°55'04" E FOR 81.54 FEET; THENCE
24.) S 09°40'09" W FOR 18.62 FEET; THENCE
25.) S 29°02'54" W FOR 23.67 FEET; THENCE
26.) S 16°09'18" W FOR 25.05 FEET; THENCE
27.) S 21°33'48" E FOR 14.28 FEET; THENCE
28.) S 07°24'52" E FOR 31.49 FEET; THENCE
29.) S 10°42'31" W FOR 20.17 FEET; THENCE
30.) S 01°47'45" W FOR 15.68 FEET; THENCE
31.) S 74°58'26" W FOR 10.96 FEET; THENCE
32.) N 86°32'16" W FOR 14.77 FEET; THENCE

REVIEWED
DCI2021-00012
Hunter Searson, GIS Planner
Lee County Government
3/7/2022

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33.) S 61°33'21" W FOR 11.76 FEET; THENCE
34.) S 32°08'23" W FOR 20.06 FEET; THENCE
35.) S 42°13'22" W FOR 16.72 FEET; THENCE
36.) S 26°15'22" W FOR 18.59 FEET; THENCE
37.) S 01°30'50" W FOR 33.93 FEET; THENCE
38.) S 23°30'56" E FOR 44.86 FEET; THENCE
39.) S 02°57'16" W FOR 21.83 FEET; THENCE
40.) S 15°54'19" W FOR 73.12 FEET; THENCE
41.) S 23°04'05" W FOR 28.36 FEET; THENCE
42.) S 31°47'03" W FOR 21.95 FEET; THENCE
43.) S 25°05'56" W FOR 37.80 FEET; THENCE
44.) S 42°12'47" W FOR 25.72 FEET; THENCE
45.) S 05°41'06" W FOR 30.07 FEET; THENCE
46.) S 15°57'07" E FOR 31.19 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N 89°38'05" W ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SAID SECTION 21; THENCE S 00°20'36" E ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21 FOR 1,339.16 FEET;TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N 89°51'11" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE S 00°14'02" E ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S 00°14'02" E FOR 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N 46°32'34" W ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5,553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N 49°05'05" E ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N 40°54'55" W ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S 49°05'05" W ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N 40°54'55" W ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3,513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 1,050.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1,247.81 FEET; THENCE N 21°04'46" E ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N 00°02'02" W ALONG SAID EASTERLY LINE FOR 1,036.69 FEET TO THE SOUTHWEST CORNER OF NORTH BROOK PHASE ONE AS RECORDED IN INSTRUMENT NUMBER 2019000172912 OF SAID PUBLIC RECORDS OF LEE COUNTY; THENCE N 89°57'58" E ALONG THE SOUTHERLY LINE OF SAID NORTH BROOK PHASE ONE FOR 256.49 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 508.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 87°04'21" W; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54°43'49" FOR 485.25 FEET; THENCE N 57°39'29" E FOR 51.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 62°41'28" FOR 16.41 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 55.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82°49'25" FOR 79.51 FEET; THENCE N 49°56'02" E FOR 84.57 FEET TO THE NORTHWEST CORNER OF TRACT "FD" OF SAID NORTH BROOK PHASE ONE; THENCE N 48°11'18" E ALONG THE NORTHERLY LINE OF SAID TRACT FOR 124.02 FEET; THENCE N 39°28'37" E ALONG SAID NORTHERLY LINE FOR 43.57 FEET; THENCE N 62°02'28" E ALONG SAID NORTHERLY LINE FOR 129.26 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE S 21°08'47" E ALONG THE EASTERLY LINE OF SAID TRACT FOR 39.03 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 341.75 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 40°34'12" FOR 241.99 FEET; THENCE S 61°42'59" E ALONG SAID EASTERLY LINE FOR 168.00 FEET; THENCE S 44°15'08" E ALONG SAID EASTERLY LINE FOR 84.75 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 44°15'08" W; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 66°56'55" FOR 46.74 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 438.72 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 25°58'20" FOR 198.87 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 70°37'43" FOR 49.31 FEET; THENCE S 65°51'25" E ALONG SAID EASTERLY LINE FOR 54.25 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 46°26'15" FOR 32.42 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 185.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 69°25'01" FOR 224.14 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 131°13'50" FOR 80.16 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID NORTH BROOK PHASE ONE; THENCE N 05°53'30" E ALONG SAID EASTERLY LINE FOR 396.22 FEET; THENCE N 01°06'00" W ALONG SAID EASTERLY LINE FOR 27.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 341.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 48°20'23" E; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 50°34'56" FOR 301.04 FEET; THENCE N 08°55'19" W ALONG SAID EASTERLY LINE FOR 211.36 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 104.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 60°48'54" FOR 110.39 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 496.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 53°26'16" FOR 462.60 FEET; THENCE N 01°32'41" W ALONG SAID EASTERLY LINE FOR 28.18 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 841.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 11°11'47" E; THENCE EASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 09°09'35" FOR 134.45 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 341.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 80°05'22" FOR 476.66 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE

LEFT HAVING A RADIUS OF 441.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 39°10'47" E; THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 46°31'01" FOR 358.04 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 339.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 23°17'09" FOR 137.77 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 491.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 63°55'04" FOR 547.75 FEET; THENCE N 36°19'43" W ALONG SAID EASTERLY LINE FOR 12.55 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 179.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 36°56'33" FOR 115.41 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID NORTH BROOK PHASE ONE; THENCE N 89°45'41" W ALONG SAID NORTHERLY LINE FOR 253.59 FEET; THENCE S 08°17'36" W ALONG SAID NORTHERLY LINE FOR 171.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 02°56'40" E; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 24°50'29" FOR 19.51 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 521.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 11°24'44" FOR 103.77 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 103°59'24" FOR 108.90 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 681.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 08°34'39" FOR 101.95 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 57°06'54" FOR 79.75 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 841.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 03°42'37" FOR 54.46 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 69°54'05" FOR 36.60 FEET; THENCE N 89°44'46" W ALONG SAID NORTHERLY LINE FOR 135.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 130.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 44°24'23" FOR 100.76 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 134°40'46" FOR 399.60 FEET; THENCE S 00°01'09" E ALONG SAID NORTHERLY LINE FOR 9.55 FEET; THENCE S 66°10'07" W ALONG SAID NORTHERLY LINE FOR 27.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 19°49'45" W; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°03'02" FOR 4.95 FEET; THENCE S 66°07'13" W ALONG SAID NORTHERLY LINE FOR 202.64 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 32°27'13" FOR 39.65 FEET; THENCE S 33°40'00" W ALONG SAID NORTHERLY LINE FOR 272.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 681.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 45°38'15" E; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 37°36'19" FOR 446.97 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 319.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 19°37'11" FOR 109.24 FEET; THENCE N 62°20'53" W ALONG SAID NORTHERLY LINE FOR 17.70 FEET; THENCE S 26°20'27" W ALONG SAID NORTHERLY LINE FOR 105.49 FEET; THENCE N 63°39'33" W ALONG SAID NORTHERLY LINE FOR 22.50 FEET; THENCE N 20°33'00" W ALONG SAID NORTHERLY LINE FOR 91.26 FEET; THENCE N 67°28'43" W ALONG SAID NORTHERLY LINE FOR 77.95 FEET; THENCE S 69°02'14" W ALONG SAID NORTHERLY LINE FOR 62.94 FEET; THENCE N 69°53'14" W ALONG SAID NORTHERLY LINE FOR 111.45 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 455.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 27°48'10" FOR 220.79 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 10.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 80°01'44" FOR 13.97 FEET; THENCE N 17°39'40" W ALONG SAID NORTHERLY LINE FOR 6.93 FEET; THENCE S 72°20'20" W ALONG SAID NORTHERLY LINE FOR 70.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 10.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 72°20'20" E; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 87°18'09" FOR 15.24 FEET; THENCE S 69°39'41" W ALONG SAID NORTHERLY LINE FOR 24.76 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 31°16'15" FOR 10.92 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 73.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 77°53'04" FOR 99.23 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 36°02'05" FOR 12.58 FEET; THENCE S 59°04'58" W ALONG SAID NORTHERLY LINE FOR 52.69 FEET TO AN INTERSECTION WITH SAID EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS N 56°20'29" E; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 56°17'58" FOR 1,130.00 FEET; THENCE N 89°57'29" W ALONG SAID EASTERLY LINE FOR 1,399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING SEVEN (7) COURSES:

1.) N 04°31'15" E FOR 90.77 FEET; THENCE
2.) N 23°43'00" E FOR 306.54 FEET; THENCE
3.) N 41°43'58" E FOR 222.54 FEET; THENCE
4.) N 59°40'11" E FOR 199.30 FEET; THENCE
5.) N 75°52'07" E FOR 136.18 FEET; THENCE
6.) N 38°58'12" E FOR 33.51 FEET; THENCE
7.) N 02°11'01" E FOR 39.99 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 89°59'04" E ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 00°08'03" W ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N 89°55'17" E ALONG THE NORTH LINE OF SAID FRACTION FOR 672.59 FEET TO THE

NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE S 89°30'46" E ALONG THE NORTH LINE OF SAID FRACTION FOR 2,646.16 FEET TO **THE POINT OF BEGINNING.**

LESS THE FOLLOWING (LESS AND EXCEPT PARCEL)

COMMENCING AT NORTHWEST CORNER OF SAID SECTION 15; THENCE S 00°00'09"E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15 FOR 1328.33 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE S 89°44'46" E ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S 00°00'09" E FOR 467.00 FEET; THENCE N 89°44'46" W FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N 00°00'09" W ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE **POINT OF BEGINNING.**

TOGETHER WITH PARCEL "B"

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 89°52'02" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N 00°08'04" W ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N 00°08'04" W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N 89°50'44" W ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S 00°15'04" E ALONG THE WEST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N 89°51'23" W ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:
1.) THENCE N 01°16'07" E FOR 58.82 FEET;
2.) THENCE N 11°05'51" W FOR 270.22 FEET;
3.) THENCE N 10°49'37" E FOR 347.01 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S 89°50'44" E ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N 00°22'06" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S 89°49'27" E ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°15'04" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S 89°53'18" E ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°02'31" E ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S 89°57'29" E ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S 00°02'02" E ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S 21°04'46" W ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** AND AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S 77°51'33" W ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 00°05'39" E ALONG SAID WEST LINE FOR 1381.74 FEET TO THE SOUTHWEST CORNER OF PARCEL 122 AS DESCRIBED IN INSTRUMENT NUMBER 2011000178885 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S 89°53'32" E ALONG THE SOUTH LINE OF SAID LANDS FOR 200.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE N 00°05'39" E ALONG THE EAST LINE OF SAID LANDS FOR 200.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND AN INTERSECTION WITH THE NORTH

LINE OF SAID NORTHEAST 1/4 OF SECTION 21; THENCE N 89°53'32" W ALONG THE NORTH LINE OF SAID LANDS AND SAID FRACTION FOR 200.00 FEET TO THE **POINT OF BEGINNING**.

TOGETHER WITH PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET AND TO WHICH POINT OF CURVE A RADIAL LINE BEARS S 81°44'00" W; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100' WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N 55°22'37" W ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N 77°51'33" E FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 638.17 ACRES MORE OR LESS.

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

BEARINGS BASED ON THE STATE PLANE COORDINATE SYSTEM FLORIDA ZONE WEST NAD 83/2011 (CORS). WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST BEARS S 89°30'46" E.

DESCRIPTION PREPARED: 12-20-2021

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009
DATE SIGNED 12-22-2021

Digitally signed by Richard M. Ritz, R.L.S. #4009 State of Florida using an SHA-1 authentication code. Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies.
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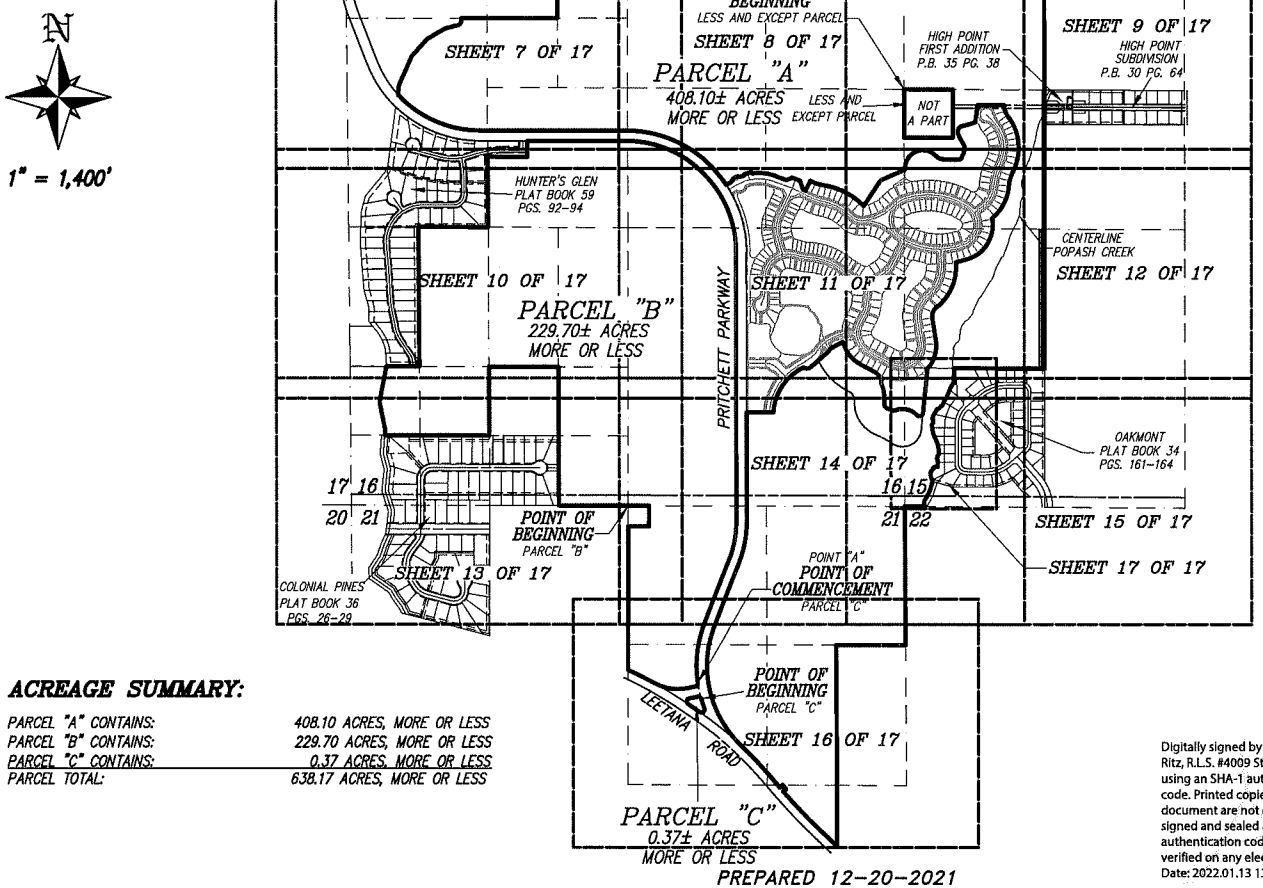
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



PREPARED 12-20-2021
REVISED 12-22-2021
SHEET 6 OF 17

LEGEND:

PG.	INDICATES PAGE
PGS.	INDICATES PAGES
P.B.	INDICATES PLAT BOOK
R/W	INDICATES RIGHT-OF-WAY
I.N.	INDICATES INSTRUMENT NUMBER
O.R.	INDICATES OFFICIAL RECORDS BOOK
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
C1	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE

NOTES:

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

2.) BEARINGS BASED ON THE STATE PLANE COORDINATE SYSTEM FLORIDA ZONE WEST NAD 83/2011 (CORS). WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST BEARS S 89°30'46" E.

SEE SHEETS 1 THROUGH 5 OF 17
FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS
IS NOT A BOUNDARY SURVEY

ACREAGE SUMMARY:

PARCEL "A" CONTAINS:	408.10 ACRES, MORE OR LESS
PARCEL "B" CONTAINS:	229.70 ACRES, MORE OR LESS
PARCEL "C" CONTAINS:	0.37 ACRES, MORE OR LESS
PARCEL TOTAL:	638.17 ACRES, MORE OR LESS

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Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- DATE SIGNED: 12-22-2021
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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SKETCH OF DESCRIPTIONS

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PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

CURVE TABLE

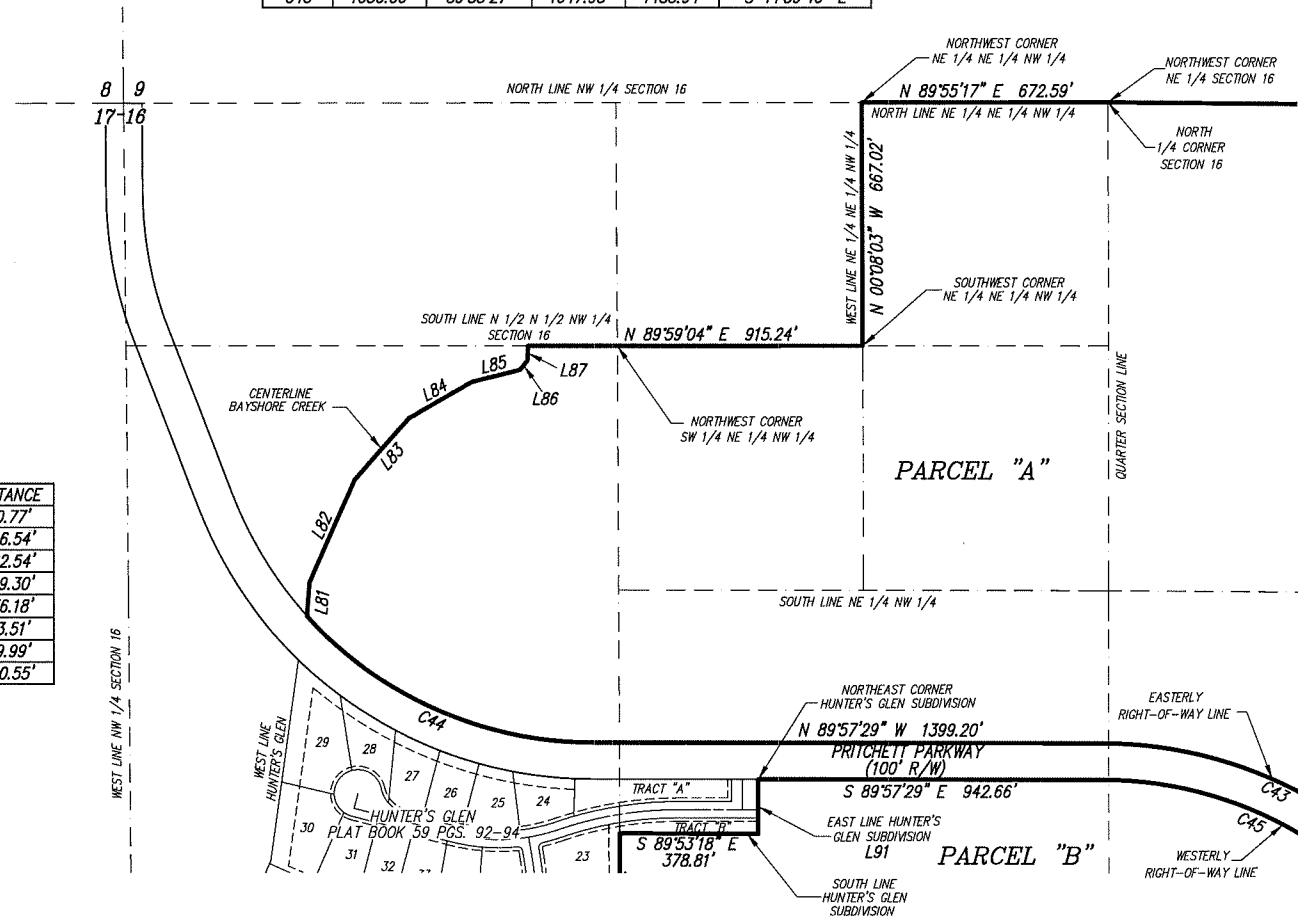
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C43	1150.00'	56°17'58"	1130.00'	1085.09'	N 61°48'30" W
C44	1050.00'	47°47'50"	875.93'	850.75'	N 66°03'35" W
C45	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°59'46" E



1" = 400'

LINE TABLE

LINE	BEARING	DISTANCE
L81	N 04°31'15" E	90.77'
L82	N 23°43'00" E	306.54'
L83	N 41°43'58" E	222.54'
L84	N 59°40'11" E	199.30'
L85	N 75°52'07" E	136.18'
L86	N 38°58'12" E	33.51'
L87	N 02°11'01" E	39.99'
L91	N 00°02'31" E	150.55'



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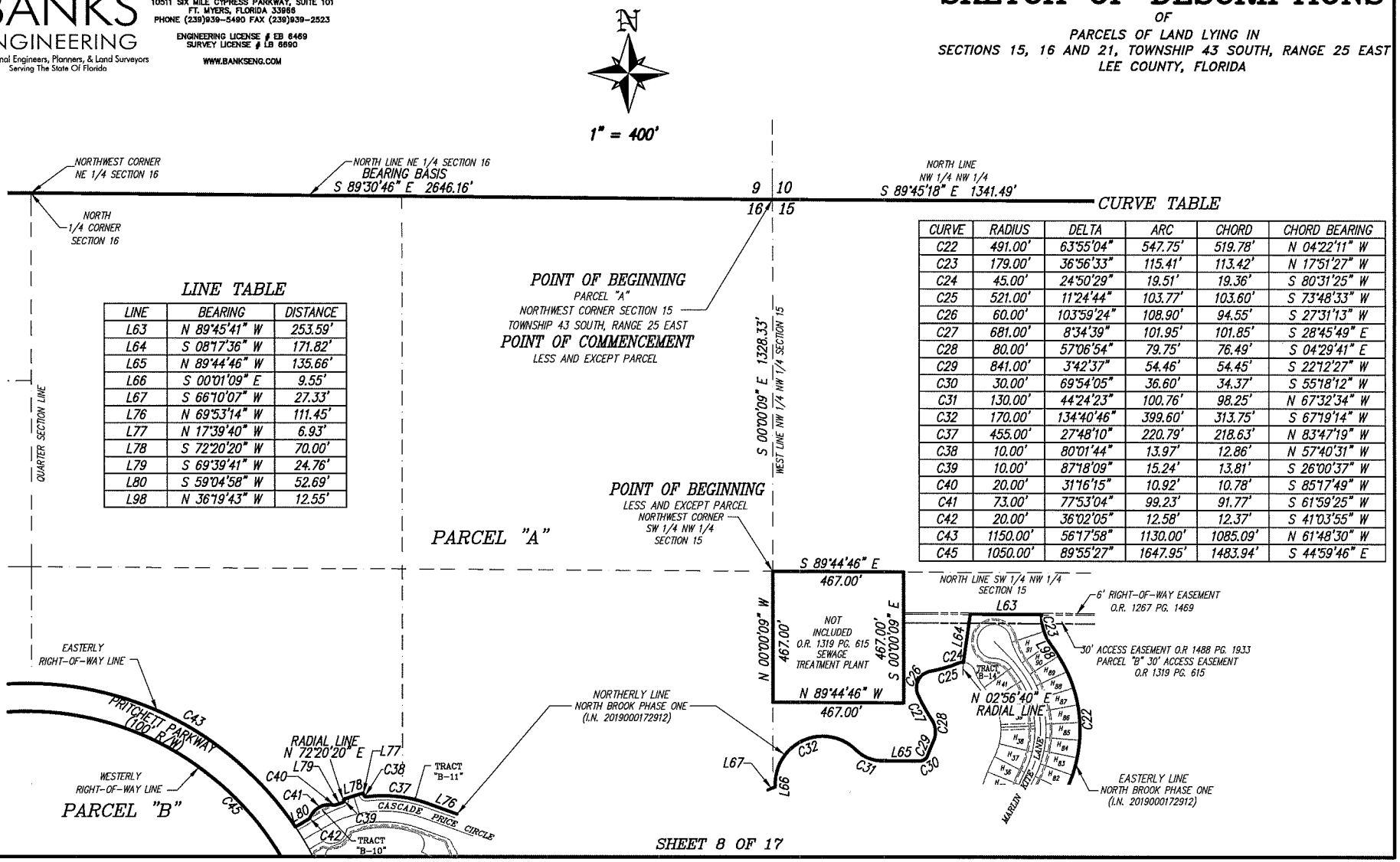
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L63	N 89°45'41" W	253.59'
L64	S 08°17'36" W	171.82'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L76	N 69°53'14" W	111.45'
L77	N 17°39'40" W	6.93'
L78	S 72°20'20" W	70.00'
L79	S 69°39'41" W	24.76'
L80	S 59°04'58" W	52.69'
L98	N 36°19'43" W	12.55'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C22	491.00'	63°55'04"	547.75'	519.78'	N 04°22'11" W
C23	179.00'	36°56'33"	115.41'	113.42'	N 17°51'27" W
C24	45.00'	24°50'29"	19.51'	19.36'	S 80°31'25" W
C25	521.00'	11°24'44"	103.77'	103.60'	S 73°48'33" W
C26	60.00'	103°59'24"	108.90'	94.55'	S 27°31'13" W
C27	681.00'	8°34'39"	101.95'	101.85'	S 28°45'49" E
C28	80.00'	57°06'54"	79.75'	76.49'	S 04°29'41" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W
C37	455.00'	27°48'10"	220.79'	218.63'	N 83°47'19" W
C38	10.00'	80°01'44"	13.97'	12.86'	N 57°40'31" W
C39	10.00'	87°18'09"	15.24'	13.81'	S 26°00'37" W
C40	20.00'	31°16'15"	10.92'	10.78'	S 85°17'49" W
C41	73.00'	77°53'04"	99.23'	91.77'	S 61°59'25" W
C42	20.00'	36°02'05"	12.58'	12.37'	S 41°03'55" W
C43	1150.00'	56°17'58"	1130.00'	1085.09'	N 61°48'30" W
C45	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°59'46" E

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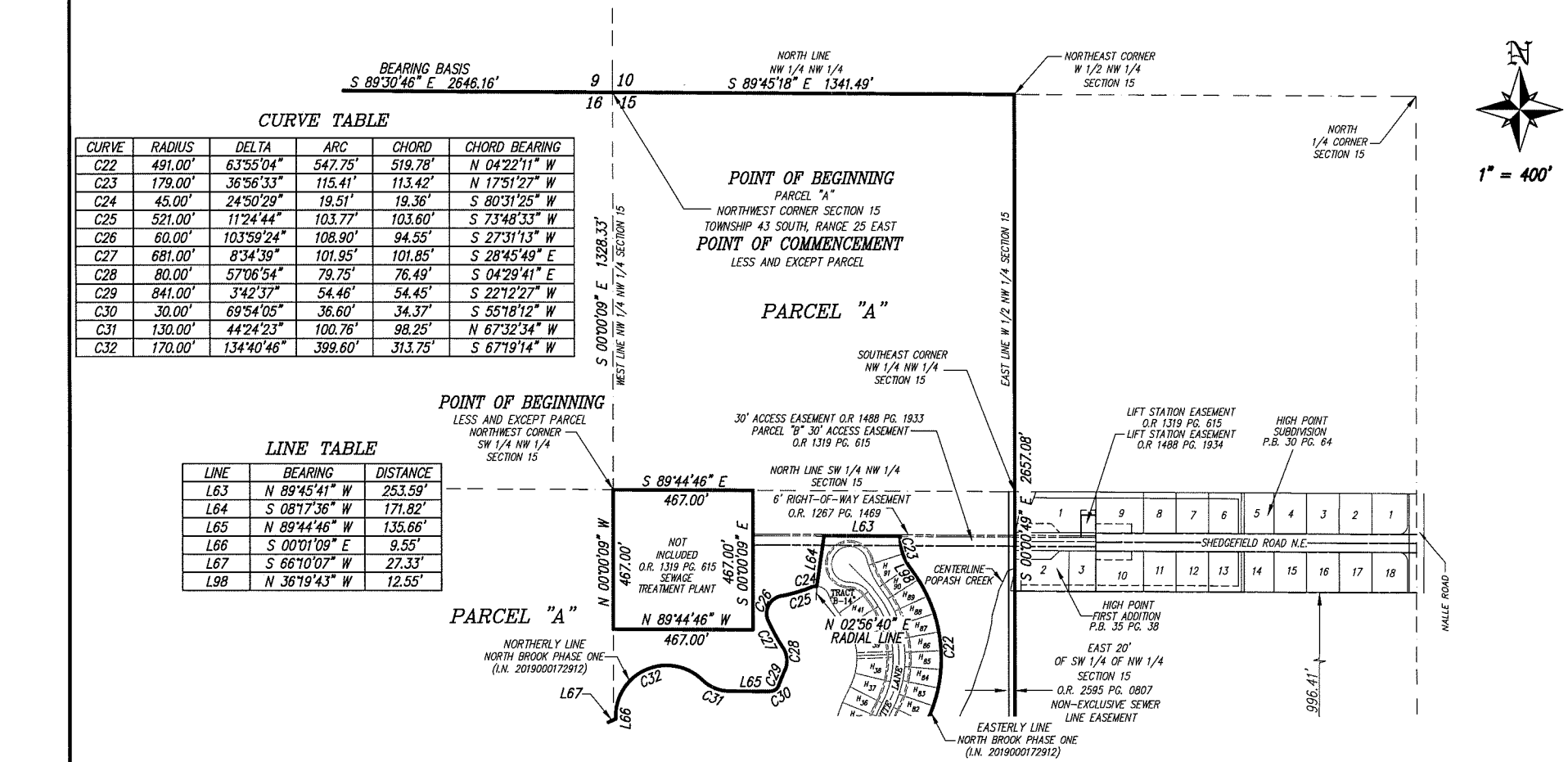
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SKETCH OF DESCRIPTIONS

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PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C22	491.00'	63°55'04"	547.75'	519.78'	N 04°22'11" W
C23	179.00'	36°56'33"	115.41'	113.42'	N 17°51'27" W
C24	45.00'	24°50'29"	19.51'	19.36'	S 80°31'25" W
C25	521.00'	11°24'44"	103.77'	103.60'	S 73°48'33" W
C26	60.00'	103°59'24"	108.90'	94.55'	S 27°31'13" W
C27	681.00'	8°34'39"	101.95'	101.85'	S 28°45'49" E
C28	80.00'	57°06'54"	79.75'	76.49'	S 04°29'41" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W

LINE TABLE

LINE	BEARING	DISTANCE
L63	N 89°45'41" W	253.59'
L64	S 08°17'36" W	171.82'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L98	N 36°19'43" W	12.55'

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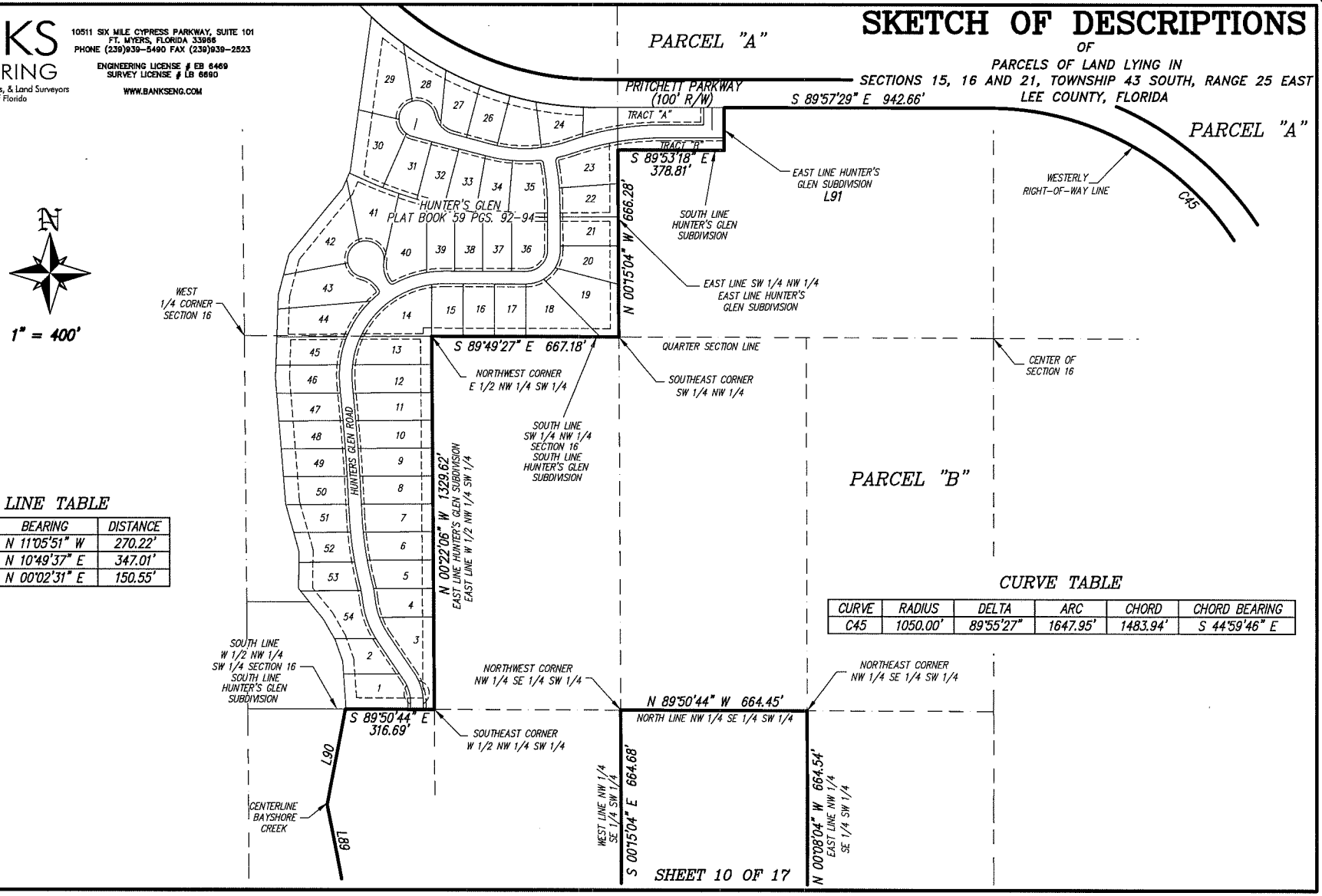
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SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



1" = 400'

LINE TABLE

LINE	BEARING	DISTANCE
L89	N 11°05'51" W	270.22'
L90	N 10°49'37" E	347.01'
L91	N 00°02'31" E	150.55'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C45	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°59'46" E

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LEE COUNTY, FLORIDA

1" = 400'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C5	508.00'	54°43'49"	485.25'	467.02'	N 30°17'34" E
C6	15.00'	62°41'28"	16.41'	15.61'	N 89°00'13" E
C7	55.00'	82°49'25"	79.51'	72.76'	N 78°56'14" E
C8	341.75'	40°34'12"	241.99'	236.96'	S 41°25'53" E
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C15	341.00'	50°34'56"	301.04'	291.36'	N 16°22'09" E
C16	104.00'	60°48'54"	110.39'	105.28'	N 21°29'08" E
C17	496.00'	53°26'16"	462.60'	446.02'	N 25°10'27" E
C18	841.00'	9°09'35"	134.45'	134.30'	N 74°13'26" E
C19	341.00'	80°05'22"	476.66'	438.79'	N 29°35'57" E
C20	441.00'	46°31'01"	358.04'	348.28'	N 27°33'42" E
C21	339.00'	23°17'09"	137.77'	136.83'	N 15°56'46" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W
C33	70.00'	4°03'02"	4.95'	4.95'	S 68°08'44" W
C34	70.00'	32°27'13"	39.65'	39.12'	S 49°53'36" W
C35	681.00'	37°36'19"	446.97'	438.99'	N 63°09'55" W
C36	319.00'	19°37'11"	109.24'	108.70'	N 72°09'29" W
C37	455.00'	27°48'10"	220.79'	218.63'	N 83°47'19" W
C38	10.00'	80°01'44"	13.97'	12.86'	N 57°40'31" W
C39	10.00'	87°18'09"	15.24'	13.81'	S 26°00'37" W
C40	20.00'	31°16'15"	10.92'	10.78'	S 85°17'49" W
C41	73.00'	77°53'04"	99.23'	91.77'	S 61°59'25" W
C42	20.00'	36°02'05"	12.58'	12.37'	S 41°03'55" W
C43	1150.00'	56°17'58"	1130.00'	1085.09'	N 61°48'30" W
C45	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°59'46" E

LINE TABLE

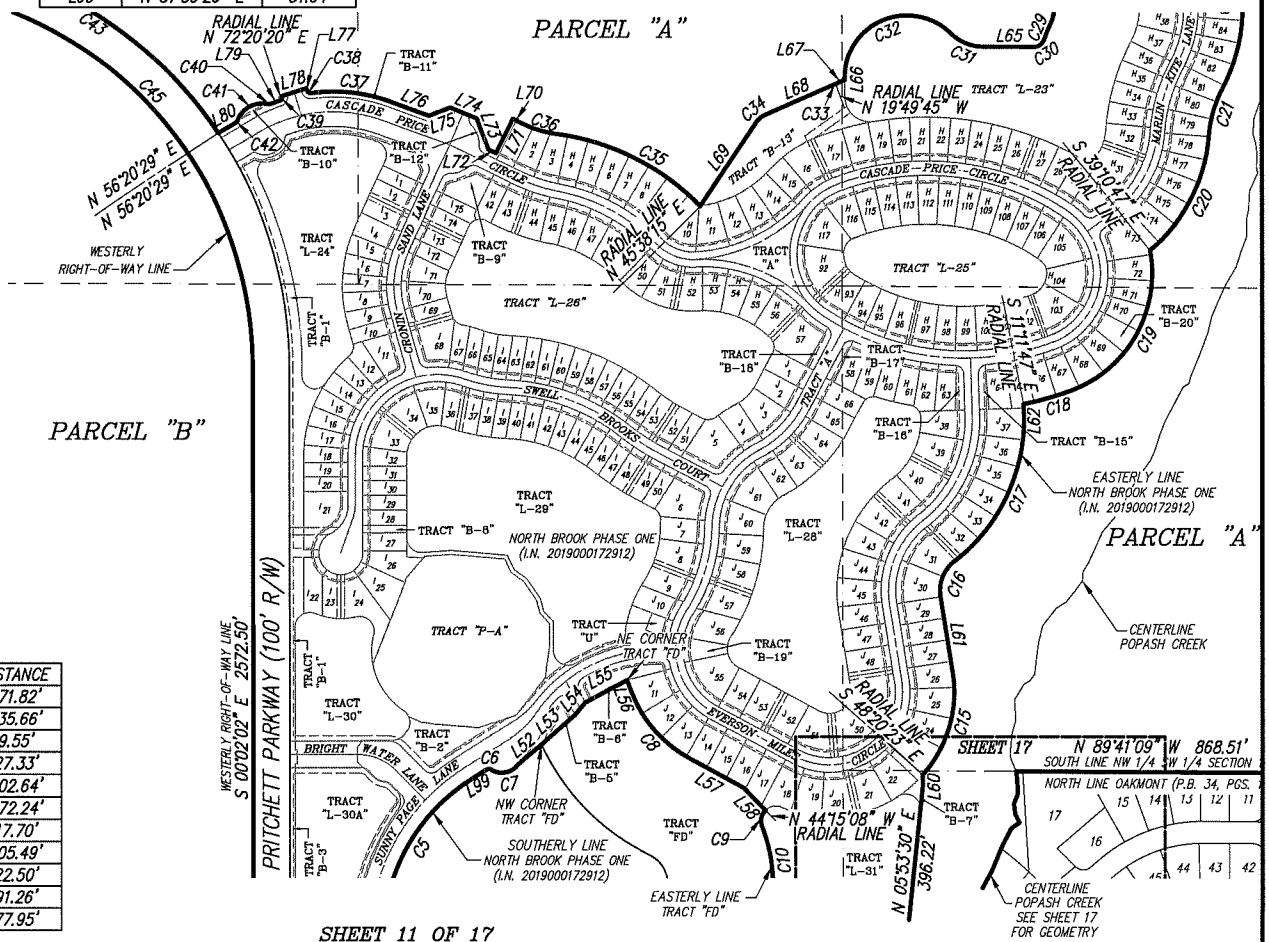
LINE	BEARING	DISTANCE
L52	N 49°56'02" E	84.57'
L53	N 48°11'18" E	124.02'
L54	N 39°28'37" E	43.57'
L55	N 62°02'28" E	129.26'
L56	S 21°08'47" E	39.03'
L57	S 61°42'59" E	168.00'
L58	S 44°15'08" E	84.75'
L60	N 01°06'00" W	27.92'
L61	N 08°55'19" W	211.36'
L62	N 01°32'41" W	28.18'
L63	N 89°45'41" W	253.59'

LINE TABLE

LINE	BEARING	DISTANCE
L64	S 08°17'36" W	171.82'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L68	S 66°07'13" W	202.64'
L69	S 33°40'00" W	272.24'
L70	N 62°20'53" W	17.70'
L71	S 26°20'27" W	105.49'
L72	N 63°39'33" W	22.50'
L73	N 20°33'00" W	91.26'
L74	N 67°28'43" W	77.95'

LINE TABLE

LINE	BEARING	DISTANCE
L75	S 69°02'14" W	62.94'
L76	N 69°53'14" W	111.45'
L77	N 17°39'40" W	6.93'
L78	S 72°20'20" W	70.00'
L79	S 69°39'41" W	24.76'
L80	S 59°04'58" W	52.69'
L99	N 57°39'29" E	51.64'



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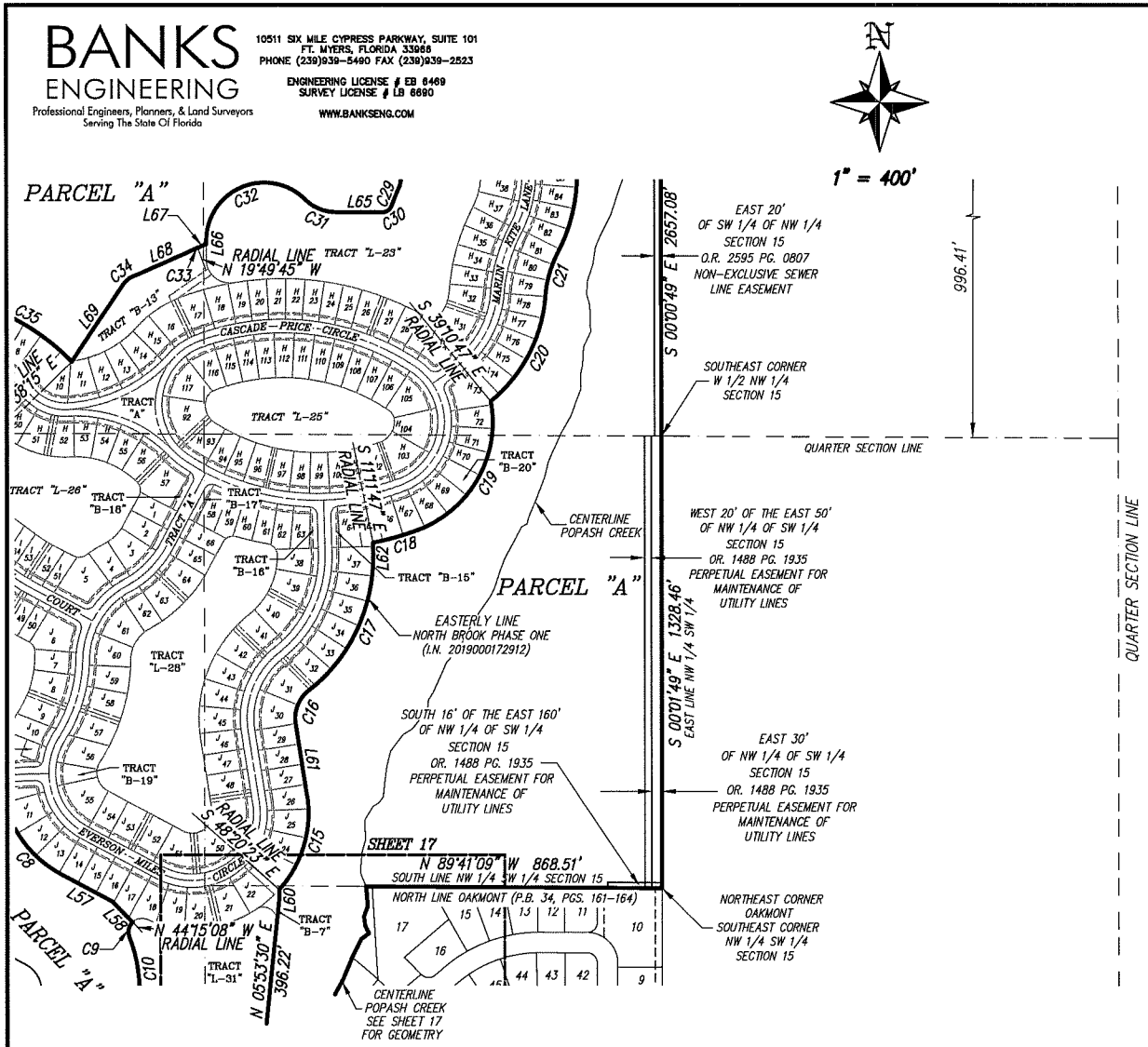
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C8	341.75'	40°34'12"	241.99'	236.96'	S 41°25'53" E
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C15	341.00'	50°34'56"	301.04'	291.36'	N 16°22'09" E
C16	104.00'	60°48'54"	110.39'	105.28'	N 21°29'08" E
C17	496.00'	53°26'16"	462.60'	446.02'	N 25°10'27" E
C18	841.00'	9°09'35"	134.45'	134.30'	N 74°13'26" E
C19	341.00'	80°05'22"	476.66'	438.79'	N 29°35'57" E
C20	441.00'	46°31'01"	358.04'	348.28'	N 27°33'42" E
C21	339.00'	23°17'09"	137.77'	136.83'	N 15°56'46" E
C29	841.00'	3°42'37"	54.46'	54.45'	S 22°12'27" W
C30	30.00'	69°54'05"	36.60'	34.37'	S 55°18'12" W
C31	130.00'	44°24'23"	100.76'	98.25'	N 67°32'34" W
C32	170.00'	134°40'46"	399.60'	313.75'	S 67°19'14" W
C33	70.00'	4°03'02"	4.95'	4.95'	S 68°08'44" W
C34	70.00'	32°27'13"	39.65'	39.12'	S 49°53'36" W
C35	681.00'	37°36'19"	446.97'	438.99'	N 63°09'55" W

LINE TABLE

LINE	BEARING	DISTANCE
L57	S 61°42'59" E	168.00'
L58	S 44°15'08" E	84.75'
L60	N 01°06'00" W	27.92'
L61	N 08°55'19" W	211.36'
L62	N 01°32'41" W	28.18'
L65	N 89°44'46" W	135.66'
L66	S 00°01'09" E	9.55'
L67	S 66°10'07" W	27.33'
L68	S 66°07'13" W	202.64'
L69	S 33°40'00" W	272.24'

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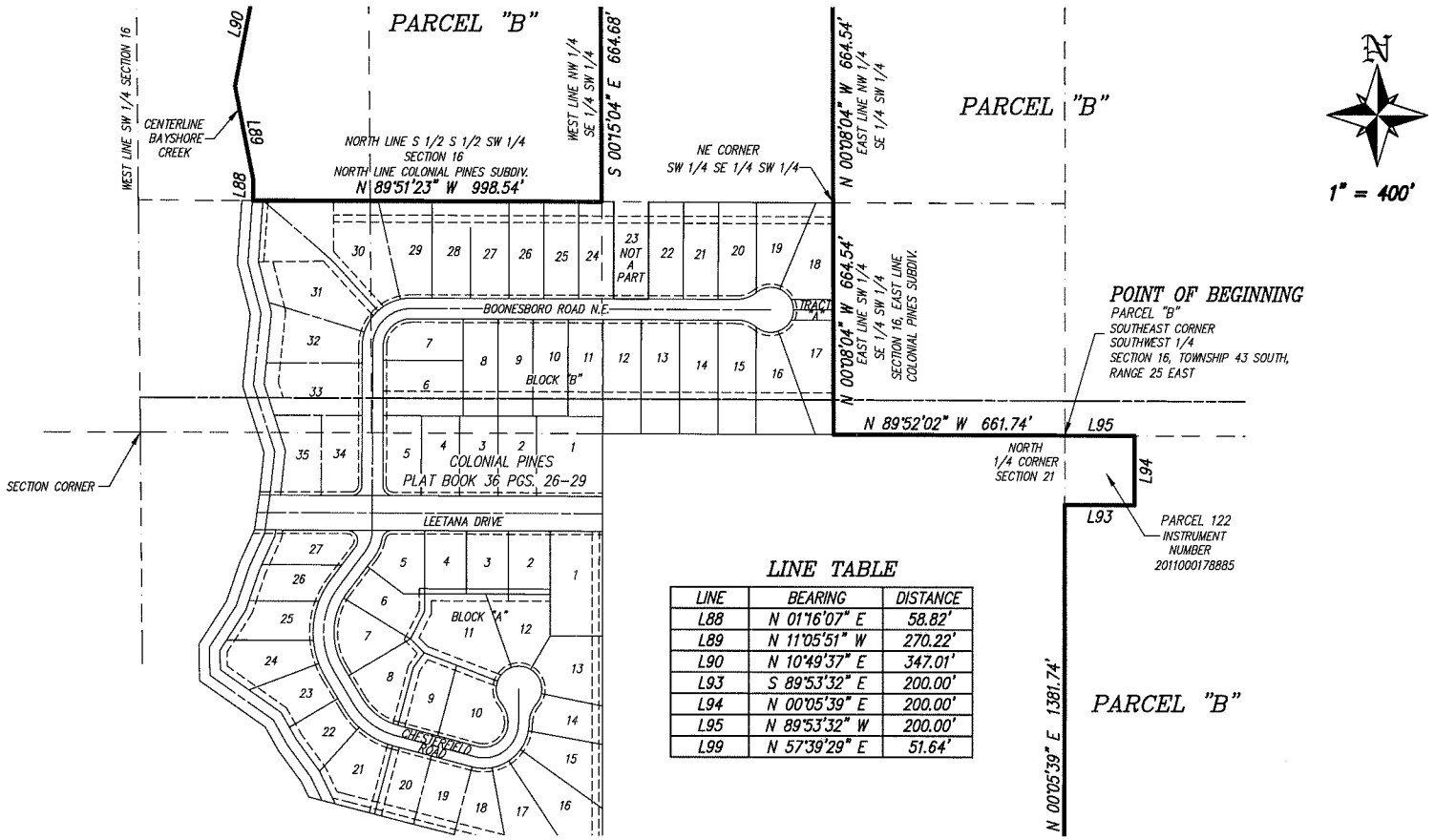
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L88	N 01°16'07" E	58.82'
L89	N 11°05'51" W	270.22'
L90	N 10°49'37" E	347.01'
L93	S 89°53'32" E	200.00'
L94	N 00°05'39" E	200.00'
L95	N 89°53'32" W	200.00'
L99	N 57°39'29" E	51.64'

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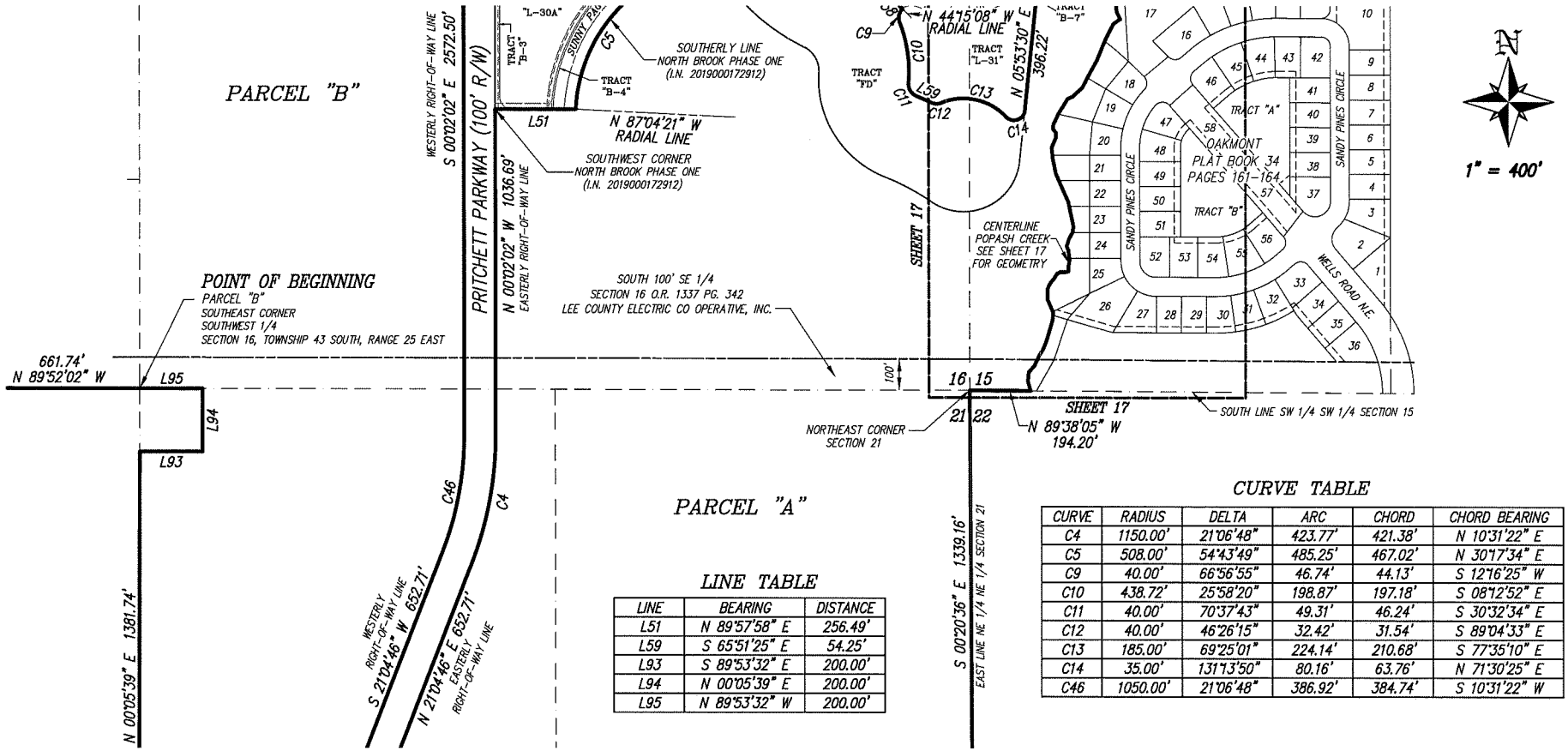
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L51	N 89°57'58" E	256.49'
L59	S 65°51'25" E	54.25'
L93	S 89°53'32" E	200.00'
L94	N 00°05'39" E	200.00'
L95	N 89°53'32" W	200.00'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C4	1150.00'	21°06'48"	423.77'	421.38'	N 10°31'22" E
C5	508.00'	54°43'49"	485.25'	467.02'	N 30°17'34" E
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C11	40.00'	70°37'43"	49.31'	46.24'	S 30°32'34" E
C12	40.00'	46°26'15"	32.42'	31.54'	S 89°04'33" E
C13	185.00'	69°25'01"	224.14'	210.68'	S 77°35'10" E
C14	35.00'	131°13'50"	80.16'	63.76'	N 71°30'25" E
C46	1050.00'	21°06'48"	386.92'	384.74'	S 10°31'22" W

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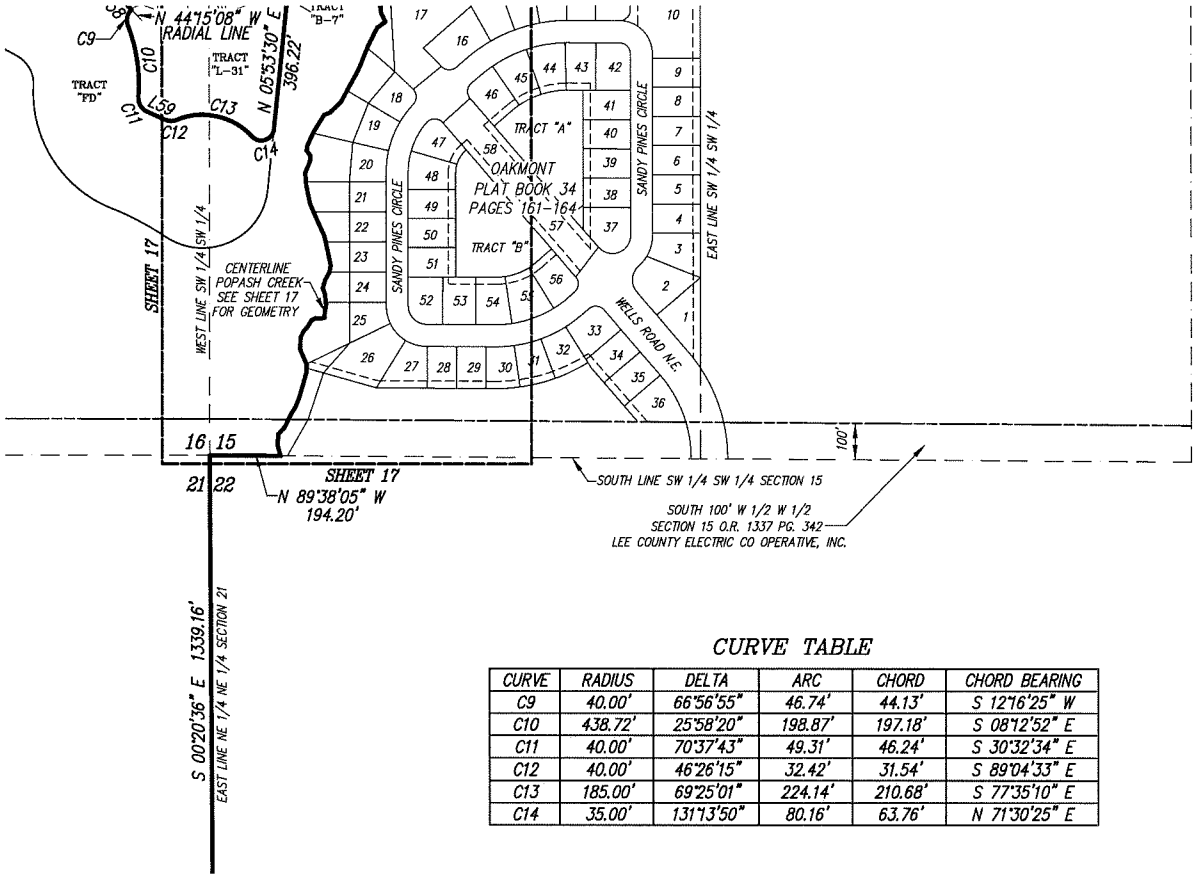
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA





1" = 400'

LINE TABLE

LINE	BEARING	DISTANCE
L59	S 65°51'25" E	54.25'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C9	40.00'	66°56'55"	46.74'	44.13'	S 12°16'25" W
C10	438.72'	25°58'20"	198.87'	197.18'	S 08°12'52" E
C11	40.00'	70°37'43"	49.31'	46.24'	S 30°32'34" E
C12	40.00'	46°26'15"	32.42'	31.54'	S 89°04'33" E
C13	185.00'	69°25'01"	224.14'	210.68'	S 77°35'10" E
C14	35.00'	131°13'50"	80.16'	63.76'	N 71°30'25" E

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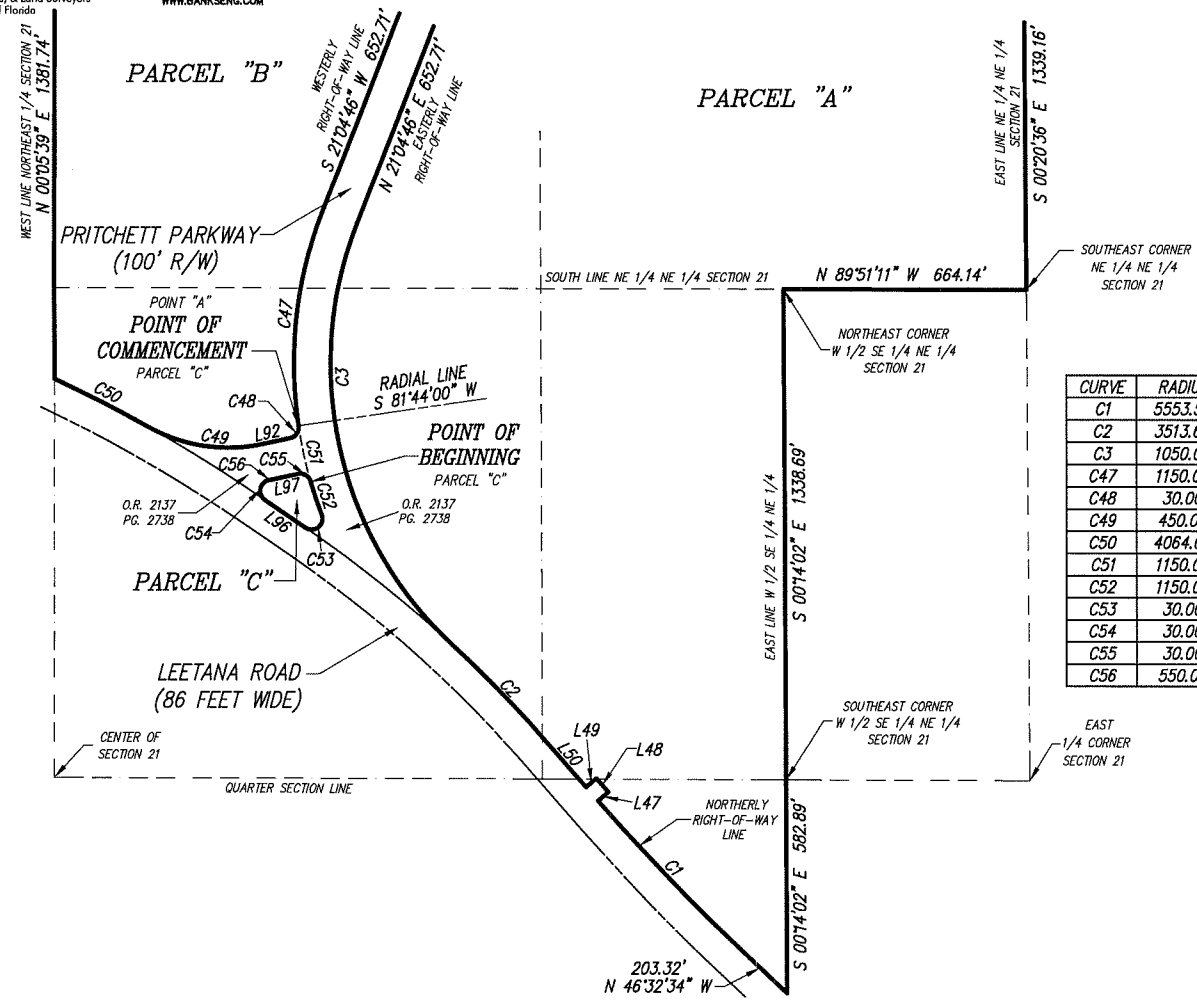
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SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



N

1" = 400'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5553.58'	05°30'23.2"	533.73'	533.52'	N 43°47'22" W
C2	3513.62'	06°05'42.5"	373.78'	373.60'	N 43°57'46" W
C3	1050.00'	68°05'24"	1247.81'	1175.67'	N 12°57'56" W
C47	1150.00'	29°20'46"	589.01'	582.60'	S 06°24'23" W
C48	30.00'	86°07'33"	45.10'	40.97'	S 34°47'46" W
C49	450.00'	41°28'01"	325.68'	318.62'	N 81°24'27" W
C50	4064.06'	4°02'04"	286.17'	286.11'	N 62°41'28" W
C51	1150.00'	7°46'30"	156.05'	155.93'	S 12°09'15" E
C52	1150.00'	4°44'48"	95.27'	95.24'	S 18°24'53" E
C53	30.00'	145°24'40"	76.14'	57.29'	S 51°55'03" W
C54	30.00'	133°42'05"	70.01'	55.17'	N 11°28'26" E
C55	30.00'	86°05'58"	45.08'	40.96'	S 59°05'28" E
C56	550.00'	0°27'56"	4.47'	4.47'	N 78°05'30" E

LINE TABLE

LINE	BEARING	DISTANCE
L47	N 49°05'05" E	36.99'
L48	N 40°54'55" W	50.00'
L49	S 49°05'05" W	37.00'
L50	N 40°54'55"W	156.94'
L92	S 77°51'33" W	75.93'
L96	N 55°22'37" W	133.36'
L97	N 77°51'33" E	75.96'

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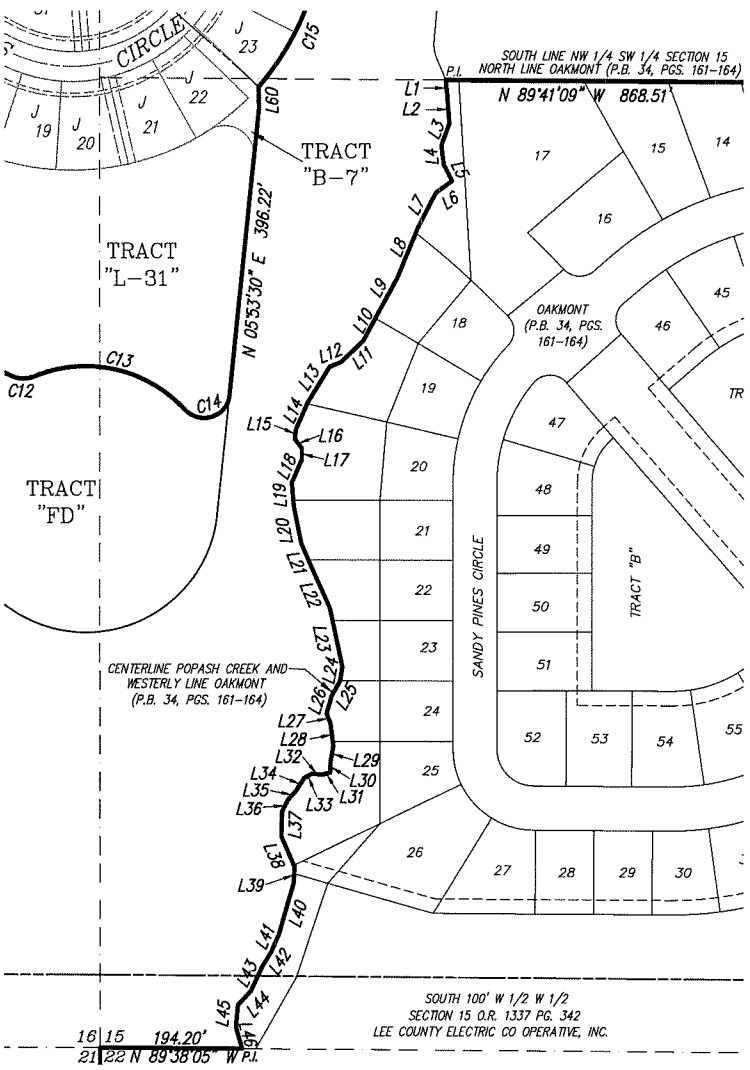
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SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 15, 16 & 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



N

1" = 200'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 05°45'58" E	20.76'
L2	S 04°30'13" E	37.89'
L3	S 20°35'27" W	31.32'
L4	S 06°53'02" E	27.63'
L5	S 26°35'47" E	25.42'
L6	S 53°39'33" W	27.91'
L7	S 26°59'14" W	54.53'
L8	S 22°23'48" W	72.99'
L9	S 28°36'16" W	53.03'
L10	S 27°40'03" W	45.38'
L11	S 46°19'33" W	41.74'
L12	S 67°01'43" W	17.24'
L13	S 31°53'19" W	55.98'
L14	S 24°05'41" W	40.28'
L15	S 07°28'30" W	13.30'
L16	S 36°59'09" E	15.90'
L17	S 00°08'07" E	16.02'
L18	S 23°17'55" W	34.56'
L19	S 04°55'23" E	33.01'
L20	S 11°15'32" E	51.93'
L21	S 23°08'35" E	31.33'
L22	S 24°01'18" E	66.68'
L23	S 11°55'04" E	81.54'

LINE TABLE

LINE	BEARING	DISTANCE
L24	S 09°40'09" W	18.62'
L25	S 29°02'54" W	23.67'
L26	S 16°09'18" W	25.05'
L27	S 21°33'48" E	14.28'
L28	S 07°24'52" E	31.49'
L29	S 10°42'31" W	20.17'
L30	S 01°47'45" W	15.68'
L31	S 74°58'26" W	10.96'
L32	N 86°32'16" W	14.77'
L33	S 61°33'21" W	11.76'
L34	S 32°08'23" W	20.06'
L35	S 42°13'22" W	16.72'
L36	S 26°15'22" W	18.59'
L37	S 01°30'50" W	33.93'
L38	S 23°30'56" E	44.86'
L39	S 02°57'16" W	21.83'
L40	S 15°54'19" W	73.12'
L41	S 23°04'05" W	28.36'
L42	S 31°47'03" W	21.95'
L43	S 25°05'56" W	37.80'
L44	S 42°12'47" W	25.72'
L45	S 05°41'06" W	30.07'
L46	S 15°57'07" E	31.19'
L60	N 01°06'00" W	27.92'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C12	40.00'	46°26'15"	32.42'	31.54'	S 89°04'33" E
C13	185.00'	69°25'01"	224.14'	210.68'	S 77°35'10" E
C14	35.00'	131°13'50"	80.16'	63.76'	N 71°30'25" E
C15	341.00'	50°34'56"	301.04'	291.36'	N 16°22'09" E

ATTACHMENT F

Drafted codification of ADD2020-00046 & Z-02-070 conditions with proposed amendments in strike-through/underline:

1) Development must be in compliance with the amended Master Concept Plan entitled Master Concept Plan, Stoneybrook North, prepared by Banks Engineering, Inc., dated May 6, 2014 and last revised ~~July 17, 2020~~**August 16, 2021**, a copy of which is attached hereto as Exhibit "B."

2) The following limits apply to the project and uses:
   a)
   ~~Administrative Offices~~
   ~~Agriculture – SUBJECT TO Condition 24 of Resolution Z-02-070~~
   ~~Accessory uses and structures~~
   ~~Club, Private (Limited to Track K)~~
   ~~Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor~~
   ~~Food and beverage service, limited~~
   ~~Health Club and Spa~~
   ~~Parking lot, accessory~~
   ~~Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club~~
   ~~Specialty Retail Shop, Group I~~
   ~~Communication Tower – limited to one on the north side of Tract K and limited to a maximum of 35 feet in height~~
   ~~Dwelling Unit – limited to a maximum of 1,275 units consisting of:~~
   ~~Conventional Single-family Residence~~
   ~~(May be constructed on all R-1 residential tracts, see Note 1)~~
   ~~Two-family attached~~
   ~~(Limited to Tracts A, B, J and M, see Note 1)~~
   ~~Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts F and G must be no less than 7,500 square feet in area within 500 feet of the northern boundary.~~
   ~~Entrance Gate and Gatehouse, in compliance with §34-1748~~
   ~~Essential Services~~
   ~~Essential Services Facilities, Group I~~
   ~~Excavation, water retention~~
   ~~Fences, walls~~
   ~~Home occupation~~
   ~~Model Home, Model Unit and Model Display Group~~
   ~~Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)~~
   ~~Recreation Facilities, Personal~~
   ~~Recreation Facilities, Private on-site~~
   ~~Parking lot, accessory~~
   ~~Residential Accessory Uses~~

~~Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation~~
~~Temporary uses (§34-3041)~~

~~Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts A, B, J and M).~~

SCHEDULE OF USES

[NOTE: Dwelling Units are limited to a maximum of 1,500 units (including existing 258 units within North Brook Phase One).

- ***R-1= Single-family Residence;***
- ***R-1A= Single-family Residence or Two-family Attached; and***
- ***TH= Townhomes, Single-family Residence or Two-family Attached]***

TRACTS A, B, F1 & M

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit
Single-family Residence
Two-family attached

[NOTE: Tracts A & B (along with B-1, C & D) are limited to adult senior housing (±590 units - See Condition 33)]

Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

TRACT B-1

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Club, Private
Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
Specialty Retail Shop, Group I
Dwelling Unit
[NOTE: Tract B-1 (along with Tracts A, B, C & D) is limited to adult senior housing (±590 units - See Condition 33)]
Single-family Residence
Two-family attached
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

TRACTS C, D, E, F, G, H & I

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit
Single-family Residence
[NOTE 1: Tracts C & D (along with A, B & B1) are limited to adult senior housing (±590 units - See Condition 33)]
[NOTE 2: In Tracts F & G, lots within 500 feet of north boundary must be no less than 7,500 square feet in area.]
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services

Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Tract J

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Dwelling Unit
    Conventional Single-family Residence
    Two-family attached
    Townhouse *(Maximum 150)*
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Tract K

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Brightwater Country Club, ~~**Private**~~ (**See condition 34**)
    Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor

Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use **at the Brightwater Country Club** ~~**by members of the private club**~~

Specialty Retail Shop, Group I
Communication Tower – limited to one on the north side of Tract K and limited to a maximum of 35 feet in height
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Tracts E1, N and O

[NOTE: Density is transferred internal to site]

Drainage
Excavation, water retention
Fences/Walls
Park, Group I, limited to nature preserve or passive or active recreation (Tract N limited to nature preserve or passive recreation)
Park, private
Recreation
Signs (limited to existing billboard located on the southwest side of Tract O, Lake L1)
Streets and street rights of way
Utility rights-of-way

Parcels L-1 through L-34 (Lake Parcels)

Excavation, water retention
Open Space

b) Site Development Regulations

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
					Rear(ft.)			Front (ft.)					
	Area (sq. ft)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.)*	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	N/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.
† Lots located within 500 feet of the northern boundary of the project on Tracts F-1 and F-3, must be no less than 7,500 square feet in area.

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bldg. Separation (ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.)*	Lots	Wetland	Acc.	Front Entry Garage	Bldg. Or Side Entry Garage	Water Body (ft.)			
Single-family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per Unit	100	0 or 10**	20	20	5	20	12	25	35 or 2 stories	10	45
Townhouse	2,000	22	80	0 or 10**	20	20	5	20	15	25	35	2010	N/A
Clubhouse	20,000	80	100	10	20	20	5	N/A	20	25	35 or 2 stories	20	45
Accessory Recreation Buildings	N/A	N/A	N/A	N/A	20	20	N/A	N/A	N/A	N/A	35 or 1 story	20	N/A

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.
† Lots located within 500 feet of the northern boundary of the project on Tracts F-1 and F-3F and G, must be no less than 7,500 square feet in area.
**Townhouses and two-family attached must provide a minimum of 10 feet building separation where units are not adjoining.

3) DELETED
4) The Tract K recreational area must include at a minimum, one multi-purpose field, a

playground, and picnic area, or recreational water feature. Facilities for the safe passage of pedestrians and cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5) No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts ~~F-2~~**H** and Tract G, the Applicant must include a 30-foot- wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6) Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(j).

7) A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve located east of Tract M and south of the LCEC easement. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8) Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for Lee County Development Services Section staff review and approval.

9) The use of cypress mulch is prohibited in preserve areas.

10) The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11) All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Lee County Development Services Section staff prior to construction. Minor adjustments to minimized impacts to native vegetation may be required.

12) The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint no larger than 200 square feet.

13) Prior to site work for any recreational use that requires the removal of vegetation within a

conservation area, a development order showing impacts to the conservation area must be submitted for review and approval of Development Services and other applicable County staff.

14) Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance **with the LDC.** ~~with the littoral planting exhibit entitled Northbrook Littoral Planting Exhibit, attached hereto as Exhibit "D."~~

~~All lake littoral zones must be constructed as depicted in Cross Section B-B. Littoral planting quantities must be consistent with the exhibit entitled Littoral Planting Exhibit "F", North Brook, attached hereto as Exhibit "D."~~ The planting area along the northern ditch expansion must also provide native wetland plants installed three feet on-center.

15) The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16) **Lake 1 is existing and does not require additional plantings. Any changes to Lake 1 in Tract O will require the following within the limits of the shoreline proposed to be revised:** **Lake** littoral plantings within Tract ~~M~~**O** must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake 1 (contained within Tract ~~M~~**O**).

17) The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Development Services staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Development Services staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18) Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving, grading and landscape plan.

19) Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to 1-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the

adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20) The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21) The developer must construct an eight-foot-wide bicycle path or two (2) five-foot- wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22) Blasting is prohibited on this project site.

23) The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24) AGRICULTURAL USES:

Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a) Existing bona fide agricultural uses, as shown in attached Exhibit H, may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25) Deleted.

26) Development along Popash and Bayshore Creeks:

General Conditions:

a) Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1) ~~If the~~ **The HEC-RAS model was based upon the absence of development within 50 feet from the top of creek bank. No development is proposed within 50 feet from top of creek bank with the exception of an at-grade walking path. If any development is later proposed within 50 feet of the top of creek bank,** ~~development parameters change from those modeled and approved during the rezoning~~ then developer must provide an **updated** HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2) Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and

capacity of flows in the overbank must be clearly demonstrated.

3) All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."
4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.
5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Home Owners Association (HOA) documents.
6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.
7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b) Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:
   1) The bridge crossing of Popash Creek must be a pile- supported structure.
   2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four (24) inches.
   3) The low chord of the bridge must be at or above the 100- year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).
   4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

Bayshore Creek:

c) All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first

Development Order.

1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Prichett Parkway and within the 50-foot offset from the existing top of bank.
2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27) In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).
Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

"Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."

28) The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29) In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30) Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high for areas annotated with Buffer Note 1 or installed at 48 inches high and a minimum of 20 feet from the property line for areas annotated with Buffer Note 2 except as modified by Deviation 18.

31) Lighting

a. Outdoor ballfield lights for any baseball field located on Tract K are prohibited.

b. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

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

PROPOSED ADDITIONAL CONDITIONS:

33) Declaration of covenants and restrictions must be provided as an amendment to the Phase 2 development order to reflect [590 or TBD] dwelling units limited to adult senior housing within Tracts A, B, B1, C & D.

34) A. "Brightwater Country Club" is an approved use in the Brightwater RPD (fka "Stoneybrook North") determined to be substantially similar to the existing "Club, Country" use. "Brightwater Country Club" means the building(s) and associated recreational facilities constructed in conjunction with the Brightwater Crystal Lagoon, open to members and their guests for a membership fee, and also includes daily non-resident reservations based on available parking capacity at the time of online reservation. Similarly to other country club facilities, occasionally such facilities may be leased to outsiders for banquets, weddings, etc.

B. The Brightwater Country Club will be privately owned and operated with a fully gated Crystal Lagoon recreational water amenity to serve the residents and guests of the RPD as a semi-private recreation facility serving the amenity and lifestyle needs of the Brightwater community. Resident memberships in the Brightwater Country Club will be included in every purchase of a Brightwater home. The number of homeowner memberships are limited to the same number as the approved dwelling units.

C. Non-resident access to the Brightwater Country Club amenities and recreational facilities requires purchasing reservations on the Brightwater Country Club portal website that will function similarly to the reservation portal website at lagooninformation.com. In addition to online reservations through the portal, daily reservations to non-residents will be limited based upon parking availability in the parking lot adjacent to the Brightwater Country Club which will be monitored and controlled by Staff of the Brightwater Country Club who will ensure that the parking lots will not exceed capacity. Signage on Pritchett Parkway will notify the public that no parking is permitted on Pritchett Parkway.

D. The Brightwater Country Club parking lot is required to provide a minimum of 180 parking spaces.

E. Golf cart parking areas shall be available for exclusive use of Brightwater homeowners.

35) Access points for fill to be transported across Pritchett Parkway will be limited to a single location on both sides of Pritchett Parkway at any given time. Maintenance of Traffic (MOT) will be provided by the developer and will be in accordance with FDOT MOT specifications, including but not limited to advance warning signage and flagmen. A street sweeper will be present while material is actively being transported across Pritchett Parkway and will perform regularly scheduled sweeps and additionally sweep on an as needed basis to maintain a safe travel way. Erosion control measures for Pritchett Parkway and the crossing area will be detailed in the Development Order process for staff review and approval.

36) Voluntary Enhancements:

a) Residential uses removed from and transferred internal to site Tract E1 (±9.73-acres).
b) Residential uses removed from and transferred internal to site Tract N (±10.37 acres).
c) No residential uses and density transferred internal to site Tract O (±14.43)
d) Tract D- Prior to construction certification of the westernmost lots abutting the Hunter's Glen subdivision property line, developer will provide:
   i) An easement to allow potential for Hunter's Glen's construction (at their option) of

a turnaround for emergency, solid waste, and resident vehicles for Hunter's Glen subdivision. Developer has the right (but not the obligation) to construct this improvement.

ii) **An easement and stubbed water mains to allow potential for Hunter's Glen's construction (at their option) of fire hydrants as enhancement to Hunter's Glen subdivision fire protection. Developer has the right (but not the obligation) to construct this improvement.**

e) **Development Order application and approval for Tract A must demonstrate increased open space separation to lots (varying ±35' – ±82' setback between lot lines and perimeter) along western perimeter boundary as shown on the Master Concept Plan.**

f) **Tract M – Prior to construction certification of easternmost lots in Tract M , developer will provide a utility easement for Seminole Campground to allow (at their option):**
i) **Connection to central sewer to take the Seminole Campground WWTP off-line; and**
ii) **Opportunity for water main looping for increased fire protection.**
Developer has the right (but not the obligation) to construct this improvement.

37) **Each development order must reference the *"Brightwater Site-wide Construction Water Quality Monitoring Program"* on file with case number DOS2018-00034-A01 which may be amended from time to time as needed to address current circumstances without requiring a zoning amendment.**

SECTION C. DEVIATIONS:

1. Deviation (1) - Withdrawn

2. Deviation (2) – Withdrawn

3. Deviation (3) seeks relief from §10-418(2)d, which requires the installation of native wetland herbaceous plants at a calculation of 25 percent of the total linear feet of shoreline multiplied by the 20-foot-wide planted littoral shelf and divided by four to obtain two-foot-on-center spacing, and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract ~~M~~**O** lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16~~, as amended by ADD2015-00134 and restated herein~~.

4. Deviation (4) - Withdrawn

5. Deviation (5) - Withdrawn

6. Deviation (6) – Withdrawn

7. Deviation (7) seeks relief from §10-329(d)(4), which requires excavations to be sloped at a ratio not greater than six (6) horizontal to one (1) vertical from the top of bank to a water depth of two feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18 of Resolution Z-02-070.

8. Deviation (8) – Withdrawn

9. Deviation (9) – Withdrawn

10. Deviation (10) – Withdrawn

11. Deviation (11) – Withdrawn

12. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    1. The entrance apron into each parking lot would be paved.

    2. The handicapped parking space(s) in each lot would be paved.

    3. The Applicant will keep the portion of the street in front of each model free from gravel or shell that may be tracked out the model home parking area(s) by departing vehicles.

14. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A ~~US Home~~ **[Developer's Name]** Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the following condition:

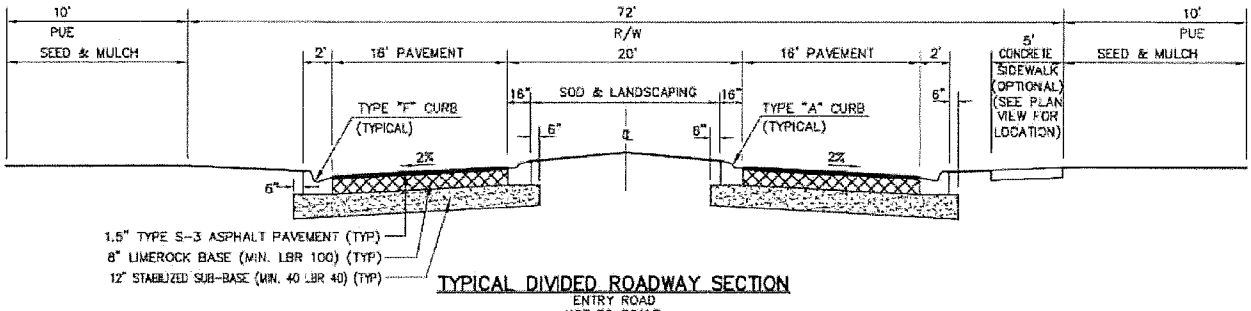
    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G.**

15. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the ~~Heritage Creek~~ **[Community Name]** project sign to have two sign faces of approximately 130 square feet in size and be located on a

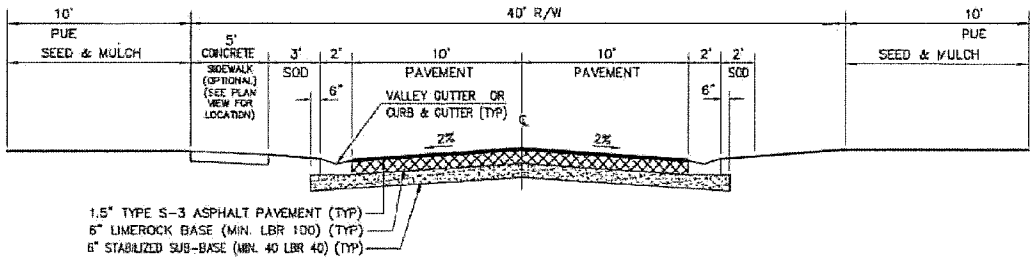
curvilinear wall. This deviation is APPROVED, SUBJECT TO the following condition:

> The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped "Received Apr 07 2003 Community Development" and attached as Exhibit G.

16. Deviation (16) - Withdrawn
17. Deviation 17 seeks relief from LDC Section 10-296(e)(2)h.5.ii. and iii., which require Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road, to allow internal roadways to be designed and constructed in accordance with the following cross sections approved by DOS2015-00083, as amended:



TYPICAL DIVIDED ROADWAY SECTION
ENTRY ROAD
NOT TO SCALE



TYPICAL ROADWAY SECTION
40' R/W LOCAL ROAD-20' PAVEMENT
NOT TO SCALE

This deviation is APPROVED, SUBJECT TO the following condition:

a. The developer must provide a pedestrian way along one side of all streets internal to the development and must extend each pedestrian way from intersection to intersection

18. Deviation 18 seeks relief from LDC Section 10-416(d)(9), which requires a 50-foot-wide vegetated natural waterway buffer containing six native canopy trees and 50 native shrubs per 100 linear feet, which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio, to allow existing vegetation to remain to meet the buffer requirements and to allow areas to remain in their natural state if no vegetation exists with no planting plan required. This deviation is APPROVED, SUBJECT TO the following condition:
    a. The areas at the northwestern corner of the property within the required natural waterway buffer depicted on the Master Concept Plan with annotations referencing Buffer Note 1 and Buffer Note 2 may not be

planted.

19. Deviation 19 seeks relief from LDC Section 10-418(1), which requires shorelines to be sinuous rather than straight, to allow existing or permitted lakes to remain as designed.
20. Deviation 20 seeks relief from LDC Section 10-296(k)(1), which requires dead-end streets to provide a circular turnaround, to allow a dead-end street in Tract E as shown on MCP.
21. Deviation 21 seeks relief from LDC Section 34-1264 to allow outdoor consumption on premises to be located ±466' feet from a dwelling unit under separate ownership.

ATTACHMENT G

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Brightwater RPD

Schedule of Deviations and Justifications

DCI2021-00012
August 2021

The previous zoning approvals included eighteen (18) existing deviation requests and approved eight (8) (deviations 3 – Lake L1 herbaceous planting, 7-bulkhead or riprap, 12-model homes, 13-model home parking lots, 14-signage, 15-signage, 17-street section, and 18-natural waterway buffer) with the remaining being withdrawn. These deviations are requested to remain with minor revisions to 3, 14 and 15 as included in the drafted conditions and deviations document.

The subject request includes the following additional requested deviations:

Deviation (19): Deviation 19 seeks relief from LDC Section 10-418(1), which requires shorelines to be sinuous rather than straight, to allow existing or permitted lakes to remain as designed.

> Justification: Since the original zoning approval in 2004, the property has received several development approvals. This deviation is requested for the lakes that are either existing or that have received SFWMD and Lee County DO approval to remain as permitted. Lake 1 is existing (L1) to remain as-is. The lakes within Phase 1 have been permitted through the SFWMD and Lee County DO and have been constructed (L23, L24, L25, L26, L28, L29, L30, L31). The lakes within Phase 2 have received Lee County DO approval and SFWMD approval (L2, L3, L4, L5, L6, L7, L8, L9, L10, L11, L12) and are proposed to remain as permitted. The remaining Lakes not yet permitted for construction (L13, L15, L16, L18, L19, L20, L21, L22) will be revised to provide a sinuous shoreline. If any of the existing permitted lakes are redesigned, they will provide a sinuous shoreline. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare.

Deviation (20): Deviation 20 seeks relief from LDC Section 10-296(k)(1), which requires dead-end streets to provide a circular turnaround, to allow a dead-end street in Tract E as shown on MCP.

> Justification: The requested deviation is included in LDC Section 10-104(a)(9) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is requested to allow a dead-end right-of-way in Tract E that is less than 100' long and is proposed to provide future access to Tract E1. Tract E1 is not proposed for any residential development and is limited to drainage; excavation, water retention; park, group I limited to nature preserve or passive or active recreation; park, private; recreation; streets and street rights of way; and utility rights-of-way. Tract E1 may

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remain in its existing state. The proposed access does not require a turn-around per NFPA standards. There is ample room with the short deadend to provide adequate access for emergency vehicles. At the time of development order approval, the applicant must demonstrate no objection from the Fire District and any future development of Tract E1 must demonstrate no objection from the Fire District. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare. The alternative proposed is based on sound engineering practices and is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.

Deviation (21): Deviation 21 seeks relief from LDC Section 34-1264 to allow outdoor consumption on premises within Tract K to be located ±466 feet from a dwelling unit under separate ownership external to the RPD.

Justification: This deviation is requested because the reconfigured MCP places a small portion of Tract K less than 500 feet from dwelling units under separate ownership external to the RPD. Only a very small portion of a walking path around the proposed water amenity lies within 500 feet of the external residence property line. In lieu of placing signs that allow no outdoor consumption on premises in this small area, the deviation is being requested. A portion of Tract J falls within this separation area which is anticipated for development with townhomes or may alternatively be developed with single-family or two-family attached dwelling units. There is an additional ±85'-±150' separation between Tract J and the external residence property line that consists of a preservation area containing Popash Creek that provides a significant buffer. The indoor and outdoor COP has been shown on the MCP and included in the schedule of uses since ADD2015-00134 with internal residences abutting the use within less than 500 feet. The marker was to depict that there were no external residential properties within 500 feet of the COP use. LDC Section 34-1264(a)(3)a. states, "No administrative approval is necessary where an individual establishment or other facility proposing consumption on the premises is explicitly designated on the master concept plan and is included on the schedule of uses." LDC Section 34-1264(b)(1)a.2 further clarifies that the 500' separation does not apply to dwelling units when approved as part of a planned development. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health, safety and welfare.

ATTACHMENT H

RESOLUTION NUMBER Z-02-070

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

WHEREAS, US Home Corporation filed an application on behalf of the property owners, Pritchett Development Company Ltd.; Kathy Lynne R. Pritchett, Trustee; Peter Kainz; Bank of America, N.A., R. E. Services - Pritchett; and Ernest A. Hansen, Trustee (½ Interest) and Frances Hansen, Trustee (½ Interest), to rezone 741.22± acres from Agricultural (AG-2), Commercial Planned Development (CPD), & Recreational Vehicle Planned Development (RVPD) to Residential Planned Development (RPD), in reference to Heritage Creek, a/k/a Stoneybrook North; and,

WHEREAS, public hearings were advertised and held on December 11, 2002; and continued and held on February 12 and 13, 2003; April 23 and 24, 2003; June 18 and 19, 2003; July 31, 2003; and August 1 and 8, 2003; with the record held open for written submissions until August 25, 2003; before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2001-00038; and

WHEREAS, a second public hearing was advertised and held on February 16, 2004, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 741.22± acres from from AG-2, CPD, and RVPD to RPD, to permit the development of a maximum of 1,525 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height. The property is located in the Outlying Suburban, Wetlands and General Interchange Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Stoneybrook North Master Concept Plan," prepared by Wilson Miller, dated March 10, 2004, printed March 17, 2004, and stamped "Received Mar 17 2004 Permit Counter," 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 as may be granted by deviation

COPY

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

Administrative Offices
Agriculture - SUBJECT TO Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Rental or leasing establishment, Group I - limited to bicycles, tennis rackets and other small equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower - limited to one on the north side of Tract K and limited to a maximum of 35 feet in height
Dwelling Unit - limited to a maximum of 1,275 units consisting of:
Conventional Single-family Residence
(May be constructed on all R-1 and R-1A residential tracts) See Note 1.
Two-family attached (Limited to Tracts I-1, I-2 & J)
See Note 1.
Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts F-1 and F-3, must be no less than 7,500 square feet in area within 500 feet of the northern boundary.
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts I-1, I-2 and J).

b. Site Development Regulations

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.
† Lots located within 500 feet of the northern boundary of the project on Tracts F-1 and F-3, must be no less than 7,500 square feet in area.

3. DELETED

4. The Tract M recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and Tract G, the Applicant must include a 30-foot- wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Any healthy Sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If the sequence of construction does not allow the

on-site relocation of Sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Lee County Division of Environmental Sciences staff whether used on-site or otherwise. Any Sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as **Exhibit D**. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(h).

7. Gopher Tortoises:

A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Lee County Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by the Lee County Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," stamped "Received Apr 07 2003 Community Development," and attached as **Exhibit E**.

    All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Exhibit, Stoneybrook North" and accompanying table stamped "Received May 29 2003 Community Development," and attached as **Exhibit F**. The planting area along the northern ditch expansion must also provide native wetland plants installed three-feet on center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Environmental Sciences staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to

provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving, grading and landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. The developer must construct an eight-foot-wide bicycle path or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22. Blasting is prohibited on this project site.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES:

Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a) Existing bona fide agricultural uses, as shown in attached **Exhibit H**, may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be

maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25. Deleted.

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1) If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2) Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3) All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Home Owners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1) The bridge crossing of Popash Creek must be a pile-supported structure.

2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four (24) inches.

3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).

4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Prichett Parkway and within the 50-foot offset from the existing top of bank.

2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27. In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

    Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

    > *"Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."*

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. Seventy-five (75) percent of the shrubs and 50 percent of the trees will be native species.

31. Lighting

    a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in §34-625.

    b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

c. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers and must meet the requirements of §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

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

SECTION C. DEVIATIONS:

1. Deviation (1) - Withdrawn

2. Deviation (2) - Withdrawn

3. Deviation (3) seeks relief from §10-418(2)b which requires the installation of one (1) native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract K lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16.

4. Deviation (4) - Withdrawn

5. Deviation (5) - Withdrawn

6. Deviation (6) - Withdrawn

7. Deviation (7) seeks relief from §10-329(e)(4) which requires excavations to be sloped at a ratio of four (4) horizontal to one (1) vertical to a water depth of four feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18.

8. Deviation (8) - Withdrawn

9. Deviation (9) - Withdrawn

10. Deviation (10) - Withdrawn

11. Deviation (11) - Withdrawn

12. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    1. The entrance apron into each parking lot would be paved.

    2. The handicapped parking space(s) in each lot would be paved.

    3. The Applicant will keep the portion of the street in front of each model free from gravel or shell that may be tracked out the model home parking area(s) by departing vehicles.

14. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

15. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

16. Deviation (16) - Withdrawn

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Lee County Extension Services brochure Lee 8/2000A
Exhibit E: Stoneybrook North Littoral Planting Exhibit
Exhibit F: Littoral Planting Exhibit Stonebrook North (with accompanying table)
Exhibit G: Deviations
Exhibit H: Agricultural Uses Exhibit

The applicant has indicated that the STRAP numbers for the subject property are: 15-43-25-00-00001.0000; 15-43-25-00-00001.0010; 16-43-25-00-00001.0060; 16-43-25-00-00001.006A; 16-43-25-00-00001.006B; 16-43-25-00-00001.006C; 16-43-25-00-00001.0100; 16-43-25-00-00002.0000; 16-43-25-00-00003.0000; 16-43-25-00-00003.0010; 16-43-25-00-00003.0020; 16-43-25-00-00003.0030; 16-43-25-00-00003.0040; 16-43-25-00-00003.0050; 16-43-25-00-00003.0070; 16-43-25-00-00003.0080; 21-43-25-00-00001.1000; 21-43-25-00-00002.0000; 21-43-25-00-00006.0020

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The rezoning, as approved:

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

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 Andrew W. Coy, seconded by Commissioner Robert P. Janes, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Absent
Ray Judah	Nay
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 16th day of February, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: Cindy Morrison
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

SEAL
BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

Approved as to form by:

_____
County Attorney's Office

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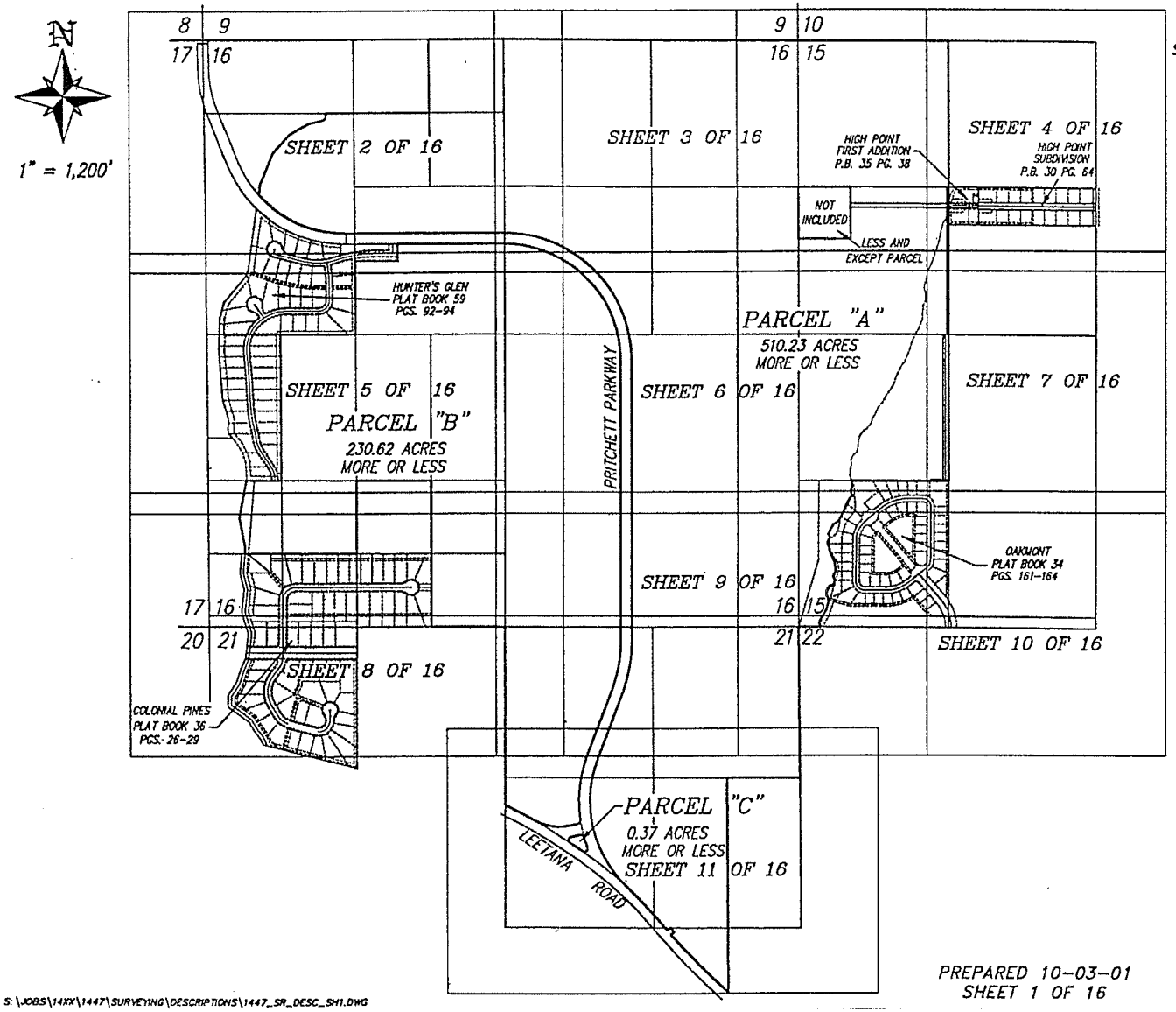
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

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

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

FILED IN THE OFFICE OF THE CLERK OF LEE COUNTY, FLORIDA
AUG 14 2002

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

REGISTERED LAND SURVEYOR NO. 4009 STATE OF FLORIDA

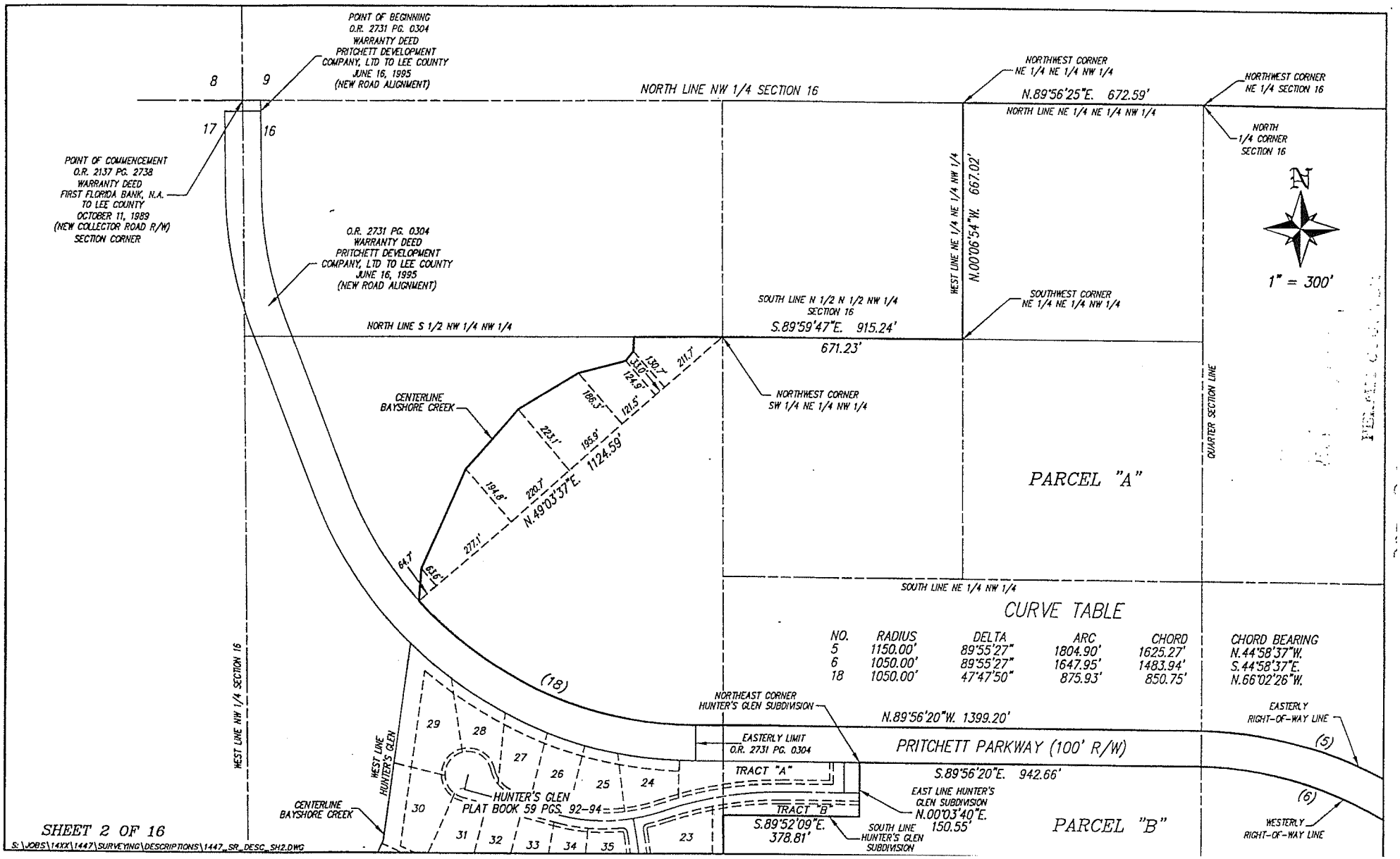
Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

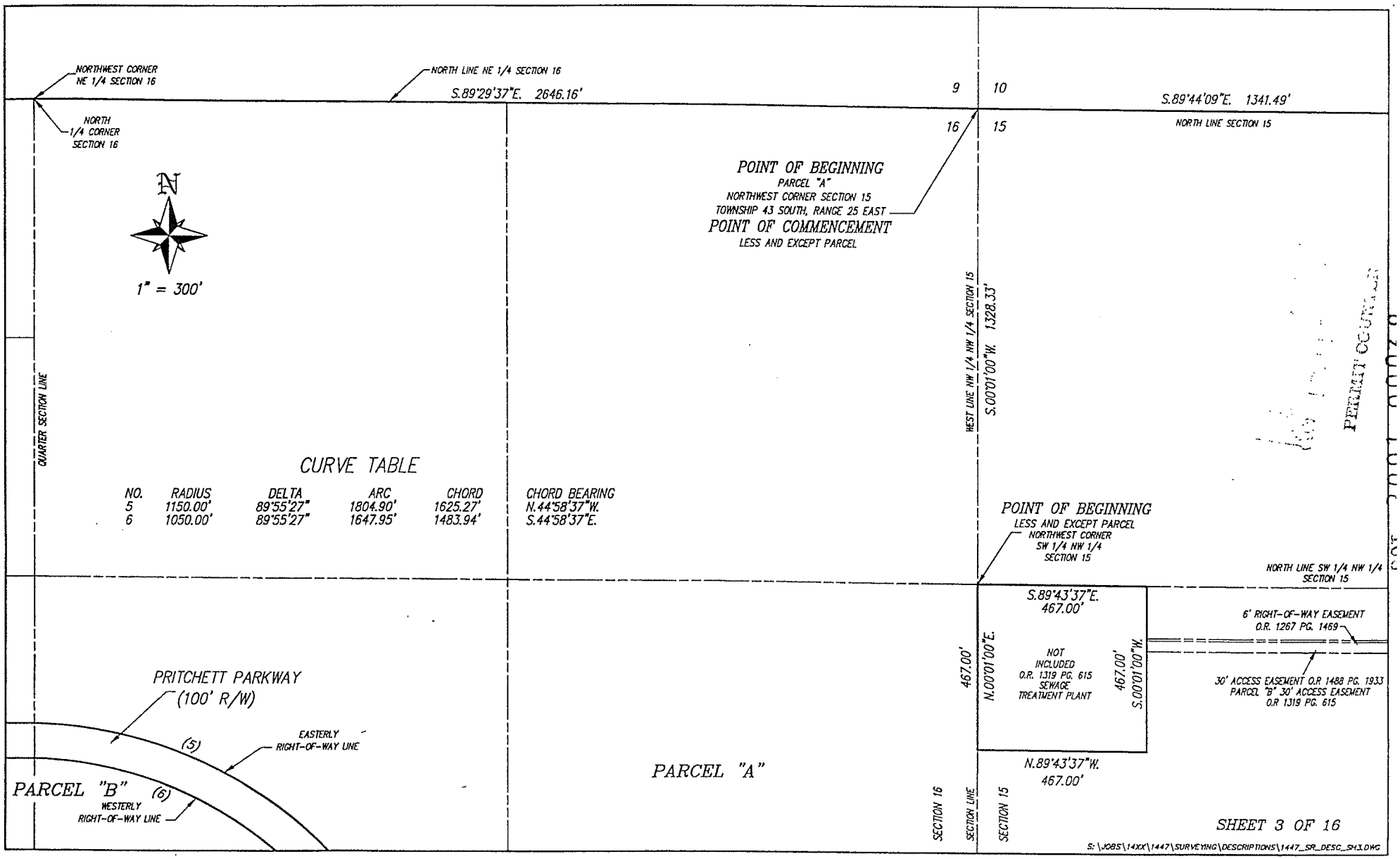
PREPARED 10-03-01
SHEET 1 OF 16

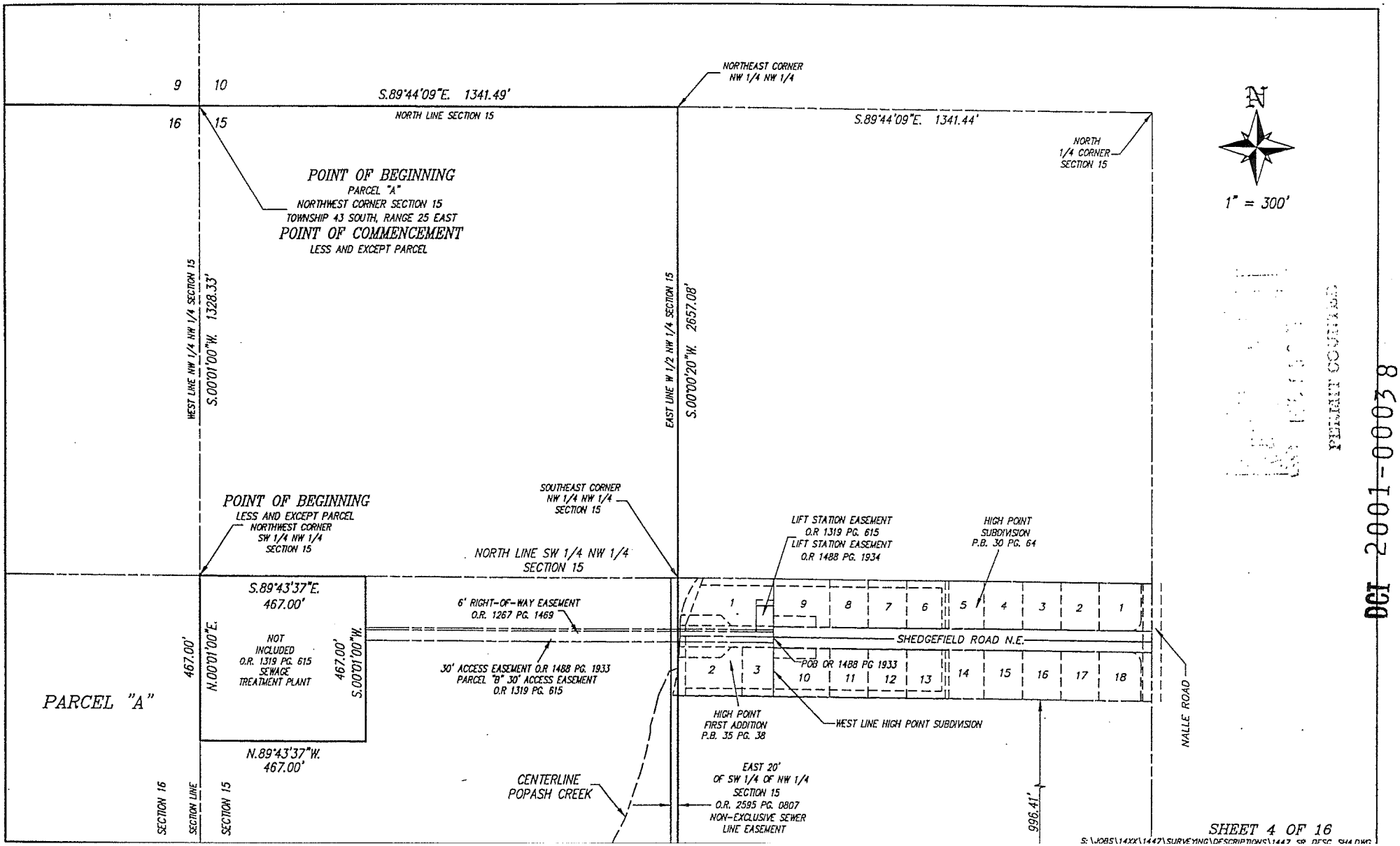
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SHEET 2 OF 16

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NORTHWEST CORNER
NE 1/4 SECTION 16
NORTH LINE NE 1/4 SECTION 16
S.89°29'37"E. 2646.16'
NORTH
1/4 CORNER
SECTION 16
9
10
16
15
S.89°44'09"E. 1341.49'
NORTH LINE SECTION 15
N
1" = 300'
POINT OF BEGINNING
PARCEL "A"
NORTHWEST CORNER SECTION 15
TOWNSHIP 43 SOUTH, RANGE 25 EAST
POINT OF COMMENCEMENT
LESS AND EXCEPT PARCEL
WEST LINE NW 1/4 NW 1/4 SECTION 15
S.00°01'00"W. 1328.33'
QUARTER SECTION LINE
CURVE TABLE
NO. RADIUS DELTA ARC CHORD CHORD BEARING
5 1150.00' 89°55'27" 1804.90' 1625.27' N.44°58'37"W.
6 1050.00' 89°55'27" 1647.95' 1483.94' S.44°58'37"E.
POINT OF BEGINNING
LESS AND EXCEPT PARCEL
NORTHWEST CORNER
SW 1/4 NW 1/4
SECTION 15
NORTH LINE SW 1/4 NW 1/4
SECTION 15
S.89°43'37"E.
467.00'
6' RIGHT-OF-WAY EASEMENT
O.R. 1267 PG. 1469
467.00'
N.00°01'00"E.
NOT
INCLUDED
O.R. 1319 PG. 615
SEWAGE
TREATMENT PLANT
467.00'
S.00°01'00"W.
30' ACCESS EASEMENT O.R 1488 PG. 1933
PARCEL "B" 30' ACCESS EASEMENT
O.R 1319 PG. 615
PRITCHETT PARKWAY
(100' R/W)
(5)
EASTERLY
RIGHT-OF-WAY LINE
PARCEL "B"
(6)
WESTERLY
RIGHT-OF-WAY LINE
PARCEL "A"
N.89°43'37"W.
467.00'
SECTION 16
SECTION LINE
SECTION 15
SHEET 3 OF 16
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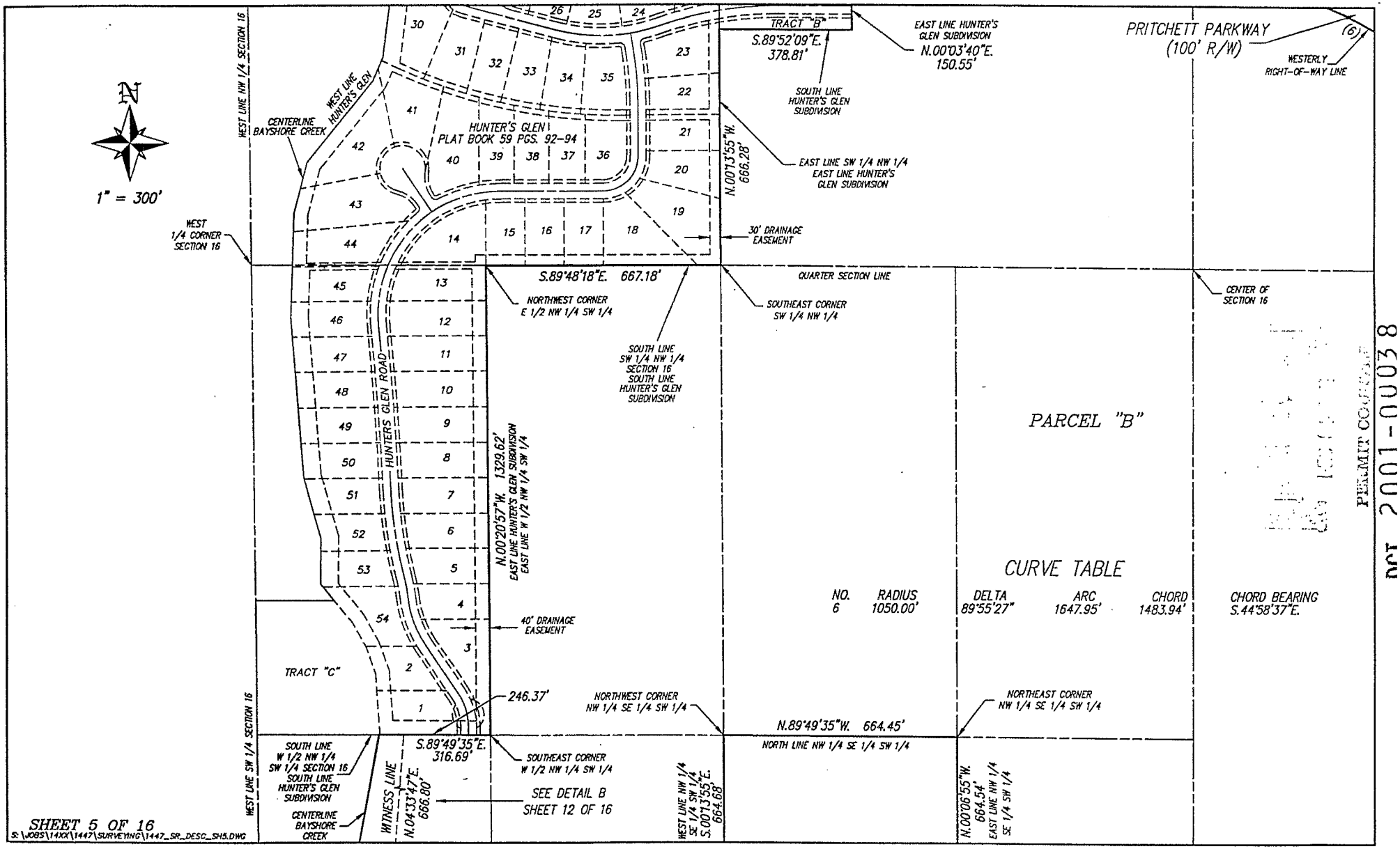


PUTNAM COUNTY, GA.

OCT 2001-000378

SHEET 4 OF 16

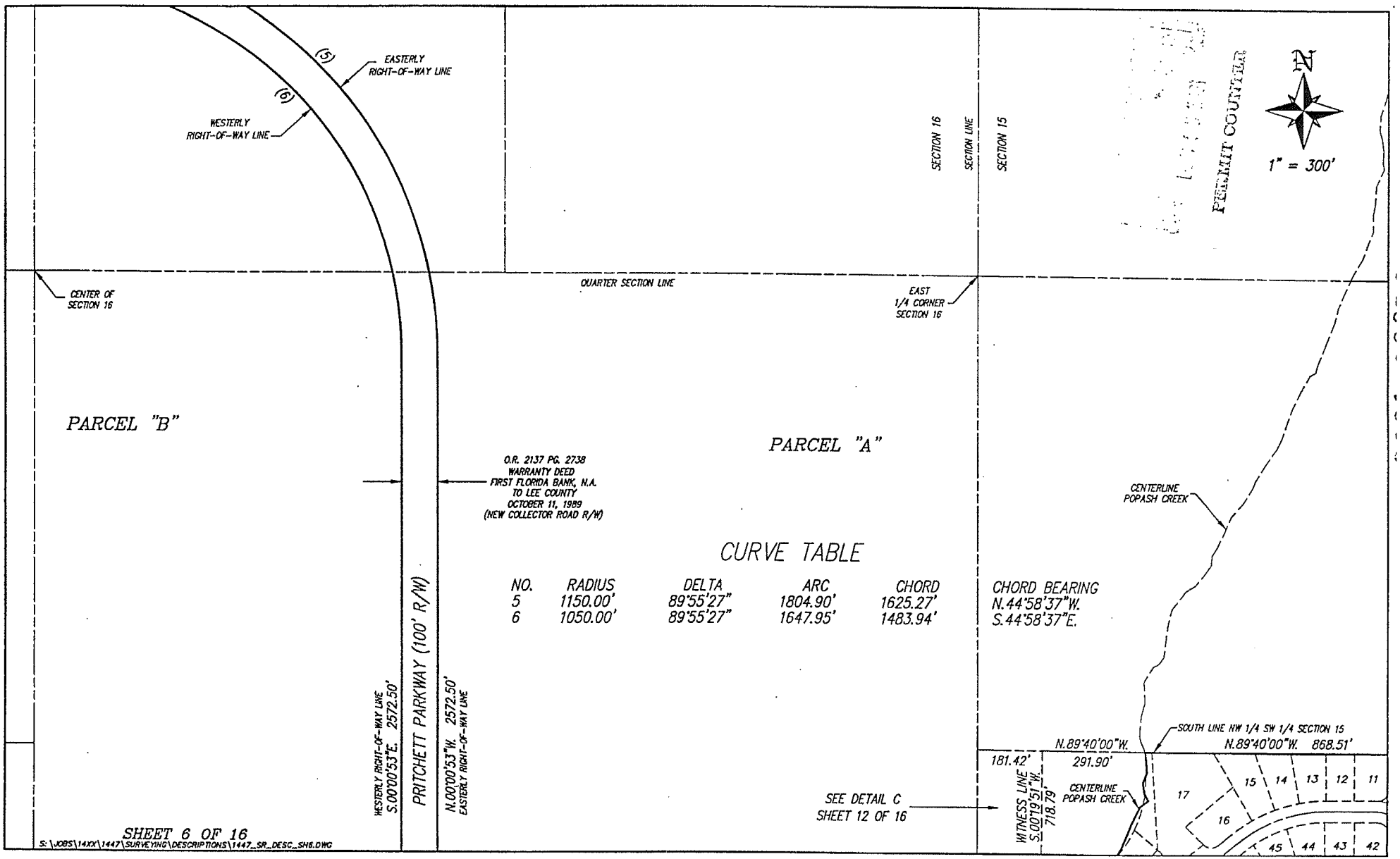
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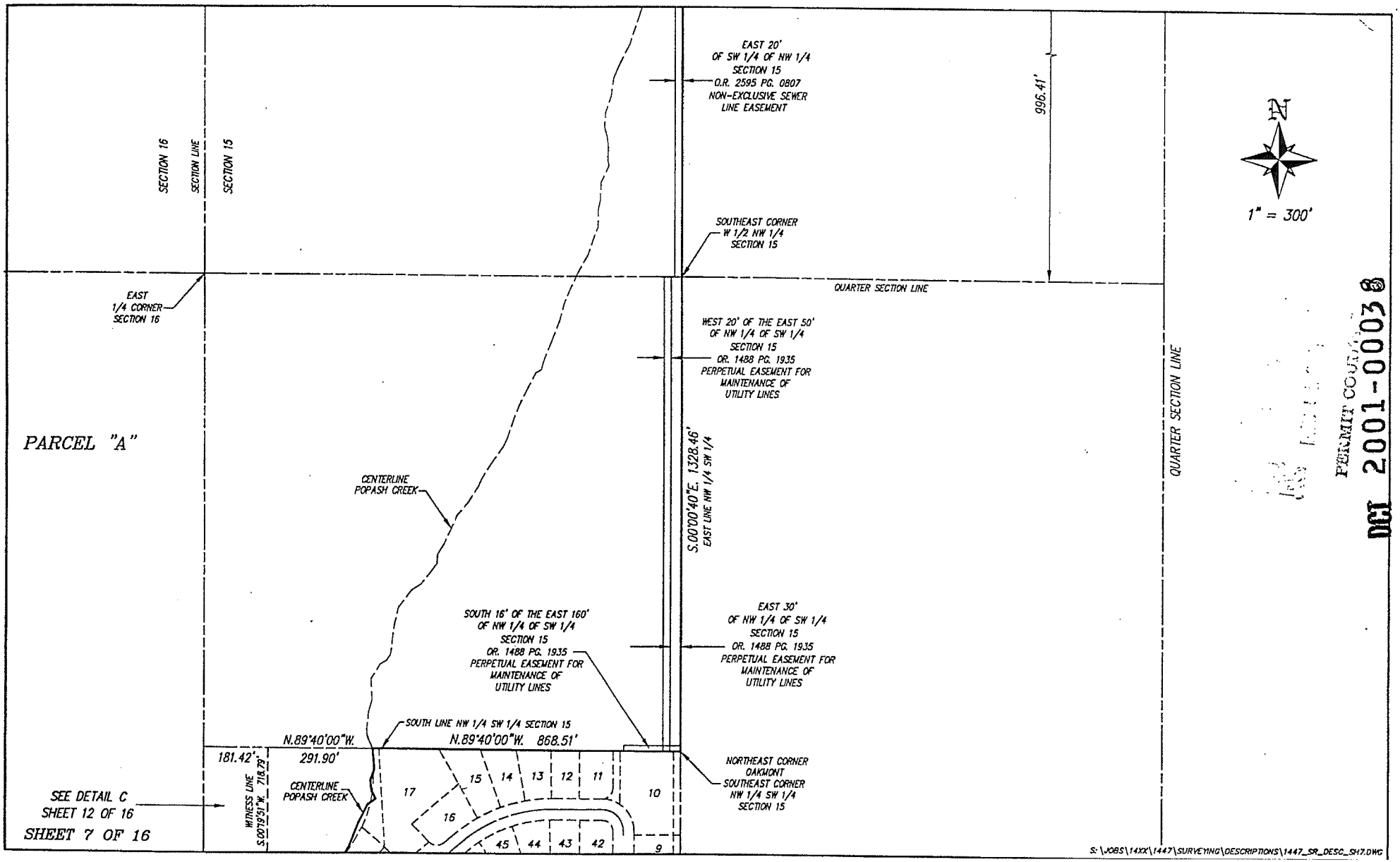
SHEET 5 OF 16

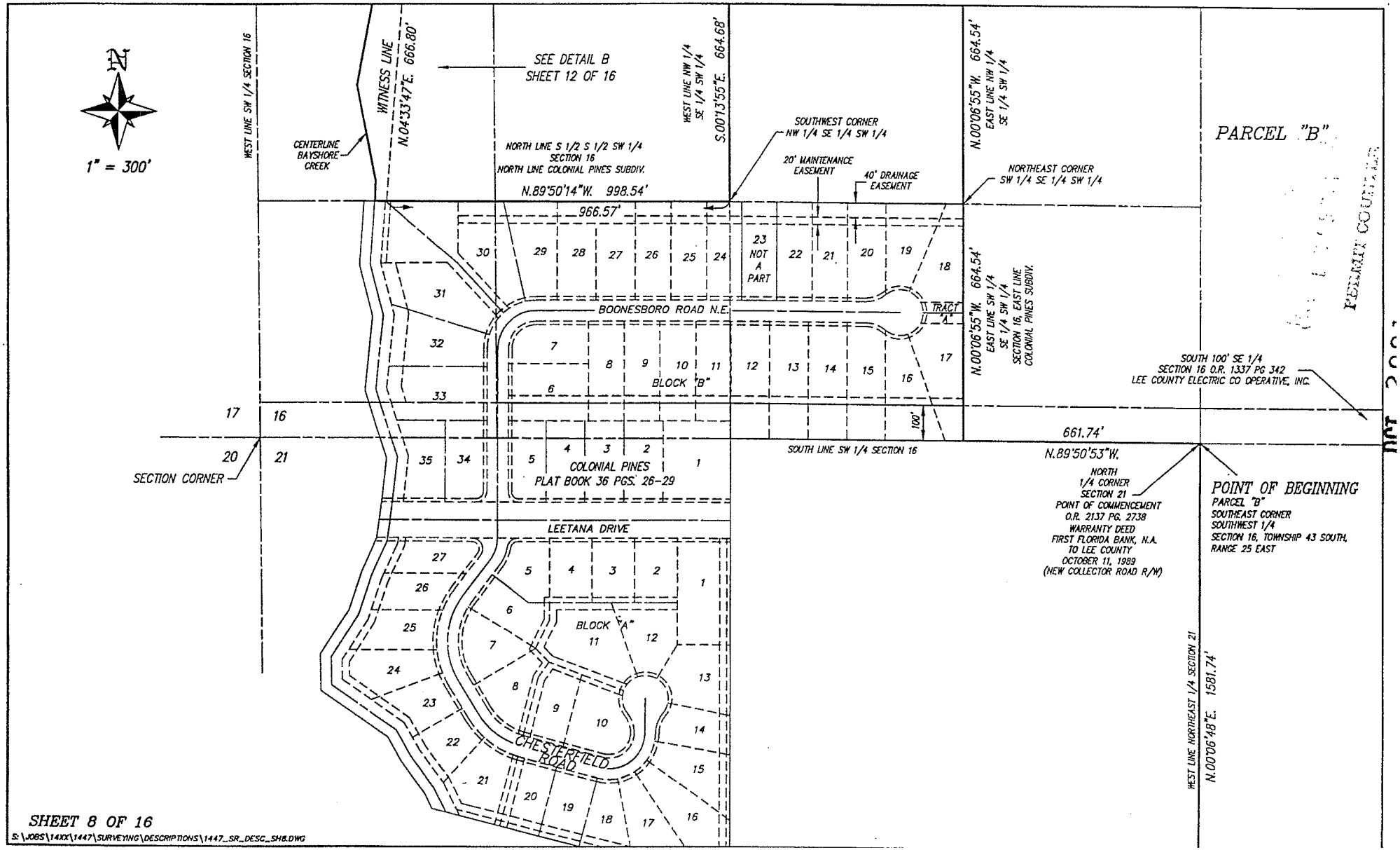
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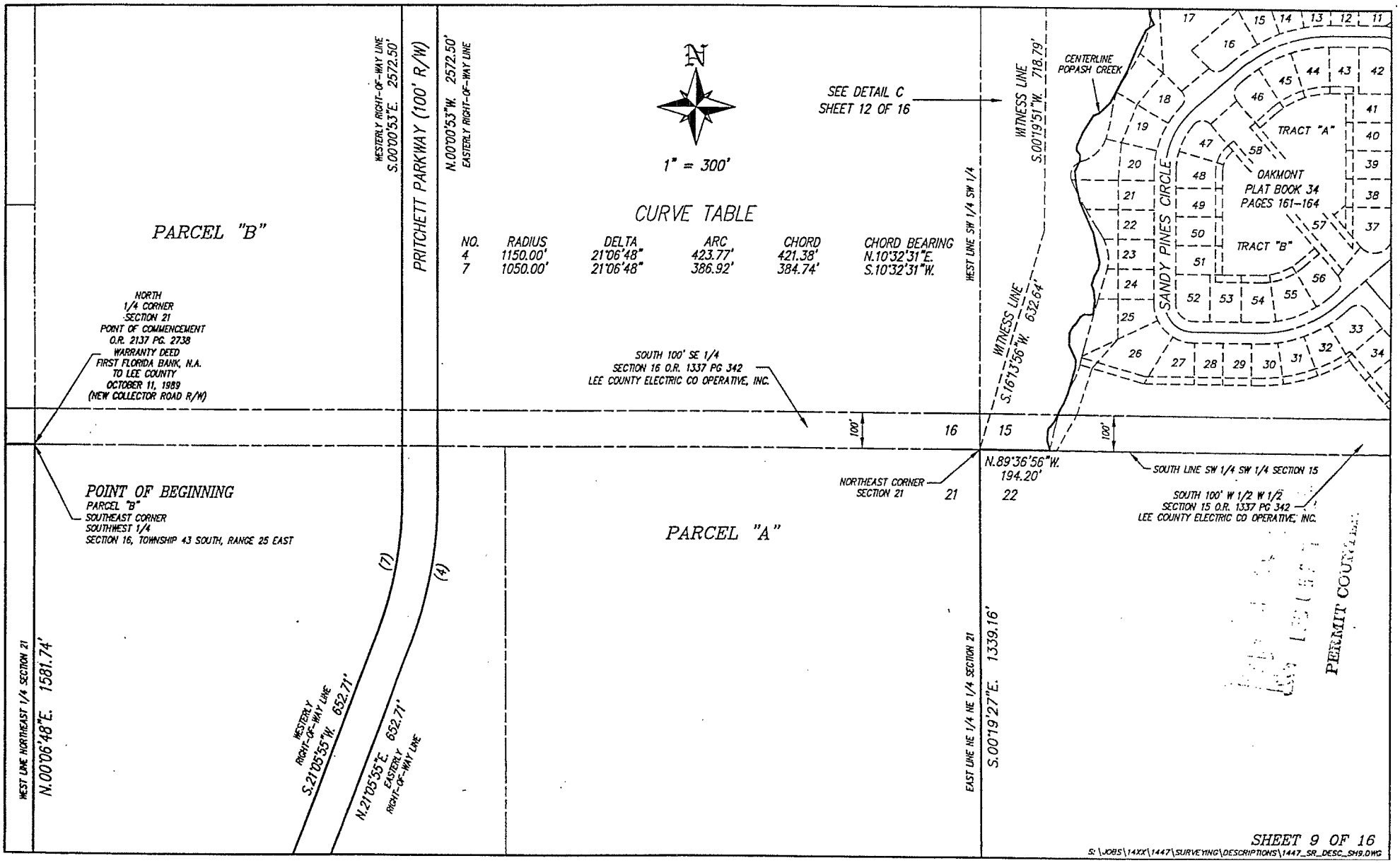
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SECTION 16
SECTION LINE
SECTION 15
EAST 20' OF SW 1/4 OF NW 1/4 SECTION 15
O.R. 2595 PG. 0807
NON-EXCLUSIVE SEWER LINE EASEMENT
996.41'
SOUTHEAST CORNER W 1/2 NW 1/4 SECTION 15
QUARTER SECTION LINE
EAST 1/4 CORNER SECTION 16
WEST 20' OF THE EAST 50' OF NW 1/4 OF SW 1/4 SECTION 15
OR. 1488 PG. 1935
PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES
PARCEL "A"
CENTERLINE POPASH CREEK
S.00°00'40"E. 1328.46'
EAST LINE NW 1/4 SW 1/4
QUARTER SECTION LINE
SOUTH 16' OF THE EAST 160' OF NW 1/4 OF SW 1/4 SECTION 15
OR. 1488 PG. 1935
PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES
EAST 30' OF NW 1/4 OF SW 1/4 SECTION 15
OR. 1488 PG. 1935
PERPETUAL EASEMENT FOR MAINTENANCE OF UTILITY LINES
SOUTH LINE NW 1/4 SW 1/4 SECTION 15
N.89°40'00"W.
181.42'
291.90'
N.89°40'00"W. 868.51'
NORTHEAST CORNER OAKMONT
SOUTHEAST CORNER NW 1/4 SW 1/4 SECTION 15
WITNESS LINE S.00°19'51"W. 718.79'
CENTERLINE POPASH CREEK
17
16
15
14
13
12
11
10
45
44
43
42
9
SEE DETAIL C
SHEET 12 OF 16
SHEET 7 OF 16
N
1" = 300'
PERMIT CORRECTION
DCT 2001-00038
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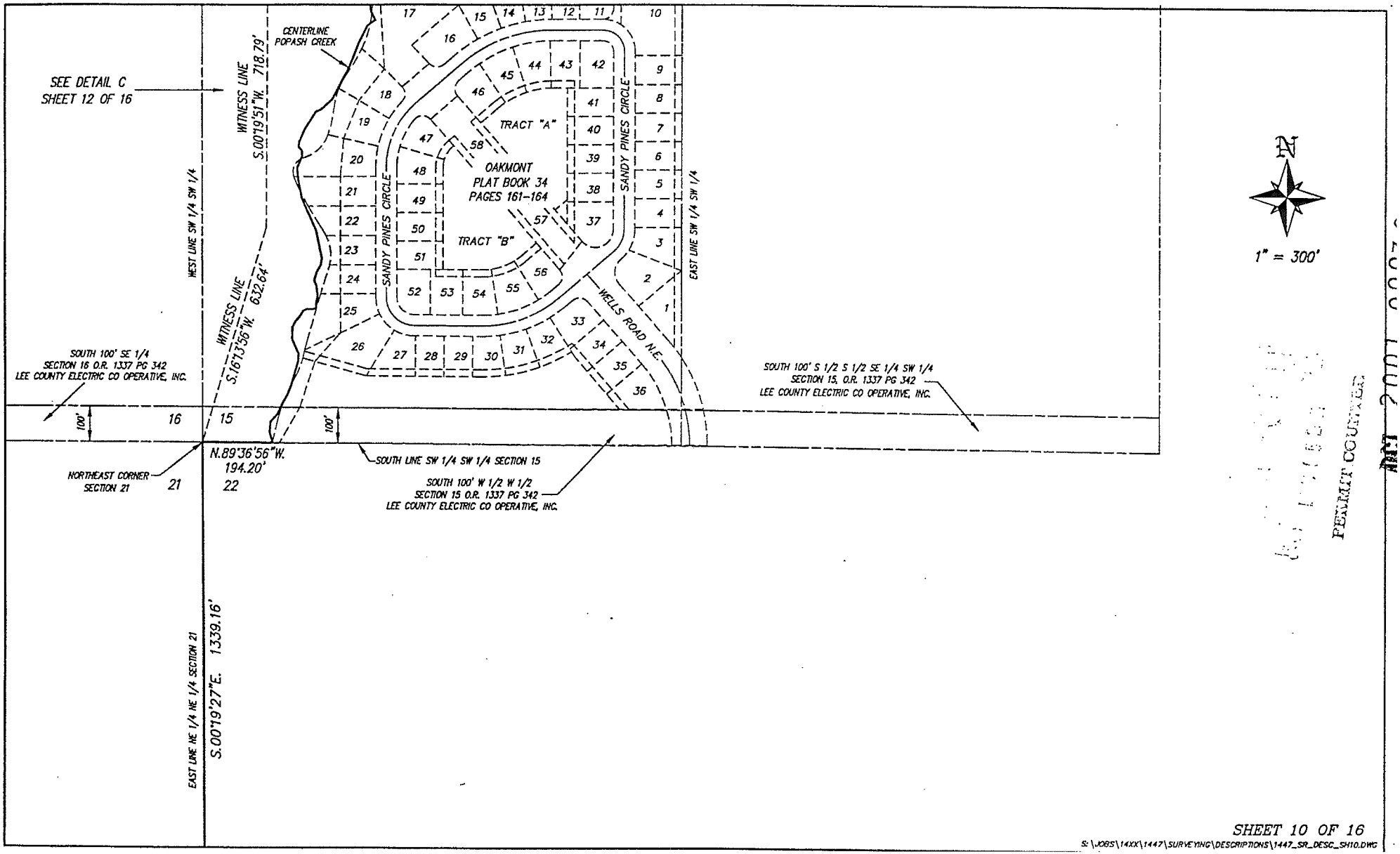
SHEET 8 OF 16

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SHEET 9 OF 16

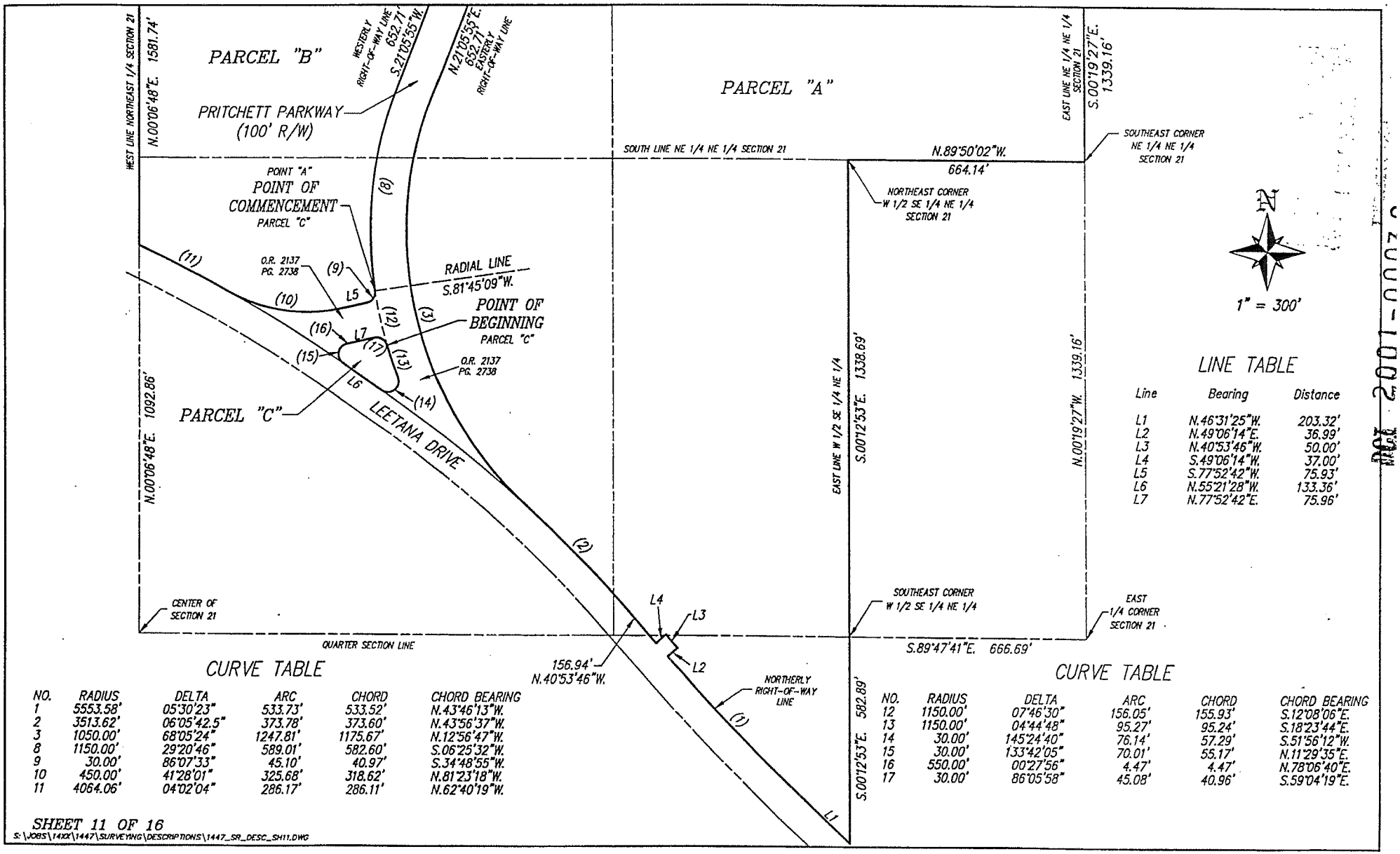
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PERMIT COUNTER

SHEET 10 OF 16

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LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

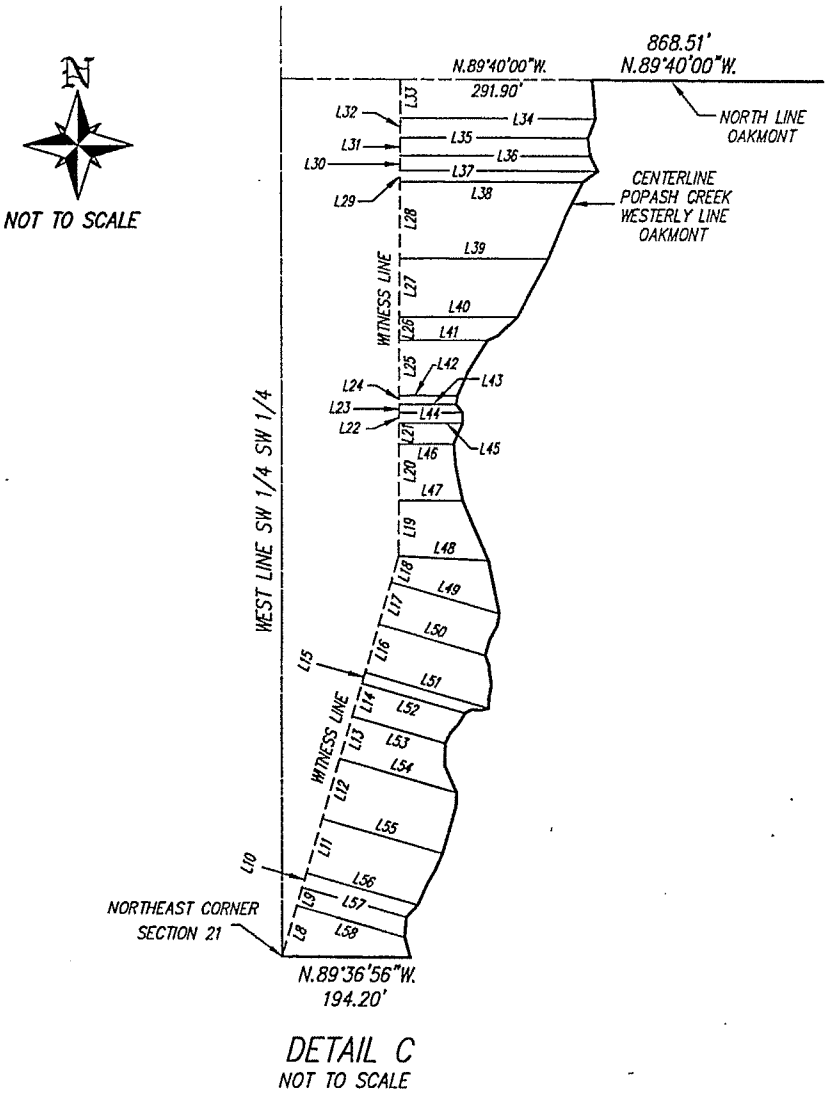
NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

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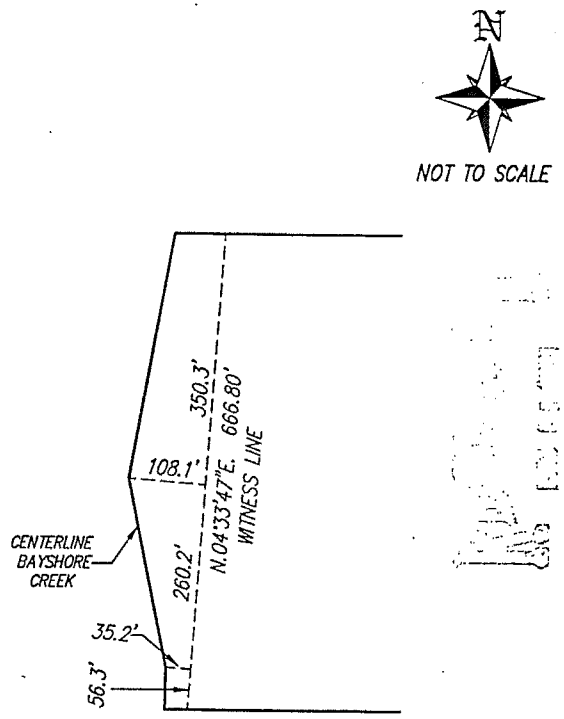


DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET



DETAIL B
NOT TO SCALE

PERMIT COUNTER

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Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING.**

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

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

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

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S:\Jobs\14xx\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SH1-SH12.dwg

Applicant's Legal Checked
by 11/26/02

ZONING MAP

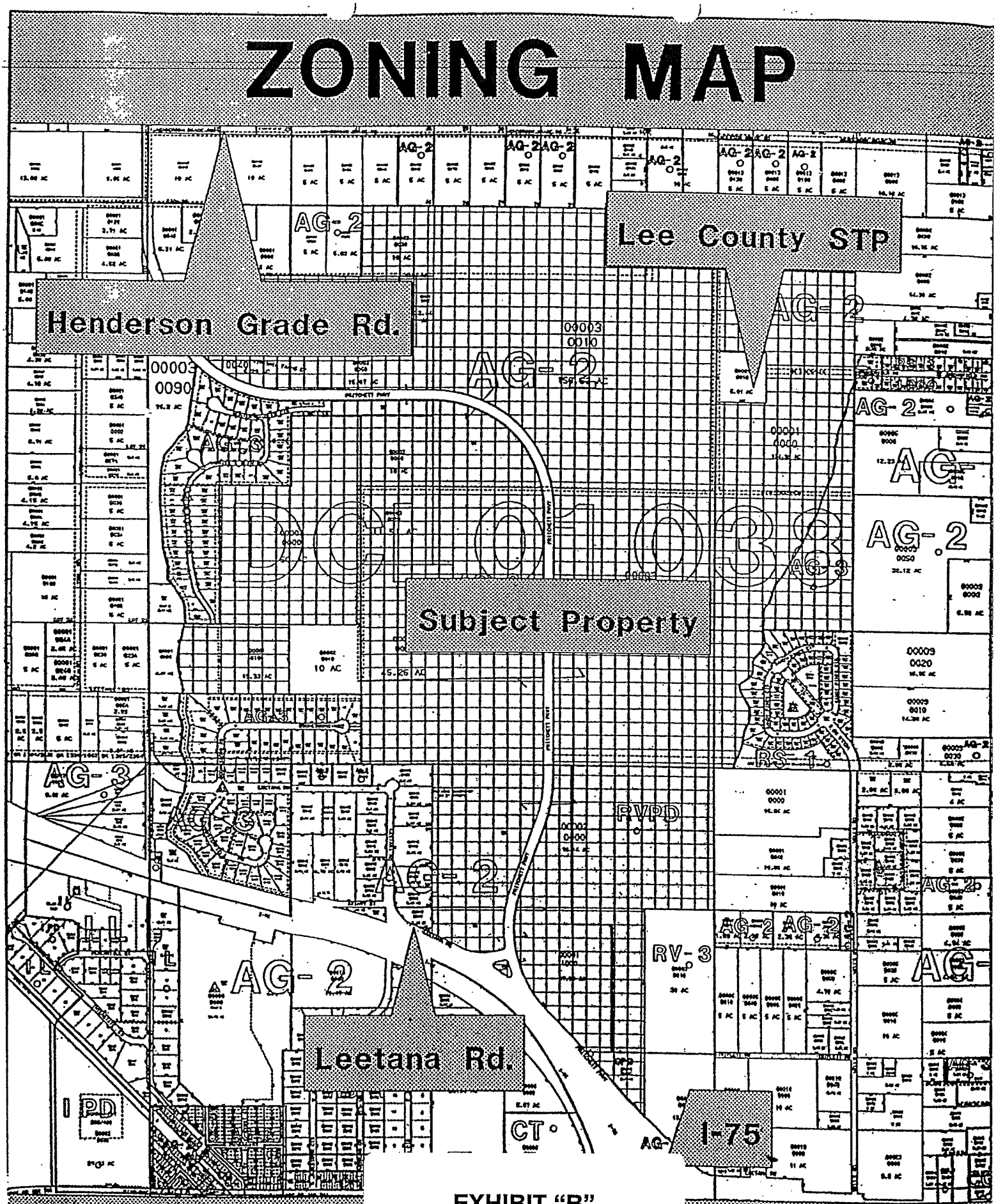
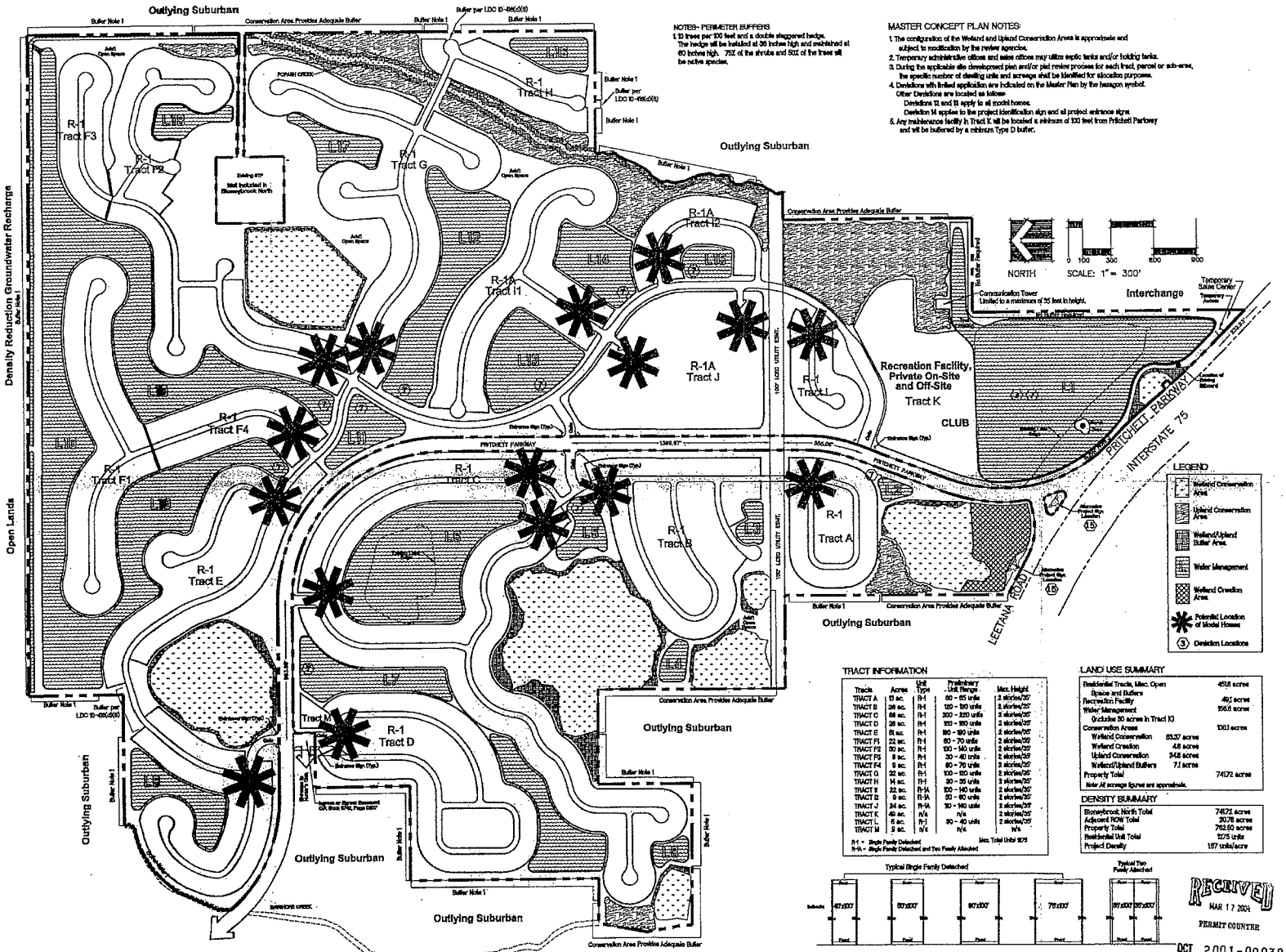


EXHIBIT "B"



WilsonMiller

Planners • Engineers • Landscape Architects • Surveyors • Transportation Consultants

WilsonMiller, Inc.
Naples • Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee
4571 Colonial Boulevard, Fort Myers, FL 33966-1012
Phone: (239) 275-3600 Fax: (239) 278-7078
Email: FortMyers@WilsonMiller.com • Web Site: www.WilsonMiller.com

STONEYBROOK NORTH

MASTER CONCEPT PLAN

PREPARED FOR: US HOME CORPORATION

EXHIBIT "C"

APPROVED
Master Concept Plan
STRAP No.: Z-02-070 Page 1 of 1
Subject to conditions in Resolution Z-02-070
Case #: DCI2001-00038

PRINTED
MAR 17 2004
WILSONMILLER, INC.
4571 Colonial Boulevard
Ft. Myers, Florida 33913

SEC 13 TWP 43S RGE 25E
Designed by:
Drawn by: S.W.F./1078
Checked by:
Approved by:
Date: March 10, 2004
Scale: 1" = 300'
PIN: 03642-000-000 PZPSR
File #: D-3642-02
Sheet 1 of 1

UNIVERSITY OF FLORIDA

Horticulture

LEE COUNTY EXTENSION SERVICE

TRANSPLANTING SABAL PALMS
Step-by-Step Instructions

Lee 8/2000A

Stephen H. Brown
Lee County Horticulture Agent

Rick Joyce
Deputy Director, Lee County Planning Division

Introduction

The native cabbage or sabal palm (*Sabal palmetto)* is the official state tree of Florida and is a prominent feature in Florida's landscape. The palm is highly adaptive, tough, tolerant of a wide range of soils, and is hurricane resistant. When planted six to ten feet on center, sabal palms provide desirable shade. Sabal palms, including large-sized palms, can be transplanted with high success if a few simple precautions are taken. This fact sheet provides specific proven techniques to increase the success of sabal palm transplanting.

Step-by-Step Transplant Instructions

1. Use gasoline powered tree spade or heavy steel shanked digging spade with a clean well-honed cutting edge to dig the largest possible root ball. Usually to 18 inches from the edge of the trunk.
2. Remove the palm from ground. Take care not to damage the hidden bud located within the center of the canopy.
3. Using clean sharp hand spades, trim the root ball into circular shape 13 to 16 inches from the outer edge of the trunk.
4. Two methods of pruning fronds for landscape transplant (select one):
   a. Remove oldest (brown) fronds. Tie the remaining fronds tightly together with a biodegradable twine. Do not disturb the bud.
   b. Remove all fronds otherwise known as "hurricane" or "cigar cut." This recommended pruning technique gives the highest rate of establishment but must be carefully done.
5. Secure the palm on a flat bed truck and transport it to the planting site. Make sure the center of the bud is well protected.
6. Keep the root ball moist between removal and installation.
7. Prepare planting hole 1-2 times the diameter of the trunk but at the same depth as the root ball.
8. Back-fill the planting hole with the same soil that had been removed. There is no need to amend the planting hole, but if it is amended, use a fill similar to that of the planting hole. The amendment should not exceed 25 percent by volume of the soil removed from the hole.
9. Carefully set the palm into the planting hole. Make sure it is planted the same depth as it was in the field. Planting too deeply will cause root suffocation and lead to nutritional deficiencies, root rot, and frequently the death of the palm.
10. Secure and stake the palm as illustrated in the diagram. DO NOT DRIVE NAILS DIRECTLY INTO THE PALM.

(Continued on the back.)

The Extension Service is part of a publicly funded statewide educational network that provides information and scientific knowledge to area residents, businesses and government leaders. The University of Florida, Extension Service offers the latest research and technology in more than 200 subjects related to horticulture, energy/conservation, agriculture, youth development and family and consumer sciences. Last year, the Lee County Extension Service provided assistance to more than 70,000 people and provided 463 classes and workshops on everything from family financial planning to pesticide training.

The Lee County Extension Service is an Equal Employment Opportunity - Affirmative Action Employer that provides research, educational information and other services without regard to race, color, sex, age, handicap or national origin.

11. Establish a water-retaining ring around the palm three feet from the trunk. The ring should slope gently toward the trunk.

12. Fill the ring with mulch to a depth of three inches. Keep the mulch at least three inches away from the trunk.

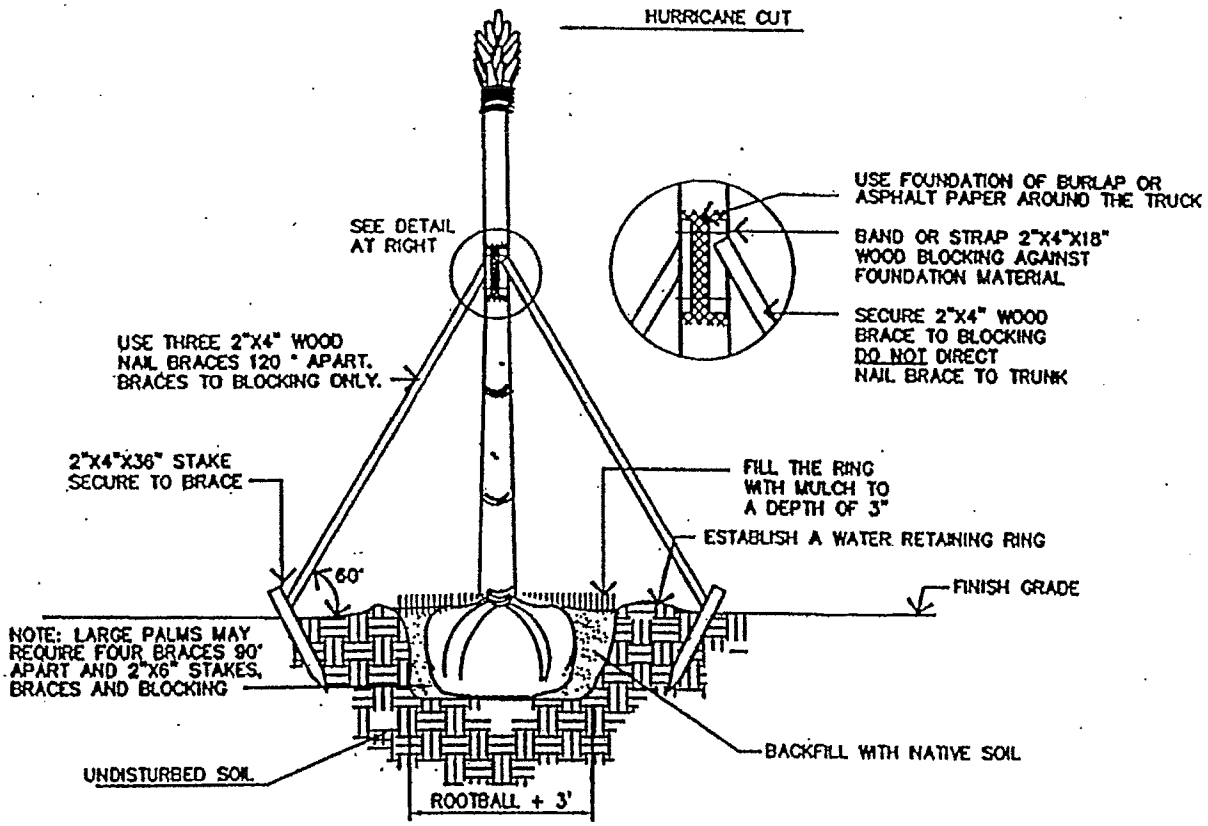
13. Irrigation:
    a. Palms with fronds remaining: Fill the ring with 50 gallons of water three times weekly.
    b. Palms with hurricane cut: Fill the ring with 20 to 25 gallons of water three times weekly.

14. In both cases, after four weeks, reduce irrigation to twice weekly. Water twice weekly for four weeks, and then reduce irrigation to once weekly for an additional four weeks. Twelve weeks after planting, cease irrigation if the palm appears healthy. However, during drought, water once a week for up to two years. For each inch of rain, skip one scheduled irrigation treatment.

15. As soon as new growth begins to appear, loosen tied fronds. This will happen between 3-6 months after transplanting, depending on the time of year and the health of the palm.

16. Begin fertilization after new growth begins. Fertilize three to four times per year with a 2-1-3-ratio fertilizer at a rate of one to two pounds per 100 square feet. For best results use a slow release formulation.

17. Remove staking and burlap or asphalt paper rap after successful palm establishment. Removal usually occurs approximately one year after palm installation.



PLANTING AND STAKING SABAL PALM

NOT TO SCALE

STONEYBROOK
NORTH
LITTORAL PLANTING EXHIBIT

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors

DCI 2001-00038

RECEIVED

APR 07 2001

COMMUNITY DEVELOPMENT

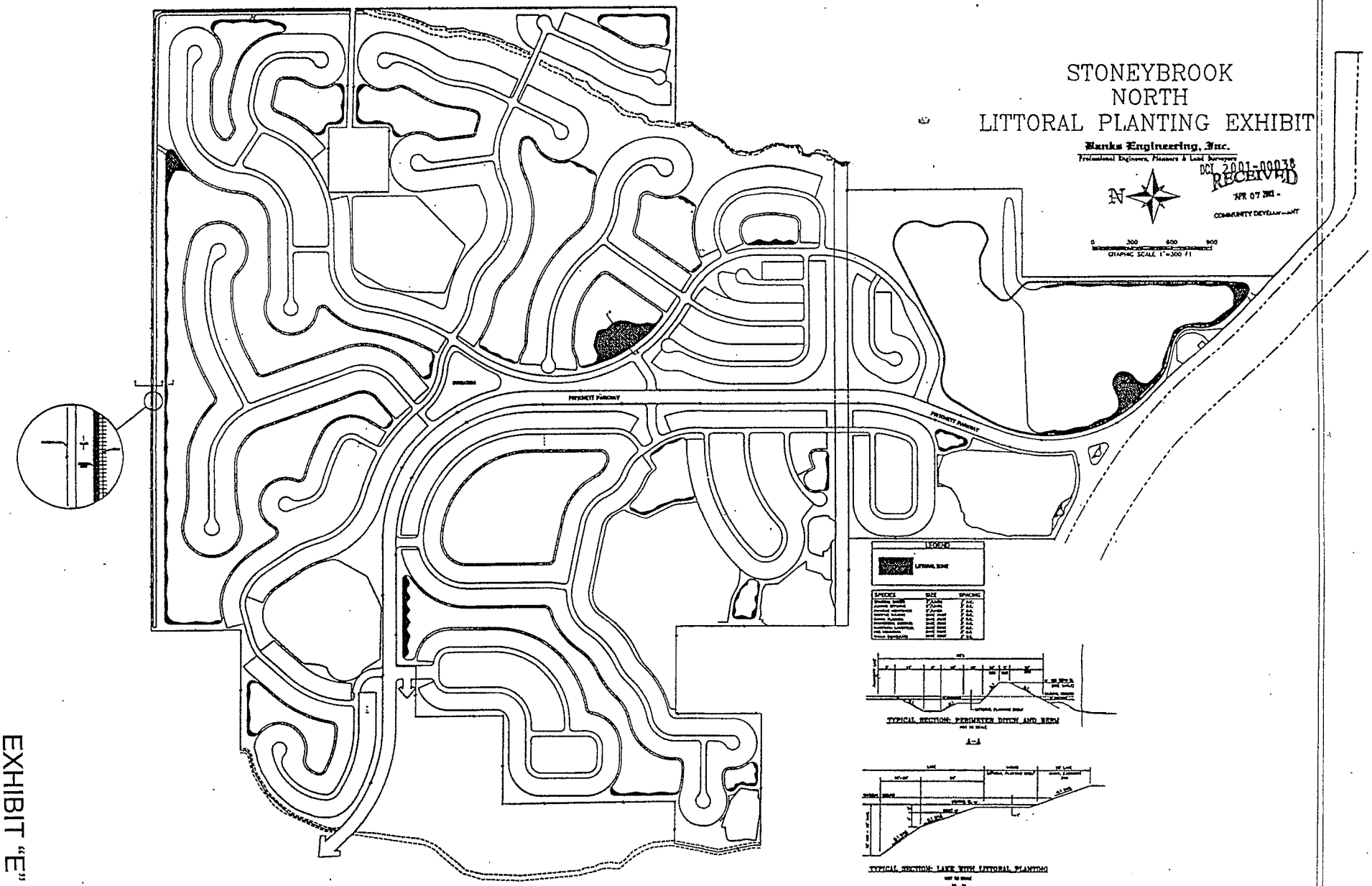
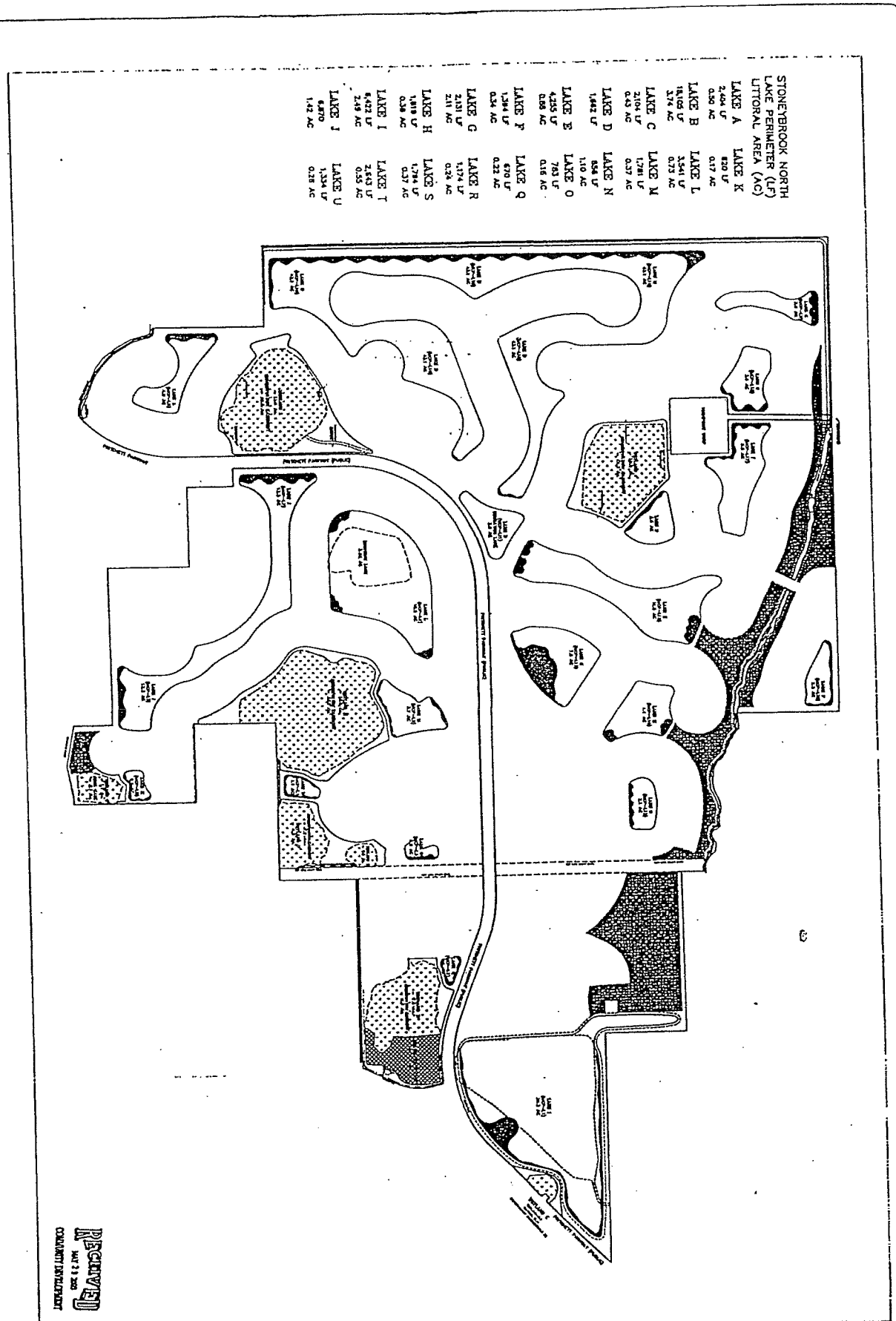


EXHIBIT "E"


STONEYBROOK NORTH
LAKE PERIMETER (LF)
LITTORAL AREA (AC)
LAKE A
2,404 LF
0.50 AC
LAKE B
19,106 LF
3.74 AC
LAKE C
2,104 LF
0.43 AC
LAKE D
1,662 LF
LAKE E
4,255 LF
0.88 AC
LAKE F
1,394 LF
0.34 AC
LAKE G
2,631 LF
2.11 AC
LAKE H
1,619 LF
0.58 AC
LAKE I
9,422 LF
2.49 AC
LAKE J
6,870
1.42 AC
LAKE K
830 LF
0.17 AC
LAKE L
3,541 LF
0.73 AC
LAKE M
1,781 LF
0.37 AC
LAKE N
856 LF
1.10 AC
LAKE O
783 LF
0.16 AC
LAKE Q
670 LF
0.22 AC
LAKE R
1,174 LF
0.24 AC
LAKE S
1,794 LF
0.37 AC
LAKE T
2,643 LF
0.55 AC
LAKE U
1,334 LF
0.28 AC
PLANTING AREA
LITTORAL PLANTING EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA
Bonks Engineering, Inc.
U.S HOME CORPORATION

LAKE ID	LINEAR FEET	PLANTS REQUIRED	LIT ZONE AC.	PLANTS PROPOSED at 3' O.C.
A	2,404	2,404	0.50	2,420
B	18,105	18,105	3.74	18,105
C	2,104	2,104	0.43	2,104
D	1,662	0*	0.00	0
E	4,255	4,255	0.88	4,259
F	1,394	1,394	0.34	1,646
G	2,131	2,131	2.11	10,212
H	1,819	1,819	0.38	1,839
I	6,422	6,422	2.49	12,052
J	6,870	6,870	1.42	6,873
K	820	820	0.17	823
L	3,541	3,541	0.73	3,541
M	1,781	1,781	0.37	1,791
N	856	856	1.10	5,324
O	783	783	0.16	783
Q	670	670	0.22	1,065
R	1,174	1,174	0.24	1,174
S	1,794	1,794	0.37	1,794
T	2,643	2,643	0.55	2,662
U	1,334	1,334	0.28	1,355
TOTALS	**62,562**	**60,900**	**16.48**	**79,821**

* Lake D is an irrigation lake that is not included in the stormwater management system. No littoral plantings are proposed for lake D.

RECEIVED
MAY 29 2003
COMMUNITY DEVELOPMENT

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APR 07 2003
COMMUNITY DEVELOPMENT

Stoneybrook North
(fka Heritage Creek)
April 2, 2003

DEVIATION LOCATIONS

The locations for the Deviations for Stoneybrook North with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 8, 12 and 13 apply to residential tracts.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 2

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low-level wetland vegetation along the aqua range's shoreline would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract D, Tract F1 and F2, Tract G, Tract H, Tract I-1, and Tract L. During the Development Order review process emergency access will be provided as deemed necessary.

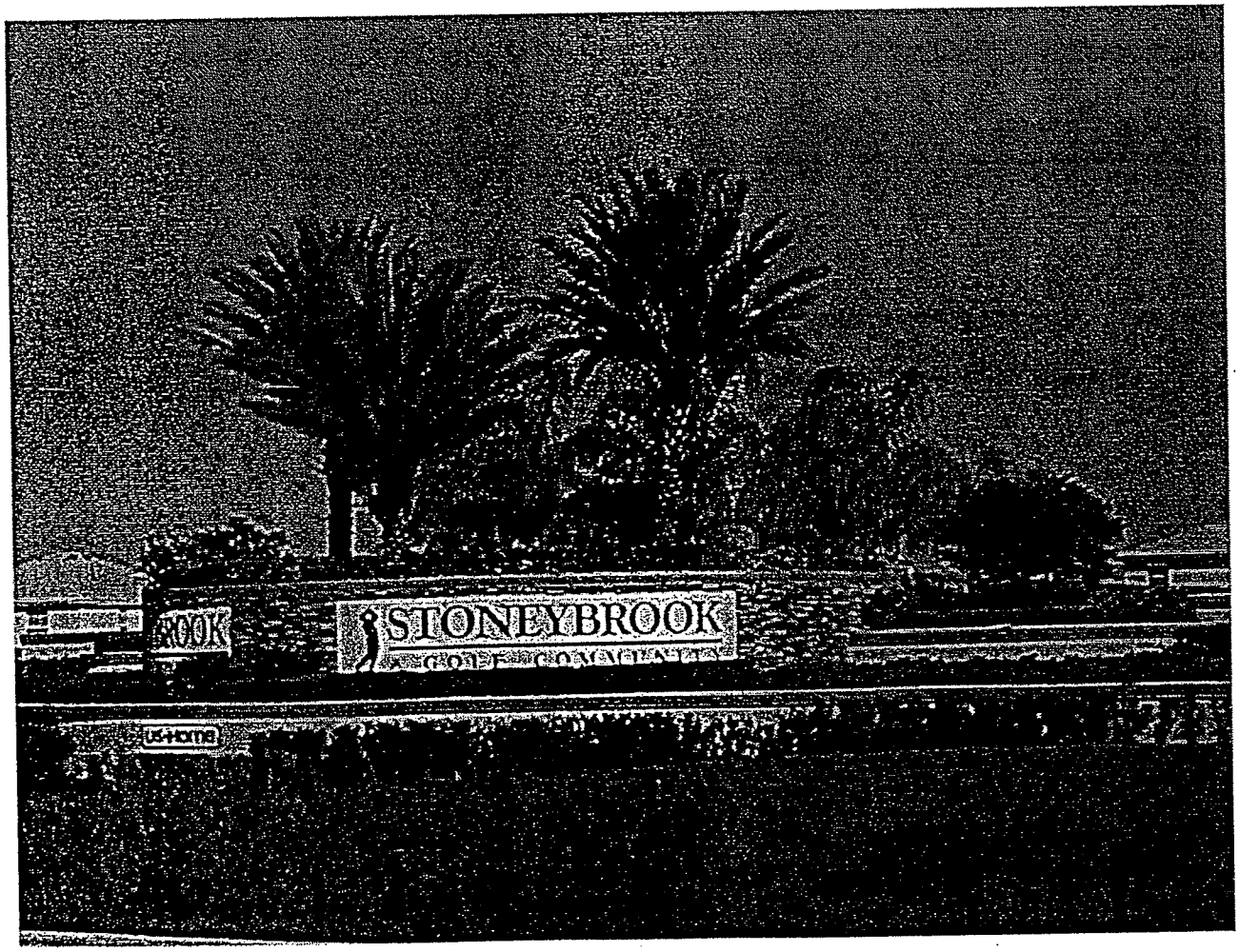
Justification

On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. Both the east and west side of the project also meet this requirement. The applicant has heard clearly from the surrounding property owners that connections to their roadways are not desirable and we have

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

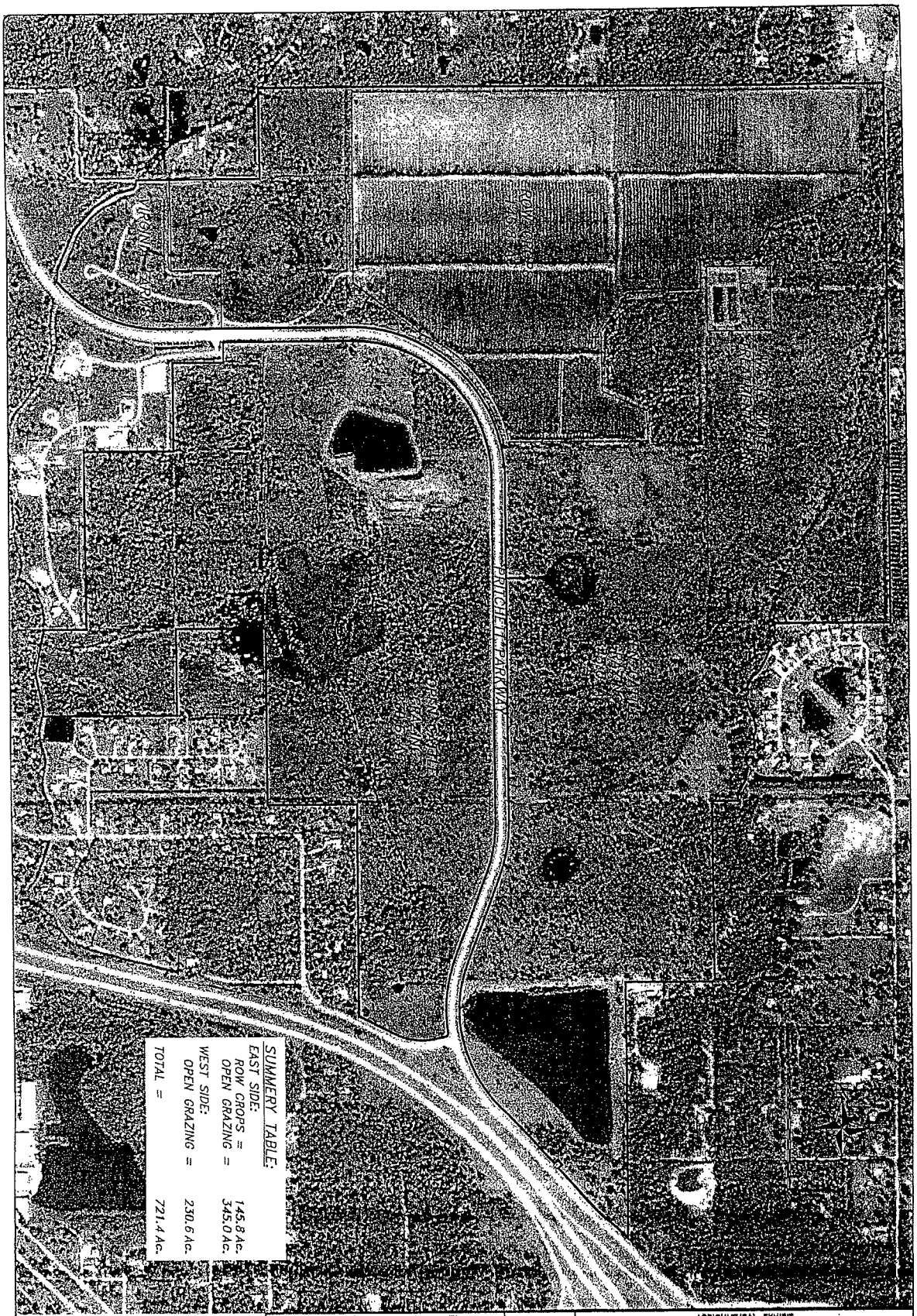
The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30



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Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA
10511 BIG CYPRESS PARKWAY, SUITE 101
FORT MYERS, FLORIDA 33913
PHONE: (239) 936-1302 FAX: (239) 936-2023
ENGINEERING LICENSE # EB 6468
SURVEY LICENSE # LB 6690

AGRICULTURAL EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
06-14-2003	1447Ag	Exhbit	CMD	CMD		1"=300'	1	1	12-43 LS1E&S1

APPLICANT'S EXHIBIT
Zoning Hearing 9-8

Exhibit "H" - Sheet One of One

ATTACHMENT I

ADMINISTRATIVE AMENDMENT (PD) ADD2013-00083

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, North Brook Holdings, LLC filed an application for administrative approval to a Residential Planned Development, RPD on a project known as Stoneybrook North to be allowed to reconfigure the development tracts and add two more vehicular connections to Pritchett Parkway.

WHEREAS, the property is located at 9100 Sedgefield Rd North Fort Myers, 33917, and Pritchett Parkway, North Fort Myers, described more particularly as:

LEGAL DESCRIPTION: In Section 15, Township 43 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution Number Z-02-070 (with no subsequent amendments); and

WHEREAS, the subject property is located in the Sub-Outlying Suburban and Wetlands Future Land Use Categories as designated by the Lee County Comprehensive Plan (Lee Plan); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development, RPD to to allow to reconfigure the development tracts and add two more vehicular connections to Pritchett Parkway is **APPROVED, subject to the following conditions:**

1. **All terms and conditions of Zoning Resolution Z-02-070 remain in full force and effect, except as amended herein.**

2. **Condition 1 of Resolution Z-02-070 is hereby amended to adopt a new Master Concept Plan. The Development must be in compliance with the amended one-page Master Concept Plan Stoneybrook North, one-page Stoneybrook North Littoral Planting Exhibit (EXHIBIT "E"), and one-page Littoral Planting Exhibit "F" Stoneybrook North attached to this action.**

3. Condition 2.a. of Resolution Z-02-070 is hereby amended as follows:

a. Schedule of Uses
Administrative Offices
Agriculture - SUBJECT TO Condition 24
Accessory uses and structures
Club, Private (Limited to Tract ~~K~~ L)
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Rental or leasing establishment, Group I - limited to bicycles, tennis rackets and other small equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower - limited to one on the north side of Tract ~~K~~ L and limited to a maximum of 35 feet in height
Dwelling Unit - limited to a maximum of 1,275 units consisting of:
Conventional Single-family Residence
(May be constructed on all R-1 ~~and R-1A~~ residential tracts)
See Note 1.
Two-family attached (Limited to Tracts ~~I-1, I-2 &~~ J and K)
See Note 1.
Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts ~~F-1 and F-3~~ F and G, must be no less than 7,500 square feet in area within 500 feet of the northern boundary.
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited to Tract ~~K~~ L and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts ~~I-1, I-2 and~~ J and K).

Condition 2.b. is amended to delete two-family attached from the Table for the Site Development Regulations.

4. **Condition 4 of Resolution Z-02-070 is hereby amended:**

   The Tract ~~M~~ L recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5. **Condition 14 of Resolution Z-02-070 is hereby amended:**

   14. **Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," ~~stamped "Received Apr 07 2003 Community Development," and~~ attached as Exhibit C (named as Littoral Planting Exhibit (EXHIBIT "E").**

       All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Exhibit, Stoneybrook North" ~~and accompanying table stamped "Received May 29 2003 Community Development," and~~ attached as Exhibit C (named as Littoral Planting Exhibit "F" Stoneybrook North). The planting area along the northern ditch expansion must also provide native wetland plants installed three-feet on center.

6. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

DULY PASSED AND ADOPTED ON 11/13/2014

BY: Pam Houck

Electronically Signed by
Pam Houck, Director
Division of Zoning
Department of Community Development

EXHIBITS:
A. Sketch and Legal Description
B. Revised Master Concept Plan
C. Littoral Planting Exhibit (EXHIBIT "E") and Littoral Planting Exhibit "F" Stoneybrook North

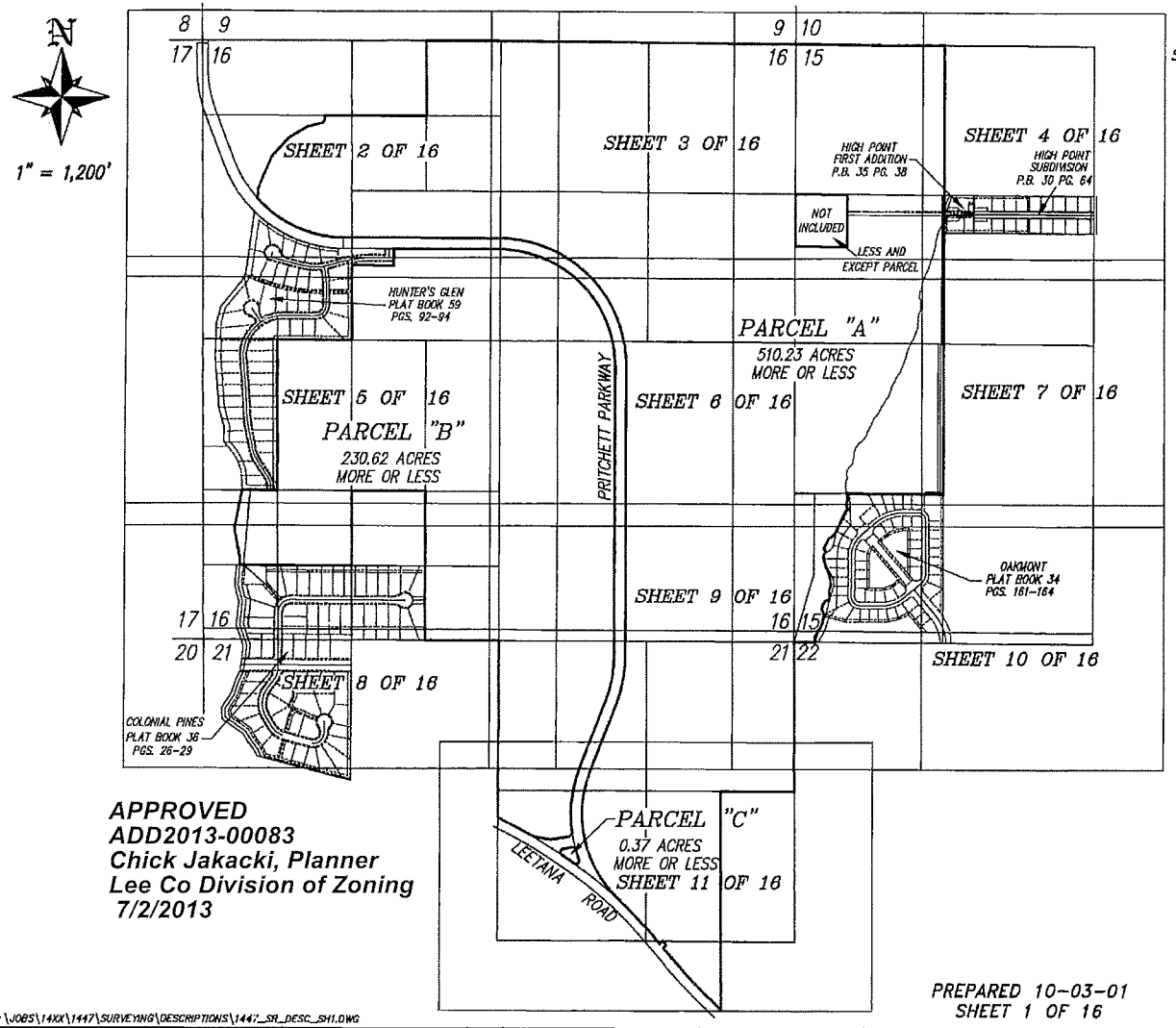
EXHIBIT "A"

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



APPROVED
ADD2013-00083
Chick Jakacki, Planner
Lee Co Division of Zoning
7/2/2013

LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

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

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

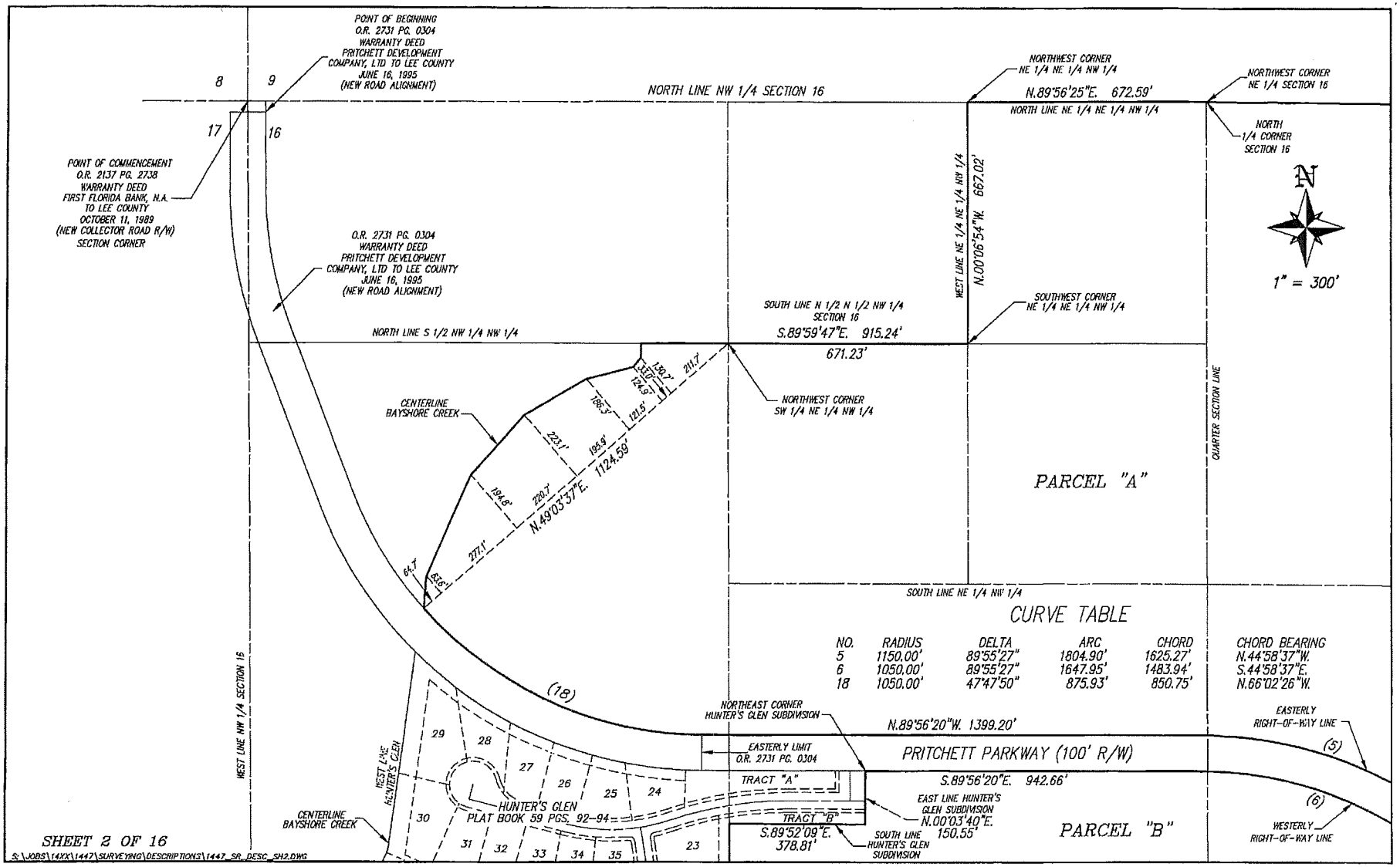
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

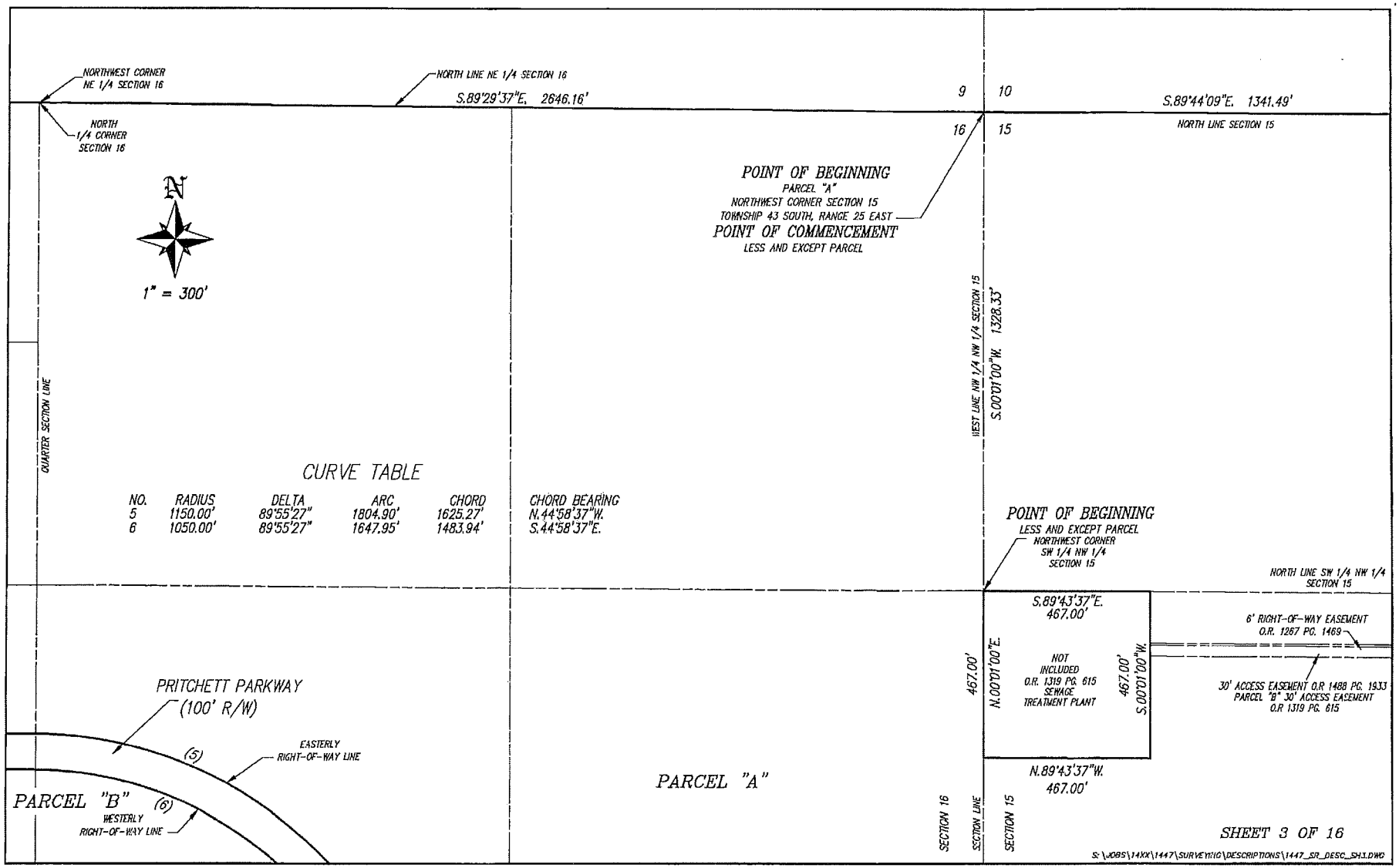
PREPARED 10-03-01
SHEET 1 OF 16

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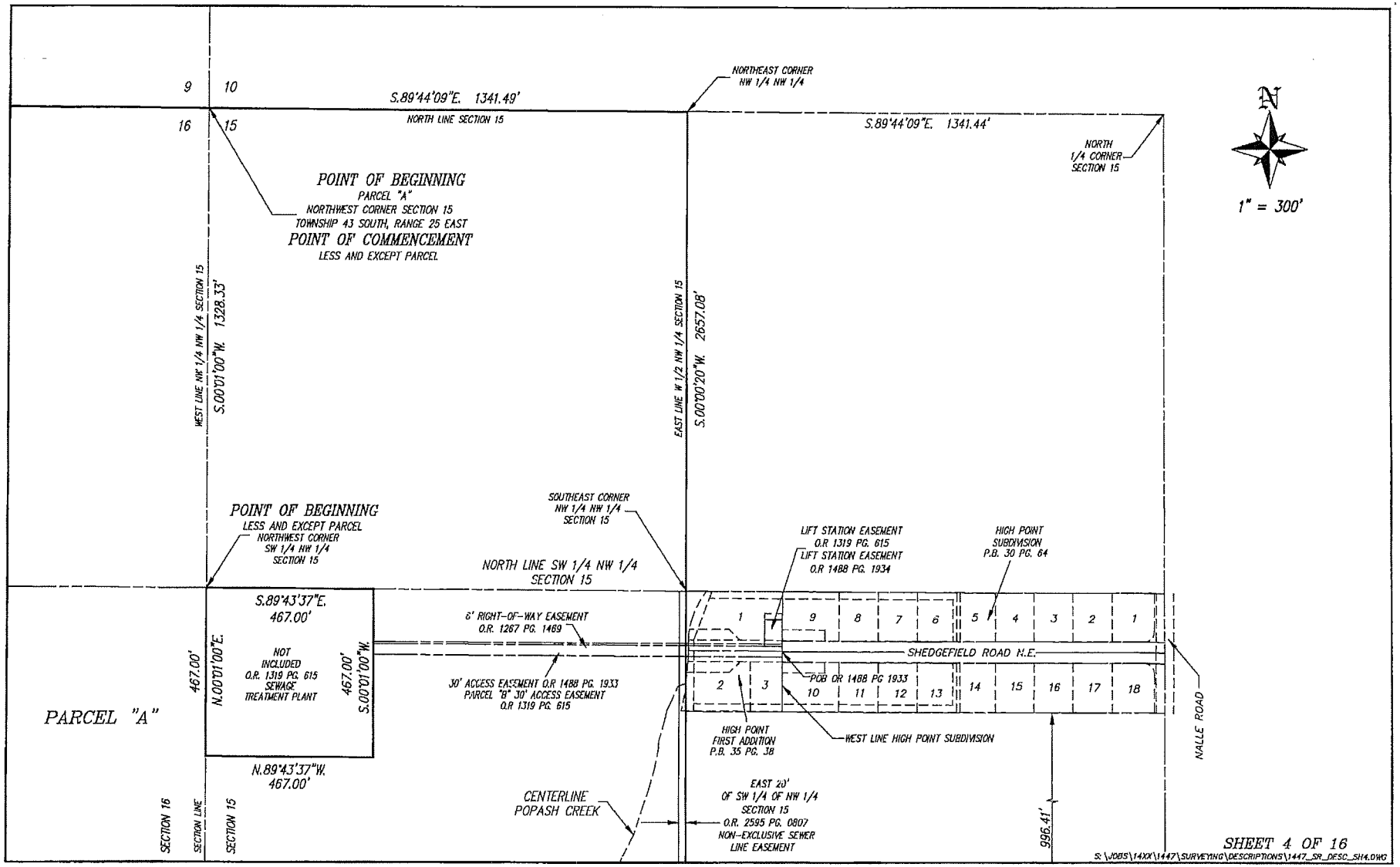
ADD2013-00083 Lee County ePlan



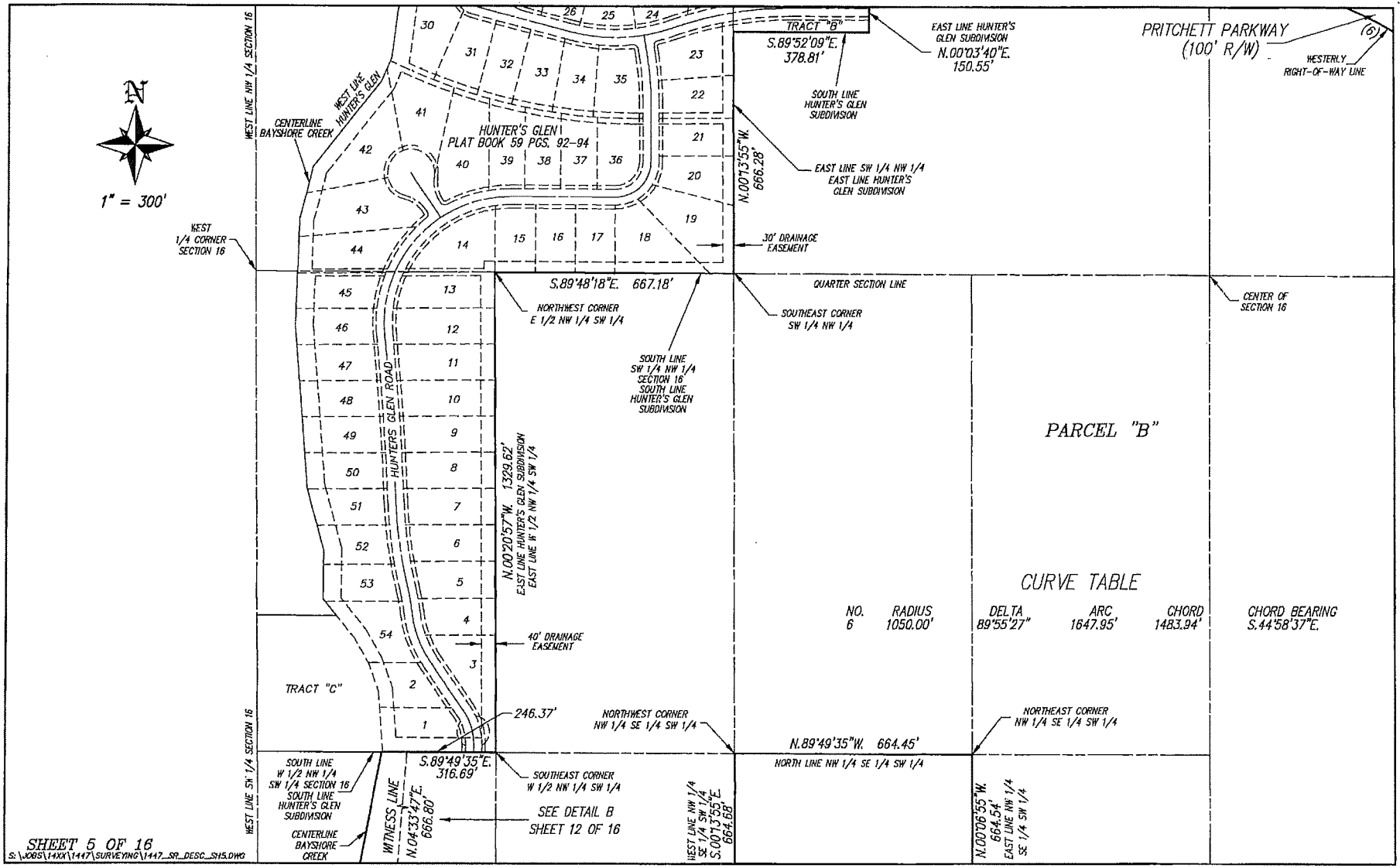
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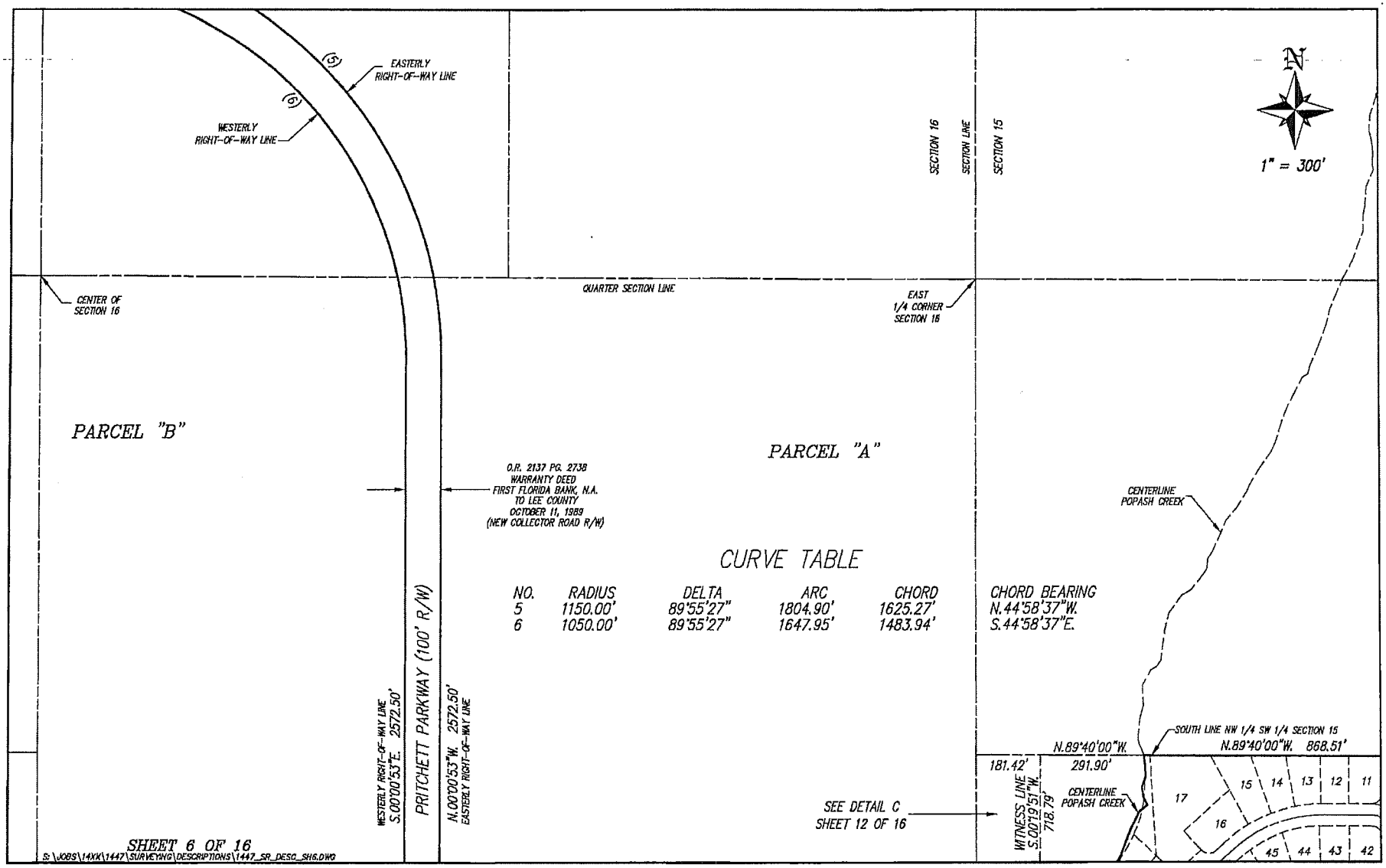
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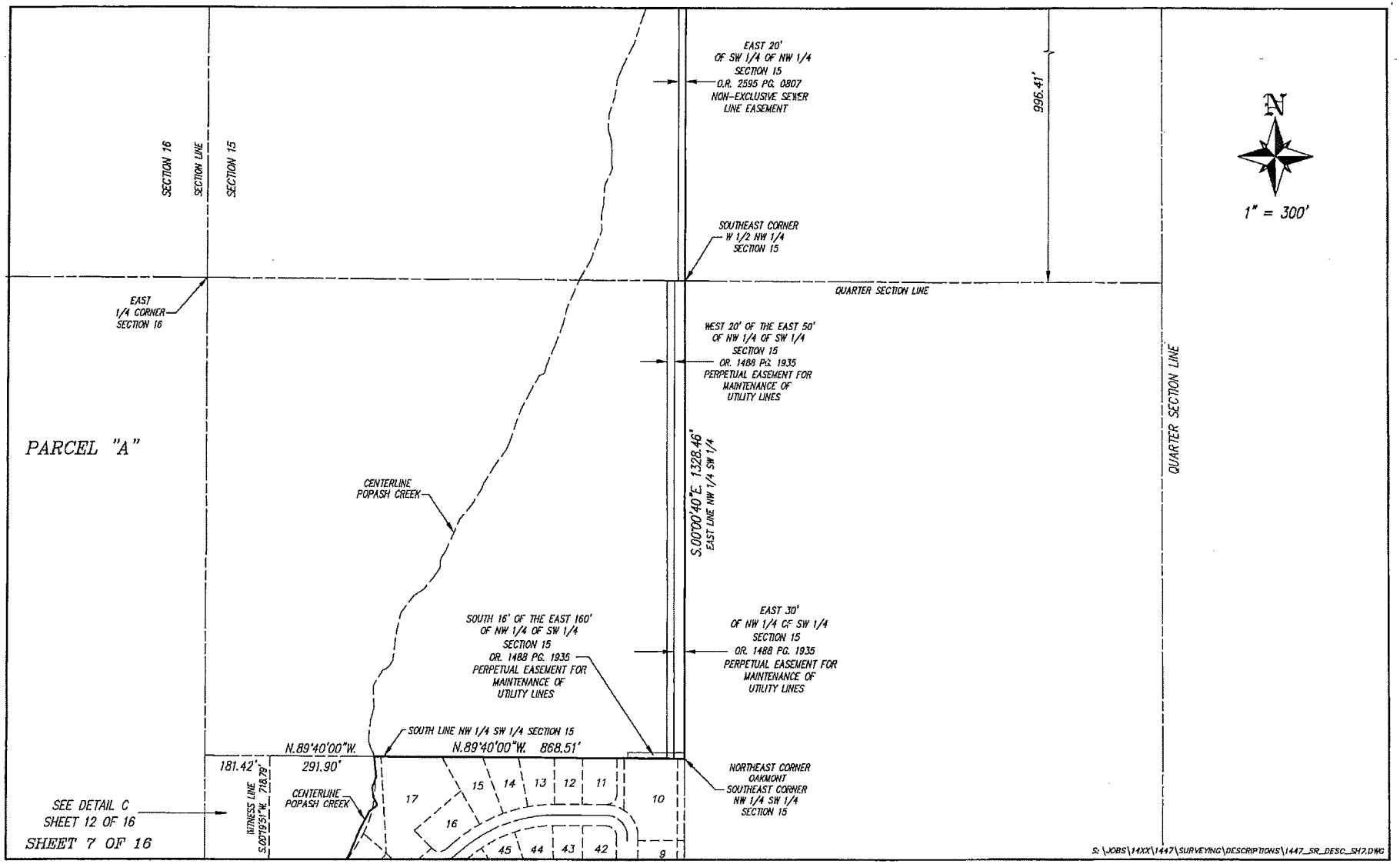
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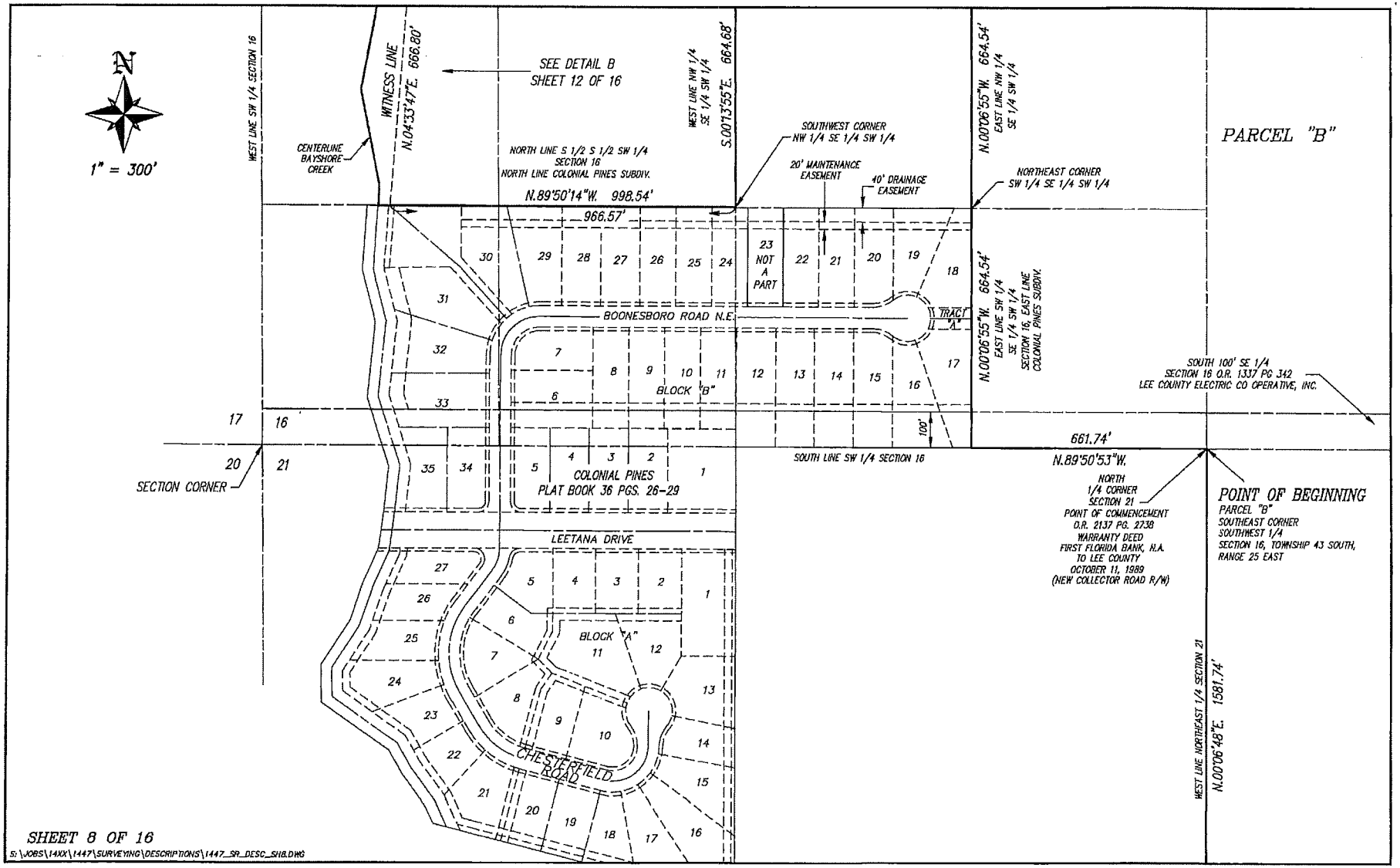
SHEET 6 OF 16

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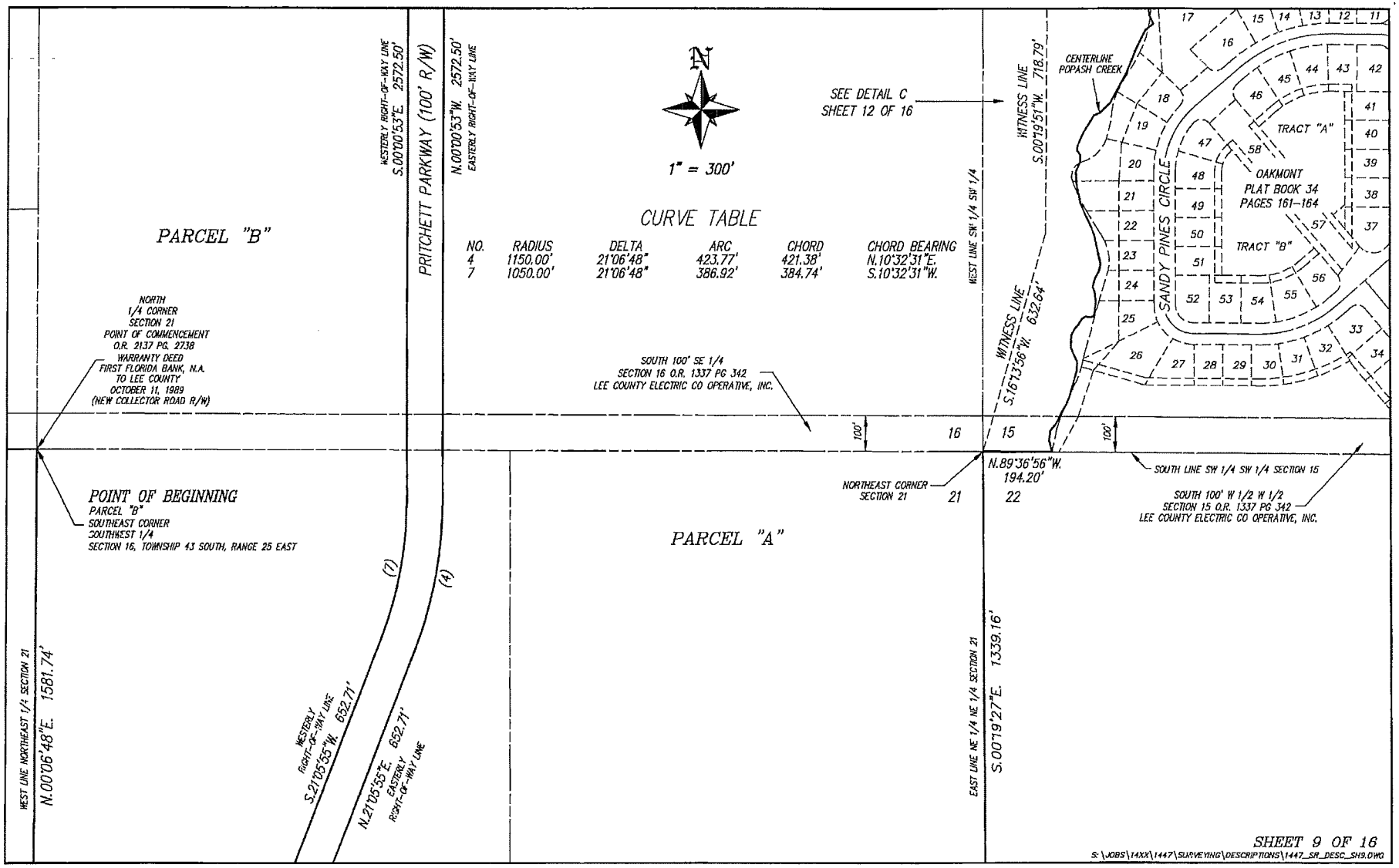
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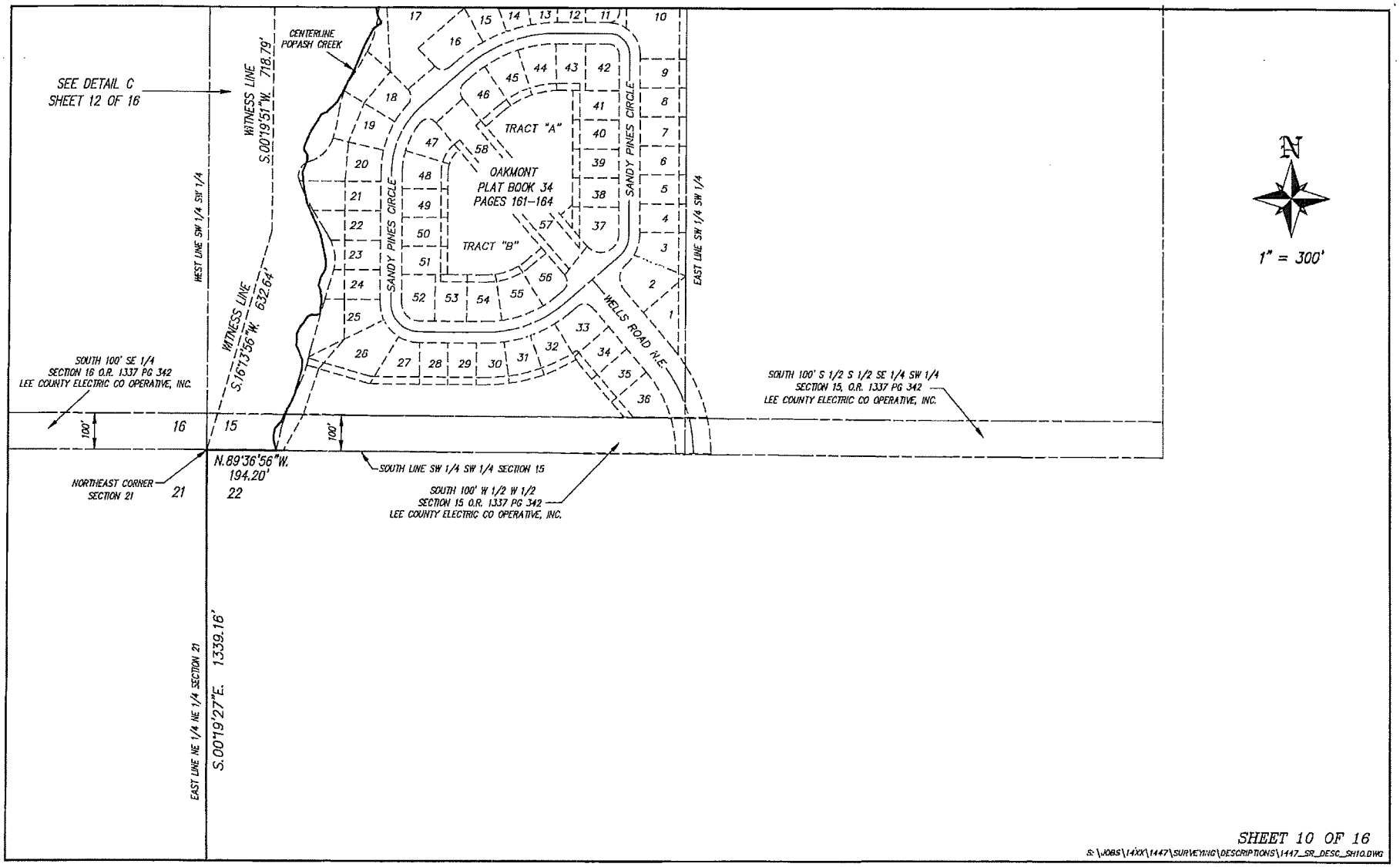
ADD2013-00083 Lee County ePlan



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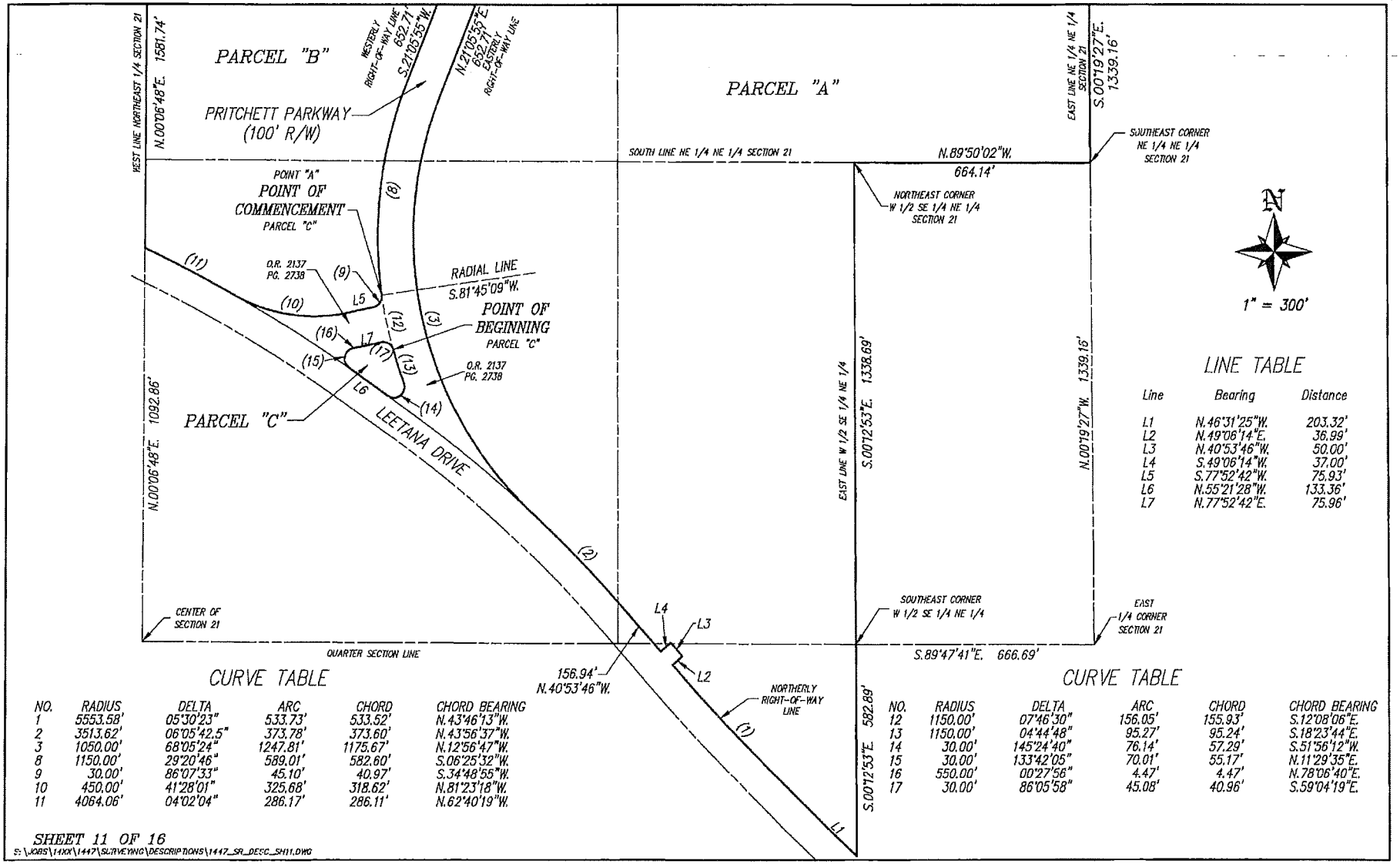
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SHEET 10 OF 16

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ADD2013-00083 Lee County ePlan



LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

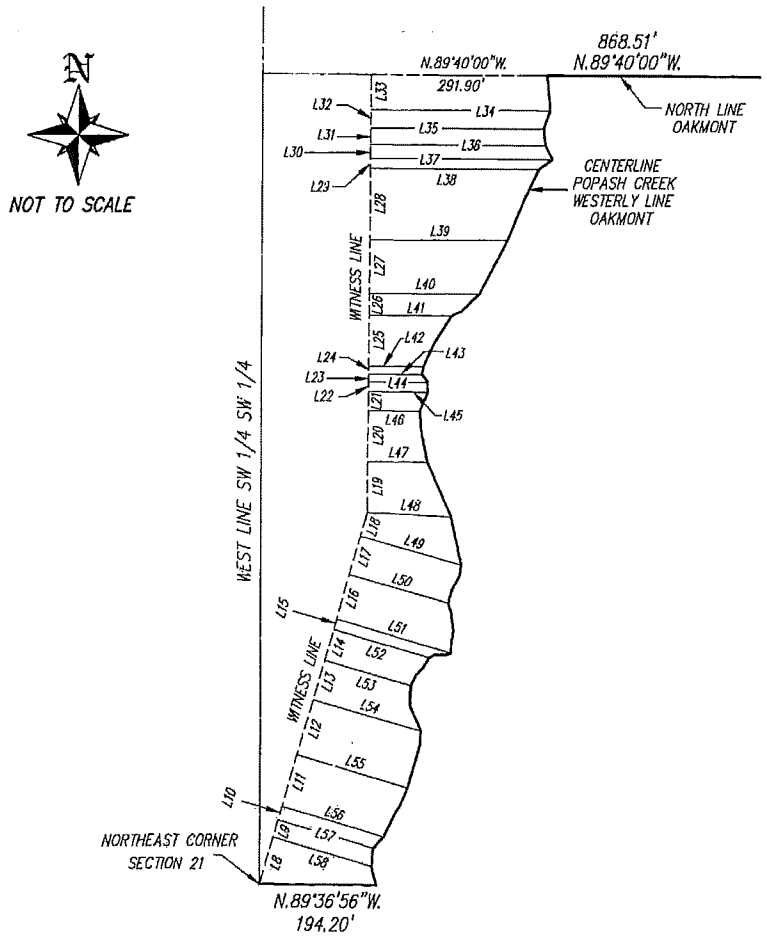
CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

SHEET 11 OF 16

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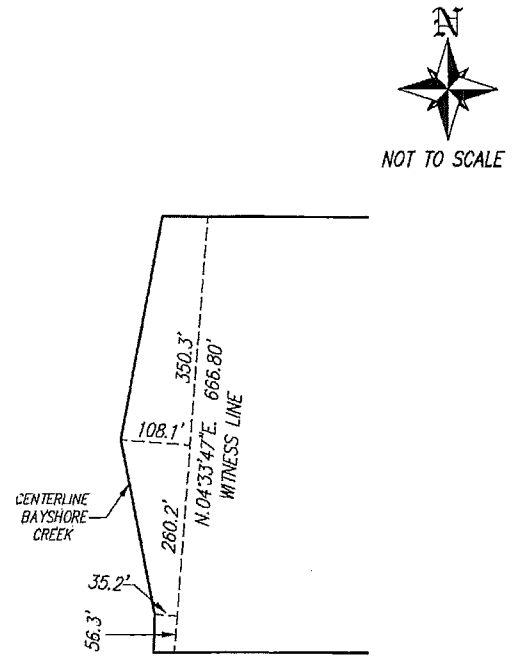
ADD2013-00083 Lee County ePlan



LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET



DETAIL B
NOT TO SCALE

SHEET 12 OF 16

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ADD2013-00083 Lee County ePlan

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 333912 • (941) 939-5490 • Fax (941) 939-2923

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

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CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING;** THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

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SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING.**

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

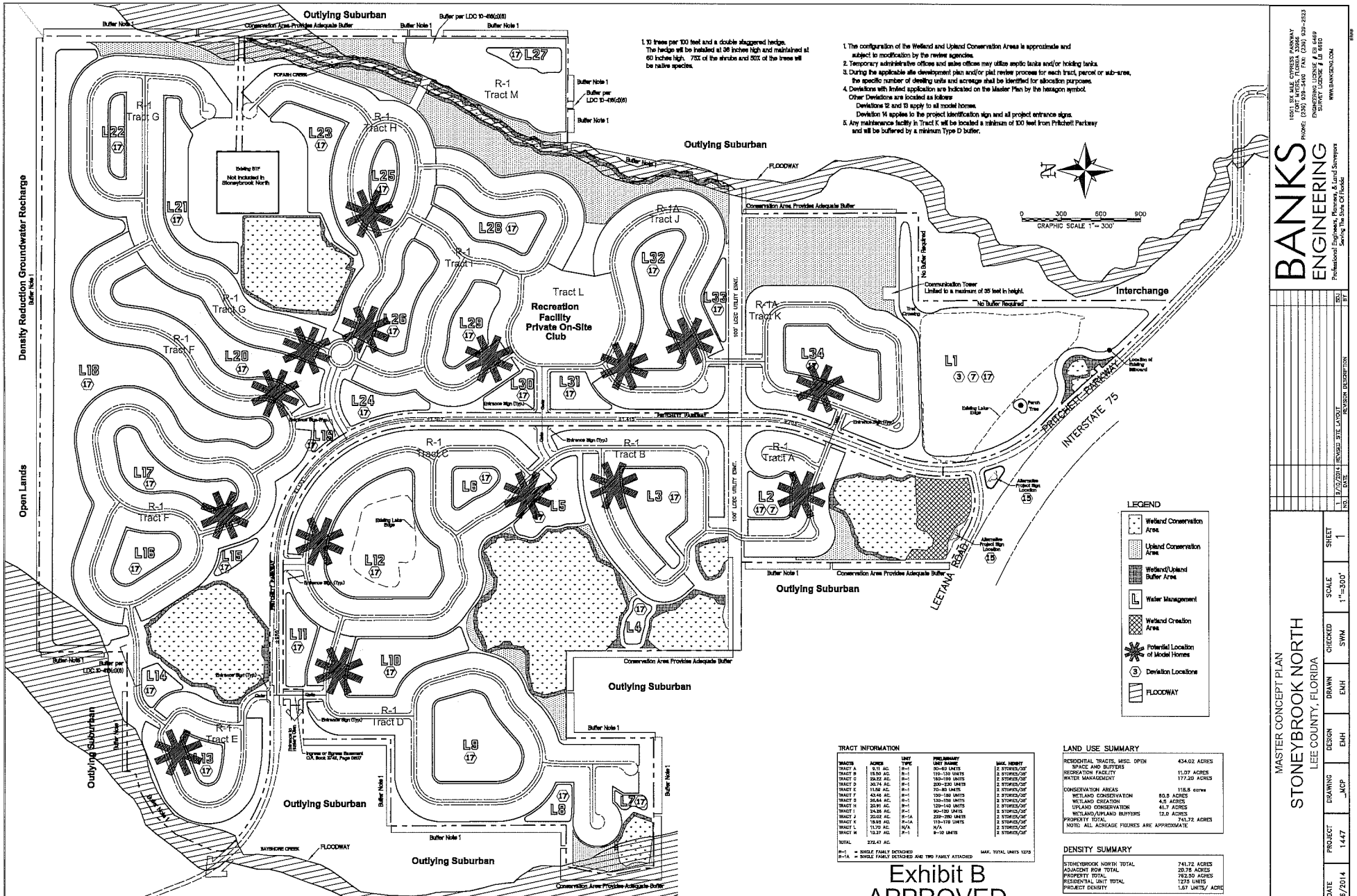
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

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ADD2013-00083 Lee County ePlan



TRACT INFORMATION

TRACTS	ACRES	UNIT TYPE	PRELIMINARY UNIT RANGE	MAX. HEIGHT
TRACT A	9.31 AC.	R-1	70-80 UNITS	2 STORIES/35'
TRACT B	15.00 AC.	R-1	110-130 UNITS	2 STORIES/35'
TRACT C	29.72 AC.	R-1	150-170 UNITS	2 STORIES/35'
TRACT D	30.74 AC.	R-1	200-230 UNITS	2 STORIES/35'
TRACT E	11.52 AC.	R-1	70-80 UNITS	2 STORIES/35'
TRACT F	43.46 AC.	R-1	120-150 UNITS	2 STORIES/35'
TRACT G	26.64 AC.	R-1	130-150 UNITS	2 STORIES/35'
TRACT H	20.91 AC.	R-1	120-140 UNITS	2 STORIES/35'
TRACT I	24.85 AC.	R-1	90-120 UNITS	2 STORIES/35'
TRACT J	20.02 AC.	R-1A	220-250 UNITS	2 STORIES/35'
TRACT K	18.95 AC.	R-1A	110-170 UNITS	2 STORIES/35'
TRACT L	11.70 AC.	N/A	N/A	2 STORIES/35'
TRACT M	10.37 AC.	R-1	8-10 UNITS	2 STORIES/35'
TOTAL	272.47 AC.			

R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
MAX. TOTAL UNITS 1275

LAND USE SUMMARY

RESIDENTIAL TRACTS, MISC. OPEN SPACE AND BUFFERS	434.02 ACRES
RECREATION FACILITY	11.07 ACRES
WATER MANAGEMENT	177.20 ACRES
CONSERVATION AREAS	115.5 acres
WETLAND CONSERVATION	80.8 ACRES
WETLAND CREATION	4.5 ACRES
UPLAND CONSERVATION	41.7 ACRES
WETLAND/UPLAND BUFFERS	12.0 ACRES
PROPERTY TOTAL	741.72 ACRES
NOTE: ALL ACREAGE FIGURES ARE APPROXIMATE	

DENSITY SUMMARY

STONEYBROOK NORTH TOTAL	741.72 ACRES
ADJACENT ROW TOTAL	20.78 ACRES
PROPERTY TOTAL	762.50 ACRES
RESIDENTIAL UNIT TOTAL	1275 UNITS
PROJECT DENSITY	1.67 UNITS/ ACRE

Exhibit B
APPROVED

MASTER CONCEPT PLAN
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
5/6/2014	14.47	_MCP	EMH	EMH	SWM	1"=300'	1

NO.	DATE	REVISION DESCRIPTION	BY
1	9/5/2014	REVISED SITE LAYOUT	SEU

BANKS ENGINEERING
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 481-4849 FAX: (239) 433-2523
ENGINEERING LICENSE # EB 5469
SURVEY LICENSE # LB 6610
WWW.BANKSENG.COM
Professional Engineers, Planners & Land Surveyors
Serving The State Of Florida

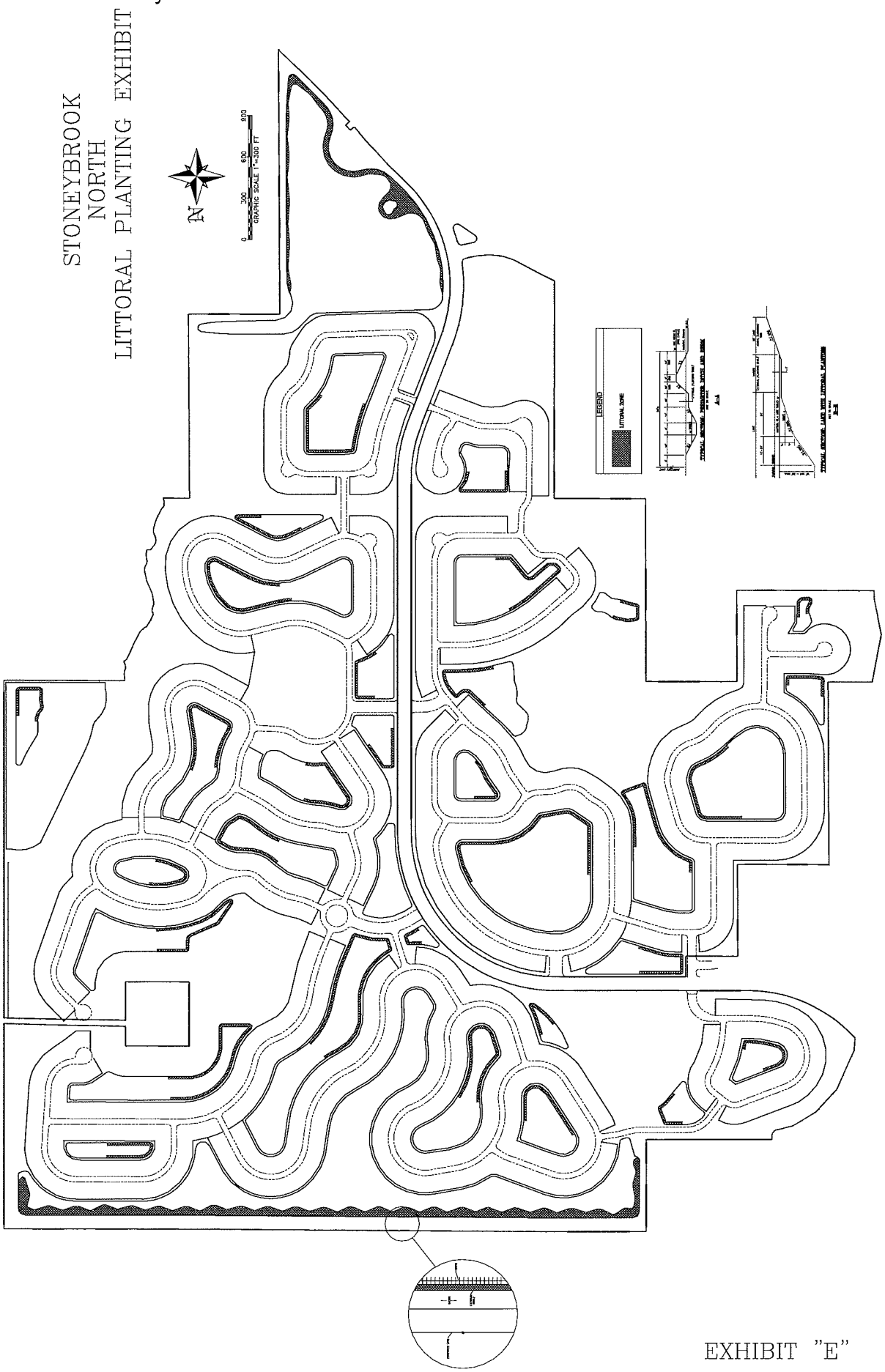


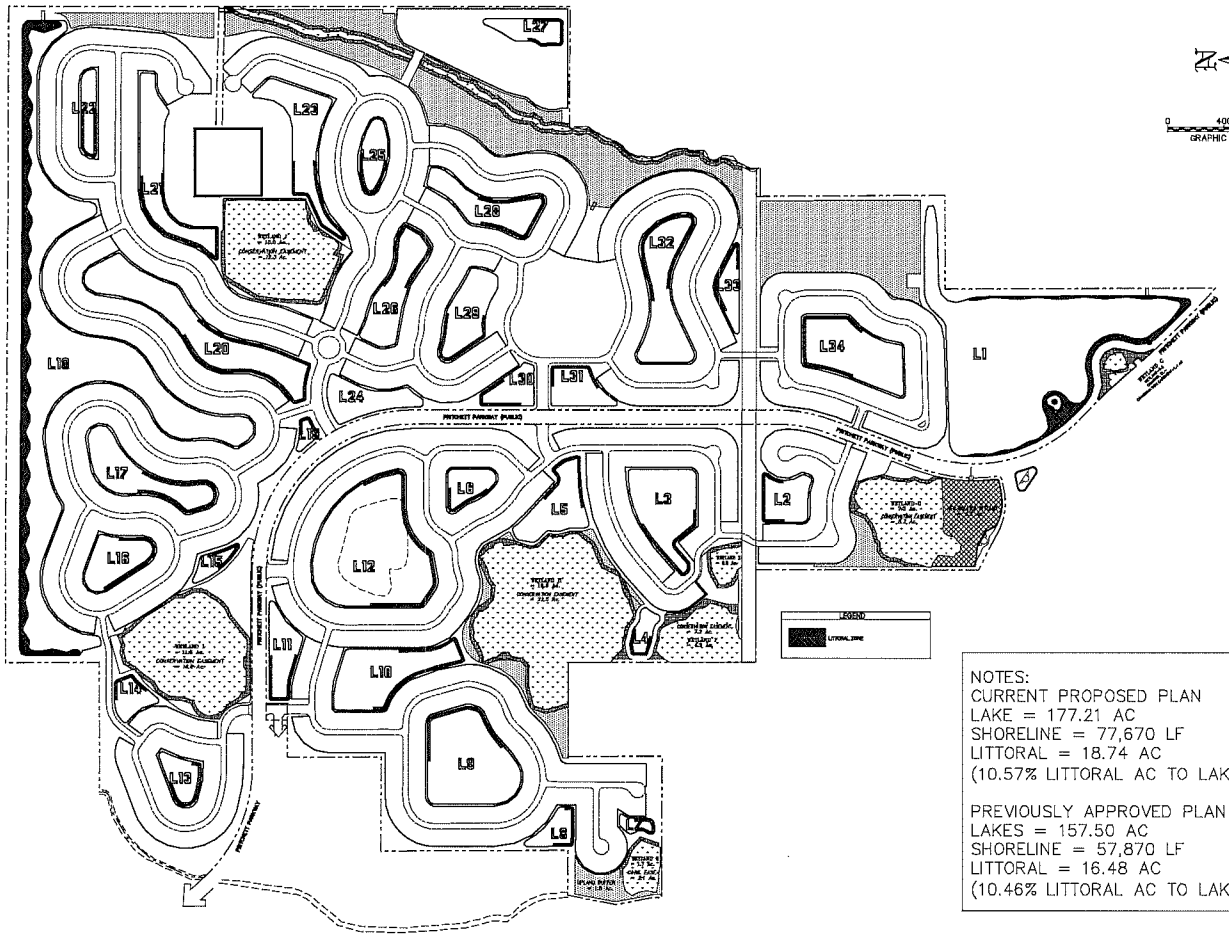
EXHIBIT "E"

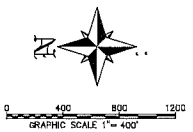
EXHIBIT C, ADD2013-00083

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LAKE PERIMETER LITTORAL AREA				
LAKE #	LAKE AREA (AC)	LAKE PERIMETER (LF)	LITTORAL (AC)	PLANTS PROPOSED AT 3' O.C.
1	30.21	6576	3.00	14,520
2	2.40	1333	0.20	968
3	5.59	2223	0.48	2,323
4	1.01	899	0.10	484
5	3.79	1933	0.38	1,839
6	1.67	1089	0.15	726
7	0.56	696	0.06	290
8	1.41	1099	0.20	968
9	6.38	2300	0.44	2,130
10	5.93	2471	0.62	3,001
11	2.57	1659	0.34	1,646
12	13.8	3033	0.77	3,727
13	1.66	1097	0.16	774
14	1.41	1013	0.18	871
15	0.90	932	0.21	1,016
16	3.00	1444	0.34	1,646
17	4.64	2480	0.56	2,710
18	31.37	13499	5.10	24,684
19	0.53	649	0.12	581
20	9.05	4134	0.90	4,356
21	5.36	3357	0.80	3,872
22	1.51	1386	0.32	1,549
23	5.00	3139	0.56	2,710
*24	2.82	1752	*	*
25	1.82	1196	0.18	871
26	4.10	2143	0.40	1,936
27	1.82	1362	0.20	968
28	3.69	2147	0.37	1,791
29	3.61	1702	0.37	1,791
30	1.87	1198	0.18	871
31	2.33	1358	0.25	1,210
32	5.77	2797	0.64	3,098
33	1.84	1389	0.16	774
34	5.97	2185	0.51	2,468
TOTAL	177.21	77,670	18.74	93,170

* LAKE 24 IS AN IRRIGATION LAKE THAT IS NOT INCLUDED IN THE STORMWATER MANAGEMENT SYSTEM. NO LITTORAL PLANTINGS ARE REQUIRED FOR LAKE 24.





NOTES:
CURRENT PROPOSED PLAN
LAKE = 177.21 AC
SHORELINE = 77,670 LF
LITTORAL = 18.74 AC
(10.57% LITTORAL AC TO LAKE AC)

PREVIOUSLY APPROVED PLAN
LAKES = 157.50 AC
SHORELINE = 57,870 LF
LITTORAL = 16.48 AC
(10.46% LITTORAL AC TO LAKE AC)

EXHIBIT "F"

BANKS ENGINEERING
Professional Engineers, Planners & Land Surveyors
Serving The State Of Florida

LITTORAL PLANTING EXHIBIT - "F"
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
5-16-2013	1447	-SEE-F		SSJ		1"=400'	1

ATTACHMENT J

Blue Sheet No. 20140703	Lee County Board Of County Commissioners Agenda Item Report Meeting Date: 12/16/2014	Item No. 9:30 AM Public Hearing 1

TITLE:
Creation of the Stoneybrook North Community Development District (CDD) and the Exercise of Special Powers.

ACTION REQUESTED:
Conduct a public hearing on December 16, 2014, at 9:30 a.m., or as soon thereafter as possible, and adopt an ordinance creating the Stoneybrook North CDD and allowing for the exercise of special powers.

FUNDING:
No funding is required

WHAT ACTION ACCOMPLISHES:
Request the Board of County Commissioners to conduct a public hearing on December 16, 2014 at 9:30 a.m., or as soon as thereafter as may be heard, to establish a new Uniform Community Development District (UCDD) under Florida Statutes Chapter 190 on the petitioned request of the property owner, North Brook Holdings, L.L.C. If approved, the new UCDD will be known as the Stoneybrook North Community Development District and consist of approximately 400 acres of land located in North Fort Myers, north of Bayshore Road, on the east side of Pritchett Parkway . The new UCDD will be an independent Special District capable of financing and providing certain basic services within the District boundary, as well as the statutory Special Powers for parks/recreation and security.

MANAGEMENT RECOMMENDATION:
Approve

Requirement/Purpose: *(specify)*	**Request Initiated**
☒ Statute Ch. 190, F.S. ☐ Ordinance ☐ Admin Code ☐ Other	**Commissioner:** **Department:** COUNTY ATTORNEY **Division:** **By:** John Fredyma

Background:

A community development district is a local unit of special purpose government created in accordance with the Act and limited to the performance of those specialized functions authorized by the Act for the delivery of urban community development services. The Act provides an alternative streamlined method for financing the construction, maintenance and operation of major infrastructures necessary for community development. Once a community development district has been established, it serves as an infrastructure management tool that ultimately relieves existing county taxpayers of the financial burden

11. Required Review:					
Richard Wm. Wesch	*Thelma Davis*	*Peter Winton*	*Peter Winton*		
COUNTY ATTORNEY	Budget Analyst	Budget Services	County Manager		

of providing urban services to the landowners in the district.

In accordance with Section 190.005(1)(f), F.S., the proposed ordinance: names the district: Stoneybrook North Community Development District; establishes the external boundaries of the district; and names the five persons designated to be the initial members of the Board of Supervisors. These members are as follows: Michael Lawson; Doug Draper; Gregg Singleton; Tony Brannan; and Ted Sanders. Disclosure of the existence of the District in connection with all initial and sales of property within the District is also required. A copy of the Petition is available for review at the Department of Community Development.

The creation of the Stoneybrook North CDD is not a development order within the meaning of Chapter 380, F.S. All county planning, environmental and land development laws, regulations and ordinances will apply to the development of land within the proposed Stoneybrook North CDD, and the District can take no action that is inconsistent with those regulations.

Attachments:
1. Proposed ordinance establishing the Stoneybrook North CDD
2. Staff Report recommending approval
3. FAIS Form

ORDINANCE NO. 14-23

AN ORDINANCE ESTABLISHING THE STONEYBROOK NORTH COMMUNITY DEVELOPMENT DISTRICT; PROVIDING A DISTRICT NAME; SETTING FORTH THE AUTHORITY FOR ADOPTING THE ORDINANCE; AUTHORIZING THE EXERCISE OF SPECIAL POWERS; ESTABLISHING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; ESTABLISHING THE GOVERNING DISTRICT CHARTER AS FLORIDA STATUTES CHAPTER 190; PROVIDING FOR NOTICE TO SUBSEQUENT PURCHASERS; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, North Brook Holdings, LLC, has petitioned the Lee County Board of County Commissioners to establish the STONEYBROOK NORTH COMMUNITY DEVELOPMENT DISTRICT; and

WHEREAS, North Brook Holdings, LLC, has also requested the Lee County Board of County Commissioners for authorization to exercise the optional special powers identified in Florida Statutes §190.012(2)(a) and (d) relating to parks and security; to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses, as well as security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; and

WHEREAS, the Lee County Board of County Commissioners, after proper published notice, conducted a local public information-gathering ordinance hearing as required by law and finds as follows:

1. The petition is complete in that it meets the requirements of §190.005(1)(a), Florida Statutes; and all statements contained within the petition are true and correct.

2. The costs to the County and government agencies from establishment of the district are nominal. There is no adverse impact on competition or employment from district establishment. The persons affected by establishment are the future landowners, present landowners, Lee County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from district

establishment as the entity to manage and finance the statutory services identified. The impact of district establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, is as economically viable as establishing the district. Methodology is set forth in the economic impact statement on file. The Statement of Estimated Regulatory Costs (SERC) of this petition on district establishment is adequate.

3. Establishment of the proposed district, whose charter is §§190.006 - 190.041, Florida Statutes, was created by general law, is not inconsistent with the local Comprehensive Plan of Lee County or the State Comprehensive Plan.

4. The area of land within the proposed district is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.

5. The district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

6. The community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities.

7. The area that will be served by the district is amenable to separate special district government.

8. The requested additional powers are not inconsistent and will always be subject to the Lee County Comprehensive Land Use Plan and all related land development regulations and will be activities of the District.

9. All notice requirements of law were met and complete notice was timely given.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA:

SECTION ONE: DISTRICT NAME

The community development district herein established will be known as the Stoneybrook North Community Development District.

SECTION TWO: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to §190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

SECTION THREE: AUTHORIZATION FOR EXERCISE OF SPECIAL POWERS

The Lee County Board of County Commissioners consent to and authorize the District to exercise the additional special powers set forth in Florida Statutes §190.012(2)(a) and (d). Specifically, upon establishment, the District is authorized to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for:

1. Parks and facilities for indoor and outdoor recreational, cultural and educational uses; and

2. Security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies, except that the district may not exercise any police power, but may contract with the appropriate local general-purpose governmental agencies for an increased level of such services within the district boundaries.

SECTION FOUR: ESTABLISHMENT OF COMMUNITY DEVELOPMENT DISTRICT

The Stoneybrook North Community Development District is hereby established within the boundaries of the real property described in Exhibit "A" attached hereto and incorporated by reference.

SECTION FIVE: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are designated to be the initial members of the Board of Supervisors:

1. Michael Lawson — c/o Metro Development Group, LLC
   2502 N. Rocky Point Drive, Suite 1050
   Tampa, FL 33607

2.	Doug Draper	c/o Metro Development Group, LLC 2502 N. Rocky Point Drive, Suite 1050 Tampa, FL 33607
3.	Gregg Singleton	c/o Metro Development Group, LLC 2502 N. Rocky Point Drive, Suite 1050 Tampa, FL 33607
4.	Tony Brannan	c/o Metro Development Group, LLC 2502 N. Rocky Point Drive, Suite 1050 Tampa, FL 33607
5.	Ted Sanders	c/o Metro Development Group, LLC 2502 N. Rocky Point Drive, Suite 1050 Tampa, FL 33607

SECTION SIX: STATUTORY PROVISIONS GOVERNING DISTRICT

The Stoneybrook North Community Development District will be governed by the provisions of Chapter 190, Florida Statutes.

SECTION SEVEN: NOTICE TO SUBSEQUENT PURCHASERS

Any and all agreements for the sale of property within the boundaries of the Stoneybrook North Community Development District must include the disclosure statement required in Florida Statutes §190.048 for the initial sale of the property. This requirement applies to the initial seller of a parcel as well as all subsequent sellers, successors and assigns, for the life of the Stoneybrook North Community Development District

SECTION EIGHT: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions in the Ordinance may be modified as a result of consideration that may arise during Public Hearing. Such modification(s) shall be incorporated in the final version of this Ordinance.

SECTION NINE: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other Lee County ordinance or other applicable law, the more restrictive will apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion will be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portion.

SECTION TEN: EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Secretary of State.

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

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

DULY PASSED AND ADOPTED this 16th day of December, 2014.

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:

BY:
John J. Fredyma
Senior Assistant County Attorney
Lee County Attorney's Office

Attachment: Exhibit A – Legal Description

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ SARASOTA ♦ PORT CHARLOTTE

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST: THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OP 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 57°52'14" FOR 1161.54 FEET; THENCE N 52°04'05" E FOR 366.27 FEET; THENCE N 27°55'32" E FOR 1112.54 FEET; THENCE N 00°30'23" E FOR 706.92 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE S 89°29'37" E ALONG SAID NORTH LINE FOR 1235.16 FEET TO THE **POINT OF BEGINNING.**

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

EXHIBIT A

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE **POINT OF BEGINNING** THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15: THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET: THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 399.64 ACRES MORE OR LESS.

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

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED MARCH 20, 20014

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4069
DATE SIGNED: 03-21-2014

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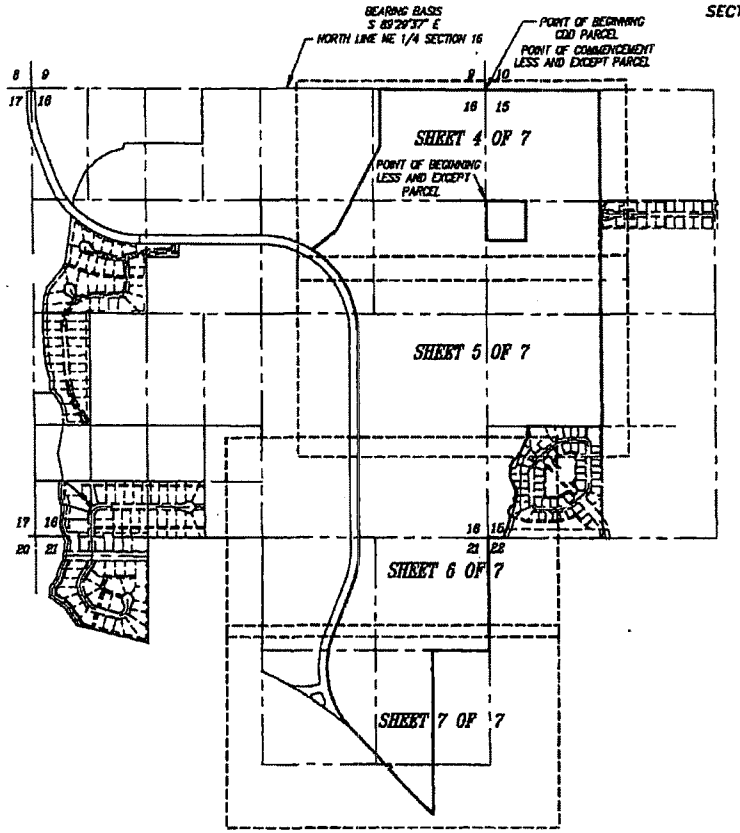
Banks Engineering

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33966
(239) 939-6490

SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 15, 16 & 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



N

1" = 1600'

ACREAGE SUMMARY

OVERALL CDD PARCEL: 404.65 ACRES, MORE OR LESS
LESS AND EXCEPT PARCEL: 5.01 ACRES, MORE OR LESS
NET CDD PARCEL: 399.64 ACRES, MORE OR LESS

NOTES:

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

2.) *ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S 89°29'37" E.*

SEE SHEET 1 AND 2 OF 7 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009
- *DATE SIGNED: 03-21-2014*
- *THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*

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PREPARED 03-20-2014
SHEET 3 OF 7

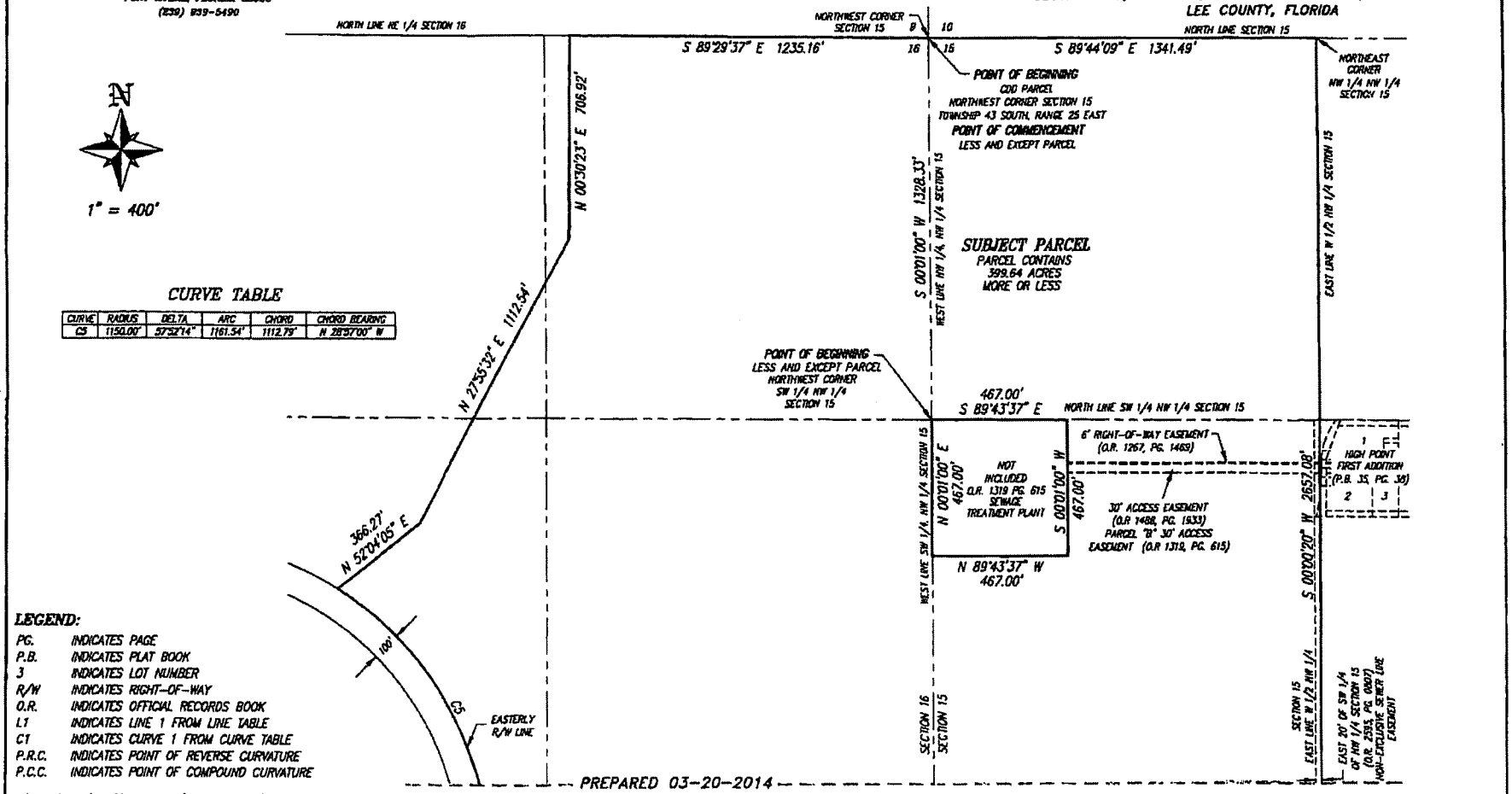
Banks Engineering

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6650
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33966
(239) 939-5490

SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 15, 16 & 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C5	1150.00'	57°52'14"	1161.54'	1112.79'	N 28°57'00" W

LEGEND:

PG.	INDICATES PAGE
P.B.	INDICATES PLAT BOOK
3	INDICATES LOT NUMBER
R/W	INDICATES RIGHT-OF-WAY
O.R.	INDICATES OFFICIAL RECORDS BOOK
L1	INDICATES LINE 1 FROM LINE TABLE
C1	INDICATES CURVE 1 FROM CURVE TABLE
P.R.C.	INDICATES POINT OF REVERSE CURVATURE
P.C.C.	INDICATES POINT OF COMPOUND CURVATURE

PREPARED 03-20-2014

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MATCHLINE SHEET 3 OF 7

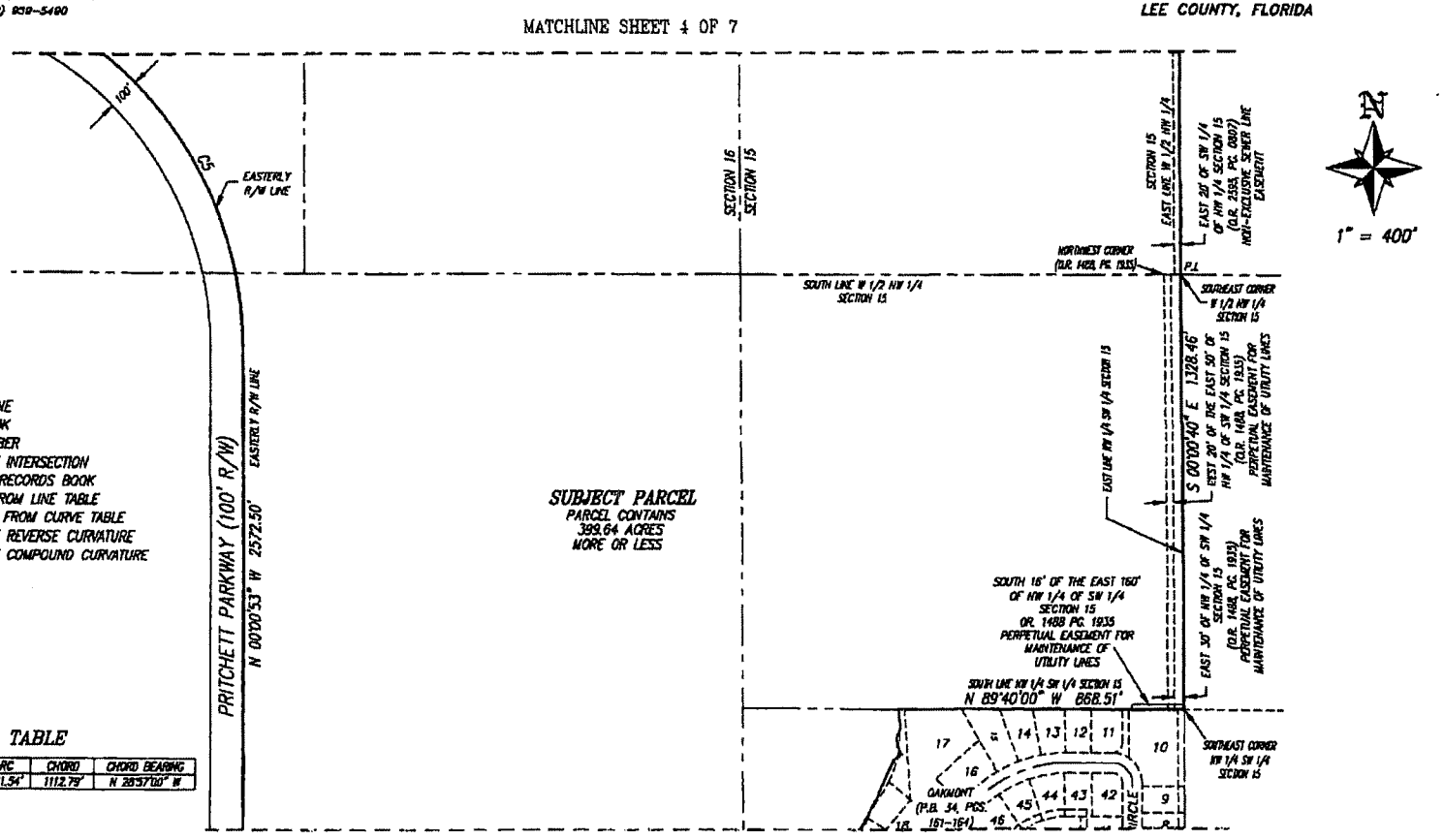
Banks Engineering

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33966
(239) 939-5490

SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 15, 16 & 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LEGEND:

PG.	INDICATES PAGE
PGS.	INDICATES PAGES
℄	INDICATES CENTERLINE
P.B.	INDICATES PLAT BOOK
8	INDICATES LOT NUMBER
P.I.	INDICATES POINT OF INTERSECTION
O.R.	INDICATES OFFICIAL RECORDS BOOK
L1	INDICATES LINE 1 FROM LINE TABLE
C1	INDICATES CURVE 1 FROM CURVE TABLE
P.R.C.	INDICATES POINT OF REVERSE CURVATURE
P.C.C.	INDICATES POINT OF COMPOUND CURVATURE

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C5	1150.00'	57°52'14"	1161.54'	1112.79'	N 28°57'00" W

PREPARED 03-20-2014
SHEET 5 OF 7

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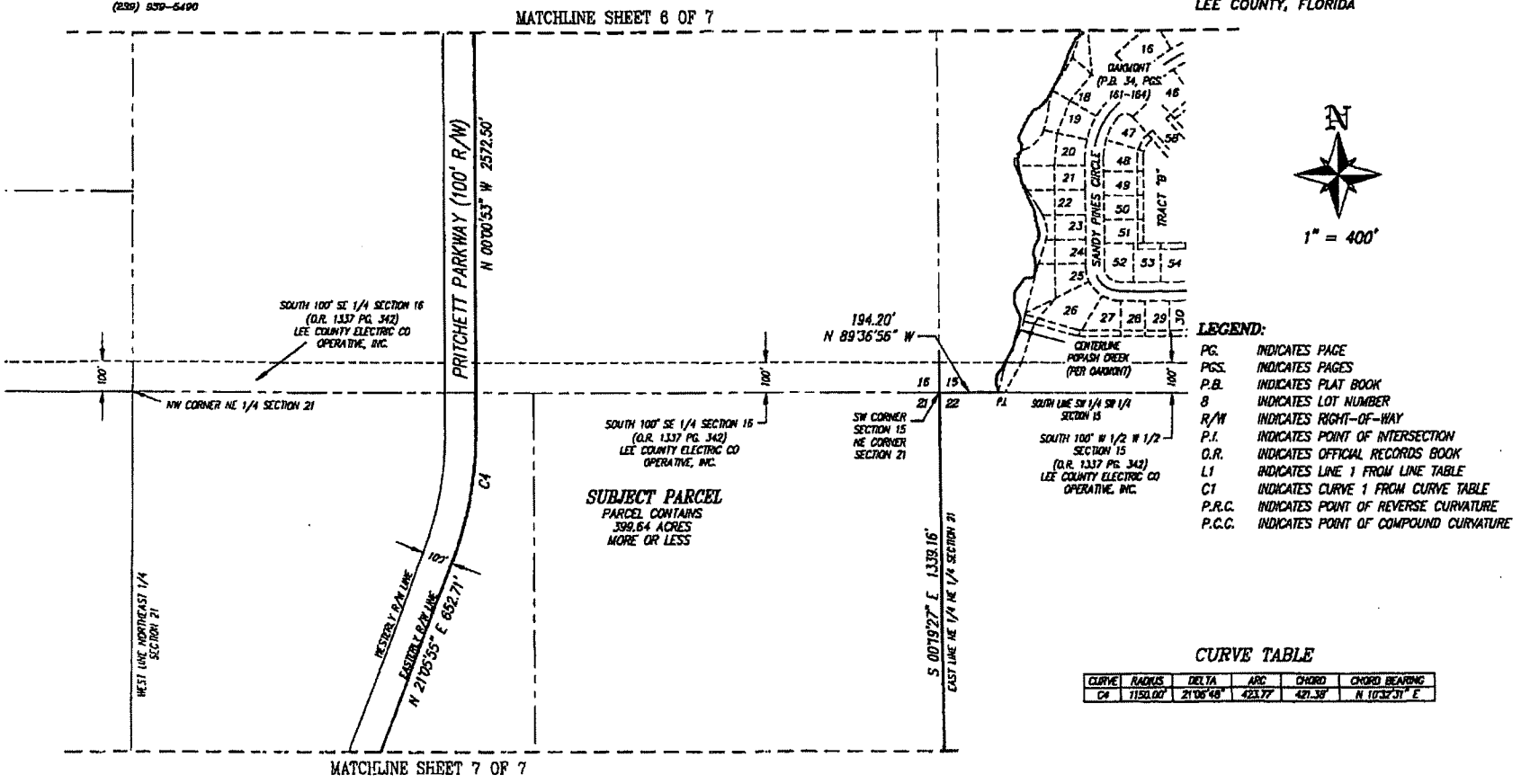
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SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 15, 16 & 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LEGEND:

PG.	INDICATES PAGE
PGS.	INDICATES PAGES
P.B.	INDICATES PLAT BOOK
8	INDICATES LOT NUMBER
R/W	INDICATES RIGHT-OF-WAY
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C1	INDICATES CURVE 1 FROM CURVE TABLE
P.R.C.	INDICATES POINT OF REVERSE CURVATURE
P.C.C.	INDICATES POINT OF COMPOUND CURVATURE

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C4	1150.00'	21°06'48"	423.77'	421.38'	N 10°32'31" E

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PREPARED 03-20-2014
SHEET 6 OF 7

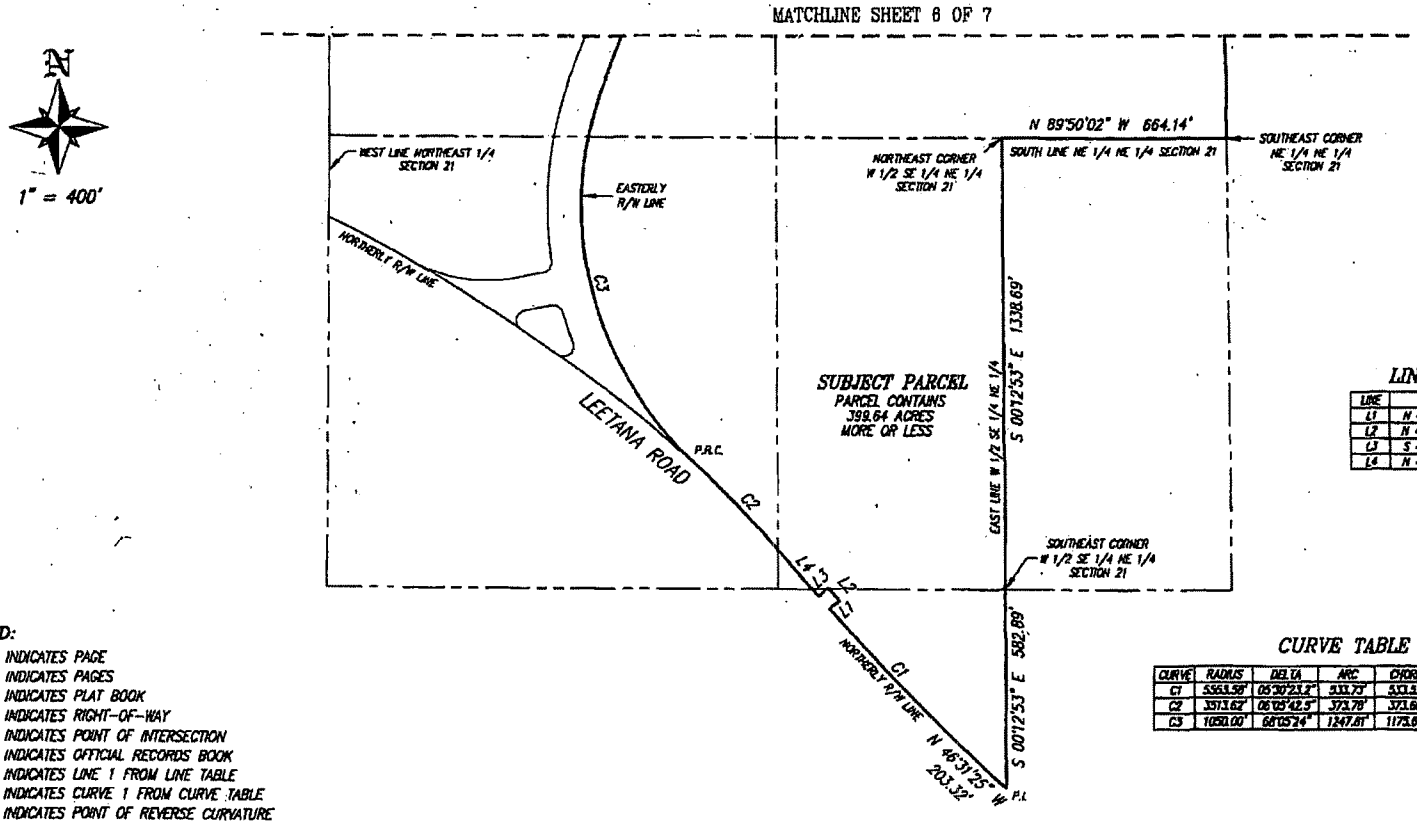
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SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 15, 16 & 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 49°06'14" E	35.99'
L2	N 40°53'46" W	50.00'
L3	S 49°06'14" W	37.00'
L4	N 40°53'46" W	156.94'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5563.58'	05°20'23.2"	518.73'	518.52'	N 43°46'13" W
C2	3513.62'	06°05'42.5"	373.78'	373.60'	N 43°56'37" W
C3	1050.00'	68°05'24"	1247.81'	1175.67'	N 12°58'47" W

LEGEND:

PG.	INDICATES PAGE
PGS.	INDICATES PAGES
P.B.	INDICATES PLAT BOOK
R/W	INDICATES RIGHT-OF-WAY
P.I.	INDICATES POINT OF INTERSECTION
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PREPARED 03-20-2014
SHEET 7 OF 7

LEE COUNTY, FLORIDA
FINANCIAL & ADMINISTRATIVE IMPACT STATEMENT
PROPOSED COUNTY ORDINANCE

NAME OF ORDINANCE: Stoneybrook North Community Development District

I. DESCRIPTION OF ORDINANCE

A. **Statement of Purpose**

Establishment of the Stoneybrook North Community Development District with the concurrent approval of special powers for parks/recreation and security.

B. **Narrative Summary of Ordinance (Several Sentence Summary)**

Ordinance creates a new Uniform Community Development District (UCDD) pursuant to Chapter 190, Florida Statutes. A UCDD is an independent special unit of local government. The primary purpose of the District is to provide infrastructure and certain services for the development. Security and parks/recreation are two of the special powers being requested in conjunction with the petition to establish the UCDD.

C. **Principal Division(s) or Department(s) Affected (List)**

N/A

LEE COUNTY, FLORIDA
FINANCIAL & ADMINISTRATIVE IMPACT STATEMENT
PROPOSED COUNTY ORDINANCE

II. Fiscal Impact on County Agencies/County Funds
(This section to be completed by Division of Budget Services)

A. What is estimated Demand? N/A
(Develop Indicators)

B. What is estimated Workload? N/A
(Develop Indicators)

C. What are the estimated costs:

	1ST YEAR $'s		2ND YEAR $'s	
	Existing	New	Existing	New
PERSONNEL				
FRINGE				
OPERATING				
CAPITAL OUTLAY				
TOTAL	N/A			

D. List the anticipated revenues to cover costs identified in II.C. above. If a fee is to be charged, answer the following:

1. What is the basis (rationale) for the fee? N/A

2. Do the anticipated fees cover the full cost of operation? If not, what percentage of the costs are covered? N/A

E. Give a brief narrative analysis of the information contained in II.A. through D. above. The proposed Lee County ordinance provides for the establishment of a community development district (Stoneybrook North Community Development District) for delivering community development services and facilities to that area. There is no significant fiscal impact associated with this proposed ordinance.

ANALYSIS OF THE STONEYBROOK NORTH PETITION TO ESTABLISH A UNIFORM COMMUNITY DEVELOPMENT DISTRICT

Prepared for
BOARD OF COUNTY COMMISSIONERS
by
LEE COUNTY DIVISION OF PLANNING
August 8, 2014

Table of Contents

INTRODUCTION 2
BACKGROUND 2
THE PETITION 4
FACTORS TO BE CONSIDERED 4
STAFF ANALYSIS OF FACTORS 5
RECOMMENDATION 7

INTRODUCTION

North Brook Holdings, LLC has petitioned the Board of County Commissioners of Lee County, Florida, to adopt an ordinance to establish a Uniform Community Development District (UCDD) and to designate the land area within which the UCDD may manage and finance basic infrastructure systems, facilities and services pursuant to the Uniform Community Development District Act of Florida, Chapter 190, Florida Statutes and Rule 42-1, Florida Administrative Code. The Uniform Community Development District Act was originally adopted in 1980. The act sets forth the procedure for the establishment of such a district, the district's powers and duties for public improvements and community facilities, and additional special powers that the district, after its establishment, may petition for.

F.S. 190.005(2) sets forth the "exclusive and uniform method for the establishment of a community development district of less than 1,000 acres in size..." This establishment "shall be pursuant to an ordinance adopted by the county commission having jurisdiction over the majority of the land in the area in which the district is to be located granting a petition for the establishment of a community development district..." If approved the district will be granted the power to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for the following basic infrastructure: water management and control; water supply, sewer and waste water management; district roads and streetlights; transportation facilities and parking improvements; environmental remediation and cleanup; conservation areas; parks and recreational facilities; security; waste collection and disposal; or any other projects inside or outside the district boundary for which a Development Order is issued.

BACKGROUND

North Brook Holdings, LLC, hereafter called "Petitioner," is a Florida Limited Liability Company with its principal place of business located at 2502 Rocky Point Drive, Suite 1050, Tampa, Florida, 33607 and whose Managing Member is John M Ryan.

Per F.S. 190.005(2), the Petitioner proposes to establish a Uniform Community Development District on approximately three hundred ninety nine (399±) acres of land located in Lee County, Florida and lying within Sections 15, 16 and 21, Township 43 South, Range 25 East. The land area is bounded on the South and West by Pritchett Parkway and on the North by 5 and 10-acre residential parcels. It is bordered on the East by residential development both in the form of platted subdivisions and individual rural parcels. The subject property is a single, large parcel with a compact shape. A map showing the land area to be served by the District is attached as "Exhibit 1."

Adopting the ordinance and granting the petition would authorize the district, through its board of supervisors, to manage and finance certain basic infrastructure for the benefit of the landowners in the community. This infrastructure, or basic systems, facilities and services, under Section 190.012(1), F.S., includes four basic types: water supply; sewers and wastewater management; water control and management (drainage); and, roads, bridges

and streetlights, and recreation features and security as provided under Sections 190.012(2)(a) and (d), Florida Statutes, respectively. The security and recreation features are special powers being requested in conjunction with the petition to establish the Uniform Community Development District.

In order to provide the basic systems, facilities and services and special powers including recreational and security facilities, the district has certain management and financing powers. However, these powers may be exercised only if the district complies with certain strict and detailed procedural requirements. These include: ethics in government; disclosure; conflict of interest requirements; noticed meetings; government-in-the-sunshine conduct; accounting and reporting requirements to various local and state agencies; consultants competitive negotiations procedures; competitive bidding procedures; and others. In addition to complying with these many procedural requirements, the district still may not manage and finance any of these services and facilities without a showing that development of the properties complies with all legitimate policies, constraints, authorities, controls or conditions on the development of the land, whether local, regional, state or federal in nature, and whether in the form of policies, laws, rules, regulations or ordinances. The district itself is not considered "development." Rather, the district is an alternative mechanism to assure the County and the landowners of the particular land in question that basic systems, facilities and services will be managed and financed in an efficient and economical way.

In order to provide these services, the district is also given certain eminent domain powers, within the very tight constraints summarized above, as well as the authority to require service charges, fees or taxes for the various services rendered, ranging from installation of capital facilities to long-term maintenance and repair. Without the County's consent by resolution, the aforementioned eminent domain power is limited to the boundaries of the district. The district may also issue non-ad valorem special assessment bonds, revenue and other user bonds, and general obligation bonds.

Accordingly, if the County adopts the ordinance and establishes the district, the Stoneybrook North Community Development District will then be an infrastructure management tool. The specified responsibilities can benefit the landowners with timely, efficient, and reliable services. In addition, the district would be a financing tool for long-range and high quality service benefits to district landowners without burdening Lee County and its taxpayers.

Finally, such a district may not outlive its practical utility and usefulness. If it ceases to function it will automatically be disbanded by state law. If at any time during its existence Lee County determines by a non-emergency ordinance that it can provide any one of the district services in a more economical manner, over the long term, at lower cost with higher quality, Lee County may then take that service away from the district and provide the service itself.

THE PETITION

The statutes require that a petition be filed containing the following information:

- a metes and bounds description of the external boundaries of the district and the impact of the proposed district on property within the external boundaries of the district which is excluded from the district;
- the consent of the property owners;
- the designation of the initial members of the board of supervisors;
- the proposed name of the district;
- a map of the proposed district showing current major trunk water mains and sewer interceptors and outfalls if in existence;
- the proposed timetable and estimated cost of constructing the proposed services;
- the designation of the future general distribution, location, and extent of public and private uses of land; and,
- a statement of estimated regulatory costs.

Such a petition was received from the Petitioner by Lee County on April 18, 2014. Supplemental material was furnished together with the Petition in order to assist the Commission and its staff in reviewing the petition. Planning staff's review of the petition finds the submittal to be sufficient.

FACTORS TO BE CONSIDERED

In accordance with F.S. Chapter 190.005(1)(e), in addition to the record of the local hearing and any resolutions adopted by local general purpose governments, Lee County is required to consider the following six factors in making a determination to grant or deny a petition for the establishment of a community development district:

1. Whether all statements contained within the petition have been found to be true and correct.

2. Whether the creation of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

3. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

4. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

5. Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

6. Whether the area that will be served by the district is amenable to separate special-district government.

The obligation of the Board of County Commissioners is to consider the six factors using the information in the petition and its attachments, any other documents and information that have been filed, including the expert documents, and any information presented before the commission at the public hearing. The key decisions to be made by the Board in establishing a district is simply whether it is a reasonable thing to do in view of the six factors which the law requires Lee County to analyze.

It should be noted that these factors are not specific criteria nor are they legal permit requirements or standards. Neither are they the basis for rendering any kind of final order or judgment. In accordance with F.S. 190.004(3) the creation of community development district is not a development order with the meaning described in Chapter 380. All governmental planning, environmental, and land development laws, regulations, and ordinances apply to the development of the land within a community development district.

STAFF ANALYSIS OF FACTORS

Planning staff has reviewed the petition and accompanied materials. Following is staff's determination of the petition's applicability to each of the six factors.

Concerning Factor #1: Staff concludes that all statements contained within the petition are true and correct. This determination applies to the petition and all of its Exhibits. Concerning petition Exhibit G, staff agrees with the statement of estimated regulatory costs that there is no adverse impact on small businesses. The staff also concurs with the Petitioner that the establishment of the district ensures against a disproportional financial burden being placed on the county and its taxpayers. Staff also concurs with the petitioner that a UCDD can provide higher levels of facilities and services funded through self-imposed revenue.

Concerning Factor #2: Staff concludes that the creation and establishment of the district is not inconsistent with any applicable element or portion of either the state comprehensive plan or the Lee Plan. In fact, the establishment of the district is affirmatively consistent with Section 187.201(20)(b)(2) F.S., which encourages restructuring political jurisdiction with the goal of greater efficiency. The request is consistent with Lee Plan Objective 2.2, Development Timing, which directs "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. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.)."

Concerning Factor #3: Staff agrees with the Petitioner's expert engineer and planner that the area of land within the proposed district is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as one functional interrelated community on the site.

Concerning Factor #4: Planning staff has reviewed the three fundamental alternatives available for managing and financing those basic systems, facilities and services for the Stoneybrook north community. One alternative is for Lee County government to directly provide those services by creating a dependent district or, by directly managing the infrastructure but financing it through a Municipal Services Taxing Unit (MSTU) or Municipal Services Benefit Unit (MSBU). The other alternative is purely private, through a homeowners' association, or through a private company or utility established by the landowners. The third alternative, the Uniform Community Development District, conforms to the public policy interests and duties of local government with the private marketing interests and duties of private landowners.

Planning staff has reviewed these three alternatives with regard to the site and concludes that the establishment of a Uniform Community Development District is one of the best alternatives available for delivering community development services and facilities to the area that will be served by the district. Staff has further concluded that establishment of the district is compatible with the function of existing units of local government or that any issues have been or may be adequately addressed by interlocal agreement.

Concerning Factor #5: Staff has reviewed the issue of the capacity and uses of any existing local and regional community development services and facilities. The applicant has provided a letter from Lee County Utilities dated February 8, 2014 stating that potable water and wastewater lines are in operation in the vicinity of the proposed district. The letter states that service is available contingent on the final acceptance of the infrastructure built by the applicant. Potable water service would be provided through the North Fort Myers water treatment plant. Wastewater service would be provided by Florida Governmental Utility Authority at the Del Prado Wastewater Treatment Plant.

Staff has determined that the community development services and facilities of the district will not be incompatible with the capacity and uses of the existing local and regional services and facilities which deal with community development.

Concerning Factor #6: Staff has reviewed the area in question and has determined that it is amenable to separate special district government. A UCDD is the development option most appropriate to the subject property based on the cost of providing utilities and infrastructure, conformance with development regulations, and geographic suitability.

RECOMMENDATION

Planning staff recommends that the Board of County Commissioners adopt and enact the Ordinance establishing the Stoneybrook North Uniform Community Development District, including special powers for recreational and security facilities, as provided under Section 190.012(2)(a) and (d), Florida Statutes.

Staff further recommends that any and all agreements for the sale of property within the boundaries of the Stoneybrook North Community Development District must include the disclosure statement required in Section 190.048, Florida Statutes, for the initial sale of the

property. This requirement applies to the initial seller of the property as well as all subsequent sellers, successors and assigns for the life of the Stoneybrook North Community Development District. In accordance with Section 190.005(1)(f), F.S., the Ordinance enacts the following:

1. It establishes the external boundaries of the district which are set forth in ordinance Attachment A;

2. It names the five persons designated to be the initial members of the board of supervisors who shall be:

   Michael Lawson
   Doug Draper
   Greg Singleton
   Tony Brannan
   Ted Sanders

3. It establishes the name of the district which shall be: The Stoneybrook North Community Development District.

4. Authorizes the district to utilize the special powers for recreational and security facilities, as provided under section 190.012(2)(a) and (d), Florida Statutes.

ATTACHMENT K

ADMINISTRATIVE AMENDMENT (PD) ADD2015-00134

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, North Brook Holdings LLC filed an application for an administrative amendment to a Residential Planned Development, RPD on a project known as Stoneybrook North for the following amendment:

- **Adopt a revised Master Concept Plan showing reconfiguration of the internal development tracts, lakes, roadways, open space and update the recreational facilities internal to the development; and**
- **Amend the Schedule of Uses; and**
- **Adopt new Exhibits E and F revising the lake littoral exhibits.**

WHEREAS, the property is located along both sides of Pritchett Parkway, described more particularly as:

LEGAL DESCRIPTION: In Sections 15, 16 & 21, Township 43 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-02-070 (with a subsequent amendment in ADD2013-00083); and

WHEREAS, the subject property is designated as Sub-Outlying Suburban on the Future Land Use Map of the Lee County Comprehensive Plan (Lee Plan); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant desires to increase the size of the recreational area and allow another ancillary use to the private club; and

WHEREAS, the changes also result in changes to the Master Concept Plan and lake littoral exhibits; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, the Zoning Section staff find the proposed changes are interior to the development, do not increase the allowed density or intensity of the development; do not decrease required and approved buffers or open space; do not result in underutilizing any public resources or infrastructure; do not reduce total open space, buffering, landscaping or preservation areas; and do not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for the following amendments to the Residential Planned Development is **APPROVED, subject to the following conditions:**

AMENDMENTS:

- **Adopt a revised Master Concept Plan showing reconfiguration of the internal development tracts, lakes, roadways, open space and update the recreational facilities internal to the development; and**
- **Amend the Schedule of Uses; and**
- **Adopt new Exhibits E and F revising the lake littoral exhibits.**

CONDITIONS:

1. **The terms and conditions of the original zoning resolution, Resolution Number Z-02-070 as amended by ADD2013-00083, remain in full force and effect, except as amended herein.**

2. **Condition 2 of ADD2013-00083 is hereby amended adopting a new Master Concept Plan and Exhibits E and F. Development must be in compliance with the amended one page Master Concept Plan and Exhibits E and F, for Stoneybrook North attached hereto as Attachment A.**

3. **Condition 3 of ADD2013-00083 (which amended Condition 2.a. of Resolution Number Z-02-070) is hereby amended. The approved Schedule of uses for this planned development are found in Attachment B.**

4. **Condition 4 of ADD2013-00083 (which amended Condition 4 of Resolution Z-02-070) is hereby amended as follows:**

   The Tract ~~L~~ K recreational area must include at a minimum, one multi-purpose field, a playground, and picnic area, or recreational water feature. Facilities for the safe passage of pedestrians & cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5. **Condition 5 of ADD2013-00083 (which amended Condition 14 of Resolution Number Z-02-070) is hereby amended as follows:**

   Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," attached as Exhibit E found in Attachment A to this action. ~~stamped "Received Apr 07 2003 Community Development," and attached as Exhibit C (named as Littoral Planting Exhibit (EXHIBIT "E").~~

   All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Exhibit, Stoneybrook North" and accompanying table attached as Exhibit F found in Attachment A to this action. ~~stamped "Received May 29 2003 Community Development," and attached as Exhibit C (named as Littoral Planting Exhibit "F" Stoneybrook North).~~ The planting area along the northern ditch expansion must also provide native wetland plants installed three-feet on center.

