

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00206

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Fort Myers Industrial Owner, LLC filed an application for an administrative amendment to a Mixed Use Planned Development on a project known as Gulf Landings Logistics Center MPD (fka Younquist Trade Center and Airport Interstate Commerce Park) to:

1. Amend the preserve boundary within Parcel A from 87.30 acres to 92.88 acres, which includes 41.19 acres of indigenous plant communities;
2. Amend the Master Concept Plan Land Use Summary Table to reflect the preserve's increase in size;
3. Amend the Master Concept Plan to depict a new boundary for Parcel A and B;
4. Amend the internal road layout;
5. Modify the external access points to address phasing;
6. Update Conditions 1 and 4a to revise the MCP date and the preserve acreages;
7. Request Deviations 16 and 17 from landscaping buffers and excavation setbacks; and
8. Add a traffic signal warrant analysis requirement and parameters of a signalization agreement if the traffic signal facilities are warranted; and

WHEREAS, the property is located at 16200 Ben Hill Griffin Parkway and 9830 Interstate Commerce Drive, and the limits of the property subject to this administrative amendment are described per the legal description (Exhibit "A"); and

WHEREAS, the property was originally rezoned by Resolution Z-02-016 (with subsequent amendments by Resolution Z-05-029, ADD2006-00087 ADD2007-00091, Resolution Z-18-027, Resolution Z-21-009, and ADD2021-00217); and

WHEREAS, the subject property is located in the Tradeport, Wetlands, and Industrial Commercial 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, 1.36 acres of preservation area is being removed from within the recorded conservation easement and is proposed to be replaced with 5.81 acres of restoration area to comply with the mitigation requirements per the South Florida Water Management District Environmental Resource Permit (Exhibits "B" and "C"); and

WHEREAS, the applicant has submitted an Indigenous Preserve Management Plan that depicts the restoration areas and planting schedule that is required to reduce the conservation easement and mitigate through onsite restoration (Exhibit "D"); and

WHEREAS, the Master Concept Plan (MCP) has been updated to depict the amended indigenous preserve area and restoration area acreages within the Land Use Summary Table (Exhibit "E"); and

WHEREAS, the applicant is amending the Parcel A boundary to include 4.1 acres located north of Lake A4, which was previously located within the boundary of Parcel B (Exhibit "E"); and

WHEREAS, the applicant is requesting to amend the internal road layout and external access points to address phasing; and

WHEREAS, the proposed MCP modifications require companion amendments to Condition 1 and Condition 4a to reflect the correct MCP date and the changes in acreages; and

WHEREAS, the applicant is requesting to revise Deviation #4 (from LDC Section 10-329(d)(1)a.3.) which requires water retention or detention excavations to be set back 50 feet from private property line under separate ownership, to remove Lake A2 and remove condition "c" from the deviation approval (see Exhibit "H"); and

WHEREAS, the applicant is requesting Deviation #16 from LDC Section 10-416(d)(3), which requires a 15-foot Type D buffer from the right-of-way for Commercial/Industrial uses, to allow specific buffers in areas where there are conflicts with easements (see Exhibit "F"); and

WHEREAS, the applicant is requesting Deviation #17 from LDC Section 10-329(d)(1) a.2, which requires water retention or detention excavation to be set back 50 feet from any existing or proposed right-of-way or easement for a collector or arterial street, to allow a 40-foot setback between Lake A2 and the Ben Hill Griffin Parkway right-of-way; and

WHEREAS, Deviation #17 is being requested because the reconfiguration of Lake A2 requires the additional acreage added to the preserve, which creates a setback limitation of 40 feet; and

WHEREAS, the 15-foot enhanced buffers along Ben Hill Griffin Parkway, which will consist of a two-foot-high berm with seven trees and 66 shrubs per 100 linear feet provide protection from wayward vehicles with vegetation between Lake A2 and Ben Hill Griffin Parkway; and

WHEREAS, the Master Concept Plan, approved by Resolution Z-21-009, depicted two roadway interconnections between the Planned Developments to the south and the subject Mixed Use Planned Development (see Exhibit "L"); and

WHEREAS, the applicant has proposed to remove the eastern road connection and provide a drive aisle within a parking area as a connection between the Mixed Use Planned Development to the south and the subject property (see Exhibit "M"); and

WHEREAS, the applicant has provided a cross section depicting the design of the travel lanes through the parking area with two-foot-high elevated concrete ribbons separating the parking space from the travel lanes as depicted in cross section J-J on the Master Concept Plan; and

WHEREAS, the applicant must submit a traffic signal warrant analysis at time of development order to determine if a traffic signal and signalization agreement is warranted; and

WHEREAS, the Lee County Department of Transportation has reviewed the revisions and finds that the design provides design features to protect the traveling public; 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 to amend to the Gulf Landings Logistics Center MPD (fka Youngquist Trade Center and Airport Interstate Commerce Park) is **APPROVED subject to the following conditions:**

1. **This approval codifies and supersedes previously approved ADD2021-00217. The terms and conditions of Resolution Z-21-009 remain in full force and effect, except as modified herein.**
2. **Condition 1 of Resolution Z-21-009, as amended by ADD2021-00217, is hereby amended as follows:**

Development must be consistent with the two-page Master Concept Plan (MCP) entitled Gulf Landings Logistics Center Master Concept Plan, prepared by Atwell, dated August 18, 2023, a copy of which is attached hereto as Exhibit "E".

3. **Condition 2.a. of Resolution Z-21-009, as amended by ADD2021-00217, is hereby amended as follows:**

Accessory Uses and Structures
 Administrative Offices
 Agricultural Uses: See Condition 5
 Aircraft Food Service and Catering
 Amusement Parks
 Animals: Clinic or kennel
 ATM (automatic teller machine)
 Auto Parts Store, with installation services
 Auto Repair and Service, all groups

Automobile Service Station
Bait and Tackle Shop
Banks and Financial Establishments: all groups
Bar and Cocktail Lounge, in conjunction with a restaurant
Billboards, existing only
Boardwalks
Boats, boat part store repair and service
Boat sales
Broadcast Studio, Commercial Radio and Television
Building Materials Sales
Business Services: All groups
Bus Station/Depot
Car Wash
Cleaning and Maintenance Services
Clothing Store, general
Clubs, commercial, fraternal, membership organization, and private
Cold Storage, Pre-Cooling, Warehouse and Processing Plant
Communication Facilities, Wireless, subject to Condition 10
Computer Data and Processing Service
Consumption on Premises, in conjunction with a restaurant
Convenience Food and Beverage Store with Fuel Pumps, limited to one (1) store with
36 fuel pumps
Contractors and Builders: All groups
Drive-Through Facility for Any Permitted Use
Emergency Operations Center
EMS, Fire, or Sheriff's Station
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities: Groups I and II (Group II is limited to communication,
telephone, and electrical distribution facilities, and electrical substations)
Excavation: Water retention, including dewatering
Factory Outlets, point of manufacture only
Fences and Walls
Food and Beverage Service, limited
Food Stores: All Groups
Freight and Cargo Handling Establishments
Gasoline Dispensing Systems, Special
Gift and Souvenir Shop
Government Maintenance Facility
Healthcare Facilities, Group III
Heliport or Helistop, subject to Condition 11
Hobby, Toy, and Game Shops
Hotels/Motels – limited to 360 rooms
Household and Office Furnishings, All Groups
Lawn and Garden Supply Stores
Laundry or Dry Cleaning: All Groups
Manufacturing of:
Apparel products
Boats
Chemical and allied products: Groups I and II, (Groups II is limited to cosmetics,
perfumes, soaps, detergents, and other toilet preparations)
Electrical machinery and equipment, all operations must be conducted within a fully
enclosed building

