

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00099

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Sloan Engineering Group filed an application for an administrative amendment to a Commercial Planned Development on a project known as McAlister's Deli-Island Pass Shopping Center to amend the Master Concept Plan to align with the proposed internal access to the subject property and to include the following two deviations:

- Deviation from LDC Section 10-416(d), which requires a 15-foot-wide Type D landscape buffer adjacent to street easements and rights-of-way, to allow a 5-foot-wide Type A buffer adjacent to the western and southern access road to the subject property; and
- Deviation from Administrative Code AC-11-4, which requires a right turn deceleration lane along Majestic Palms Boulevard egressing onto San Carlos Boulevard, to allow no right turn deceleration lane; and

WHEREAS, the property is located at 11555 Majestic Palms Boulevard and the applicant has indicated the property's current STRAP Number is 31-45-24-L4-65000.0060 (see Exhibit "A"); and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee County Comprehensive Plan (Lee Plan); and

WHEREAS, the property was originally rezoned by Resolution Z-05-063 (with subsequent amendments in case number ADD2007-00062, ADD2011-00048, ADD2017-00111 and ADD2021-00111); and

WHEREAS, Case Number ADD2007-00062 amended the original Master Concept Plan (MCP) to depict the location of two landscape buffer changes along the perimeter roadways which serve the project (see Exhibit "E"); and

WHEREAS, the amended MCP depicted reconfigured access points linked to Outparcel A of Tract 6 (the subject property) (see Exhibit "E"); and

WHEREAS, the applicant proposes to amend the MCP to depict a vehicular ingress arrow on the MCP, into Outparcel A, from the south boundary line (see Exhibit "C"); and

WHEREAS, LDC Section 10-416(d) requires a 15-foot-wide Type D landscape buffer adjacent to street rights-of-way and street easements; and

WHEREAS, the western and southern boundaries of the subject property face roadways internal to the planned development; and

WHEREAS, the applicant requests a deviation to provide a 5-foot Type A buffer along these boundaries (see Exhibit “D”); and

WHEREAS, the buffer reduction does not create an off-site impact, as considered from the project’s perimeter; and

WHEREAS, Environmental staff have reviewed the request and do not object to the internal landscape buffer deviation; and

WHEREAS, Administrative Code AC-11-4 establishes a policy addressing the warrants and design features for right and left deceleration turn lanes; and

WHEREAS, turn lane warrant review is required by developers at all access points at the boundaries of planned developments at time of project plan review and must include all cumulative approved development traffic associated with the planned development; and

WHEREAS, requirement of deceleration turn lanes is determined by street classification, posted roadway speed, number of turning movements, opposing and same direction volumes, intersection and/or sight distance, access control and crash history; and

WHEREAS, Section VII of Administrative Code AC-11-4 authorizes the Manager of the Division of Development Services to consider deceleration turn lane deviations on privately-maintained roadways under certain criteria; and

WHEREAS, Subsection VII. 2. of Administrative Code AC-11-4 establishes a finding pertaining to right-of-way constraints; and

WHEREAS, Majestic Palms Boulevard is a privately-maintained local road with right-of-way size constraints which intersects with San Carlos Boulevard, a state-maintained arterial road; and

WHEREAS, in accordance with the turn lane warrants of Administrative Code AC-11-4, proposed development on the subject property (Outparcel A) triggers the requirement for a dedicated deceleration right lane on Majestic Palms Boulevard for right-hand turning movements onto San Carlos Boulevard; and

WHEREAS, the subject property is separated from the south side of the Majestic Palms Boulevard right-of-way by Outparcel B (under separate ownership) to the north, and acquiring additional right-of-way (ROW) beyond the limits of the subject property would be required for construction of the required turn lane; and

WHEREAS, Administrative Code AC-11-4 provides authority for approval of a deviation in instances where right-of-way constraints do not permit the installation of a left or right turn lane; 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 right-of-way constraints do not permit the installation of a right turn lane in conjunction with development of the subject property and 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 the Commercial Planned Development is **APPROVED**.

Approval is subject to the following conditions:

- 1. Development must be in compliance with the amended Master Concept Plan entitled “MCP Plan”, attached hereto as Exhibit “B.”**
- 2. Deviation 6, from LDC Section 10-416(d), is hereby approved to permit a Type A buffer along the western and southern internal roads abutting the subject property, as depicted hereto in Exhibit “C.”**
- 3. Deviation 7, from AC-11-4, is hereby approved as to not require development on Outparcel A to construct a right turn deceleration lane along Majestic Palms Boulevard egressing onto San Carlos Boulevard, subject to the following conditions:**
 - a. Development of Outparcel A must be in substantial compliance with the Site Plan attached hereto as Exhibit “C”;**
 - b. Turn lane warrants for future projects within this planned development will be evaluated on a project-by-project basis, as this deviation does not constitute a planned development-wide deviation from AC-11-4; and**
 - c. If the developer of the subject property (Outparcel A) acquires interest or control in Outparcel B this deviation is hereby null and void.**
- 4. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**
- 5. 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 11/16/2022