6. **Condition 16 is Resolution Number Z-02-070 is amended as follows:**

   16. **Lake littoral plantings within Tract ~~K~~ M must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake 1 (contained within Tract ~~K~~ M).**

7. **Condition 31 of Resolution Number Z-02-070 is herby amended as follows:**

   31. **Lighting**
      a. **This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in LDC §34-625.**
      b. **Outdoor ballfield lights for ~~the~~ any baseball field located on Tract K are prohibited.**

8. **Deviation (3) (Resolution Z-02-070) seeks relief from §10-418(2)b which requires the installation of one (1) native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract ~~K~~ M lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16.**

9. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 10/20/2015 by

Pam Houck, Zoning Manager
Department of Community Development

Attachments:
A. Amended Master Concept Plan and Exhibits E and F
B. Amended Schedule of Uses

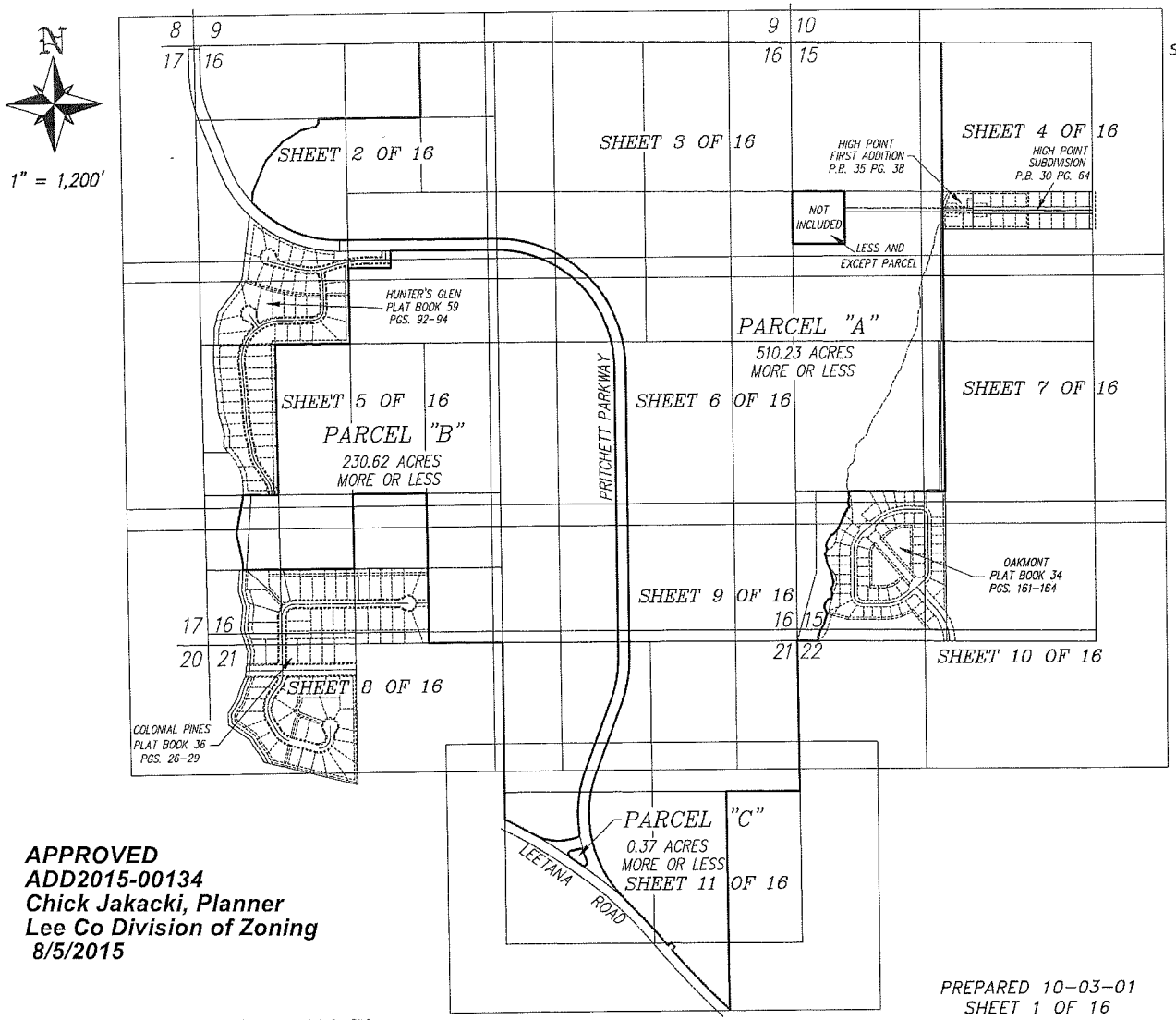
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

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

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

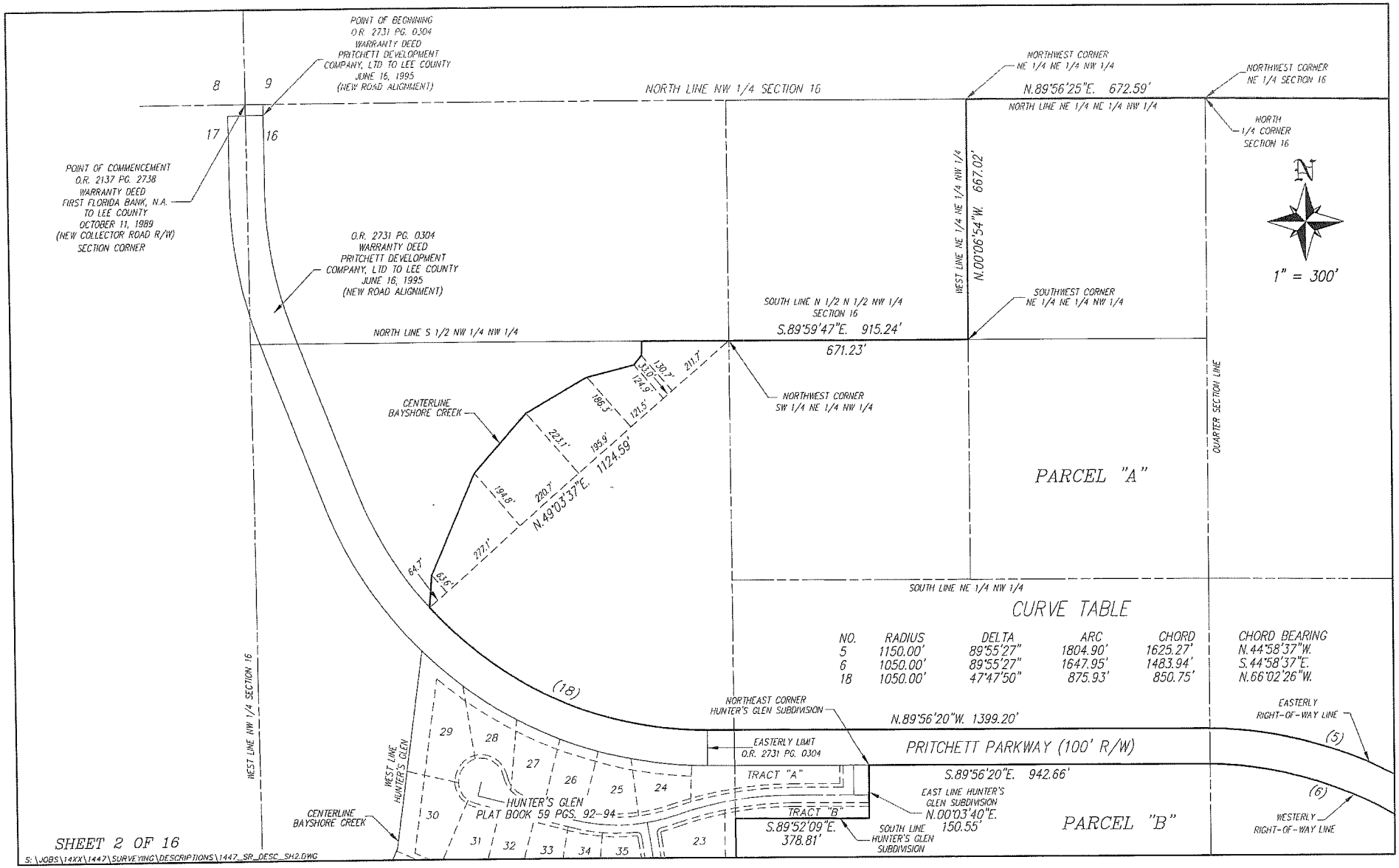
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

APPROVED
ADD2015-00134
Chick Jakacki, Planner
Lee Co Division of Zoning
8/5/2015

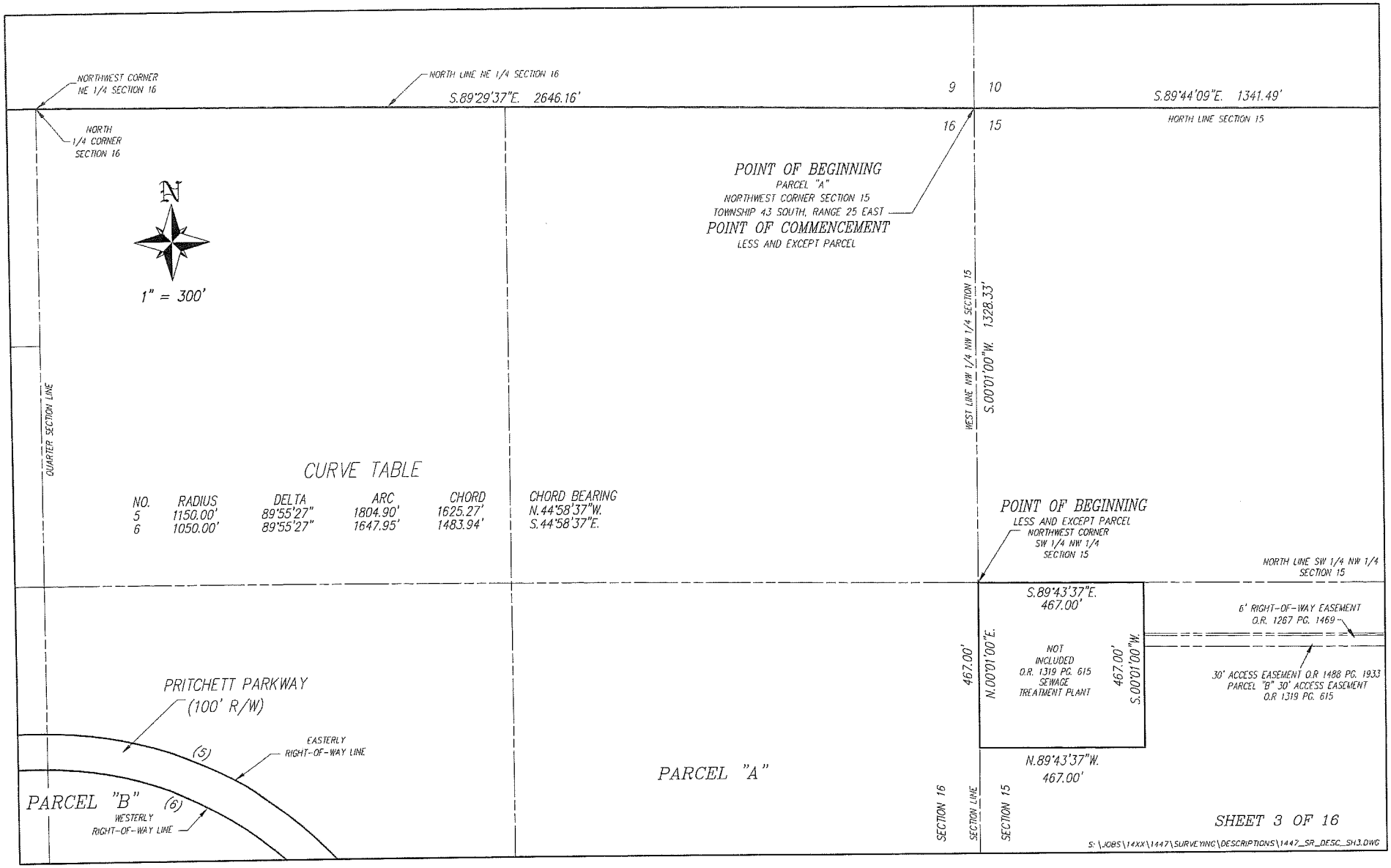
PREPARED 10-03-01
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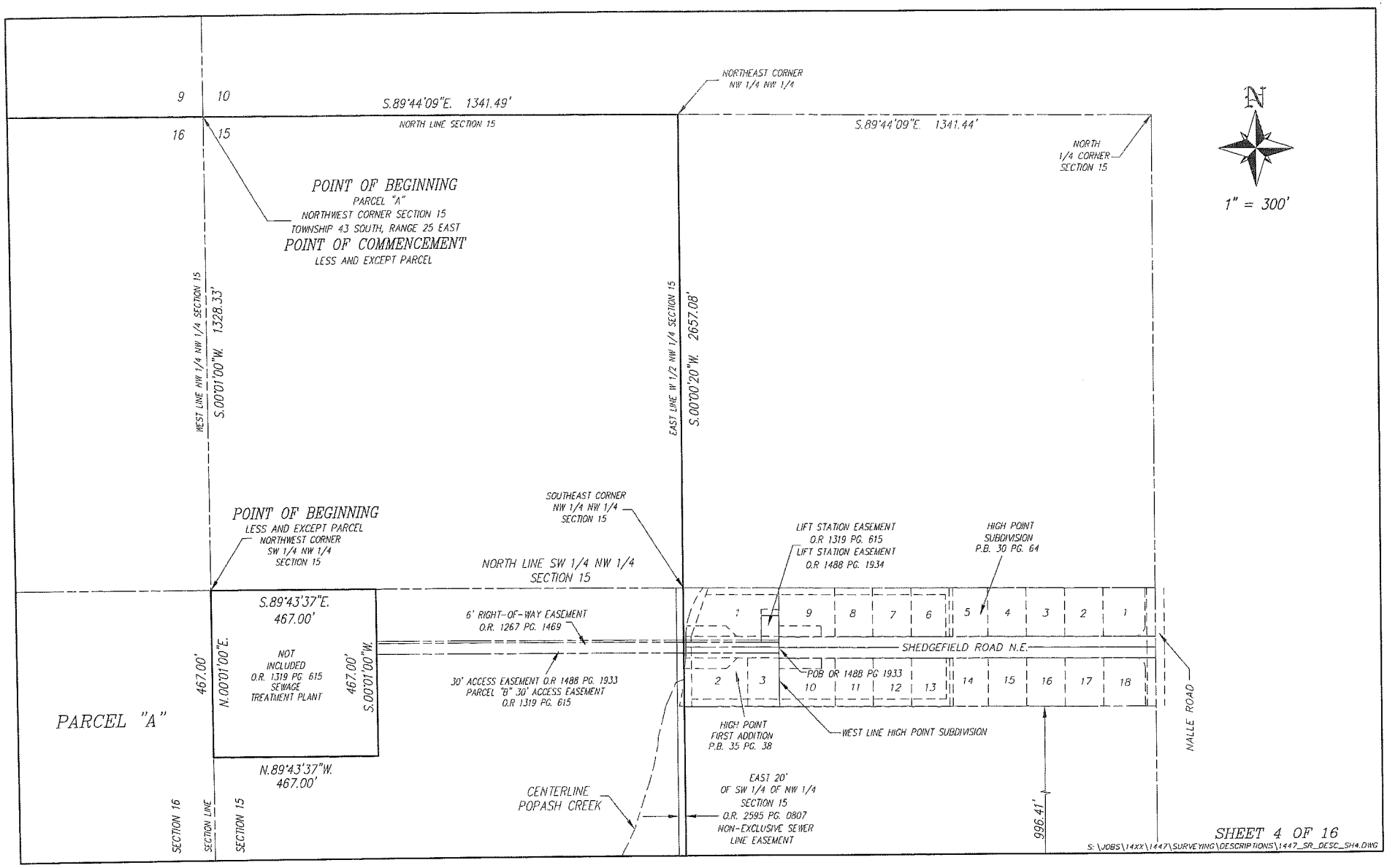
ADD2015-00134 Lee County ePlan



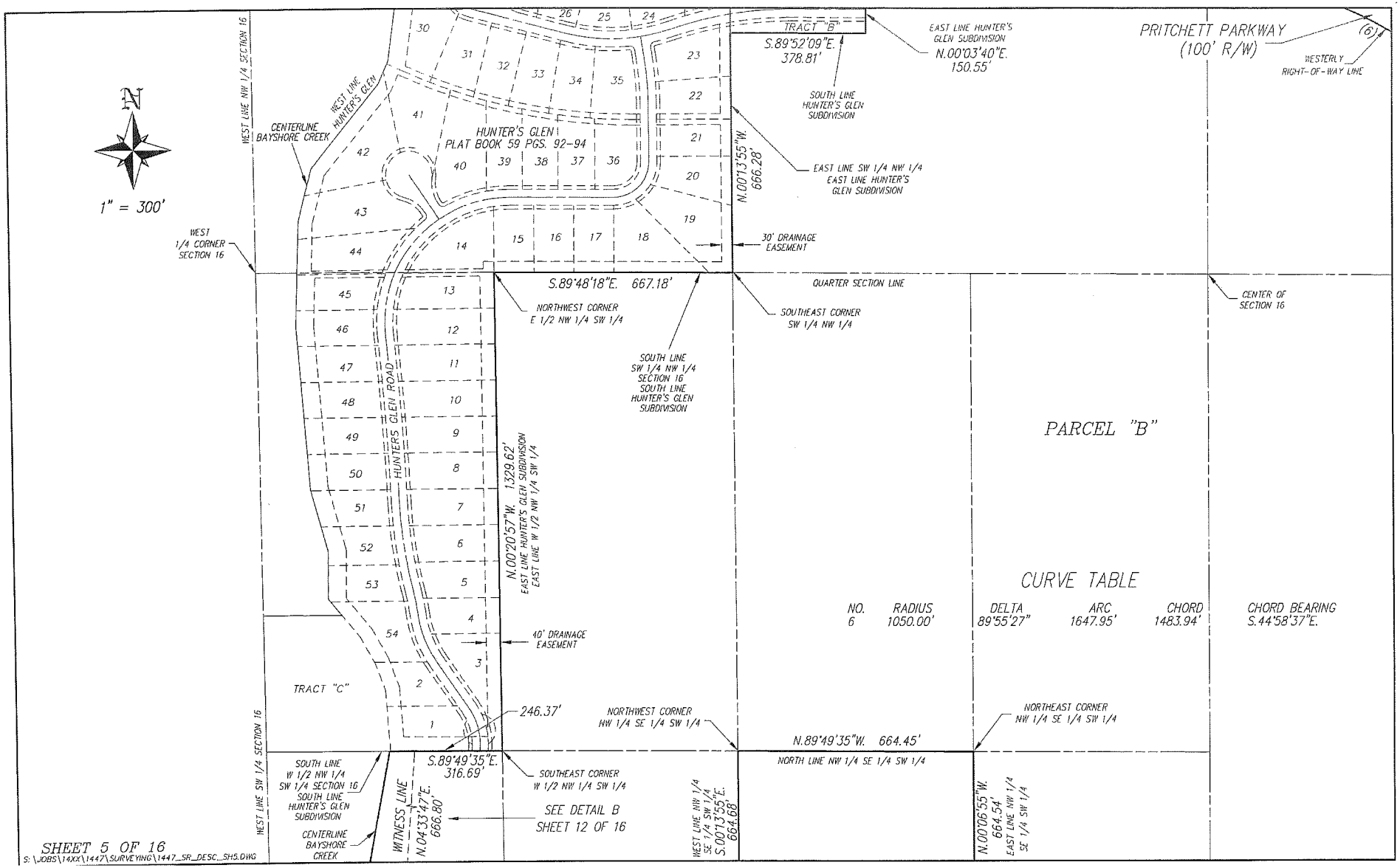
ADD2015-00134 Lee County ePlan



ADD2015-00134 Lee County ePlan



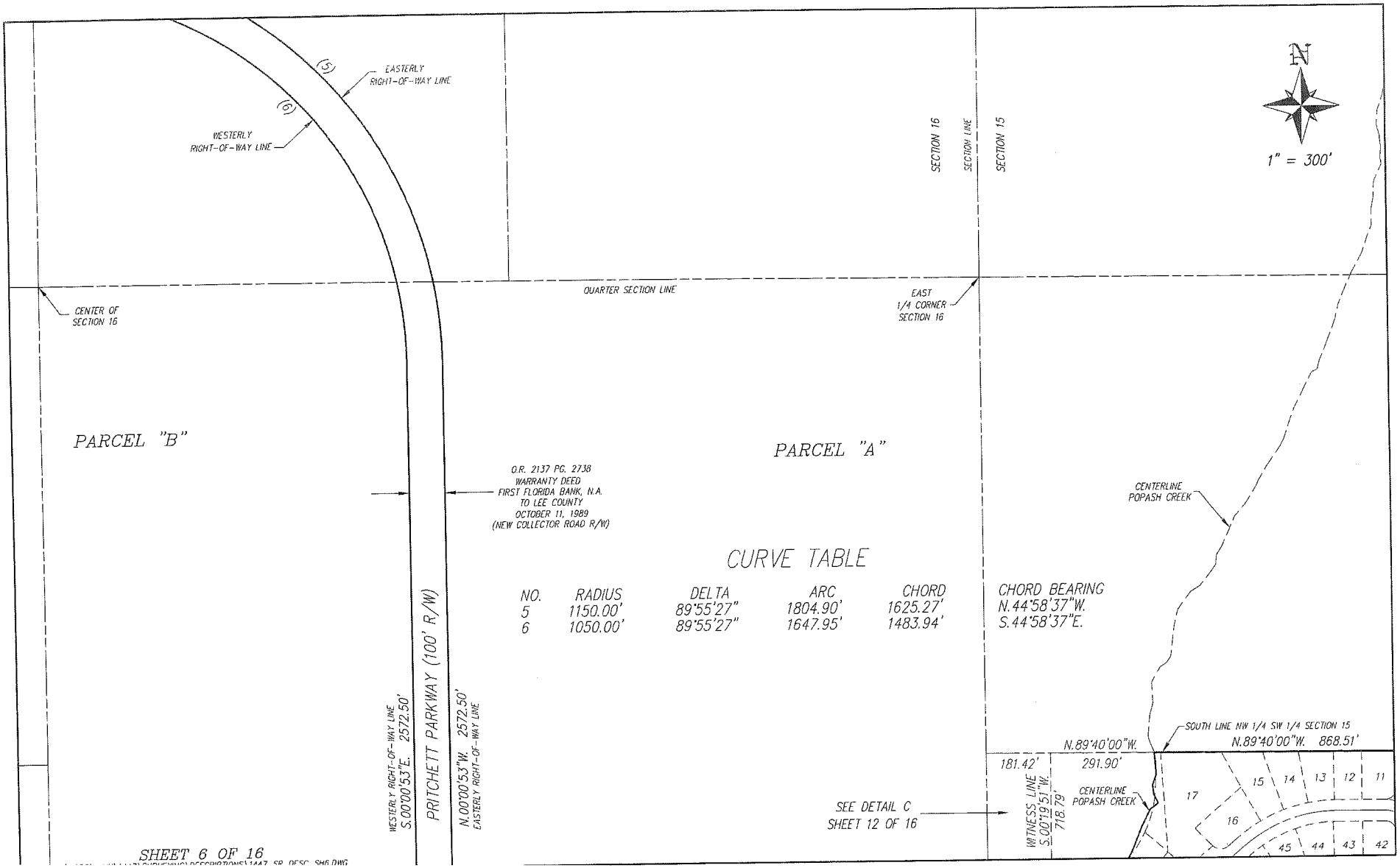
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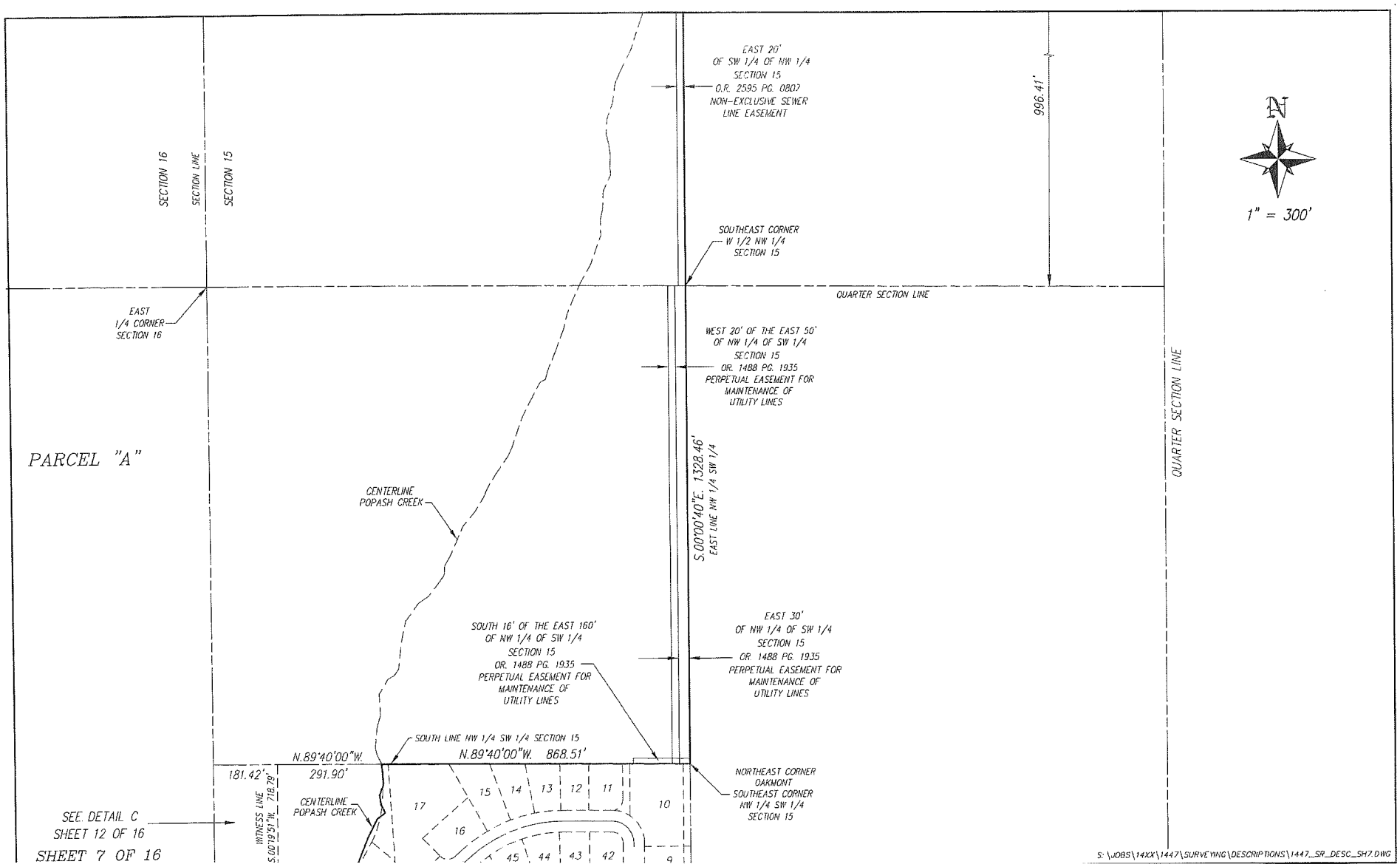
SHEET 5 OF 16

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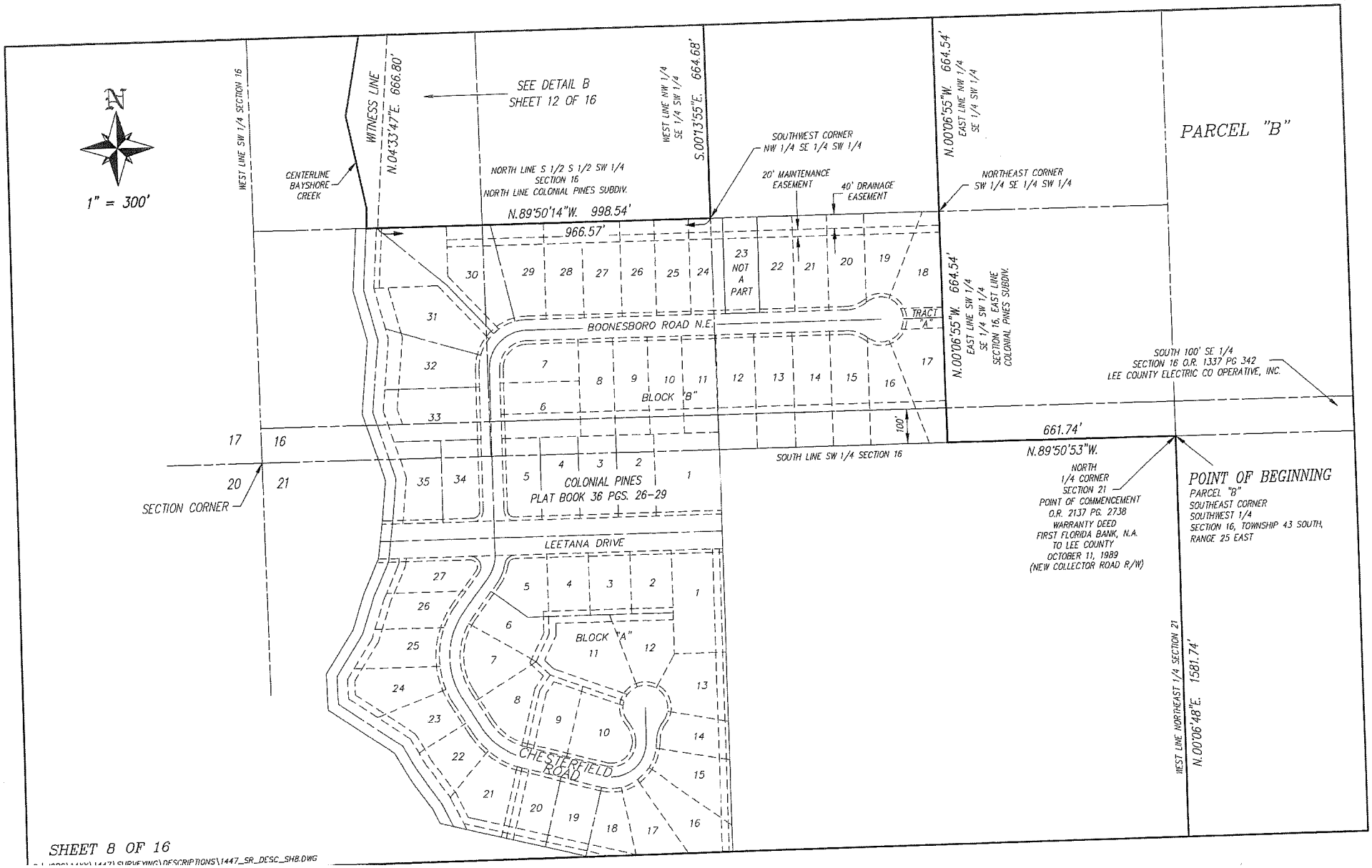
ADD2015-00134 Lee County ePlan



ADD2015-00134 Lee County ePlan

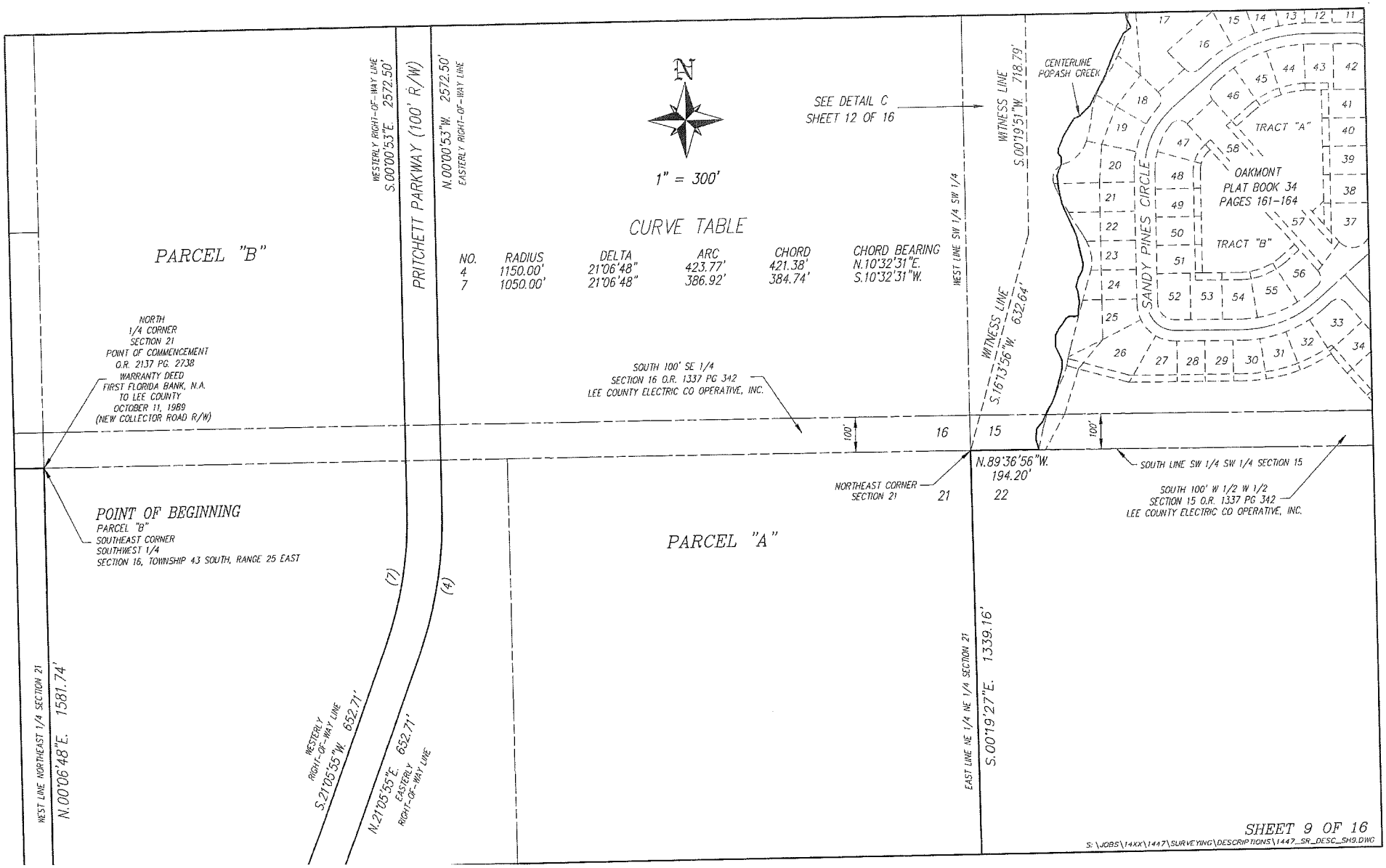


ADD2015-00134 Lee County ePlan

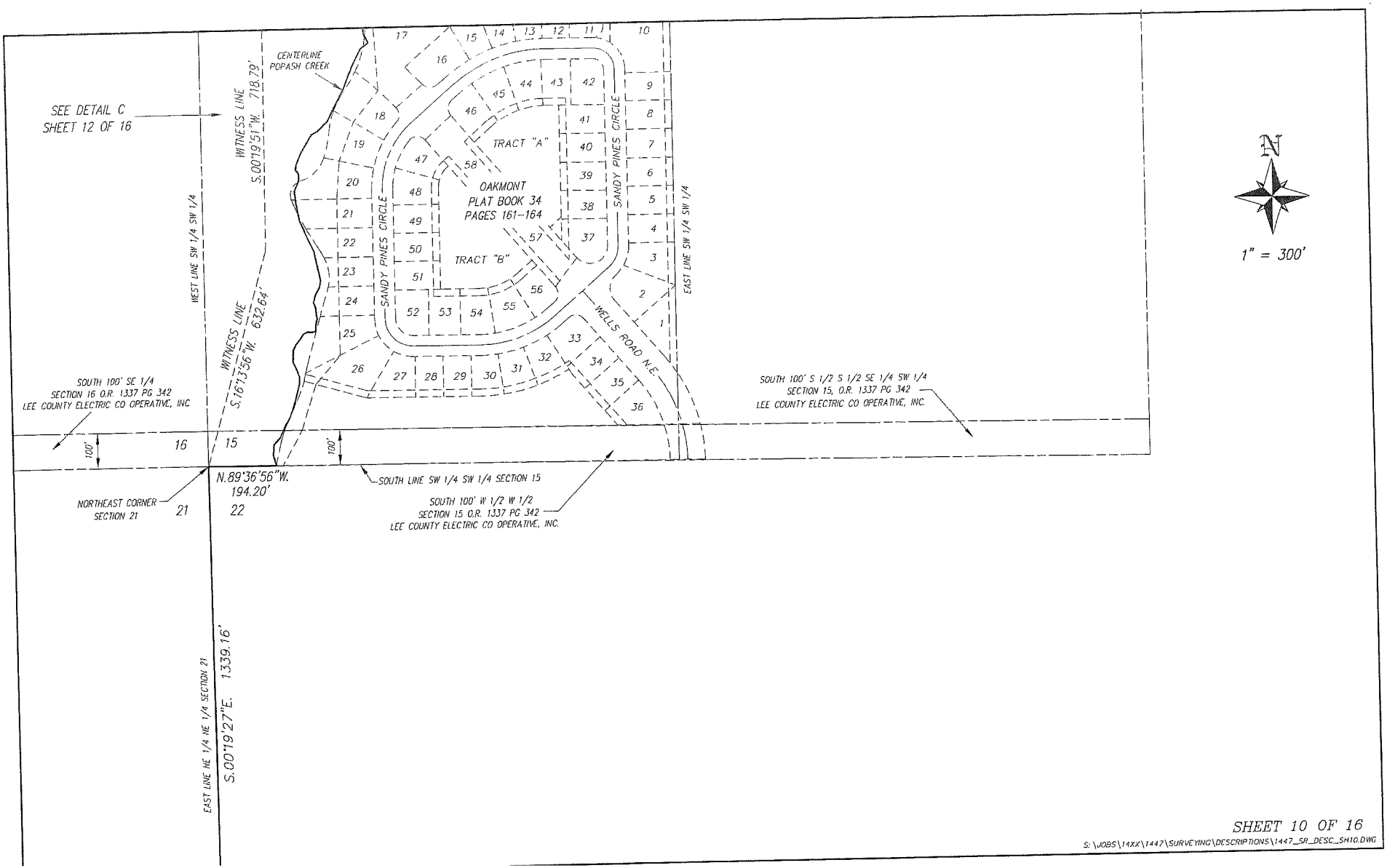


SHEET 8 OF 16

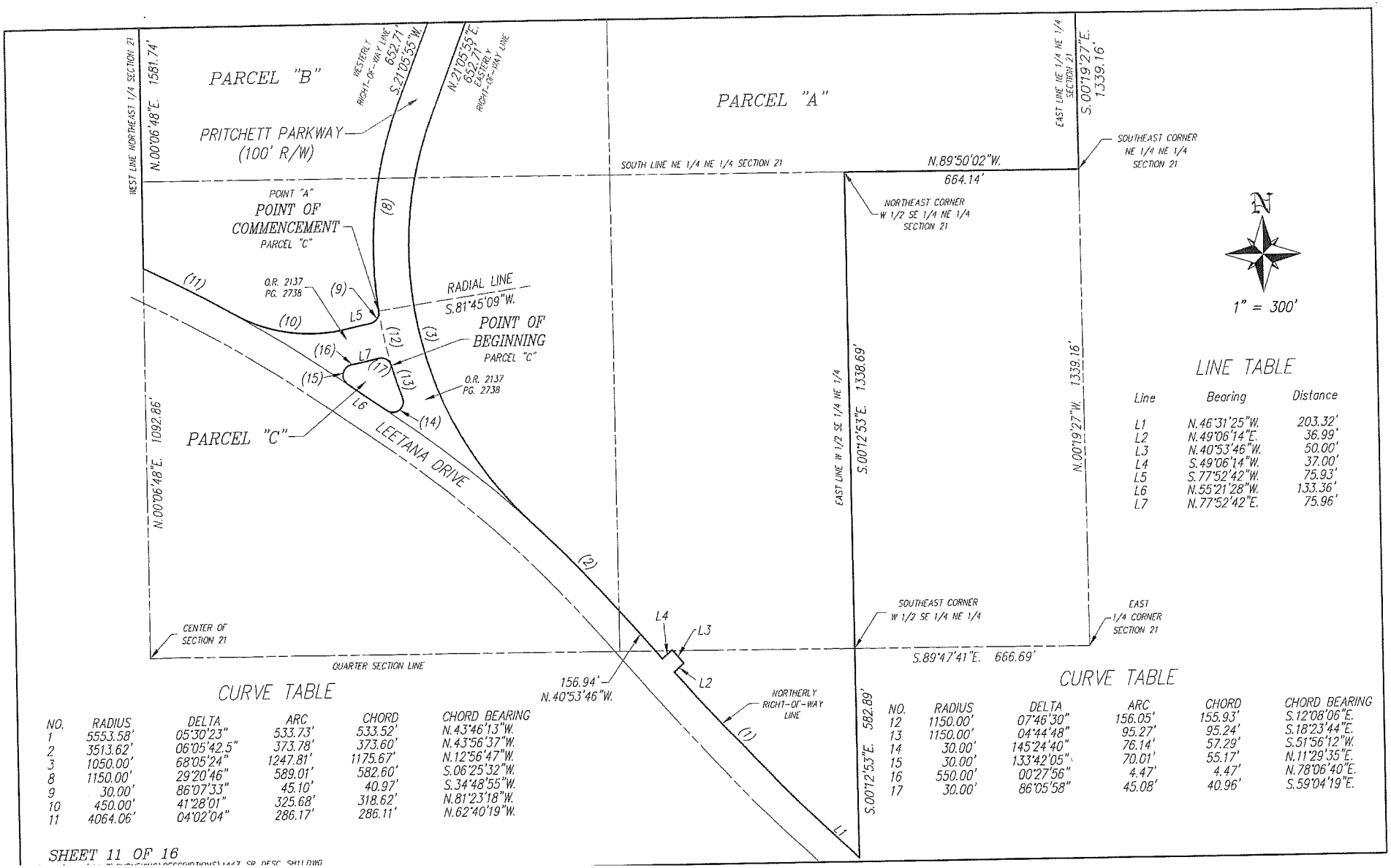
ADD2015-00134 Lee County ePlan



ADD2015-00134 Lee County ePlan



ADD2015-00134 Lee County ePlan



LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

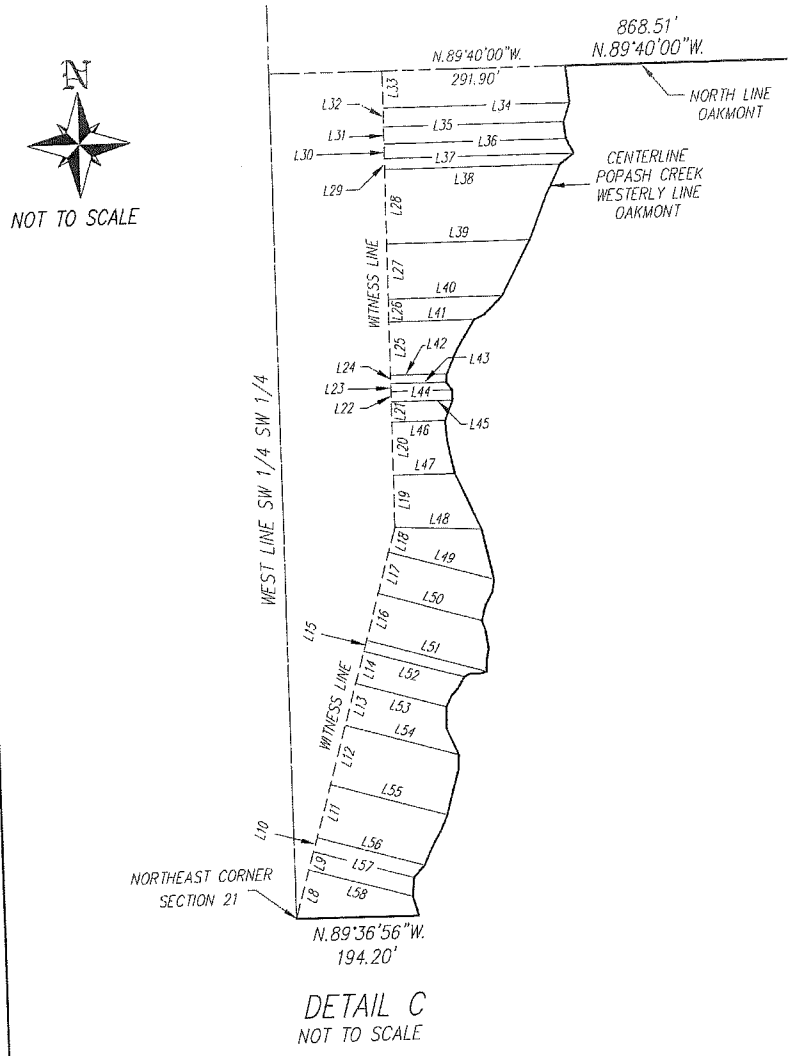
CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

ADD2015-00134 Lee County ePlan



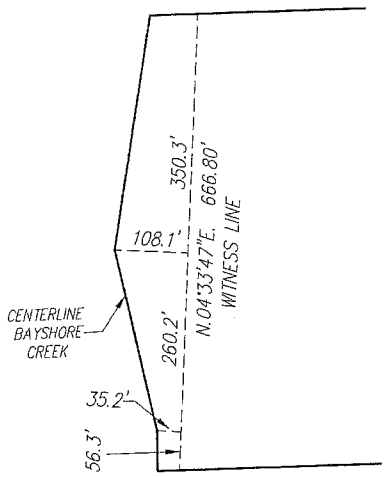
DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET





DETAIL B
NOT TO SCALE

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING**.

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

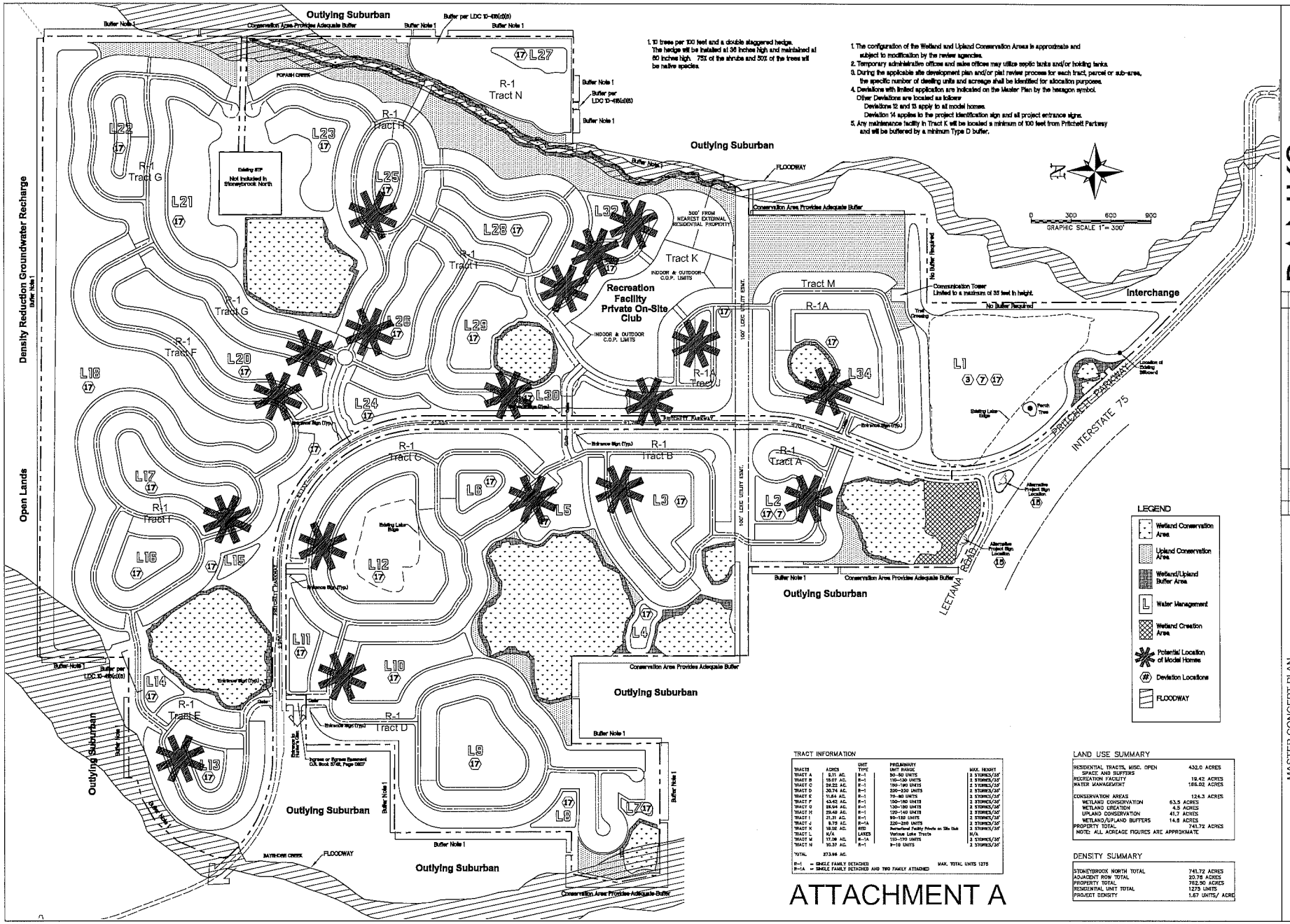
PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

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

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01



1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol.
   Other Deviations are located as follows:
   Deviations 12 and 13 apply to all model homes.
   Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.

LEGEND

- Wetland Conservation Area
- Upland Conservation Area
- Wetland/Upland Buffer Area
- L — Water Management
- Wetland Creation Area
- Potential Location of Model Homes
- (#) Deviation Locations
- FLOODWAY

TRACT INFORMATION

TRACTS	ACRES	UNIT TYPE	PRELIMINARY UNIT RANGE	MAX. HEIGHT
TRACT A	5.11 AC.	R-1	50-80 UNITS	2 STORIES/35'
TRACT B	10.07 AC.	R-1	110-130 UNITS	2 STORIES/35'
TRACT C	24.22 AC.	R-1	190-190 UNITS	2 STORIES/35'
TRACT D	30.74 AC.	R-1	220-230 UNITS	2 STORIES/35'
TRACT E	11.84 AC.	R-1	70-80 UNITS	2 STORIES/35'
TRACT F	43.42 AC.	R-1	150-180 UNITS	2 STORIES/35'
TRACT G	28.94 AC.	R-1	130-180 UNITS	2 STORIES/35'
TRACT H	29.42 AC.	R-1	120-140 UNITS	2 STORIES/35'
TRACT I	21.31 AC.	R-1	90-120 UNITS	2 STORIES/35'
TRACT J	5.73 AC.	R-1A	220-260 UNITS	2 STORIES/35'
TRACT K	18.02 AC.	RSD	Recreation Facility Private On-Site Club	2 STORIES/35'
TRACT L	N/A	LAKES	Various Lake Tracts	N/A
TRACT M	17.08 AC.	R-1A	110-170 UNITS	2 STORIES/35'
TRACT N	10.37 AC.	R-1	9-18 UNITS	2 STORIES/35'
TOTAL	273.96 AC.			

R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
MAX. TOTAL UNITS 1275

ATTACHMENT A

LAND USE SUMMARY

RESIDENTIAL TRACTS, MISC. OPEN SPACE AND BUFFERS	432.0 ACRES
RECREATION FACILITY	19.42 ACRES
WATER MANAGEMENT	186.02 ACRES
CONSERVATION AREAS	124.3 ACRES
WETLAND CONSERVATION	63.5 ACRES
WETLAND CREATION	4.5 ACRES
UPLAND CONSERVATION	41.7 ACRES
WETLAND/UPLAND BUFFERS	14.6 ACRES
PROPERTY TOTAL	741.72 ACRES
NOTE: ALL ACREAGE FIGURES ARE APPROXIMATE	

DENSITY SUMMARY

STONEYBROOK NORTH TOTAL	741.72 ACRES
ADJACENT ROW TOTAL	20.75 ACRES
PROPERTY TOTAL	762.50 ACRES
RESIDENTIAL UNIT TOTAL	1275 UNITS
PROJECT DENSITY	1.67 UNITS/ ACRE

NO.	DATE	REVISION DESCRIPTION	BY
1	9/4/2014	REVISED SITE LAYOUT	EMH
2	7/27/2015	MODIFIED SITE LAYOUT	EMH
3	9/4/2015	MODIFIED SITE LAYOUT	EMH
4	10/2/2015	REVISED TRACT 'M' AND LAND USE TABLE PER COUNTY COMMENTS	EMH

BANKS ENGINEERING
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
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ENGINEERING LICENSE # EB 6485
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

MASTER CONCEPT PLAN
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
5/6/2014	1447	...MCP	EMH	EMH	SWM	1"=300'	1

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

SCHEDULE OF USES
ADD2015-00134

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Club, Private (Limited to Track ~~L~~ **K**)
Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower – limited to one on the north side of Tract ~~L~~ **K** and limited to a maximum of 35 feet in height
Dwelling Unit – limited to a maximum of 1,275 units consisting of:
Conventional Single-family Residence
(May be constructed on all R-1 residential tracts)
See Note 1.
Two-family attached (Limited to Tracts J and ~~K~~ **M**)
See Note 1.
Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts F and G, must be no less than 7,500 square feet in area within 500 feet of the northern boundary.
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model
Display Group
Real Estate Sales Office (Temporary sales office limited to Tract ~~L~~ **K** and limited to The sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in Compliance with LDC Chapter 30 except as approved by deviation

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Engineering License No. EB 6469 • Surveying License No. LB 6690

ATTACHMENT B

Temporary uses (§34-3041)

Note1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts J and ~~K~~ **M**).

NORTH BROOK
LITTORAL PLANTING EXHIBIT

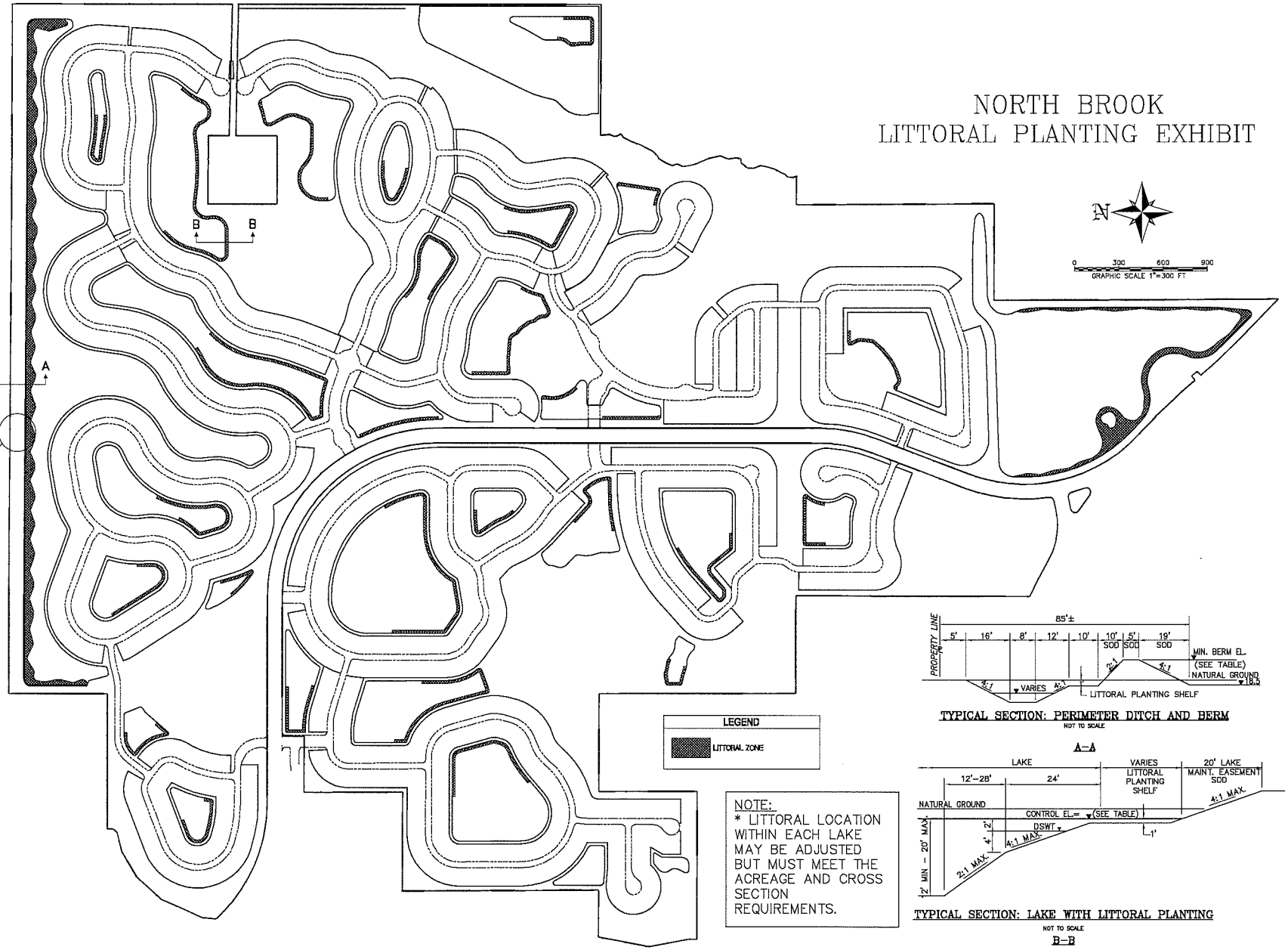
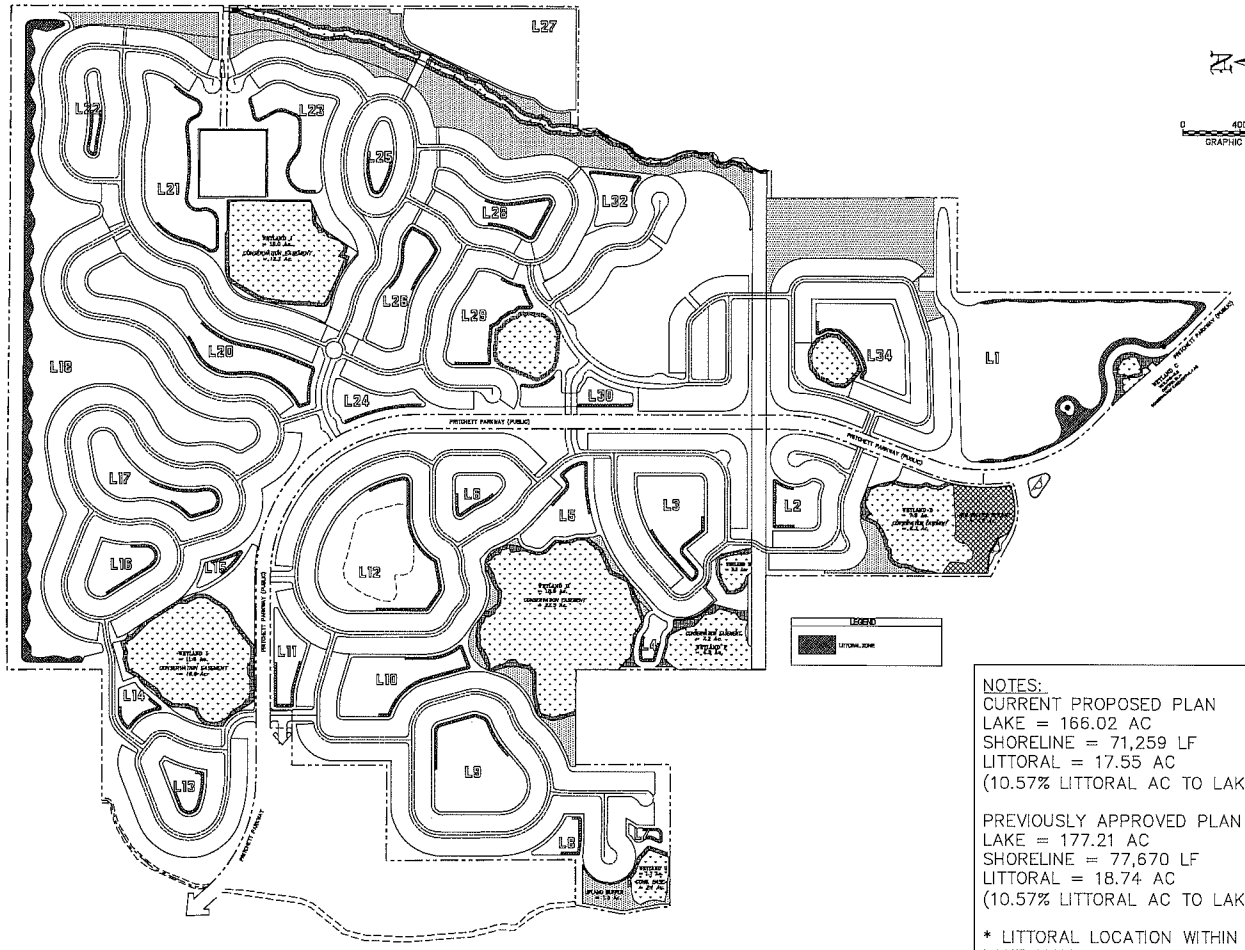
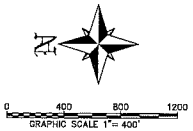


EXHIBIT "E"

LAKE PERIMETER LITTORAL AREA				
LAKE #	LAKE AREA (AC)	LAKE PERIMETER (LF)	LITTORAL (AC)	PLANTS PROPOSED AT 3' O.C.
1	30.21	6576	1.40	6,775
2	2.25	1302	0.27	1,302
3	5.33	2192	0.45	2,192
4	0.91	866	0.18	866
5	3.57	1902	0.39	1,902
6	1.54	1046	0.22	1,046
7	0.48	665	0.14	665
8	1.29	1068	0.22	1,068
9	8.12	2269	0.47	2,269
10	5.65	2440	0.50	2,440
11	2.38	1628	0.34	1,628
12	13.45	3002	0.62	3,002
13	1.54	1066	0.22	1,066
14	1.30	982	0.20	982
15	0.80	901	0.19	901
16	2.83	1413	0.29	1,413
17	4.36	2449	0.51	2,449
18	29.86	13480	5.57	26,960
20	8.59	4104	0.85	4,104
21	8.85	3247	0.67	3,247
22	0.99	1270	0.26	1,270
23	4.90	2542	0.53	2,542
*24	2.16	1630	0.34	*
25	1.69	1165	0.24	1,165
26	4.03	2121	0.44	2,121
28	3.52	2126	0.44	2,126
29	5.12	2096	0.43	2,096
30	2.68	2074	0.43	2,074
32	2.21	1355	0.28	1,355
34	5.59	2282	0.47	2,282
TOTAL	166.20	71,259	17.55	83,309

* LAKE 24 IS AN IRRIGATION LAKE THAT IS NOT INCLUDED IN THE STORMWATER MANAGEMENT SYSTEM. NO LITTORAL PLANTINGS ARE REQUIRED FOR LAKE 24.





NOTES:
CURRENT PROPOSED PLAN
LAKE = 166.02 AC
SHORELINE = 71,259 LF
LITTORAL = 17.55 AC
(10.57% LITTORAL AC TO LAKE AC)

PREVIOUSLY APPROVED PLAN
LAKE = 177.21 AC
SHORELINE = 77,670 LF
LITTORAL = 18.74 AC
(10.57% LITTORAL AC TO LAKE AC)

* LITTORAL LOCATION WITHIN EACH LAKE MAY BE ADJUSTED BUT MUST MEET THE ACREAGE AND CROSS SECTION REQUIREMENTS.

EXHIBIT "F"

BANKS ENGINEERING

LITTORAL PLANTING EXHIBIT - "F"
NORTH BROOK
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/13/2015	1447N1	-3DH-F		DAH		1"=400'	1

ATTACHMENT L

ADMINISTRATIVE AMENDMENT (PD) ADD2020-00046

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Banks Engineering, Inc., on behalf of North Brook Holdings, LLC filed an application for an administrative amendment to the Stoneybrook North Residential Planned Development to amend the Master Concept Plan and Schedule of Uses, update certain conditions of approval and corresponding exhibits, and correct certain typographical errors in prior zoning actions affecting property located along both sides of Pritchett Parkway, described more particularly as:

LEGAL DESCRIPTION: In Sections 15, 16 & 21, Township 43 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-02-070 and was subsequently amended by ADD2013-00083, ADD2014-00074 and ADD2015-00134; and

WHEREAS, the subject property is located in the Outlying Suburban, Wetlands and General Interchange Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant has filed a request to amend the Master Concept Plan to realign internal roads, reconfigure certain lakes and open spaces areas, eliminate a shared access serving the subject property and the property to the west located on the south side of Pritchett Parkway, depict an existing well facility along the western property boundary, update the conservation areas, and amend the Tract Information and Land Use Summary tables to reflect these changes (see Exhibit "B"); and

WHEREAS, the applicant has filed a request to amend the schedule of uses to permit two-family attached dwelling units on Tracts A, B, J and M as identified on the Master Concept Plan (see Exhibit "C"); and

WHEREAS, two-family attached dwelling units were approved on tracts identified as R-1A on the approved Master Concept Plan by Resolution Z-02-070, and the location of these units within the development was amended by ADD2015-00134; and

WHEREAS, the requested revision to the schedule of uses will permit the development of two-family attached dwelling units on either side of Pritchett Parkway (see Exhibit "C"); and

WHEREAS, no changes to the maximum number of dwelling units per tract is proposed by this request, and the reallocation of two-family attached units within the development will not result in any off-site impact; and

WHEREAS, ADD2013-00083 deleted the site development regulations for two-family attached dwelling units, and the applicant has filed a request to reinstate these site development regulations to govern the development of two-family attached dwelling units consistent with the approved schedule of uses; and

WHEREAS, the applicant has filed a request to amend Condition 14 of Resolution Z-02-070, as amended by Condition 5 of ADD2013-00083, to reflect the proposed revisions to the Master Concept Plan and associated littoral planting exhibits (see Exhibit "C"); and

WHEREAS, the applicant has submitted revised littoral planting exhibits consistent with the revised Master Concept Plan and with the littoral planting requirements of the Land Development Code (see Exhibit "D"); and

WHEREAS, the applicant has filed a request to remove Condition 6 of Resolution Z-02-070, which establishes Sabal palm salvage and relocation requirements, to reflect current Land Development Code requirements (see Exhibit "C"); and

WHEREAS, a code enforcement violation was issued in response to the removal of Sabal palms from the subject property without the requisite permits and the property owner entered into a compliance agreement to abate the violation, which was subsequently recorded in the Public Records of Lee County in Instrument #2008000308389 (see Exhibit "E"); and

WHEREAS, the property owner failed to comply with the conditions of the recorded compliance agreement, and a second violation was issued for the subject property in 2015 (ENV2015-00009); and

WHEREAS, the property owner has abated violation ENV2015-00009 and submitted a letter of substantial compliance for the landscape portion of DOS2015-00083, which includes the conditions of the compliance agreement, on February 12, 2020 (see Exhibit "F"); and

WHEREAS, the Temporary Certificate of Compliance was extended for a period of 120 days by County staff on June 4, 2020; and

WHEREAS, the applicant has filed a request to amend Condition 7 of Resolution Z-02-070 to clarify the location of the gopher tortoise preserve required by this resolution (see Exhibit "C"); and

WHEREAS, the applicant has filed a request to amend Condition 8 of Resolution Z-02-070 to reflect updated conservation areas and remove reference to a previously approved wetland creation area located west of the intersection of Pritchett Parkway and Leetana Road (see Exhibits "B" and "C"); and

WHEREAS, the wetland creation area will remain in conservation but has been classified as an upland conservation area (see Exhibit "B"); and

WHEREAS, the applicant has filed a request to amend Condition 26.a.1) of Resolution Z-02-070 to clarify expectations regarding water modeling requirements (see Exhibit "C"); and

WHEREAS, Condition 26.a1) of Resolution Z-02-070 requires the developer to provide updated water modeling data to the Division of Natural Resources when modifications to the development parameters are proposed; and

WHEREAS, two administrative zoning actions (ADD2013-00083 and ADD2015-00134) have been previously approved by the County without satisfaction of this condition; and

WHEREAS, the applicant has submitted documentation demonstrating the limited location and parameters of water modeling associated with the development (see Exhibit "G"); and

WHEREAS, neither the previously approved zoning actions nor the subject request affect the locations analyzed by prior water modeling and, therefore, do not warrant the submittal of updated water modeling data; and

WHEREAS, Natural Resources staff has reviewed the requested modification and recommends that Condition 26.a.1) remain unchanged while acknowledging that the documentation submitted by the applicant satisfies the condition for the subject request; and

WHEREAS, the initial review of the request by County staff identified the need for two additional deviations from the roadway design and construction standards and natural waterway buffer requirements of the Land Development Code; and

WHEREAS, the applicant subsequently submitted a request for two additional deviations and has provided adequate justification in support of the requested deviations (see Exhibit "H"); and

WHEREAS, County staff has identified additional modifications to prior zoning actions to reflect amendments to the Land Development Code and the reorganization of County staff; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an administrative amendment to the Stoneybrook North Residential Planned Development is **APPROVED subject to the following conditions:**

1. **This approval codifies and supersedes previously approved ADD2013-00083 and ADD2015-000134. The terms and conditions of Resolution Z-02-070 remain in full force and effect, except as modified herein.**

2. **Condition 1 of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby amended as follows:**

   Development must be in compliance with the amended Master Concept Plan entitled Master Concept Plan, Stoneybrook North, prepared by Banks Engineering, Inc., dated May 6, 2014 and last revised July 17, 2020, a copy of which is attached hereto as Exhibit "B."

3. **Condition 2.a. of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby amended as follows:**

   Administrative Offices
   Agriculture – SUBJECT TO Condition 24 of Resolution Z-02-070
   Accessory uses and structures
   Club, Private (Limited to Track K)
      Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor
      Food and beverage service, limited
      Health Club and Spa
      Parking lot, accessory
      Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
   Specialty Retail Shop, Group I
   Communication Tower – limited to one on the north side of Tract K and limited to a maximum of 35 feet in height
   Dwelling Unit – limited to a maximum of 1,275 units consisting of:
      Conventional Single-family Residence
         (May be constructed on all R-1 residential tracts, see Note 1)
      Two-family attached
         (Limited to Tracts A, B, J and M, see Note 1)
   Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts F and G must be no less than 7,500 square feet in area within 500 feet of the northern boundary.
   Entrance Gate and Gatehouse, in compliance with §34-1748
   Essential Services
   Essential Services Facilities, Group I
   Excavation, water retention
   Fences, walls
   Home occupation
   Model Home, Model Unit and Model Display Group

Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts A, B, J and M).

4. **Condition 4 of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby restated as follows:**

The Tract K recreational area must include at a minimum, one multi-purpose field, a playground, and picnic area, or recreational water feature. Facilities for the safe passage of pedestrians and cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5. **Condition 6 of Resolution Z-02-070 is hereby amended as follows:**

Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(j).

6. **Condition 7 (Gopher Tortoises) of Resolution Z-02-070 is hereby amended as follows:**

A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve located east of Tract M and south of the LCEC easement. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

7. **Condition 8 of Resolution Z-02-070 is hereby amended as follows:**

   Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for Lee County Development Services Section staff review and approval.

8. **Condition 11 of Resolution Z-02-070 is hereby amended as follows:**

   All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Lee County Development Services Section staff prior to construction. Minor adjustments to minimized impacts to native vegetation may be required.

9. **Condition 13 of Resolution Z-02-070 is hereby amended as follows:**

   Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval of Development Services and other applicable County staff.

10. **Condition 14 of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby amended as follows:**

    Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the littoral planting exhibit entitled Northbrook Littoral Planting Exhibit, attached hereto as Exhibit "D."

    All lake littoral zones must be constructed as depicted in Cross Section B-B. Littoral planting quantities must be consistent with the exhibit entitled Littoral Planting Exhibit "F", North Brook, attached hereto as Exhibit "D." The planting area along the northern ditch expansion must also provide native wetland plants installed three feet on-center.

11. **Condition 16 of Resolution Z-02-070, as amended by ADD2015-00134, is hereby restated as follows:**

    Lake littoral plantings within Tract M must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake 1 (contained within Tract M).

12. Condition 17 of Resolution Z-02-070 is hereby amended as follows:

The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Development Services staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Development Services staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

13. Condition 30 of Resolution Z-02-070 is hereby amended as follows:

Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high for areas annotated with Buffer Note 1 or installed at 48 inches high and a minimum of 20 feet from the property line for areas annotated with Buffer Note 2 except as modified by Deviation 18.

14. Condition 31 of Resolution Z-02-070, as amended by ADD2015-00134, is hereby amended as follows:

a. Outdoor ballfield lights for any baseball field located on Tract K are prohibited.

b. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

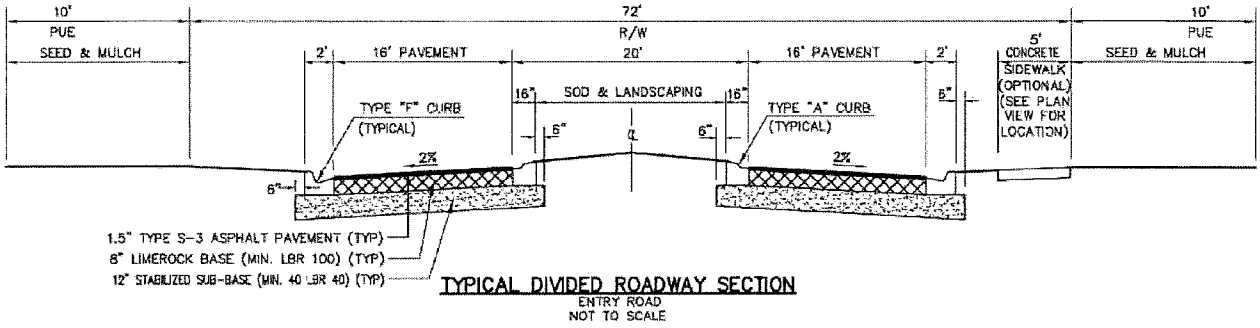
15. Deviation 3 of Resolution Z-02-070, as amended by ADD2015-00134, is hereby restated as follows:

Deviation (3) seeks relief from §10-418(2)d, which requires the installation of native wetland herbaceous plants at a calculation of 25 percent of the total linear feet of shoreline multiplied by the 20-foot-wide planted littoral shelf and divided by four to obtain two-foot-on-center spacing, and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract M lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16 of Resolution Z-02-070, as amended by ADD2015-00134 and restated herein.

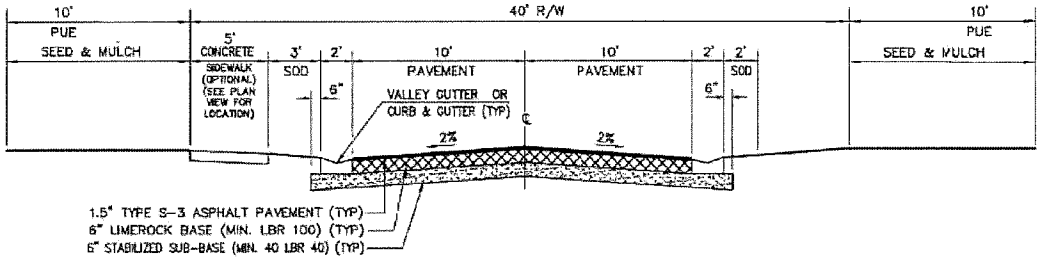
16. Deviation (7) of Resolution Z-02-070 is hereby amended as follows:

Deviation (7) seeks relief from §10-329(d)(4), which requires excavations to be sloped at a ratio not greater than six (6) horizontal to one (1) vertical from the top of bank to a water depth of two feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18 of Resolution Z-02-070.

17. Deviation 17 seeks relief from LDC Section 10-296(e)(2)h.5.ii. and iii., which require Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road, to allow internal roadways to be designed and constructed in accordance with the following cross sections approved by DOS2015-00083, as amended:



TYPICAL DIVIDED ROADWAY SECTION
ENTRY ROAD
NOT TO SCALE



TYPICAL ROADWAY SECTION
40' R/W LOCAL ROAD-20' PAVEMENT
NOT TO SCALE

This deviation is APPROVED, SUBJECT TO the following condition:

a. **The developer must provide a pedestrian way along one side of all streets internal to the development and must extend each pedestrian way from intersection to intersection**

18. Deviation 18 seeks relief from LDC Section 10-416(d)(9), which requires a 50-foot-wide vegetated natural waterway buffer containing six native canopy trees and 50 native shrubs per 100 linear feet, which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio, to allow existing vegetation to remain to meet the buffer requirements and to allow areas to remain in their natural state if no vegetation exists with no planting plan required. This deviation is APPROVED, SUBJECT TO the following condition:

a. **The areas at the northwestern corner of the property within the required natural waterway buffer depicted on the Master Concept Plan with annotations referencing Buffer Note 1 and Buffer Note 2 may not be planted.**

19. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 8/20/2020

Audra Ennis, Zoning Manager

List of Exhibits
Exhibit A: Legal Description
Exhibit B: Master Concept Plan
Exhibit C: Request Narrative
Exhibit D: Littoral Planting Exhibits "E" and "F"
Exhibit E: Recorded Compliance Agreement (Instrument 2008000308389)
Exhibit F: Landscape Architect Temporary Certificate of Compliance (DOS2015-00083)
Exhibit G: Water Model (HEC-RAS) Correspondence and Parameters
Exhibit H: Deviations and Justifications

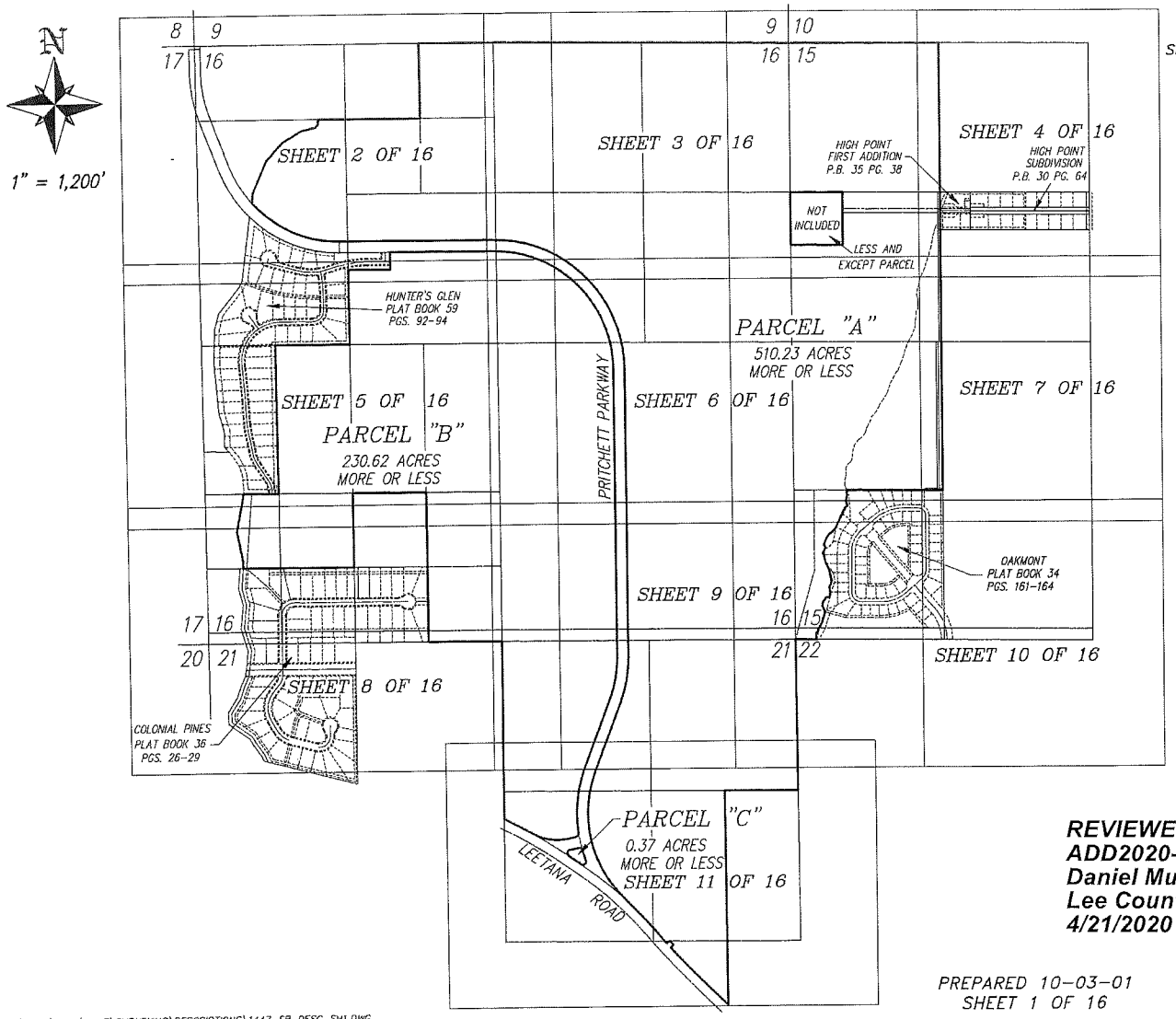
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

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

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

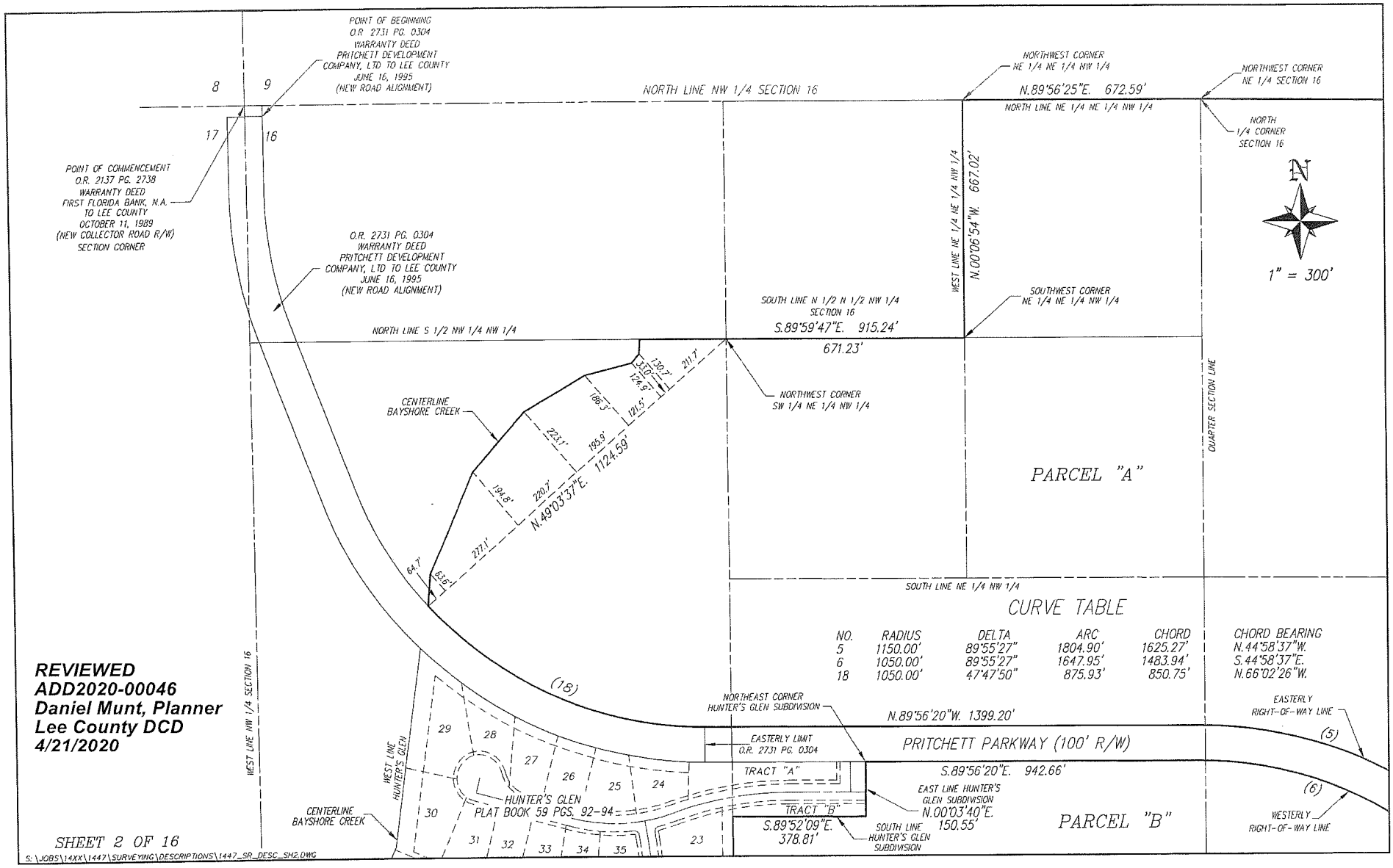
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

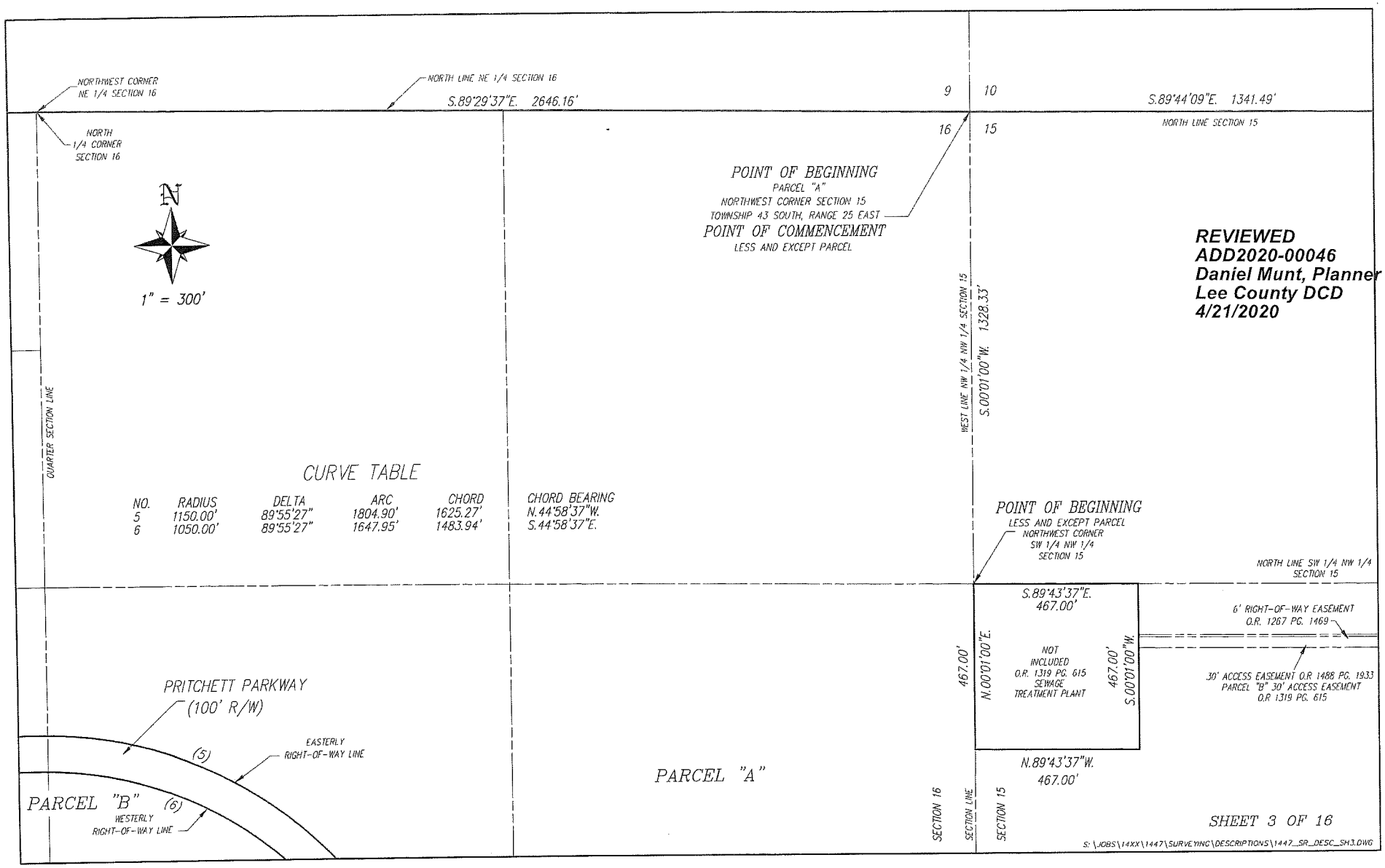
PREPARED 10-03-01
SHEET 1 OF 16

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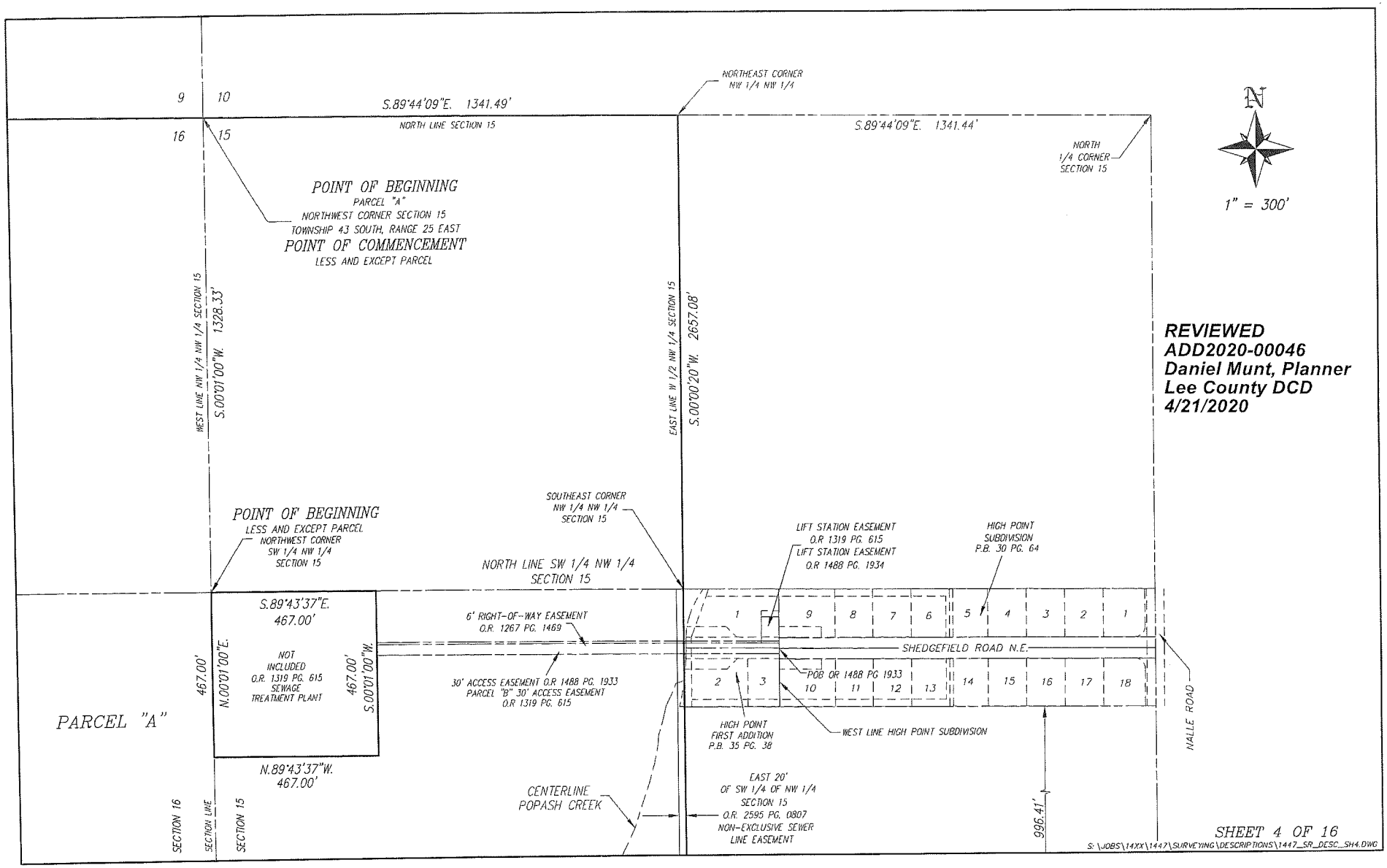
ADD2020-00046 Lee County ePlan



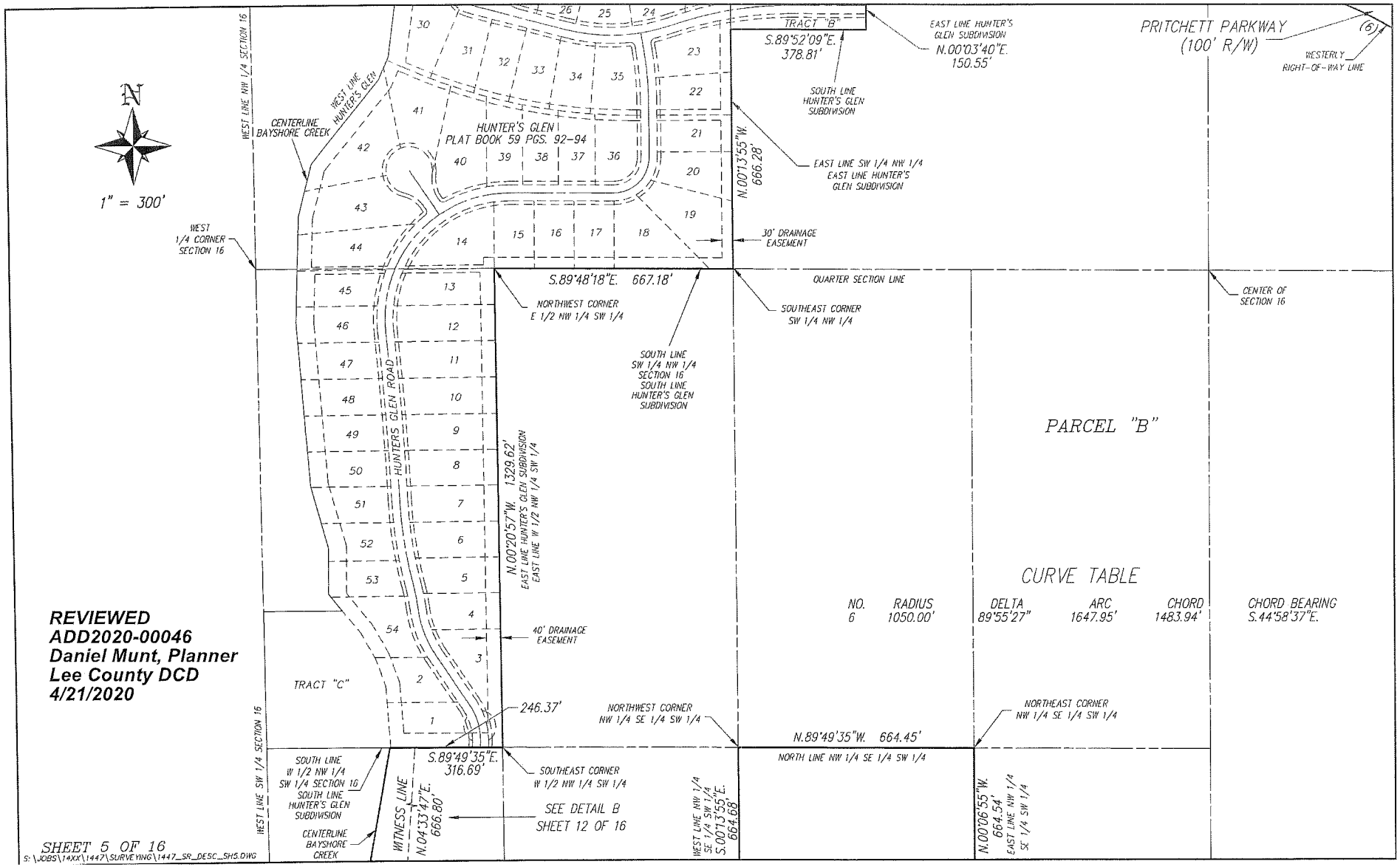
ADD2020-00046 Lee County ePlan



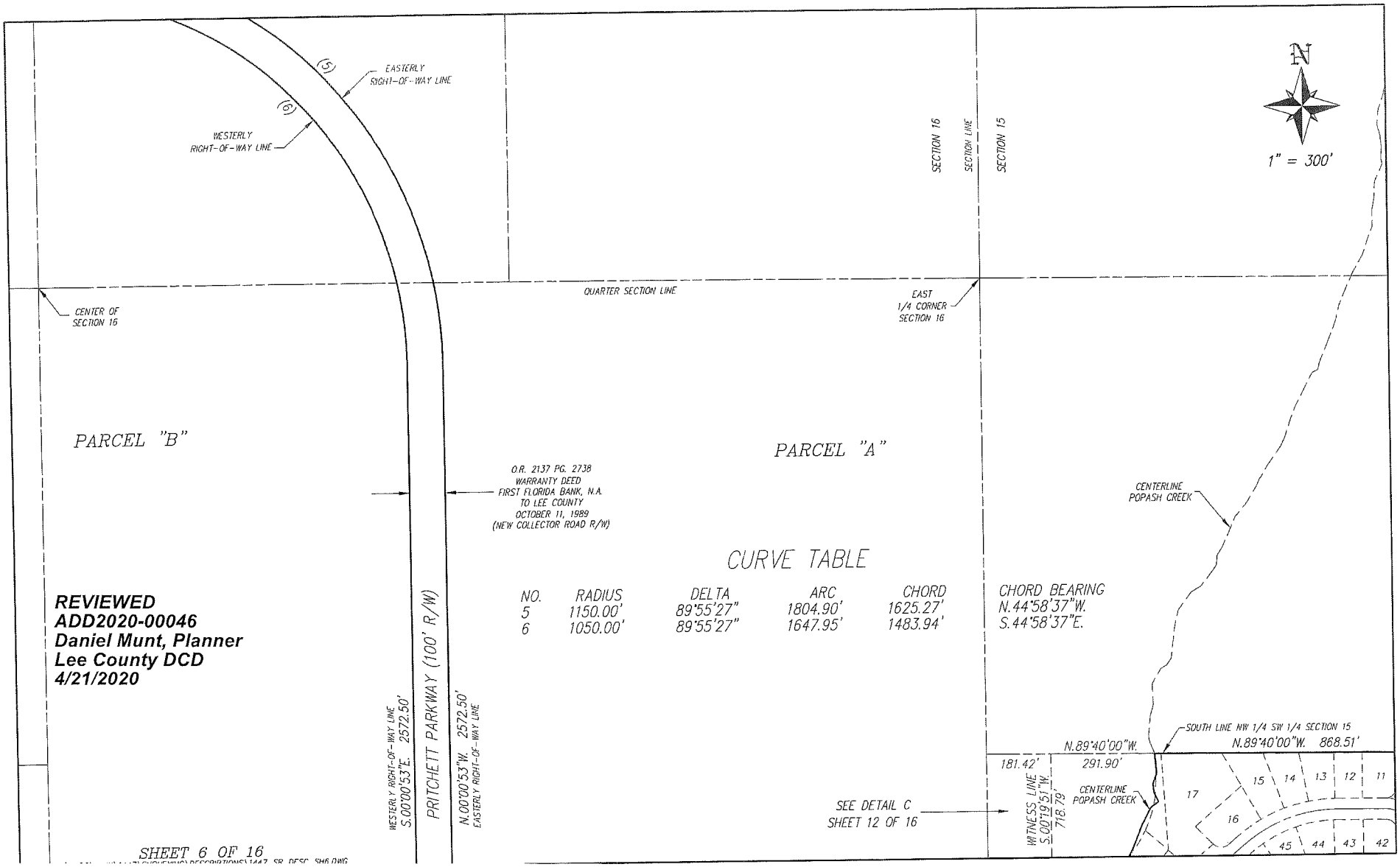
ADD2020-00046 Lee County ePlan



ADD2020-00046 Lee County ePlan

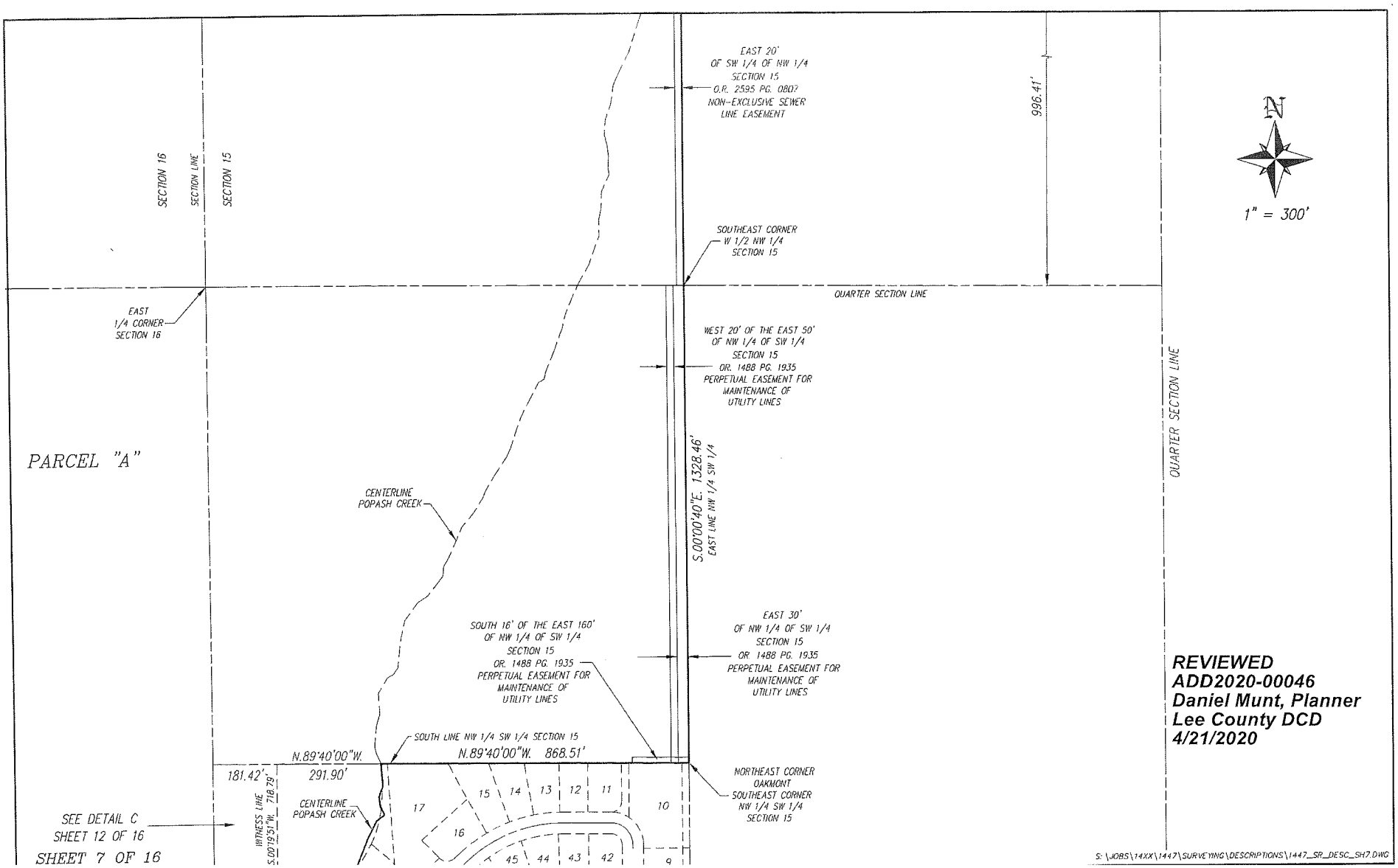


ADD2020-00046 Lee County ePlan

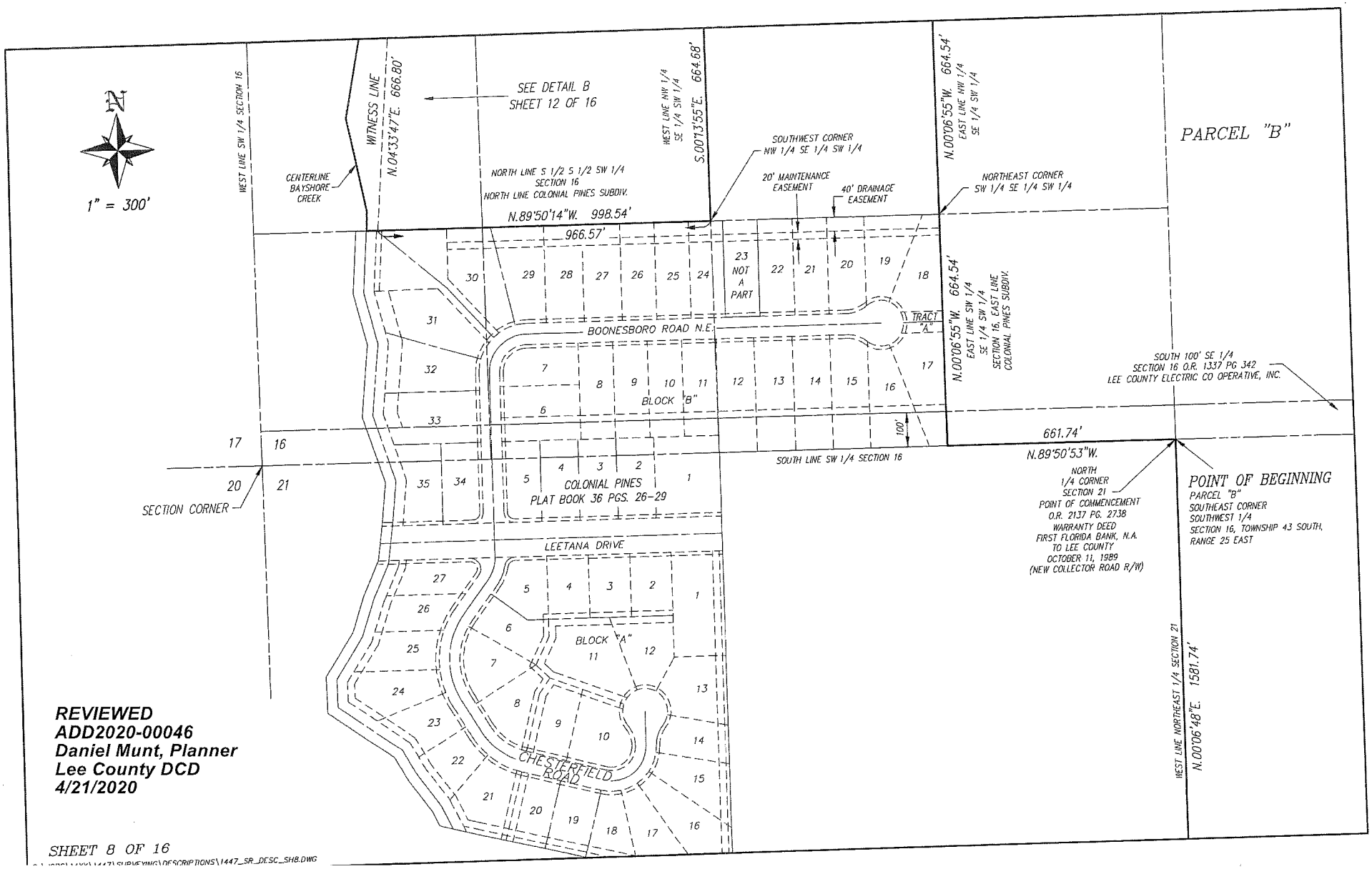


SHEET 6 OF 16

ADD2020-00046 Lee County ePlan



ADD2020-00046 Lee County ePlan

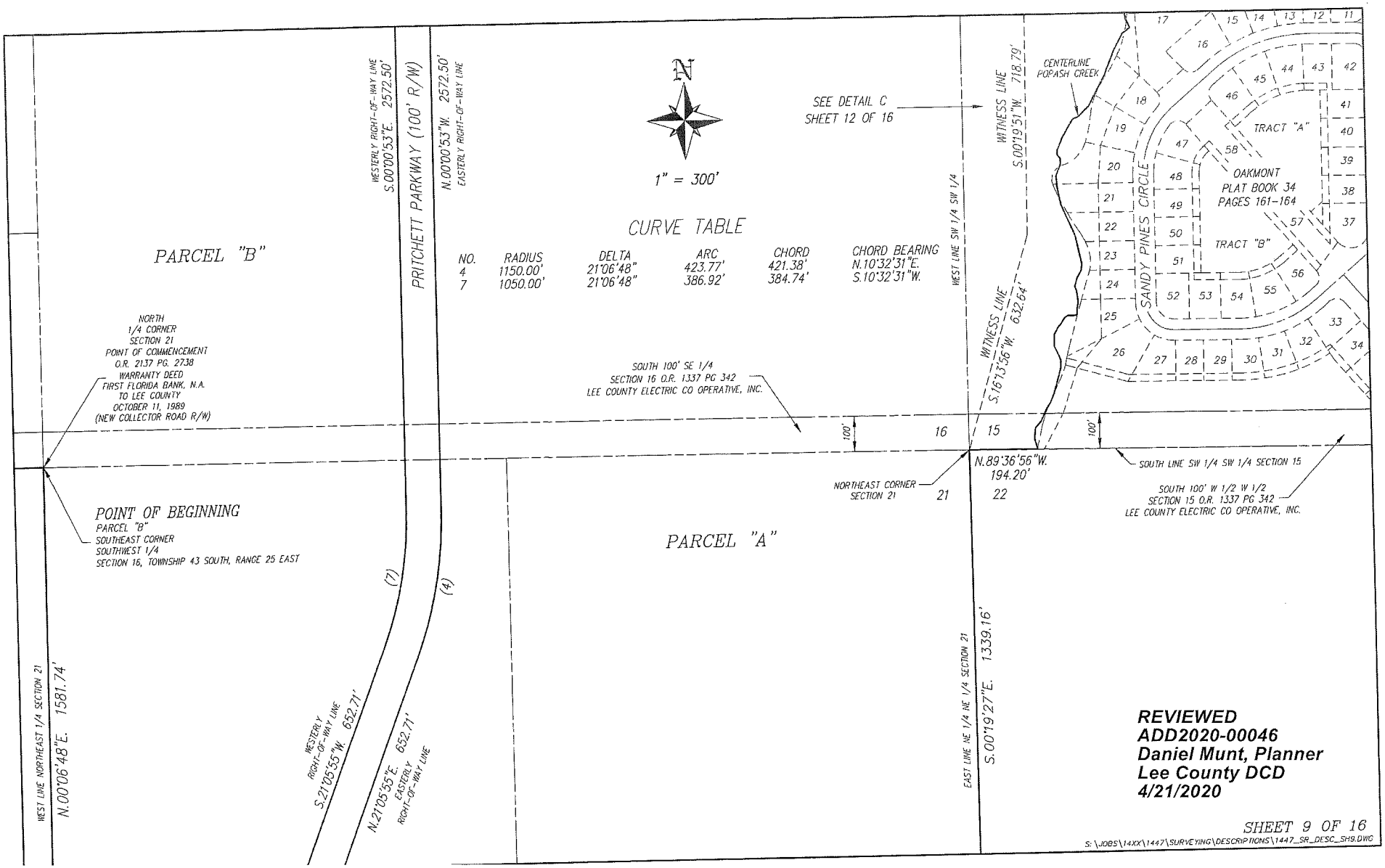


REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

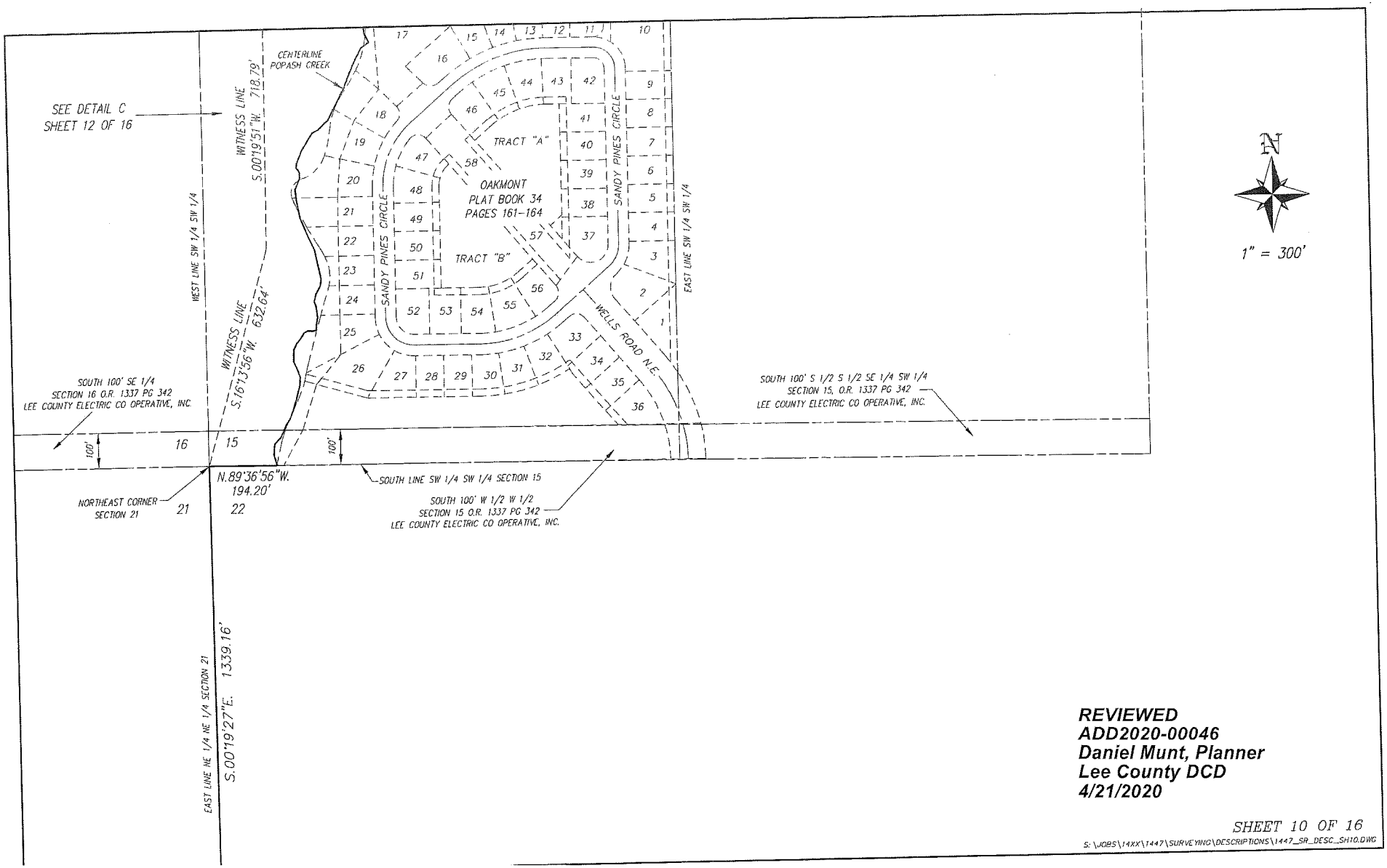
SHEET 8 OF 16

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ADD2020-00046 Lee County ePlan