Food and kindred products: Groups II and III
Furniture and Fixtures, all operations must be conducted within a fully enclosed building
Leather products: Group II
Lumber and wood products: Groups II, III, IV, V, and VI
Measuring, analyzing and controlling instruments
Novelties, jewelry, toys, and signs: All Groups
Paper and allied products: Groups II and III
Rubber and plastic products: All Groups
Stone, clay, glass and concrete products: Group I
Textile mill products: All groups
Transportation equipment: Groups I and II
Medical Office
Motion Picture Production Studio
Nightclubs
Non-Store Retailers: All Groups
Package Store, limited to one
Paint and Glass and Wallpaper
Parcel and Express Services
Parking Lot:
 Accessory
 Commercial, subject to Condition 13
 Garage, public speaking, subject to Condition 13
 Temporary
Personal Services: Groups I, II, III, and IV, except for massage parlors, palm readers, fortune tellers, card readers, and tattoo parlors
Pet Services
Photofinishing Laboratory
Printing and Publishing
Processing and Warehousing
Real Estate Sales Office, for sale of lots/structures within the development only
Recreational Facilities: All Groups, excluding outdoor gun ranges
Rental and Leasing Establishments: Groups II, III, and IV
Repair Shops: Groups I, II, III, IV, and V
Research and Development Laboratories: All Groups
Restaurants: All Groups including fast food
Retail and Wholesale Sales, when clearly incidental and subordinate to a permitted principal use on the same premises
Schools, Commercial, (excluding charter and private schools unless located in a multitenant building) – prohibited in Airport Noise Zone B
Signs including one (1) interstate highway interchange area identification sign, subject to Conditions 12 and 16
Social Services, Groups I and II
Specialty Retail Shops: All Groups
Storage:
 Indoor
 Open, including RV storage
Technical Training Facilities
Temporary Uses
Transportation Services: Groups II, III, and IV
Trucking Terminal
Used Merchandise Stores: All Groups
Variety Store

Vehicle and Equipment Dealers: All Groups

Warehouse:

Public

Mini

High-Cube

Private

Wholesale Establishments: Groups III and IV

4. Condition 4 of Resolution Z-21-009 is hereby amended as follows:

Environmental

- a. Development order plans must be in substantial compliance with the open space table and delineate preserves in substantial compliance with the MCP. A minimum of approximately 41.19 acres of existing indigenous plant communities must be preserved within the approximately 92.88-acre preserve on Parcel A.
- b. The developer must coordinate removal of invasive exotic plants within preserve areas with Development Services staff. The developer must utilize hand removal methods within indigenous plant communities with 75 percent or less invasive exotic plant coverage.
- c. The developer must survey the portion of the property to be cleared pursuant to a development order application for active Big Cypress Fox Squirrel nests prior to issuance of a Vegetation Removal Permit. If the survey identifies active Big Cypress Fox Squirrel nests, the developer must protect the nests with a 125-foot buffer until the nest is confirmed inactive. Onsite preserves provide adequate habitat for Big Cypress Fox Squirrels; therefore, no additional preserves will be required if Big Cypress Fox Squirrel's nests are identified.

5. Condition 6 of Resolution Z-21-009 is hereby amended as follows:

Right-of-Way Buffers

a. Interstate 75

Prior to development order approval for vertical construction within Parcel A, the development order plans must reflect a 25-foot-wide buffer, within the 50-foot setback, along the west property line.

The buffer must consist of a two-foot-high berm (3:1 slope) measured from the centerline of the frontage road. The buffer must be planted with five trees per 100 linear feet and a double staggered hedge. Palms may substitute for canopy trees at a 3:1 ratio (three palms per one canopy tree) but may not exceed 50 percent of the buffer. The landscape plans must specify trees at 14 feet in height and shrubs at 36 inches in height at time of planting.

Required plantings must be installed on the top of the berm or on the west side of the berm near the top.

Trees and shrubs used to meet the buffer requirements must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees

and understory vegetation. Post installation, the hedge must be maintained at a minimum of 36 inches in height.

b. Ben Hill Griffin Parkway

Prior to development order approval for vertical construction within Parcel A, development order plans must reflect a 15-foot right-of-way buffer along Ben Hill Griffin Parkway.

The buffer must consist of a two-foot-high berm with seven (7) trees, 66 shrubs, and 56 ground cover plants per 100 linear feet (excluding the preserve area).

Required plantings must be installed on the top of the berm or near the top of the berm on the east side of the berm.

Trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees and understory vegetation.

c. Non-Vertical Development

Prior to the issuance of a development order for infrastructure, the developer must demonstrate there is at least 25 feet of existing native vegetation adjacent to I-75 and Ben Hill Griffin Parkway. Development orders for vertical development will trigger the installation of landscape buffers indicated in the paragraphs above.

6. **Traffic Signal Facilities and Internal Roadway Design**

- a. The applicant/developer must perform a planning level traffic signal warrant analysis as a part of the first development order for vertical construction at all connections to the County roadway network based on the buildout intensity of the development. Should the analysis indicate signal warrants are likely to be satisfied as determined by the County Traffic Engineer, the Developer must enter into a Signalization Agreement for the proportionate share contribution towards the design and installation/construction of traffic signal facilities at the Hilton Garden Way and Ben Hill Griffin Parkway intersection, the Interstate Commerce Drive and Ben Hill Griffin Parkway intersection, and Business Trade Way and Ben Hill Griffin Parkway intersection as a part of the initial approval for Development at each connection. The proportionate share traffic signal agreement must be reviewed and approved by Lee County Department of Transportation and County Attorney's Office, executed, and recorded by the Lee County Clerk of Court prior to issuance of the first certificate of occupancy for development permitted under this development order.
- b. Prior to local development order approval, the development order plans must depict a Type "F" unmountable curbing per cross section J-J depicted on the Master Concept Plan.

7. **Deviation 4 of Resolution Z-21-009 is hereby amended as follows:**

Deviation (4) seeks relief from the LDC Section 10-329(d)(1)a.3. requirement to provide water retention or detention excavations be set back 50 feet from private property line under separate ownership, to allow:

- a. A 25-foot setback between Lake B1 and Jetway Tradeport MPD to the southeast; and
- b. A 20-foot setback between Lakes A2, A3, B1, and B2 and internal property lines and internal roadways; and
- c. A zero-foot setback between Lake A4 (existing borrow pit) and Airport South Interchange CPD and the Coca Cola Bottling Plant property.

This deviation is APPROVED, SUBJECT TO the following conditions:

- a. Prior to local development order approval, the development order plans must include details for wetland trees around the existing lake, even if reconfigured. MCP Lake A4 Wetland trees must be calculated on one wetland tree per 100 littoral per 100 littoral plants.
- b. At time of development order approval, the developer must provide elements to protect wayward vehicles on the internal roadways adjacent to Lakes A2, A3, B1, and B2. The elements may include guardrails, berms, swales, vegetation, or other protections approved by the Development Services Manager.