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Exhibits

Exhibit A: STRAP Number

Exhibit B: Amended Master Concept Plan

Exhibit C: Applicant's Site Plan

Exhibit D: Applicant's Request Statement and Deviation Justification

Exhibit E: ADD2007-00062



LEGAL DESCRIPTION WITH NO METES AND BOUNDS

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF TRACT 6 OF SAN CARLOS CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN CLERK'S INSTRUMENT NO. 2008000106220, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 6, SAN CARLOS CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN CLERK'S INSTRUMENT NUMBER 2008000106220, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE RUN NORTH 00°47'15" WEST ALONG THE WEST LINE OF SAID TRACT 6, FOR 153.00 FEET; THENCE RUN NORTH 89°22'29" EAST, TO A POINT ALONG THE EAST LINE OF SAID TRACT 6 FOR 254.32 FEET; THENCE RUN SOUTH 00°37'30" EAST ALONG THE EAST LINE OF SAID TRACT 6 TO THE SOUTHEAST CORNER FOR 153.00 FEET; THENCE SOUTH 89°22'30" WEST ALONG THE SOUTH LINE OF SAID TRACT 6 FOR 253.89 FEET TO THE POINT OF BEGINNING.

STRAP NO.

31-45-24-L4-65000.0060

REVIEWED
ADD2022-00099
Hunter Searson, GIS
Planner
Lee County Government
11/4/2022





EXHIBIT C

ADJACENT PARCEL ZONING:
SAN CARLOS CENTER CPD

N88°19'34"E(SP) 254.32'



NORTH

SCALE: 1" = 10'

Santos Medina III
Digitally signed by Santos Medina III
Date: 2022.11.02 13:19:53 -04'00'

SOLID SURFACE CALCULATIONS

COMMERCIAL BUSINESS BUILDING SQ. FT.	MINIMUM SQ. FT. FOR GARBAGE COLLECTION	MINIMUM SQ. FT. FOR RECYCLABLE COLLECTION	PROVIDED SQ. FT. OF GARBAGE COLLECTION	PROVIDED SQ. FT. OF RECYCLING COLLECTION
0 - 5,000	60	24	144	144

SITE CHARACTERISTICS

PARCEL INFORMATION:

PARCEL ID / STRAP: 31-45-24-14-65000.0060
PROPOSED USE: McALISTER'S DELI (RESTAURANT / SANDWICH SHOP)
FLOOD AREA: ZONE "AE-7-F", ACCORDING TO FEMA FIRM NO. 12071CD415P
ZONING / FLU: SAN CARLOS CENTER CPD / CENTRAL URBAN
PARCEL AREA: 0.893 AC
SOLID WASTE CALC: 400 LBS/DAY
FINISHED FLOOR EL.: 10.85
CONSTRUCTION TYPE: V8
PROPOSED OPEN SPACE: 10,622 SF (27.32%)

BUILDING SETBACKS:

NORTH: 0'
SOUTH: 0'
EAST: 50'
WEST: 0'

DEVELOPMENTAL STATISTICS

PRE DEVELOPMENT

IMPERVIOUS:	0.128 AC	5,562 SF	14.31%
PERVIOUS:	0.765 AC	33,317 SF	85.69%
TOTAL SITE AREA:	0.893 AC	38,879 SF	100.00%

POST DEVELOPMENT

IMPERVIOUS:	0.254 AC	11,060 SF	28.45%
PERVIOUS:	0.639 AC	27,818 SF	71.55%
PAVEMENT/CONCRETE:	0.566 AC	24,648 SF	63.40%
BUILDING:	0.073 AC	3,170 SF	8.15%
TOTAL SITE AREA:	0.893 AC	38,878 SF	100.00%

PARKING STATISTICS

REQUIRED PARKING:
13 SPACES PER 1000 GFA = (3,611 TOTAL SF / 1000) * 13 = 47 SPACES REQ
BUILDING SF (INCLUDING WALK-IN COOLERS) = 3,171 SF
PATIO SF = 440 SF
TOTAL SITE SF = 3,611 SF
55% SPACE REDUCTION:
47 SPACES * 0.55 = 26 SPACES MIN.
PROVIDED PARKING:
STANDARD SPACES: 36 SPACES
HANDICAP SPACES: 2 SPACES
TOTAL PARKING PROVIDED = 38 SPACES
TOTAL PARKING PROVIDED = 2 SPACES