ADD2020-00046 Lee County ePlan

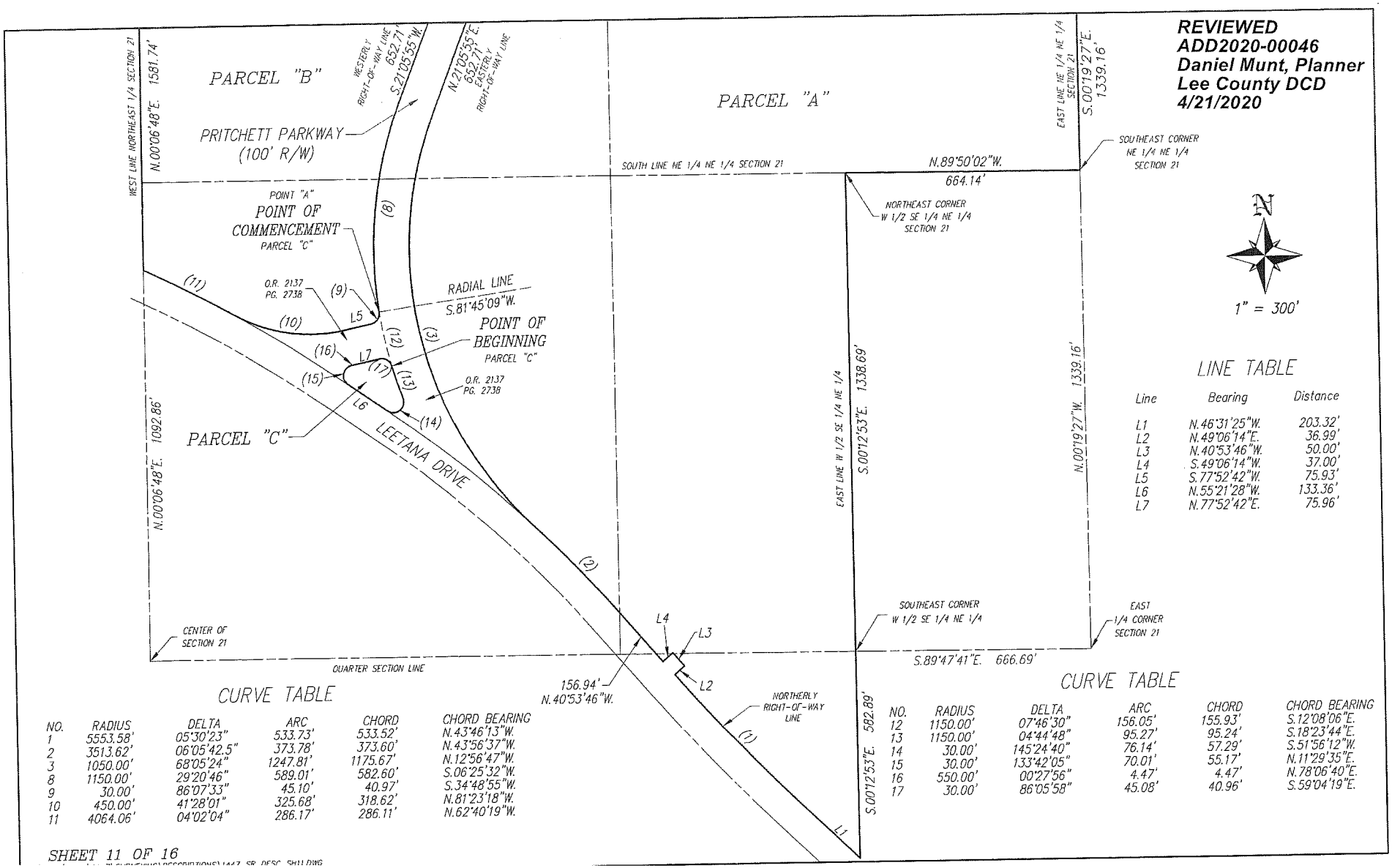


REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

SHEET 10 OF 16

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ADD2020-00046 Lee County ePlan



LINE TABLE

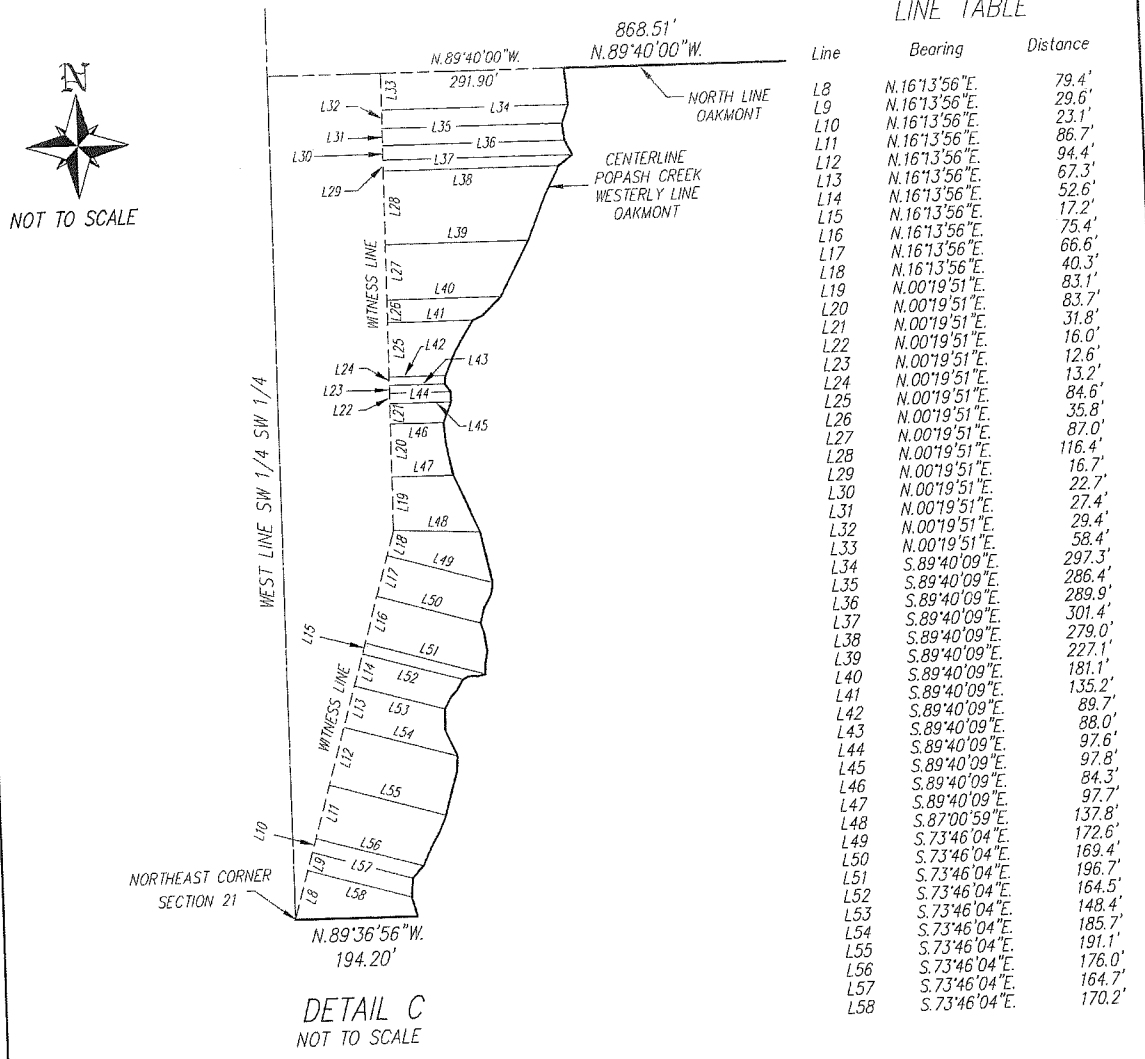
Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.



DETAIL C
NOT TO SCALE

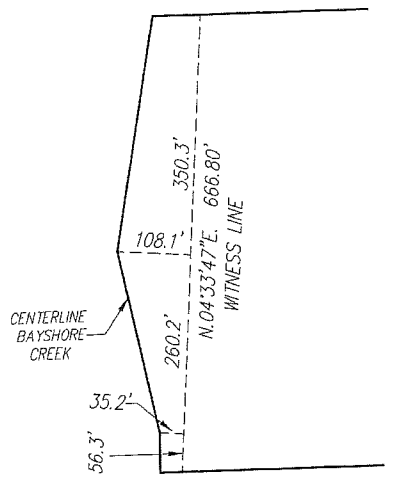
LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

SHEET 12 OF 16

DETAIL SHEET





DETAIL B
NOT TO SCALE

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Lee County DCD
4/21/2020

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

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CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING**.

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

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SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

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

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

S:\16\1643\1643\DWG\DESCRIPTIONS\1643_SE_DESC_SKT.dwg
S:\16\1643\1643\DWG\DESCRIPTIONS\1643_SE_DESC_SHEET.dwg

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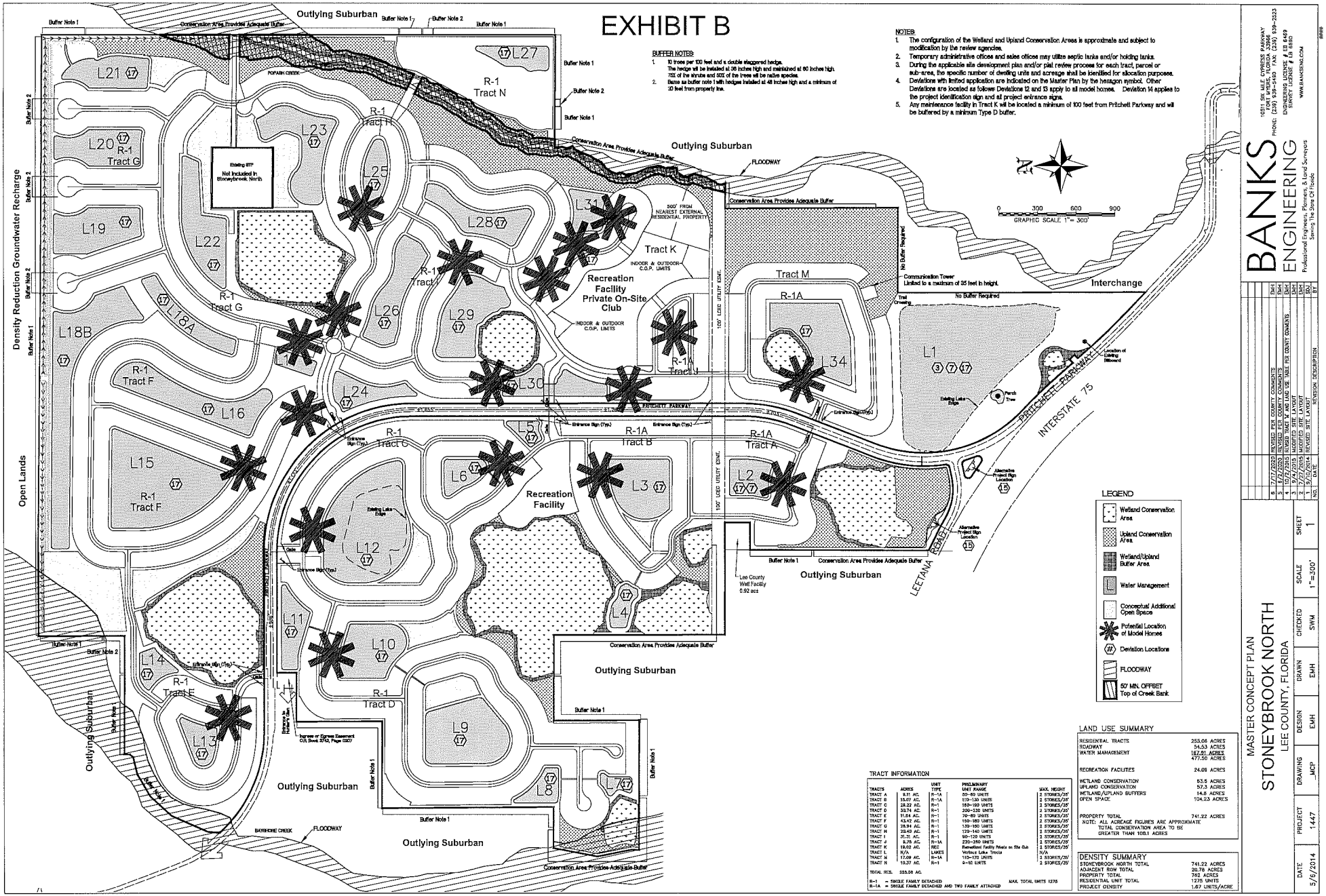

EXHIBIT B
BUFFER NOTES:
1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.
2. Berms as buffer note 1 with hedges installed at 48 inches high and a minimum of 10 feet from property line.
NOTES:
1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol. Other Deviations are located as follows: Deviations 12 and 13 apply to all model homes. Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.
Outlying Suburban
Density Reduction Groundwater Recharge
Open Lands
Conservation Area Provides Adequate Buffer
POPASH CREEK
BAYSHORE CREEK
FLOODWAY
Existing WTP Not Included in Stoneybrook North
R-1 Tract N
R-1 Tract H
R-1 Tract G
R-1 Tract F
R-1 Tract C
R-1 Tract E
R-1 Tract D
R-1A Tract B
R-1A Tract A
R-1A Tract I
Tract K
INDOOR & OUTDOOR C.O.P. LIMITS
500' FROM NEAREST EXTERNAL RESIDENTIAL PROPERTY
Recreation Facility Private On-Site Club
Recreation Facility
Tract M
R-1A
No Buffer Required
Communication Tower Limited to a maximum of 95 feet in height.
Interchange
PRITCHETT PARKWAY
INTERSTATE 75
LEETANA ROAD
100' LCEC UTILITY ESMT.
Lee County Well Facility 0.92 ac
Existing Lake Edge
Entrance Sign (Typ.)
Gate
Entrance to Historic Site
Ingress or Egress Easement O/R Book 3743, Page 3307
Alternative Project Sign Location
Location of Existing Billboard
Palm Tree
Tree Clusters
L1 L2 L3 L4 L5 L6 L7 L8 L9 L10 L11 L12 L13 L14 L15 L16 L18A L18B L19 L20 L21 L22 L23 L24 L25 L26 L27 L28 L29 L30 L31 L34
GRAPHIC SCALE 1" = 300'
LEGEND
Wetland Conservation Area
Upland Conservation Area
Wetland/Upland Buffer Area
Water Management
Conceptual Additional Open Space
Potential Location of Model Homes
Deviation Locations
FLOODWAY
50' MIN. OFFSET Top of Creek Bank
TRACT INFORMATION
TRACTS | ACRES | UNIT TYPE | PRELIMINARY UNIT RANGE | MAX. HEIGHT
TRACT A 9.31 AC. R-1A 50-60 UNITS 2 STORIES/35'
TRACT B 15.07 AC. R-1A 110-130 UNITS 2 STORIES/35'
TRACT C 28.22 AC. R-1 150-160 UNITS 2 STORIES/35'
TRACT D 33.74 AC. R-1 200-230 UNITS 2 STORIES/35'
TRACT E 11.84 AC. R-1 70-80 UNITS 2 STORIES/35'
TRACT F 43.47 AC. R-1 150-160 UNITS 2 STORIES/35'
TRACT G 28.94 AC. R-1 130-150 UNITS 2 STORIES/35'
TRACT H 20.49 AC. R-1 120-140 UNITS 2 STORIES/35'
TRACT I 31.31 AC. R-1 90-120 UNITS 2 STORIES/35'
TRACT J 9.75 AC. R-1A 220-250 UNITS 2 STORIES/35'
TRACT K 18.02 AC. REC Recreational Facility Private On Site Club N/A
TRACT L N/A LAKES Various Lake Tracts N/A
TRACT M 17.09 AC. R-1A 110-170 UNITS 2 STORIES/35'
TRACT N 10.37 AC. R-1 8-10 UNITS 2 STORIES/35'
TOTAL RES. 353.06 AC.
R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
MAX. TOTAL UNITS 1275
LAND USE SUMMARY
RESIDENTIAL TRACTS 353.06 ACRES
ROADWAY 54.53 ACRES
WATER MANAGEMENT 167.91 ACRES
477.50 ACRES
RECREATION FACILITIES 24.09 ACRES
WETLAND CONSERVATION 53.5 ACRES
UPLAND CONSERVATION 57.3 ACRES
WETLAND/UPLAND BUFFERS 14.8 ACRES
OPEN SPACE 104.23 ACRES
PROPERTY TOTAL 741.22 ACRES
NOTE: ALL ACREAGE FIGURES ARE APPROXIMATE
TOTAL CONSERVATION AREA TO BE GREATER THAN 108.1 ACRES
DENSITY SUMMARY
STONEYBROOK NORTH TOTAL 741.22 ACRES
ADJACENT ROW TOTAL 20.78 ACRES
PROPERTY TOTAL 762 ACRES
RESIDENTIAL UNIT TOTAL 1275 UNITS
PROJECT DENSITY 1.67 UNITS/ACRE
BANKS ENGINEERING
10511 SIX MILE CYPRESS PARKWAY FORT MYERS, FLORIDA 33966 PHONE: (239) 939-1490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 8449 SURVEYING LICENSE # LB 6486
WWW.BANKSENG.COM
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida
MASTER CONCEPT PLAN
STONEYBROOK NORTH
LEE COUNTY, FLORIDA
DATE 5/6/2014 | PROJECT 1447 | DRAWING MCP | DESIGN EMH | DRAWN EMH | CHECKED SWM | SCALE 1"=300' | SHEET 1
NO. DATE REVISION DESCRIPTION BY
1 10/10/2014 REVISED SITE LAYOUT SDJ
2 3/4/2015 MODIFIED SITE LAYOUT EMH
3 10/5/2015 REVISED TRACT 'M' AND LAND USE TABLE PER COUNTY COMMENTS EMH
4 12/3/2019 REVISED PER COUNTY COMMENTS EMH
5 1/6/2020 REVISED PER COUNTY COMMENTS EMH
6 7/17/2020 REVISED PER COUNTY COMMENTS EMH

EXHIBIT C

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

CELEBRATING 25 YEARS IN BUSINESS 1992 - 2017

Stoneybrook North
Minor Administrative Amendment to Planned Development
Narrative of Request

ADD2020-00046
Revised June 2020

Background

The applicant is requesting a minor administrative amendment to the approved North Brook (Stoneybrook North/Heritage Creek) Residential Planned Development (RPD) located along both sides of Pritchett Parkway. The original approved zoning resolution Z-02-070 has been administratively amended two times as follows:

Administrative Amendment ADD2013-00083 was approved to reconfigure the development tracts and add two more vehicular connections to Pritchett Parkway:

- New Master Concept Plan
- Updated tract numbering in Schedule of Uses and Condition 4
- Updated Condition 14 new littoral planting exhibits E & F

Administrative Amendment ADD2015-00134 was approved to reconfigure the internal development tracts, lakes, roadways, open space and update recreational facilities internal to the development, amend the schedule of uses and update the littoral exhibits:

- New Master Concept Plan
- Amended Condition 4 of ADD2013-00083
- Amended Condition 5 of ADD2013-00083 new littoral planting exhibits E & F
- Updated tract numbering in condition 16 of Z-02-070
- Amended Condition 31 of Z-02-070
- Updated tract numbering in deviation 3

The subject property is located in the Outlying Suburban, Wetlands and General Interchange future land use categories within the Bayshore Planning Community.

Request Summary

The applicant is seeking to administratively amend the planned development to update the internal layout of the Master Concept Plan (MCP) and associated exhibits to reflect

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Engineering License No. EB 6469 • Surveying License No. LB 6690

the current development plan and update conditions that are outdated due to the current Land Development Code. The requested updates are outlined in detail below:

- Amend the MCP to realign the roads, lakes and open space areas within the development to be consistent with the current development plan, including:
  - Eliminating the westernmost access connection to Pritchett Parkway from Tract D shared with Hunter's Glen.
  - Depict 0.92 acre Lee County well site adjacent to the LCEC easement in Tract A
  - Update the Conservation Areas
  - Amend the Tract Information table and Land Use Summary Table accordingly.
- Amend a typographical error in ADD2013-00083 Condition 3 at the bottom of page 2:
  - ~~Condition 2.b. is amended to delete two-family attached from the Table for the Site Development Regulations.~~
- Amend Schedule of Uses approved by ADD2015-00134 Condition 3, Attachment B as follows:
  - Two-family attached (Limited to Tracts **A, B,** J and M) See Note 1.
  - Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts **A, B,** J and M)
- Amend Condition 5 and Attachment A of ADD2015-00134 to provide the attached updated exhibits to be consistent with the revised MCP:
  - North Brook Littoral Panting Exhibit "E"
  - North Brook Littoral Panting Exhibit "F"
- Amend Condition 6 shown in strike-through below to remove language that was removed from the LDC by Ordinance No. 16-19 and update the protected tree credit reference.
  - Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. ~~Any healthy Sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If the sequence of construction does not allow the on-site relocation of Sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that ar located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Lee County Division of Environmental Sciences staff whether used on-site or otherwise. Any Sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as **Exhibit D**.~~ Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(~~h~~**j**).
- Clarify Condition 7 in regards to the location of the referenced gopher tortoise preserve.
  - Gopher Tortoises:

A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds mut be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise **preserve located east of Tract M and south of the LCEC easement**. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

- Amend Condition 8 to reflect the updated conservation areas and remove reference to the wetland creation area. This area will be conceptual additional open space.
    - Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area ~~**including the wetland creation area**~~. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Lee County Division of Environmental Sciences staff review and approval.
- The applicant respectfully requests rewording of condition 26.a.1) language to clarify the intent. All changes to the projects design have been internal, the development outer perimeter continues to remain well outside of the HEC-RAS modeled, FEMA approved floodway limits. Consistent with the Natural Resources memo dated July 7, 2003 and applicant document dated June 26, 2003, documentation demonstrated that the HEC-RAS model "analyzed an encroachment of 50 feet only on the project side of the creeks. This is conservative as the Master Concept Plan shows a minimum 50-foot setback from the top of creek banks." A red line has been added to the MCP depicting a 50-foot minimum setback to the creek top of bank (copy provided). The depicted development limits remain clearly well outside of the 50-foot setback line for Popash and Bayshore Creeks. Please see also attached following exhibits from the DCI2001-00038 zoning file.
    - Memorandum from Alvin Block to Hearing Examiner dated July 8, 2003 with attachments:
        - Memorandum from Natural Resources, dated July 7, 2003
        - Correspondence from Banks Engineering, received on June 26, 2003

Additionally, Please note the very first portion of Condition 26 reads, "a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:..." This condition was complied with prior to the issuance of the first development order and the proposed improvement development parameters have not deviated from the parameters established during the zoning.

The applicant respectfully requests rewording of the condition language to clarify the intent. Proposed revision to Condition 26.a.1):

- "If the development parameters change from those modeled and approved during the rezoning **(50-feet from top of creek bank)**, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms."

The request is specific to portions of the development located in the interior of the planned development. There are no changes proposed to the external buffering provided. The north boundary continues to provide the 85-foot perimeter ditch and berm separation provided in section A-A on Exhibit E. There are no external impacts resulting from the proposed reconfiguration nor the updated conditions and exhibits.

LDC Consistency/Minimal Modification

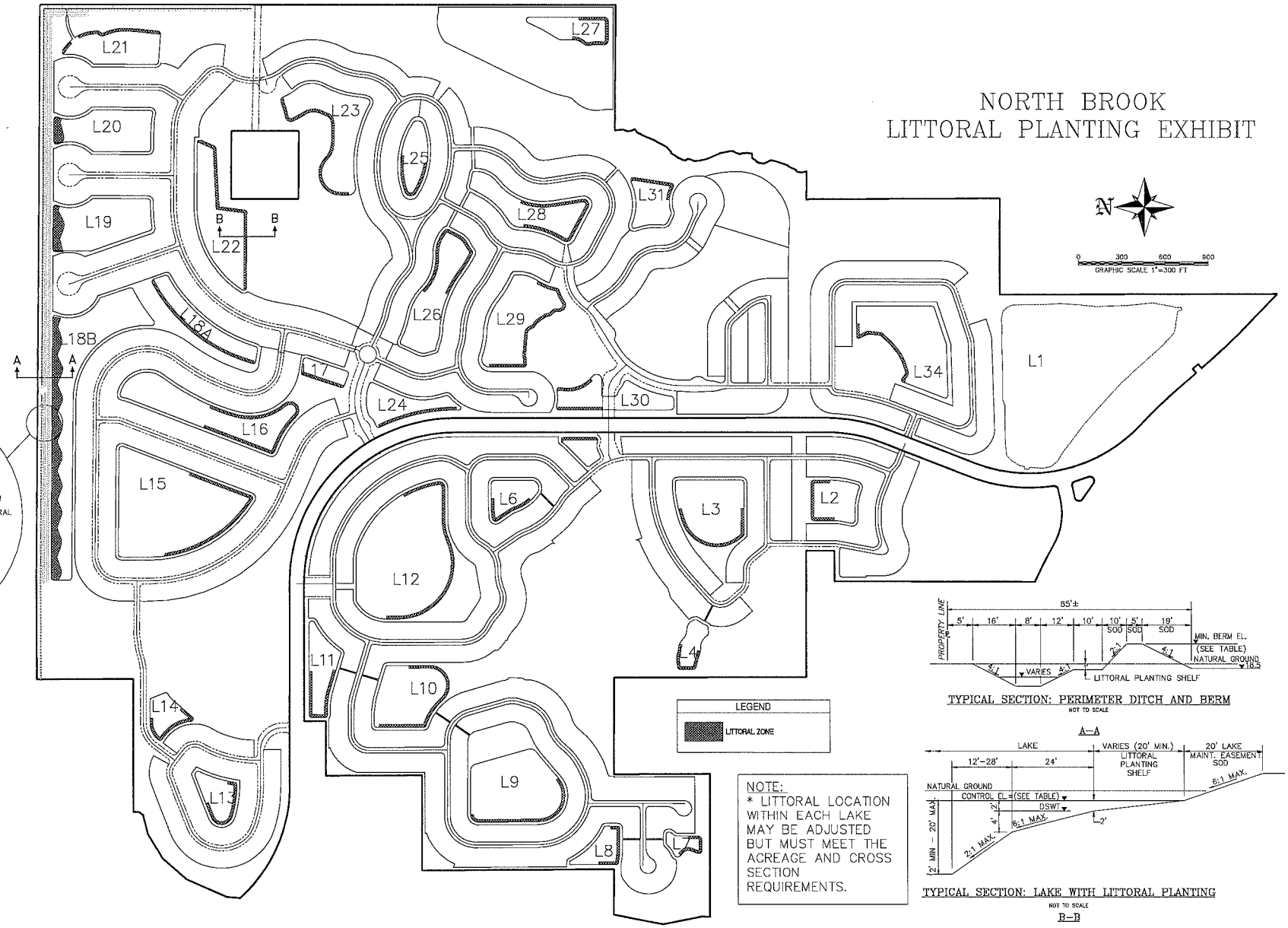
LDC Section 34-380(a) provides that amendments to an approved master concept plan or its attendant documentation may be requested at any time during the development of or useful life of a planned development. LDC Section 34-380(b) provides that the Director may administratively approve an amendment to a planned development in accord with section 34-174. LDC Section 34-174(i)(2) provides that the Director must find the request complies with the following required findings/review criteria for an administrative amendment to a planned development: a. Does not increase height, density or intensity of the development, except as permitted in chapter 2; b. Does not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development; c. Does not result in a reduction of total open space provided on the master concept plan by more than ten percent; d. Does not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code; e. If changes to the buffer or landscaping areas are proposed, equivalent or better (by comparison with the approved Master Concept Plan) landscaping or buffering is provided; f. Does not adversely impact surrounding land uses; and g. Is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request.

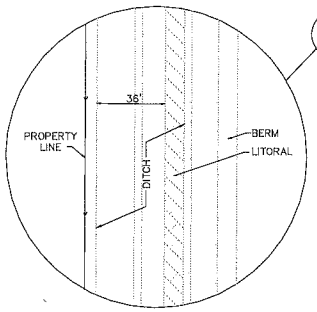
The request is consistent with the administrative amendment requirements contained in LDC Section 34-174(i)(2). The request is to update the internal layout of the Master Concept Plan (MCP) and accompanying exhibits to reflect the current development plan

and update conditions that are outdated due to the current Land Development Code. The request does not include any change to the allowable intensity, so it does not increase height, density or intensity of the development. The requested revisions do not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development. The requested revisions do not result in a reduction of total open space provided on the master concept plan by more than ten percent and do not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code. No changes are proposed to the buffer or landscaping areas. The requested changes are internal to the development and do not adversely impact surrounding land uses. The request is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request. The requested amendment is the minimum necessary to the already approved planned development to allow the project to proceed with development. The approved deviations continue to enhance the achievement of the objectives of the planned development; and preserve and promote the general intent to protect the public health, safety and welfare. The proposed modifications do not result in any change to the project's consistency with the Lee Plan and the LDC. For these reasons, the applicant respectfully submits that this minor administrative amendment request should be approved.

EXHIBIT D

NORTH BROOK
LITTORAL PLANTING EXHIBIT





TYPICAL SECTION: PERIMETER DITCH AND BERM
NOT TO SCALE

A–A

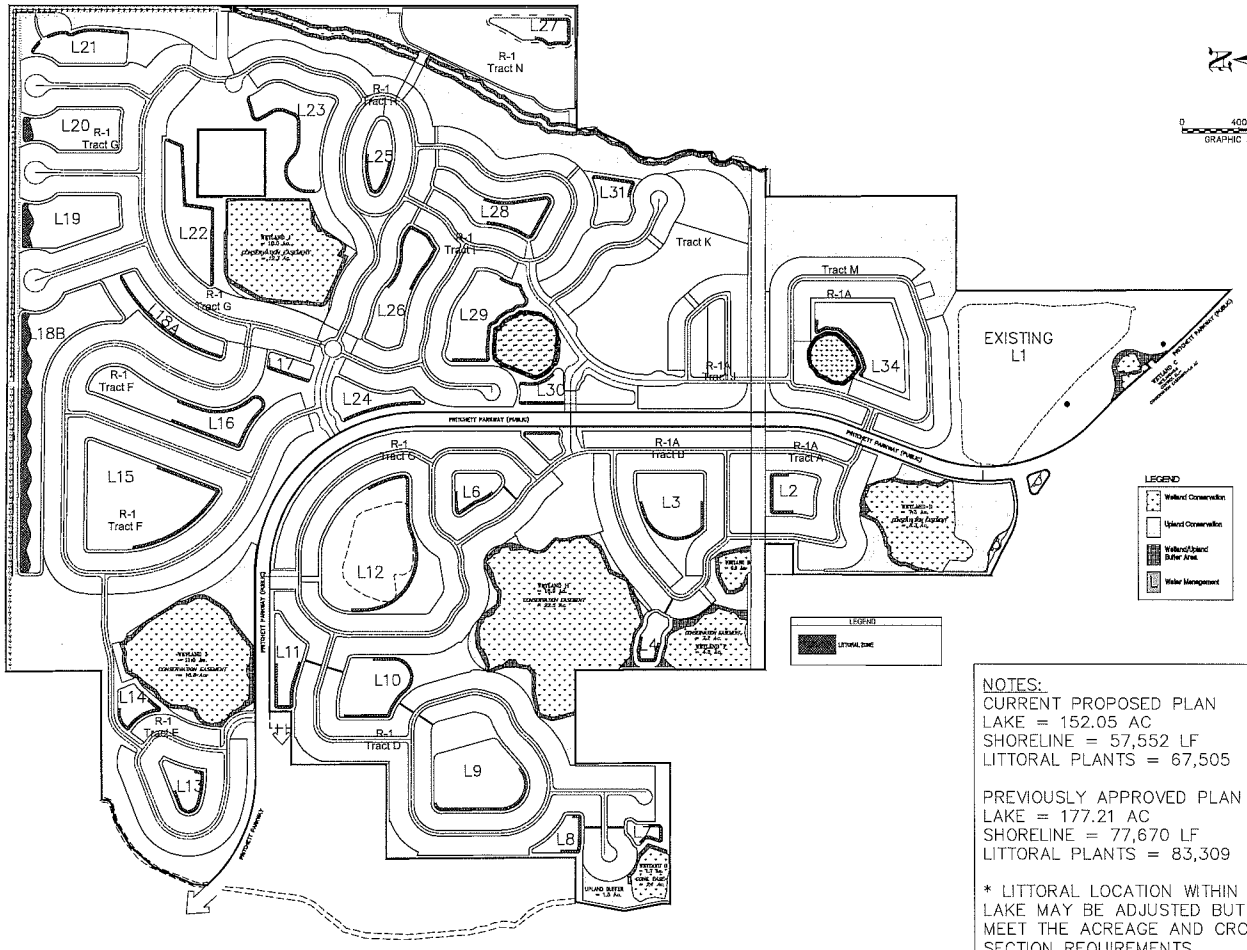
TYPICAL SECTION: LAKE WITH LITTORAL PLANTING
NOT TO SCALE

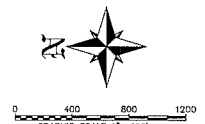
B–B

EXHIBIT "E"

LAKE PERIMETER LITTORAL AREA				
LAKE #	LAKE AREA (AC)	LAKE PERIMETER (LF)	LITTORAL (AC)	PLANTS PROPOSED
1*	15.86	4077	EXISTING 0.00	N/A 0
2	2.25	1168	0.13	1,461
3	4.43	1670	0.19	2,089
4	1.09	923	0.11	1,155
5	0.80	778	0.09	974
6	1.54	1045	0.12	1,307
7	0.67	750	0.09	939
8	1.29	1068	0.12	1,336
9	6.29	1972	0.23	2,466
10	4.13	1626	0.19	2,034
11	2.20	1541	0.18	1,927
12	11.31	2673	0.31	3,342
13	1.54	1065	0.12	1,332
14	1.30	982	0.11	1,229
15	10.50	2835	0.33	3,545
16	5.58	2943	0.34	3,680
17	0.88	849	0.10	1,062
18A	29.86	1991	0.23	2,490
18B	9.33	4963	0.57	6,205
19	4.70	1904	0.22	2,381
20	8.59	1815	0.21	2,270
21	6.85	1969	0.23	2,462
22	0.99	2440	0.28	3,051
23*	4.90	2542	0.53	2,542
24*	2.16	1630	0.19	906
25*	1.69	1165	0.24	1,165
26*	4.03	2121	0.44	2,121
27	2.08	1363	0.16	1,705
28*	3.52	2126	0.44	2,126
29*	5.12	2096	0.43	2,096
30*	2.68	2074	0.43	2,074
31*	2.16	1183	0.24	1,183
34	5.59	2262	0.26	2,654
TOTAL	152.05	57,552	7.83	67,505
PROPOSED LAKES ONLY				

* DENOTES EXISTING LAKE





NOTES:
CURRENT PROPOSED PLAN
LAKE = 152.05 AC
SHORELINE = 57,552 LF
LITTORAL PLANTS = 67,505

PREVIOUSLY APPROVED PLAN
LAKE = 177.21 AC
SHORELINE = 77,670 LF
LITTORAL PLANTS = 83,309

* LITTORAL LOCATION WITHIN EACH LAKE MAY BE ADJUSTED BUT MUST MEET THE ACREAGE AND CROSS SECTION REQUIREMENTS.

EXHIBIT "F"

BANKS ENGINEERING
1501 ST. KEY STREET, FAIRWAY
FORT MYERS, FLORIDA 33901
PHONE: (239) 334-1446 FAX: (239) 334-2033
ENGINEERING LICENSE # EB 6445
SURVEY LICENSE # LB 6445
WWW.BANKSENG.COM

NO.	DATE	BY	DESCRIPTION
1	12/5/2020	EAH	PER STAFF COMMENTS
2	12/15/2020	EAH	PER STAFF COMMENTS
3	1/5/2021	EAH	PER STAFF COMMENTS
4	1/7/2021	EAH	PER STAFF COMMENTS

LITTORAL PLANTING EXHIBIT - "F"
NORTH BROOK
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/2/2020	1447PH1	-DRP-F		EAH		1"=400'	1

EXHIBIT E

INSTR # 2008000308389, Doc Type AGR, Pages 11, Recorded 11/25/2008 at 11:45 AM, Charlie Green, Lee County Clerk of Circuit Court, Rec. Fee $95.00 Deputy Clerk TKING

This Instrument Prepared by:

Lee County Attorneys Office
Post Office Box 398
Fort Myers, Florida 33902-0398

STRAP Numbers: 15-43-25-00-00001.0000
16-43-25-00-00003.0000
16-43-25-00-00003.0010
21-43-25-00-00002.0000

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COMPLIANCE AGREEMENT

This Compliance Agreement is made and entered into this 11th day of November, 2008, by and between ***Lee County***, a political subdivision of the State of Florida, whose address is Post Office Box 398, 2115 Second Street, Fort Myers, Florida 33902 ("County") and NORTH BROOK HOLDNGS, LLC., ("North Brook") whose address is 2502 N. ROCKY POINT DRIVE ,STE 1050, TAMPA, FL 33607.

RECITALS

WHEREAS, North Brook is the owner of the property located at 9100 Sedgefield Rd. North Fort Myers, Florida 33172; 17640 Pritchett Pkwy North Fort Myers 33917; 18800 Pritchett Pkwy North Fort Myers 33917; 18700 Pritchett Pkwy North Fort Myers 33917 (collectively referred to herein as the "Property"), more particularly described in attached Exhibit "A"; and

WHEREAS, the Property is subject to zoning resolution Z-02-070; and

WHEREAS, upon a complaint registered by a neighbor of the Property, the inspection revealed that cabbage palms had been removed from the Property contrary to zoning and Lee County Land Development Code regulations; and

WHEREAS, North Brook has leased the Property to a tenant who was authorized to use the Property for agricultural uses that included cattle grazing and cultivation of hay and uses incidental to those, but did not include the removal of any trees or other vegetation from the Property; and

WHEREAS, North Brook was not aware of, and did not authorize, the removal of the cabbage palms from the property, and has worked cooperatively

with Lee County to address and resolve the removal of the palms by immediately initiating a meeting onsite with the County staff and fully cooperating in the staff's investigation of the complaint; and

WHEREAS, North Brook immediately acknowledged and does recognize that, as the property owner, it is responsible to resolve the removal; and

WHEREAS, North Brook agrees that the removal of cabbage palms is not in compliance with the Property's zoning approval found under zoning resolution Z-02-070 and Chapter 14 of the Lee County Land Development Code (Removal of Native Trees without a permit) and therefore North Brook agrees to restore the trees consistent with County regulations; and

WHEREAS, County and North Brook wish to resolve the dispute over the removal of cabbage palms in a way that is mutually beneficial and achieves compliance with County regulations.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants set forth herein, the sufficiency of which is hereby acknowledged, the Parties stipulate and agree as follows:

1. The above recitals are true and correct and the substantive provisions and terms are incorporated herein.

2. North Brook will not permit the removal of cabbage palms from the Property in violation of zoning resolution Z-02-070.

3. In order to abate the removal of the approximately 99 cabbage palms which took place on property which it owns, but which occurred without North Brook's permission or authorization, North Brook nonetheless agrees to take the following actions:

   a. Incorporate into Development Order Number DOS2007-00098 ("Development Order") for the Property, the planting of two hundred ninety-seven (297) cabbage palm (*Sabal palmetto*) trees on the parcel specified above. The restoration plantings identified and provided in Exhibit B are in addition to any trees or shrubs otherwise required to be planted by the LDC. Normally under LDC 14-384 the replacement stock is required to be nursery grown and not less than six (6) feet in height. North Brook agrees to use larger replacement cabbage palms with a minimum of six feet (6') of clear trunk at time of planting. However, at its option, North Brook may relocate those 6' to 8' clear trunk replacement palms from onsite or, based upon availability, from a site approved by Lee County Division of Environmental Sciences (DES) staff at the time of replacement. Replacement palms are computed on a three for one

basis according to the agreed upon total number of unlawfully removed trees (99) per LDC Section 14-384.

b. All of the replacement plantings must be guaranteed 80% survivability for a period of no less than five years. If any of the trees die, they must be replaced within 60 days of filing with Lee County the annual monitoring report showing their mortality. Replacement vegetation may not be planted over any property line or within any utility or County easement.

c. Attached as Exhibit B is a restoration plan showing the location of replacement materials and the planting standards.

d. An annual monitoring report must be submitted to Lee County Division of Environmental Sciences for five (5) years, annually on or before the anniversary date of the initial planting. The annual monitoring reports must describe the conditions of the restored area and provide the following information:

i. Mortality, reasonably assumed causes for mortality, growth of the vegetation and other factors that would show the functional health of the restored area must be included in the monitoring report.

ii. Photos showing the condition of the restored area on, or near, the date of submission of each annual monitoring report must accompany the monitoring report. Photo locations should be the same throughout the duration of the monitoring report.

iii. When restoration is required, monitoring reports are necessary to ensure that the restoration efforts have been successful. To verify the success of the restoration efforts and the accuracy of the monitoring reports, periodic inspections by County staff are necessary.

4. Failure to submit an annual monitoring report will be deemed a breach of this Agreement. However, the parties recognize and agree that the Property is being developed as a residential community which will have operating entities such as Homeowner Associations or a Community Development District which become ultimately responsible for complying with all of the various permits and agreements to which the Property is subject, and the responsibilities contained herein may be transferred to such an entity at the appropriate time in the development of the community.

5. The Development Order must delineate the location, specifications, and the quantity of the restoration cabbage palms on the plans.

6. Restoration of Cabbage Palms must be completed as follows: 99 cabbage palms will be planted no later than May 31, 2010 and the remaining 198 cabbage palms will be planted no later than May 31, 2011 or all 297 cabbage palms will be planted within 180 days of the issuance of the Vegetation Removal Permit following the approval of the Development Order, whichever occurs first. To assure sufficient time to address any disputed plantings, upon restoration North Brook will request DES to inspect at least 30 days before the deadline and DES will complete the inspection within ten (10) days of the request.

7. In the event that North Brook has not abated the removal in accordance with the terms provided herein, North Brook shall be assessed a daily fine of $50. Said fine shall be imposed from the effective date of this Agreement and will constitute a lien on the subject property and will continue to accrue on a daily basis until all conditions of this Agreement have been met and the removal abated. If a breach of this Agreement occurs, the parties understand and agree that the County is entitled and may seek compliance with the terms and conditions of this Agreement either through a code enforcement action or in a court of competent jurisdiction by any and all remedies allowed by law with the prevailing party entitled to recover attorney's fees and costs.

8 In the event that North Brook is unable to meet the requirements within the time provided herein and has acted diligently and in good faith North Brook may request additional time to come into compliance. Any request for an extension of time must be made in writing and received by the County before the date the action is required.

9. This Agreement is binding upon the heirs, assigns, and successors in ownership of the Property, including any successor Homeowner Association or Community Development District.

10. This Agreement constitutes the entire Agreement between the parties. Any modification of this Agreement must be in writing and executed with the same formality.

11. The effective date of this Compliance Agreement is the date of execution by Lee County.

IN WITNESS WHEREOF, the Parties have executed this Compliance Agreement intending to be bound as of the date first set forth above.

NORTH BROOK HOLDINGS, LLC
BY:NORTH BROOK INTERMEDIATE LLC
2502 N. ROCKY POINT DRIVE, SUITE 1050
TAMPA FL 33607

BY: _____
John M. Ryan, Managing Member

_____
1st Witness Signature

Michael S. Lawson
Type or print name of 1st witness

_____
2nd Witness Signature

Sara M. Roberts
Type or print name of 2nd Witness

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 4 day of November, 2008, by John M. Ryan as Managing Member of North Brook Intermediate, LLC, Managing Member of North Brook Holdings, LLC. He is personally known to me or has produced

_____
as identification.

KATHLEEN NICHOLSON
Notary Public - State of Florida
My Commission Expires May 19, 2009
Commission # DD 430982
Bonded By National Notary Assn.

_____
(Signature of Notary)

Kathleen Nicholson
(Name typed, printed, or stamped)

LEE COUNTY, Florida

By: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

Approved as to form:
By: _____
Michael D. Jacob
Assistant County Attorney

Date: 11-12-08

EXHIBIT "A"

LEGAL DESCRIPTION

Banks Engineering, Inc.

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

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21,
TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

EXHIBIT "A"

(STONEYBROOK NORTH)

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2923

EXHIBIT "A"

ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE **POINT OF BEGINNING** THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO **THE POINT OF BEGINNING**.

PARCEL CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE WEST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE

EXHIBIT "A"

SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 0.37 ACRES MORE OR LESS.

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

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

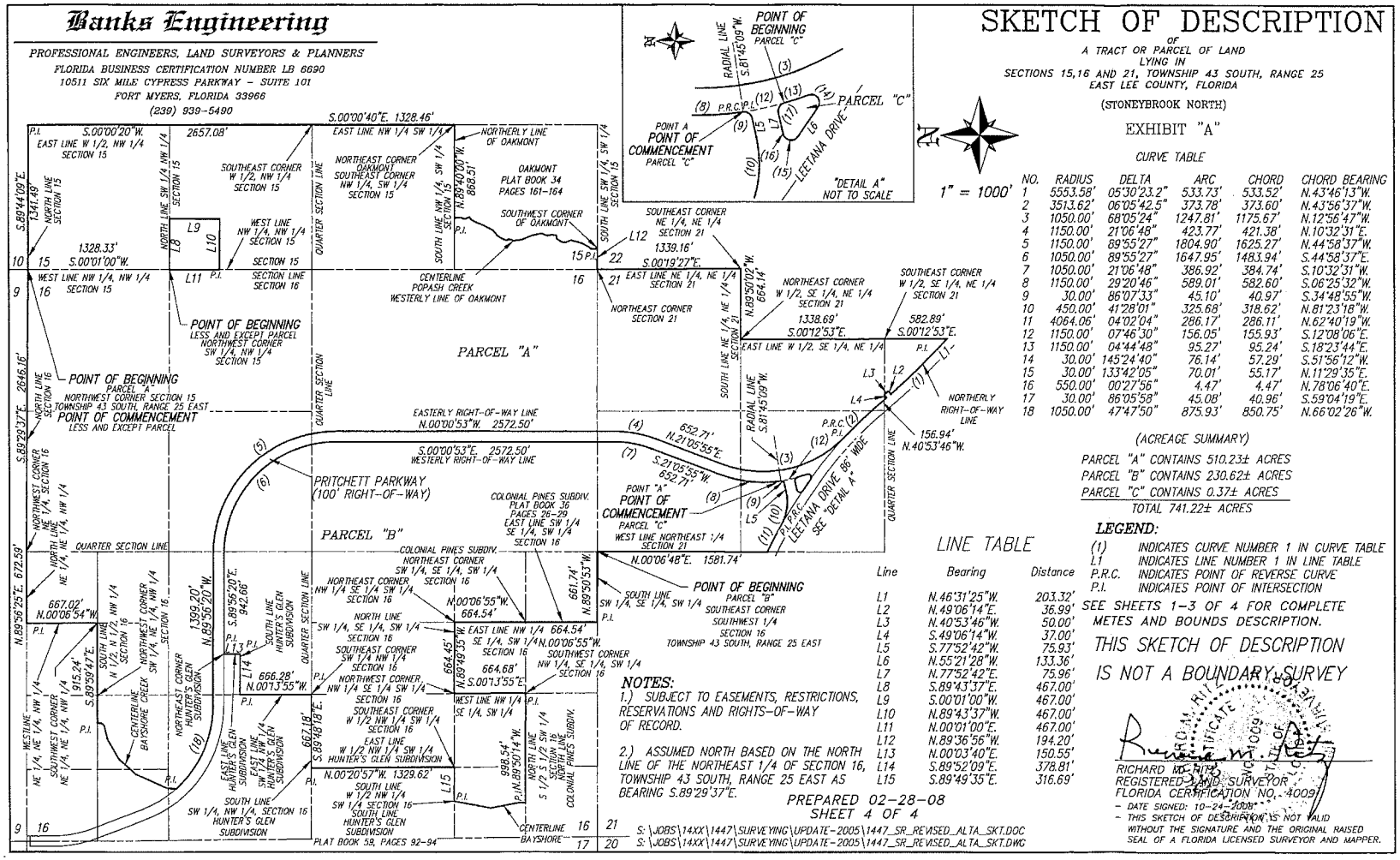
DESCRIPTION PREPARED FEBRUARY 28, 2008

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009
DATE SIGNED: OCTOBER 24, 2008

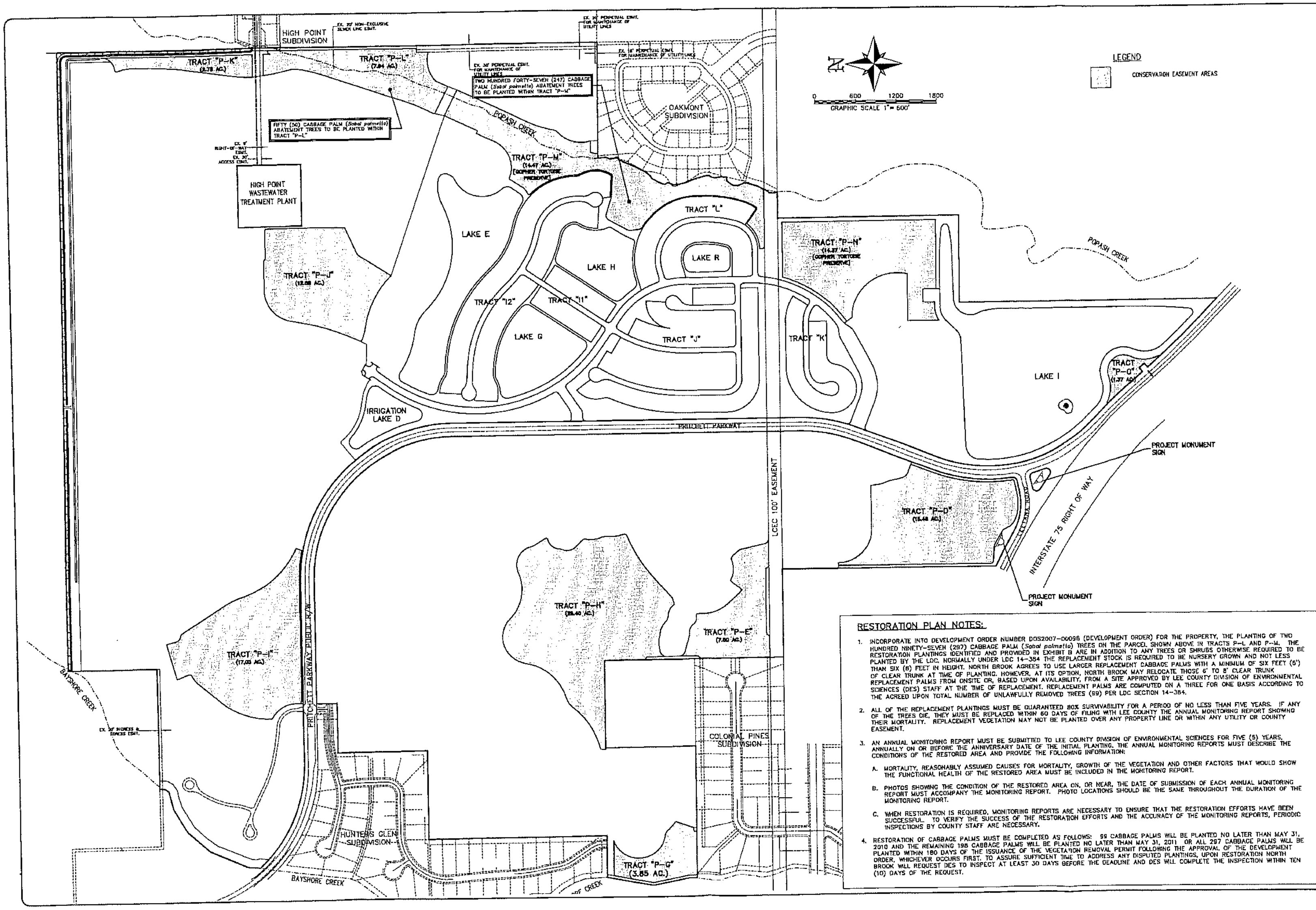
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ADD2020-00046 Lee County ePlan

INSTR # 2008000308389 Page Number: 10 of 11



ADD2020-00046 Lee County ePlan
INSTR # 2008000308389 Page Number: 11 of 11



RESTORATION PLAN NOTES:

1. INCORPORATE INTO DEVELOPMENT ORDER NUMBER DOS2007-00098 (DEVELOPMENT ORDER) FOR THE PROPERTY, THE PLANTING OF TWO HUNDRED NINETY-SEVEN (297) CABBAGE PALM (*Sabal palmetto*) TREES ON THE PARCEL SHOWN ABOVE IN TRACTS P-L AND P-M. THE RESTORATION PLANTINGS IDENTIFIED AND PROVIDED IN EXHIBIT B ARE IN ADDITION TO ANY TREES OR SHRUBS OTHERWISE REQUIRED TO BE PLANTED BY THE LDC. NORMALLY UNDER LDC 14-384 THE REPLACEMENT STOCK IS REQUIRED TO BE NURSERY GROWN AND NOT LESS THAN SIX (6) FEET IN HEIGHT. NORTH BROOK AGREES TO USE LARGER REPLACEMENT CABBAGE PALMS WITH A MINIMUM OF SIX FEET (6') OF CLEAR TRUNK AT TIME OF PLANTING. HOWEVER, AT ITS OPTION, NORTH BROOK MAY RELOCATE THOSE 6' TO 8' CLEAR TRUNK REPLACEMENT PALMS FROM ONSITE OR, BASED UPON AVAILABILITY, FROM A SITE APPROVED BY LEE COUNTY DIVISION OF ENVIRONMENTAL SCIENCES (DES) STAFF AT THE TIME OF REPLACEMENT. REPLACEMENT PALMS ARE COMPUTED ON A THREE FOR ONE BASIS ACCORDING TO THE AGREED UPON TOTAL NUMBER OF UNLAWFULLY REMOVED TREES (99) PER LDC SECTION 14-384.

2. ALL OF THE REPLACEMENT PLANTINGS MUST BE GUARANTEED 80% SURVIVABILITY FOR A PERIOD OF NO LESS THAN FIVE YEARS. IF ANY OF THE TREES DIE, THEY MUST BE REPLACED WITHIN 60 DAYS OF FILING WITH LEE COUNTY THE ANNUAL MONITORING REPORT SHOWING THEIR MORTALITY. REPLACEMENT VEGETATION MAY NOT BE PLANTED OVER ANY PROPERTY LINE OR WITHIN ANY UTILITY OR COUNTY EASEMENT.

3. AN ANNUAL MONITORING REPORT MUST BE SUBMITTED TO LEE COUNTY DIVISION OF ENVIRONMENTAL SCIENCES FOR FIVE (5) YEARS, ANNUALLY ON OR BEFORE THE ANNIVERSARY DATE OF THE INITIAL PLANTING. THE ANNUAL MONITORING REPORTS MUST DESCRIBE THE CONDITIONS OF THE RESTORED AREA AND PROVIDE THE FOLLOWING INFORMATION:

   A. MORTALITY, REASONABLY ASSUMED CAUSES FOR MORTALITY, GROWTH OF THE VEGETATION AND OTHER FACTORS THAT WOULD SHOW THE FUNCTIONAL HEALTH OF THE RESTORED AREA MUST BE INCLUDED IN THE MONITORING REPORT.

   B. PHOTOS SHOWING THE CONDITION OF THE RESTORED AREA ON, OR NEAR, THE DATE OF SUBMISSION OF EACH ANNUAL MONITORING REPORT MUST ACCOMPANY THE MONITORING REPORT. PHOTO LOCATIONS SHOULD BE THE SAME THROUGHOUT THE DURATION OF THE MONITORING REPORT.

   C. WHEN RESTORATION IS REQUIRED, MONITORING REPORTS ARE NECESSARY TO ENSURE THAT THE RESTORATION EFFORTS HAVE BEEN SUCCESSFUL. TO VERIFY THE SUCCESS OF THE RESTORATION EFFORTS AND THE ACCURACY OF THE MONITORING REPORTS, PERIODIC INSPECTIONS BY COUNTY STAFF ARE NECESSARY.

4. RESTORATION OF CABBAGE PALMS MUST BE COMPLETED AS FOLLOWS: 99 CABBAGE PALMS WILL BE PLANTED NO LATER THAN MAY 31, 2010 AND THE REMAINING 198 CABBAGE PALMS WILL BE PLANTED NO LATER THAN MAY 31, 2011 OR ALL 297 CABBAGE PALMS WILL BE PLANTED WITHIN 180 DAYS OF THE ISSUANCE OF THE VEGETATION REMOVAL PERMIT FOLLOWING THE APPROVAL OF THE DEVELOPMENT ORDER, WHICHEVER OCCURS FIRST. TO ASSURE SUFFICIENT TIME TO ADDRESS ANY DISPUTED PLANTINGS, UPON RESTORATION NORTH BROOK WILL REQUEST DES TO INSPECT AT LEAST 30 DAYS BEFORE THE DEADLINE AND DES WILL COMPLETE THE INSPECTION WITHIN TEN (10) DAYS OF THE REQUEST.

PREPARED FOR:

NORTH BROOK HOLDINGS, LLC
2502 NORTH ROCKY POINT DRIVE SUITE 1050
TAMPA, FLORIDA 33607
PHONE: (813) 288-8078
FAX: (813) 288-8178

NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering
Professional Engineers, Planners & Land Surveyors
FORT MYERS • NAPLES • SARASOTA • PORT CHARLOTTE
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

EXHIBIT "B" - RESTORATION PLAN
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	S-T-R
10/23/2008	1447M	EXH-B	MMD	MMD	MMD	1"=600'	1 of 1	SEC 15,16,21-T43S-R25E

EXHIBIT F

LEE COUNTY
SOUTHWEST FLORIDA

LETTER OF SUBSTANTIAL COMPLIANCE
TEMPORARY CC ONLY (120 Days)
LANDSCAPE ARCHITECT

TO: Lee County Division of Development Services

RE: Project Name : NORTHBROOK PHASE -PHASE 1 w/ sub phases: Northern Ditch Expansion; Preserve Tracts P-A,P-J,P-L,P-M; Bayshore Creek Improvements north and south of Pritchett Parkway; Pritchett Parkway Improvements

D.O. Number: DOS 2015-00083

Building Permit Number: _____

Request for: x Initial Inspection (no fee) ___ Re-Inspection (fee required)

An on-site inspection was performed by myself (or my authorized representative) on 1/23/20 (Date)

_____ I have determined that all work has been completed to the specifications of the approved development order plans.

__X__ I hereby certify that the development is in substantial compliance [as the term is defined in the LDC Section 10-183(B)] with the approved Development Order. **Littoral plantings to be replanted as needed, exotic removal to be completed., tortoise fencing to be removed or repaired.**

_____ Attached hereto is a list of minor changes from the approved Development Order plans, which are Minor Changes pursuant to the Land as per the Land Development Code. The changes are highlighted on the site plans which have been signed and sealed by the development's Landscape Architect. These changes are submitted as a Minor Change for approval by the Director of Development Services prior to inspection.

With the approval of the listed minor changes, I certify that the development is in substantial compliance with the approved Development Order.

Executed by the above development's Landscape Architect on **2/12/20** (Date) by:

Gregory J. Diserio, RLA
(Landcape Architect of Record)

SEAL

Digitally signed by Gregory J. Diserio, RLA
DN: cn=Gregory J. Diserio, RLA, o=David M Jones Jr and Associates Inc, ou=Landscape Architect, email=Gdiserio@dmjafl.com, c=US
Date: 2020.02.12 11:39:51 -05'00'

RLA #840
(Florida Landscape Architect. Number)
Email: Gdiserio@dmjafl.com
2221 McGregor Boulevard, Fort Myers, Florida 33901
(Address)
(239) 337-5525 *(Phone)* **(239) 337-4494** *(Fax)*

EXHIBIT G

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT - ZONING DIVISION

DATE: July 8, 2003

TO: Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

RE: DCI2001-00038, Heritage Creek

The Natural Resources Division and the Division of Environmental Sciences have completed another site visit since the last hearing date. Attached you will find a Memorandum from the Natural Resources Division providing their recommended conditions, if the zoning approval is granted. This Natural Resources Division memorandum of July 7, 2003 replaces a memo previously prepared on June 17, 2003.

The Applicant's engineering firm supplied a document on June 26, 2003 entitled Stoneybrook North/Heritage Creek, HEC-RAS Model. This document is also attached.

Environmental Science advises that their comments and recommendations remain unchanged from Staff report for the June 18th and 19th hearing dates, as revised by their Memorandum dated June 17, 2003.

The remaining staff recommendations are unchanged and may be found in the Revised Staff Report prepared for the June 18th and 19th hearing dates.

attachments: Memorandum from Natural Resources, dated July 7, 2003
Correspondence with attachment from Banks Engineering, received on June 26, 2003.

cc: Zoning/DCI Files
John Fredyma, Assistant County Attorney
Steve Hartsell, Applicant's agent
Ralf Brookes, attorney

MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

TO: Chip Block
Development Services Division

FROM: Bradley S. Vance

RECEIVED
JUL 07 2003
ZONING

RE: **HERITAGE CREEK (DCI2001-00038)**

DATE: July 7, 2003

Below are our conditions for the above project. The following conditions reflect the assumptions, methodologies, and input parameters associated with the modeling and the development activities anticipated and associated with the channel and overbanks for Popash and Bayshore Creeks.

GENERAL

1. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

a. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

b. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

c. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development".

d. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

e. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

f. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

g. The east-west ditch proposed along the northerly boundary of the development must not provide for an interconnection between Popash and Bayshore Creeks.

POPASH CREEK

2. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

a. The bridge crossing of Popash Creek must be a pile supported structure.

b. No more that 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

c. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty foot offset areas (total of 100'+).

d. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

BAYSHORE CREEK

3. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

a. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

b. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

ADD2020-00046 Lee County ePlan

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

June 26, 2003

Mr. Alvin "Chip" Block
Lee County Planning Department
1500 Monroe Street
Fort Myers, Florida 33901

Reference: **Stoneybrook North/Heritage Creek HEC-RAS Model** DCI - 2001 - 00038

Dear Chip:

Attached are the HEC-RAS model output files for Popash and Bayshore Creeks. Based upon a field review with the applicant, consultants and County staff, the models analyzed an encroachment of 50 feet only on the project side of the creeks. This is conservative as the Master Concept Plan shows a *minimum* 50 foot setback from the top of creek banks. The roughness coefficients, representing the state of vegetation which impedes flow along the creeks were entered as follows:

Bayshore Creek Existing Channel	0.060
Bayshore Creek Existing Overbank	0.110
Popash Creek Existing Channel	0.050
Popash Creek Existing Overbank	0.150
Bayshore Creek Proposed Channel	0.050
Bayshore Creek Proposed Overbank	0.075
Popash Creek Proposed Channel	0.040
Popash Creek Proposed Overbank	0.100

The complete electronic files have been e-mailed to Lee County Natural Resources, attention Brad Vance, P.E.

Sincerely,
BANKS ENGINEERING, INC.

6/26/03
Samuel W. Marshall, P.E
Project Manager

RECEIVED
JUN 26 2003
PERMIT COUNTER

CC: Brad Vance
Deno Benetis
Steve Hartsell

Z:\JOBS\14xx\1447\Documents\1447-Vance-HeritageCreek-002.doc

EXHIBIT H

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Stoneybrook North RPD

Administrative Amendment to Planned Development

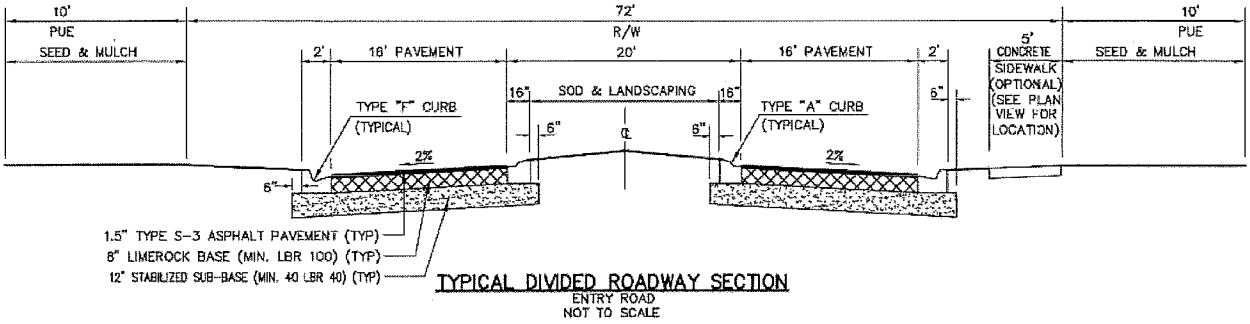
ADD2020-00046

Revised July 2020

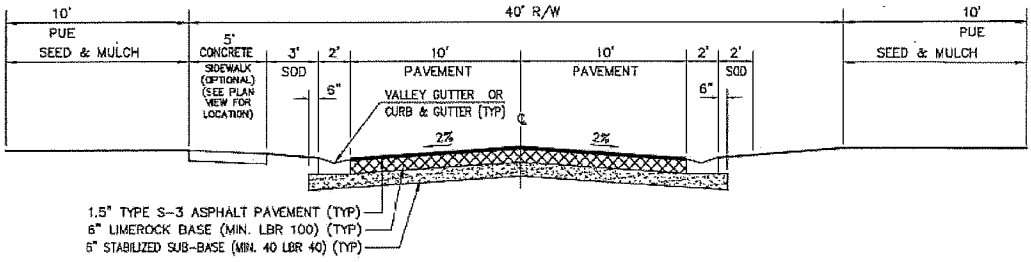
Schedule of Deviations and Justifications

No proposed changes to existing approved Deviations.

New Deviation 17: A request to deviate from the Land Development Code (LDC) Section 10-296 (e)(2)h.5, Table 15 and cross-section which requires Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road; to allow the below cross-section approved by DOS2015-00083.



TYPICAL DIVIDED ROADWAY SECTION
ENTRY ROAD
NOT TO SCALE



TYPICAL ROADWAY SECTION
40' R/W LOCAL ROAD-20' PAVEMENT
NOT TO SCALE

Justification: The nature of this request is based on the existing approvals for previous portions of the development prior to changes to this section of the code. This planned development was designed and planned as a master community with several inter-related

conditions to accomplish the design. The project includes utilities in the rights-of-ways which would create conflicts if planting strips were to be provided within the right-of-way. Approval of this deviation would enhance the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health safety and welfare.

New Deviation 18: A request to deviate from the Land Development Code (LDC) Section 10-416(d)(9) requirement for a 50-foot wide vegetative buffer abutting natural waterways, to allow existing vegetation to remain to meet the buffer requirements and to allow area to remain in natural state if no vegetation exists with no planting plan required.

Justification: The nature of this request is based on the existing conditions of approval for this planned development. The existing conditions of approval focused on flood protection such as Condition 26.a.5). which requires the basic ground cover to remain in its current grassed condition and that no shrubbery of any type be planted. Although the applicant respectfully submits that Bayshore Creek is a man-altered waterway and not a natural waterway, existing condition 26.c. has a 50-foot wide spoil removal requirement that conflicts with the new buffer requirement. Popash Creek is specifically addressed in Condition 26.c which allows no planting. The existing drainage easement limits planting and disturbing these natural areas. The existing conditions of approval allow for preserve areas in existing recorded easements with no additional planting required. This planned development was designed and planned as a master community with several inter-related conditions to accomplish the design. Approval of this deviation would enhance the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health safety and welfare.

ATTACHMENT M

RESOLUTION NUMBER Z-10-032

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

WHEREAS, Bayshore Lee, LLC, filed an application to rezone a 41.6±-acre parcel from Commercial Planned Development (CPD) and Commercial Tourism (CT) to Commercial Planned Development (CPD) in reference to North River Plaza CPD; and,

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner was advertised and held on October 1, 2010; and,

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2009-00016 and recommended Approval of the Request; and,

WHEREAS, a second public hearing was advertised and held on November 15, 2010, before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 41.6±-acre parcel from CPD and CT to CPD to allow a maximum of 260,000 square feet of commercial uses and a 180-unit hotel. Commercial uses include, but are not limited to, Convenience Food and Beverage, Fast Food Restaurant, and Department Stores. No development blasting is proposed.

The property is located in the Suburban and General Interchange Land Use Categories and is legally described in attached Exhibit A.

The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Master Concept Plan

Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "North River Plaza," prepared by DeLisi Fitzgerald, Inc., date stamped

"Received Aug 24 2010 Community Development," and attached hereto as Exhibit C, except as modified by the conditions below.

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

The development is limited to a maximum of 260,000 square feet of commercial uses and 180 hotel units.

2. Uses and Site Development Regulations

The following Limits apply to the project and uses:

a. Schedule of Uses

OUT PARCELS

Accessory uses and structures
Auto parts store
Auto repair and service, Groups I & II
Banks and financial establishments, Groups I & II
Business services, Groups I & II
Car wash
Clothing stores, general
Consumption on premises, indoor, and outdoor
Convenience food and beverage store - limited to two stores with up to 24 fuel pumps each
Day care center, child, adult
Drive thru facility for any permitted use
Drugstore, pharmacy
Essential services
Essential service facilities, Group I
Excavation
Fences, walls
Food stores, Group I
Gift and souvenir shop
Hardware store
Hobby, toy and game shops
Hotel, motel (limited to parcels E & F only)
Household and office furnishings, Groups I & II
Laundry or dry cleaning, Group I
Medical office
Non-store retailers, All Groups
Parking: Accessory
Temporary
Personal services, Groups I, II & III
Pet shop
Repair shops, All Groups

Restaurant, fast food (limited to two)
Restaurants, Groups I, II & III
Signs
Specialty retail shops, All Groups
Variety store

ANCHOR PARCEL

Accessory uses and structures
Auto parts store
Auto repair and service, Groups I & II
Banks and financial establishments, Groups I & II
Building material sales
Business services, Groups I & II
Clothing stores, general
Consumption on premises, indoor and outdoor
Day care center, child, adult
Department store
Drive-thru facility for any permitted use
Drugstore, pharmacy
Essential services
Essential service facilities, Group I
Excavation
Food stores, Group I
Hardware store
Hobby, toy and game shops
Household and office furnishings, All Groups
Laundry or dry cleaning, Groups I & II
Lawn and garden supply stores
Medical office
Mini-warehouse
Nonstore retailers, All Groups
Paint, glass and wallpaper
Parking: Accessory
Temporary
Personal services, Groups I, II & III
Pet shop
Repair shop, All Groups
Restaurants, All Groups
Restaurants, fast food (limited to two)
Self-service fuel pumps (maximum of 24 fuel pumps)
Signs
Specialty retails shops, All Groups
Temporary uses: Limited to construction trailers and contractors storage units during construction
Theater, indoor

b. Site Development Regulations

	MINIMUM IN FEET	
	Commercial	Hotel
Lot Size	40,000	40,000
Lot width	100	100
Lot Depth	100	100
Maximum Lot Coverage	50%	50%
ROW Setback	25	25
Side Setback	10	10
Rear Setback	25	25
Waterbody Setback	20	20
Preserve Setback	30	30
Accessory Structure Rear Setback	20	20
Maximum Height	45'/ 2 Stories	65' / 6 Stories

3. Environmental Conditions

a. Prior to local development order approval, the landscape plans must depict 8.49 acres (including credits, 0.12 acres of native trees preserve and 1.2 acres of restoration) as indigenous open space.

b. Prior to issuance of a development order for any parcel or tract that affects preserved heritage trees, the site plans must provide a detailed cross section which includes the location of the preserved heritage trees as depicted on the MCP, and ensure that the protection of the roots and the trunk of the trees are addressed. Root pruning or root barriers may be necessary to protect the trees from damage.

c. Prior to the issuance of a development order for any parcel or tract that affects preserved heritage trees, the development order plans must depict that no filling, grading, or excavating will occur within two-thirds (2/3) the radius of the crown spread of oak trees (*Quercus spp.*) proposed for preservation and full drip line of the slash pine (*Pinus elliotti var densa*) proposed for preservation.

d. Prior to local development order approval, the development order plans must document that if within four years of completion of construction, if the heritage trees proposed for preservation die, the preserved tree must be replaced with 20 foot tree of like species.

e. Prior to issuance of a vegetation removal permit, the preserved heritage trees must be staked and field verified for appropriate protection measures such as root pruning, tree barricades, root barriers, and trimming by a certified arborist or other qualified individuals as approved of by Lee County's Division of Environmental Sciences' staff.

f. Prior to local development order approval of the anchor parcel, the landscape plans must depict restoration for Preserve Area One, in substantial compliance with the Draft Planting Plan (attached hereto as Exhibit D), prepared by Boylan Environmental Consultants, and revised July 19, 2010. The Restoration and Supplemental Plantings table located in the Draft Planting Plan must be revised to depict the planting of trees be a minimum seven gallon container and six feet in height.

g. Prior to issuance of a vegetation removal permit for any parcel that affects gopher tortoises (*Gopherus Polyphemus*), the applicant must provide verification from FWC that on-site relocation was attempted before pursuing off-site relocation options for the gopher tortoises. Such verification must be provided to Lee County's Division of Environmental Sciences' staff. A copy of the appropriate gopher tortoise relocation permit issued by the (FWC) must be submitted to the Division of Environmental Sciences' staff prior to the excavation and relocation of any gopher tortoises.

h. Any gopher tortoises and commensal species found during burrow excavation must be moved to on-site preserves or off-site FWC approved relocation areas containing suitable gopher tortoise habitat as approved by the FWC and Lee County Division of Environmental Sciences' staff.

i. Prior to development order approval for any parcel, tract, or infrastructure area that affects beautiful pawpaw (*Deeringothamnus Pulchellus*), the applicant must submit to Lee County's Division of Environmental Sciences' staff, for review and approval, a Beautiful Pawpaw Management Plan for the relocation of this protected species to an on-site preserve area. The plan must be in substantial compliance with the Draft Beautiful Pawpaw Management Plan, prepared by Boylan Environmental Consultants. revised September 8, 2010 (attached as Exhibit E), for the relocation of the beautiful pawpaw. If the preserve or recipient area requires enhancement and/or restoration, said enhancement and/or restoration must be completed prior to the relocation of the beautiful pawpaw.

j. Prior to issuance of a vegetation removal permit for each individual parcel or tract that affects beautiful pawpaw, that individual parcel/tract must be field surveyed between the months of February through May for the beautiful pawpaw, within five years of clearing and marked in the field with flagging or stakes. As long as the field markings remain intact and the survey was completed within the last five years, an additional beautiful pawpaw survey will not be required when the beautiful pawpaw is relocated. The relocation of the beautiful pawpaw must be coordinated with Lee County Division of Environmental Sciences' staff.

k. Prior to local development order approval for any portion of the property encompassed by the local development order application, the development order plans must depict a 25-foot wide buffer for Outparcels A and B, and a 20-foot wide buffer for Outparcels C, D, and the portion of E not included in Preserve Area #3. The buffers must contain seven trees per 100 linear feet, planted at 14 feet in height with a six-foot spread and a double staggered hedge row planted at 24 inches and

maintain at 36 inches high along Bayshore Road. The buffer areas along Bayshore Road must be designed with a consistent landscape theme.

l. Prior to local development order approval depicting improvements to the Anchor Parcel, or within 100 feet of the I-75 ROW, the development order plans must depict the planting of seven trees per 100 linear feet consisting of, but not limited to, Live Oak (*Quercus Virginiana*), Cabbage Palm (*Sabal Palmetto*) clusters, and South Florida Slash Pine (*Pinus Elliotti var. densa*) for the right-of-way buffer along I-75.

m. Prior to local development order approval, the development order plans must delineate a minimum of 14.9 acres of open space, including the indigenous open space credits for the project.

4. Architectural Design

As part of any development order for vertical construction, architectural elevations must be provided which illustrate the Old Florida architectural style as depicted on Exhibit F, attached hereto, for the proposed commercial buildings.

5. Anchor Parcel's Additional Design Requirement

All building facades located on the Anchor Parcel, which are visible from I-75, must meet the architectural requirements of LDC §10-600. All rooftop equipment visible from I-75 in the Anchor Parcel must be shielded or screened.

6. Traffic Conditions

a. The terminus of the frontage road must provide for the ability of vehicles to turn around either through the construction of a cul-de-sac or a hammerhead configuration within the right-of-way, or through the creation of a T-intersection resulting from the connection of an access driveway of an adjacent outparcel to the frontage road.

b. No driveways will be constructed to the internal roadway within the first 125 feet of the center of outer most lane of the joint access, drainage, and utility easement.

c. Prior to the approval of the Development Order for the Anchor Parcel, and any subsequent Development Order, a queuing analysis will be conducted based on existing and projected traffic conditions to determine if the queue of outbound traffic on the site access drive approach to Bayshore Road will extend beyond the first driveway serving Outparcel "A". If warranted, the driveway from the north/south access road into Outparcel A will be converted to a right-in/right-out only driveway.

7. Utilities

Prior to local development order approval for vertical construction, public water and sewer facilities must be provided to the subject property and all parcels must connect to those services.

8. Vehicular/Pedestrian Impacts

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

9. Lee Plan Consistency

Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16, and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

10. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

11. Agricultural

Agricultural Uses: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

a. Bona fide agricultural uses that are in existence at the time the application for this project was filed, and, as shown on Exhibit G, attached hereto, may continue until approval of a local development order for the area of the project containing those uses.

b. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c. Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

(1) Termination of all agricultural uses on any portion of the property included in the development order application/approval. Proof must include a sworn

affidavit from the person or entity holding title to the subject property that specifically provides:

(a) the date the agricultural uses ceased; and,

(b) the legal description of the property subject to the development order approval; and,

(c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the County that they will not allow any such uses on the property unless and until the property is rezoned to permit such uses; and,

(d) the affidavit constitutes a covenant between the owner and the County that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of Lee County at the owner's expense.

(2) Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include a copy of the request to terminate the tax exemption provided to the Property Appraiser.

12. Solid Waste Management:

As part of any local development order approval for vertical development, the development order plans must include facilities in compliance with LDC § 10-261 and Solid Waste Ordinance # 08-10 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application.

SECTION C. DEVIATIONS:

1. Ingress or Egress. Deviation (1) seeks relief from the LDC § 10-291 (3) requirement to provide two means of ingress or egress for any development of more than ten acres; to allow one principal means of ingress and egress to Bayshore Road (S.R.78). This deviation is APPROVED.

2. Water Management Lake. Deviation (2) seeks relief from the LDC §10-329(d)(1)a.2. requirement that no excavation be allowed within 50 feet of any existing or proposed right-of-way line or easement line for a collector or arterial street; to allow a minimum setback of 35 feet for the water management lake in the southeast corner of the site. This deviation is APPROVED.

3. Buffers. Deviation (3) seeks relief from the LDC §10-416(d)(4) requirement to provide a Type "C/F" buffer between commercial and residential uses at a minimum width of 15 feet; to allow for a five-foot wide Type "C" (no wall) buffer along the west boundary if the adjacent property remains zoned residential, or the five-foot wide buffer, planted as a Type "A" buffer, if adjacent property is zoned commercial use. This deviation is APPROVED.

4. Dead-end Streets. Deviation (4) seeks relief from the LDC §10-296(P) requirement to provide dead-end streets to terminate in a cul-de-sac; to allow for termination of a private right-of-way without a cul-de-sac. This deviation is APPROVED, SUBJECT TO Condition 6 b.

5. Connection Separation. Deviation (5) seeks relief from the LDC §10-285(A) requirements to provide a connection separation spacing of 125 feet for local roads; to allow 60 feet along the internal east-west roadway. This deviation is APPROVED, SUBJECT TO Condition 6(c).

6. Public Utility Easements. Deviation (6) seeks relief from the LDC § 10-710(A) requirements to provide ten-foot wide public utility easements abutting each side of the right-of-way; to allow a ten-foot wide public utility easement on one side of the entrance and reverse frontage road. This deviation is APPROVED.

7. Berm/Solid Wall. Deviation (7) seeks relief from the LDC §10-416(d)(6) requirements to provide a solid wall or combination berm and solid wall not less than 25 feet from the abutting property and landscaped buffer (between the wall and the abutting property), with a minimum of five trees and 18 shrubs per lineal feet or a 30-foot wide Type "F" buffer, with the hedge planted a minimum of 20 feet from the abutting property; to allow a five-foot wide buffer planted as a Type "C" buffer (no wall) if the adjacent property remains zoned residential or planted as a Type "A" buffer if the adjacent property is zoned for commercial uses. This deviation is APPROVED.

8. Project Identification Sign. Deviation (8) seeks relief from the LDC § 30-153(2)a.1 requirement which limits the size of a project's identification sign for a nonresidential subdivision, or multiple-occupancy complex with five or more establishments, to one square foot for every one foot of road frontage; to allow a project identification sign to be built in accordance with a Unified Sign Plan, submitted as part of the CPD zoning application (Page 3 of the MCP). This deviation is APPROVED, SUBJECT TO the Unified Signage Plan contained on H.

9. Off-Site Project Signage. Deviation (9) seeks relief from the LDC Chapter 30, Division 3 requirement restricting permanent off-site project signage; to allow signage for individual properties or businesses within the overall development to be displayed on the development's main project signs located along Bayshore Road and I-75. This deviation is APPROVED.

10. Connection Separation. Deviation (10) seeks relief from the LDC Section 10-285(a) requirement to provide a connection separation spacing of 660 feet for arterial roads; to allow for 308± feet between the main entrance of the development and a right-in, right-out

connection along Bayshore Road between Outparcels A and B. This deviation is APPROVED, SUBJECT TO FDOT approval of the right-in/right-out connection

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Draft Planting Plan
Exhibit E: Draft Beautiful Pawpaw Management Plan
Exhibit F: Old Florida Architectural Style
Exhibit G: Bona Fide Agricultural Uses
Exhibit H: Unified Sign Plan

The applicant has indicated that the STRAP number for the subject property is:

21-43-25-00-00003.0020
21-43-25-00-00004.0000
21-43-25-00-00005.0000
21-43-25-00-00006.0040
21-43-25-00-00006.0060
21-43-25-00-00006.006A

SECTION E. FINDINGS AND CONCLUSIONS:

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

2. The CPD rezoning, as approved:

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

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

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

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

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

3. The CPD rezoning satisfies the following criteria:

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

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

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

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

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

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

John E. Manning	Aye
Brian Bigelow	Aye
Ray Judah	Absent
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 15th day of November 2010.

SEAL

ATTEST:
CHARLIE GREEN, CLERK

BY: Kathleen A. Motz
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Frank Mann, Chair

Approved as to form by:

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

RECEIVED
MINUTES OFFICE
2010 DEC -2 AM 8:43

DeLisi Fitzgerald, Inc.
Planning – Engineering – Project Management

Exhibit A
Legal Description

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING A PARCEL AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4729, PAGES 3697 THROUGH 3701 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS THE RIGHT-OF-WAY OF BAYSHORE ROAD AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4131, PAGES 4560 THROUGH 4564 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 21; THENCE N.00°06'07"E. ALONG THE QUARTER SECTION LINE OF SAID SECTION 21, A DISTANCE OF 639.82 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF INTERSTATE 75 (STATE ROAD 93) SAID POINT BEING THE POINT OF CURVE OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S.28°21'18"W., A RADIAL DISTANCE OF 3,657.72 FEET; THENCE SOUTHEASTERLY ALONG THE ARC AND SAID WESTERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE 75, THROUGH A CENTRAL ANGLE OF 08°58'20", A DISTANCE OF 572.78 FEET; THENCE S.48°45'52"E. ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 251.44 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 3,649.72 FEET AND A CENTRAL ANGLE OF 05°21'52"; THENCE SOUTHEASTERLY ALONG THE ARC AND SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 341.71 FEET TO A POINT OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 2,201.83 FEET AND A CENTRAL ANGLE OF 17°59'47"; THENCE SOUTHEASTERLY ALONG THE ARC AND SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 691.59 FEET; THENCE S.25°24'13"E. ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 50.01 FEET; THENCE S.22°24'47"E., A DISTANCE OF 227.65 FEET TO THE POINT OF CURVE OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S.67°35'16"W., A RADIAL DISTANCE OF 220.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC AND SAID WESTERLY RIGHT-OF-WAY, THROUGH A CENTRAL ANGLE OF 97°09'12", A DISTANCE OF 373.04 FEET; THENCE S.78°35'20"W., A DISTANCE OF 220.27 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF BAYSHORE ROAD (STATE ROAD 78); THENCE N.00°17'01"E. ALONG SAID NORTHERLY RIGHT-OF-WAY OF SAID BAYSHORE ROAD, A DISTANCE OF 49.49 FEET; THENCE N.89°42'59"W. ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 506.18 FEET; THENCE S.00°17'01"W. ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 65.00 FEET; THENCE S.86°55'38"W. ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 512.38 FEET; THENCE S.00°17'01"W. ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET; THENCE N.89°42'59"W. ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 37.37 FEET TO THE SOUTHEAST CORNER OF LOT 140, COLONIAL ACRES UNIT TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22 PAGE 1 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'07"E. ALONG THE EASTERLY LINE OF SAID COLONIAL ACRES UNIT TWO AND THE QUARTER SECTION LINE OF SAID SECTION 21, A DISTANCE OF 1287.06 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 41.59 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE QUARTER SECTION LINE OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING N.00°06'07"E.

RECEIVED
OCT 0 2 2009

Applicant's Legal Checked
by 10-5-09

DCI 2009-00016

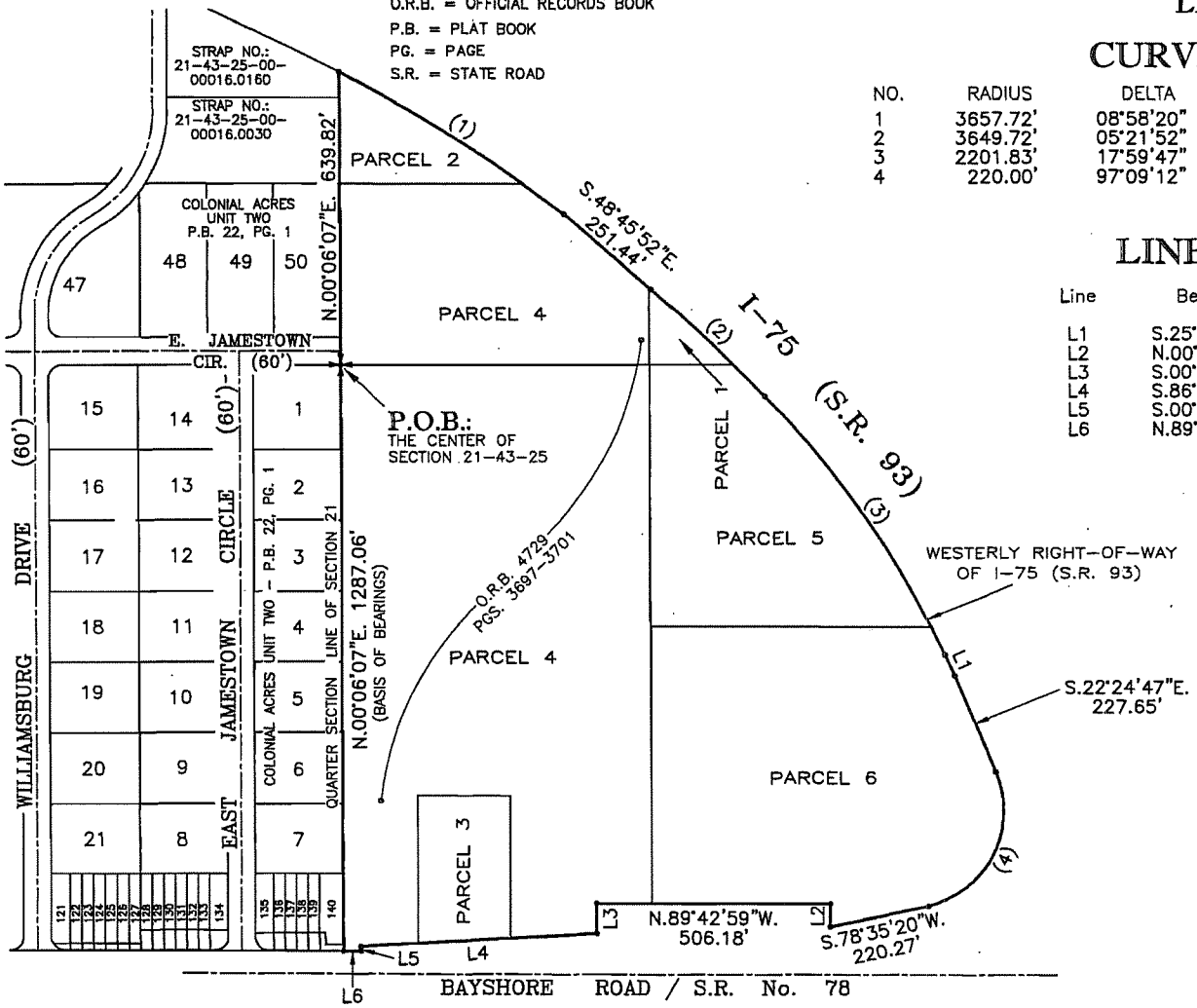
EXHIBIT A
Page 2 of 2

SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

LEGEND:

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
℄ = CENTER LINE
O.R.B. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG. = PAGE
S.R. = STATE ROAD



CURVE TABLE:

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	3657.72'	08°58'20"	572.78'	572.20'	S.57°09'33"E.
2	3649.72'	05°21'52"	341.71'	341.59'	S.46°04'56"E.
3	2201.83'	17°59'47"	691.59'	688.75'	S.34°24'07"E.
4	220.00'	97°09'12"	373.04'	329.93'	S.26°09'52"W.