8. Deviation 16 seeks relief from LDC Section 10-416(d)(3), which requires a 15-foot Type D buffer from rights-of-way to Commercial/Industrial uses, to allow the following buffers identified within the “Typical Buffer Conditions” (Exhibit “F”):

- a. Right-of-way to lot buffer (containing Public Utility Easement conflict) must provide trees within the parking lot landscape islands adjacent to the internal right-of-way and a continuous single five-foot tall hedge with shrubs planted at four feet on center per typical buffer “F” detail to comply with required vehicle use area and Type D buffer landscape requirements.
- b. Right-of-way to lot buffer (containing overlapping easement conflicts) is limited to 275 linear feet of right-of-way and must provide enhanced royal palms and a continuous single five-foot-tall hedge at four feet on center per typical buffer “G” detail.
- c. Right-of-way to lot buffer (containing no easement conflict) must provide trees within the common area between the internal right-of-way and individual lots to comply with vehicle use area and Type D buffer landscape requirements. Trees shall be planted at 20 feet on center with shrubs planted in a continuous double hedge three feet on center per typical buffer “D” detail.
- d. Right-of-way to lake buffer must provide littoral trees at five trees per 100 linear feet to comply with littoral and Type D buffer landscape requirements. Trees must be clustered in groups of five canopy trees with clusters spaced no more than 75 feet apart per typical buffer “E” detail.

9. **Deviation 17 seeks relief from the LDC Section 10-329(d)(1) a.2 requirement to provide a water retention or detention excavation setback of 50 feet from any existing or proposed right-of-way or easement for a collector or arterial road, to allow a 40-foot setback between Lake A2 and the Ben Hill Griffin Parkway right-of-way.**

This deviation is APPROVED, SUBJECT TO condition 5b.

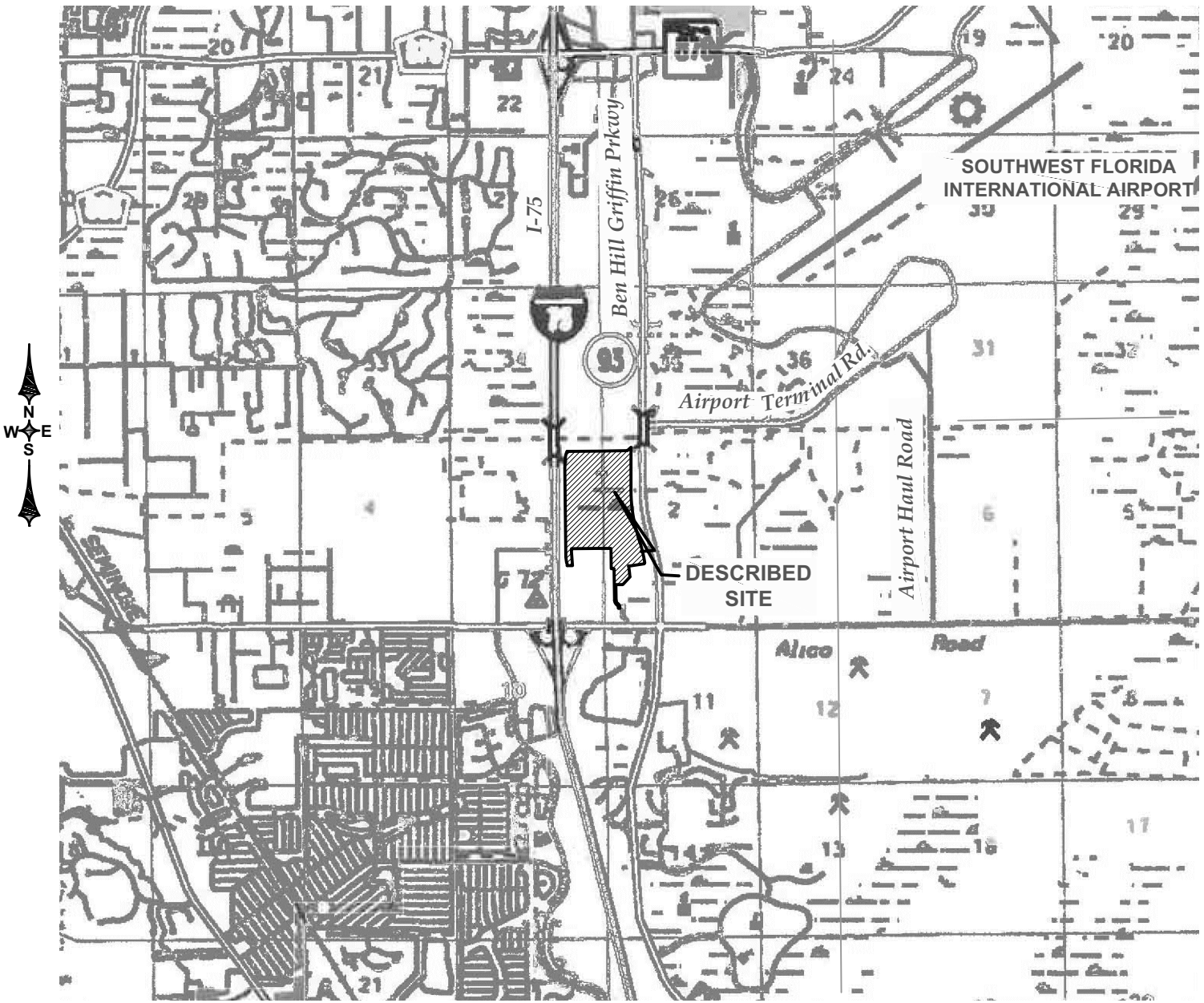
10. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, 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 9/11/2023

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Exhibits:

- A. Legal description
- B. South Florida Water Management District (SFWMD) Conservation Area Management Plan dated November 2022.
- C. Revised Aerial Map and Conservation Easement Changes received February 19, 2023.
- D. Lee County Indigenous Management Plan dated April 2023.
- E. Revised Master Concept Plan and Land Use Summary Table received September 8, 2023.
- F. Landscape Buffer Deviation Exhibit date received July 5, 2023.
- G. Gulf Landings Logistics Center MPD Amendment Narrative received September 8, 2023.
- H. Gulf Landings Schedule of Deviations and Justification strike-through and underline changes received September 8, 2023.
- I. Gulf Landings Conditions strike-through and underline changes received September 8, 2023
- J. Master Concept Plan markup received September 8, 2023.
- K. South Florida Water Management District (SFWMD) Performance Bond Reimbursement for Conservation Easement Mitigation
- L. ADD2021-00217
- M. Resolution Z-21-009 Master Concept Plan MPD and CPD connection



VICINITY MAP
1" = 1 MILE

ABBREVIATIONS

- C1 = CURVE DESIGNATION
- C.A. = CENTRAL ANGLE
- C.B. = CHORD BEARING
- CHD = CHORD LENGTH
- C/L = CENTERLINE
- INST. = INSTRUMENT
- L1 = LINE DESIGNATION
- LB = LICENSED BUSINESS
- NO. = NUMBER
- OR = OFFICIAL RECORDS
- PG. = PAGE
- PERP. = PERPETUAL
- P.B. = PLAT BOOK
- POB = POINT-OF-BEGINNING
- POC = POINT-OF-COMMENCEMENT
- R/W = RIGHT OF WAY
- RAD. = RADIUS
- SEC. = SECTION
- SQ.FT. = SQUARE FEET
- S.R. = STATE ROAD

SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.