NO.	DATE	DESCRIPTION
1	08/02/2022	REMOVED CHECK IN Kiosk, ADDED SITE DATA, ADDED SW TO WEST/NORTH, LOCATED CURB TRANS. MOD. DUMPSTER SW, BLDG FOOTPRINT UPDATED
2	08/10/2022	ADDED SOLID WASTE CALCULATIONS, ADDED PARKING CALCULATIONS, LOCATED DUMPSTER LAYOUT
3	09/22/2022	CHANGES DUE TO SITE SHIFT
4	11/02/2022	ADDED THE PROPOSED OPEN SPACE TO THE PLANS

DESIGNED BY:	DRAWN BY:	CHECKED BY:
KL	KL	AM

SLOAN Engineering Group
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
(888) 840-0000 FAX: (888) 840-0001
FLORIDA CERTIFICATE OF AUTHORIZATION (FLC) 126247

CLIENT: CAPITAL GROWTH BUCHALTER	PROJECT: McALISTER'S DELI - ISLAND PASS SHOPPING CENTER
PROJECT NO. 2390-1	SHEET C300

SITE PLAN

11555 MAJESTIC PALMS BLVD, FORT MYERS, FL 33908

**Exhibit D**

P.O. Box 253, Bartow, Florida 33831
Office: (863) 800-3046
Fax: (863) 800-1159

June 15, 2022

Lee County Land Development

eConnect@leegov.com

**RE: Administrative MCP Amendment – Narrative of Request [34-373(a)(5)]
McAlister's Deli-Island Pass Shopping Center
Lee County Project No. DOS2021-00135
STRAP No. 314524L4650000060
SEG Project No: 2390-1**

To whom it may concern,

This signed and sealed Narrative Request is meant to serve as explanation of what is proposed, per [34-373(a)(5)].

Existing MCP Condition

Included with the ADD2011-00048 zoning resolution, there was an update to the MCP Plan that allows for the current site to have access both to the south and west; however, the change of the access points was not included in the verbiage of the resolution. As coordinated with staff, this may have been an oversight either when creating the conditions in the resolution, or when submitting the MCP plan. Either way, the latest MCP plan associated with the CPD allows for western access.

Proposed Improvements

The McAlister's Deli project proposes two (2) access points including one (1) on the south, which is not in question, and one (1) on the west which matches the current approved MCP but is not mentioned in the verbiage of the ADD2011-00048 resolution. It is because of this issue; we are proposing an administrative update to the CPD that matches the approved MCP.

If you have any questions regarding this letter or the attachments, please call our office at (863) 800-3046 or email me at smedina@sloaneg.com.

Sincerely,

SLOAN ENGINEERING GROUP, INC

A handwritten signature in blue ink, appearing to read "Santos Medina III", is written over a horizontal line.

Santos Medina III, P.E.

FL. Reg. #74539





September 19, 2022

Lee County Land Development
eConnect@leegov.com

RE: Explanation and Justification of Request [10-104(b)]
- **Southern 15' Landscape Buffer Reduction [Sec. 10-416(d)]**
- **No Need to Provide Majestic Palms RTL [Sec. 10-296(j)]**
McAlister's Deli-Island Pass Shopping Center
Lee County Project No. DOS2021-00135
STRAP No. 314524L4650000060
SEG Project No: 2390-1

To whom it may concern,

This signed and sealed Narrative Report is meant to serve as explanation and justification for the deviations on the above-mentioned project to deviate from three (3) items:

- 1. Southern 15' Landscape Buffer Reduction [Sec. 10-416(d)]**
- 2. No Need to Provide Majestic Palms RTL [Sec. 10-296(j)]**

Existing Conditions

The site is currently a vacant commercial outparcel within the Island Pass Shopping Center master development.

Proposed Improvements

The project proposes a McAlister's Deli to be constructed on the outparcel, with two (2) access points to private drive aisles, within the master development. The project connects to existing water, sewer, and storm stub-outs, previously constructed as part of the master development.

Deviation #1

As coordinated with staff, the site is required to provide a 15' landscaping buffer along the western and southern access roadways. While the western buffer is provided at the required size, the southern buffer is reduced to 5'. Explanations are provided below that show how the deviation satisfies the criteria provided in 10-104(b).