LINE TABLE:

Line	Bearing	Distance
L1	S.25°24'13"E.	50.01'
L2	N.00°17'01"E.	49.49'
L3	S.00°17'01"W.	65.00'
L4	S.86°55'38"W.	512.38'
L5	S.00°17'01"W.	10.00'
L6	N.89°42'59"W.	37.37'

N

* THIS IS NOT A SURVEY *

BY: _____
DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS #5430
DATE SIGNED: 2/27/09

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

Applicant's Legal Checked by DJO 10-5-09

* SEE SHEET 1 OF 2 FOR DESCRIPTION *

BAYSHORE ROAD

TITLE: SKETCH OF DESCRIPTION

METRON SURVEYING & MAPPING, LLC
LAND SURVEYORS-PLANNERS
LB #7071

10970 S. CLEVELAND AVE.
SUITE #605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
11213SK.dwg	N/A	11213	2 OF 2

SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY:	FILE NO. (S-T-R):
3-5-2009	MAC	1"= 320'	DJO	21-43-25

EXHIBIT B

DCI2009-00016

Zoning Map

8/30/2010

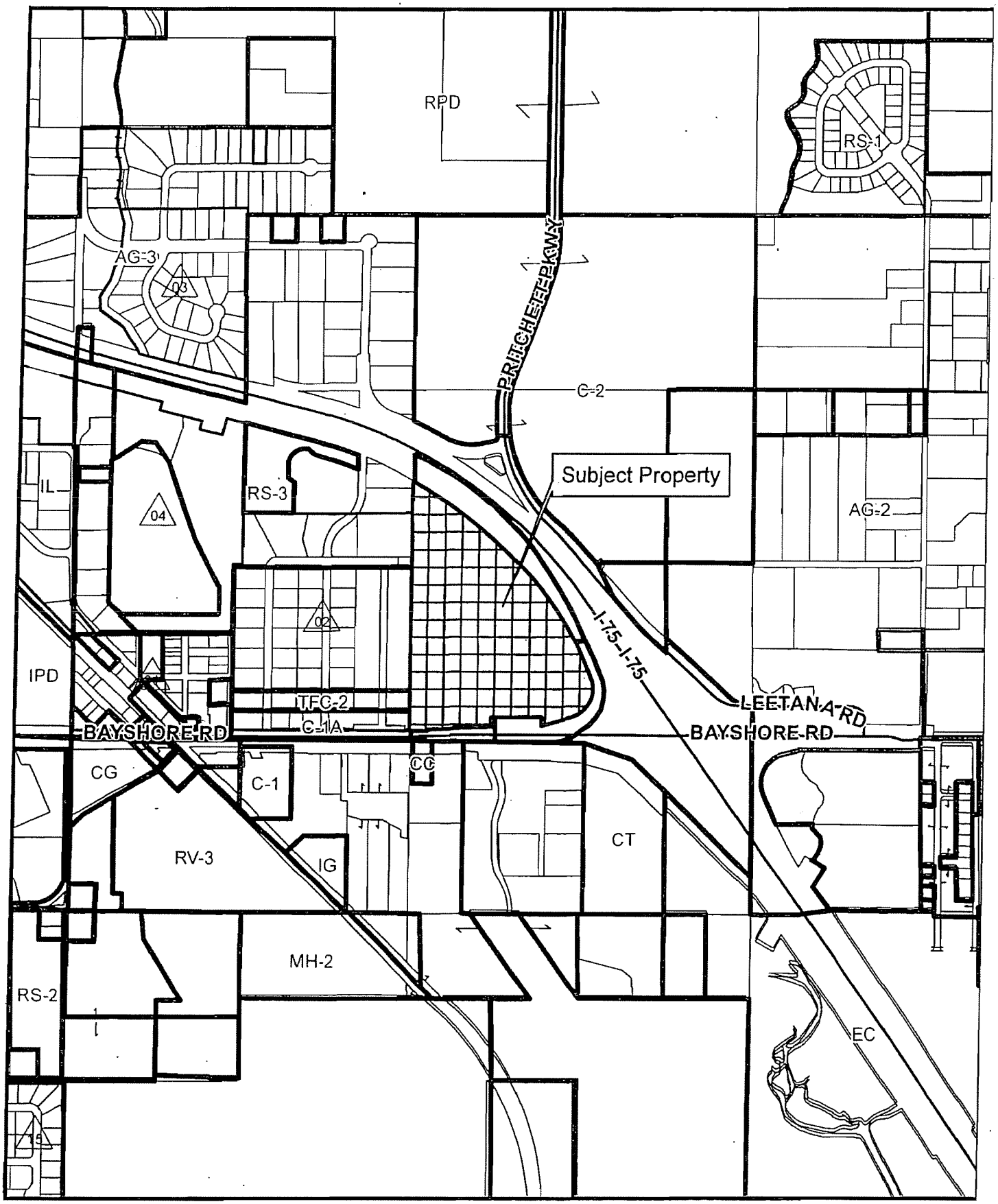
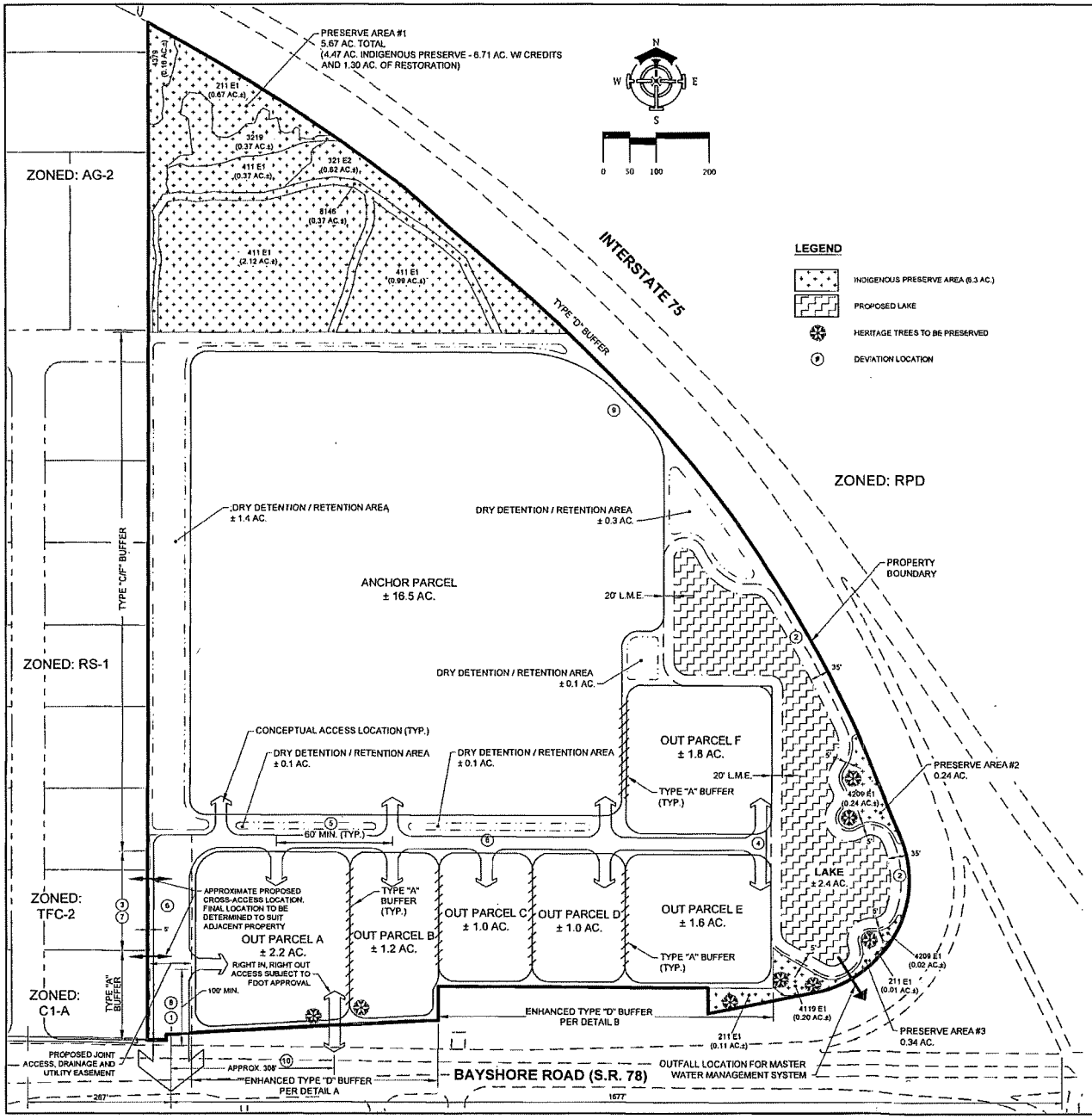


Exhibit C



LEGEND

- INDIGENOUS PRESERVE AREA (6.3 AC.)
- PROPOSED LAKE
- HERITAGE TREES TO BE PRESERVED
- (#) DEVIATION LOCATION

FLUCFCS LEGEND	
FLUCFCS CODE	COMMUNITY
211 E1	IMPROVED PASTURE WITH EXOTICS (<25%)
3219	PALMETTO PRAIRIE DISTURBED
321 E2	PALMETTO PRAIRIE WITH EXOTICS (25-49%)
411 E1	PINE FLATWOODS WITH EXOTICS (<25%)
4119 E1	PINE FLATWOODS, DISTURBED WITH EXOTICS (<25%)
4209 E1	MIXED HARDWOODS, DISTURBED WITH EXOTICS (<25%)
4379	AUSTRALIAN FIRE, DISTURBED
8146	PRIMITIVE TRAILS

DEVELOPMENT PROGRAM	
USE	INTENSITY
COMMERCIAL RETAIL	250,000 SQ. FT.
HOTEL	150 UNITS

OPEN SPACE TABLE

	AREA (AC.)	OPEN SPACE REQUIRED	OPEN SPACE PROVIDED	INDIGENOUS PRESERVE	RESTORATION
COMMERCIAL PARCELS	25.4 AC	7.6 AC	2.5 AC	0 AC	0 AC
REMAINING ACREAGE	16.2 AC	4.9 AC	12.4 AC	7.17 AC.*	1.2 AC
TOTAL PROPERTY ACREAGE	41.6 AC	12.4 AC	14.9 AC.*	7.17 AC.*	1.2 AC

* EACH PARCEL SHALL HAVE A MINIMUM 10% OPEN SPACE.
** INDIGENOUS PRESERVE AND RESTORATION AREA.

INDIGENOUS PRESERVE SUMMARY TABLE

	AREA (AC.)		PROVIDED (AC.)
PRESERVE #1	4.47 AC	150% CREDIT FOR 3 AC. OR MORE	6.71 AC.
PRESERVE #2	0.24 AC		0.24 AC
NATIVE TREE PRESERVE #3	0.34 AC		0.34 AC
TOTAL INDIGENOUS PRESERVE	5.05 AC		7.29 AC
RESTORATION AREA PROVIDED	1.20 AC		1.20 AC
TOTAL INDIGENOUS PRESERVE AND RESTORATION AREA			8.49 AC
TOTAL INDIGENOUS PRESERVE REQUIRED	6.24 AC		

AN ADDITIONAL 0.18 ACRES OF PRESERVATION WILL BE CONSIDERED PART OF THE PRESERVATION AREA #1 UPON VACATION OF THE 20' P.U.E. AND D.E.

AUG 2 4 2010

COMMUNITY DEVELOPMENT

DCI 2009-00016

Approved as Exhibit C
MCP Page 1 of 3
Resolution # Z-10-032

DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
1605 Hendry Street
Fort Myers, FL 33901
239-418-0691 - 239-418-0692 fax
Florida Certificate of Authorization: Engineering LB.#: 26978

ENGINEER OF RECORD:
ANDREW D. FITZGERALD, P.E. (FOR THIS FIRM)
FLORIDA P.E. NO. 56778
1605 HENDRY STREET
FORT MYERS, FLORIDA 33901
PHONE: 239-418-0691

"NOT VALID WITHOUT EMBOSSED SEAL SIGNATURE AND DATE"

OWNER/DEVELOPER:
BAYSHORE LEE, LLC
4520 N. GRAND RIVER AVENUE
LANSING, MI 48906
PH: (517) 664-4128 FAX: (517) 664-4108

PROJECT:
NORTH RIVER PLAZA
EXHIBITS: D-7-N.1 & D-7-M.2
PART OF SEC. 21, TWP. 43 S, RNG. 25 E, LEE COUNTY, FL

PLAN REVISIONS:
DATE: DESCRIPTION:
8/19/10 1ST CORRECTIONS/DCI

MASTER CONCEPT PLAN

Project Manager:	DD
Drawn By:	JRF
Checked By:	DD
Project Number:	21140
Cad File:	21140 MCP
Xref:	-
Xref:	-

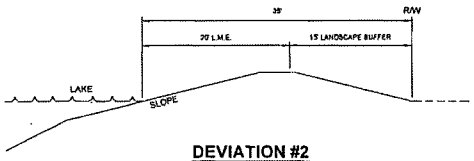
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NOT FOR CONSTRUCTION

Sheet Number: 1 OF 2

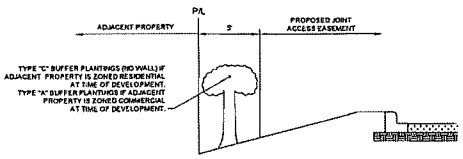
Exhibit C

SCHEDULE OF DEVIATIONS:

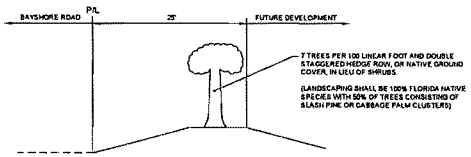
1. DEVIATION FROM SECTION 10-291 (3) WHICH REQUIRES TWO MEANS OF INGRESS OR EGRESS FOR ANY DEVELOPMENT OF MORE THAN TEN ACRES TO ONE PRINCIPLE MEANS OF INGRESS AND EGRESS TO BAYSHORE ROAD (S.R. 78).
2. DEVIATION (2) SEEKS RELIEF FROM LDC SECTION 10-329(D)(1)A.2. WHICH REQUIRES THAT NO EXCAVATION BE ALLOWED WITHIN 50 FEET OF ANY EXISTING OR PROPOSED RIGHT-OF-WAY LINE OR EASEMENT LINE FOR A COLLECTOR OR ARTERIAL STREET, TO ALLOW A MINIMUM SETBACK OF 35 FEET.
3. DEVIATION FROM LDC SECTION 10-416(D)(4) WHICH REQUIRES A TYPE C/F BUFFER BETWEEN COMMERCIAL AND RESIDENTIAL USES AT A MINIMUM WIDTH OF 15 FEET TO ALLOW FOR A 5' WIDE BUFFER PLANTED AS A TYPE "C" BUFFER (NO WALL) IF THE ADJACENT PROPERTY IS ZONED RESIDENTIAL, OR PLANTED AS A TYPE "A" BUFFER IF ADJACENT PROPERTY IS ZONED COMMERCIAL.
4. DEVIATION FROM LDC SECTION 10-296(P) REQUIRING DEAD-END STREETS TO TERMINATE IN A CUL-DE-SAC, TO ALLOW FOR TERMINATION OF PRIVATE RIGHT-OF-WAY WITHOUT A CUL-DE-SAC.
5. DEVIATION FROM LDC SECTION 10-285(A) REQUIRING A CONNECTION SEPARATION SPACING OF 125' FOR LOCAL ROADS TO ALLOW FOR 60' ALONG THE INTERNAL ROADWAY.
6. DEVIATION FROM LDC SECTION 10-710(A) WHICH REQUIRES 10' PUBLIC UTILITY EASEMENTS ABUTTING EACH SIDE OF THE RIGHT-OF-WAY, TO ALLOW A 10' PUBLIC UTILITY EASEMENT ON ONE SIDE OF THE ROAD.
7. DEVIATION FROM LDC SECTION 10-416(D)(6) WHICH REQUIRES A SOLID WALL OR COMBINATION BERM AND SOLID WALL NOT LESS THAN 25 FEET FROM THE ABUTTING PROPERTY AND LANDSCAPED (BETWEEN THE WALL AND THE ABUTTING PROPERTY) WITH A MINIMUM OF 5 TREES AND 18 SHRUBS PER 100 LINEAL FEET OR A 30 - FOOT WIDE TYPE "F" BUFFER WITH THE HEDGE PLANTED A MINIMUM OF 20 FEET FROM THE ABUTTING PROPERTY, TO ALLOW FOR A 5' WIDE BUFFER PLANTED AS A TYPE "C" BUFFER (NO WALL) IF THE ADJACENT PROPERTY IS ZONED RESIDENTIAL, OR PLANTED AS A TYPE "A" BUFFER IF ADJACENT PROPERTY IS ZONED COMMERCIAL.
8. DEVIATION FROM LDC SECTION 30-153(2)A.1 WHICH LIMITS THE SIZE OF A PROJECT'S IDENTIFICATION SIGN FOR A NONRESIDENTIAL SUBDIVISION OR MULTIPLE-OCCUPANCY COMPLEX WITH FIVE (5) OR MORE ESTABLISHMENTS, TO ONE (1) SQUARE FOOT FOR EVERY ONE (1) FOOT OF ROAD FRONTAGE, TO ALLOW A PROJECT IDENTIFICATION SIGN OF 200 SQUARE FEET WITH A MAXIMUM HEIGHT OF 20 FEET IN ACCORDANCE WITH THE UNIFIED SIGN PLAN SUBMITTED AS PART OF THE CPD ZONING APPLICATION.
9. DEVIATION FROM LDC CHAPTER 30, DIVISION 3 RESTRICTING PERMANENT OFF-SITE PROJECT SIGNAGE, TO ALLOW SIGNAGE FOR INDIVIDUAL PROPERTIES, OR BUSINESSES, WITHIN THE OVERALL DEVELOPMENT TO BE DISPLAYED ON THE DEVELOPMENTS MAIN PROJECT SIGNS LOCATED ALONG BAYSHORE ROAD AND I-75.
10. DEVIATION FROM LDC SECTION 10-285 (A) REQUIRING A CONNECTION SEPARATION SPACING OF 660' FOR ARTERIAL ROADS, TO ALLOW FOR 308± BETWEEN THE MAIN ENTRANCE AND A RIGHT- IN, RIGHT - OUT CONNECTION ALONG BAYSHORE ROAD.



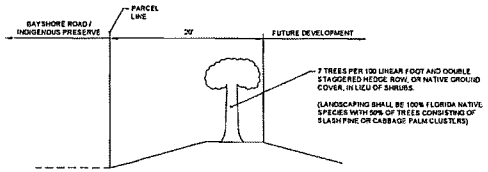
DEVIATION #2
N.T.S.



DEVIATION #3
N.T.S.



LANDSCAPE BUFFER DETAIL A
N.T.S.



LANDSCAPE BUFFER DETAIL B
N.T.S.

AUG 24 2010

COMMUNITY DEVELOPMENT

DCI 2009-00016

Approved as Exhibit C
MCP Page 2 of 3
Resolution # Z-10-032

DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
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Fort Myers, FL 33901
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Florida Certificate of Authorization: Engineering LB #: 26978

ENGINEER OF RECORD:
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OWNER/DEVELOPER
BAYSHORE LEE, LLC
4520 N. GRAND RIVER AVENUE
LANSING, MI 48906
PH: (517) 664-4128 FAX: (517) 664-4108

PROJECT:
NORTH RIVER PLAZA
EXHIBITS: D-7-N.1 & D-7-M.2
PART OF SEC. 21, TWP. 43 S, RNG. 25 E, LEE COUNTY, FL

PLAN REVISIONS:

DATE:	DESCRIPTION:

MASTER CONCEPT PLAN

Project Manager:	DD
Drawn By:	JRF
Checked By:	DD
Project Number:	21140
Cad File:	21140 MCP
Xref:	-
Xref:	-

Status:
FOR PERMITTING PURPOSES ONLY
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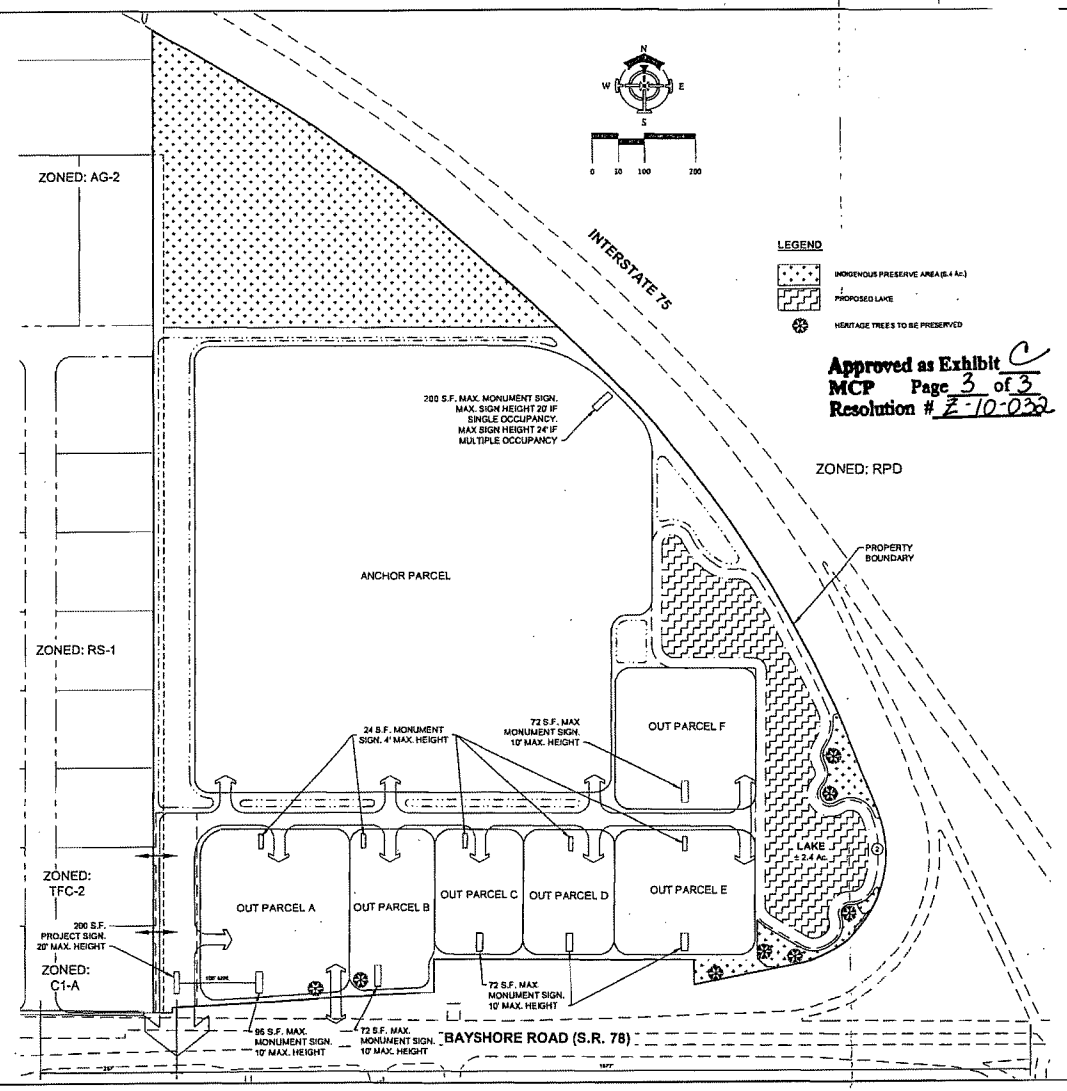
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K:\21140 Bayshore 40 Cadds\CAD\MCP\21140 MCP- Revisions-082410.dwg, 8/24/2010 3:32:46 PM, rharv

Exhibit C

NOTES:

1. SIGNS LOCATIONS SHOWN ARE APPROXIMATE AND MAY BE ADJUSTED AS PART OF THE DEVELOPMENT ORDER PROCESS.
2. AREA SHOWN FOR EACH SIGN IS COPY AREA OF SIGNAGE ONLY. AREA DOES NOT INCLUDE ARCHITECTURAL EMBELLISHMENTS OR STRUCTURAL ELEMENTS OF SIGNAGE.
3. ALL SIGNS SHALL BE GROUND-MOUNTED SIGNS.
4. INTERSTATE HIGHWAY SIGNAGE SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 100 FEET WITH 400 S.F. MAX. COPY AREA. INTERSTATE HIGHWAY SIGNAGE MAY BE POLE MOUNTED.
5. ONSITE SIGNAGE FOR THE ANCHOR PARCEL SHALL COMPLY WITH LEE COUNTY CODE REQUIREMENTS OF CHAPTER 30.
6. ALL MONUMENT SIGNAGE OF THE SIGN PLAN SHALL BE CONSISTENT WITH THE ARCHITECTURAL CHARACTER OF THE DEVELOPMENT.



Approved as Exhibit C
MCP Page 3 of 3
Resolution # Z-10-032

DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
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OWNER/DEVELOPER
BAYSHORE LEE, LLC
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LANSING, MI 48906
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PROJECT:
NORTH RIVER PLAZA
PART OF SEC. 21, TWP. 43 S, RNG. 25 E, LEE COUNTY, FL

PLAN REVISIONS:
DATE: DESCRIPTION:
BY/RR

UNIFIED SIGN PLAN

Project Manager: AG
Drawn By: MH
Checked By: AG
Project Number: 21141
Cad File: 21141SIGN.DWG
Xref:
Xref:

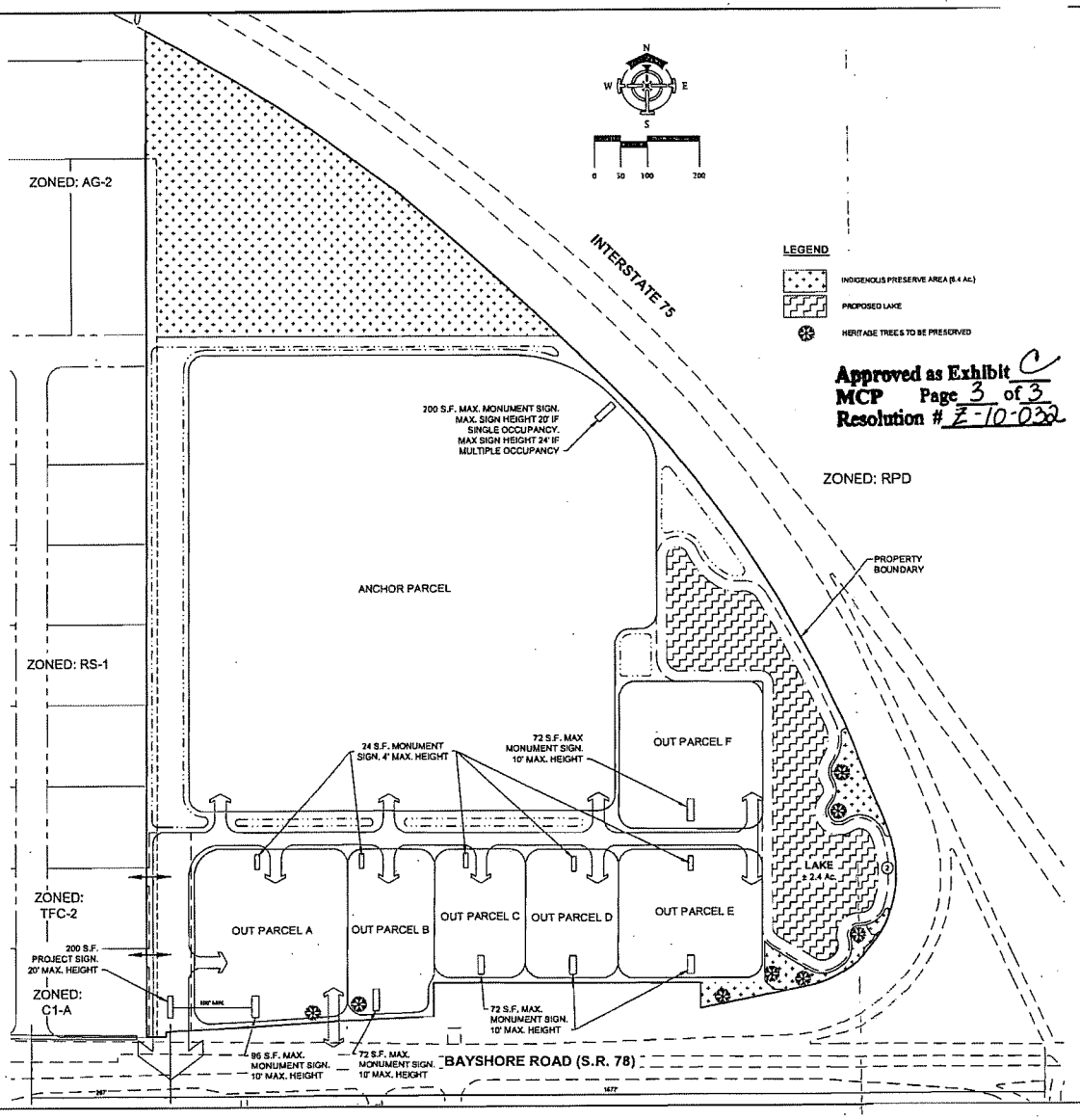
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NOT FOR CONSTRUCTION

Sheet Number: 1

Exhibit C

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3. ALL SIGNS SHALL BE GROUND-MOUNTED SIGNS.
4. INTERSTATE HIGHWAY SIGNAGE SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 100 FEET WITH 400 S.F. MAX. COPY AREA. INTERSTATE HIGHWAY SIGNAGE MAY BE POLE MOUNTED.
5. ONSITE SIGNAGE FOR THE ANCHOR PARCEL SHALL COMPLY WITH LEE COUNTY CODE REQUIREMENTS OF CHAPTER 30.
6. ALL MONUMENT SIGNAGE OF THE SIGN PLAN SHALL BE CONSISTENT WITH THE ARCHITECTURAL CHARACTER OF THE DEVELOPMENT.



Approved as Exhibit C
MCP Page 3 of 3
Resolution # Z-10-032

DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
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Fort Myers, FL 33901
239-418-0691 - 239-418-0692 fax
Florida Certificate of Authorization: Engineering LB #: 26978

OWNER/DEVELOPER
BAYSHORE LEE, LLC
4520 N. GRAND RIVER AVENUE
LANSING, MI 48906
PH: (517) 664-4128 FAX: (517) 664-4108

PROJECT:
NORTH RIVER PLAZA

PART OF SEC. 21, TWP. 43 S, RNG. 25 E, LEE COUNTY, FL

PLAN REVISIONS:
DATE: DESCRIPTION:

UNIFIED SIGN PLAN

Project Manager:	ADF
Drawn By:	MK
Checked By:	ADF
Project Number:	21140
Cad File:	21140 SIGN EXH
Xref:	
Xref:	

Status:
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NOT FOR CONSTRUCTION

Sheet Number: 1

EXHIBIT D



20 Years of Excellence

North River Plaza

Section 21; Township 43 South; Range 25 East
Lee County, Florida

DRAFT Planting Plan

April 29, 2010
Revised July 19, 2010

COMMUNITY DEVELOPMENT

DCI 2009-00016

Project No. : 2009-8

11000 Metro Parkway, Suite 4 Fort Myers, FL 33966 Phone: (239) 418-0671 Fax: (239) 418-0672 Web: www.boylanenv.com

INTRODUCTION

North River Plaza is located in portions of Section 21, Township 43 South, Range 25 East, in Lee County, Florida. Specifically, it is situated at the northwest corner of Bayshore Road and I-75 in North Fort Myers. Please see the attached Location Map **Exhibit A**.

Preserve area 1 contains non-native vegetation communities (FLUCFCS 211E1, 8146 and 4379). In order to create a desirable preserve are the non-native communities within the preserve area 1 (5.67± Ac.) will be planted. Plantings will be installed following the initial exotic removal and treatment efforts.

DRAFT PLANTING PLAN

Preserve area 1 is proposed as a gopher tortoise (*Gopherus polyphemus*) and beautiful pawpaw (*Deeringophamnus pulchellus*) relocation area. As a result the supplemental plantings for preserve area 1 have been selected in order to meet the foraging needs of the gopher tortoise and to satisfy the requirements of beautiful pawpaw. The spacing of tree plantings has been designed in order to ensure that the canopy does not exceed 60% coverage. According to Ray Ashton gopher tortoise expert with the Aston Biodiversity Research and Preservation Institute canopy coverage greater than 60% significantly reduces the foraging biomass available for gopher tortoises and negatively affects the survival of gopher tortoises.

Tree plantings will be a minimum of 4 gallon in size and will be placed on 30' centers. Species may include however are not limited to include; cabbage palms (*Sabal palmetto*), live oak (*Quercus virginiana*), pigeon plum (*Coccoloba diversifolia*) and slash pine (*Pinus elliottii*). Shrubs will be a minimum of 3 gallon in size and will be placed on 15' centers. Shrubs species may include however are not limited to include; beauty berry (*Callicarpa americana*), coco plum (*Chrysobalanus icaco*), paw paw (*Asimina sp.*), saw palmetto (*Serenoa repens*), tar flower (*Barjeria racemosa*) and wild coffee (*Psychotria nervosa*). Ground cover vegetation will be a minimum 1 gallon in size and will be planted on 5' centers. Ground cover may include however is not limited to include; gopher apple (*Licania michauxii*), grape vine (*Vitus sp.*), muhly grass (*Muhlenbergia capillaries*), penny royal (*Piloblephis rigida*), prickly pear cactus (*Opuntia vulgaris*), and various sedges (*Cyperaceae* family). Please see table 1 below. Patches of Bahia grass (*Paspalum* sp.) may be left in place for some portions of the ground cover (not to exceed 25% of the planting area).

COMMUNITY DEVELOPMENT

DCI 2009-00016

TABLE 1: RESTORATION AND SUPPLEMENTAL PLANTINGS

Species	Spacing	Size	Quantity
Trees	30' centers	Min. 4 gallon in size	58
Cabbage Palm			
Live Oak			
Pigeon Plum			
Slash Pine			
Shrubs	15' centers	Min. 3 gallon in size	232
Beauty Berry			
Coco Plum			
Pawpaw			
Saw Palmetto			
Tar Flower			
Wild Coffee			
Herbaceous	5' centers	Min. 1 gallon in size	1568
Gopher Apple			
Grape Vine			
Muhly Grass			
Penny Royal			
Prickly Pear Cactus			
Various Sedges			
* Patches of Bahia grass have been substituted for up to 25% of herbaceous groundcover planting areas.			

Please see the attached Draft Planting Plan Map **Exhibit B**.

COMMUNITY DEVELOPMENT

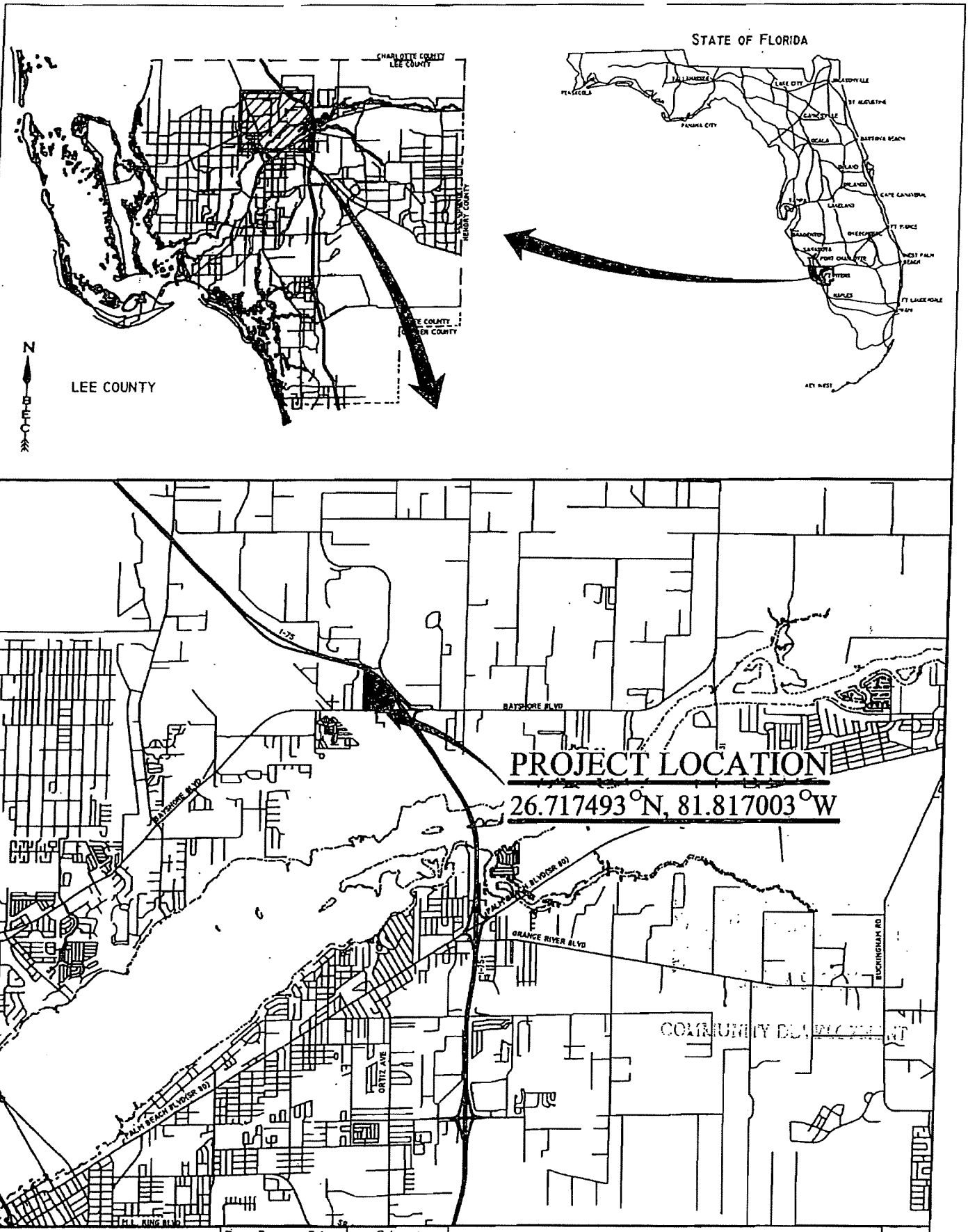
DCI 2009-00016

Exhibit A

Project Location Map

COMMUNITY DEVELOPMENT

DCI 2009-00016



X:\BEC\2009\2009-8 BAYSHORE LOI\BEC PROJECT LOCATION MAP.DWG TAB: FIGURE 1 - JUL 27, 2010 - 9:10AM PLOTTED BY: ALICIA

Boylan Environmental Consultants, Inc.	Drawn By: AML Date: 2/18/2009	Category: Location Map	North River Plaza
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments	Job Number: 2009-8	Scale: NTS	Project Location Map
11000 Metro Parkway, Suite 4, Ft. Myers, FL 33966 (239) 418-0571	S/T/R: 21/43S/25E	County: Lee	Page / Exhibit

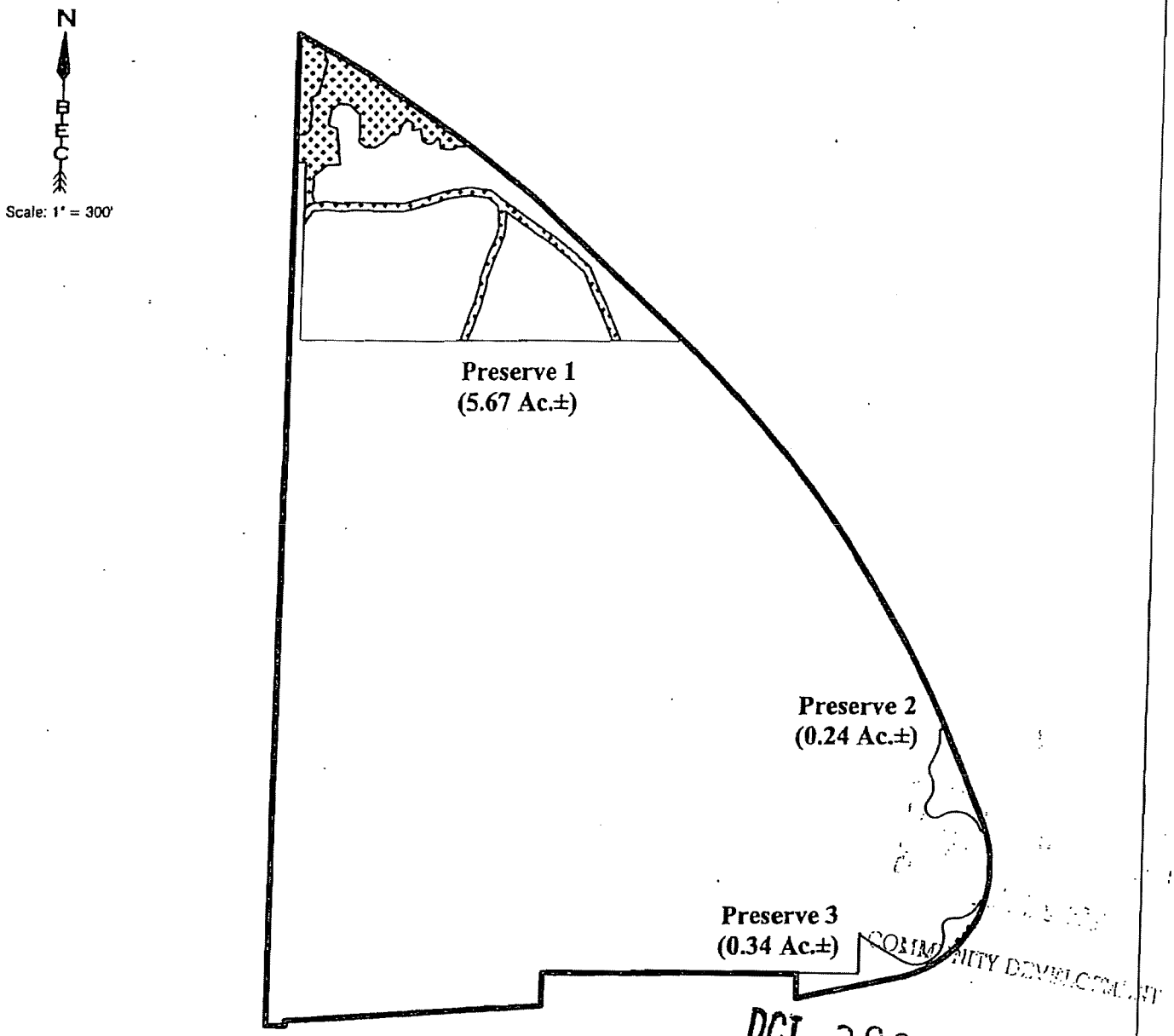
DCI 2009-00016

Exhibit B

Draft Planting Plan Map

COMMUNITY DEVELOPMENT

DCI 2009-00016



COMMUNITY DEVELOPMENT

DCI 2009-00016

Restoration and Supplemental Plantings

Specie	Spacing	Size	Quantity
Trees	12'-30' Centers	3# Min 4' gallon	68 total
Cabbage Palm			
Live Oak			
Pigeon Plum			
Slash Pine			
Shrubs	5'-15' centers	3# Min 3' gallon	232 total
Beauty Berry			
Coco Plum			
Pawpaw			
Saw Palmetto			
Tar Flower			
Wild Coffee			
Herbaceous	2'-5' centers	#2 Min 1 gallon	1588 total
Gopher Apple			
Grape Vine			
Muhly Grass			
Penny Royal			
Prickly Pear Cactus			
Various Sedges			

** Patches of Bahia grass have been substituted for 25% of the groundcover planting requirement

Legend

Planting Area (1.20± Ac.)

NOTES:

FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Property boundary and Indigenous Preserve were acquired from Delisi Fitzgerald, Inc Drawing No. Site plan 21140 MCP.dwg and was received 7/1/10.

X:\BEC\2009\2009-8 Bayshore 40\Zoning\SAT January 7, 2010\Total 7-19-2010.dwg Tab: Planting Plan Map Jul 27, 2010 - 9:11am Plotted by: alicia

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, & Impact Assessments
11000 Metro Parkway, Suite 4, FL Myers, FL 33966 (239) 418-0671

North River Plaza

Draft Planting Plan Map

Drawn By:	Date:	Category	Page
AML	7/19/2010	Indigenous	
Job Number		Scale:	
2009-8		1" = 300'	
S/T/R		County	Exhibit
21/43S/25E		Lee	

Boylan Environmental Consultants
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessment

EXHIBIT E

20 1989-2009 Years of Excellence

North River Plaza

Section 21; Township 43 South; Range 25 East
Lee County, Florida

DRAFT Beautiful Pawpaw Management Plan

RECEIVED
SEP 1 3 2010
COMMUNITY DEVELOPMENT

November 23, 2009
Revised April 29, 2010
Revised July 12, 2010
Revised September 8, 2010

Project No. : 2009-8

DCI 2009-00016

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SEP 1 3 2010
COMMUNITY DEVELOPMENT

INTRODUCTION

North River Plaza is located in portions of Section 21, Township 43 South, Range 25 East, in Lee County, Florida. Specifically, it is situated at the northwest corner of Bayshore Road and I-75 in North Fort Myers. Please see the attached Location Map **Exhibit A**.

267 Beautiful pawpaw (*Deeringothamnus pulchellus*) were located during the July 2009 protected species survey. Please see the attached Protected Species Survey Map with Aerial Photograph **Exhibit B**.

MANAGEMENT PLAN

For the clearing areas that contain beautiful pawpaw, the beautiful pawpaw must be field surveyed within five years of site work, between the months of February through May, and marked in the field with flagging or stakes. The beautiful pawpaw may be relocated to the indigenous preserve recipient areas in phases. Following the issuance of a minor vegetation clearing permit, the beautiful paw-paw that is affected by the clearing activities will be relocated to the indigenous preserve recipient areas. Relocation into the recipient areas is acceptable so long as the indigenous preserve recipient area that the beautiful pawpaw is being relocated into has been subject to exotic removal and or treatment, or the exotic removal and or treatment will be completed prior to the relocation of the beautiful pawpaw. The location of the recipient site will be designated in the vegetation removal permit application. The indigenous preserve recipient sites contain the same habitat types in which the beautiful pawpaw are currently located on the property. Please see the attached Indigenous Preserve Map with Aerial Photograph **Exhibit C** for the beautiful pawpaw relocation areas/indigenous preserve recipient sites.

For all the preserve areas (one, two and three) the beautiful pawpaw will be relocated following any exotic removal and treatment in the preserve recipient site. In addition preserve area one also requires plantings to be installed in accordance with the draft planting plan. The plantings will be installed prior to the relocation of any beautiful pawpaw into indigenous preserve area one.

Each beautiful pawpaw will be hand excavated by digging a trench on three sides of the pawpaw with a sharpshooter, approximately one foot from the plant to a depth of around 18 inches. The top few inches of vegetation, leaf litter, and root mat from non-target species will then be peeled back. Then there will be careful shoveling and hand digging around the plant to a depth of about 24 inches. This is enough to free the pawpaw and its large tap root while keeping many of the larger secondary side roots intact.

Once removed from the ground, the pawpaw will be immediately placed on a layer of wet newspaper in a shaded area. Once a row of pawpaw 4 feet in length is achieved, a layer of newspaper is laid atop the plants and wetted. This process is continued to a point where the pile becomes too cumbersome to handle or prior to the point where the newspapers becomes dry.

The pawpaws will be carefully picked up and walked to the preserve area, where recipient holes will have already been prepared. These holes will be dug to the size needed to accommodate the

DCI 2009-00016

pawpaw. Individual pawpaw will be placed in the hole and the excavated dirt will be backfilled around the plant. The soil will be backfilled in a manner to avoid any voids or air pockets. Attempt will be made to plant the pawpaw at the same depth in which it was situated prior to excavation. The pawpaw will be watered in with a modest amount of water during the planting effort. Relocation areas will be submitted to periodic bush hogging in order to reduce competition and allow the beautiful pawpaw to persist.

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SEP 1 3 2010
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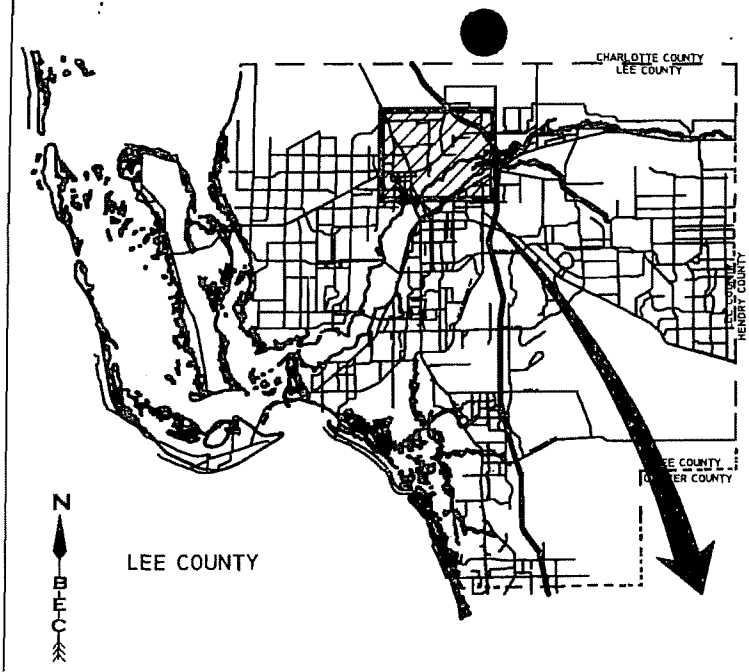
OCT 2009-00016

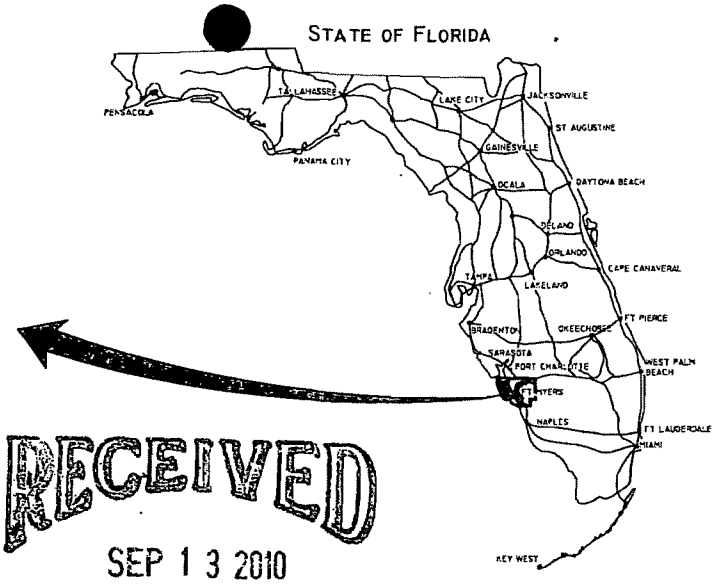
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SEP 13 2010
COMMUNITY DEVELOPMENT

Exhibit A

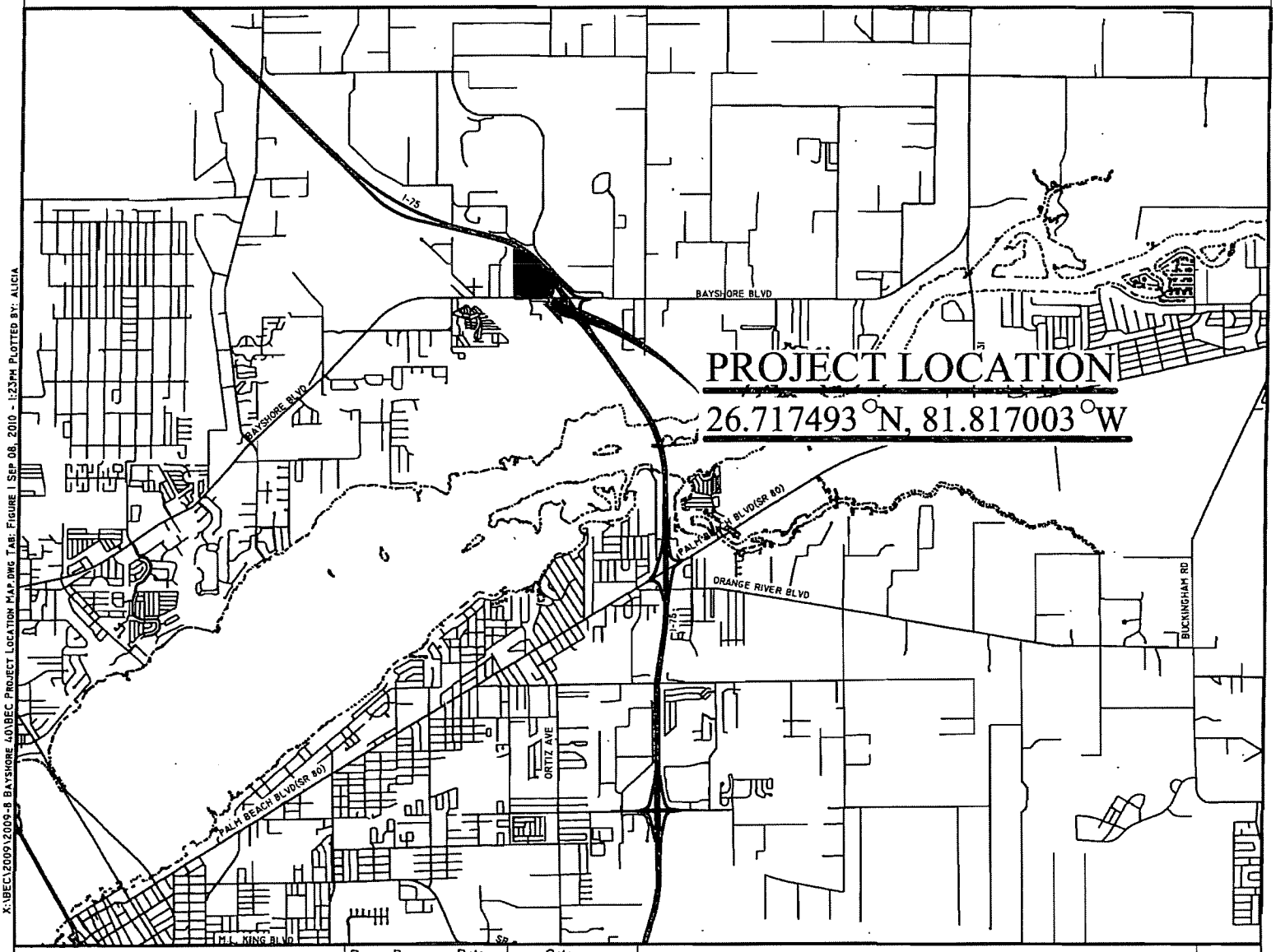
Location Map

DCI 2009-00016





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X:\BEC\2009\2009-8 BAYSHORE 40\BEC PROJECT LOCATION MAP.DWG TAB: FIGURE 1 SEP 08, 2010 - 1:23PM PLOTTED BY: ALICIA

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, FL 33966 (239) 418-0671

Drawn By:	Date:	Category
AML	2/18/2009	Location Map
Job Number		Scale:
2009-8		NTS
S/T/R		County
21/43S/25E		Lee

North River Plaza

Project Location Map

Page

Exhibit

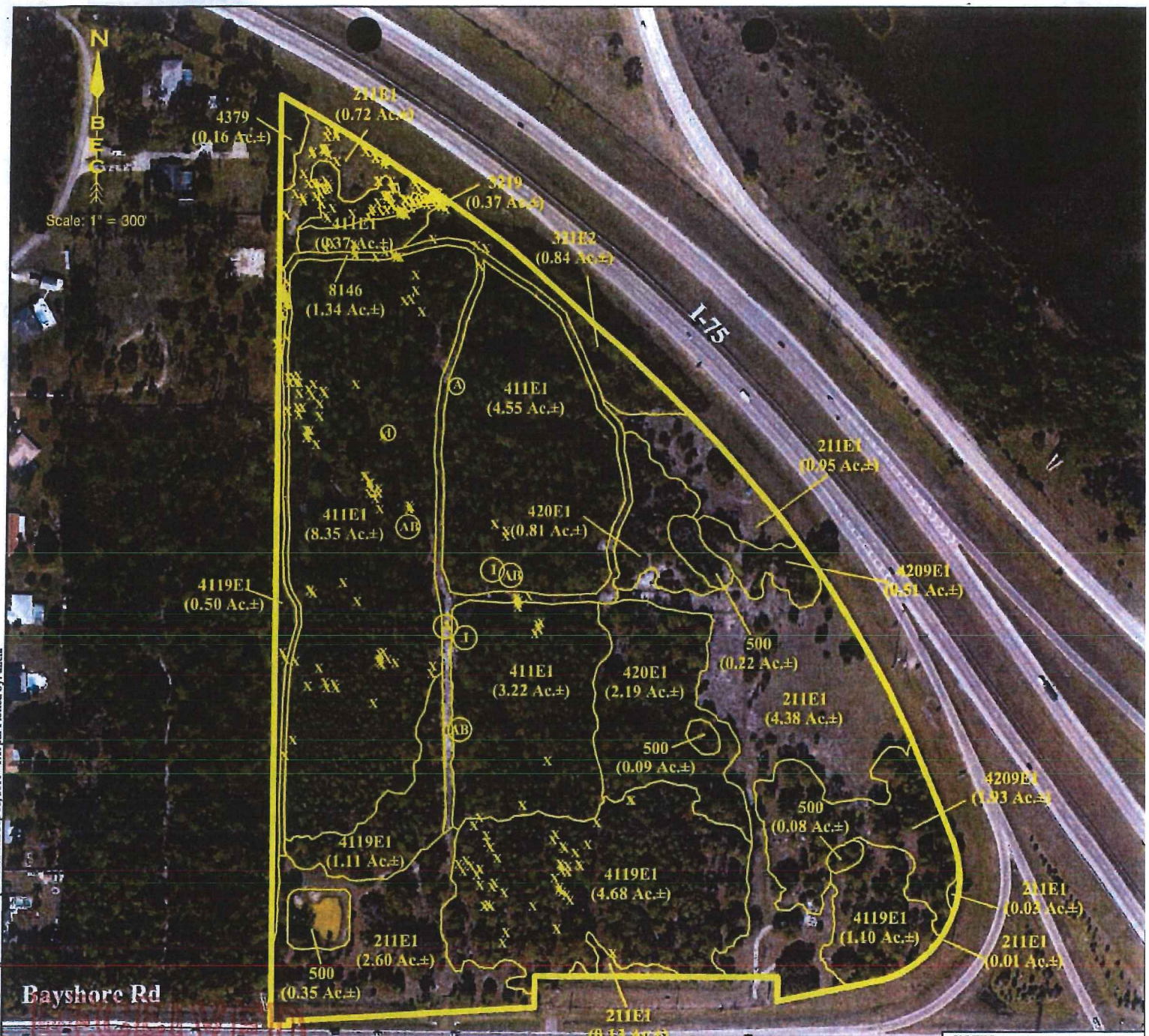
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COMMUNITY DEVELOPMENT

Exhibit B

Protected Species Survey Map with Aerial Photograph

DCI 2009-00016



X:\BEC\2009\2009-8 Bayshore 40\Zoning\RAI January 7, 2010\Total 7-19-2010.dwg Tab: PSS Map with Aerial Sep 08, 2010 - 1:19pm Plotted by: alicia

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COMMUNITY DEVELOPMENT

Legend

- Beautiful Paw Paw - 267
- (A) Active Gopher Tortoise Burrow 2
- (I) Inactive Gopher Tortoise Burrow 3
- (AB) Abandoned Gopher Tortoise Burrow 3
- — — — Protected Species Survey Transects

FLUCFCS Legend

FLUCFCS Code	Community	Acres	%
211 E1	Improved Pasture with Exotics (<25%)	8.82 Ac.±	21.21%
321 E2	Palmetto Prairie with Exotics (25-49%)	0.84 Ac.±	2.02%
3219	Disturbed Palmetto Prairie	0.37 Ac.±	0.89%
411 E1	Pine Flatwoods with Exotics (<25%)	16.49 Ac.±	39.65%
4119 E1	Pine Flatwoods, Disturbed with Exotics (<25%)	7.39 Ac.±	17.77%
420 E1	Mixed Hardwoods with Exotics (<25%)	3.00 Ac.±	7.21%
4209 E1	Mixed Hardwoods, Disturbed with Exotics (<25%)	2.44 Ac.±	5.87%
4379	Australian Pine, Disturbed	0.16 Ac.±	0.38%
500	Cow Ponds	0.74 Ac.±	1.78%
8146	Primitive Trails	1.34 Ac.±	3.22%
TOTAL		41.59 Ac.±	100.00%

NOTES:

FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Aerial photographs were acquired through Lee County Property Appraiser's office with a flight date of January, 2008.

Property boundary was acquired from Delisi Fitzgerald, Inc Drawing No. Site plan 4.13.09.dwg and was received 4/13/09.

No other protected species or signs thereof were identified during the 2-10-2009 and 7-13, 14 & 15-2009 field investigations.

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting, & Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, FL 33966 (239) 418-0671

North River Plaza

Protected Species Survey Map With Aerial Photograph

Drawn By:	Date:	Category	Page
AML	7/16/09	PSS	
Job Number		Scale:	
2009-8		1" = 300'	Exhibit
S/T/R		County	
21/43S/25E		Lee	

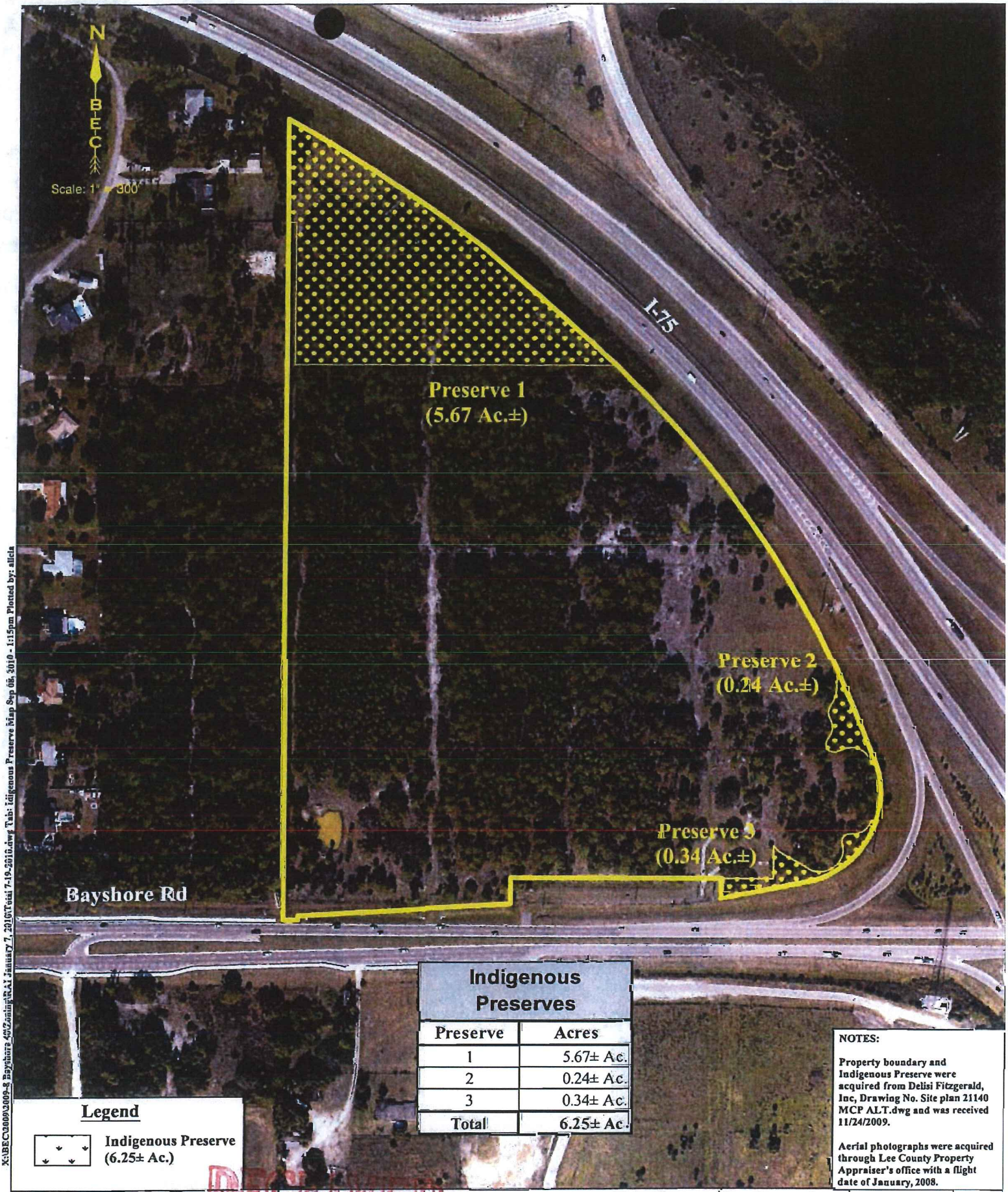
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SEP 13 2010
COMMUNITY DEVELOPMENT

Exhibit C

Indigenous Preserve Area Map
with Aerial Photograph

DCI 2009-00016



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Indigenous Preserves	
Preserve	Acres
1	5.67± Ac.
2	0.24± Ac.
3	0.34± Ac.
Total	6.25± Ac.

Legend

Indigenous Preserve (6.25± Ac.)

NOTES:

Property boundary and Indigenous Preserve were acquired from Delisi Fitzgerald, Inc, Drawing No. Site plan 21140 MCP ALT.dwg and was received 11/24/2009.

Aerial photographs were acquired through Lee County Property Appraiser's office with a flight date of January, 2008.

Boylan Environmental Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting & Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, FL 33966 (239) 418-9674

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COMMUNITY DEVELOPMENT

North River Plaza

Indigenous Preserve Map With Aerial Photograph

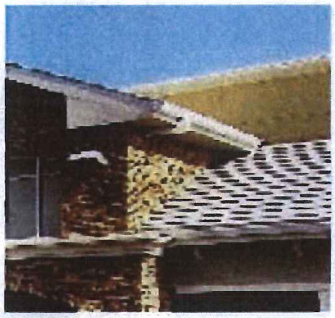
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Job Number		Scale:	
2009-8		1" = 300'	
S/T/R		County	Exhibit
21/43S/25E		Lee	

DCI 2009-00016

EXHIBIT F

NORTH RIVER PLAZA
PROPOSED ARCHITECTURAL IDENTITY

Overall character to mostly emulate architectural features and materials associated with Old Florida architecture.

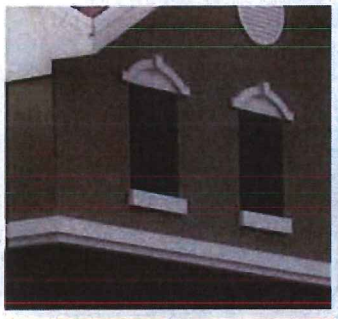




Roof

- Pitched Roofs & Mansards
- Varied Gable & Hip Roofs
- Predominantly Medium Pitch Roofs







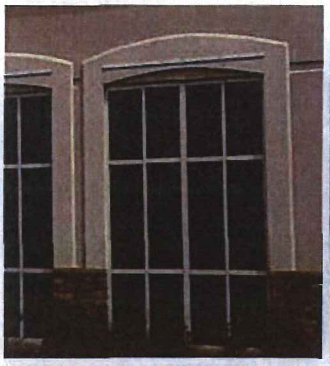
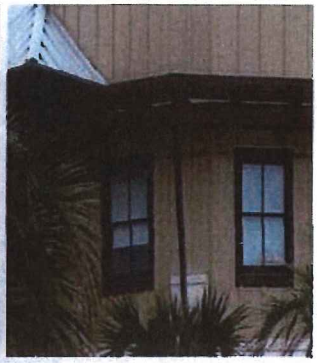
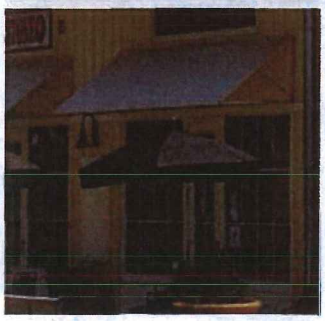
Decorative Features

- Bermuda Shutters
- Decorative Railings
- Accent Columns & Arcades
- Trim, Cornice, Window Frames to be White or Contrasting From Field Colors



Windows

- Vertical Emphasis
- Predominately White or Contrasting with field colors
- Trim, Some Dark Accent Trim Applied by Floor
- Divided Lights with Vertical Emphasis

Wall Finishes

- Horizontal Siding as Dominant Finish
- Stucco as Field Finish
- Brick or Stone Articulated Base



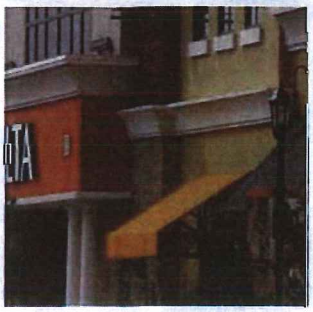



EXHIBIT G DCI 2009-00016

BONA FIDE AGRICULTURAL USE AT THE TIME OF ZONING APPLICATION AFFIDAVIT

WHEREAS, Section 34-202(b)(7), Lee County Land Development Code, requires property located in an agricultural zoning district at the time a zoning application is filed to include an existing agricultural use affidavit; and

WHEREAS, the affidavit, pursuant to the Land Development Code, must identify the property in question with specificity, and the affidavit must identify whether or not a bona fide agricultural use is in existence on the property at the time the application was filed.

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OCT 02 2009
COMMUNITY DEVELOPMENT

STATE OF MICHIGAN
COUNTY OF CLINTON

BEFORE ME, the undersigned notary public on this 24th day of August, 2009, personally appeared KEVIN T. MCGRAW, who is personally known to me or who produced a Drivers License as identification and who, after first being duly sworn, deposes and says that:

1. The property that is subject of the zoning application is described more completely on the attached Exhibit "A".

2. That I am the authorized representative of the Limited Liability Corporation that owns the property described in Exhibit "A".

3. The property in question is zoned Commercial Tourist (CT) and Commercial Planned Development (CPD). Section 34-202(b)(7) does not require an agricultural affidavit for property that is not located in an agricultural district at the time of zoning.

4. The property is in agricultural use and the use is a legal non-conforming use.

5. The agricultural use of the subject property is cattle grazing.

6. The cattle grazing is occurring within the area identified on the attached Exhibit "B".

7. The affiant intends to continue the existing agricultural activity subsequent to the rezoning until such time as a local development order is issued, and the agricultural activity will be terminated on the portion of the property subject to the local development order.

FURTHER AFFIANT SAYETH NAUGHT.

Kevin T. McGraw, as President of
Bayshore Lee, LLC

SWORN TO and subscribed before me on the date and year first above written.

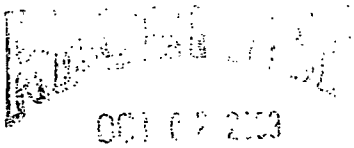
(Notary Seal)

Janet K. Poggiali
Signature of Notary Public

Janet K. Poggiali
(Print, type of stamp commissioned name of Notary Public)

Commission No.

JANET K. POGGIALI
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF CLINTON
My Commission Expires Mar. 21, 2013
Acting in the County of Ingham

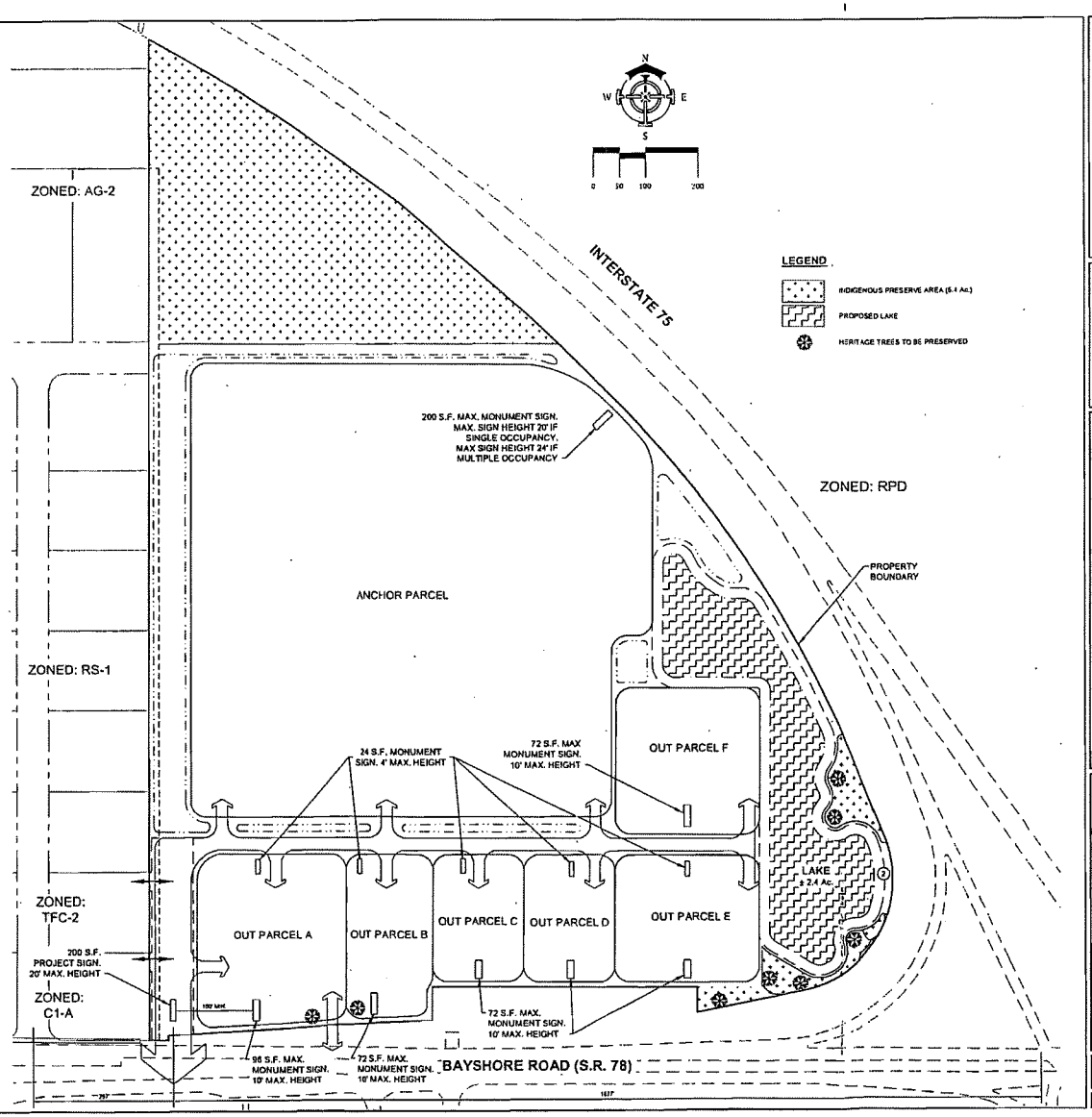


COMMUNITY DEVELOPMENT

DCI 2009-00016

NOTES:

1. SIGNS LOCATIONS SHOWN ARE APPROXIMATE AND MAY BE ADJUSTED AS PART OF THE DEVELOPMENT ORDER PROCESS.
2. AREA SHOWN FOR EACH SIGN IS COPY AREA OF SIGNAGE ONLY. AREA DOES NOT INCLUDE ARCHITECTURAL EMBELLISHMENTS OR STRUCTURAL ELEMENTS OF SIGNAGE.
3. ALL SIGNS SHALL BE GROUND-MOUNTED SIGNS.
4. INTERSTATE HIGHWAY SIGNAGE SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 100 FEET WITH 400 S.F. MAX. COPY AREA. INTERSTATE HIGHWAY SIGNAGE MAY BE POLE MOUNTED.
5. ONSITE SIGNAGE FOR THE ANCHOR PARCEL SHALL COMPLY WITH LEE COUNTY CODE REQUIREMENTS OF CHAPTER 30.
6. ALL MONUMENT SIGNAGE OF THE SIGN PLAN SHALL BE CONSISTENT WITH THE ARCHITECTURAL CHARACTER OF THE DEVELOPMENT.



DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
1605 Hendry Street
Fort Myers, FL 33901
239-418-0691 - 239-418-0692 fax
Florida Certificate of Authorization: Engineering LB #: 26978

OWNER/DEVELOPER
BAYSHORE LEE, LLC
4520 N. GRAND RIVER AVENUE
LANSING, MI 48906
PH: (517) 864-4128 FAX: (517) 864-4108

PROJECT:
NORTH RIVER PLAZA

PART OF SEC. 21, TWP. 43 S, RNG. 25 E, LEE COUNTY, FL

PLAN REVISIONS:

DATE:	DESCRIPTION:

UNIFIED SIGN PLAN

Project Manager:	ADF
Drawn By:	MJK
Checked By:	ADF
Project Number:	21148
Cad File:	21148 SIGN IOCH
Year:	
Year:	

Status:
FOR PERMITTING PURPOSES ONLY
NOT FOR CONSTRUCTION

Sheet Number: 1

EXHIBIT H

ATTACHMENT N

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Brightwater RPD f/k/a Stoneybrook North/Heritage Creek
Minor Amendment to Planned Development
Density Calculations

DCI2021-00012

(Revised July 2021)

The Overall Planned Development Zoning includes ±741.22 acres. This amendment excludes all of North Brook Phase One as recorded in Instrument number 2019000172912 of the Public Records of Lee County (258 existing residential lots) except includes TRACT-FD. The Lee County well parcel identified as STRAP number 21-43-25-00-00002.0020 has also been removed from the application. This amendment covers ±638.17 acres of the overall ±741.22 acre Planned Development. Calculations below show **subject application/overall PD zoning** for comparison of densities.

A. Future Land Use Category: Sub-Outlying Suburban

		Lee Plan Table 1(a) Max. standard density		Units
1.	**Standard Units**			
a.	Total upland acres (from Part 4, D.)	571.22/ 674.27	x 2 equals	1,142.44/ 1,348.5
b.	Total preserved freshwater wetlands acres (from Part 4, D.)	63.5	x 2 equals	127
c.	Total impacted wetlands acres (from Part 4, D.)	0	x _____ equals	
d.	**Total Allowed Standard Units** (1)			**1,269.44/ 1,475.5**
2.	**Bonus Units [2-143]**			
a.	Site-built Affordable Housing			N/A
b.	Transferrable Dwelling Units			N/A
c.	Sub-total			**N/A**

A. Future Land Use Category: General Interchange

		Lee Plan Table 1(a) Max. standard density		Units
1.	**Standard Units**			
a.	Total upland acres (from Part 4, D.)	3.45	x 14 equals	48.3
b.	Total preserved freshwater wetlands acres (from Part 4, D.)	0	x _____ equals	
c.	Total impacted wetlands acres (from Part 4, D.)	0	x _____ equals	
d.	**Total Allowed Standard Units** (1)			
2.	**Bonus Units [2-143]**			
a.	Site-built Affordable Housing			N/A
b.	Transferrable Dwelling Units			N/A
c.	Sub-total			**N/A***
	***NOT proposed, but additional 8 DU/acre eligible for bonus density: 27.6 DU not included below**			
3.	**Total Permitted Units** (1)			**1,318/ 1,524**

Request is for 1,500 Units total – existing 258 units = 1,242 units

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

ATTACHMENT O

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

BRIGHTWATER REZONING

(PROJECT NO. F2006.07)

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

March 15, 2021

TR TRANSPORTATION CONSULTANTS, INC

CONTENTS

I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. FUTURE TRAFFIC CONDITIONS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. INTERSECTION ANALYSIS

IX. CONCLUSION

TR TRANSPORTATION CONSULTANTS, INC

I. INTRODUCTION

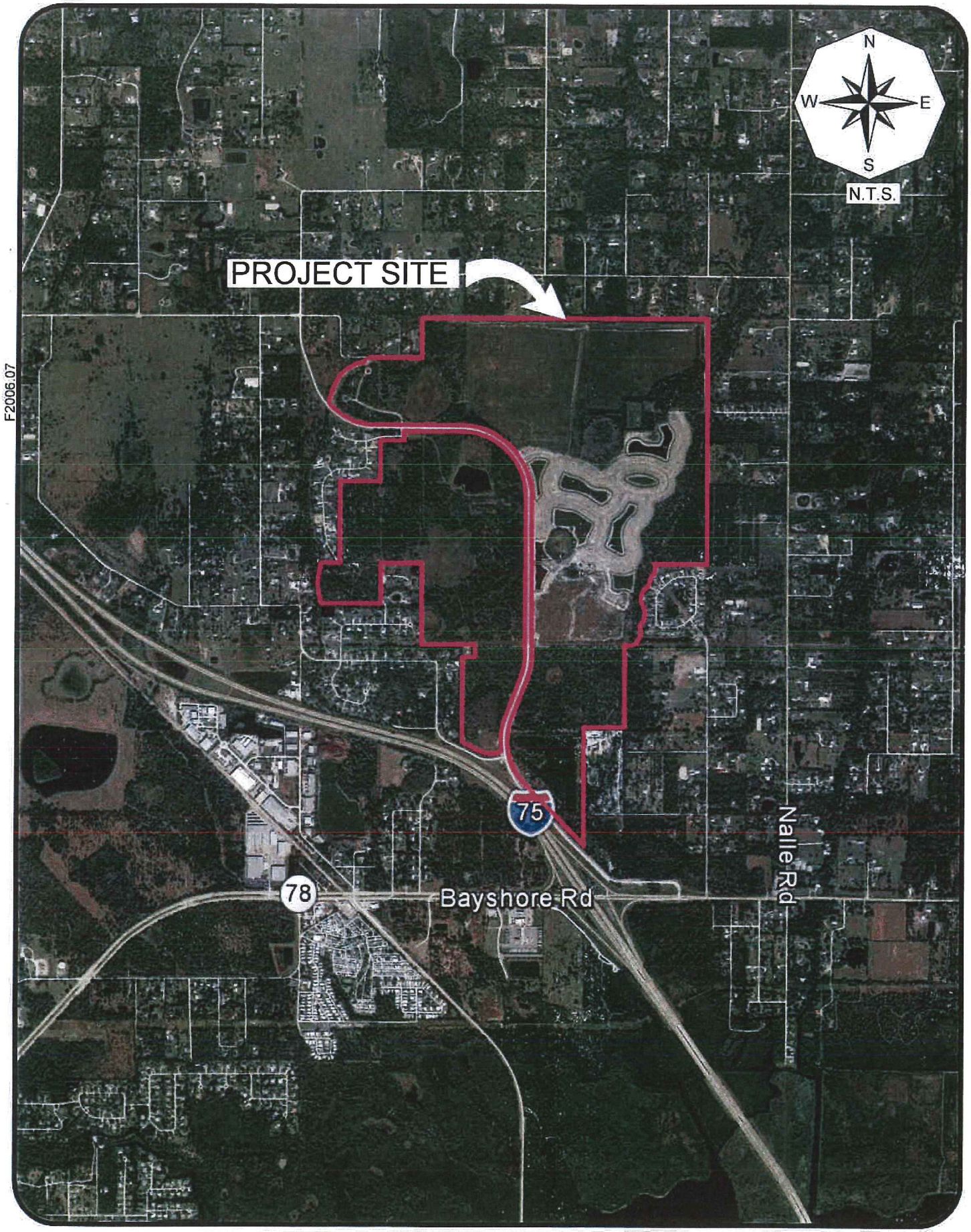
TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking a rezoning approval. The subject site is located on both the east and west side of Pritchett Parkway north of Bayshore Road (S.R. 78) in the North Fort Myers area of Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**. The subject site is currently zoned RPD under Zoning Resolution Z-02-070 as amended to allow for the development of up to 1,275 residential dwelling units and associated amenities.

The applicant is requesting a rezoning of the subject site to allow for an additional 225 residential dwelling units, reconfigure some of the development tracts within the Master Concept Plan and allow limited non-resident access to the Recreational Facilities/County Club uses. No changes to the site access drive connections to Pritchett Parkway are being proposed with this amendment to what was previously approved by Lee County.

This report examines the impact of the zoning amendment on the surrounding roadways and intersections. Trip generation and assignments to the various site access drives were completed and an analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The site is currently being developed with residential dwelling units under DOS2015-00083 to the east of Pritchett Parkway. To date, total of 267 single family dwelling permits have been approved under the Development Order process and two access drive connections and corresponding turn lanes have been constructed along Pritchett Parkway.



TR TRANSPORTATION CONSULTANTS, INC

PROJECT LOCATION MAP
BRIGHTWATER

Figure 1

Bayshore Road (S.R. 78) is a four lane divided arterial to the west of Pritchett Parkway and is a two lane undivided arterial to the east of Pritchett Parkway. FDOT is currently conducting a PD & E study for the future widening of Bayshore Road from I-75 to S.R. 31 (FDOT Project ID #444937-1). Once the PD & E is completed, funding for future right-of-way acquisition and construction will proceed. Bayshore Road has a posted speed limit of 50 miles per hour and is under the jurisdiction of the Florida Department of Transportation.

Rich Road, Pritchett Parkway and Mellow Drive (Del Prado Boulevard ext.) are all two lane undivided major collector roadways within the vicinity of the subject site. The intersection of Bayshore Road and Pritchett Parkway operates under a two way stop control. All three roadways have a posted speed limit of 45 mph and are under the jurisdiction of the Lee County Department of Transportation.

Slater Road is a two lane undivided major collector to the north of Mellow Drive and a two lane undivided arterial to the south of Mellow Drive. Slater Road has a posted speed limit of 45 mph and is under the jurisdiction of the Lee County Department of Transportation.

III. PROPOSED DEVELOPMENT

The applicant is proposing to amend the existing zoning to permit the development of an additional 225 residential dwelling units and permit the recreational facilities/country club uses to have limited access to non-residents. Approximately 590 residential units will be designated as age-restricted housing, leaving the remaining approximately 910 dwelling units to be developed as single family or multi-family dwelling units. Although the Schedule of Uses allows for a mix of residential dwelling unit types (townhomes, Single Family, etc.), for trip generation purposes, all 910 units were assumed to be single family dwelling units in or to complete a "worst case" analysis in terms of trip generation

for these residential units. The recreational amenities will have limited non-resident access to those who have purchased reservations to the Recreation/Country Club that is proposed on the subject site. **Table 1** summarizes the land use utilized for the purposes of this analysis.

Table 1
Land Uses
Brightwater RPD

Phase	Size
Single-Family Detached Housing (LUC 210)	910 Dwelling Units
Senior Adult Housing – Detached (LUC 251)	590 Dwelling Units
Recreation/Country Club Facility	Lagoon

As previously indicated, there are no changes to the site access locations as currently approved on the Master Concept Plan.

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 10th Edition. Land Use Code 210 (Single-Family Detached Housing) was utilized for the trip generation purposes of the proposed single family residential uses and Land Use Code 251 (Senior Adult Housing – Detached) was used for the age restricted dwelling units. The trip generation equations utilized are included in the Appendix of this report for reference.

For the Recreation Facilities/Country Club use, the anticipated trip generation of this facility was determined by independent surveys conducted at a similar facility located in Wesley Chapel, Florida. The facility in Wesley Chapel (Epperson Lagoon) is very similar to what will be provide as part of the Brightwater project. Attendance by non-residents will be limited and permitted by reservation only. Residents of Brightwater will be permitted to use the facility for free and will also have a limited number of guest passes

available. The recreational use does not open until 10:00 A.M., seven days a week. No data was collected on the daily trip generation. The external trip generation calculations of the Recreation/Country Club facility are included in the Appendix of this report along with the survey data from the existing facility located in Wesley Chapel.

Table 2 outlines the anticipated weekday A.M. and P.M peak hour trip generation of the subject site. The anticipated daily trip generation of the subject site is also included within Table 2.

Table 2
Trip Generation
Brightwater RPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Single-Family Detached Housing (910 Dwelling Units)	163	488	651	533	313	846	7,930
Senior Adult Housing – Detached (590 Dwelling Units)	52	105	157	117	75	192	2,683
Lagoon (Non-Resident Trips)	-	-	-	13	14	27	-
Total Trips	215	593	808	663	402	1,065	10,613

The trips proposed as part of the zoning amendment shown in Table 2 were compared to the trip generation of the project as currently approved. As previously referenced, the project is currently approved for up to 1,275 dwelling units. **Table 3** illustrates the weekday A.M. and P.M. peak hour and daily trip generation based on the ITE ***Trip Generation Report***, 10th Edition, of the project as currently approved under Z-02-070.

Table 3
Trip Generation
Brightwater RPD – As Currently Approved

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Single-Family Detached Housing (1,275 Dwelling Units)	227	683	910	737	433	1,170	10,815

Table 4 illustrates the trip generation reduction that will occur as a result of the rezoning request to increase the density by 225 dwelling units, limit approximately 590 of the units to age restricted units and allow the Recreation Facility/Country Club access by non-residents on a limited basis.

Table 4
Trip Generation Comparison
Brightwater RPD – Approved vs. Proposed

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-way)
Proposed Zoning (910 DU's, 590 Age Rest. & Lagoon)	215	593	808	663	402	1,065	10,613
Approved Zoning (1,275 Dwelling Units)	-227	-683	-910	-737	-433	-1,170	-10,815
Resultant Trip Difference	-12	-90	-102	-74	-31	-105	-202

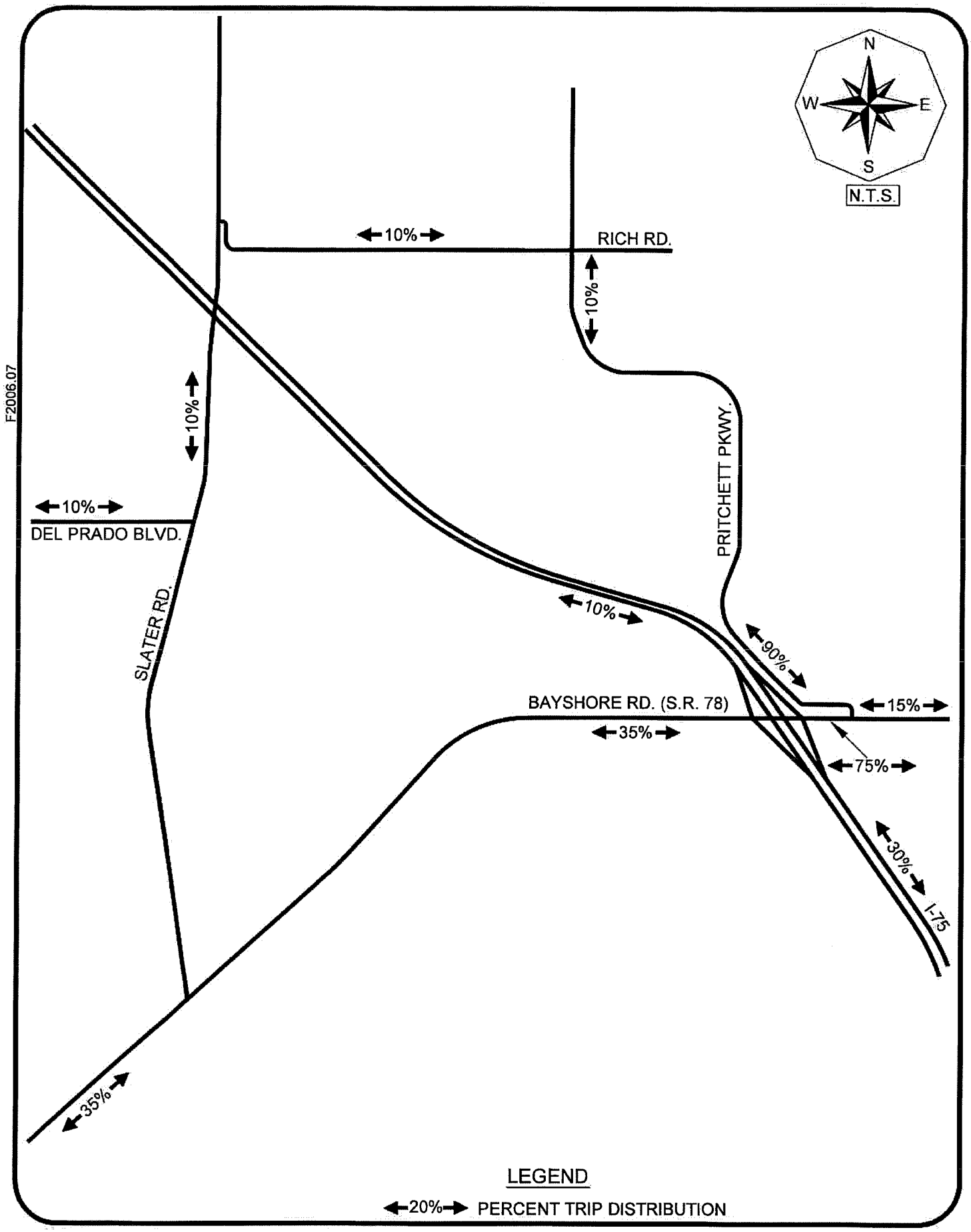
Note: A negative number in the Resultant Trip Difference Row indicates a REDUCTION in trips due to the zoning change

As can be seen from Table 4, the requested zoning amendment that would increase the total residential density by 225 units, limit approximately 590 of those units to an Active Adult community and allow non-resident access to the Recreation Facility/County Club facilities will actually ***REDUCE*** the peak hour trip generation by approximately 11% in the weekday A.M. and by approximately 9% in the weekday P.M. peak hour.

V. TRIP DISTRIBUTION

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. The anticipated trip distribution of the development traffic is shown in **Figure 2.**

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines **Table 1A,** contained in the Appendix, was created. This table indicates which roadway links in the vicinity of the subject site will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Generalized Peak



TRANSPORTATION CONSULTANTS, INC

TRIP DISTRIBUTION
BRIGHTWATER

Figure 2

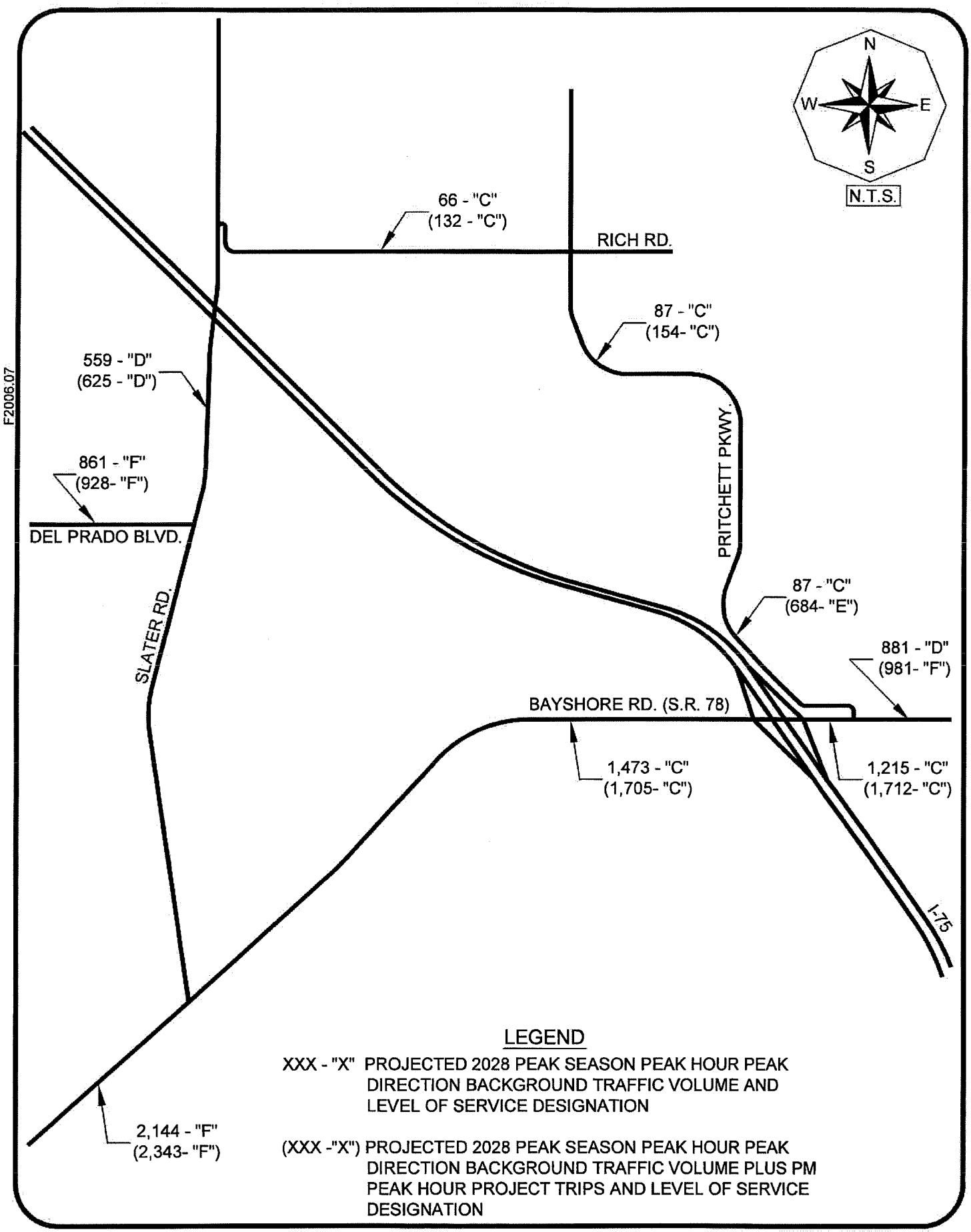
Hour Directional Service Volume Tables. A copy of the Generalized Service Volume Table is located in the Appendix of this report for reference.

VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2028 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links that could be significantly impacted by this development. The growth rates were obtained through comparisons of annual traffic data from 2019 FDOT Florida Traffic Online webpage. Based on the project distribution illustrated on Figure 2, the link data was analyzed for the year 2028 without the development and year 2028 with the development. **Table 2A** in the Appendix of the report indicates the methodology utilized to obtain the year 2028 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The base year traffic volumes were obtained from the ***2020 Lee County Public Facilities Level of Service and Concurrency Report.***

Figure 3 summarizes the year 2028 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. This figure is derived from Table 2A contained in the Appendix.

The projected 2028 Level of Service was also computed based on the existing APPROVED trip generation of the project based on Zoning Resolution Z-02-070 (1,275 dwelling units). **Table 3A** in the Appendix illustrates the projected Level of Service in 2028 based on the approved trip generation. In comparing Table 3A with Table 2A, several conclusions can be reached. The two-lane segment of Bayshore Road east of Nalle Road, Bayshore Road west of Slater Road, Mellow Drive (Del Prado Boulevard)



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2028 LEVEL OF SERVICE ANALYSIS
BRIGHTWATER

Figure 3

west of Slater Road and SR 31 are all shown to operate below the recommended minimum Leve of Service standard in 2028 even with the approved trips from the 1,275 dwelling units.