COORDINATES SHOWN HEREON BASED ON FLORIDA GRID, WEST ZONE, NAD 83-(2011).

SKETCH PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA'S STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C.

ORIENTATION BASED ON THE NORTH LINE OF THE NORTHEAST-QUARTER OF SECTION 3, T.46 S., R. 25 E. AS BEARING N.89°23'14"E.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED,THIS MAP IS NOT VALID.

PREPARED BY



PSM 6347

THOMAS M. ROOKS JR., P.S.M. DATE
FLORIDA CERTIFICATE NO. 6347

Digitally signed by
Thomas M. Rooks Jr.
Date: 2021.04.12
16:12:59 -04'00'

REV: UPDATE SURVEYOR SIGNATURE 04-12-2021

MDA PROJECT: 17037	
CHECKED BY: MAH	DRAWN BY: MAH
DATE: 01-15-19	
SHEET 1 OF 4	

DESCRIPTION DRAWING
PARCEL OF LAND LYING IN
SECTIONS 2 AND 3, TOWNSHIP 46
SOUTH, RANGE 25 EAST, LEE
COUNTY, FLORIDA

MORRIS
DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330

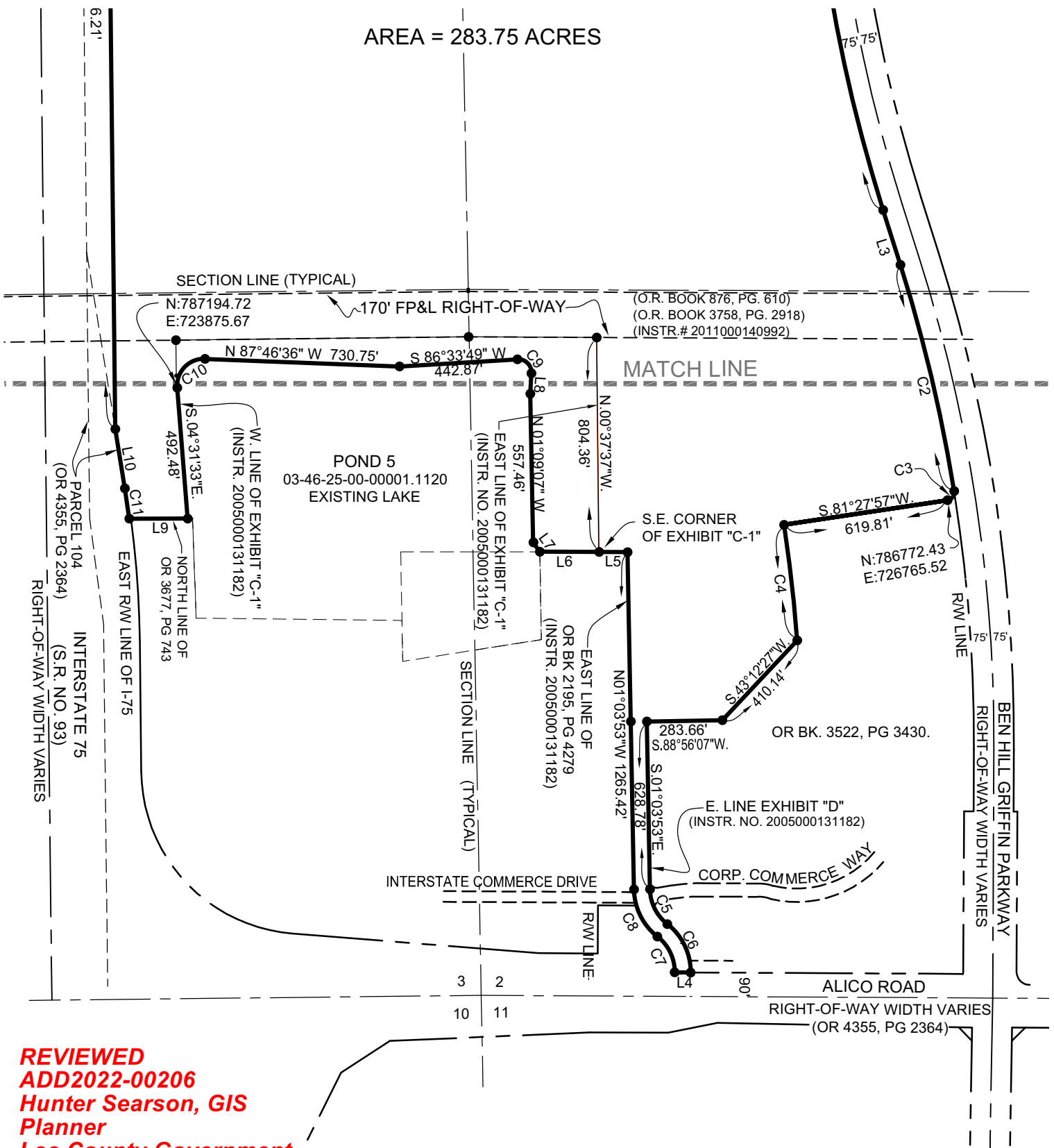
Fort Myers
Tallahassee
Destin

2917 Cleveland Ave.
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

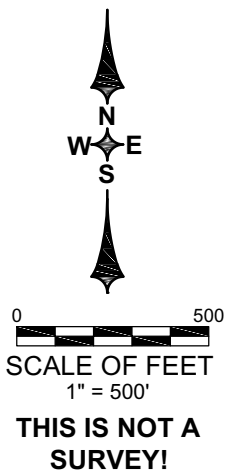
DESCRIPTION:
EXHIBIT "A" METES AND BOUNDS

PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING THE NORTHWEST CORNER OF SAID SECTION 2; THENCE S.01° 06' 33"E., ALONG THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 2 FOR 200.01 FEET TO AN INTERSECTION WITH A LINE 200.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SECTION 2 AND THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE N.89° 20' 16" E. ALONG SAID PARALLEL LINE AND ALSO ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 1210.39 FEET; THENCE N.44° 23' 16"E. CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 190.58 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150.00' RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3207, PAGE 1910 OF SAID PUBLIC RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) COURSES; S.00° 04' 06" E. A DISTANCE OF 1,729.77 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 6071.62 FEET, A CENTRAL ANGLE OF 17°29'22" AND WHOSE CHORD BEARS S.08°48'47"E. FOR A DISTANCE OF 1846.17 FEET, HAVING AN ARC LENGTH OF 1853.35 FEET; THENCE S.17° 33' 28"E., ALONG A TANGENT LINE, A DISTANCE OF 215.07 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHERLY, ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5924.43 FEET, A CENTRAL ANGLE OF 08°26'32" AND WHOSE CHORD BEARS S.13°20'12"E., FOR A DISTANCE OF 872.14 FEET, HAVING AN ARC LENGTH OF 872.93 FEET, TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY, ALONG THE BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, OF SAID PUBLIC RECORDS, FOR THE NEXT EIGHT (8) COURSES, SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°34'53" AND WHOSE CHORD BEARS S.36°10'31"W. FOR A DISTANCE OF 42.64 FEET, HAVING AN ARC LENGTH OF 47.43 FEET; THENCE S.81°27'57"W. ALONG A TANGENT LINE, A DISTANCE OF 619.81 FEET TO A NON-RADIAL INTERSECTION WITH A CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5274.39 FEET, A CENTRAL ANGLE OF 04°44'31" AND WHOSE CHORD BEARS S.06°27'12"E. FOR A DISTANCE OF 436.40 FEET, ARC LENGTH BEING 436.52 FEET; THENCE S.43°12'27"W. ALONG A NON-TANGENT LINE, A DISTANCE OF 410.14 FEET; THENCE S.88°56'07"W. A DISTANCE OF 283.66 FEET; THENCE CONTINUING ALONG SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, AND ALSO ALONG THE EAST BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2005000131182, SAID PUBLIC RECORDS, FOR THE NEXT THREE (3) COURSES; S.01°03'53"E. A DISTANCE OF 628.78 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS S.26°28'06"E. FOR A DISTANCE OF 145.87 FEET, HAVING AN ARC LENGTH OF 150.87 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 52°04'24" AND WHOSE CHORD BEARS S.25°50'08"E. FOR A DISTANCE OF 201.92 FEET, HAVING AN ARC LENGTH OF 209.04 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS; THENCE N.89°42'18"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID EXHIBIT "D" AND TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG AN ARC OF SAID CURVED WEST LINE OF "EXHIBIT D", HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 52°02'25" AND WHOSE CHORD BEARS N.25°51'07"W. FOR A DISTANCE OF 149.16 FEET, HAVING AN ARC LENGTH OF 154.42 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS N.26°28'06"W. FOR A DISTANCE 197.35 FEET, HAVING AN ARC LENGTH OF 203.97 FEET; THENCE N.01°03'53"W. ALONG THE SAID WEST LINE OF "EXHIBIT D" AND THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, SAID PUBLIC RECORDS, A DISTANCE OF 1265.42 FEET; THENCE N.89°42'18"W. ALONG NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, A DISTANCE OF 107.62 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID CERTAIN PARCEL FOR THE NEXT EIGHT (8) COURSES; N.89°42'18"W. A DISTANCE OF 221.98 FEET; THENCE N.35°32'45"W. A DISTANCE OF 42.43 FEET; THENCE N.01°09'07"W. A DISTANCE OF 557.46 FEET; THENCE N.03°08'34"E. A DISTANCE OF 76.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 96°34'35" AND WHOSE CHORD BEARS N.45°08'48"W. A DISTANCE OF 74.65 FEET, HAVING AN ARC LENGTH OF 84.28 FEET; THENCE S.86°33'49"W. A DISTANCE OF 442.87 FEET; THENCE N.87°46'36"W. A DISTANCE OF 730.75 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 96°44'56" AND WHOSE CHORD BEARS S.43°50'56"W. A DISTANCE OF 149.50 FEET, HAVING AN ARC LENGTH OF 168.86 FEET; THENCE S.04°31'33"E., LEAVING SAID SOUTHERLY BOUNDARY OF THAT CERTAIN PARCEL DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, OF SAID PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 492.53 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, SAID PUBLIC RECORDS; THENCE S.89°54'37"W, LEAVING THE BOUNDARY OF SAID "EXHIBIT C-1" AND ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, A DISTANCE OF 218.60 FEET TO A NON-RADIAL INTERSECTION WITH THE CURVED EASTERLY BOUNDARY OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD NO. 93); THENCE NORTHERLY, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT FIVE (5) COURSES; NORTHERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3913.93 FEET, A CENTRAL ANGLE OF 01°40'50" AND WHOSE CHORD BEARS N.08°21'29"W. FOR A DISTANCE OF 114.79 FEET, HAVING AN ARC LENGTH OF 114.79 FEET; THENCE N.09°11'29"W. A DISTANCE OF 225.55 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 102 AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2008000156882; THENCE NORTHERLY ALONG THE EAST BOUNDARY LINE OF SAID PARCEL 102 AND SAID EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 FOR THE NEXT THREE (3) COURSES; N.0°38'28"W. A DISTANCE OF 3556.21 FEET; THENCE N.03°21'21"E A DISTANCE OF 392.14 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 678.20 FEET, A CENTRAL ANGLE OF 23°17'58" AND WHOSE CHORD BEARS N.15°00'20"E. A DISTANCE OF 273.90 FFET, HAVING AN ARC LENGTH OF 275.79 FEET TO A NON-TANGENT INTERSECTION THE SAID SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, SAID PUBLIC RECORDS; THENCE N.89°23'14"E. ALONG SAID SOUTH LINE, A DISTANCE OF 1197.31 FEET; THENCE N.89°20'16"E. ALONG SAID SOUTH LINE A DISTANCE OF 1.52 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.
CONTAINING 283.75 ACRES, MORE OR LESS.

MDA PROJECT: 17037		DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330	Fort Myers Tallahassee Destin 2917 Cleveland Ave. Fort Myers, Florida 33901 (239) 337-3993 Fax: (239) 337-3994 Toll free: 866-337-7341	
CHECKED BY: MAH	DRAWN BY: MAH				
DATE: 01-15-19					
SHEET 2 OF 4					



REVIEWED
ADD2022-00206
Hunter Searson, GIS
Planner
Lee County Government
3/14/2023



LINE DATA

L3 S.17°33'28"E 215.07'	L9 S.89°54'37"W. 218.60'
L4 N.89°42'18"W 60.00'	L10 N.09°11'29"W. 225.55'
L5 N89°42'18"W 107.62'	
L6 N89°42'18"W 221.98'	
L7 N35°32'45"W 42.43'	
L8 N03°08'34"E 76.57'	

CURVE DATA

CURVE C2 RAD = 5924.43' C.A. = 08°26'32" C.B. = S.13°20'12"E. CHD = 872.14' ARC = 872.93'	CURVE C6 RAD = 230.01' C.A. = 52°04'24" C.B. = S.25°50'08"E. CHD = 201.92' ARC = 209.04'	CURVE C10 RAD = 100.00' C.A. = 96°44'56" C.B. = S.43°50'56"W. CHD = 149.50' ARC = 168.86'
CURVE C3 RAD = 30.00' C.A. = 90°34'53" C.B. = S.36°10'31"W. CHD = 42.64' ARC = 47.43'	CURVE C7 RAD = 170.01' C.A. = 52°02'25" C.B. = N.25°51'07"W. CHD = 149.16' ARC = 154.42'	CURVE C11 RAD = 3913.93' C.A. = 01°40'50" C.B. = N.08°21'29"W. CHD = 114.79' ARC = 114.79'
CURVE C4 RAD = 5274.39' C.A. = 04°44'34" C.B. = S.06°27'12"E. CHD = 436.40' ARC = 436.52'	CURVE C8 RAD = 230.01' C.A. = 50°48'27" C.B. = N.26°28'06"W. CHD = 197.35' ARC = 203.97'	
CURVE C5 RAD = 170.01' C.A. = 50°48'27" C.B. = S.26°28'06"E. CHD = 145.87' ARC = 150.76'	CURVE C9 RAD = 50' C.A. = 96°34'35" C.B. = N.45°08'48"W. CHD = 74.65' ARC = 84.28'	

Exhibit B



> GULF LANDINGS LOGISTICS CENTER
South Florida Water Management District
Conservation Area Management Plan

November 2022
Revised January 2023
ECT No. 210907-0200

BUTTERS GROUP
Coconut Creek, Florida

ECT
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Tampa, Florida 33607
www.ectinc.com

> Butters Group
Gulf Landings Logistics Center
SFWMD Conservation Area Management Plan

Document Review

The dual signatory process is an integral part of Environmental Consulting & Technology, Inc.'s (ECT's) Document Review Policy. All ECT documents undergo technical/peer review prior to dispatching these documents to any outside entity.