- (1) The request is based on sound engineering practices (not applicable to sections 10-352, 10-353 and division 7, article III, chapter 10); **Due to the fact that the two (2) access roads are partially on the subject site, the overall buildable area is reduced. Because of this, the site layout has been condensed as much as possible to allow for a strip of landscaping on the southern side. We have also made sure that there are no parking spaces or dumpster aprons backing out into the access roadways. We feel that this layout promotes sound engineering practice to both utilize the buildable area and still provide a landscaping strip along the access roadway.**
- (2) The request 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; **We feel that the current landscaping provided both in the western 15' landscape buffer and the southern 5' landscape buffer goes above and beyond that landscaping provided by the neighboring developments on the south and west. Because of this, the requested deviation is indeed no less consistent with the health, safety, and welfare of the abutting landowners.**



- (3) For division 7, article III, chapter 10, the required facility would unnecessarily duplicate existing facilities; **As the proposed development does not duplicate any existing facilities on-site, this does not apply to our site.**
- (4) 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; and **The adjacent parcels are not providing perimeter buffering, on some sides of their respective property lines. Because of this, we feel that the request to reduce the 15' landscape buffer to 5' is still consistent with the overall condition within the Island Pass Shopping Center. It must be noted that the required plantings for the 15' buffer are still provided. It is only the size of the land that is requested to be reduced.**
- (5) For sections 10-352 and 10-353, the utility that would otherwise serve the development cannot provide the service at the adopted level of service standard due to an inadequate central facility. **Reducing the size of the southern landscape buffer does not affect the project's utility service.**

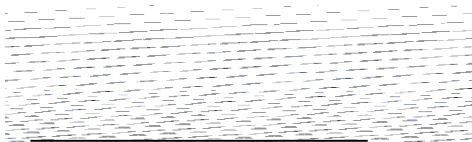
Deviation #3

The current traffic study states the need for an eastbound right turn lane at the Majestic Palms Blvd./San Carlos Blvd. intersection. As coordinated with staff, the site does not have capacity and/or authority to provide this turn lane. Per Administrative Code AC-11-4, the Directors may grant a deviation from this policy in part or in whole after finding that any of the following conditions make compliance infeasible.

- (1) Roadway and driveway geometry does not permit the installation of a left or right turn lane or dictates deviations from design standards; or **This applies to this deviation request as the area where this turn lane would need to be placed, is heavily occupied by utility boxes, traffic devices and a public sidewalk. Designing a turn lane at this location would mean that typical county design standards would have to be sacrificed.**
- (2) Right-of-way constraints do not permit the installation of a left or right turn lane, or dictate deviations from design standards; or **This applies to this deviation request as the current McAlister's applicant does not own/control the land where this right turn lane would need to be placed and therefore is not in a position to dedicate additional right of way. As it currently stands, there is not enough right of way to construct the turn lane.**
- (3) Land uses, such as churches or unconventional developments, where the traffic generation patterns do not make the lane warrants applicable; or **This does not apply to this deviation request.**
- (4) Existing topographic features would cause construction of a turn lane to be prohibitively expensive, or dictate deviations from design standards; or **This applies to this deviation request as construction of a right turn lane would include unfair expenses to the current applicant. Numerous utility and traffic pole relocations would be required.**
- (5) Unusual roadway features would cause a turn lane to be detrimental to the health, safety and general welfare of the traveling public. **This applies to this deviation request as construction of a turn lane at this location would force an unusual modification to the adjacent sidewalks, which would therefore cause a safety concern for pedestrians crossing both Majestic Palms Blvd. and San Carlos Blvd.**

If you have any questions regarding this letter or the attachments, please call our office at (863) 800-3046 or email me at smedina@sloaneg.com.

Sincerely,
SLOAN ENGINEERING GROUP, INC



Santos Medina III, P.E.
 FL. Reg. #74539



Exhibit E

ADMINISTRATIVE AMENDMENT (PD) ADD2007-00062

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, TDG-Fort Myres, LLC filed an application for administrative approval to a Commercial Planned Development on a project known as San Carlos Center - Phase I to amend the approved planned development to:

- a. **Reduce the width of the Type "F" buffer (but not the required plantings) along 100 feet of the proposed project where it adjoins the Majestic Fountains development from the required 30 feet to 25 feet; and**
- b. **Reduce the width of the enhanced Type "D" buffer (but not the required plantings) where the project adjoins Kelly Road from 30 feet to 25 feet, as referenced in Condition 5 of Resolution Z-05-063.**

The subject property is located at 15750 & 15890 San Carlos Boulevard, described more particularly as:

LEGAL DESCRIPTION: In Section 31, Township 45 South, Range 24 East, Lee County, Florida:

See Attached Exhibit A

WHEREAS, the property was originally rezoned in case number DC12005-00009 (with no subsequent amendments to date); and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee County Comprehensive 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, the applicant seeks to reduce the width of the buffer adjoining Kelly Road to the south and Majestic Fountains to the west, while not reducing the plantings; and

WHEREAS, the applicant will maintain the required plantings within the reduced width; and

WHEREAS, these reductions are a result of Florida Department of Transportation ownership of road and newly constructed drainage improvements along San Carlos Boulevard

as shown by Tract B on the attached amended Master Concept Plan, which reduced the size of this property; and

WHEREAS, these reductions are also a result a limited Kelly Road right-of-way and the dedication to Lee County of 18 additional feet of right-of-way from the subject property to accommodate the entire roadway and adjacent sidewalk; and