Pritchett Parkway, from Bayshore Road to the principal site access drive, is shown to operate at LOS "F" in 2028 based on the approved development parameters. With the proposed development parameters, this segment of Pritchett Parkway will operate at LOS "E" in 2028.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

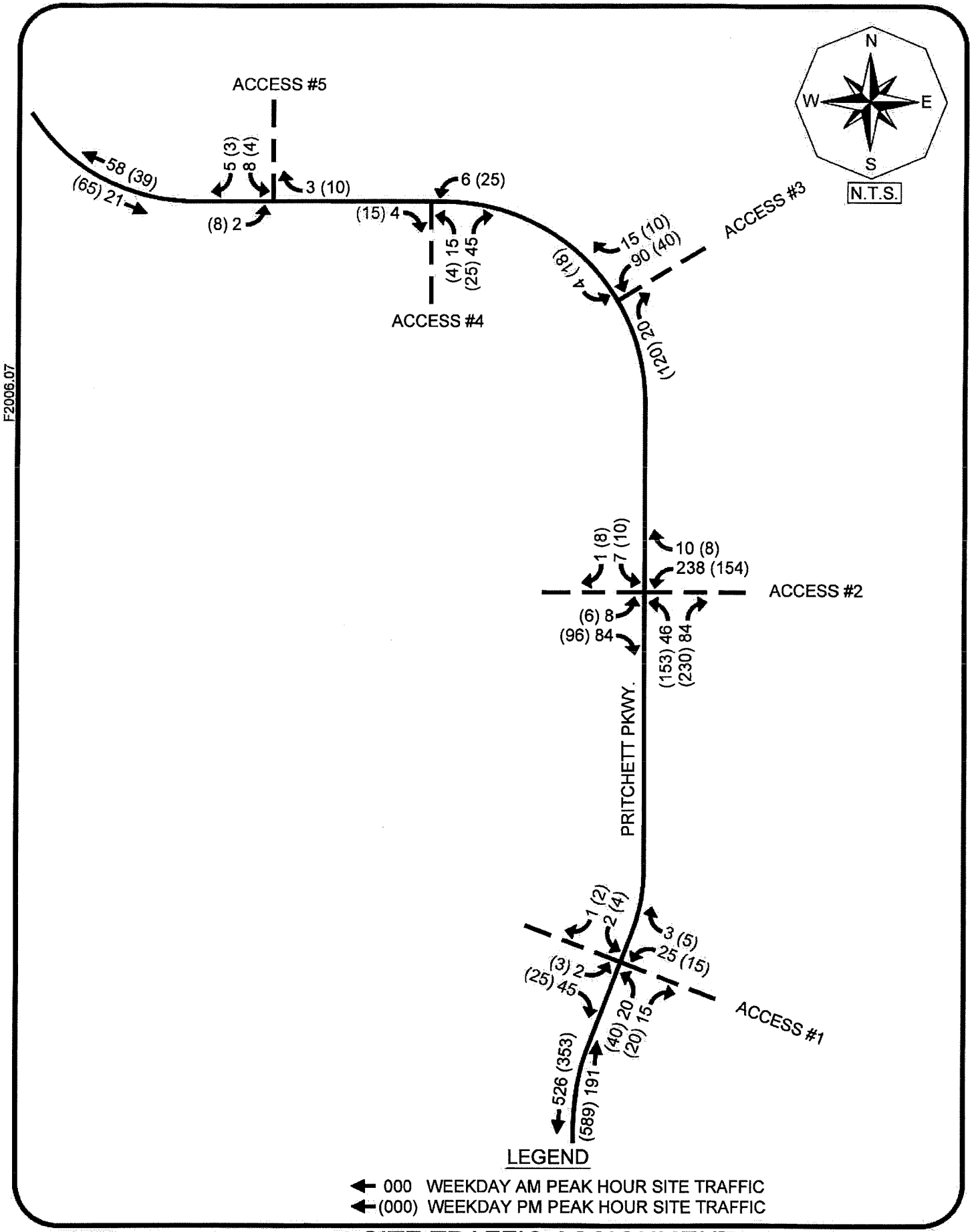
Adverse impacts are defined as a degradation of the Level of Service beyond the adopted Level of Service Thresholds for those links as indicated in Table 1A. In comparing the links' functional classification and calculated 2028 traffic volumes to the Service Volume Tables, it was determined that the only roadway inside the project's area of influence that would be adversely impacted by the proposed development is Bayshore Road, east of Nalle Road. This segment of Bayshore Road is shown to operate at a Level of Service "F" in 2028 with the project. This segment of roadway is currently under study by the Florida Department of Transportation for the future widening to a four-lane divided facility.

This roadway improvement was identified as a needed improvement during the approval of the Babcock Ranch Development of Regional Impact in both Lee and Charlotte County. The other roadway segments that are shown to operate at LOS "F" in 2028 are not caused by the project traffic, but are shown to operate at LOS "F" in 2028 due to the increase in background traffic growth prior to any trips from the project being added to the roadway segment. Therefore, these segments are considered as a pre-existing transportation deficiencies that this project should not be responsible for mitigating. All other analyzed roadways are shown to operate at or above the minimum adopted Level of Service.

VIII. INTERSECTION ANALYSIS

Intersection analysis was performed at the unsignalized intersections of site access drives with Pritchett Parkway as well as the intersections of Bayshore Road with the I-75 ramp intersections and Pritchett Parkway. The latest version of the Highway Capacity Software (HCS®) was utilized to complete this analysis. The analysis was based on the projected 2028 weekday PM peak hour traffic conditions both with and without the project traffic. The traffic counts were compiled by historical traffic counts conducted in the area. The turning movement counts were then adjusted to reflect peak season conditions based on the Peak Season Factor as computed by utilizing the Lee County Traffic County Report – PCS #64 – Bayshore Road. The existing traffic volumes were then increased by a growth rate factor to determine the projected 2028 background turning movement volumes.

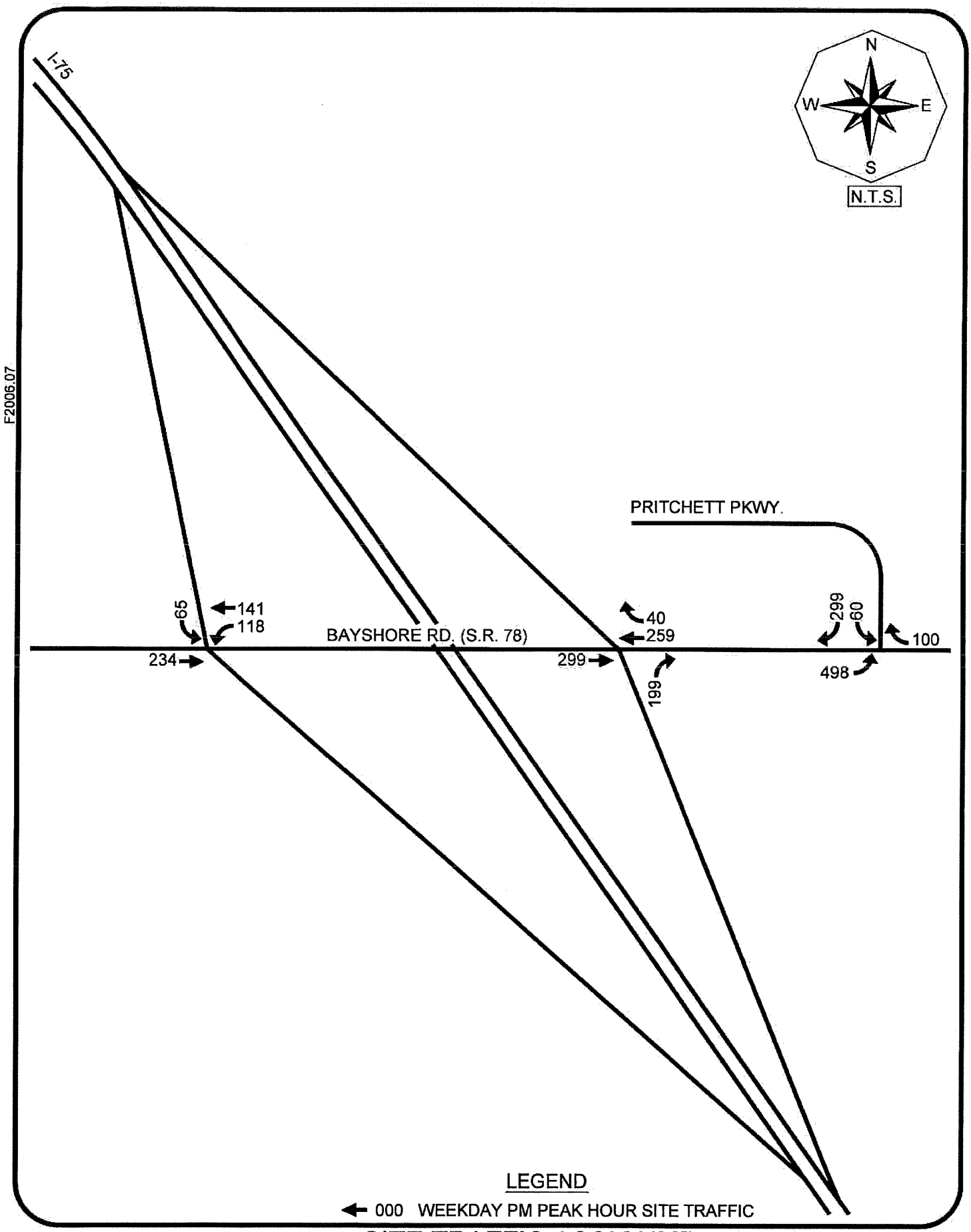
The volumes utilized for the intersection analysis can be found in the Appendix of this report in the *Development of Future Year Background Turning Movement* volumes spreadsheets. **Figure 4** illustrates the projected 2028 turning volumes at the site access drives along Pritchett Parkway and **Figure 5** illustrates the project turning movement volumes on Bayshore Road from I-75 to Pritchett Parkway.



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SITE TRAFFIC ASSIGNMENT
PRITCHETT PARKWAY SITE ACCESS
BRIGHTWATER

Figure 4



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SITE TRAFFIC ASSIGNMENT
BAYSHORE ROAD
BRIGHTWATER

Figure 5

Based upon the results of the capacity analysis, all three intersections along Bayshore Road will operate at the same Level of Service both with and without the project. There are certain movements at the I-75 ramps that operate at LOS "F" in the background traffic conditions. FDOT has a study planned for this interchange in the next few years to address projected capacity deficiencies due to the growth in traffic in this area.

The intersection of Pritchett Parkway and Bayshore Road is also being studied as part of the ongoing PD & E study currently underway by FDOT. The development team has been in contact with the FDOT and their consultants to ensure that the impacts of the Brightwater project are accounted for in the PD & E study that is currently being completed (FDOT Project ID #441937-1). It is anticipated that there will be future changes to this intersection to address capacity and operational deficiencies that are evident in the future background traffic conditions.

IX. CONCLUSION

The proposed Brightwater RPD zoning amendment will permit the development of an additional 225 residential dwelling units while permitting the limited use by non-residents of the recreational facility/country club use on site. Additionally, approximately 590 residential dwelling units will be age restricted units, thus reducing the future trip generation of this project below what is currently approved.

The roadway link analysis indicates that the only roadway segment that the project trips are anticipated to significantly impact is Bayshore Road east of Nalle Road. This segment of Bayshore Road to S.R. 31 is currently under study and will be widened to a four-lane divided facility in the near future. Other roadway segments that are shown to operate at a poor level of service in 2028 are projected to operate under that level of service prior to any project trips being added to the roadways, so those segments are considered to be pre-existing deficiencies that this project is not responsible for mitigating other than the payment of road impact fees.

The projected 2028 Level of Service was also computed based on the existing APPROVED trip generation of the project based on Zoning Resolution Z-02-070 (1,275 dwelling units). In comparing Level of Service analysis based on the approved development parameters to the Level of Service projected based on the proposed development parameters, several conclusions can be reached. The two-lane segment of Bayshore Road east of Nalle Road, Bayshore Road west of Slater Road, Mellow Drive (Del Prado Boulevard) west of Slater Road and SR 31 are all shown to operate below the recommended minimum standard in 2028 even with the approved trips from the 1,275 dwelling units.

The four-lane segment of Bayshore Road between I-75 and Pritchett Parkway is shown to operate below the recommended minimum Level of Service standard in 2028 with the 1,275 dwelling units but with the proposed development proposal, this segment is shown to operate at LOS "C". And Pritchett Parkway, from Bayshore Road to the principal site access drive, is shown to operate at LOS "F" in 2028 based on the approved development parameters. With the proposed development parameters, this segment of Pritchett Parkway will operate at LOS "E" in 2028.

Intersection analysis was conducted at the two signalized intersections with Bayshore Road and the I-75 ramps as well as the unsignalized intersections of Bayshore Road with Pritchett Parkway and Pritchett Parkway with the five (5) access drive intersections. There are certain movements at the I-75 ramps that operate at LOS "F" in the background traffic conditions. FDOT has a study planned for this interchange in the next few years to address projected capacity deficiencies due to the growth in traffic in this area. The intersection of Pritchett Parkway and Bayshore Road is also being studied as part of the ongoing PD & E study currently underway by FDOT. The development team has been in contact with the FDOT and their consultants to ensure that the impacts of the Brightwater project are accounted for in the PD & E study that is currently being completed. It is anticipated that there will be future changes to this intersection to address capacity and operational deficiencies that are evident in the future background traffic conditions.

APPENDIX

TABLES 1A, 2A & 3A

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 808 VPH IN= 215 OUT= 593
TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1,065 VPH IN= 663 OUT= 402

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Bayshore Road (SR 78)	E. of Nalle Rd.	2LN	0	0	872	924	924	15%	99	11.4%
	W. of Pitchett Pkwy	4LD	0	0	2,005	2,100	2,100	75%	497	24.8%
	W. of I-75	4LD	0	0	2,005	2,100	2,100	35%	232	11.6%
	W. of Slater Rd.	4LD	0	0	2,005	2,100	2,100	30%	199	9.9%
Pritchett Pkwy	N. of Bayshore Road	2LN	0	0	310	660	740	90%	597	192.5%
	N. of Project Access	2LN	0	0	310	660	740	10%	66	21.4%
Rich Road	W. of Pritchett Pkwy	2LN	0	0	310	660	740	10%	66	21.4%
Slater Rd.	S. of Rich Rd.	2LN	0	0	310	660	740	10%	66	21.4%
Mellow Dr.	W. of Slater Rd.	2LN	0	0	310	660	740	10%	66	21.4%
SR 31	N. of Bayshore Rd.	2LN	0	0	913	970	970	4%	27	2.9%
	S. of Bayshore Rd.	2LN	0	0	913	970	970	11%	73	8.0%
I-75	N. of Bayshor Rd.	6LF	0	3,410	4,650	5,780	6,340	10%	66	1.4%
	S. of Bayshore Rd.	6LF	0	3,410	4,650	5,780	6,340	30%	199	4.3%

* Level of Service thresholds for Lee County roads were obtained from the Lee County Generalized Level of Service Volumes (April 2016)
Level of Service thresholds for FDOT roads were obtained from the FDOT LOS Report and FDOT Generalized Peak Hour Directional Volumes (Jan. 2020)
- Indicates recommended minimum LOS Standard

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
BRIGHTWATER - 910 SF UNITS & 590 ACTIVE ADULT UNITS WITH LAGOON

TOTAL PROJECT TRAFFIC AM = 808 VPH IN = 215 OUT= 593
TOTAL PROJECT TRAFFIC PM = 1,065 VPH IN= 663 OUT= 402

ROADWAY	SEGMENT	COUNT STATION	2015 BASE YR ADT	2019 ADT	YRS OF GROWTH	ANNUAL RATE	2019 PK HR PK SEASON PEAK DIR.[1]	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2028 FUTURE PLANNING ANLYSIS BACKGROUND PEAK DIR.	LOS	BCKGRND + PROJ TRAFFIC	LOS	
Bayshore Road (SR 78)	E. of Nalle Rd	120022	11,500	14,600	4	6.15%	515	15%	89	99	881	D	981	F	PD & E Study Underway
	W. of Pitchett Pkwy	120022	11,500	14,600	4	6.15%	710	75%	445	497	1,215	C	1,712	C	
	W. of I-75	126064	24,000	25,500	4	1.53%	1,285	35%	208	232	1,473	C	1,705	C	
	W. of Slater Rd.	120017	32,500	36,000	4	2.59%	1,703	30%	178	199	2,144	F	2,343	F	
Pritchett Pkwy	N. of Bayshore Road	-	-	-	-	2.00%	73	90%	534	597	87	C	684	E	
	N. of Project Access	-	-	-	-	2.00%	73	10%	59	66	87	C	154	C	
Rich Road	W. of Pritchett Pkwy	-	-	-	-	2.00%	55	10%	59	66	66	C	132	C	
Slater Rd.	S. of Rich Rd.	124487	1,900	2,200	4	3.73%	402	10%	59	66	559	D	625	D	
Mellow Dr.	W. of Slater Rd.	124443	6,300	9,000	4	9.33%	386	10%	59	66	861	F	928	F	
SR 31	S. of Bayshore Rd.	120030	10,100	13,500	4	7.52%	643	11%	65	73	1,235	F	1,308	F	PD & E Study Underway

[1] Obtained from the 2020 Lee County Public Facilities Level of Service and Concurrency Report

TABLE 3A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
BRIGHTWATER - AS CURRENTLY APPROVED (1,275 DWELLING UNITS)

TOTAL PROJECT TRAFFIC AM = 910 VPH IN = 227 OUT= 683
TOTAL PROJECT TRAFFIC PM = 1,170 VPH IN= 737 OUT= 433

			2015				2019 PK HR	PERCENT			2028 FUTURE PLANNING ANLYSIS				
		COUNT	BASE YR	2019	YRS OF	ANNUAL	PK SEASON	PROJECT	AM PROJ	PM PROJ	BACKGROUND		BCKGRND + PROJ		
ROADWAY	SEGMENT	STATION	ADT	ADT	GROWTH	RATE	PEAK DIR.[1]	TRAFFIC	TRAFFIC	TRAFFIC	PEAK DIR.	LOS	TRAFFIC	LOS	
Bayshore Road (SR 78)	E. of Nalle Rd	120022	11,500	14,600	4	6.15%	515	15%	102	111	881	D	992	F	PD & E Study Underway
	E. of Pritchett Pkwy	120022	11,500	14,600	4	6.15%	710	15%	102	111	1,215	F	1,325	F	PD & E Study Underway
	W. of Pitchett Pkwy	120022	11,500	14,600	4	6.15%	710	75%	512	553	1,215	C	1,767	C	
	W. of I-75	126064	24,000	25,500	4	1.53%	1,285	35%	239	258	1,473	C	1,731	C	
	W. of Slater Rd.	120017	32,500	36,000	4	2.59%	1,703	30%	205	221	2,144	F	2,365	F	
Pritchett Pkwy	N. of Bayshore Road	-	-	-	-	2.00%	73	90%	615	663	87	C	751	F	
	N. of Project Access	-	-	-	-	2.00%	73	10%	68	74	87	C	161	C	
Rich Road	W. of Pritchett Pkwy	-	-	-	-	2.00%	55	10%	68	74	66	C	139	C	
Slater Rd.	S. of Rich Rd.	124487	1,900	2,200	4	3.73%	402	10%	68	74	559	D	633	D	
Mellow Dr.	W. of Slater Rd.	124443	6,300	9,000	4	9.33%	386	10%	68	74	861	F	935	F	
SR 31	S. of Bayshore Rd.	120030	10,100	13,500	4	7.52%	643	11%	75	81	1,235	F	1,316	F	PD & E Study Underway

[1] Obtained from the 2020 Lee County Public Facilities Level of Service and Concurrency Report

LEE COUNTY GENERALIZED SERVICE VOLUMES ON ARTERIALS TABLE

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

April 2016 c:\input5

Uninterrupted Flow Highway

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380

Arterials

Class I (40 mph or higher posted speed limit)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940

Class II (35 mph or slower posted speed limit)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340

Controlled Access Facilities

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180

Collectors

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	660	740
1	Divided	*	*	330	700	780
2	Undivided	*	*	730	1,440	1,520
2	Divided	*	*	770	1,510	1,600

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

FDOT GENERALIZED SERVICE VOLUMES ON URBAN ARTERIALS

TABLE 7 Generalized **Peak Hour Directional** Volumes for Florida's Urbanized Areas

January 2020

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Class I (40 mph or higher posted speed limit)

Lanes	Median	B	C	D	E
1	Undivided	*	830	880	**
2	Divided	*	1,910	2,000	**
3	Divided	*	2,940	3,020	**
4	Divided	*	3,970	4,040	**

Class II (35 mph or slower posted speed limit)

Lanes	Median	B	C	D	E
1	Undivided	*	370	750	800
2	Divided	*	730	1,630	1,700
3	Divided	*	1,170	2,520	2,560
4	Divided	*	1,610	3,390	3,420

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
1	Divided	Yes	No	+5%
1	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding directional volumes in this table by 1.2

BICYCLE MODE[2]

(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	150	390	1,000
50-84%	110	340	1,000	>1,000
85-100%	470	1,000	>1,000	**

PEDESTRIAN MODE[2]

(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	140	480
50-84%	*	80	440	800
85-100%	200	540	880	>1,000

BUS MODE (Scheduled Fixed Route)[3]

(Buses in peak hour in peak direction)

Sidewalk Coverage	B	C	D	E
0-84%	> 5	≥ 4	≥ 3	≥ 2
85-100%	> 4	≥ 3	≥ 2	≥ 1

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Core Urbanized

Lanes	B	C	D	E
2	2,230	3,100	3,740	4,080
3	3,280	4,570	5,620	6,130
4	4,310	6,030	7,490	8,170
5	5,390	7,430	9,370	10,220
6	6,380	8,990	11,510	12,760

Urbanized

Lanes	B	C	D	E
2	2,270	3,100	3,890	4,230
3	3,410	4,650	5,780	6,340
4	4,550	6,200	7,680	8,460
5	5,690	7,760	9,520	10,570

Freeway Adjustments

Auxiliary Lane	Ramp Metering
+ 1,000	+ 5%

UNINTERRUPTED FLOW HIGHWAYS

Lanes	Median	B	C	D	E
1	Undivided	580	890	1,200	1,610
2	Divided	1,800	2,600	3,280	3,730
3	Divided	2,700	3,900	4,920	5,600

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
1	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

[1]Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the HCM and the Transit Capacity and Quality of Service Manual.

[2] Level of service for the bicycle and pedestrian modes in this table is based on number of vehicles, not number of bicyclists or pedestrians using the facility.

[3] Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Implementation Office
https://www.fdot.gov/planning/systems/

TRAFFIC DATA FROM LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

5/25/2020

LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

LINK NO.	NAME	ROADWAY LINK FROM	TO	ROAD TYPE	PERFORMANCE STANDARD LOS	PERFORMANCE STANDARD CAPACITY	2019 100TH HIGHEST HOUR LOS	2019 100TH HIGHEST HOUR VOLUME	FORECAST FUTURE LOS	FORECAST FUTURE VOLUME	NOTES
00100	A & W BULB RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	C	380	C	399	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	270	C	284	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	D	481	D	505	
00400	ALEXANDER BELL	SR 82	MILWAUKEE BLVD	2LN	E	990	D	553	D	581	
00500	ALEXANDER BELL	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	553	D	626	Shadow Lakes
00590	ALICO RD	US 41	DUSTY RD	4LD	E	1,980	B	1,107	B	1,163	
00600	ALICO RD	DUSTY RD	LEE RD	6LD	E	2,960	B	1,107	B	1,408	Alico Business Park
00700	ALICO RD	LEE RD	THREE OAKS PKWY	6LD	E	2,960	B	1,107	B	1,355	Three Oaks Regional Center
00800	ALICO RD	THREE OAKS PKWY	I-75	6LD	E	2,960	B	2,438	B	2,563	EEPCO Study
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	6LD	E	2,960	B	1,246	B	1,393	EEPCO Study
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	2LN	E	1,100/1,840	C	385	E	789	4 Ln constr 2018. EEPCO Study
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	2LN	E	1,100	B	131	B	224	EEPCO Study
01200	BABCOCK RD	US 41	ROCKEFELLER CIR	2LN	E	860	C	55	C	162	old count
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD	2LN	E	860	C	103	C	116	old count projection(2009)
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	4LN	E	1,790	C	612	C	870	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	4LD	D	2,100	C	1,690	C	1,750	
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	4LD	D	2,100	C	1,703	C	1,831	
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	4LD	D	2,100	C	1,285	C	1,683	
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	2LN	D	924	C	710	C	678	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	2LN	D	924	C	515	C	520	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	4LD	E	2,000	B	1,402	B	1,474	
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	4LD	E	2,000	B	1,402	B	1,503	
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	B	1,127	B	1,219	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	1,017	A	1,069	
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	2LN	E	860	C	346	C	548	
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	4LD	E	1,900	C	581	C	611	Constrained In City Plan
02500	BONITA BEACH RD	VANDERBILT DR	US 41	4LD	E	1,900	C	1,530	C	1,608	Constrained In City Plan
02600	BONITA BEACH RD	US 41	OLD 41	4LD	E	1,860	C	1,167	C	1,318	Constrained, old count projection(2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	6LD	E	2,800	C	1,864	C	1,959	Constrained In City Plan(2010)
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	6LD	E	2,800	C	2,132	C	2,241	Constrained In City Plan
02900	BONITA BEACH RD	E OF I-75	BONITA GRAND DR	4LD	E	2,020	B	671	B	705	Constrained In City Plan
02950	BONITA BEACH RD	BONITA GRANDE DR	END OF CO. MAINTAINED	4LD	E	2,020	B	671	B	705	Constrained In City Plan
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	2LN	E	860	D	692	E	782	old count projection(2009)
03200	BOY SCOUT RD	SUMMERLIN RD	US 41	6LN	E	2,520	E	1,776	E	1,866	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	276	C	290	
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	197	C	218	
03500	BROADWAY RD (ALVA)	SR 80	N. RIVER RD	2LN	E	860	C	269	C	304	old count projection(2009)
03600	BUCKINGHAM RD	SR 82	GUNNERY RD	2LN	E	990	C	405	C	426	
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	C	423	D	445	
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	2LN	E	990	D	538	F	1,207	Buckingham 345 & Portico
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	4LD	E	2,950	B	942	B	990	
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	2LN	E	1,140	C	465	C	563	
04200	BUS 41 (N TAMIAMI TR, SR 7	CITY LIMITS (N END EDIS	PONDELLA RD	6LD	D	3,171	C	1,471	C	1,673	
04300	BUS 41 (N TAMIAMI TR, SR 7	PONDELLA RD	SR 78	6LD	D	3,171	C	1,471	C	1,673	
04400	BUS 41 (N TAMIAMI TR, SR 7	SR 78	LITTLETON RD	4LD	D	2,100	C	959	C	1,003	
04500	BUS 41 (N TAMIAMI TR, SR 7	LITTLETON RD	US 41	4LD	D	2,100	B	552	C	575	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	McGREGOR BLVD	4LB	E	4,000	D	3,074	D	3,231	
04700	CAPTIVA DR	BLIND PASS	SOUTH SEAS	2LN	E	860	C	267	C	302	Constrained, old count(2010)
04800	CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LN	E	860	C	242	C	255	
04900	CHAMBERLIN PKWY	AIRPORT EXT	DANIELS PKWY	4LN	E	1,790	C	105	C	150	Port Authority maintained
05000	COCONUT RD	WEST END	VIA VENETTO BLVD	2LN	E	860	C	268	C	420	Estero maintains to east
05100	COLLEGE PKWY	McGREGOR BLVD	WINKLER RD	6LD	E	2,980	D	2,292	D	2,409	
05200	COLLEGE PKWY	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,980	D	2,059	D	2,164	
05300	COLLEGE PKWY	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,980	D	2,059	D	2,164	
05400	COLLEGE PKWY	SUMMERLIN RD	US 41	6LD	E	2,980	D	1,825	D	1,918	
05500	COLONIAL BLVD	McGREGOR BLVD	SUMMERLIN RD	6LD	E	2,840	F	3,049	F	3,204	
05600	COLONIAL BLVD	SUMMERLIN RD	US 41	6LD	E	2,840	F	2,882	F	3,028	
06200	COLONIAL BLVD	DYNASTY DR	SR 82	6LD	D	3,040	B	2,117	C	2,225	
06300	COLUMBUS BLVD	SR 82	MILWAUKEE BLVD	2LN	E	860	C	100	C	105	
06400	CONSTITUTION BLVD	US 41	CONSTITUTION CIR	2LN	E	860	C	217	C	245	old count projection(2010)
06500	CORBETT RD	SR 78 (PINE ISLAND RD)	LITTLETON RD	2LN	E	860	C	22	C	226	old count, added VA clinic(2009)
06600	CORKSCREW RD	US 41	THREE OAKS PKWY	4LD	E	1,900	C	1,007	C	1,272	Galleria at Corkscrew
06700	CORKSCREW RD	THREE OAKS PKWY	W OF I-75	4LD	E	1,900	F	2,129	F	2,386	Estero Crossing
06800	CORKSCREW RD	E OF I-75	BEN HILL GRIFFIN BLVD	4LD	E	1,900	C	1,194	C	1,255	
06900	CORKSCREW RD	BEN HILL GRIFFIN BLVD	ALICO RD	4LD	E	1,960	C	466	C	678	
07000	CORKSCREW RD	ALICO RD	COUNTY LINE	2LN	E	1,140	C	466	D	793	EEPCO Study, The Place
07100	COUNTRY LAKES BLVD	LUCKETT RD	TICE ST	2LN	E	860	C	143	C	293	old count projection(2010)
07200	CRYSTAL DR	US 41	METRO PKWY	2LN	E	860	C	496	C	521	
07300	CRYSTAL DR	METRO PKWY	PLANTATION RD	2LN	E	860	C	324	C	340	

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LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

LINK NO.	NAME	ROADWAY LINK FROM	TO	ROAD TYPE	PERFORMANCE STANDARD LOS	PERFORMANCE STANDARD CAPACITY	2019 100TH HIGHEST HOUR LOS	2019 100TH HIGHEST HOUR VOLUME	FORECAST FUTURE LOS	FORECAST FUTURE VOLUME	NOTES
07400	CYPRESS LAKE DR	McGREGOR BLVD	SOUTH POINT BLVD	4LD	E	1,940	D	1,170	D	1,230	
07500	CYPRESS LAKE DR	SOUTH POINT BLVD	WINKLER RD	4LD	E	1,940	D	1,472	D	1,547	
07600	CYPRESS LAKE DR	WINKLER RD	SUMMERLIN RD	4LD	E	1,940	D	1,472	D	1,547	
07700	CYPRESS LAKE DR	SUMMERLIN RD	US 41	6LD	E	2,940	D	2,198	D	2,310	
07800	DANIELS PKWY	US 41	METRO PKWY	6LD	E	2,680	D	2,341	D	2,461	
07900	DANIELS PKWY	METRO PKWY	SIX MILE PKWY	6LD	E	2,680	D	2,109	E	2,520	Constrained
08000	DANIELS PKWY	SIX MILE PKWY	PALOMINO LN	6LD	E	3,040		3,004		3,421	Constrained
08100	DANIELS PKWY	PALOMINO LN	I-75	6LD	E	3,040		3,094		3,142	Constrained
08200	DANIELS PKWY	I-75	TREELINE AVE	6LD	E	3,260	B	2,698	B	2,835	
08300	DANIELS PKWY	TREELINE AVE	CHAMBERLIN PKWY	6LD	E	3,260	B	2,698	B	2,835	
08400	DANIELS PKWY	CHAMBERLIN PKWY	GATEWAY BLVD	6LD	E	3,260	B	2,412	B	2,535	
08500	DANIELS PKWY	GATEWAY BLVD	SR 82	4LD	E	2,160	B	1,726	B	1,870	SKY Walk *
08600	DANLEY DR	US 41	METRO PKWY	2LN	E	860	C	378	C	409	
08700	DAVIS RD	McGREGOR BLVD	IONA RD	2LN	E	860	C	15	C	29	old count projection(2010)
08800	DEL PRADO BLVD	CAPE CORAL PKWY	SE 46TH ST	6LD	E	2,660	C	1,404	C	1,586	old count projection(2009)
08900	DEL PRADO BLVD	SE 46TH ST	CORONADO PKWY	6LD	E	2,660	C	1,404	C	1,586	old count projection(2009)
09000	DEL PRADO BLVD	CORONADO PKWY	CORNWALLIS PKWY	6LD	E	2,660	D	2,000	D	2,102	
09100	DEL PRADO BLVD	CORNWALLIS PKWY	CORAL POINT DR	6LD	E	2,660	D	2,520	D	2,649	*
09200	DEL PRADO BLVD	CORAL POINT DR	HANCOCK B. PKWY	6LD	E	2,800	C	2,111	D	2,218	
09300	DEL PRADO BLVD	HANCOCK B. PKWY	SR 78	6LD	E	2,800	C	1,613	C	1,695	*
09400	DEL PRADO BLVD	US 41	SLATER RD	2LN	E	860	C	386		892	Crane Landing
09700	EAST 21ST ST	JOEL BLVD	GRANT AVE	2LN	E	860	C	30	C	31	*
09800	ESTERO BLVD	BIG CARLOS PASS BRIDGE	PESCADORA AVE	2LN	E	720	A	339	A	356	Constrained*
09900	ESTERO BLVD	PESCADORA AVE	VOORHIS ST	2LN	E	720	C	829	D	862	Constrained*
10000	ESTERO BLVD	VOORHIS ST	TROPICAL SHORES WAY	2LN	E	720	C	829	D	862	Constrained*
10100	ESTERO BLVD	TROPICAL SHORES WAY	CENTER ST	2LN	E	671		716		809	Constrained, old count(2010)
11400	ESTERO PKWY	US 41	THREE OAKS PKWY	4LD	E	2,000	B	790	B	1,083	East & West Cypress View*
11450	ESTERO PKWY	THREE OAKS PKWY	BEN HILL GRIFFIN PKWY	4LD	E	2,000	B	876	B	921	*
10200	EVERGREEN RD	US 41	BUS 41	2LN	E	860	C	100	C	116	old count projection
10300	FIDDLESTICKS BLVD	GUARDHOUSE	DANIELS PKWY	2LN	E	860	C	346	C	379	
10400	FOWLER ST	US 41	N AIRPORT RD	6LD	E	2,300	D	1,258	D	1,322	
11500	FOWLER ST	N AIRPORT RD	COLONIAL BLVD	6LD	E	2,300	D	1,504	D	1,581	
10800	GASPARILLA BLVD	FIFTH ST	COUNTY LINE	2LN	E	860	C	241	C	269	Constrained*
	GATEWAY BLVD	DANIELS PKWY	GATEWAY LAKES BLVD	4LD	E	1,790	C	1,208	C	1,269	
	GATEWAY BLVD	GATEWAY LAKES BLVD	SR82	2LN	E	860	C	505	C	531	
10900	GLADIOLUS DR	McGREGOR BLVD	PINE RIDGE RD	4LD	E	1,840	C	470	C	494	
11000	GLADIOLUS DR	PINE RIDGE RD	BASS RD	4LD	E	1,840	C	1,230	C	1,365	
11100	GLADIOLUS DR	BASS RD	WINKLER RD	6LD	E	2,780	C	1,230	C	1,292	
11200	GLADIOLUS DR	WINKLER RD	SUMMERLIN RD	6LD	E	2,780	C	1,230	C	1,292	
11300	GLADIOLUS DR	SUMMERLIN RD	US 41	6LD	E	2,780	B	1,977	C	2,078	
11400	GREENBRIAR BLVD	RICHMOND AVE	JOEL BLVD	2LN	E	860	C	75	C	80	*
11500	GUNNERY RD	SR 82	LEE BLVD	4LD	E	1,920	B	965	B	1,014	*
11600	GUNNERY RD	LEE BLVD	BUCKINGHAM RD	2LN	E	1,020	C	773	C	908	
11700	HANCOCK BRIDGE PKWY	DEL PRADO BLVD	NE 24TH AVE	4LD	E	1,880	B	1,017	B	1,069	*
11800	HANCOCK BRIDGE PKWY	NE 24TH AVE	ORANGE GROVE BLVD	4LD	E	1,880	B	1,478	B	1,554	
11900	HANCOCK BRIDGE PKWY	ORANGE GROVE BLVD	MOODY RD	4LD	E	1,880	B	1,529	B	1,607	
12000	HANCOCK BRIDGE PKWY	MOODY RD	US 41	4LD	E	1,880	B	1,529	B	1,607	
12100	HART RD	SR 78	TUCKER LANE	2LN	E	860	C	357	C	375	*
12200	HICKORY BLVD	BONITA BEACH RD	McLAUGHLIN BLVD	2LN	E	890	E	533	E	560	Constrained*
12300	HICKORY BLVD	McLAUGHLIN BLVD	MELODY LANE	2LN	E	890	E	533	E	560	Constrained*
12400	HICKORY BLVD	MELODY LANE	ESTERO BLVD	2LN	E	890	E	533	E	560	Constrained*
12480	HOMESTEAD RD	SR 82	MILWAUKEE BLVD	2LN	E	1,010	D	649	E	820	*
12490	HOMESTEAD RD	MILWAUKEE BLVD	SUNRISE BLVD	2LN	E	1,010	D	649	E	682	*
12500	HOMESTEAD RD	SUNRISE BLVD	LEELAND HEIGHTS	4LN	E	2,960	C	649	C	682	4 lane under construction
12600	HOMESTEAD RD	LEELAND HEIGHTS	LEE BLVD	4LN	E	2,960	D	1,257	D	1,353	
31800	I-75	BONITA BEACH RD	CORKSCREW RD	6LF	D	5,620	E	5,811	E	5,967	
31900	I-75	CORKSCREW RD	ALICO RD	6LF	D	5,620	E	5,758	E	5,981	
32000	I-75	ALICO RD	DANIELS PKWY	6LF	D	6,620	D	5,730	D	6,139	
32100	I-75	DANIELS PKWY	COLONIAL BLVD	6LF	D	5,620	D	5,309	D	5,499	
32300	I-75	M.L.K. (SR 82)	LUCKETT RD	6LF	D	5,620	D	5,072	D	5,204	
32400	I-75	LUCKETT RD	SR 80	6LF	D	6,620	C	4,949	C	4,933	
32500	I-75	SR 80	SR 78	6LF	D	6,620	B	3,804	B	3,791	
32600	I-75	SR 78	COUNTY LINE	6LF	C	4,670	B	3,082	B	2,726	
12700	IDLEWILD ST	METRO PKWY	RANCHETTE RD	2LN	E	860	C	201	C	212	*
13000	IMMOKALEE RD (SR 82)	E OF COLONIAL BLVD	GATEWAY BLVD	6LD	D	3,171	C	1,737	C	1,971	
13100	IMMOKALEE RD (SR 82)	GATEWAY BLVD	GUNNERY RD	6LD	D	3,171	C	1,166	C	1,245	
13200	IMMOKALEE RD (SR 82)	GUNNERY RD	ALABAMA RD	6LD	D	4,860	B	1,635	B	1,747	
13300	IMMOKALEE RD (SR 82)	ALABAMA RD	BELL BLVD	4LD	D	3,240	B	612	B	658	
13400	IMMOKALEE RD (SR 82)	BELL BLVD	COUNTY LINE	4LD	D	3,240	B	617	B	648	

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LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

LINK NO	NAME	ROADWAY LINK FROM	TO	ROAD TYPE	PERFORMANCE STANDARD LOS	PERFORMANCE STANDARD CAPACITY	2019 100TH HIGHEST HOUR LOS	2019 100TH HIGHEST HOUR VOLUME	FORECAST FUTURE LOS	FORECAST FUTURE VOLUME	NOTES
21400	PINE ISLAND RD (SR 78)	CITY LIMITS E OF BARRETT RD	US 41	4LD	D	2,490	C	1,896	C	1,843	
21500	PINE ISLAND RD (SR 78)	US 41	BUS 41	4LD	D	2,490	C	1,599	C	1,750	
21600	PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	2LN	E	860	C	499	C	545	*
21700	PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS DR	2LN	E	860	C	286	C	545	Heritage Isle*
21800	PINE RIDGE RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	C	286	C	301	
21900	PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	2LN	E	860	C	288	C	417	Intermed Park
22000	PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LN	E	860	D	672	D	706	FDOT Metro Pkwy 6-laning
22050	PLANTATION RD	IDLEWILD ST	COLONIAL BLVD	4LN	E	1,790	C	841	C	884	
22100	PONDELLA RD	SR 78	ORANGE GROVE BLVD	4LD	E	1,890	B	736	B	774	*
22200	PONDELLA RD	ORANGE GROVE BLVD	US 41	4LD	E	1,890	B	1,164	B	1,230	
22300	PONDELLA RD	US 41	BUS 41	4LD	E	1,890	B	953	B	1,002	
22400	PRITCHETT PKWY	SR 78	RICH RD	2LN	E	860	C	73	C	541	old count, Stoneybrook North(2009)
22500	RANCHETTE RD	PENZANCE BLVD	IDLEWILD ST	2LN	E	860	C	93	C	98	
22600	RICH RD	SLATER RD	PRITCHETT PKWY	2LN	E	860	C	55	C	62	old count projection(2009)
22700	RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	2LN	E	860	C	79	C	91	*
22800	RICHMOND AVE	E 12TH ST	GREENBRIAR BLVD	2LN	E	860	C	79	C	83	*
23000	SAN CARLOS BLVD (SR 865)	MANTANZAS PASS B.	MAIN ST	2LD	D	970	F	1,055	F	1,106	Constrained
23100	SAN CARLOS BLVD (SR 865)	MAIN ST	SUMMERLIN RD	4LD	D	2,490	C	1,955	C	1,750	PD&E Study
23180	SAN CARLOS BLVD (SR 865)	SUMMERLIN RD	KELLY RD	2LD	D	970	C	744	C	847	
23200	SAN CARLOS BLVD (SR 865)	KELLY RD	GLADIOLUS DR	4LD	D	2,490	C	744	C	847	
23230	SAN CARLOS BLVD	US 41	THREE OAKS PKWY	2LN	E	860	C	427	C	449	*
23260	SANIBEL BLVD	US 41	LEE RD	2LN	E	860	C	484	C	508	
23300	SANIBEL CAUSEWAY	SANIBEL SHORELINE	TOLL PLAZA	2LN	E	1,140	E	944	E	992	
23400	SHELL POINT BLVD	McGREGOR BLVD	PALM ACRES	2LN	E	860	C	290	C	301	*
23500	SIX MILE PKWY (SR 739)	US 41	METRO PKWY	4LD	D	2,490	C	1,778	C	1,950	
23600	SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	4LD	E	2,000	B	1,398	B	1,469	
23700	SIX MILE CYPRESS	DANIELS PKWY	WINKLER EXT.	4LD	E	1,900	B	1,149	B	1,352	
23800	SIX MILE CYPRESS	WINKLER EXT	CHALLENGER BLVD	4LD	E	1,900	B	1,050	B	1,104	
23900	SIX MILE CYPRESS	CHALLENGER BLVD	COLONIAL BLVD	6LD	E	2,860	A	1,050	A	1,104	
24000	SLATER RD	SR 78	NALLE GRADE RD	2LN	E	1,010	C	402	C	423	*
24100	SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	910	D	644	D	677	*
24200	SR 31 (ARCADIA RD)	SR 80	SR 78	2LN	D	970	C	643	C	610	PD&E/SEIR Study
24300	SR 31 (ARCADIA RD)	SR 78	COUNTY LINE	2LN	C	820	C	564	C	460	PD&E/SEIR Study
24400	STALEY RD	TICE	ORANGE RIVER BLVD	2LN	E	860	C	189	C	215	*
24500	STRINGFELLOW RD	1ST AVE	BERKSHIRE RD	2LN	E	1,060	B	315	D	672	Constrained
24600	STRINGFELLOW RD	BERKSHIRE RD	PINE ISLAND RD	2LN	E	1,060	B	315	C	448	Constrained
24700	STRINGFELLOW RD	PINE ISLAND RD	PINELAND RD	2LN	E	1,060	C	551	D	652	Constrained
24800	STRINGFELLOW RD	PINELAND RD	MAIN ST	2LN	E	1,060	C	551	D	648	
24900	SUMMERLIN RD	McGREGOR BLVD	KELLY COVE RD	4LD	E	1,980	A	1,243	A	1,306	
25000	SUMMERLIN RD	KELLY COVE RD	SAN CARLOS BLVD	4LD	E	1,980	A	1,243	A	1,306	
25100	SUMMERLIN RD	SAN CARLOS BLVD	PINE RIDGE RD	6LD	E	3,000	A	1,919	A	2,149	
25200	SUMMERLIN RD	PINE RIDGE RD	BASS RD	6LD	E	3,000	A	1,919	A	2,016	
25300	SUMMERLIN RD	BASS RD	GLADIOLUS DR	6LD	E	3,000	A	1,919	A	2,016	
25400	SUMMERLIN RD	GLADIOLUS DR	CYPRESS LAKE DR	4LD	E	1,900	C	1,454	C	1,552	
25500	SUMMERLIN RD	CYPRESS LAKE DR	COLLEGE PKWY	6LD	E	2,880	B	1,783	B	1,874	
25600	SUMMERLIN RD	COLLEGE PKWY	PARK MEADOW DR	6LD	E	2,880	B	1,916	B	2,014	
25700	SUMMERLIN RD	PARK MEADOW DR	BOY SCOUT	6LD	E	2,880	B	1,916	B	2,014	
25800	SUMMERLIN RD	BOY SCOUT	MATHEWS DR	4LD	E	1,820	D	1,260	D	1,324	
25900	SUMMERLIN RD	MATHEWS DR	COLONIAL BLVD	4LD	E	1,820	D	1,260	D	1,324	
26000	SUNRISE BLVD	BELL BLVD	COLUMBUS BLVD	2LN	E	860	C	42	C	53	
26100	SUNSHINE BLVD	SR 82	23RD ST SW	2LN	E	1,010	C	369	C	388	*
26150	SUNSHINE BLVD	23RD ST SW	LEE BLVD	2LN	E	1,010	C	369	C	388	*
26200	SUNSHINE BLVD	LEE BLVD	W 12TH ST	2LN	E	1,010	D	596	D	626	*
26300	SUNSHINE BLVD	W 12TH ST	W 75TH ST	2LN	E	860	D	623	D	655	
26400	SW 23RD ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	D	630	D	683	
26500	THREE OAKS PKWY	COCONUT RD	ESTERO PKWY	4LD	E	1,940	B	1,230	B	1,413	
26600	THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	A	623	B	724	
26700	THREE OAKS PKWY	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	A	633	B	976	
26800	TICE ST	SR 80	ORTIZ AVE	2LN	E	860	C	163	C	171	old count(2010)
26900	TICE ST	ORTIZ AVE	STALEY RD	2LN	E	860	C	203	D	716	Elementry U.
27000	TREELINE AVE	TERMINAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	A	1,274	A	1,510	Harley Davidson
27030	TREELINE AVE	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	880	A	924	
27070	TREELINE AVE	AMBERWOOD RD	COLONIAL BLVD	4LD	E	1,980	A	880	A	924	
29800	US 41 (S TAMIAMI TR)	OLD 41	CORKSCREW RD	6LD	D	3,171	C	2,662	C	2,712	
29900	US 41 (S TAMIAMI TR)	CORKSCREW RD	SANIBEL BLVD	6LD	D	3,171	C	2,422	C	2,485	
30000	US 41 (S TAMIAMI TR)	SANIBEL BLVD	ALICO RD	6LD	D	3,171	C	2,623	C	2,686	
30100	US 41 (S TAMIAMI TR)	ALICO RD	ISLAND PARK RD	6LD	D	3,171	C	2,623	C	2,730	
30200	US 41 (S TAMIAMI TR)	ISLAND PARK RD	BRIARCLIFF RD	6LD	D	3,171	C	2,905	D	3,092	

DEVELOPMENT OF FUTURE YEAR BACKGROUND TRAFFIC VOLUMES

Development of Future Year Background Turning Volumes

Intersection	**SR 78 (Bayshore Road) @ Pritchett Pkwy**
Count Date	July 23, 2019
Build-Out Year	2028

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	20	0	40	93	740	0	0	463	25
Peak Season Correction Factor	0.00	0.00	0.00	1.20	0.00	1.20	1.20	1.20	0.00	0.00	1.20	1.20
Current Peak Season Volumes	0	0	0	24	0	48	112	888	0	0	556	30
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	6.15%	2.00%	2.00%	6.15%	2.00%
Years to Build-out	0	0	0	9	0	9	9	9	0	0	9	9
2028 Background Turning Volumes	0	0	0	29	0	57	134	1,519	0	0	951	36
Project Turning Volumes	0	0	0	60	0	299	498	0	0	0	0	100
2028 Background + Project	**0**	**0**	**0**	**89**	**0**	**356**	**632**	**1,519**	**0**	**0**	**951**	**136**

Development of Future Year Background Turning Volumes

Intersection	**SR 78 (Bayshore Road) @ I-75 NB Ramp**
Count Date	April 17, 2019
Build-Out Year	2028

	PM Peak Hour											
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	1,156	0	363	0	0	0	66	625	0	0	611	38
Peak Season Correction Factor	1.06	0.00	1.06	0.00	0.00	0.00	1.06	1.06	0.00	0.00	1.06	1.06
Current Peak Season Volumes	1,225	0	385	0	0	0	70	663	0	0	648	40
Growth Rate	2.00%	0.00%	2.00%	2.00%	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Years to Build-out	9	0	9	9	0	9	0	9	9	9	9	0
2028 Background Turning Volumes	1,464	0	460	0	0	0	70	792	0	0	774	40
Project Turning Volumes	0	0	199	0	0	0	0	299	0	0	259	40
2028 Background + Project	**1,464**	**0**	**659**	**0**	**0**	**0**	**70**	**1,091**	**0**	**0**	**1,033**	**80**

Development of Future Year Background Turning Volumes

Intersection	**SR 78 (Bayshore Road) @ I-75 SB Ramp**
Count Date	April 23, 2019
Build-Out Year	2028

	PM Peak Hour											
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	68	0	74	0	713	761	182	1,610	0
Peak Season Correction Factor	0.00	0.00	0.00	1.06	0.00	1.06	0.00	1.06	1.06	1.06	1.06	0.00
Current Peak Season Volumes	0	0	0	72	0	78	0	756	807	193	1,707	0
Growth Rate	0.00%	0.00%	0.00%	2.00%	0.00%	2.00%	0.00%	2.00%	2.00%	2.00%	2.00%	0.00%
Years to Build-out	0	0	0	9	0	9	0	9	9	9	9	0
2028 Background Turning Volumes	0	0	0	86	0	93	0	903	964	231	2,040	0
Project Turning Volumes	0	0	0	65	0	0	0	234	0	118	141	0
2028 Background + Project	**0**	**0**	**0**	**151**	**0**	**93**	**0**	**1,137**	**964**	**349**	**2,181**	**0**

FDOT HISTORICAL TRAFFIC DATA

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0061 - SR 93/I 75, SOUTHEAST OF SR 78/BAYSHORE ROAD

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2019	72000 C	N 35000	S 37000	9.00	58.70	13.60
2018	70000 C	N 34500	S 35500	9.00	59.00	14.10
2017	71000 C	N 35500	S 35500	9.00	58.10	15.40
2016	69000 C	N 34500	S 34500	9.00	58.10	12.20
2015	57500 C	N 28000	S 29500	9.00	56.80	15.40
2014	55000 S	N 27500	S 27500	9.00	56.40	14.10
2013	53000 F	N 26500	S 26500	9.00	57.70	14.10
2012	52000 C	N 26000	S 26000	9.00	56.40	14.10
2011	54000 C	N 27000	S 27000	9.00	55.80	12.10
2010	53000 C	N 26500	S 26500	9.64	55.58	13.60
2009	51000 C	N 25000	S 26000	9.40	55.84	14.60
2008	54000 C	N 27000	S 27000	9.07	55.79	15.70
2007	62500 C	N 31000	S 31500	9.29	52.37	17.80
2006	62000 C	N 30500	S 31500	8.72	54.35	19.20
2005	59500 C	N 30000	S 29500	8.90	52.90	17.90
2004	55500 C	N 28000	S 27500	9.20	51.40	17.90

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0030 - SR 31, NORTH OF SR 80/PALM BEACH BOULEVARD LC391

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2019	13500 C	N 6600	S 6900	9.00	54.00	20.80
2018	11500 C	N 5600	S 5900	9.00	55.20	18.60
2017	11200 C	N 5500	S 5700	9.00	54.40	19.00
2016	11100 F	N 5500	S 5600	9.00	57.70	12.50
2015	10100 C	N 5000	S 5100	9.00	57.50	12.50
2014	8700 F	N 4300	S 4400	9.00	56.80	14.90
2013	8500 C	N 4200	S 4300	9.00	56.50	14.90
2012	8700 C	N 4400	S 4300	9.00	54.20	13.80
2011	8500 F	N 4200	S 4300	9.00	56.20	13.70
2010	8500 C	N 4200	S 4300	9.91	56.34	13.70
2009	7800 C	N 3800	S 4000	9.98	55.90	13.40
2008	8500 C	N 4200	S 4300	10.16	57.01	12.80
2007	8700 C	N 4300	S 4400	10.16	54.76	10.80
2006	12500 C	N 6100	S 6400	10.23	54.38	33.20
2005	10500 C	N 5200	S 5300	10.30	54.10	23.30
2004	9800 C	N 4800	S 5000	9.90	54.30	23.30

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
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V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 4487 - SLATER RD, N OF I-75

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
2019	2200 C	N	0	S	0	9.50	55.70	12.20
2018	2000 C	N	1000	S	1000	9.50	53.30	10.10
2017	2100 T					9.50	51.40	12.10
2016	2000 S	N	1000	S	1000	9.50	68.20	9.00
2015	1900 F	N	950	S	950	9.50	68.60	9.00
2014	1800 C	N	900	S	900	9.50	68.30	9.00
2013	1700 S	N	850	S	850	9.50	68.70	6.80
2012	1700 F	N	850	S	850	9.50	66.80	6.80
2011	1700 C	N	850	S	850	9.50	69.00	6.80
2010	1150 S	E	600	W	550	10.51	69.83	19.30
2009	1150 F	E	600	W	550	10.34	70.40	19.30
2008	1150 C	E	600	W	550	10.64	69.53	19.30

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
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V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0017 - SR 78, EAST OF HART ROAD LC219

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2019	36000 E	E 0	W 0	9.00	56.00	10.20
2018	35000 C	E 18000	W 17000	9.00	53.30	10.60
2017	32500 C	E 16500	W 16000	9.00	53.20	9.10
2016	36000 C	E 18000	W 18000	9.00	57.10	6.90
2015	32500 C	E 16500	W 16000	9.00	56.60	6.60
2014	27500 F	E 14000	W 13500	9.00	56.60	6.70
2013	26500 C	E 13500	W 13000	9.00	57.20	6.70
2012	25500 C	E 13000	W 12500	9.00	57.10	7.30
2011	25000 F	E 12500	W 12500	9.00	56.70	8.10
2010	26000 C	E 13000	W 13000	10.19	55.56	8.10
2009	27000 C	E 13500	W 13500	9.18	58.15	8.10
2008	29500 C	E 15000	W 14500	9.84	57.71	8.30
2007	32000 C	E 16000	W 16000	10.16	54.76	7.10
2006	26500 C	E 13500	W 13000	10.23	54.38	13.20
2005	30500 C	E 15500	W 15000	10.40	54.10	11.90
2004	26500 C	E 13500	W 13000	10.40	53.60	11.90

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
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V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 6064 - BAYSHORE RD, W OF I-75

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2019	25500 F	0	0	9.00	56.00	7.70
2018	25710 C	0	0	9.00	53.70	8.00
2017	25500 X	0	0	9.00	55.40	7.40
2016	25000 E	0	0	9.00	57.10	7.00
2015	24000 E	0	0	9.00	52.30	5.90
2014	20162 C			9.00	52.30	5.90
2013	20162 C	E 10233	W 9929	9.00	52.30	9.60

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
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V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 4389 - SLATER RD, N OF SR 78/BAYSHORE RD LC 389

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
2019	8400 C	N	0	S	0	9.00	59.60	7.90
2018	8100 C	N	4100	S	4000	9.00	53.30	7.60
2017	7900 T					9.00	51.40	12.10
2016	7500 S	N	3700	S	3800	9.00	68.20	6.50
2015	7100 F	N	3500	S	3600	9.00	68.60	6.50
2014	6700 C	N	3300	S	3400	9.00	68.30	6.50
2013	6500 S	N	3200	S	3300	9.00	68.70	6.80
2012	6700 F	N	3300	S	3400	9.00	66.80	6.80
2011	6900 C	N	3400	S	3500	9.00	69.00	6.80
2010	6700 S	N	3400	S	3300	10.51	69.83	9.30
2009	6700 F	N	3400	S	3300	10.34	70.40	9.30
2008	6700 C	N	3400	S	3300	10.64	69.53	9.30

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2019 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

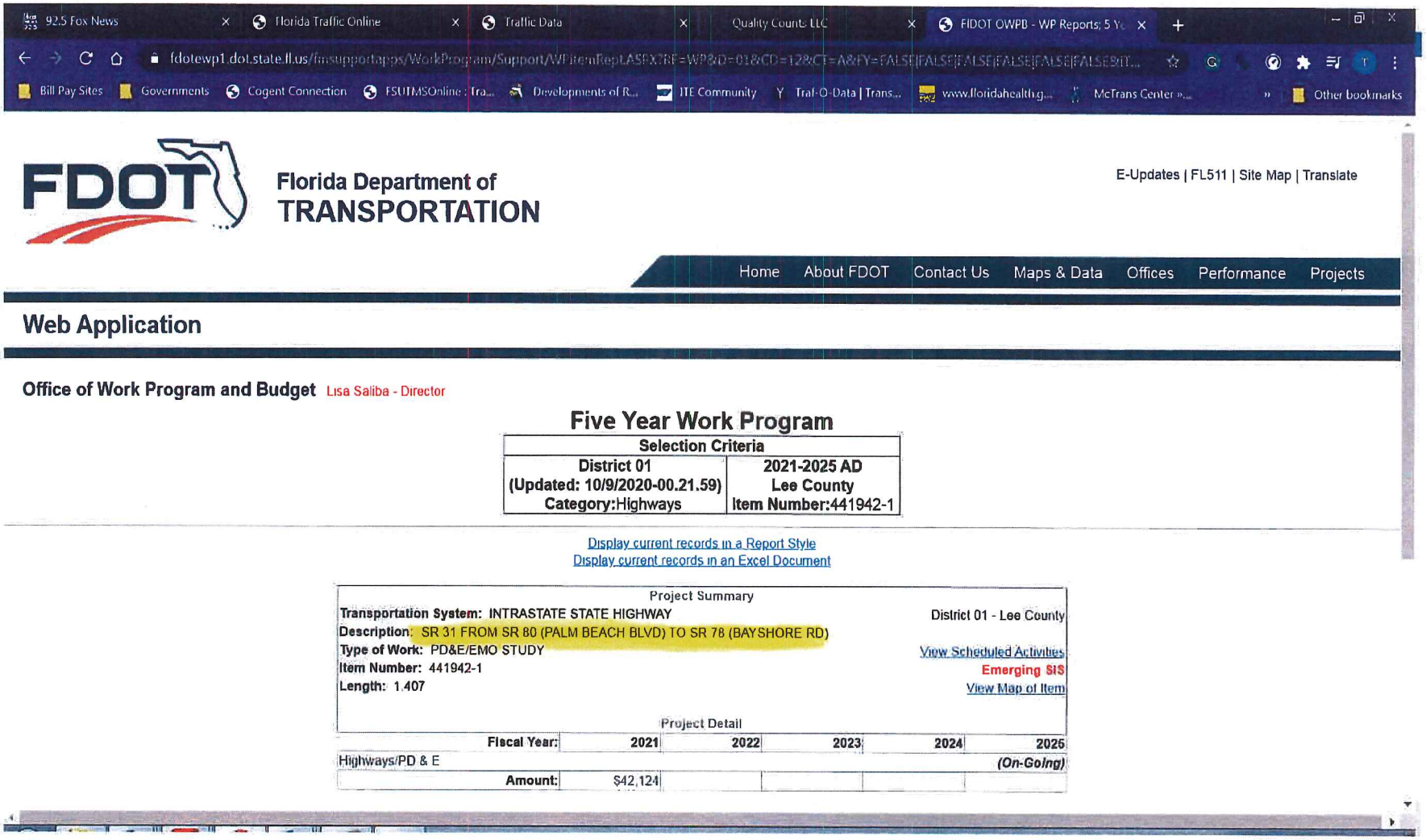
SITE: 0062 - SR 93/I-75, NORTHWEST OF SR 78/BAYSHORE ROAD

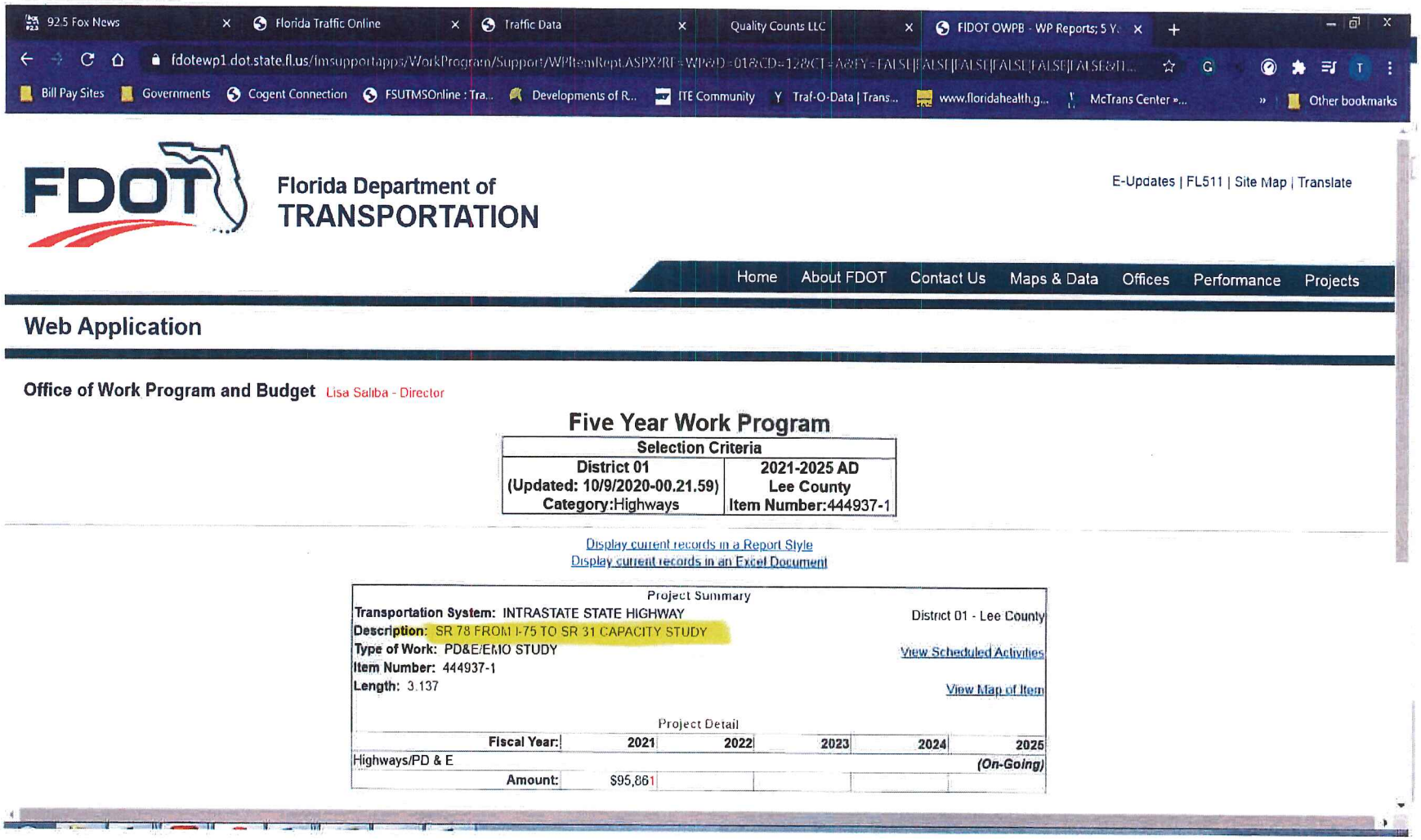
YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2019	50000 C	N 25000	S 25000	10.50	58.70	15.60
2018	47000 C	N 23500	S 23500	9.50	59.00	16.00
2017	46000 C	N 22500	S 23500	9.50	58.10	17.20
2016	44500 C	N 22000	S 22500	10.50	58.10	14.40
2015	42000 C	N 21000	S 21000	10.50	56.80	16.10
2014	39500 C	N 19500	S 20000	10.50	56.40	15.60
2013	38000 F	N 19000	S 19000	10.50	57.70	16.30
2012	37000 C	N 18500	S 18500	10.50	56.40	16.30
2011	38500 C	N 19500	S 19000	10.50	55.80	14.80
2010	39000 C	N 19500	S 19500	9.64	55.58	13.90
2009	35000 C	N 17000	S 18000	10.43	54.83	16.70
2008	38000 C	N 19000	S 19000	9.07	55.79	17.00
2007	41500 C	N 21000	S 20500	10.82	52.45	19.20
2006	44500 C	N 22000	S 22500	8.72	54.35	24.10
2005	43500 C	N 22500	S 21000	8.90	52.90	20.20
2004	38000 C	N 18500	S 19500	9.20	51.40	20.20

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FDOT 5-YEAR ADOPTED WORK PROGRAM

SR 31 & SR 78


92.5 Fox News
Florida Traffic Online
Traffic Data
Quality Counts, LLC
FDOT OWPB - WP Reports; 5 Ye
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Office of Work Program and Budget
Lisa Saliba - Director
Five Year Work Program
Selection Criteria
District 01
(Updated: 10/9/2020-00.21.59)
Category:Highways
2021-2025 AD
Lee County
Item Number:441942-1
Display current records in a Report Style
Display current records in an Excel Document
Project Summary
Transportation System: INTRASTATE STATE HIGHWAY
District 01 - Lee County
Description: SR 31 FROM SR 80 (PALM BEACH BLVD) TO SR 78 (BAYSHORE RD)
Type of Work: PD&E/EMO STUDY
View Scheduled Activities
Item Number: 441942-1
Emerging SIS
Length: 1.407
View Map of Item
Project Detail
Fiscal Year:
2021
2022
2023
2024
2025
Highways/PD & E
(On-Going)
Amount:
$42,124


92.5 Fox News
Florida Traffic Online
Traffic Data
Quality Counts LLC
FIDOT OWPB - WP Reports; 5 Y...
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Projects
Web Application
Office of Work Program and Budget
Lisa Saliba - Director
Five Year Work Program
Selection Criteria
District 01
(Updated: 10/9/2020-00.21.59)
Category:Highways
2021-2025 AD
Lee County
Item Number:444937-1
Display current records in a Report Style
Display current records in an Excel Document
Project Summary
Transportation System: INTRASTATE STATE HIGHWAY
District 01 - Lee County
Description: SR 78 FROM I-75 TO SR 31 CAPACITY STUDY
Type of Work: PD&E/EMO STUDY
View Scheduled Activities
Item Number: 444937-1
Length: 3.137
View Map of Item
Project Detail
Fiscal Year:
2021
2022
2023
2024
2025
Highways/PD & E
(On-Going)
Amount:
$95,861

FDOT LEE COUNTY LEVEL OF SERVICE SPREADSHEET – PEAK HOUR PEAK DIRECTION

YEAR 2018 LEE COUNTY LEVEL OF SERVICE SPREADSHEET -PEAK HOUR PEAK DIRECTION

Section No.	State Road No.	Local Road Name	From	From SLP	To	To SLP	Section Length	SIS	Functional Classification	Posted Speed	Area Type	Facility Type	FDOT LOS Std.	County LOS Std.	City LOS Std.	Year 2018								Deficiency Determination
																Arterial Class	Divided/ UnDivided	One/Two Way	Left Turn Bays	Right Turn Bays	Thru Lanes	Peak Hour Peak Direction Capacity	Volume	LOS	
12020000	SR 80	MAIN ST	US 41 (Cleveland Ave)	0.000	SR 82/Monroe St	0.168	0.168		Principal Arterial-other	30	UA	A	D	D	E	2	D	2W	WL	WR	4	1,207	408	C	
12020000	SR 80 WB	PINE ST	SR 739/US 41 Bus (Fowler St)	0.858	SR 80/Seaboard St	1.666	1.008		Principal Arterial-other	35	UA	A	D	D	E	2	D	1W	WL	WR	2	1,071	516	C	
12020000	SR 80	PALM BEACH BLVD	SR 80/Seaboard St	1.666	Veronica Shoemaker Blvd	2.506	0.840		Principal Arterial-other	45	UA	A	D	D	E	3	D	2W	WL	DE	4	2,000	940	C	
12020000	SR 80	PALM BEACH BLVD	Veronica Shoemaker Blvd	2.506	CR 80B (Ortiz Ave)	4.361	1.850		Principal Arterial-other	45	UA	A	D	D	E	3	D	2W	WL	WR	4	2,000	1,174	C	
12020000	SR 80	PALM BEACH BLVD	CR 80B (Ortiz Ave)	4.361	I-75	5.506	1.132		Principal Arterial-other	45	UA	A	D	D		3	D	2W	WL	WR	4	2,000	1,175	C	
12020000	SR 80	PALM BEACH BLVD	I-75	5.506	SR 31 (Arcadia Rd)	8.249	2.743	SIS	Principal Arterial-other	55	UA	A	D	D		3	D	2W	WL	WR	6	3,171	2,050	C	
12020000	SR 80	PALM BEACH BLVD	SR 31 (Arcadia Rd)	8.249	CR 80A/Buckingham Rd/Old Olga Rd	10.741	2.492	SIS	Principal Arterial-other	45	UA	A	D	D		3	D	2W	WL	WR	4	2,000	1,064	C	
12020000	SR 80	PALM BEACH BLVD	CR 80A/Buckingham Rd/Old Olga Rd	10.741	W. of Werner Drive	12.809	2.067	SIS	Principal Arterial-other	55	UA	H	D	D		3	D	2W	WL	WR	4	3,240	1,672	B	
12020000	SR 80	PALM BEACH BLVD	W. of Werner Drive	12.809	Hickey Creek Rd	13.309	0.500	SIS	Principal Arterial-other	55	RDA	H	E	E		3	D	2W	WL	WR	4	2,420	1,249	B	
12020000	SR 80	PALM BEACH BLVD	Hickey Creek Rd	13.309	Broadway St/CR 78	17.654	4.346	SIS	Principal Arterial-other	55	RDA	H	E	E		3	D	2W	WL	WR	4	2,420	1,151	B	
12020000	SR 80	PALM BEACH BLVD	Broadway St/CR 78	17.654	CR 884 (Joel Blvd)	18.227	0.573	SIS	Principal Arterial-other	45	RDA	A	E	E		3	D	2W	WL	WR	4	2,000	1,151	C	
12020000	SR 80	PALM BEACH BLVD	CR 884 (Joel Blvd)	18.227	Hendry County Line	20.358	2.131	SIS	Principal Arterial-other	60	RDA	H	E	E		3	D	2W	WL	WR	4	2,420	967	B	
12020102	SR 80 EB	SR 80/2ND ST	SR 739 (Fowler St)	0.397	SR 739 (Park Ave)	0.634	0.237		Principal Arterial-other	30	UA	A	D	D	E	2	D	1W	WL	OR	3	1,024	774	F	
12020102	SR 80 EB	SR 80/2ND ST/SEABOARD ST	SR 739 (Park Ave)	0.634	SR 80 (Palm Beach Blvd)	1.560	0.926		Principal Arterial-other	30	UA	A	D	D	E	2	D	1W	WL	OR	2	1,056	1,084	D	
12040000	SR 867	MCGREGOR BLVD	Old McGregor Blvd	0.000	A & W Bulb Rd	1.993	1.993		Minor Arterial	45	UA	A	D	D		2	D	2W	WL	WR	3	2,100	1,334	C	
12040000	SR 867	MCGREGOR BLVD	A & W Bulb Rd	1.993	College Pkwy	3.465	1.472		Minor Arterial	45	UA	A	D	D		2	D	2W	WL	WR	3	2,100	1,002	C	
12040000	SR 867	MCGREGOR BLVD	College Pkwy	3.465	Winkler Rd	4.896	1.431		Minor Arterial	40	UA	A	D	D		1	D	2W	WL	WR	2	924	787	F	
12040000	SR 867	MCGREGOR BLVD	Winkler Rd	4.896	CR 864/Colonial Blvd	6.485	1.589		Minor Arterial	40	UA	A	D	D	E	3	D	2W	WL	WR	3	970	1,151	F	Over Capacity
12060000	SR 78	PINE ISLAND RD	CR 765/CR 864/Burnt Store Rd	5.467	Chiquita Blvd	7.514	2.047		Principal Arterial-other	50	UA	A	D	D	E	3	D	2W	WL	WR	4	2,107	820	A	
12060000	SR 78	PINE ISLAND RD	Chiquita Blvd	7.514	Santa Barbara Blvd	9.757	2.243		Principal Arterial-other	50	UA	A	D	D	E	3	D	2W	WL	WR	4	2,107	1,585	A	
12060000	SR 78	PINE ISLAND RD	Santa Barbara Blvd	9.757	Del Prado Blvd	12.061	2.304		Principal Arterial-other	55	UA	A	D	D	E	3	D	2W	WL	WR	4	2,107	2,194	B	Over Capacity
12060000	SR 78	PINE ISLAND RD	Del Prado Blvd	12.061	W of CR 78A/Pondella Rd	12.284	0.223		Principal Arterial-other	55	UA	A	D	D	D	3	D	2W	WL	WR	4	2,478	1,407	C	
12060000	SR 78	PINE ISLAND RD	W of CR 78A/Pondella Rd	12.284	SR 45/US 41 (Cleveland Ave)	14.741	2.457		Principal Arterial-other	55	UA	A	D	D		3	D	2W	WL	WR	4	2,107	1,019	C	
12060000	SR 78	PINE ISLAND RD/BAYSHORE RD	SR 45/US 41 (Cleveland Ave)	14.741	New Post Rd/Hart Rd	17.015	2.274		Principal Arterial-other	40	UA	A	D	D	E	3	D	2W	WL	WR	4	2,100	1,372	C	
12060000	SR 78	BAYSHORE RD	New Post Rd/Hart Rd	17.015	W of Willow Stream Ln	18.559	1.544		Principal Arterial-other	50	UA	A	D	D		3	D	2W	WL	WR	3	2,100	1,508	C	
12060000	SR 78	BAYSHORE RD	W of Willow Stream Ln	18.559	W of Pritchett Pkwy	21.179	2.620		Principal Arterial-other	50	UA	A	D	D		3	D	2W	WL	WR	4	2,100	1,513	C	
12060000	SR 78	BAYSHORE RD	W of Pritchett Pkwy	21.179	Pritchett Pkwy	21.400	0.221		Minor Arterial	50	UA	A	D	D		3	D	2W	WL	WR	4	2,100	1,613	C	
12060000	SR 78	BAYSHORE RD	Pritchett Pkwy	21.400	Old Bayshore Rd	21.758	0.358		Minor Arterial	50	UA	A	D	D		3	D	2W	WL	WR	2	924	910	C	
12060000	SR 78	BAYSHORE RD	Old Bayshore Rd	21.758	SR 31	21.804	0.046		Minor Arterial	50	UA	A	D	D		3	D	2W	WL	WR	2	924	477	C	
12070000	SR 82	DR M.L. KING JR BLVD	US 41/SR 45	0.000	SR 82 (Monroe St)	0.201	0.201		Minor Arterial	30	UA	A	D	D	E	2	D	2W	WL	OR	2	788	456	D	
12070000	SR 82	DR M.L. KING JR BLVD	SR 82 (Monroe St)	0.201	Jackson St	0.371	0.171		Minor Arterial	30	UA	A	D	D	E	2	D	2W	WL	OR	2	788	787	D	Near Capacity
12070000	SR 82	DR M.L. KING JR BLVD	Jackson St	0.371	SR 739 (Fowler St)	0.645	0.274		Minor Arterial	30	UA	A	D	D	E	2	D	2W	WL	WR	2	924	787	D	Near Capacity
12070000	SR 82	DR M.L. KING JR BLVD	SR 739 (Fowler Ave)	0.645	Michigan Link Ave	2.966	2.321		Principal Arterial-other	30	UA	A	D	D	E	2	D	2W	WL	WR	4	1,742	1,029	B	Over Capacity
12070000	SR 82	DR M.L. KING JR BLVD	Michigan Link Ave	2.966	CR 865/Ortiz Ave	3.826	0.860		Principal Arterial-other	50	UA	A	D	D	E	3	D	2W	WL	WR	3	2,436	1,509	A	
12070000	SR 82	DR M.L. KING JR BLVD	CR 865/Ortiz Ave	3.826	W of Teter Rd/I-75 NB On Ramp	4.507	0.681		Principal Arterial-other	50	UA	A	D	D	E	3	D	2W	WL	WR	6	3,478	2,991	B	
12070000	SR 82	IMMOKALEE ROAD	W of Teter Rd/I-75 NB On Ramp	4.507	Buckingham Rd	6.154	1.647	SIS	Principal Arterial-other	50	UA	A	D	D	E	1	D	2W	WL	WR	6	3,478	1,943	C	
12070000	SR 82	IMMOKALEE ROAD	Buckingham Rd	6.154	CR 884/Colonial Blvd/Lee Blvd	6.874	0.720	SIS	Principal Arterial-other	50	UA	A	D	D	E	1	D	2W	WL	WR	6	3,478	1,741	C	
12070000	SR 82	IMMOKALEE ROAD	CR 884/Colonial Blvd/Lee Blvd	6.874	Gateway Blvd	7.906	1.032	SIS	Principal Arterial-other	55	UA	A	D	D	E	1	D	2W	WL	WR	2	970	1,741	F	Over Capacity
12070000	SR 82	IMMOKALEE ROAD	Gateway Blvd	7.906	Griffin Dr/Kay Ave S	9.314	1.408	SIS	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	2	970	1,152	F	Over Capacity
12070000	SR 82	IMMOKALEE ROAD	Griffin Dr/Kay Ave S	9.314	Danielle Pkwy/Commerce Rd S	11.123	1.809	SIS	Principal Arterial-other	60	UA	A	D	D		1	D	2W	WL	WR	2	970	1,000	F	Over Capacity
12070000	SR 82	IMMOKALEE ROAD	Danielle Pkwy/Commerce Rd S	11.123	Alabama Rd	11.709	0.586	SIS	Principal Arterial-other	60	UA	H	D	D			D	2W	WL	WR	2	1,100	1,527	F	Over Capacity
12070000	SR 82	IMMOKALEE ROAD	Alabama Rd	11.709	Bell Blvd S	16.929	5.220	SIS	Principal Arterial-other	60	UA	H	D	D			D	2W	WL	WR	2	1,100	600	C	
12070000	SR 82	IMMOKALEE ROAD	Bell Blvd S	16.929	Hendry County Line	21.551	4.622	SIS	Principal Arterial-other	60	UA	H	D	D			D	2W	WL	OR	2	1,100	683	C	
12070001	SR 82	MONROE ST	MLK Jr Blvd	0.000	SR 80 (Main St)	0.148	0.148		Minor Arterial	30	UA	A	D	D	E	3	D	2W	WL	OR	2	788	413	D	

Note: LOS Spreadsheet should be used as a planning level analysis tool. A detailed analysis is necessary to validate the actual operating conditions which may vary from this worksheet.

YEAR 2018 LEE COUNTY LEVEL OF SERVICE SPREADSHEET -PEAK HOUR PEAK DIRECTION

Section No.	State Road No.	Local Road Name	From	From M.P.	To	To M.P.	Section Length	SIS	Functional Classification	Posted Speed	Area Type	Facility Type	FDOT LOS Std.	County LOS Std.	City LOS Std.	Year 2018									Deficiency Determination
																Arterial Class	Divided/ UnDivided	One/Two Way	Left Turn Bays	Right Turn Bays	Thru Lanes	Peak Hour Peak Direction Capacity	Volume	LOS	
12073000	I-75		SR 93/I-75	Collier County Line	0.000	CR 865/Bonita Beach Rd	1.029	1.029	SIS	Principal Arterial-Interstate	70	UA	I	D	D	D	F	D	2W			WA	6	5,940	5,620	A	Over Capacity
12073000	I-75		SR 93/I-75	CR 865/Bonita Beach Rd	1.029	CR 850/Corkscrew Rd	8.667	7.638	SIS	Principal Arterial-Interstate	70	UA	I	D	D	D	F	D	2W			WA	6	5,940	5,620	A	Over Capacity
12075000	I-75		SR 93/I-75	CR 850/Corkscrew Rd	8.667	Alico Rd	12.614	3.947	SIS	Principal Arterial-Interstate	70	UA	I	D	D		F	D	2W			WA	6	5,940	5,620	A	Over Capacity
12078000	I-75		SR 93/I-75	Alico Rd	12.614	Terminal Access Rd	13.884	1.270	SIS	Principal Arterial-Interstate	70	UA	I	D	D		F	D	2W			WA	6	5,940	5,612	A	
12079000	I-75		SR 93/I-75	Terminal Access Rd	13.884	Daniels Pkwy	16.442	2.558	SIS	Principal Arterial-Interstate	70	UA	I	D	D		F	D	2W			WA	6	5,940	5,612	A	
12079000	I-75		SR 93/I-75	Daniels Pkwy	16.442	SR 884/CR 884/Colonial Blvd	20.772	4.330	SIS	Principal Arterial-Interstate	70	UA	I	D	D	D	F	D	2W			WA	6	5,940	5,317	D	Over Capacity
12079000	I-75		SR 93/I-75	SR 884/CR 884/Colonial Blvd	20.772	SR 82/Immokalee Rd	23.624	1.932	SIS	Principal Arterial-Interstate	70	UA	I	D	D	D	F	D	2W			WA	6	5,940	4,965	D	Near Capacity
12079000	I-75		SR 93/I-75	SR 82/Immokalee Rd	23.624	Luckett Rd	25.139	1.515	SIS	Principal Arterial-Interstate	70	UA	I	D	D	D	F	D	2W			WA	6	5,940	5,071	D	Near Capacity
12079000	I-75		SR 93/I-75	Luckett Rd	25.139	SR 80	26.047	1.908	SIS	Principal Arterial-Interstate	70	UA	I	D	D		F	D	2W			WA	6	5,940	5,612	D	
12079000	I-75		SR 93/I-75	SR 80	26.047	SR 78/Bayshore Rd	28.363	2.316	SIS	Principal Arterial-Interstate	70	UA	I	D	D		F	D	2W			WA	6	5,940	5,612	D	
12079000	I-75		SR 93/I-75	SR 78/Bayshore Rd	28.363	Charlotte County Line	34.130	5.773	SIS	Principal Arterial-Interstate	70	PA	I	I	C		F	D	2W			WA	6	5,940	5,612	D	
12040000	SR 31		ARCADIA RD	SR 80	0.000	Old Bailey Dr	1.640	1.640	SIS	Minor Arterial	40	UA	A	D	D		1	D	2W	WL	WR	2	970	561	C	
12040000	SR 31		ARCADIA RD	Old Bailey Dr	1.640	CR 78/N River Rd/Old Bayshore Rd	2.670	1.030	SIS	Minor Arterial	40	URA	H	I	C			U	2W	WL	WR	2	830	461	A	
12040000	SR 31		ARCADIA RD	CR 78/N River Rd/Old Bayshore Rd	2.670	Charlotte County Line	4.681	2.011	SIS	Minor Arterial	40	RIRA	H	I	C			U	2W	WL	WR	2	830	486	B	
12100000	SR 876		DANIELS PKWY	W of I-75	7.247	E of Rest Area	7.760	0.513		Principal Arterial-other	50	UA	A	D	D		1	D	2W	WL	WR	4	1,921	2,062	C	
12000056	AC ENTRY ST		JACKSON ST	Park St/Monroe Rd	1.137	SR 82	1.258	0.121	SL	Urban Local	25	UA	A	D	E		NSA	U	2W	WL	WR	2	540	102	A	
12000152	CR 885		BEN HILL GRIFFIN PKWY	Gulf Center Dr	4.295	Alico Rd	6.377	0.082	SL	Minor Arterial	45	UA	A	D	E		NSA	D	2W	WL	WR	4	1,234	1,057	B	
12000153	CR 885		BEN HILL GRIFFIN PKWY	Alico Rd	4.377	Multi-Jet Terminal	5.383	1.006	SL	Minor Arterial	45	UA	A	D	E		NSA	D	2W	WL	WR	4	1,234	1,057	B	
12000200	ALICO RD		ALICO RD	I-75	0.001	Ben Hill Griffin Pkwy	0.867	0.856	SL	Minor Arterial	45	UA	A	D	E		NSA	D	2W	WL	WR	4	1,234	1,057	B	
12000000	CENTURY ST		BROADWAY	Orange St	0.000	SR 82	0.108	0.123	SL	Urban Local	25	UA	A	D	E		NSA	U	2W	WL	WR	2	540	102	A	
12A70000	LEE 763		BURNT STORE RD	SR 78	0.000	Embers Pkwy	1.000	1.000		Principal Arterial-other	45	UA	H	D	F	F		U	2W	WL	WR	2	1,250	730	A	
12870000	LEE 765		BURNT STORE RD	Embers Pkwy	1.000	Tropicana Pkwy	2.000	1.000		Principal Arterial-other	45	UA	H	D	F	E		U	2W	WL	WR	2	1,190	730	A	
12120000			TERMINAL ACCESS RD	I-75	0.000	Airport Access	1.508	1.508	SL	Minor Arterial	45	UA	A	D	E		1	U	2W	WL	WL	4	2,000	1,134	A	

Legend: Aggregated segment; Single-count segment; OFF System SIS Facility

** Future Model Volumes obtained from D1 Regional Planning Model are found to be less than Existing AADT.

Note: LOS Spreadsheet should be used as a planning level analysis tool. A detailed analysis is necessary to validate the actual operating conditions which may vary from this worksheet.

LEE COUNTY PEAK SEASON
ADJUSTMENT FACTOR
PCS #64 – BAYSHORE ROAD

PCS 64 - Bayshore Rd east of First St

2019 AADT = 28,100 VPD

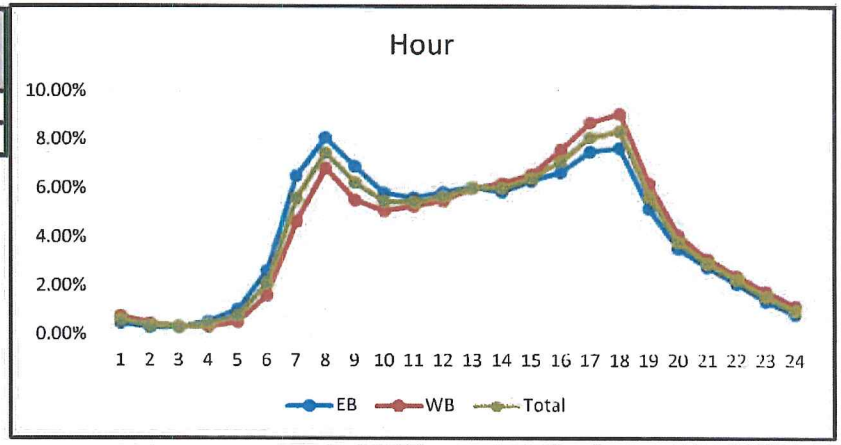
Hour	EB	WB	Total
0	0.48%	0.78%	0.63%
1	0.31%	0.48%	0.39%
2	0.30%	0.35%	0.32%
3	0.55%	0.34%	0.44%
4	1.04%	0.52%	0.78%
5	2.62%	1.62%	2.13%
6	6.50%	4.66%	5.60%
7	8.08%	6.83%	7.47%
8	6.91%	5.53%	6.24%
9	5.82%	5.10%	5.47%
10	5.63%	5.29%	5.46%
11	5.85%	5.50%	5.68%
12	6.07%	6.02%	6.04%
13	5.85%	6.21%	6.03%
14	6.31%	6.57%	6.43%
15	6.66%	7.59%	7.12%
16	7.51%	8.71%	8.10%
17	7.66%	9.07%	8.35%
18	5.19%	6.20%	5.68%
19	3.56%	4.11%	3.83%
20	2.78%	3.13%	2.95%
21	2.11%	2.43%	2.27%
22	1.38%	1.79%	1.58%
23	0.84%	1.18%	1.01%

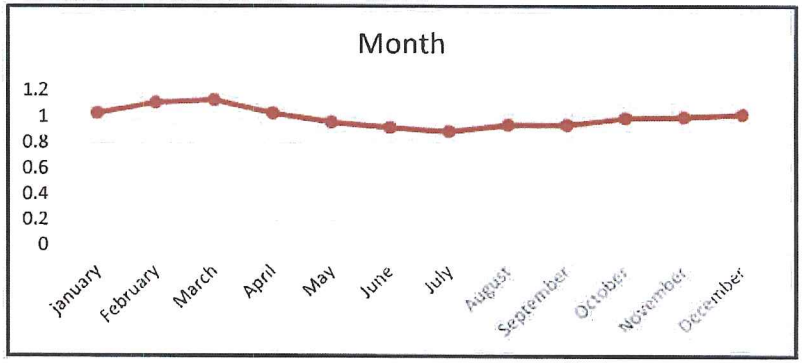
Month of Year	Fraction
january	1.03
February	1.11
March	1.13
April	1.03
May	0.96
June	0.92
July	0.89
August	0.94
September	0.94
October	0.99
November	1
December	1.02

Day of Week	Fraction
Sunday	0.7
Monday	1.05
Tuesday	1.08
Wednesday	1.1
Thursday	1.09
Friday	1.15
Saturday	0.86

Directional Factor		
AM	0.58	EB
PM	0.54	WB

Design Hour Volume		
#	Volume	Factor
5	3121	0.111
10	3090	0.110
20	3038	0.108
30	3016	0.107
50	2973	0.106
100	2925	0.104
150	2889	0.103
200	2852	0.101





PCF = (1.11 + 1.13 + 1.03)/3 = 1.09

April = (1.09 − 1.03) + 1 = 1.06

July = (1.09 − 0.89) + 1 = 1.20

INTERSECTION TRAFFIC COUNTS

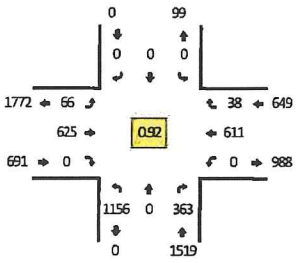
Type of peak hour being reported: Intersection Peak

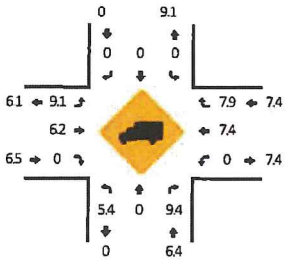
Method for determining peak hour: Total Entering Volume

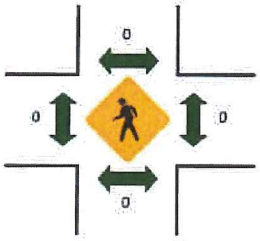
LOCATION: I-75 NB Ramps -- SR-78 (Bayshore Rd) [Historical Count]
CITY/STATE: Lee, FL

QC JOB #: 15300302
DATE: Wed, Apr 17 2019

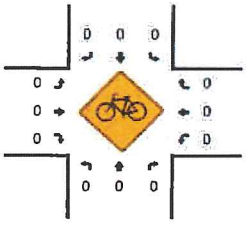
Peak-Hour: 5:00 PM -- 6:00 PM
Peak 15-Min: 5:15 PM -- 5:30 PM

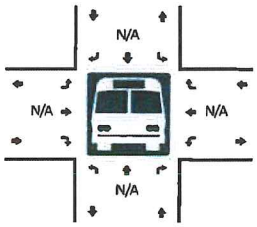




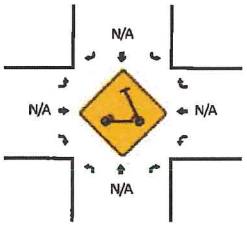












R* = RTOR

15-Min Count Period Beginning At	I-75 NB Ramps (Northbound)					I-75 NB Ramps (Southbound)					SR-78 (Bayshore Rd) [Historical Count] (Eastbound)					SR-78 (Bayshore Rd) [Historical Count] (Westbound)					Total	Hourly Totals
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*		
4:00 PM	258	0	90	0	0	0	0	0	0	0	19	133	0	2	0	0	131	7	0	0	640	
4:15 PM	258	0	90	0	0	0	0	0	0	0	15	124	0	1	0	0	149	7	0	0	644	
4:30 PM	258	0	95	0	0	0	0	0	0	0	23	134	0	0	0	0	159	17	0	0	686	
4:45 PM	255	0	87	0	0	0	0	0	0	0	18	140	0	2	0	0	123	11	0	0	636	2606
5:00 PM	258	0	95	0	0	0	0	0	0	0	17	155	0	2	0	0	160	13	0	0	700	2666
5:15 PM	339	0	93	0	0	0	0	0	0	0	14	167	0	0	0	0	153	7	0	0	773	2795
5:30 PM	328	0	98	0	0	0	0	0	0	0	19	159	0	1	0	0	131	7	0	0	743	2852
5:45 PM	231	0	77	0	0	0	0	0	0	0	11	144	0	2	0	0	167	11	0	0	643	2859

Peak 15-Min Flowrates	Northbound					Southbound					Eastbound					Westbound					Total
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	
All Vehicles	1356	0	372	0	0	0	0	0	0	0	56	668	0	0	0	0	612	28	0	0	3092
Heavy Trucks	84	0	32			0	0	0			0	56	0			0	56	0			228
Buses																					
Pedestrians		0					0					0					0				0
Bicycles	0	0	0			0	0	0			0	0	0			0	0	0			0
Scooters																					

Comments:

Report generated on 10/9/2020 11:15 AM

SOURCE: Quality Counts, LLC (http://www.qualitycounts.net) 1-877-580-2212

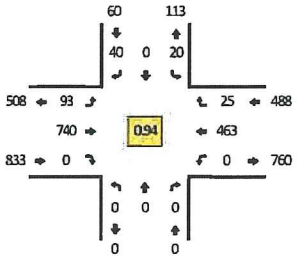
Type of peak hour being reported: Intersection Peak

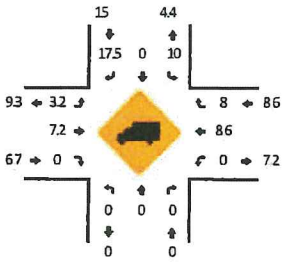
Method for determining peak hour: Total Entering Volume

LOCATION: Pritchett Pkwy -- SR 78 [Historical Count]
CITY/STATE: Lee, FL

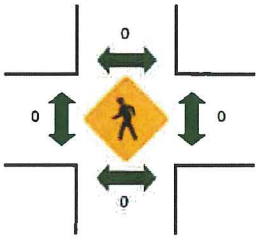
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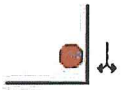
Peak-Hour: 4:30 PM -- 5:30 PM
Peak 15-Min: 5:00 PM -- 5:15 PM



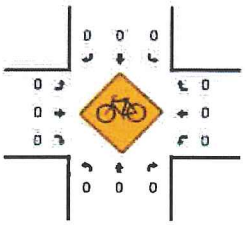


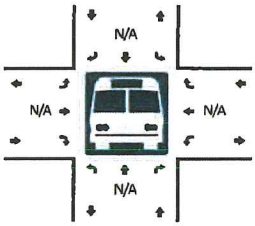
Quality Counts
DATA THAT DRIVES COMMUNITIES

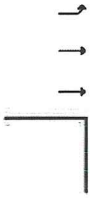




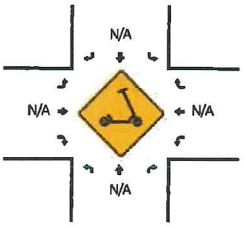












R* = RTOR

15-Min Count Period Beginning At	Pritchett Pkwy (Northbound)					Pritchett Pkwy (Southbound)					SR 78 [Historical Count] (Eastbound)					SR 78 [Historical Count] (Westbound)					Total	Hourly Totals
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*		
4:00 PM	0	0	0	0	0	2	0	15	0	0	29	161	0	0	0	0	119	2	0	0	328	
4:15 PM	0	0	0	0	0	3	0	16	0	0	18	177	0	1	0	0	106	5	0	0	326	
4:30 PM	0	0	0	0	0	9	0	9	0	0	30	191	0	2	0	0	118	7	0	0	366	
4:45 PM	0	0	0	0	0	3	0	14	0	0	19	162	0	0	0	0	110	6	0	0	314	1334
5:00 PM	0	0	0	0	0	4	0	11	0	0	18	201	0	2	0	0	127	5	0	0	368	1374
5:15 PM	0	0	0	0	0	4	0	6	0	0	21	186	0	1	0	0	108	7	0	0	333	1381
5:30 PM	0	0	0	0	0	2	0	9	0	0	28	201	0	1	0	0	98	5	0	0	344	1359
5:45 PM	0	0	0	0	0	1	0	4	0	0	21	170	0	0	0	0	97	4	0	0	297	1342

Peak 15-Min Flowrates	Northbound					Southbound					Eastbound					Westbound					Total
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	
All Vehicles	0	0	0	0	0	16	0	44	0	0	72	804	0	8	0	0	508	20	0	0	1472
Heavy Trucks	0	0	0			0	0	4			4	36	0			0	36	8			88
Buses																					
Pedestrians		0					0					0					0				0
Bicycles	0	0	0			0	0	0			0	0	0			0	0	0			0
Scooters																					

Comments:

Report generated on 10/9/2020 11:16 AM

SOURCE: Quality Counts, LLC (http://www.qualitycounts.net) 1-877-580-2212

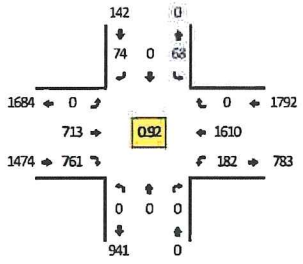
Type of peak hour being reported: Intersection Peak

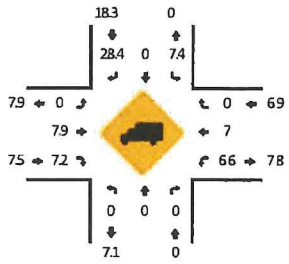
Method for determining peak hour: Total Entering Volume

LOCATION: I-75 SB Ramps -- SR-78 (Bayshore Rd) [Historical Count]
CITY/STATE: Lee, FL

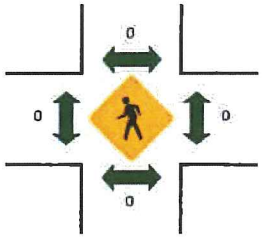
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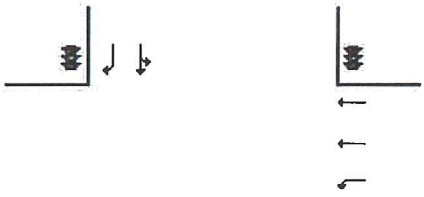
Peak-Hour: 4:45 PM -- 5:45 PM
Peak 15-Min: 5:15 PM -- 5:30 PM

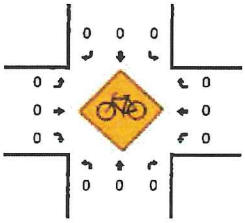


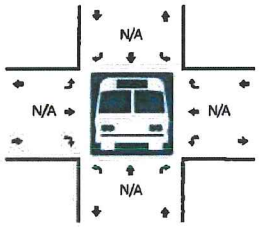


Quality Counts
DATA THAT DRIVES COMMUNITIES

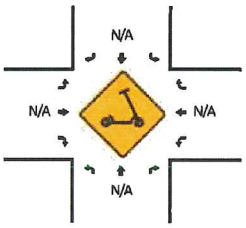












R* = RTOR

15-Min Count Period Beginning At	I-75 SB Ramps (Northbound)					I-75 SB Ramps (Southbound)					SR-78 (Bayshore Rd) [Historical Count] (Eastbound)					SR-78 (Bayshore Rd) [Historical Count] (Westbound)					Total	Hourly Totals
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*		
4:00 PM	0	0	0	0	0	4	0	20	0	0	0	126	179	0	0	44	350	0	0	0	723	
4:15 PM	0	0	0	0	0	10	0	20	0	0	0	140	180	0	0	43	363	0	0	0	756	
4:30 PM	0	0	0	0	0	9	0	22	0	0	0	167	206	0	0	39	362	0	0	0	805	
4:45 PM	0	0	0	0	0	18	0	21	0	0	0	158	187	0	0	42	367	0	1	0	794	3078
5:00 PM	0	0	0	0	0	24	0	14	0	0	0	191	182	0	0	61	378	0	0	0	850	3205
5:15 PM	0	0	0	0	0	11	0	19	0	0	0	198	218	0	0	36	445	0	0	0	927	3376
5:30 PM	0	0	0	0	0	15	0	20	0	0	0	166	174	0	0	41	420	0	1	0	837	3408
5:45 PM	0	0	0	0	0	9	0	18	0	0	0	144	149	0	0	38	353	0	0	0	711	3325

Peak 15-Min Flowrates	Northbound					Southbound					Eastbound					Westbound					Total
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	
All Vehicles	0	0	0	0	0	44	0	76	0	0	0	792	872	0	0	144	1780	0	0	0	3708
Heavy Trucks	0	0	0			0	0	8			0	80	60			0	64	0			212
Buses																					
Pedestrians		0					0					0					0				0
Bicycles	0	0	0			0	0	0			0	0	0			0	0	0			0
Scooters																					

Comments:

Report generated on 10/9/2020 11:15 AM

SOURCE: Quality Counts, LLC (http://www.qualitycounts.net) 1-877-580-2212

HIGHWAY CAPACITY SOFTWARE

(HCS) SUMMARY SHEET

PRITCHETT PKWY @ BAYSHORE ROAD

WEEKDAY PM PEAK HOUR

ATTACHMENT P

Lee County
Southwest Florida

DEPARTMENT OF COMMUNITY DEVELOPMENT

Memo

To: Dirk Danley Jr., Planner, Senior

From: Lili Wu, Planner, Senior

Date: March 11, 2022

Subject: Brightwater RPD (DCI2021-00012) Transportation-Related Analysis

Proposed Development

This application is to amend the existing RPD to develop 910 detached single-family dwelling units, 590 detached senior adult dwelling units, and a lagoon amenity.