This document has been authored and reviewed by the following employees:

Jason Hunt
Author


Signature

January 10, 2023
Date

Tammy Lyday
Peer Review


Signature

January 12, 2023
Date

> Butters Group
Gulf Landings Logistics Center
SFWMD Conservation Area Management Plan

Table of Contents

1.0	Introduction	1-1
2.0	Wetland Restoration Activities	2-1
2.1	Initial Construction	2-1
2.2	Nuisance Exotic Vegetation Treatment.....	2-1
2.3	Mitigation Planting.....	2-2
2.4	Mitigation Success Criteria	2-2
2.5	Preserve Area Signage	2-3
3.0	Monitoring, Maintenance, and Management.....	3-1
3.1	Vegetation Monitoring	3-1
3.2	Photographic Documentation.....	3-1
3.3	Wildlife Monitoring	3-2
3.4	Monitoring Period	3-2
3.5	Maintenance Period	3-2
3.6	Monitoring/Maintenance Schedule.....	3-2
Exhibits		
Exhibit A	Existing Conservation Easement	
Exhibit B	Example Conservation Area Sign	

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SFWMD Conservation Area Management Plan

List of Tables

Table 2-1. Wetland Restoration Planting Specifications for Gulf Landings Logistics Project

Table 3-1. Approximate Monitoring and Maintenance Schedule

List of Figures

Figure 1. Location Map

Figure 2. Aerial with Conservation Area Location Map

Figure 3. Monitoring map



1.0 Introduction

Environmental Consulting & Technology, Inc. (ECT) has prepared this conservation area management plan to document the proposed wetland restoration area maintenance and monitoring activities for the additional conservation easement areas within the Gulf Landings Logistics Center project (Project). The Project site encompasses approximately 283.75 (+/-) acres located north of Alico Road between Ben Hill Griffin Parkway and I-75 in Sections 2 and 3, Township 46 South, Range 25 East, Ft. Myers, Lee County, Florida (Figures 1 and 2).

This plan addresses the proposed wetland restoration, maintenance, and monitoring for four (4) additional conservation easement areas (Conservation Easements 4 through 7) within the Project area totaling 5.83 acres. The purpose for the additional conservation easement acreage is to offset the wetland functional loss for the 1.36-acre vacated portion of the existing conservation easement. The modification to the conservation easement is associated with an inadvertent utility/access easement overlap predating the establishment of the original conservation easement associated with Environmental Resource Permit # 36-05415-P. The above changes to the conservation area are illustrated in Figure 3. The additional conservation easement acreage of 5.83 acres will result in a net gain of 4.47 acres to the existing 87.55 acres conservation easement (Exhibit A) for a grand total of 92.02 acres. These additional conservation easement areas are intended to be incorporated into the existing conservation easement and preserved in perpetuity.

The target wetland community type for each restoration area is mixed wetland hardwoods, however, given the known hydrologic conditions of each area, it is probable the mature wetland restoration will consist of a mosaic of herbaceous and forested wetlands.



2.0 Wetland Restoration Activities

Four (4) areas labeled as Conservation Easements (4 through 7) on Figure 3, totaling 5.83 acres will be added to the existing conservation easement. These areas were originally permitted as part of the proposed development and have been altered as authorized by the existing Environmental Re-source Permit (#36-05415-P). The proposed wetland restoration areas were historically functioning forested wetlands and have since been cleared of vegetation but were not filled. In their current condition the areas support hydrophytic herbaceous vegetation as a result of the relatively unchanged hydrologic conditions. The following information is applicable to Conservation Easement Areas 4 through 7.

2.1 Initial Construction

Prior to the commencement of any restoration activities, each of the conservation area boundaries will be staked in the field and reviewed by SFWMD staff. Upon approval of the staking, silt fence will be installed between the proposed additional conservation easement areas and the existing conservation easement area to prevent any unwanted fill material or siltation encroachment. The existing chain link fence will be relocated to separate the new limits of the conservation easement from the development area.

2.2 Nuisance Exotic Vegetation Treatment

Each of the proposed conservation easement areas has been cleared of existing tree and shrub species while the ground cover and existing grade has been left relatively untouched. Nuisance/exotic herbaceous vegetation (primarily torpedo grass (*Panicum repens*), Peruvian primrose willow (*Ludwigia peruviana*) and limpo grass (*Hemarthria altissima*) occurs within each of the four (4) proposed additional conservation easement areas.

All four areas will be mowed and treated with an approved herbicide prior to the proposed planting activities. This will ensure successful elimination of the existing nuisance/exotic seed source. In addition to the species noted above, targeted nuisance and exotic species include all Category I and Category II exotics, as defined by the Florida Invasive Species Council (FISC) List of Invasive Plant Species.



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Ongoing quarterly maintenance events are scheduled to occur for the first two years and after the second annual monitoring event the ongoing maintenance will transition to semi-annual events, and as needed in between events.

2.3 Mitigation Planting

The general planting scheme for the areas is provided as Table 2-1 below.

Table 2-1. Wetland Restoration Planting Specifications for Gulf Landings Logistics Project

Plant Species ¹	Common Name	Size	Spacing
Trees			
<i>Quercus laurifolia</i>	Laurel oak	3-7 gallon	20-foot
<i>Pinus elliottii</i>	Slash pine		
<i>Taxodium distichum</i>	Bald cypress		
<i>Ilex cassine</i>	Dahoon holly		
Shrubs			
<i>Morella cerifera</i>	Wax myrtle	1-3 gallon	10-foot
<i>Myrsine guianensis</i>	Myrsine		
<i>Cephalanthus occidentalis</i>	Buttonbush		
Groundcover			
<i>Spartina bakeri</i>	Sand cordgrass	1 quart or bare root	3-foot
<i>Panicum hemitomon</i>	Maidencane		
<i>Cladium jamaicense</i>	Sawgrass		
<i>Eleocharis interstincta</i>	Spike-rush		

¹Other Florida native species may be substituted where appropriate

²Temporary buffer encroachments occurring in the 15-foot minimum buffer will be replanted

2.4 Mitigation Success Criteria

Monitoring of the preserve areas shall be conducted for a minimum of five years with annual reports submitted to the SFWMD. At the end of the first monitoring period, the mitigation area shall contain an 80 percent survival rate of planted vegetation. The 80 percent survival rate shall be maintained throughout the monitoring program. If native species do not achieve 80 percent coverage within the initial two years of the monitoring program, native species shall be planted in accordance with this plan. At the end of the monitoring program, the mitigation area shall contain 80 percent survival rate of planted vegetation and 80 percent coverage of desirable species (obligate (OBL) and facultative wetland (FACW) species within the wetland mitigation areas).



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The combined coverage for both exotic and nuisance species shall not exceed five percent coverage. Further, preserve areas will be managed such that exotic/nuisance plant species do not dominate any one section of area within the preserves. In addition, preserve areas will be managed to ensure that any one native plant species (i.e., wax myrtle) does not dominate a significant portion of the preserve. Diversity of native vegetation is expected to occur following the installation of supplemental plantings and through the recruitment of native vegetation.