WHEREAS, the above noted road improvements and the resulting use of a portion of the land within the original planned development are in the public's interest and improving the public health, safety, and welfare; and

WHEREAS, even with these reductions there is no proposed reduction in the total required open space within this planned development; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease 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 Commercial Planned Development for the following changes is **APPROVED, subject to the following conditions:**

Changes:

- a. **Reduce the width of the Type "F" buffer (but not the required plantings) along 100 feet of the proposed project where it adjoins the Majestic Fountains development from the required 30 feet to 25 feet; and**
- b. **Reduce the width of the enhanced Type "D" buffer (but not the required plantings) where the project adjoins Kelly Road from 30 feet to 25 feet, as referenced in Condition 5 of Resolution Z-05-063.**

Conditions:

1. **The only changes approved as part of this administrative amendment are noted above. No other changes have been authorized as part of this amendment and development must remain in compliance with Resolution Z-05-063. The terms and conditions of the original zoning resolution remains in full force and effect, except as amended herein. Development must remain in compliance with the approved Master Concept Plan, except for the specific changes approved in this action. The changes approved above must be in compliance with the amended Master Concept Plan, stamped received on March 22, 2007. Master Concept Plan for ADD2007-00062 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

2. Condition 5 of Resolution Z-05-063 is hereby amended to provide that the width of the buffer along Kelly Road may be reduced to 25 feet in the areas shown on the approved amended Master Concept Plan attached hereto. The terms and conditions of the original zoning resolutions remain in full force and effect.
3. The buffer width along the western property line adjoining Majestic Fountains is hereby amended as shown on the approved amended Master Concept Plan attached hereto.

DULY SIGNED this 30th day of April, A.D., 2007.

BY: Pam Houck
Pam Houck, Director
Division of Zoning
Department of Community Development