Site Location

The subject site is located on both the east and west sides of Pritchett Pkwy north of Bayshore Rd (SR 78).

Site Access

Access to the development will continue to be provided by previously approved connections on Pritchett Pkwy.

Pritchett Pkwy is a collector maintained by County.

Bayshore Rd (SR 78) is an arterial maintained by State.

Trip Generation Review

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) Trip Generation 10th Edition Report. Table 1 outlines the proposed project's trip generation for weekday A.M and P.M peak hour and daily traffic volumes.

Table 1

Trip Generation (New Trips)

Land Use	Weekday A.M Peak Hour			Weekday P.M Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-Way)
Single-Family (910 Units)	163	488	651	533	313	846	7,930
Senior Adult Housing (590 Units)	52	105	157	117	75	192	2,683
Lagoon	--	--	--	13	14	27	--
Total	215	593	808	663	402	1,065	10,613

Roadway Section Traffic Operation Level of Service Analysis

It was assumed that the proposed development would be completed by 2028 (build-out year). Therefore, the roadway links significant impacted by the proposed development were analyzed for the 2028 projected traffic conditions without the proposed development and with the proposed development (Table 2).

Table 2

Arterial/Collector Roadway Section(s) Adjacent to Site

Expected to be Significant Impacted by the Proposed Development

Roadway	Location	Significant Impact Expected	Level of Service		
			Existing	Future 2028	Future + Project
Bayshore Rd	East of Pritchett Pkwy	Yes	C	D	F
Bayshore Rd	West of Pritchett Pkwy	Yes	C	C	C
Bayshore Rd	West of I-75	Yes	C	C	C
Pritchett Pkwy	North of Bayshore Rd	Yes	C	C	E
Pritchett Pkwy	North of Site	Yes	C	C	C
Mellow Dr	West of Slater Rd	Yes	C	F	F

Roadway Intersection Traffic Operation Level of Service Analysis

New trips were assigned to the surrounding road network in order to assess LOS impact as necessary at site accesses, and intersections expected to be most impacted by the proposed development. In this case, using trip assignment described in the applicant's final traffic study,

the following intersections are expected to be significantly impacted by the proposed development:

1. Bayshore Rd/Pritchett Pkwy
2. Bayshore Rd/I-75 NB Ramp
3. Bayshore Rd/I-75 SB Ramp
4. Pritchett Pkwy/Site Access #1
5. Pritchett Pkwy/Site Access #2
6. Pritchett Pkwy/Site Access #3
7. Pritchett Pkwy/Site Access #4
8. Pritchett Pkwy/Site Access #5

Table 3 describes the intersections that are expected to be significantly impacted by the proposed zoning along with their corresponding pre- and post-project built-out level of service.

Table 3
Roadway Intersection(s) Expected to be significantly Impacted by Proposed Development

Intersection		Significant	Existing	Peak	Level of Service (2028)		
Roadway A	Roadway B	Impact Expected	Traffic Control	Hour	Existing	Future	Future + Project
Bayshore Rd	Pritchett Pkwy	Yes	2-Way Stop Controlled	PM	--	F(SB approach)	F(EBL & SB approach)
Bayshore Rd	I-75 NB Ramp	Yes	Traffic Signal	PM	--	D	E
Bayshore Rd	I-75 SB Ramp	Yes	Traffic Signal	PM	--	C	D
Pritchett Pkwy	Site Access #1	Yes	2-Way Stop Controlled	PM	--	--	D
Pritchett Pkwy	Site Access #2	Yes	2-Way Stop Controlled	PM	--	--	F(WB approach)
Pritchett Pkwy	Site Access #3	Yes	2-Way Stop Controlled	PM	--	--	B
Pritchett Pkwy	Site Access #4	Yes	2-Way Stop Controlled	PM	--	--	A
Pritchett Pkwy	Site Access #5	Yes	2-Way Stop Controlled	PM	--	--	B

Conclusion

The roadway level of service analysis indicates Bayshore Rd (SR 78), east of Pritchett Pkwy, will operate at LOS "D" without the project and LOS "F" with the project, Mellow Dr, west of Slater Rd, will operate at LOS "F" with & without the project in build-out year (2028).

The intersection level of service analysis indicates Bayshore Rd/Pritchett Pkwy intersection southbound (SB) approach will operate at LOS "F" without the project and SB and eastbound left (EBL) approach will operate at LOS "F" with the project, Pritchett Pkwy/Site Access #2 WB approach will operate at LOS "F" in year 2028.

Please consider a recommendation adding the following conditions:

"The development is allowed a maximum calculated development density/intensity with respect to new trip generation utilizing the following development scenario:

- 910 detached single-family dwelling units,
- 590 detached senior adult dwelling units, and
- a lagoon amenity (see additional conditions below)."

"All parking spaces for users of the lagoon amenity will be clearly delineated. Parking outside of the delineated spaces is not permitted. A maximum parking rate of 0.07 non-golf cart parking spaces per permitted unit is allowed for non-Brightwater RPD residents. Parking limited to Brightwater RPD residents only will be clearly marked and signed."

"Any development that includes adult senior housing must retain a declaration of covenants and restrictions that limits such use to adult senior housing."

ATTACHMENT Q

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2021-00012
TYPE OF CASE: Planned Development
CASE NAME: Brightwater RPD
TOTAL ACREAGE: 741.22
SUFFICIENCY DATE: February 23, 2022
HEARING EXAMINER DATE: April 28, 2022

Request
The applicant is requesting to amend the approved zoning resolution to reconfigure tracts, relocated and add 225 dwelling units, convert 590 single-family units to senior adult housing, and allow fill material to cross Pritchett Parkway. The amendments will result in a revised Master Concept Plan (MCP) and schedule of uses. The changes do not affect the indigenous or general open space from what was previously approved. The approved zoning resolution conditions and deviations pertaining to landscaping, open space, and protected species will not change.

Impervious within Indigenous Preserve
Zoning staff conducted a site inspection on March 18, 2022 to inspect the indigenous preservation areas, natural water way area, and surrounding uses. The developer has constructed a concrete path at-grade along Popash Creek within the indigenous preservation area, FEMA floodway, and 50-foot natural waterway buffer. The applicant was issued a No Rise Certification (see Attachment A). Per Land Development Code Sections 10-415(d) (2) (d) and 10-416(d) (11) (b) not more than 20 percent of the recreational area or buffer area credited as open space consists of impervious surface. The applicant has a development order currently under review that does no depict the sidewalk within the indigenous / natural waterway buffer abutting Popash Creek.

Environmental Sciences zoning staff recommend the following condition to be added to the zoning in order for the developer to demonstrate compliance with the LDC.

The developer must demonstrate on the development order plans that the constructed sidewalk within the natural water way buffer and indigenous open space abutting Popash Creek complies with LDC Sections 10-415(d)(2)(d) and 10-416(d)(11)(b).

Attachments
A- No Rise Certification

ATTACHMENT A

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

December 9, 2021

Lee County Development Services
1500 Monroe Street
Fort Myers, FL 33901

Reference: NORTHBROOK DOS2015-00083
AT-GRADE PATH NO-IMPACT CERTIFICATION

To Whom It May Concern,

The constructed at grade path is located at Northbrook (Brightwater) community within STRAPS: 15-43-25-L1-U1980.5727; 15-43-25-L1-U1973.5709; 15-43-25-L1-U1959.5681 in North Fort Myers, FL. This is partially within the limits of the Popash Creek floodway. The path has been constructed at existing natural grade. Please see the attached No Rise Certification, exhibit, and FIRMette map showing the location of the path with respect to the floodway and existing building.

Signed, SAMUEL WHITING MARSHALL III, P.E., BANKS ENGINEERING, No. 48881, STATE OF FLORIDA, PROFESSIONAL ENGINEER

Samuel W. Marshall, P.E.
Vice President

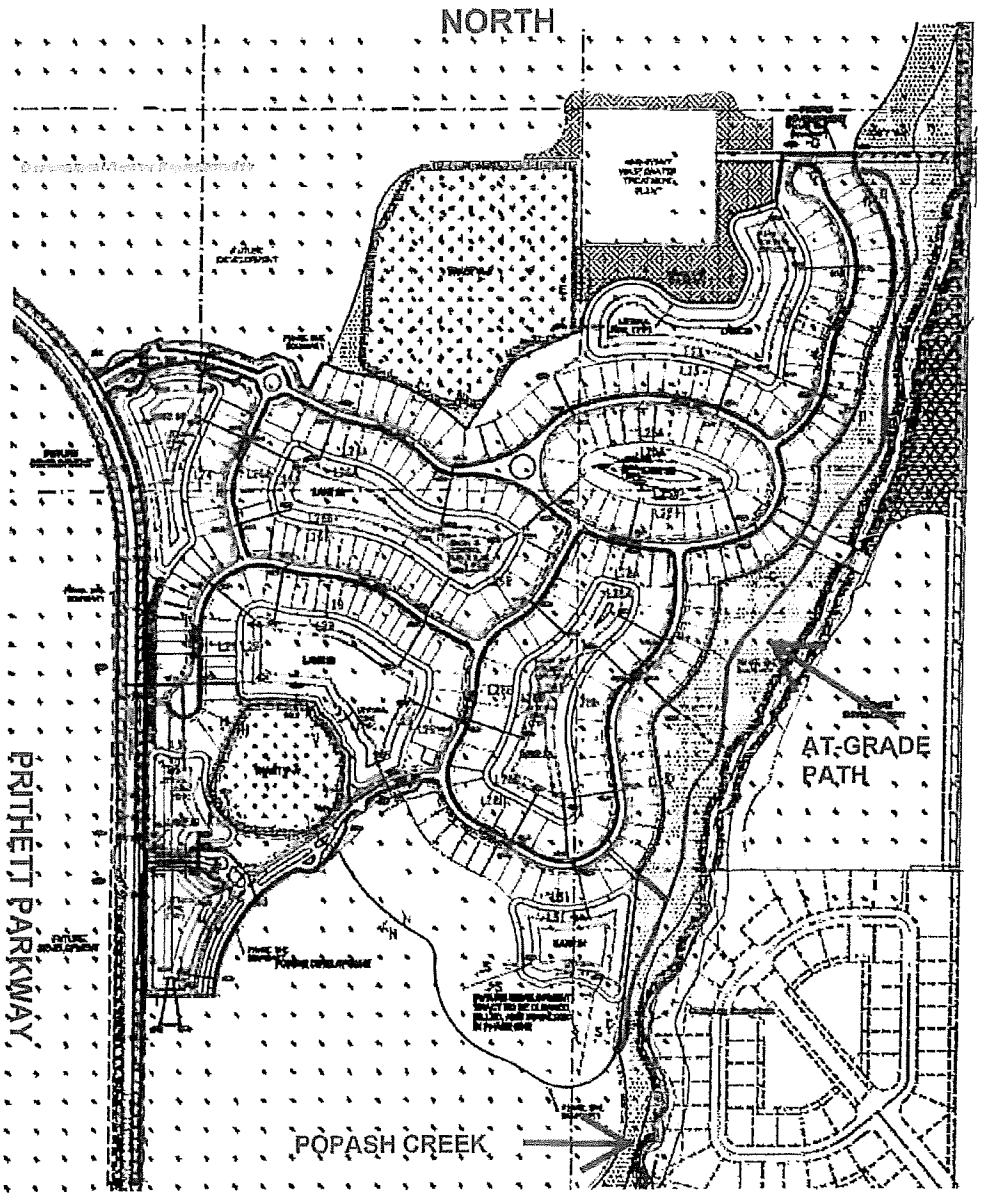
SERVING THE STATE OF FLORIDA

10511-101 Six Mile Cypress Parkway, Fort Myers, FL 33966• (239) 939-5490 • Fax (239) 939-2523
www.bankseng.com

BANKS
ENGINEERING

Professional Engineers, Planners & Land Surveyors

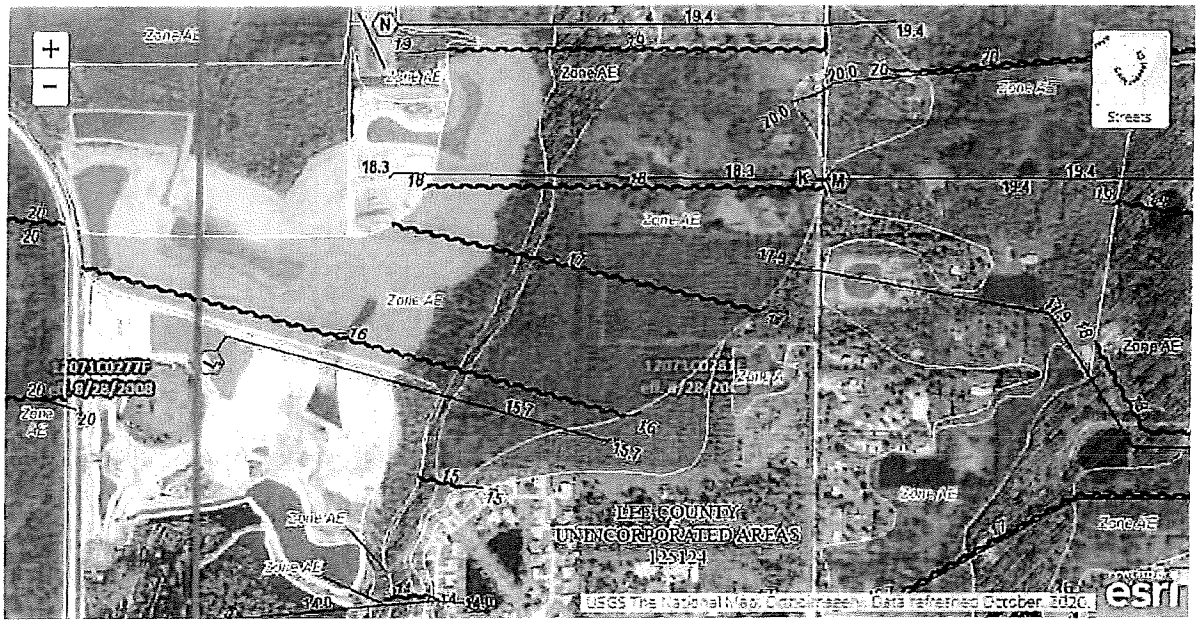
Location Exhibit

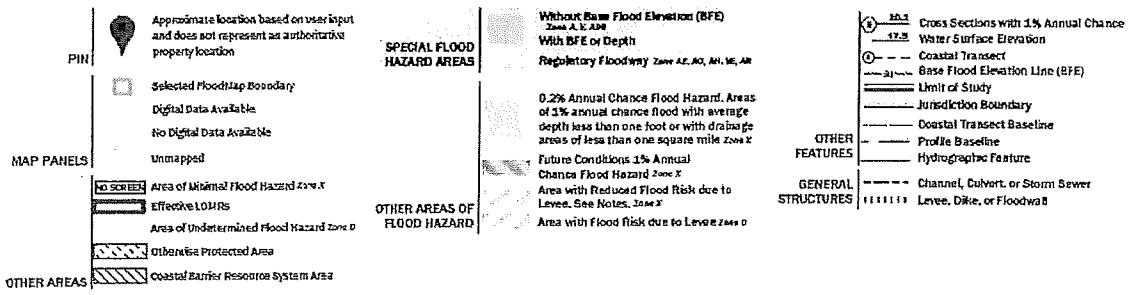


BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

FIRMette Map





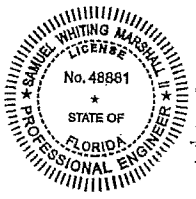
BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

NO-IMPACT CERTIFICATION

This is to certify that I am a duly qualified, registered professional engineer licensed to practice in the State of Florida.

It is further to certify that the attached technical data supports the fact that the constructed at-grade path located at STRAPS: 15-43-25-L1-U1980.5727; 15-43-25-L1-U1973.5709; 15-43-25-L1-U1959.5681 North Fort Myers, FL will not impact the 100-year flood elevations, floodway elevations, or floodway widths on Popash Creek at published sections in the Flood Insurance Study for Lee County, Florida dated August 28th, 2008 Panel #12071C0281F and will not impact the 100-year flood elevations, floodway elevations, or floodway widths at unpublished cross-sections.



Digitally signed by Samuel W Marshall II
Date: 2021.12.09 12:07:25 -05'00'

Samuel W. Marshall, P.E. # 48881
Vice President

December 9, 2021

ATTACHMENT R

Date: February 28, 2022

To: Dirk Danley Jr. Senior Planner

From: Nic DeFilippo, Environmental Planner
239.533.8983
ndefilippo@leegov.com

Subject: DCI2021-00012
Natural Resource Staff Report and Conditions for Brightwater RPD
STRAP # 16-43-25-00-00003.0150

The request is to amend the Master Concept Plan (MCP) and schedule of uses to reconfigure tracts, relocate and add 225 dwelling units, convert 590 single-family cross dwellings to senior adult housing, and allow fill material to cross Pritchett Parkway. The proposed development is located within the Popash Creek and Bayshore Creek Watersheds. The proposed stormwater management system will incorporate onsite wetlands as well as wet and dry detention prior to ultimately discharging into the Popash and Bayshore Creeks. This conceptual stormwater system design is consistent with Lee Plan Policies 60.4.2 and 61.2.4.

As part of DOS2018-00034-A01, a Water Quality Monitoring Program, dated December 2020, was approved to maintain consistency with Lee Plan policies 125.1.2, 125.1.4, and 126.1.4. Lee Plan Policy 125.1.2 requires that new developments not degrade surface or ground water quality. Policy 125.1.4 requires developments which have the potential of lowering existing water quality below State and Federal water quality standards to provide standardized appropriate monitoring data. Policy 126.1.4 requires that development designs provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions. In order to maintain consistency with these policies and memorialize the previously approved Water Quality Monitoring Program staff recommends the following condition:

Prior to local development order approval, the developer must maintain compliance with the Water Quality Monitoring Program submitted with DOS2018-00034-A01.

Danley Jr, Dirk ATTACHMENT S

From: Evans, Marcus
Sent: Wednesday, March 30, 2022 9:08 AM
To: Clark, Mark
Cc: Wu, Lili; Butt, Farhan; Danley Jr, Dirk
Subject: RE: DCI2021-00012 Brightwater RPD Meeting Specifics

Mark,

Just wanted to follow-up with you regarding the Brightwater project to see if your office has had opportunity to review the zoning traffic study and determine what improvements might be acceptable at the intersection of SR 78 and Pritchett Parkway. Our staff needs to put together a new condition or modify an old condition that attempts to address FDOT's concerns prior to the upcoming public hearing. Please let me know your thoughts on this when you have a chance. Thanks, Mark!

Marcus

From: Evans, Marcus
Sent: Thursday, February 24, 2022 11:38 AM
To: Clark, Mark <Mark.Clark@dot.state.fl.us>
Subject: RE: DCI2021-00012 Brightwater RPD Meeting Specifics

Will do – thanks for the prompt response, Mark!

Marcus

From: Clark, Mark <Mark.Clark@dot.state.fl.us>
Sent: Thursday, February 24, 2022 8:05 AM
To: Evans, Marcus <MEvans@leegov.com>
Cc: Carpenter, Deborah <DCarpenter@leegov.com>; Schaill, Leanna <Leanna.Schaill@dot.state.fl.us>; Breuggeman, Walter <Walter.Breuggeman@dot.state.fl.us>; Giddens, Harris (Ed) <Ed.Giddens@dot.state.fl.us>
Subject: [EXTERNAL] RE: DCI2021-00012 Brightwater RPD Meeting Specifics

Good morning, Marcus,

Please include FDOT staff copied on this email as prospective attendees. If you have any questions , feel free to contact me.

Mark Clark
Access Management Specialist
FDOT SWIFT SunGuide Center
10041 Daniels Parkway
Fort Myers, Florida 33913
mark.clark@dot.state.fl.us
(239) 225 -1984 Office

(863) 272-3366 Cell



From: Evans, Marcus <MEvans@leegov.com>
Sent: Thursday, February 24, 2022 7:49 AM
To: Clark, Mark <Mark.Clark@dot.state.fl.us>
Cc: Carpenter, Deborah <DCarpenter@leegov.com>
Subject: RE: DCI2021-00012 Brightwater RPD Meeting Specifics

Sounds good – thanks, Mark!

Marcus

From: Clark, Mark <Mark.Clark@dot.state.fl.us>
Sent: Wednesday, February 23, 2022 1:27 PM
To: Evans, Marcus <MEvans@leegov.com>
Cc: Carpenter, Deborah <DCarpenter@leegov.com>
Subject: [EXTERNAL] RE: DCI2021-00012 Brightwater RPD Meeting Specifics

Marcus,

I'm booked up in meeting today, but I should be able to get back to you tomorrow.

Mark

From: Evans, Marcus <MEvans@leegov.com>
Sent: Wednesday, February 23, 2022 8:11 AM
To: Clark, Mark <Mark.Clark@dot.state.fl.us>
Cc: Carpenter, Deborah <DCarpenter@leegov.com>
Subject: FW: DCI2021-00012 Brightwater RPD Meeting Specifics

EXTERNAL SENDER: Use caution with links and attachments.

Mark,

Please see below and let me know who you'd like to include in the meeting from FDOT. If you could provide the e-mail addresses of prospective attendees, I'll work with our support staff to coordinate a

date/time for the meeting that works good for as many as possible. Thanks in advance for your input, Mark!

Marcus

From: Price, Robert <RPrice@leegov.com>
Sent: Tuesday, February 22, 2022 10:46 AM
To: Evans, Marcus <MEvans@leegov.com>
Cc: Wu, Lili <LWu@leegov.com>; Butt, Farhan <FButt@leegov.com>; Sulzer, Jessica <JSulzer@leegov.com>; Danley Jr, Dirk <DDanleyJr@leegov.com>; Rodriguez, Anthony <ARodriguez4@leegov.com>; Scholler, Jillian <JScholler@leegov.com>; Sutitarnnontr, Pakorn <PSutitarnnontr@leegov.com>
Subject: RE: DCI2021-00012 Brightwater RPD Meeting Specifics

I would want to include FDOT staff. I feel like we need to discuss their stance on this again in light of the email we received indicating a change in FDOT's stance. I would want Jillian and Pak at a minimum incorporated in the meeting from DOT staff.

Lee County
Southwest Florida

Robert L. Price, PE | Deputy Director
Department of Transportation
1500 Monroe Street, 3rd Floor, Fort Myers, FL 33901
office: (239) 533-8592
cell: (239) 634-4893
email: rprice@leegov.com
web: www.leegov.com

Connect With Us On Social Media

FLORIDA'S cpm program Certified Public Manager

From: Evans, Marcus
Sent: Tuesday, February 22, 2022 10:31 AM
To: Price, Robert <RPrice@leegov.com>
Cc: Wu, Lili <LWu@leegov.com>; Butt, Farhan <FButt@leegov.com>; Sulzer, Jessica <JSulzer@leegov.com>; Danley Jr, Dirk <DDanleyJr@leegov.com>; Rodriguez, Anthony <ARodriguez4@leegov.com>
Subject: DCI2021-00012 Brightwater RPD Meeting Specifics

Rob,

Just following up on my prior voicemail regarding setting up a meeting to further discuss the Brightwater planned development – specifically, the future closure of the Bayshore Road (SR 78) median at Pritchett Parkway. The related zoning application is currently in review, but appears close to being found sufficient for public hearing. Please let me know your thoughts on (1) whether we should include FDOT staff in this discussion or if we should simply include Lee County staff, and (2) who from your office we should include in the meeting. Thanks in advance for your input on this, Rob!

Marcus

Marcus Evans
Lee County Department of Community Development
(239) 533-8355

Receive updates from Lee County Government by subscribing to our newsletter

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

ATTACHMENT T

Danley Jr, Dirk

From: Clark, Mark <Mark.Clark@dot.state.fl.us>
Sent: Wednesday, March 30, 2022 9:53 AM
To: Price, Robert
Cc: Loveland, David; Carpenter, Deborah; Hurst, Megan; Evans, Marcus; Wu, Lili; Sutitarnnontr, Pakorn; Butt, Farhan; Sulzer, Jessica; Scholler, Jillian; Rodriguez, Anthony; Danley Jr, Dirk; Schaill, Leanna; Breuggeman, Walter; Giddens, Harris (Ed); Roberts, Brian
Subject: [EXTERNAL] Brightwater RPD DCI2021-00012 Pritchett Parkway / SR 78 (Sect 12060, MP: 21.39)

Rob,

Florida Administrative Code (FAC) 14-97, provides the Department guidance on protecting the integrity of the interchange areas as these areas are vital for the movement of people and goods to and from the Interstate. Specifically, FAC 14-97.003 Access Control Classification System and Access Management Standards (section h)) Interchange Areas. Connections and median openings on a controlled access facility located up to 1/4 mile from an interchange area or up to the first intersection with an arterial road, whichever distance is less, shall be more stringently regulated to protect safety and operational efficiency of the State Highway System. The standard distance to the first full median opening shall be at least 2,640 feet as measured from the end of the taper of the off ramp.

When evaluating the full median opening at SR 78 and Pritchett Parkway, the intersection is located approximately 175 feet east of the end of the taper of the northbound I-75 off ramp. This distance is considerably shorter than the standard distance (2640 feet) per the administrative code to protect the interchange. There is also the concern with traffic coming from the interstate accessing this full median opening. The close proximity to the off-ramp taper creates a short traffic weaving issue that will continually deteriorate the influence area of the interchange. This condition will only worsen with the increase of traffic using the full median opening at Pritchett Parkway. When a weave distance is too short (especially near intersections or interchange ramps), vehicles attempting the short weave will cause interruptions in the speed of through traffic and blocking travel lanes while the weaving vehicles maneuver into the queue to make a turn. These short weave maneuvers are known to increase crashes and create adverse impacts to the roadways.

The Department is focused on safety and reducing crashes on the state roadways. For the reasons mentioned above, the Department will not permit the full median opening at SR 78 and Pritchett Parkway to remain in the existing configuration with the expected increase in traffic from the Brightwater / aka Stoneybrook North DRI. The necessary improvements to Pritchett Parkway will require a submittal for an access permit review to the FDOT to determine the design alternatives to address impacts at both Pritchett Parkway and Wells Road.

Sincerely.

Mark Clark
Access Management Specialist
FDOT SWIFT SunGuide Center
10041 Daniels Parkway
Fort Myers, Florida 33913
mark.clark@dot.state.fl.us
(239) 225 -1984 Office
(863) 272 -3366 Cell

ATTACHMENT U

Lee County
Southwest Florida

Department of Community Development
Development Services Section

MEMORANDUM

Date: 03/30/2022

To: Dirk Danley, AICP

From: Brian Roberts

Subject: DCI2021-00012 Brightwater Phase 2

The applicant is proposing to amend the existing Residential Planned Development (RPD) to change the Master Concept Plan (MCP), amend the schedule of uses, reconfigure tracts within the development, add a country club to allow limited public access, increase the total number of dwelling units, convert single family dwelling units to senior adult housing, add voluntary enhancements and to allow fill material to cross Pritchett Parkway. Development Services has reviewed the Master Concept Plan and requested changes with respect to Chapter 10 technical standards and offers the following comments:

Deviation (19) seeks relief from Land Development Code (LDC) Section 10-418(1), which requires shorelines to be sinuous rather than straight, to allow existing or permitted lakes to remain as designed.

Staff recommends the applicant withdraw the request as the deviation is not necessary (see below). If the deviation request is not withdrawn Staff recommends **DENIAL**.

Lee Plan Policy 61.3.12 states "the design of shorelines of retention and detention areas and other excavations must be sinuous rather than straight." The Lee Plan policy specifically states that the shorelines *must* be sinuous. Any deviation approval to allow straight shorelines will conflict with Lee Plan requirements. The word "must" was added to LDC Section 10-418(1) through Ordinance No. 98-28. The development orders referenced by the applicant and lakes permitted as part of the development orders for Phase 1 (DOS2015-00083) and Phase 2 (DOS2019-XXX) were issued subsequent to the adoption of Ordinance No. 98-28 and were deemed to have met the sinuous requirement. The requested deviation is not necessary.

Deviation (20) seeks relief from LDC Section 10-296(k)(1), which requires deae-end streets to provide a circular turnaround, to allow a dead-end street in Tract E as shown on the MCP.

Staff recommends **APPROVAL with Conditions** of the applicant's request.

Recommended Condition: At the time of the development order submittal the applicant must provide a letter of no objection to the dead-end roadway in Tract E from the fire department having jurisdication.

The deviation is requested only in Tract E1, the dead-end roadway is less than 100' in length, and does not provide access to additional developable area.

Please contact me if you have any further questions.

ATTACHMENT V

LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Cecil L Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Writer's Direct Dial Number: (239) 533-8532

February 18, 2014

Jennifer Sheppard
Banks Engineering, Inc.
10511-101 Six Mile Cypress Parkway
Fort Myers, FL 33912

RE: Potable Water Availability
Stoneybrook North
STRAP # Multiple STRAP number off of both sides of Pritchett Parkway

Dear Ms. Sheppard:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 6 and/or 7 of the Lee County Comprehensive Land Use Plan. Potable water lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 1525 multi-family and single family units with an estimated flow demand of approximately 381,250 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

Availability of potable water service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our North Fort Myers R.O. Water Treatment Plant.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, This Letter Of Availability Of potable water Service To Be Utilized For The Permitting Of Surface Water Management Facilities Through The South Florida Management District For This Project Only. Individual Letters Of Availability Will Be Required For The Purpose Of Obtaining Building Permits.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Technician Senior
UTILITIES ENGINEERING

VIA EMAIL
Original Mailed

LEE COUNTY
SOUTHWEST FLORIDA

LEE COUNTY UTILITIES

REQUEST FOR LETTER OF AVAILABILITY

DATE: December 11, 2001

TO: Terry Kelley
Utilities Engineering Tech III

Fax: (941) 479-8176

FROM: Pam Naylor,
Banks Engineering, Inc.

ADDRESS: 10511-101 Six Mile Cypress Pkwy.
Ft. Myers, FL 33912

PHONE #: 939-5490 **FAX #:** 939-2523

Project Name: Stoneybrook North

Project ID:

Strap #'s: 15-43-25-00-00001.0000, 15-43-25-00-00001.0010, 16-43-25-00-00001.0060, 16-43-25-00-00001.006A, 16-43-25-00-00001.00, 16-43-25-00-00001.006C, 16-43-25-00-00001.0100, 16-43-25-00-00002.0000, 16-43-25-00-00003.0000, 16-43-25-00-00003.0010 , 16-43-25-00-00003.0020, 16-43-25-00-00003.0030, 16-43-25-00-00003.0040, 16-43-25-00-00003.0050, 16-43-25-00-00003.0070, 16-43-25-00-00003.0080, 21-43-25-00-00001.1000, 21-43-25-00-00002.0000, 21-43-25-00-00006.1020

Site Address: Pritchett Parkway, North Fort Myers, Florida 33917

Purpose of letter:

☐ Development Order Submittal ☐ Financing ☐ Effluent Reuse

☒ Permitting of Surface Water Management (South Florida Water Management District)

☐ Other (specify)_____

Planned Use:

☐ Commercial ☐ Industrial ☒ Multi/Single-Family Residential

☐ Other (specify)_____

Planned # of Units/Buildings: 1525 **Total Square Footage/Acreage:** 741.72 AC

Average Estimated Daily Flow (GPD): 381,250 ☒Water ☐Waste- water ☐ Reuse

Additional Information: North Fort Myers Utilities to provide waste water service.

Fax completed form to (941)479-8176. If you have any questions, please feel free to call our office at (941)479-8181. Please provide telephone &/or Fax numbers or faster response.

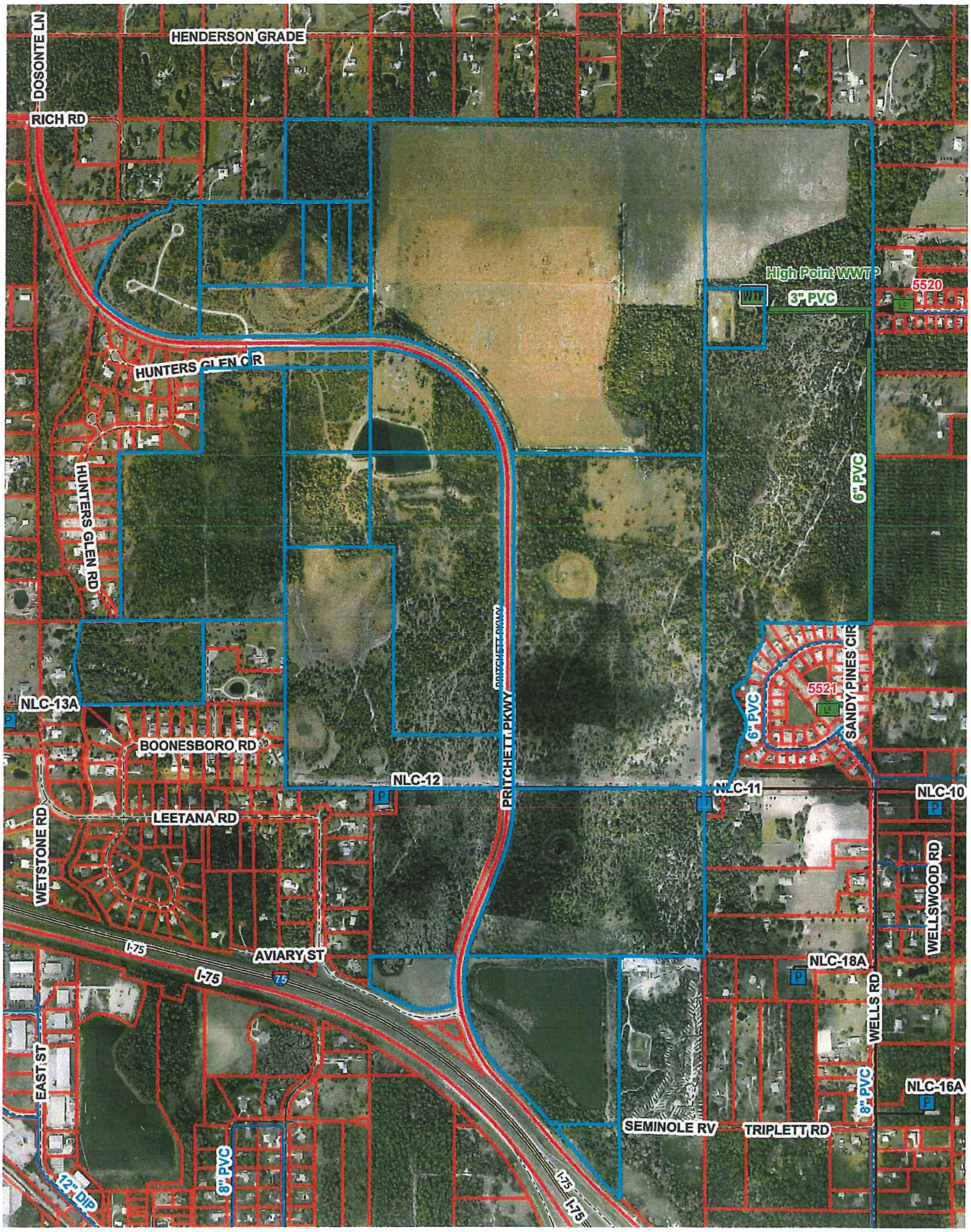
Stoneybrook North

Strap Numbers

Attachment to Page 1

LCU – New Projects Submittal Sheet

1	5	-	4	3	-	2	5	-	0	0	-	0	0	0	0	1	.	0	0	0	0
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1	6	-	4	3	-	2	5	-	0	0	-	0	0	0	0	1	.	0	0	6	A
1	6	-	4	3	-	2	5	-	0	0	-	0	0	0	0	1	.	0	0	6	B
1	6	-	4	3	-	2	5	-	0	0	-	0	0	0	0	1	.	0	0	6	C
1	6	-	4	3	-	2	5	-	0	0	-	0	0	0	0	1	.	0	1	0	0
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2	1	-	4	3	-	2	5	-	0	0	-	0	0	0	0	6	.	0	0	2	0


HENDERSON GRADE
DOSONTE LN
RICH RD
High Point WWTP
WTP
3" PVC
5520
HUNTERS GLEN DR
HUNTERS GLEN RD
6" PVC
PRITCHETT PKWY
SANDY PINES CIR
5521
NLC-13A
BOONESBORO RD
NLC-12
NLC-11
NLC-10
LEETANA RD
WETSTONE RD
WELLSWOOD RD
I-75
AVIARY ST
NLC-18A
WELLS RD
EAST ST
8" PVC
NLC-16A
SEMINOLE RV
TRIPLETT RD
12" DIP

1997
utl. file
water

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number (941)479-8181

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

December 12, 2001

Pam Naylor
Banks Engineering, Inc.
10511-101 Six Mile Cypress Pkwy
Fort Myers, Fl. 33912

RE: AVAILABILITY OF WATER TO THE PROPOSED SUBDIVISION
STONEYBROOK NORTH, PRICHETT PARKWAY, NORTH FORT MYERS

Dear Ms. Naylor:

Potable water lines are in operation in the vicinity of the proposed project mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 1,525 multi/single family residential units, with an estimated flow demand of approximately 381,250 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

Availability of potable water service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Olga Water Treatment Plant.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, This Letter Of Availability Of Water Service Is To Be Utilized For The Permitting Of Surface Water Management Facilities Through The South Florida Management District For This Project Only. Individual Letters Of Availability Will Be Required For The Purpose Of Obtaining Building Permits.

Sincerely,

ENVIRONMENTAL SERVICES DEPARTMENT

Mary McCormic

Mary McCormic
Engineering Tech III
UTILITIES DIVISION, ENGINEERING SECTION

VIA FACSIMILE
Original Mailed

STONEYBROOK NORTH

Mccormic, Mary

From: Jennifer Sheppard [JenniferSheppard@BanksEng.com]
Sent: Monday, February 17, 2014 9:22 AM
To: Mccormic, Mary
Subject: Stoneybrook North
Attachments: Util-Availability-Ltr.pdf

Hey Mar:

Would you provide me with an updated Letter of Availability for the above/attached project? They are in the process of transferring to the HOA and they need an updated letter...I know, pain in the rump.

Thanks
Jenn

Mccormic, Mary

From: Osterhout, Thom
Sent: Tuesday, February 18, 2014 2:46 PM
To: Mccormic, Mary
Subject: RE: Letter of Availability Request - STONEYBROOK NORTH

Okay if it is in our service area.

Thom Osterhout
Senior Manager
Development
Lee County Utilities
(239) 533-8165
tosterhout@leegov.com

-------- Original message --------
From: "Mccormic, Mary"
Date:02/18/2014 2:45 PM (GMT-05:00)
To: "Osterhout, Thom"
Subject: Letter of Availability Request - STONEYBROOK NORTH

Thom,
I have a Letter of Availability Request for **WATER**
Purpose of Letter – **SFWMD**
Project Name – **STONEYBROOK NORTH**
Location – **OVER 700 ACRES LOCATED ON BOTH SIDES OF PRITCHETT PARKWAY**
Proposed – **1525 SF UNITS**
Estimated Daily Flows – **381,250 GPD**
This request is from Waldrop Engineering, Inc.
Is it okay to write this letter?

Thank you!
Mary McCormic

FYI - For your convenience, below are shortcuts to the Lee County and Lee County Utilities web sites
1. Lee County Website: http://www.lee-county.com
2. Lee County Utilities Website: http://www.leegov.com/utilities/
3. Lee County Utilities Design Manual (Operation Manual): http://www.lee-county.com/gov/dept/Utilities/Pages/OperationsManual.aspx
4. Lee County Utilities Developer Project Forms: http://www.lee-county.com/gov/dept/Utilities/Pages/Section11Forms.aspx
5. Lee County Utilities New Construction Applications for new meter sets: http://www.leegov.com/gov/dept/Utilities/Pages/NewMeterInstallations.aspx

6. E-Connect - View your project activities online:
http://permits.leegov.com/tm_bin/tmw_cmd.pl?tmw_cmd=StatusQueryForm&tmw_query=PublicCase
7. Click here for the Lee County Government Map

Mary McCormic
Technician Senior
Engineering Development
Lee County Utilities
1500 Monroe Street
Fort Myers, Fl. 33901
mccormmm@leegov.com
Phone 239-533-8532
Fax 239-485-8385

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

FGUA Operations Office

Government Services Group, Inc.
280 Wekiva Springs Rd., Ste 2000
Longwood, FL 32779-6026

(877) 552-3482 Toll Free
(407) 629-6900 Tel
(407) 629-6963 Fax

August 4, 2014

North Brook Holdings LLC
2502 N. Rocky Pointe Drive, Ste 1050
Tampa, FL 33607

%Jennifer Sheppard
Banks Engineering
10511 Six Mile Cypress Parkway, Suite 101
Ft. Myers, FL 33966
jsheppard@bankseng.com

RE: Wastewater Availability
Parcel ID No. - Multiple, See Attached List
Stoneybrook North
Property Address - Multiple, See Attached List

Dear Ms. Sheppard:

Pursuant to the submitted Application for Service Availability, please be advised that wastewater lines are in operation in the vicinity of the proposed project mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 1,525 single family homes with an estimated flow of 381,250 GPD for wastewater. FGUA presently has sufficient treatment capacity to accommodate these flows.

The FGUA Utilities Operations Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system. A site map showing the approximate location of the utilities is included for your reference as well as list of the next steps to be taken in order to move your project forward.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date hereof. Florida Governmental Utility Authority will commit to serve only upon final acceptance of the infrastructure constructed by the developer, receipt of all appropriate connection fees, an executed Utility Infrastructure Conveyance and Service Agreement, the approval

FGUA Board of Directors
LEA ANN THOMAS, Chair, Polk County / DOUG MEURER, P.E., Lee County / KEN CHEEK, P.E., Citrus County
SHANE PARKER, P.E., Hendry County / BRUCE KENNEDY, P.E. Pasco County / MICHAEL VUOLO, DeSoto County
FLIP MELLINGER, Marion County

of all state and local regulatory agencies and proper project closeout. Further, this letter of availability of wastewater service is to be utilized for development review for this project only.

When you are ready to move forward with your project, please contact Ms. Janelle D. Kusiolek, Development Review Project Coordinator at 407-629-6900 ext. 109 or via email at JKusiolek@govmserv.com to schedule a pre-development meeting. Please note that this meeting is **MANDATORY** prior to submitting construction plans for review by the FGUA.

If you should have any further questions please feel free to contact Ms. Kusiolek directly.

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Robert W. Dickson, P.E.
Capital Program Manager

RWD/jdk

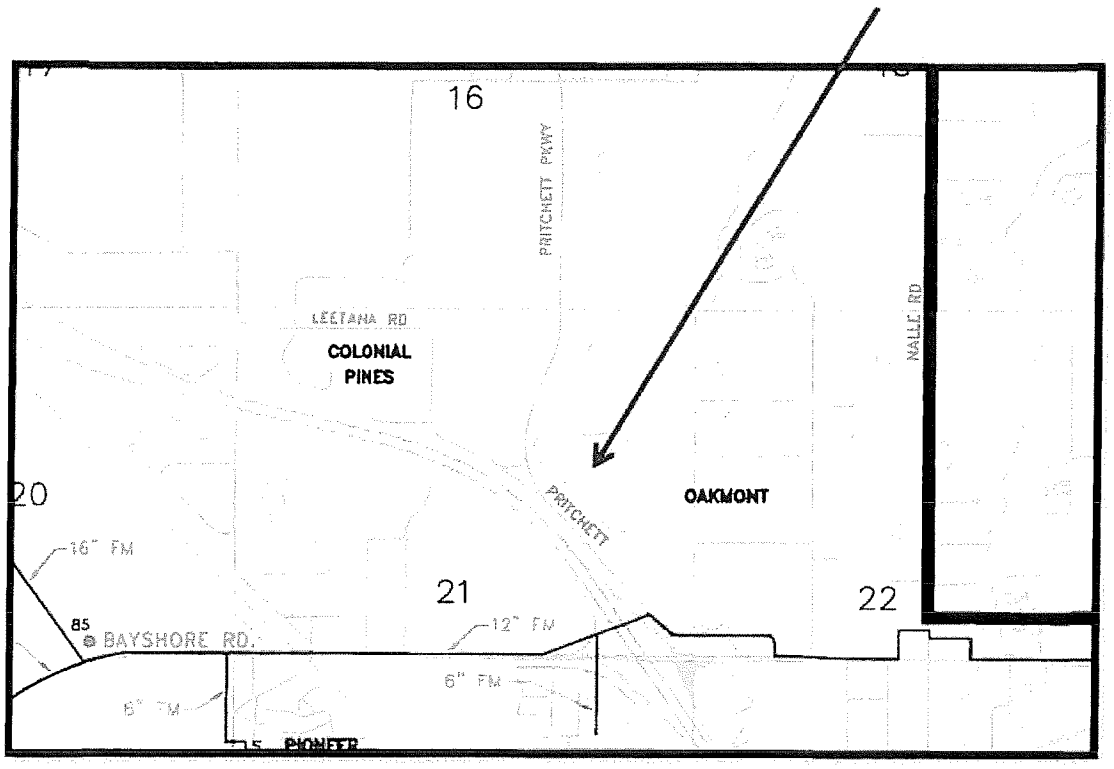
CC: Michael Currier, South Region Area Manager

Encl.

1. Utility Locates
2. Plan Submission Instructions
3. Property Appraiser's Information
4. Fee Statement/Receipt
5. Mandatory Pre-Development Meeting Information

7/28/2014
Project Name: Stoneybrook North

STRAP #: 21-43-25-0000001.1000
Property Address: 18700 Pritchett Pkwy, North Fort Myers, FL



NEXT STEPS & INFORMATION FOR PROCEEDING WITH YOUR PROJECT

1. Submit four (4) sets of signed and sealed construction plans with a plan review check made payable to FGUA for **$700.00** for the first nine (9) sheets and an additional $ 50.00 for every sheet over nine (9), plus one CD containing a PDF version of the plan set for review
    a. Construction plans must show the property lines clearly marked
    b. Identify the connecting points to the FGUA mains
    c. Locate the water meters, fire meters (preferably) outside property limits within ROW
    d. Identify existing ROWs, easements and additional easements (if any) to be provided to FGUA
    See the Plan Submission Instruction Sheet for further information
2. Submit the EOPCC (Engineer's Opinion of Probable Cost of Construction)
3. Upon receipt of this information as identified in 1 & 2 above, FGUA will provide the following for your prompt attention:
    a. The Project Fee Statement, which must be paid in full prior to further approvals by the FGUA. Impact (capacity) fees will be charged and paid for each unit based on its actual use.
    b. The Utility Infrastructure Conveyance and Service Agreement (CSA), which must be executed by the property owner and returned to the FGUA for acceptance by the Board of Directors at the next available Board Meeting.
4. The FDEP applications for construction will be signed by FGUA after the applicable Fees are paid and the CSA is accepted by the Board.

ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.

	Florida Governmental Utility Authority Instructions for Plan Submission		
System:	☐ WATER ☒ WASTEWATER ☐ RECLAIM WATER		
Project Name:	Stoneybrook North		
FGUA System Name:	North Fort Myers	County:	Lee
Engineer:	Banks Engineering, Inc.		

FOUR (4) ORIGINALLY SIGNED AND SEALED UTILITY PLAN SETS & ONE PDF SET ON CD MUST BE SUBMITTED FOR EACH REVIEW

THE DRAWINGS SHALL CONSIST OF AND CONTAIN, BUT NOT BE LIMITED TO:

1. Cover sheet with the Project name and location map;
2. Site utility Master Plan, indicating the overall site development and all proposed utility improvements, with references to the appropriate plan and profile sheets. If phasing of the Project is proposed, phases must be indicated on this drawing. For proposed points of connection to existing water and/or sewerage facilities, the site utility plan must indicate the method and materials to be used. Actual location of existing sewer mains or Lateral Sewers and water lines stubs must be shown;
3. Identification of individual lots for subdivisions and/or buildings and structures for condominiums and multi-family projects;
4. For all Projects, except single family sub-divisions, the proposed meter size and location to service each structure shall be illustrated;
5. All existing utility Easements on the particular property shall be shown on the drawings. Proposed Easements may be required to be shown if the site working space is confined. Such a determination shall be made on a case-by-case basis by the FGUA. The Easements required to be shown shall be clearly labeled, showing the width and limits. The size and extent of the Easements shall be mutually agreed to by the Developer and the FGUA on a project-by-project basis. Existing Easements shall be referenced by official records book and page or by plat book and page as recorded in the official records of the appropriate underlying county;
6. Plan and profile sheets shall indicate the horizontal and vertical locations for all water and sewer improvements, including all appurtenances as well as other proposed or existing facilities and conflicts in the same general location. Special profile sheets shall be required when unique situations or complex conflicts occur that cannot be clearly detailed on standard plan and profile forms. Without exception, profiles must be positioned on the sheet directly below the plan section they are illustrating;
7. Lee standard utility system details shall be required for all construction Projects, Pavement restoration, backfill standards, compaction requirements, etc., regarding work within the public Rights-of-Way shall be governed by the rules and regulations established by the Florida Department of Transportation or underlying local government standard details involving these items shall reflect the requirements of same;
8. Complete lift station drawings, specifications as required, and details including shop drawings, when necessary shall be submitted. A special site plan of the lift station and appurtenances must be provided. It shall contain specific details on the configuration of the station, location of appurtenances, such as electric service and transformers, guard posts, control panels, etc., and the proposed location with respect to roadways, sidewalks or bike paths, driveways and proposed or existing Rights-of-Way or utility Easements;
9. Hydraulic design reports covering the water transmission and/or distribution and sewage collection and transmission systems to serve the Project are to be performed by the Engineer and submitted for review and approval with the Construction Documents. Computations for the water systems are to define flow conditions at all mains in the system including fire flow requirements. Sewer computations are to define flows in sewer

mains and calculations on lift stations and force mains. The reports shall list all design assumptions, demand rates and other factors pertinent to the system under consideration;

10. Internal water distribution systems shall be designed to eliminate dead end mains through the looping of the distribution system. Each system shall be designed to provide stubs for future system interconnection with adjacent properties. All such stubs shall be terminated with a fire hydrant or by an automatic flushing device for flushing purposes. The location of such stubs shall be mutually agreed to by the FGUA and the Developer during the design process. Interconnection to existing stubs by a Project will be mandatory; and
11. Fire hydrant branches (from main to hydrant) will be not less than six inches in diameter and as short as possible with a maximum of 300 feet apart. Each branch will be individually gate valved. On pre-stressed concrete mains where the installation of fire hydrants is not required immediately, the necessary fitting for the future installation of fire hydrants shall be provided

ADD THE FOLLOWING TO THE GENERAL NOTES:

1. All construction shall meet Lee County Standards and Specifications as applicable.
2. An FGUA representative is to be present during connections to existing facilities with 72 hour notification.
3. All utilities within the property lines will be owned and maintained by the property owner
4. Any utilities (pipes, valves, and associated hardware) to be conveyed to FGUA will be located within an existing public utility easement, right-of-way (ROW) and/or a dedicated FGUA utility easement
5. Any real property (lift stations, pump houses, wells, etc.) will not be located within the ROW and will be conveyed to FGUA via a specific warranty deed.
6. Low pressure air test, and video inspection are required for the gravity collection system) - Water systems are tested to a minimum of 150psi for two-hour duration as per AWWA C 600 standards. Fire systems are not the FGUA responsibility.
7. Install 10 gauge tracer wire on all main pipelines. Wire to extend into each valve box with sufficient excess to bring wire three feet above finish grade..
8. All water and/or wastewater lines passing under paved areas will be constructed with a casing and shall apply with local or state DOT standards.
9. A Reduced Pressure Zone (RPZ), Backflow Prevention Assembly (BFP) is required. Acceptable models Febco 825Y, Watts 909, Wilkins 975XL, or Conbraco 400.
10. Full circle stainless steel tapping saddle sleeve with resilient seated tapping valve for proposed water and force main connections to be used.
11. Water tapping saddles to be double strap brass or ductile iron or epoxy coated steel with stainless steel hardware. Tie straps and bolts shall be corrosion resistant alloy steel.
12. All fire flow lines will run separate from the domestic water mains and have a fire detection meter and a Fire Line Backflow Prevention Assembly (BFP) assembly shall include a low flow BY-PASS meter w/ RPZ
13. Manhole frames & covers, and CO caps are to be water tight, if needed existing manhole tops are to be adjusted to proposed grade.
14. Inflow protection dishes are required for all manholes; stainless steel in paved areas, ABS in unpaved areas.
15. A cleanout shall be provided at the ROW/PL for all service connections
16. The FGUA shall own and maintain all water service lines up to the Point of Connection. All water mains shall be a minimum of four inches (4") in diameter and all such water mains shall be constructed in dedicated Rights-of-Way or appropriate utility Easements dedicated to the FGUA.
17. All sewer force main lines and gravity service lines accepted must be at least four inches (4") in diameter and eight inches (8"), respectively, except Lateral Sewer service lines which shall be no less than six inches (6") in diameter and accepted by the FGUA to a cleanout located on the edge of the Right-of-Way or an Easement.
18. A ball check valve followed by a plug valve will be installed on force mains located in PUE or R/W at the property line discharging from privately owned lift stations connecting into the utility mains
19. Connection to existing manholes and/or lift stations shall be by core bore with Kor-N-Seal connectors.

20. All connections will be made as hot taps. Any exceptions to this will require FGUA approval. All hot tap connections shall be performed by a licensed, underground contractor, with advance notification (72 Hours) to the FGUA Inspector

ENSURE THAT THE DRAWINGS INCLUDE:

1. The utility plans will clearly delineate the proposed and/or existing sidewalks to all meter boxes valve pads, hydrant branch valves and assemblies, preferably by 2 feet. Meter boxes cannot be located in sidewalks or driveways. Please show the property line distinctly on the utility plans.
2. Identify the connecting points to the FGUA mains
3. All fire lines (for sprinkler systems and fire hydrants) will be provided with a fire detection meter and will run separate from the water lines and will follow specifications as per Florida Statutes and the county fire marshall's specifications.
4. All utility lines to be accepted for operation and maintenance by FGUA must be located in a Public Right-of-Way, Public Utility Easement or an exclusive easement conveyed to the FGUA. Therefore, clearly delineate on every utility plan sheet the limits and extent of existing and/or proposed ROW(s), PUE(s) and FGUA existing or proposed Utility Easements. Locate the water meters and fire meters (preferably) outside property limits within ROWs. Identify existing ROWs, easements and additional easements (if any) to be provided to FGUA
5. If the project has multiple units then each unit will have a separate meter to be located within the ROW or abutting the property line. Separate lines of a 1-inch minimum will be laid to each business unit. Alternatively, the water line will run through a master meter to be installed at the point of entry to the property.

ARCHITECTURAL PLANS (IF REQUIRED)

1. When the proposed development consists of multi-family, multi-story or unit commercial, institutional or industry-type construction, one (1) set of the architectural drawings shall be submitted to the Capital Program Manager. The floor plans shall accurately detail the plumbing fixtures for all floors to be constructed, detail the layout of each unit and identify the units per building number, letter or other designation.
2. The following architectural and site plan drawings must be submitted for review, to allow computation of Capacity Impact Charges and to provide information on the number and type of units proposed for construction:
    a. Site plan showing proposed structures and identifying numbers and number of units per structure. The location of the Lateral Sewer(s) available to serve the property must be shown accurately on the site plan;
    b. Floor plans of units showing bathrooms, kitchens, laundry rooms, public toilets, outside showers, cabanas, swimming pools, and all other like facilities;
    c. Plumbing schematics for the buildings showing connections to the sewer and/or water systems;
    d. Site utility plan illustrating points of connection to existing or proposed water and sewer systems to serve the Project and location and size of water meters and fire service connections; and
    e. Plumbing schematic illustrating the location and size of all grease traps and floor drains in commercial structures which process food and shop drawings of the grease trap units proposed to be utilized. Grease traps must be designed in conformance with applicable codes and standard engineering practice.
    f. No sub-metering of multi-unit developments is permitted by the FGUA, unless otherwise approved by the Capital Program Manager.

Lee Property Appraiser - Selected Parcels

Strap	Owner Name Site Address	Last Sale Date Last Sale Amnt	Assessed Value Taxable Value
16-43-25-00-00001.0060	NORTH BROOK HOLDINGS LLC 8350 RICH RD, NORTH FORT MYERS	5-2008 $100	$46,660 $2,692
16-43-25-00-00003.0050	NORTH BROOK HOLDINGS LLC 18900 PRITCHETT PKWY, NORTH FORT MYERS	5-2008 $100	$45,280 $2,837
21-43-25-00-00005.0020	NORTH BROOK HOLDINGS LLC 17400 PRITCHETT PKWY, NORTH FORT MYERS	5-2008 $100	$22,264 $21,219
16-43-25-00-00001.006A	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$7,350 $488
16-43-25-00-00003.0070	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$55,835 $2,392
16-43-25-00-00001.0100	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$66,875 $3,839
21-43-25-00-00001.1020	NORTH BROOK HOLDINGS LLC RIGHT OF WAY, NORTH FORT MYERS	5-2008 $100	$185 $185
21-43-25-00-00001.1000	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$206,935 $169,017
16-43-25-00-00003.0010	NORTH BROOK HOLDINGS LLC 18800 PRITCHETT PKWY, NORTH FORT MYERS	5-2008 $100	$801,345 $101,811
16-43-25-00-00003.0000	NORTH BROOK HOLDINGS LLC 18700 PRITCHETT PKWY, NORTH FORT MYERS	5-2008 $100	$741,603 $9,293
16-43-25-00-00001.006B	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$9,280 $537
21-43-25-00-00002.0000	NORTH BROOK HOLDINGS LLC 17640 PRITCHETT PKWY, NORTH FORT MYERS	5-2008 $100	$235,770 $211,675
21-43-25-00-00002.0010	NORTH BROOK HOLDINGS LLC 17641 PRITCHETT PKWY, NORTH FORT MYERS	5-2008 $100	$75,585 $61,759
15-43-25-00-00001.0000	NORTH BROOK HOLDINGS LLC 9100 SEDGEFIELD RD, NORTH FORT MYERS	5-2008 $100	$624,590 $47,816
16-43-25-00-00003.0040	NORTH BROOK HOLDINGS LLC 18950 PRITCHETT PKWY, NORTH FORT MYERS	5-2008 $100	$85,415 $4,550
16-43-25-00-00003.0080	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$130,175 $6,904
16-43-25-00-00003.0060	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$55,000 $2,260
16-43-25-00-00002.0000	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$257,900 $15,148
16-43-25-00-00003.0020	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$55,000 $3,003
16-43-25-00-00001.006C	NORTH BROOK HOLDINGS LLC ACCESS UNDETERMINED, NORTH FORT MYERS	5-2008 $100	$13,150 $703

Data posted 7/28/2014 11:09 AM

FGUA Fee Statement
Letter of Availability and/or Locate Request

Applicant: North Brook Holdings, LLC
System: North Fort Myers 416
Engineer: Banks Engineering (Jennifer Sheppard)
Date: July 28, 2014
Property Address: Multiple Addresses, Pritchett Parkway
County: Lee
Development/Project Name: Stoneybrook North (SF Homes)

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0	Letter of Utility Location Availability and Locate Map	$	100.00
1	Utility Availability Map (Map Only)	$	75.00
2	Letter of Utility Location Availability (Letter Only)	$	25.00

#	FGUA	G/L Code	Fees	Total fees	Amt Previously Paid	Balance Due
0	LOA Request	202098	100.00	100.00	$ -	$ 100.00

Fees Due:		**$ 100.00**
Credit for Fees Previously Paid:	***N/A***	**$ -**
	Balance Due:	**$ 100.00**
Payment:	**7/23/2014**	**$ 100.00**
	Balance Due:	**$ -**

	Payment History	Date	Check Date	CC/Check #	Payer Name	Amount
0	Letter and Locate Map	7/28/14	07/22/14	22261	Banks Engineering	$ 100.00
1	Map Only					
2	Letter Only					

Florida Governmental Utility Authority

DEVELOPMENT SERVICES DIVISION

280 Wekiva Springs Road, Suite 2000
Longwood, FL 32779

Phone: (407) 629-6900 Fax: (407) 629-6963

www.fgua.com

Mandatory Pre-Development Meeting Request

Purpose:

The mandatory pre-development meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. A pre-development meeting is required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This mandatory pre-development meeting will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

At the meeting, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance and closeout procedures and a schedule of upcoming FGUA Board of Directors meetings which are necessary for certain milestone approvals.

Who Should Attend:

It is encouraged that a representative from the property owner, developer and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the

project coordinator, real property coordinator and utility system service area manager will also be in attendance as required.

In an effort to accommodate the potential long distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings may take place via video conference call. Those in attendance have the option to meet at the local customer service office or at the Operations Office in Longwood.

Meeting Requests:

Please call or e-mail Ms. Janelle D. Kusiolek, Project Coordinator, to request a meeting.

JKUSIOLEK@GOVMSERV.COM or phone: (407) 629-6900 ext. 109

Please have your FGUA Letter of Availability (LOA) Number (included on the bottom of the second page of your previously issued Letter of Availability) ready when you call or email to schedule this meeting.

You will also be requested to provide a preliminary site utility plan for staff review.

Prior to submitting utility construction plans for approval, you MUST request a pre-development meeting. Plans submitted to the FGUA without scheduling and attending this meeting will not be reviewed until this meeting takes place.

ATTACHMENT W GEN2020-00255

Lee County
Southwest Florida

REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

Upon written request, the Director may modify the submittal requirements for Public Hearings, Development Orders, Limited Review Development Orders and other Administrative Action Applications where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS
(indicate the appropriate application type)

- ☐ Public Hearing - General Requirements **(34-202)**
- ☐ Public Hearing - Mining Excavation Planned Development **(12-110)**
- ☒ Public Hearing - Additional Requirements for:
  - ☐ Development of Regional Impact **(34-202(b)(1))**
  - ☐ Planned Developments **(34-202(b)(2))**
  - ☒ Planned Development Amendment **(34-202(b)(2))**
  - ☐ Rezonings other than Planned Developments **(34-202(b)(3))**
  - ☐ Special Exceptions **(34-202(b)(5))**
  - ☐ Variances **(34-202(b)(6))**
  - ☐ Limited Amendment to -Existing Mine Zoning Approval **[12-121(j)]**
  - ☐ Private Recreational Facilities Planned Development **(34-941(g))**
- ☐ Development Order - Submittal Requirements **(10-152)**
  - ☐ Application Form and Contents **(10-153)**
  - ☐ Additional Required Submittals **(10-154)**
- ☐ Limited Review Development Order – Submittal Requirements **(10-152)**
  - ☐ Required Submittals **(10-175)**
- ☐ Administrative Action Application Requirements **[34-203]**

State the Type of Administrative Application: _____

PLEASE PRINT OR TYPE:

STRAP Number: See attached list
Name of Project: Brightwater RPD f/k/a Stoneybrook North/Heritage Creek

Name of Agent: Stacy Ellis Hewitt, AICP - Banks Engineering
Street Address: 10511 Six Mile Cypress Parkway, Suite 101
City, State, Zip: Fort Myers, FL 33966
Phone Number: 239-770-2527 Email Address: shewitt@bankseng.com

Name of Applicant*: North Brook Holdings, LLC
Street Address: 3502 N. Rocky Pointe Drive, Suite 1050
City, State, Zip: Tampa, FL 33607
Phone Number: c/o 239-770-2527 Email Address: c/o shewitt@bankseng.com

***If applicant is not the owner, a letter of authorization from the owner must be submitted.**

LEE COUNTY COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET), FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

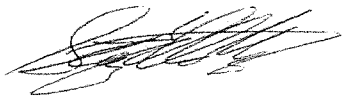
	Section Number	Requirement
#1	34-202(a)(5)/34-373(a)(3)	Legal Description & Sketch
#2	34-202(a)(6)/34-373(a)(4)a.	Boundary Survey
#3	34-202(a)(7)	Confirmation of Ownership/Title Certification
#4	34-373(a)(4)b.i.	Soils Map
#5	34-373(a)(4)b.ii & c.	FLUCCS Map
#6	34-373(a)(4)b.iii.	Rare & Unique Upland Habitat Map
#7	34-373(a)(4)b.iv.	Topography
#8	34-373(a)(4)b.v.	Existing & Historic Flow-Ways Map
#9	34-373(b)(1)	Surface Water Management Plan
#10	34-373(b)(2)	Protected Species Survey
#11		
#12		

B. SCOPE OF PROJECT AND REASON(s) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type)

The applicant is preparing an application for an amendment to the built planned development pursuant to LDC 34-373(c) (f/k/a Stoneybrook North RPD) to amend the MCP to relocate dwelling units interior to the development, add 225 dwelling units including approximately 150 townhomes, convert 590 single-family dwelling units to senior adult housing, allow limited non-resident access to the country club and increase open space. The overall legal description is included in the existing zoning approvals and remains the same and a copy will be submitted with the application. Ownership remains the same except for the developed portions of the development. Development order approval has been issued for the environmental areas and first phase of lots with additional phases submitted and under review. The waiver request is for items that exist in county zoning and development order records and have already been reviewed for the partially developed property and are not proposed to be revised. These development order files contain the SFWMD construction permit for the entire planned development. Environmental information will be required for each development order of the phased project. Given the extent of information available in existing Lee County files, the applicant respectfully requests that the waiver be approved. The submittal of any of these documents would have no bearing on the review and processing of the application.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.



Signature of Applicant — October 27, 2020 — Date

FOR STAFF USE ONLY

DIRECTOR'S DECISION:

- ☐ **Request Denied**
- ☐ **Request Approved**
- ☒ **Request Approved Per Attached Comments**

Duly passed, adopted, and electronically signed on 10/30/2020

Audra Ennis, Zoning Manager
Director Signature — Date

GEN2020-00255

Approved (with comments) (D.Munt)

Items # 1, #2, #3

Request that the applicant provide copies of the documents in lieu of obtaining new documents. Also request an affidavit of no change to accompany the title certification document.

Approved
Environmental Sciences (B.Workman)

#4 - LDC 34-373(a)(4)b.i. Soils Map
#5 - LDC 34-373 (a)(4) b. ii. & c. FLUCCS
#6 - LDC 34-373 (a)(4) b. iii. Rare and Unique Upland Habitat Map
#7 - LDC 34-373 (a)(4) b. iv. Topo
#10 - LDC 34-373 (b)(2) Protected Species Survey

Approved #8, #9 (J.Sulzer)

34-373(a)(4)b.v. Existing & Historic Flow-ways map
34-373(b)(1) Surface water management plan

both were previously provided and/or will be provided at time of DO.

GEN2022-00002

Lee County
Southwest Florida

REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

Upon written request, the Director may modify the submittal requirements for Public Hearings, Development Orders, Limited Review Development Orders and other Administrative Action Applications where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS
(indicate the appropriate application type)

- ☐ Public Hearing - General Requirements **(34-202)**
- ☐ Public Hearing - Mining Excavation Planned Development **(12-110)**
- ☒ Public Hearing - Additional Requirements for:
  - ☐ Development of Regional Impact **(34-202(b)(1))**
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State the Type of Administrative Application: _____

PLEASE PRINT OR TYPE:

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***If applicant is not the owner, a letter of authorization from the owner must be submitted.**

LEE COUNTY COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET), FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

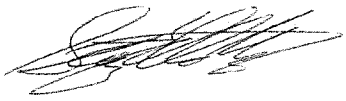
	Section Number	Requirement
#1	34-202(a)(6)/34-373(a)(4)a.	Boundary Survey
#2	34-202(a)(7)	Certification of Title and Encumbrances
#3		
#4		
#5		
#6		
#7		

B. SCOPE OF PROJECT AND REASON(s) FOR REQUEST:

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type)

The Brightwater RPD zoning amendment is being reviewed under case number DCI2021-00012. The overall RPD legal description is included in the existing zoning approvals and remains the same and a copy was submitted with the application. Pursuant to staff's request, a revised legal description and sketch has been submitted for the parcels subject to the application: North Brook Phase One as recorded in Instrument number 2019000172912 of the Public Records of Lee County has been removed from the application (except for TRACT-FD which is included). The Lee County well parcel identified as STRAP number 21-43-25-00-00002.0020 has also been removed from the application. A waiver was previously approved from providing a boundary survey (GEN2020-00255). A boundary survey is on file for the planned development property. The applicant submits that the boundary survey and title certification should be waved given the amount of existing information on file with Lee County. Development order approval has been issued for the environmental areas and first phase of lots with additional phases submitted and under review. Title and survey information will be required for each development order of the phased project. Given the extent of information available in existing Lee County files, the applicant respectfully requests that the waiver be approved. The submittal of any of these documents would have no bearing on the review and processing of the application.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.



Signature of Applicant — January 4, 2022 (Date)

FOR STAFF USE ONLY

DIRECTOR'S DECISION:

- ☐ **Request Denied**
- ☒ **Request Approved**
- ☐ **Request Approved Per Attached Comments**

Electronically signed on 1/7/2022 by
Anthony R. Rodriguez, AICP, Zoning Manager
Lee County Department of Community Development

Director Signature — Date

ATTACHMENT X

RECEIVED
APR 07 2003
COMMUNITY DEVELOPMENT

Stoneybrook North
(fka Heritage Creek)
April 2, 2003

DEVIATION LOCATIONS

The locations for the Deviations for Stoneybrook North with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 8, 12 and 13 apply to residential tracts.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 2

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low-level wetland vegetation along the aqua range's shoreline would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract D, Tract F1 and F2, Tract G, Tract H, Tract I-1, and Tract L. During the Development Order review process emergency access will be provided as deemed necessary.

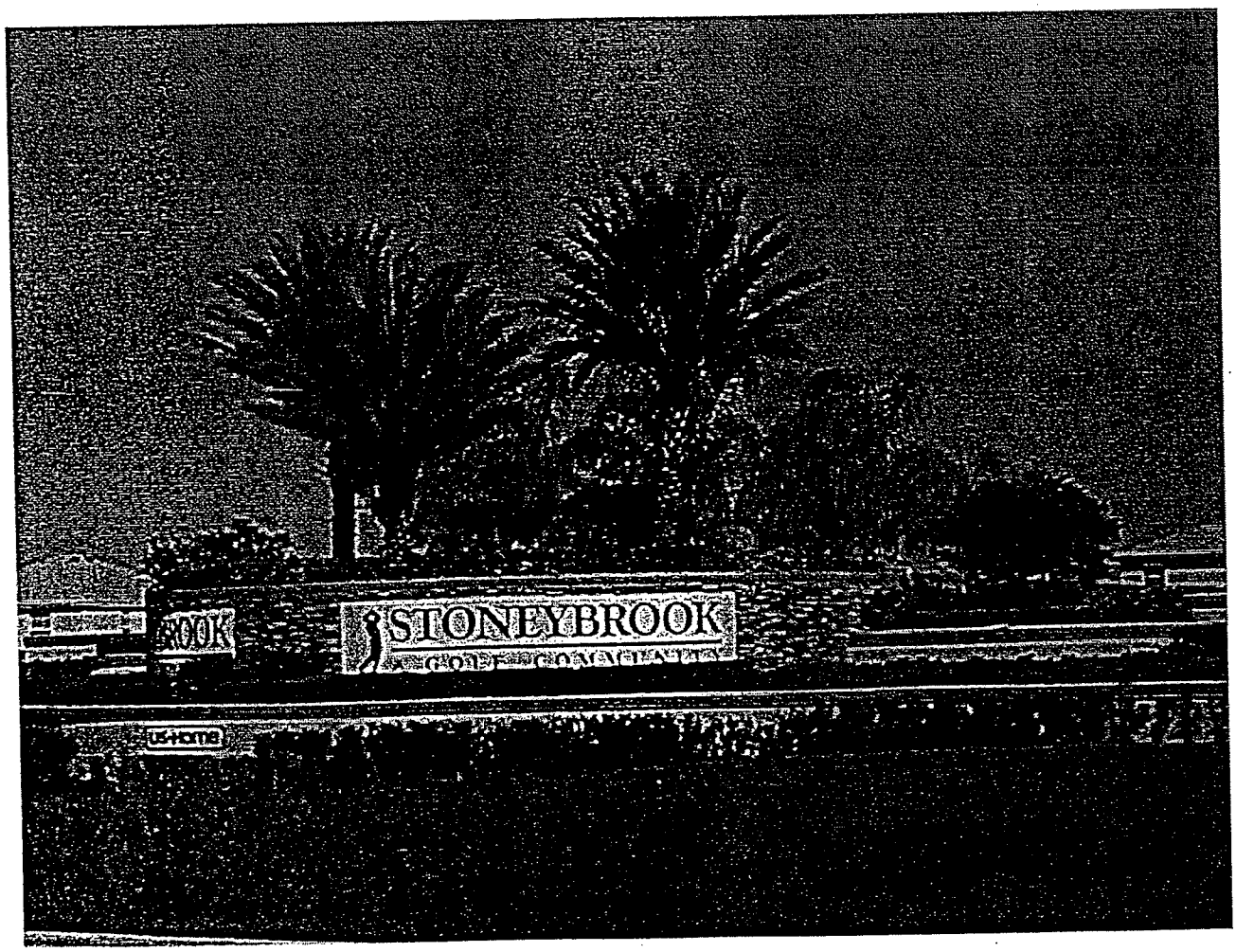
Justification

On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. Both the east and west side of the project also meet this requirement. The applicant has heard clearly from the surrounding property owners that connections to their roadways are not desirable and we have

DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30

ATTACHMENT Y

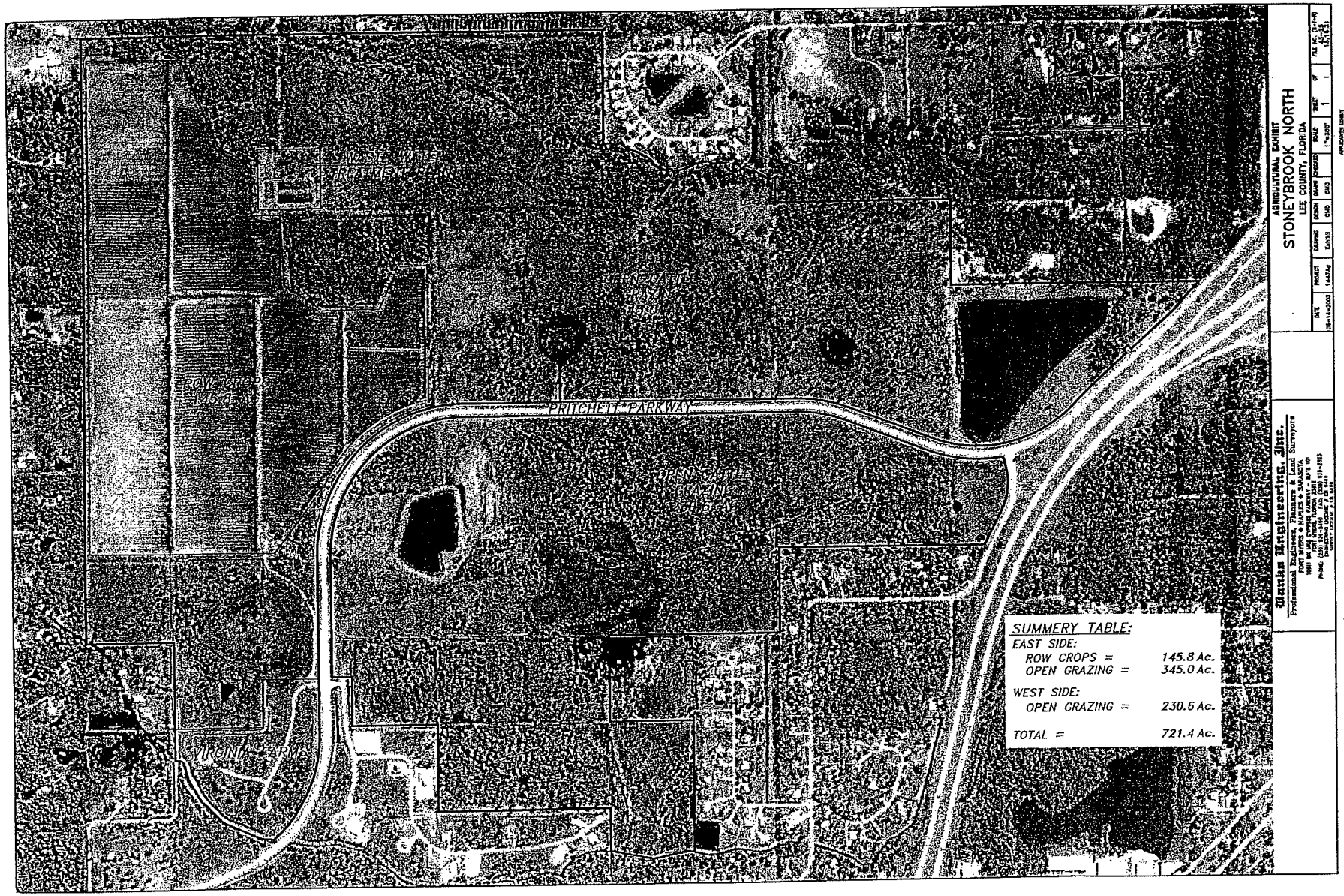


Exhibit "H" - Sheet One of One

UNIVERSITY OF FLORIDA

Horticulture

LEE COUNTY EXTENSION SERVICE

TRANSPLANTING SABAL PALMS
Step-by-Step Instructions

Lee 8/2000A

Stephen H. Brown
Lee County Horticulture Agent

Rick Joyce
Deputy Director, Lee County Planning Division

Introduction

The native cabbage or sabal palm (*Sabal palmetto)* is the official state tree of Florida and is a prominent feature in Florida's landscape. The palm is highly adaptive, tough, tolerant of a wide range of soils, and is hurricane resistant. When planted six to ten feet on center, sabal palms provide desirable shade. Sabal palms, including large-sized palms, can be transplanted with high success if a few simple precautions are taken. This fact sheet provides specific proven techniques to increase the success of sabal palm transplanting.

Step-by-Step Transplant Instructions

1. Use gasoline powered tree spade or heavy steel shanked digging spade with a clean well-honed cutting edge to dig the largest possible root ball. Usually to 18 inches from the edge of the trunk.
2. Remove the palm from ground. Take care not to damage the hidden bud located within the center of the canopy.
3. Using clean sharp hand spades, trim the root ball into circular shape 13 to 16 inches from the outer edge of the trunk.
4. Two methods of pruning fronds for landscape transplant (select one):
   a. Remove oldest (brown) fronds. Tie the remaining fronds tightly together with a biodegradable twine. Do not disturb the bud.
   b. Remove all fronds otherwise known as "hurricane" or "cigar cut." This recommended pruning technique gives the highest rate of establishment but must be carefully done.
5. Secure the palm on a flat bed truck and transport it to the planting site. Make sure the center of the bud is well protected.
6. Keep the root ball moist between removal and installation.
7. Prepare planting hole 1-2 times the diameter of the trunk but at the same depth as the root ball.
8. Back-fill the planting hole with the same soil that had been removed. There is no need to amend the planting hole, but if it is amended, use a fill similar to that of the planting hole. The amendment should not exceed 25 percent by volume of the soil removed from the hole.
9. Carefully set the palm into the planting hole. Make sure it is planted the same depth as it was in the field. Planting too deeply will cause root suffocation and lead to nutritional deficiencies, root rot, and frequently the death of the palm.
10. Secure and stake the palm as illustrated in the diagram. DO NOT DRIVE NAILS DIRECTLY INTO THE PALM.

(Continued on the back.)

The Extension Service is part of a publicly funded statewide educational network that provides information and scientific knowledge to area residents, businesses and government leaders. The University of Florida, Extension Service offers the latest research and technology in more than 200 subjects related to horticulture, energy/conservation, agriculture, youth development and family and consumer sciences. Last year, the Lee County Extension Service provided assistance to more than 70,000 people and provided 463 classes and workshops on everything from family financial planning to pesticide training.

The Lee County Extension Service is an Equal Employment Opportunity - Affirmative Action Employer that provides research, educational information and other services without regard to race, color, sex, age, handicap or national origin.

11. Establish a water-retaining ring around the palm three feet from the trunk. The ring should slope gently toward the trunk.

12. Fill the ring with mulch to a depth of three inches. Keep the mulch at least three inches away from the trunk.

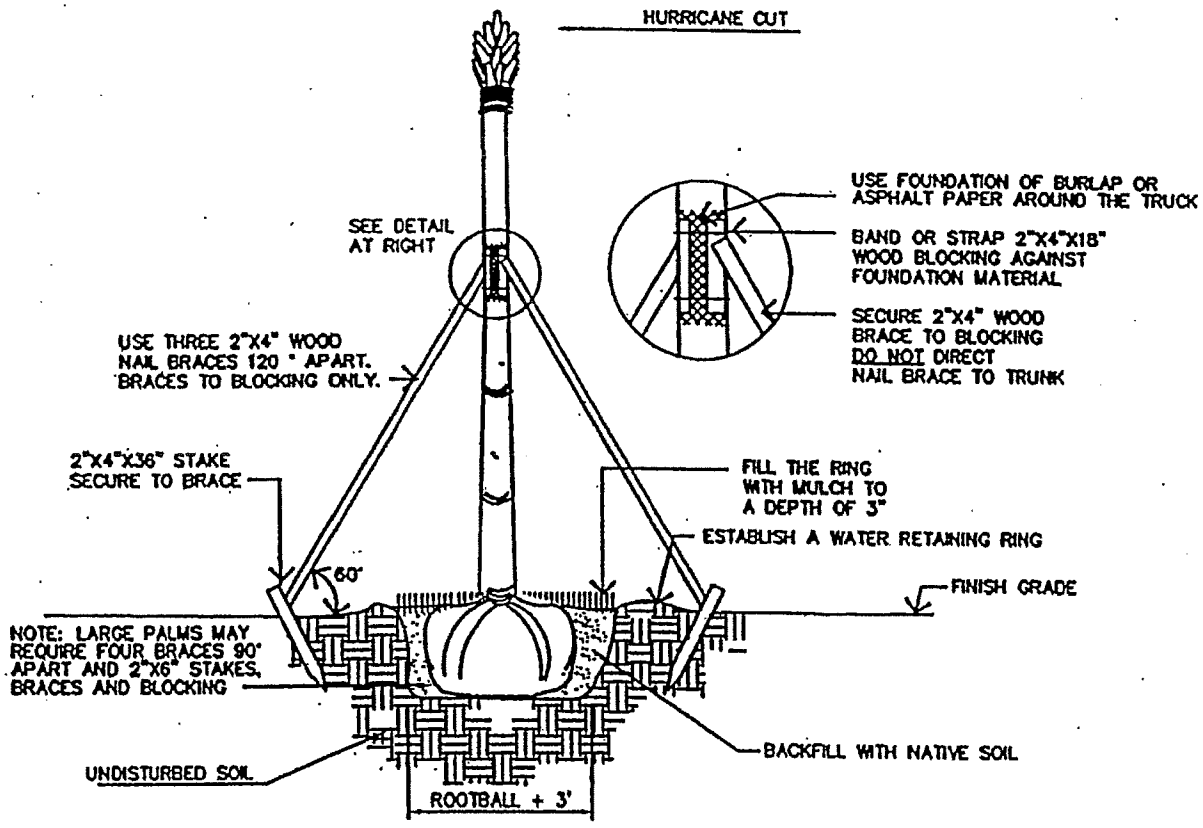
13. Irrigation:
    a. Palms with fronds remaining: Fill the ring with 50 gallons of water three times weekly.
    b. Palms with hurricane cut: Fill the ring with 20 to 25 gallons of water three times weekly.

14. In both cases, after four weeks, reduce irrigation to twice weekly. Water twice weekly for four weeks, and then reduce irrigation to once weekly for an additional four weeks. Twelve weeks after planting, cease irrigation if the palm appears healthy. However, during drought, water once a week for up to two years. For each inch of rain, skip one scheduled irrigation treatment.

15. As soon as new growth begins to appear, loosen tied fronds. This will happen between 3-6 months after transplanting, depending on the time of year and the health of the palm.

16. Begin fertilization after new growth begins. Fertilize three to four times per year with a 2-1-3-ratio fertilizer at a rate of one to two pounds per 100 square feet. For best results use a slow release formulation.

17. Remove staking and burlap or asphalt paper rap after successful palm establishment. Removal usually occurs approximately one year after palm installation.



PLANTING AND STAKING SABAL PALM

NOT TO SCALE

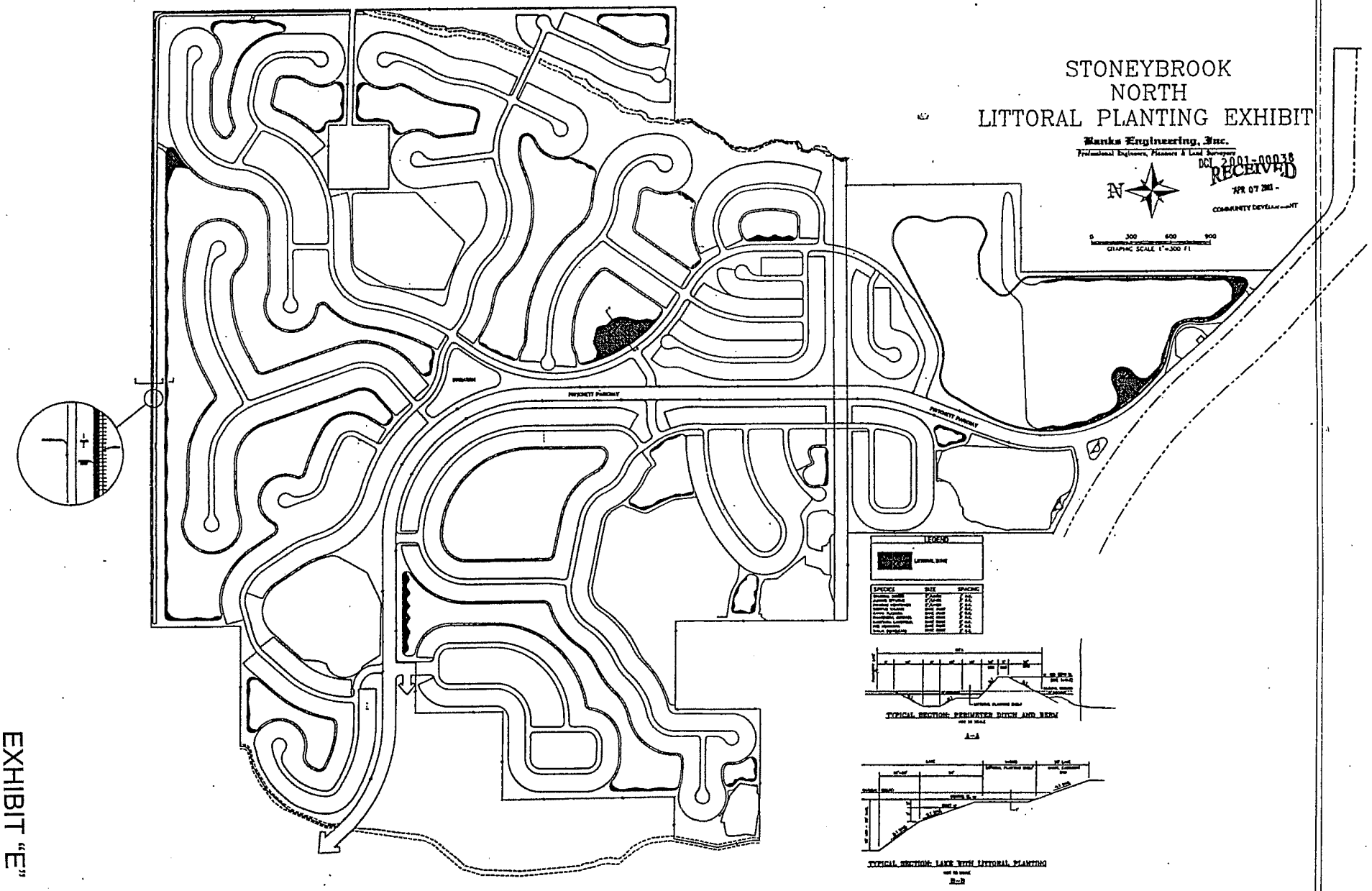
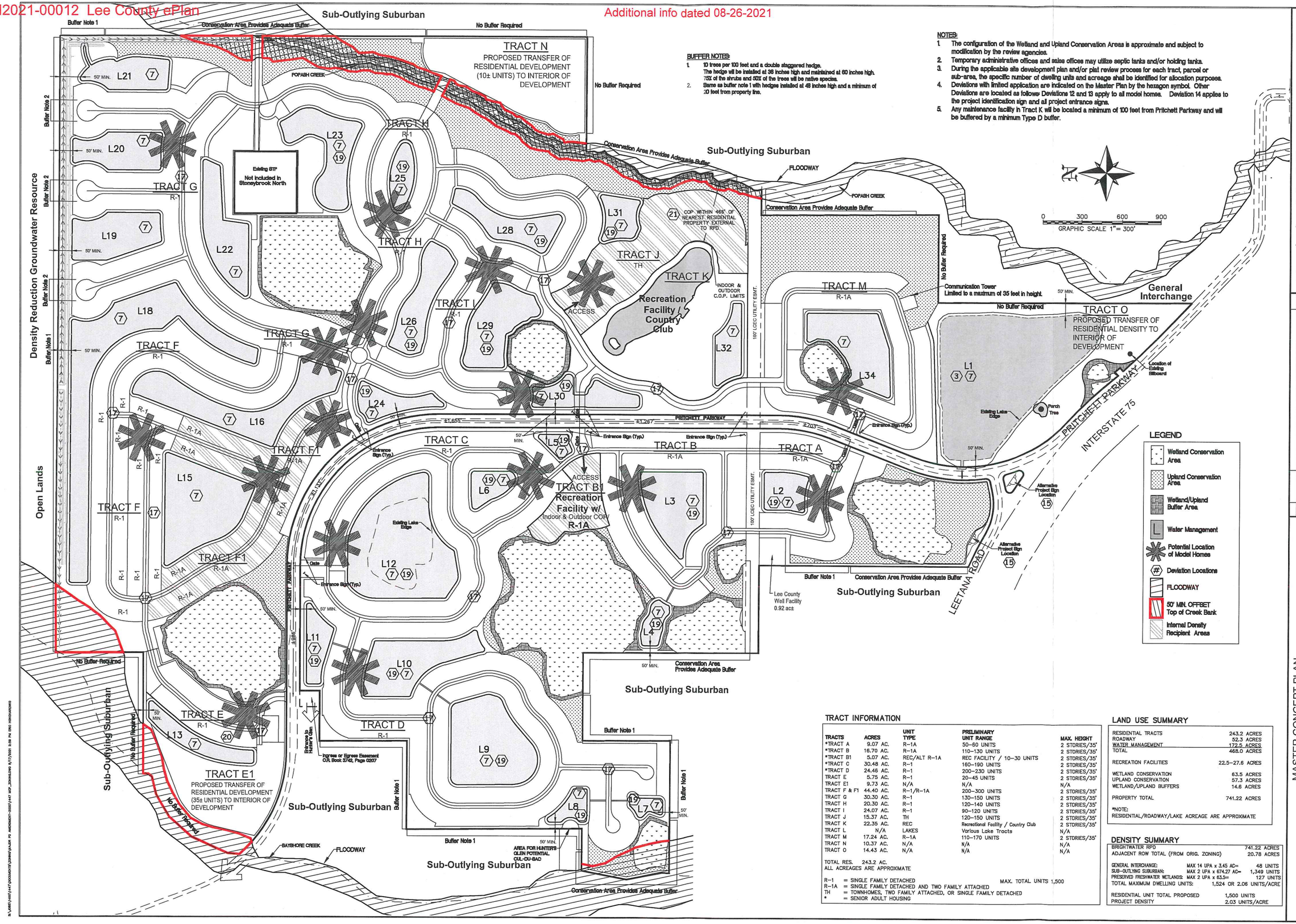

STONEYBROOK
NORTH
LITTORAL PLANTING EXHIBIT
Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
DCI 2001-00038
RECEIVED
APR 07 2003
COMMUNITY DEVELOPMENT
N
0 300 600 900
GRAPHIC SCALE 1"=300 FT
PROVIDENCE PARKWAY
PROVIDENCE PARKWAY
LEGEND
LITTORAL ZONE
SPECIES SIZE SPACING
TYPICAL SECTION: PERIMETER DITCH AND BERM
A-A
TYPICAL SECTION: LAKE WITH LITTORAL PLANTING
B-B

EXHIBIT "E"

DCI2021-00012 Lee County ePlan

Additional info dated 08-26-2021

ATTACHMENT Z



TRACT INFORMATION

TRACTS	ACRES	UNIT TYPE	PRELIMINARY UNIT RANGE	MAX. HEIGHT
*TRACT A	9.07 AC.	R-1A	50–60 UNITS	2 STORIES/35'
*TRACT B	16.70 AC.	R-1A	110–130 UNITS	2 STORIES/35'
*TRACT B1	5.07 AC.	REC/ALT R-1A	REC FACILITY / 10–30 UNITS	2 STORIES/35'
*TRACT C	30.48 AC.	R-1	160–190 UNITS	2 STORIES/35'
*TRACT D	24.46 AC.	R-1	200–230 UNITS	2 STORIES/35'
TRACT E	5.75 AC.	R-1	20–45 UNITS	2 STORIES/35'
TRACT E1	9.73 AC.	N/A	N/A	N/A
TRACT F & F1	44.40 AC.	R-1/R-1A	200–300 UNITS	2 STORIES/35'
TRACT G	30.30 AC.	R-1	130–150 UNITS	2 STORIES/35'
TRACT H	20.30 AC.	R-1	120–140 UNITS	2 STORIES/35'
TRACT I	24.07 AC.	R-1	90–120 UNITS	2 STORIES/35'
TRACT J	15.37 AC.	TH	120–150 UNITS	2 STORIES/35'
TRACT K	22.35 AC.	REC	Recreational Facility / Country Club	2 STORIES/35'
TRACT L	N/A	LAKES	Various Lake Tracts	N/A
TRACT M	17.24 AC.	R-1A	110–170 UNITS	2 STORIES/35'
TRACT N	10.37 AC.	N/A	N/A	N/A
TRACT O	14.43 AC.	N/A	N/A	N/A

TOTAL RES. 243.2 AC.
ALL ACREAGES ARE APPROXIMATE

R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
TH = TOWNHOMES, TWO FAMILY ATTACHED, OR SINGLE FAMILY DETACHED
* = SENIOR ADULT HOUSING

MAX. TOTAL UNITS 1,500

LAND USE SUMMARY

RESIDENTIAL TRACTS	243.2 ACRES
ROADWAY	52.3 ACRES
WATER MANAGEMENT	172.5 ACRES
TOTAL	468.0 ACRES
RECREATION FACILITIES	22.5–27.6 ACRES
WETLAND CONSERVATION	63.5 ACRES
UPLAND CONSERVATION	57.3 ACRES
WETLAND/UPLAND BUFFERS	14.6 ACRES
PROPERTY TOTAL	741.22 ACRES

*NOTE:
RESIDENTIAL/ROADWAY/LAKE ACREAGE ARE APPROXIMATE

DENSITY SUMMARY

BRIGHTWATER RPD		741.22 ACRES
ADJACENT ROW TOTAL (FROM ORIG. ZONING)		20.78 ACRES
GENERAL INTERCHANGE:	MAX 14 UPA x 3.45 AC=	48 UNITS
SUB-OUTLYING SUBURBAN:	MAX 2 UPA x 674.27 AC=	1,349 UNITS
PRESERVED FRESHWATER WETLANDS:	MAX 2 UPA x 63.5=	127 UNITS
TOTAL MAXIMUM DWELLING UNITS:		1,524 OR 2.06 UNITS/ACRE
RESIDENTIAL UNIT TOTAL PROPOSED		1,500 UNITS
PROJECT DENSITY		2.03 UNITS/ACRE

NO.	DATE	REVISION DESCRIPTION	BY
4	6/14/2021	DCI2021-00012 1ST SUFFICIENCY RESPONSE	EMH
3	3/19/2020	MODIFIED SITE LAYOUT	EMH
2	7/27/2015	MODIFIED SITE LAYOUT	EMNH
1	9/10/2014	REVISED SITE LAYOUT	EMH

MASTER CONCEPT PLAN
BRIGHTWATER RPD F/K/A STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/16/2021	1447	_MCP	EMH	EMH	SWM	1"=300'	1

S:\JOBS\1400\1447\DOCS\DRAWINGS\MASTER PD AMENDMENT-2020\1447 MCP_ZONING.DWG 8/17/2020 3:26 PM ERIC HINOJOSA