If monitoring reports or other information show the preserved wetlands have been negatively affected by the permitted development in a manner that is irreversible (such as impounding the wetland and drowning the existing vegetation or a reduction in the hydroperiod resulting in the transition of wetlands into upland/transitional habitat), the permittee shall be required to submit a remediation plan within 30 days of notification by the District's Environmental Resource Compliance staff of such conditions. The remediation plan may include onsite or offsite mitigation as necessary to address any deficiencies.

2.5 Preserve Area Signage

Signage for the conservation areas shall be spaced every 100-ft along the perimeter of the conservation areas. An example of the signage is provided as Exhibit B.



3.0 Monitoring, Maintenance, and Management

Monitoring of the preserve area will be quantitative and will consist of time-zero, and annual monitoring for vegetation, wildlife, and wetland water levels. The time zero monitoring event will occur immediately following the first quarterly treatment for exotic and nuisance species. The time-zero report will describe the supplemental planting and observed hydrological conditions and will be submitted within 60 days of the completion of the first quarterly nuisance and exotic vegetation treatment. Annual monitoring reports shall document changes from the baseline conditions the success of exotic treatment and verify that conditions within the preserve are improving.

3.1 Vegetation Monitoring

Sampling in the preserve area will involve canopy, sub-canopy, and groundcover via quantitative monitoring. Dominant canopy, sub-canopy species will be monitored within 20 x 50 foot plots established along the monitoring transects. Visual estimate of percent cover will be calculated for canopy and sub-canopy stratum. The herbaceous vegetation sampling will utilize the point frame method (Bonham 1989). Point frames will be established at approximately 50 foot intervals along each monitoring transect. Each point frame consists of a one meter square wire grid with 25 cross points. All plant species identified directly below a cross point will be recorded. Each cross point represents four percent of the square meter. The locations of the monitoring transects are provided in Figure 3.

3.2 Hydrologic Monitoring

Hydrologic monitoring in the preserve areas will be facilitated by the installation staff gauges. Staff gauge readings will be conducted quarterly and presented in tabular and graphic form, cumulatively, in the annual reports. The locations of the staff gauges are provided in Figure 3.

3.3 Photographic Documentation

Permanent fixed-point photograph stations will be established at the beginning and end of each transect within the preserve areas. The photographs will provide physical documentation of the condition and appearance of an area, as well as any changes taking place within it. Monitoring photographs will accompany vegetation data in each report. Locations of photograph stations will



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remain the same throughout the duration of the monitoring program. The locations of the photo stations are provided in Figure 3.

3.4 Wildlife Monitoring

Direct and indirect observations of wildlife will be made during each monitoring event.

3.5 Monitoring Period

Monitoring of the preserve areas shall be conducted for a minimum of five years with annual reports submitted to the SFWMD. Following the completion of the initial exotic treatment effort, semi-annual inspections of the mitigation area will occur for the first two years. During these inspections, the mitigation area will be traversed by qualified ecologists. Locations of exotic species will be identified for immediate treatment with an appropriate herbicide. Any additional potential problems will also be noted and corrective actions taken. Once exotic and nuisance species levels have been reduced to acceptable limits (i.e., less than five percent cover), inspections of the mitigation area will be conducted annually.

3.6 Maintenance Period

Maintenance activities will be conducted quarterly for the first two (2) years and will then transition to semi-annual events for the remainder of the monitoring period. Maintenance will be conducted as needed after the five-year period in perpetuity. The maintenance and management of the preserve areas will be the responsibility of the owner/developer in perpetuity.

3.7 Monitoring/Maintenance Schedule

It is anticipated that the initial treatment and grading activities will commence as soon as the SFWMD permit is modified. The following table details the proposed monitoring and maintenance schedule.



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Table 3-1. Approximate Monitoring and Maintenance Schedule

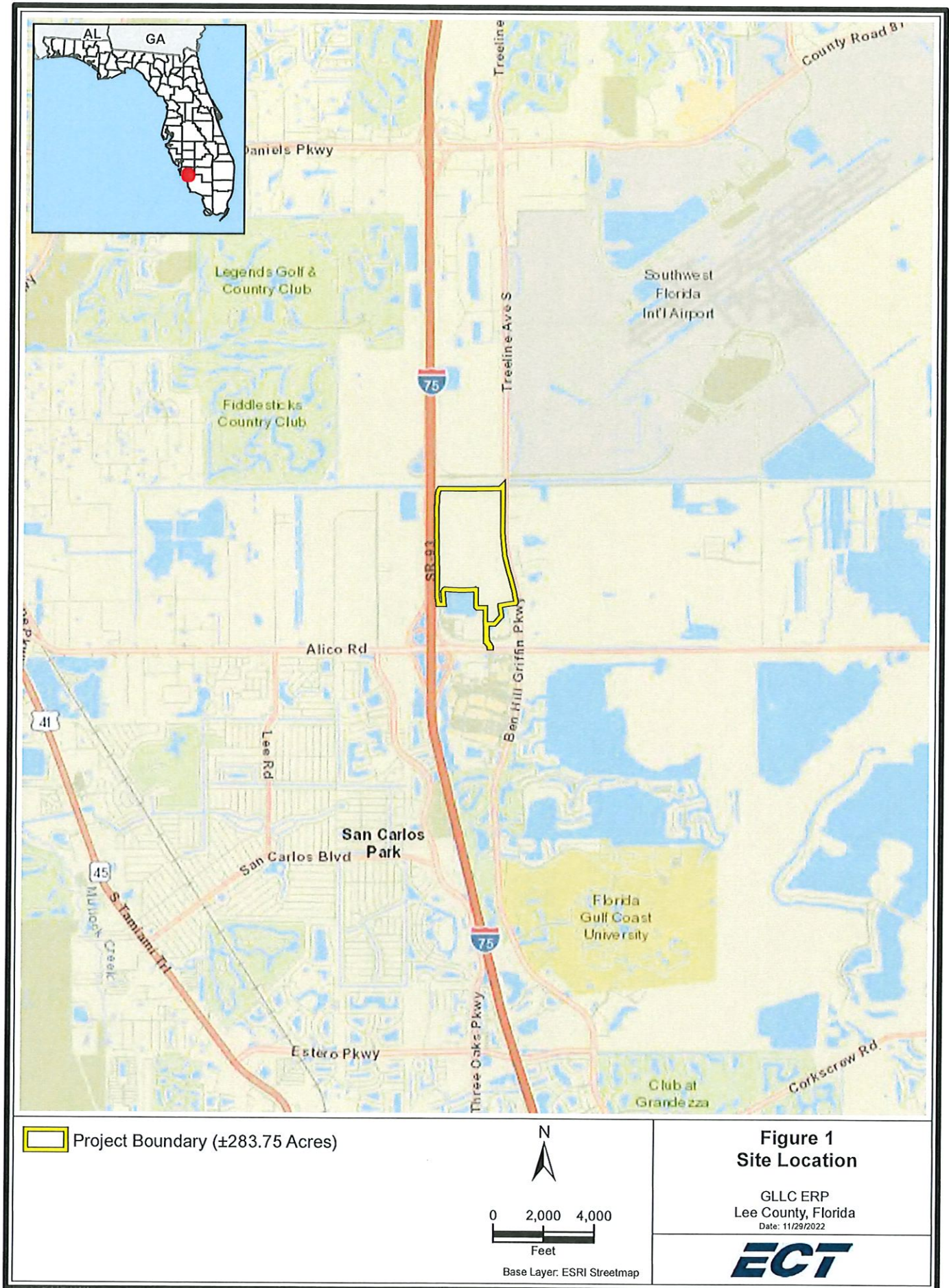
Activity	Date
Staking and Silt Fence Installation	March 30, 2023
Herbicide Treatment/ Mowing	April 15, 2023
Record Conservation Easement	May 15, 2023
Installation of Preserve Area Signage	May 20, 2023
Herbicide Treatment/ Mowing	May 30, 2023
Supplemental Planting	June 1, 2023
Initial Maintenance Activity	July 1, 2023
Time-Zero Monitoring Report	August 15, 2023
Quarterly Maintenance Activity	October 1, 2023
Quarterly Maintenance Activity	January 2, 2024
Quarterly Maintenance Activity	April 1, 2024
Quarterly Maintenance Activity	July 1, 2024
First Annual Monitoring Report	August 15, 2024
Quarterly Maintenance Activity	October 1, 2024
Quarterly Maintenance Activity	January 2, 2025
Quarterly Maintenance Activity	April 1, 2025
Quarterly Maintenance Activity	July 1, 2025
Second Annual Monitoring Report	August 15, 2025
Semi-Annual Maintenance Activity	January 2, 2026
Semi-Annual Maintenance Activity	July 1, 2026
Third Annual Monitoring Report	August 15, 2026
Semi-Annual Maintenance Activity	January 2, 2027
Semi-Annual Maintenance Activity	July 1, 2027
Fourth Annual Monitoring Report	August 15, 2027
Semi-Annual Maintenance Activity	January 2, 2028
Semi-Annual Maintenance Activity	July 1, 2028
Fifth Annual Monitoring Report	August 15, 2028
Final Inspection	October 1, 2028