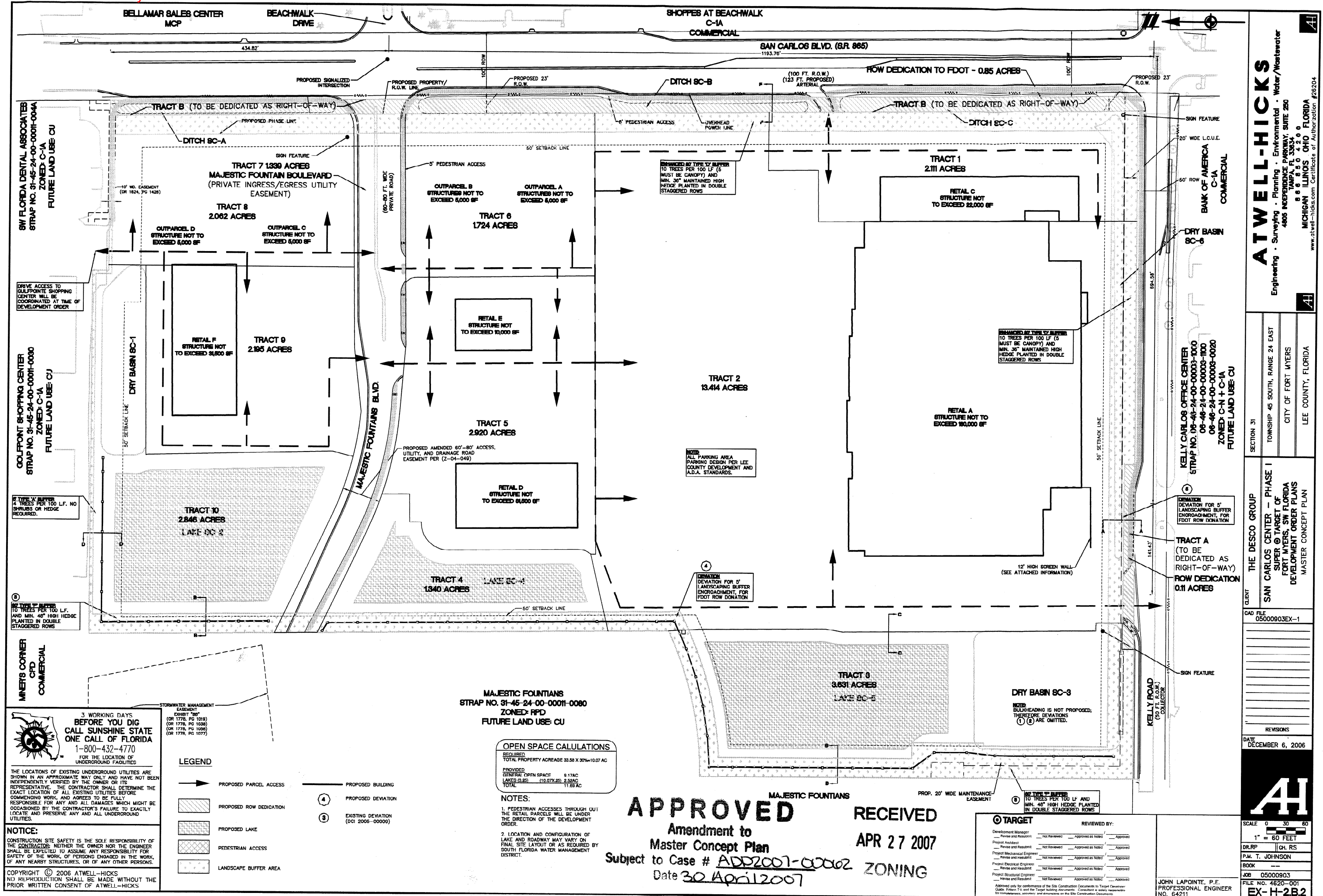
ADD 2007-00062

Exhibit "A"
SAN CARLOS CENTER-PHASE I
Request #ADD2007-00062

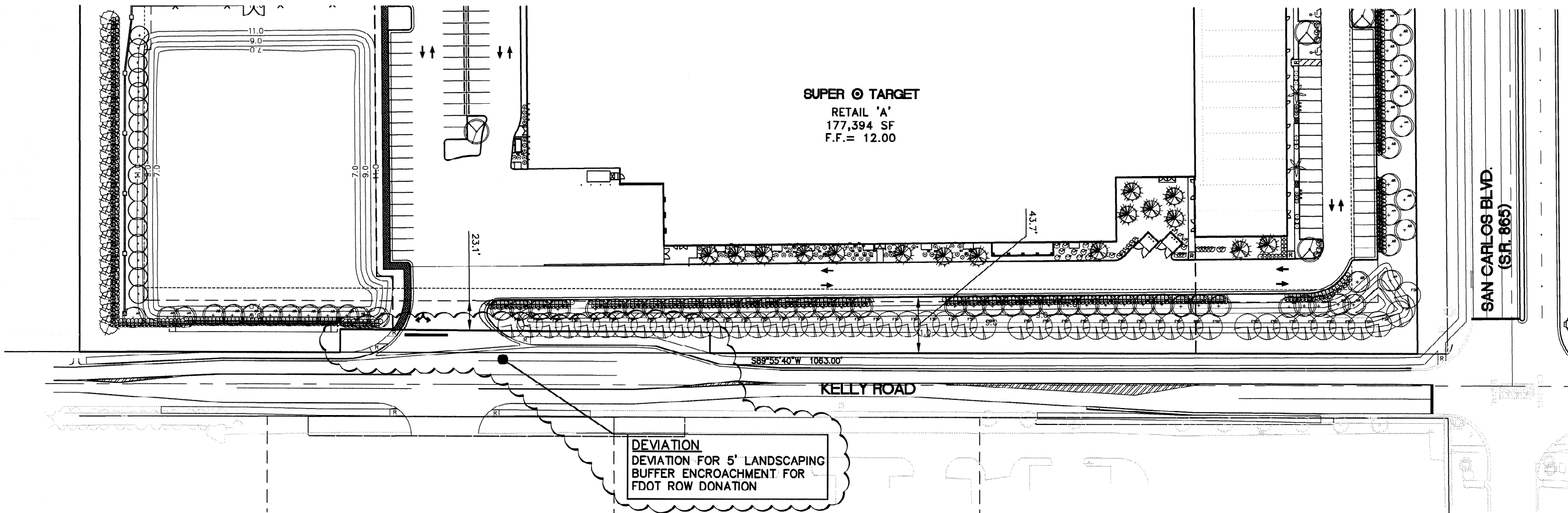
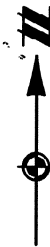
A PARCEL OF LAND LYING WITHIN SECTION 31, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 31; THENCE N89°53'49"W, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 69.90 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAN CARLOS BOULEVARD (S.R. 865)(100 FEET WIDE); THENCE S00°37'30"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1011.06 FEET FOR A **POINT OF BEGINNING**; THENCE CONTINUING S00°37'30"E, ALONG SAID WEST RIGHT-OF-WAY LINE, PASSING THRU A POINT AT 728.53 FEET, CONTINUING A DISTANCE OF 875.00 FEET FOR A TOTAL DISTANCE OF 1603.53 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF KELLY ROAD (50 FEET WIDE); THENCE S89°55'40"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1,063.00 FEET; THENCE N00°04'20"W, A DISTANCE OF 675.00 FEET; THENCE N89°55'40"E, A DISTANCE OF 5.39 FEET, TO A POINT OF CURVE TO THE LEFT; THENCE EASTERLY 228.48 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 26°10'56" AND A CHORD BEARING AND DISTANCE OF N76°50'12"E, 226.50 FEET; THENCE N00°37'30"W, A DISTANCE OF 904.73 FEET; THENCE S89°53'49"E, A DISTANCE OF 565.21 FEET; THENCE S00°37'30"E, A DISTANCE OF 25.00 FEET; THENCE S89°53'49"E, A DISTANCE OF 264.80 FEET TO THE POINT OF BEGINNING, CONTAINING 34.546 ACRES OF LAND, MORE OR LESS.

Applicant's Legal Checked
by *[Signature]* 04 APRIL 07



H-2.B.2



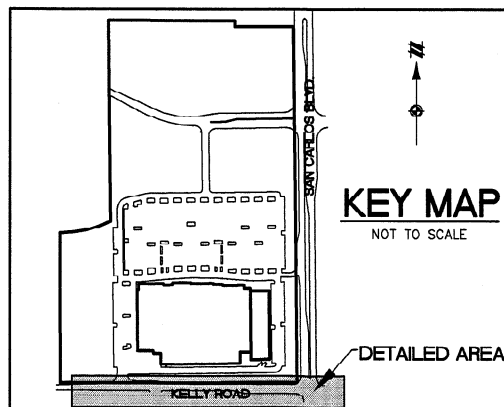
DEVIATION
DEVIATION FOR 5' LANDSCAPING
BUFFER ENCROACHMENT FOR
FDOT ROW DONATION

SAN CARLOS BLVD.
(SR. 865)

SUPER ○ TARGET
RETAIL 'A'
177,394 SF
F.F.= 12.00

KELLY ROAD

S89°55'40"W 1063.00'



KEY MAP
NOT TO SCALE

DETAILED AREA

APPROVED

Amendment to
Master Concept Plan
Subject to Case # ADD2007-05062
Date 30 April 2007

RECEIVED
MAR 22 2007

PERMIT COUNTER

ADD 2007-00062

○ TARGET

REVIEWED BY:
Development Manager
Project Architect
Project Mechanical Engineer
Project Electrical Engineer
Project Structural Engineer

JOHN LAPORTE, P.E.
PROFESSIONAL ENGINEER
NO. 64211



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:

CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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SECTION 31
TOWNSHIP 45 SOUTH, RANGE 24 EAST
CITY OF FORT MYERS UNINCORPORATED
LEE COUNTY, FLORIDA

CLIENT
THE DESCO GROUP
SAN CARLOS CENTER - PHASE I
SUPER ○ TARGET OF
FORT MYERS, SW FLORIDA
DEVELOPMENT ORDER PLANS
KELLY ROAD DEVIATION

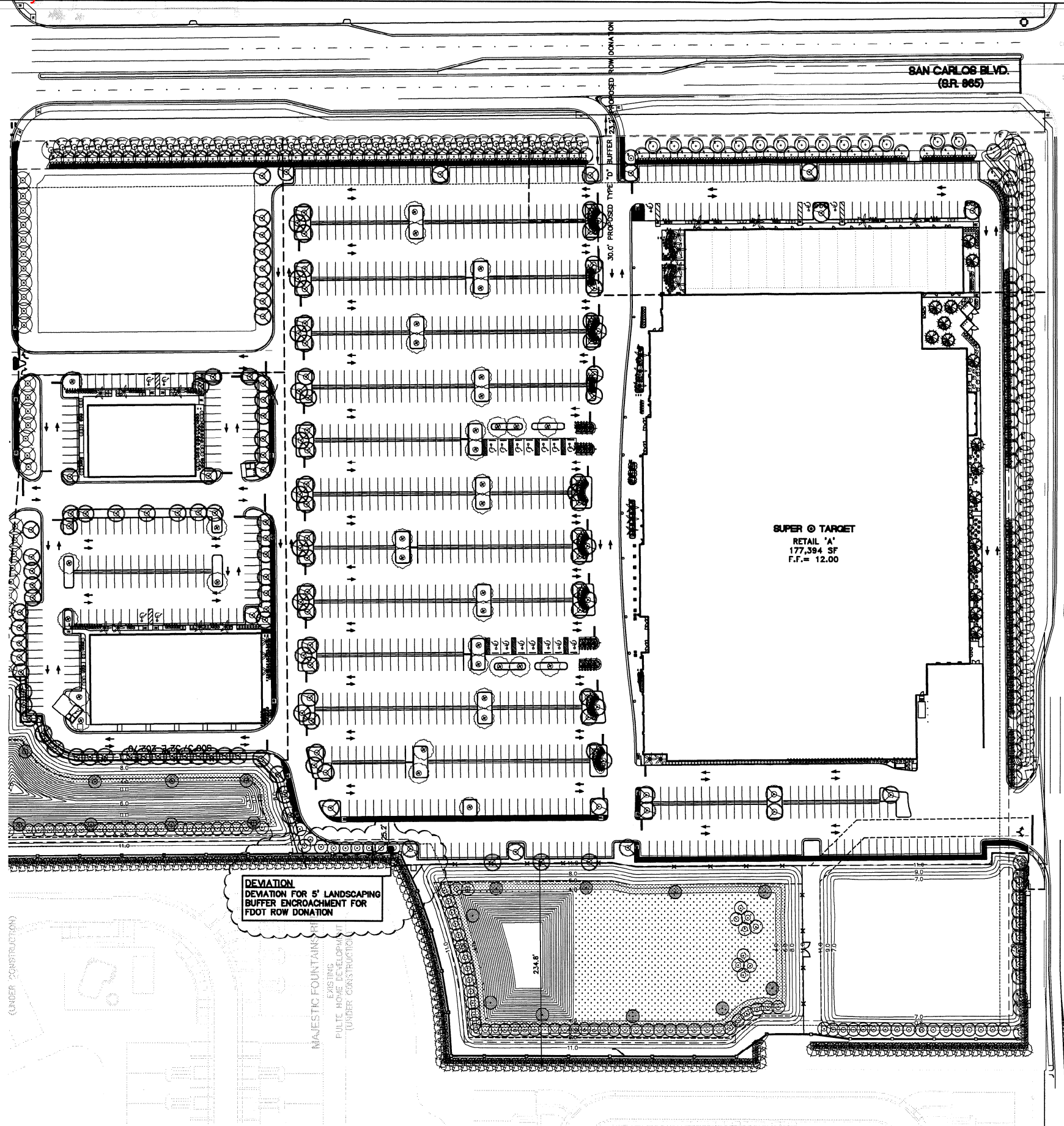
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05000903EX-D

REVISIONS

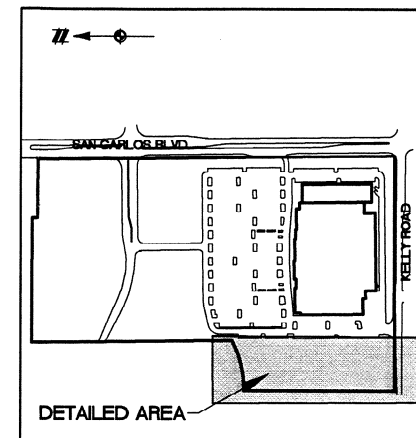
DATE
DECEMBER 14, 2006

SCALE
0 20 40
1" = 40 FEET

DR. L.H./MIS/CH. TWJ
P.M. T. JOHNSON
BOOK
JOB 05000903
FILE NO. 4620-001
EX-B



H-2.B.2



KEY MAP
NOT TO SCALE

RECEIVED
MAR 22 2007

PERMIT COUNTER

ADD 2007-00062

APPROVED

Amendment to
Master Concept Plan
Subject to Case # ~~ADD2007-00062~~
Date 30 April 2007



3 WORKING DAYS
BEFORE YOU DIG
CALL SUNSHINE STATE
ONE CALL OF FLORIDA
1-800-432-4770
FOR THE LOCATION OF
UNDERGROUND FACILITIES

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:

CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

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○ TARGET

REVIEWED BY:

Development Manager _____
Review and Resubmit _____ Not Reviewed _____ Approved as Noted _____ Approved _____
Project Architect _____
Review and Resubmit _____ Not Reviewed _____ Approved as Noted _____ Approved _____
Project Mechanical Engineer _____
Review and Resubmit _____ Not Reviewed _____ Approved as Noted _____ Approved _____
Project Electrical Engineer _____
Review and Resubmit _____ Not Reviewed _____ Approved as Noted _____ Approved _____
Project Structural Engineer _____
Review and Resubmit _____ Not Reviewed _____ Approved as Noted _____ Approved _____
Approved only for performance of the Site Construction Documents to Target Developer
Quick, Editor: 2.0 and the Target Building Documents. Consultant is solely responsible for completeness, accuracy, and dimensions on the Site Construction Documents.

JOHN LAPOINTE, P.E.
PROFESSIONAL ENGINEER
NO. 64211

SCALE 0 30 60
1" = 60 FEET

DR.L.H./J.M.S. CH. TWJ
P.M. T. JOHNSON
BOOK _____
JOB 05000903
FILE NO. 4620-001
EX-B

REVISIONS
DATE DECEMBER 14, 2006

CAD FILE
05000903EX-B

CLIENT THE DESCO GROUP
SAN CARLOS CENTER - PHASE I
SUPER @ TARGET OF
FORT MYERS, SW FLORIDA
DEVELOPMENT ORDER PLANS
LANDSCAPE DEVIATION

SECTION 31
TOWNSHIP 45 SOUTH, RANGE 24 EAST
CITY OF FORT MYERS UNINCORPORATED
LEE COUNTY, FLORIDA

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