*Adjustments to the above schedule can be made with SFWMD permit modification approval.

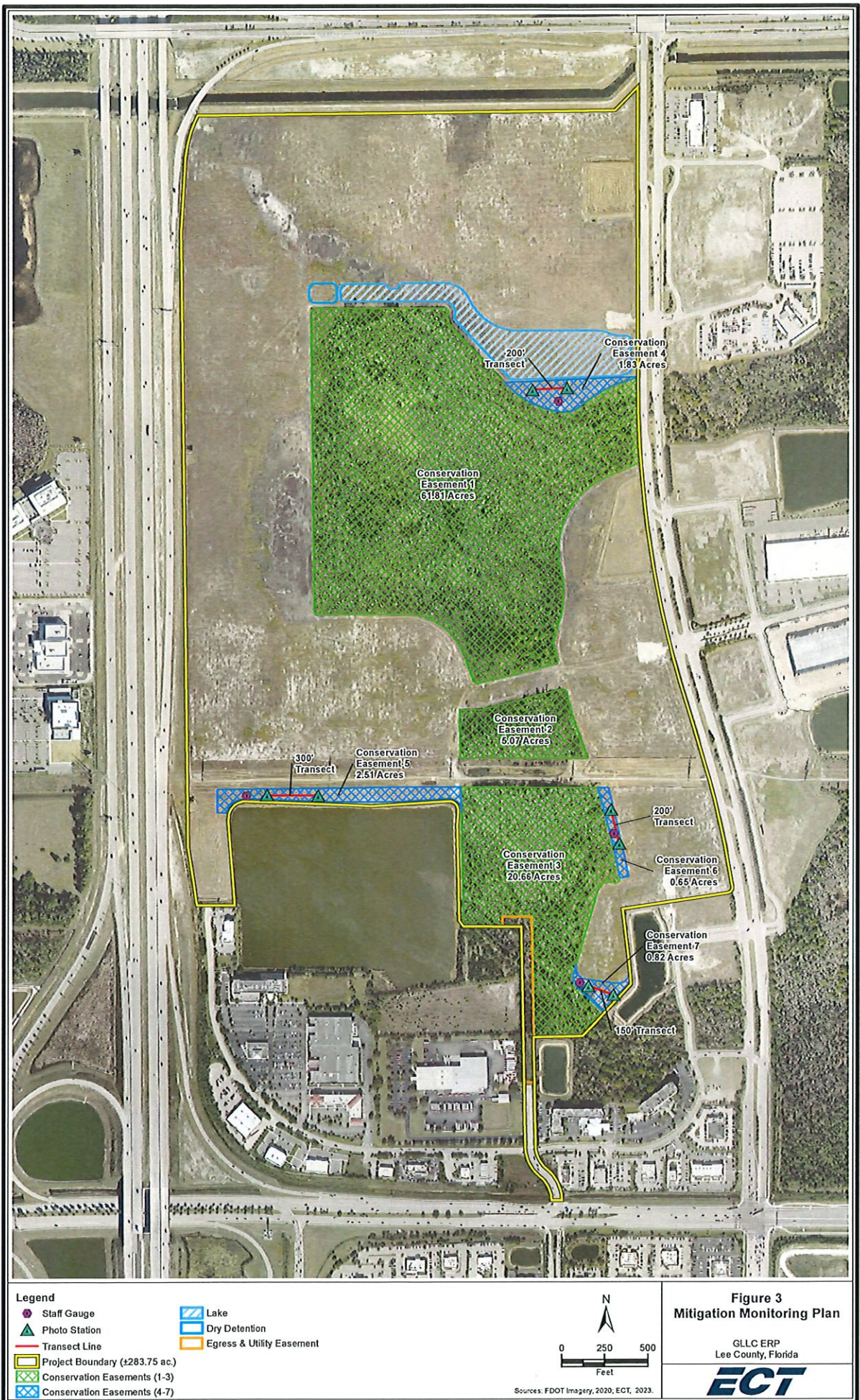


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Figures









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Exhibit A Existing Conservation Easement

INSTR # 2018000069585, Doc Type EAS, Pages 17, Recorded 03/26/2018 at 09:59 AM,
Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$146.00 Deputy
Clerk CMASSEY

DEED OF CONSERVATION EASEMENT STANDARD

Prepared by:

Return original or certified recorded document to:

South Florida Water Management District

THIS DEED OF CONSERVATION EASEMENT is given this 19th day of March, 20 18, by Youngquist Brothers Family Holdings, LLC ("Grantor") whose mailing address is 15533 Pine Ridge Road, Fort Myers, FL 33908 to South Florida Water Management District ("Grantee"). As used herein, the term "Grantor" shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Conservation Easement Area" (as hereinafter defined) and the term "Grantee" shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the fee simple owner of certain lands situated in Lee County, Florida, and more specifically described on the location map in Exhibit "A" attached hereto and incorporated herein (the "Property"); and

WHEREAS, Permit No. 36-05415-P ("Permit") and any modifications thereto issued by the Grantee authorizes certain activities which could affect wetlands or other surface waters in or of the State of Florida; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit or other good and valuable consideration provided to Grantor, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes (F.S.), over the area of the Property described on Exhibit "B" ("Conservation Easement Area"); and

WHEREAS, Grantor grants this Conservation Easement as a condition of the Permit, solely to off-set or prevent adverse impacts to natural resources, fish and wildlife, and wetland functions; and

WHEREAS, Grantor desires to preserve the Conservation Easement Area in perpetuity in its natural condition, or, in accordance with the Permit, in an enhanced, restored, or created condition; and

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to Grantee in issuing the Permit, together with other good and valuable consideration provided to the Grantor, the adequacy and receipt of which are hereby acknowledged, Grantor hereby voluntarily grants, creates, conveys, and establishes a perpetual Conservation Easement for and in favor of the Grantee upon the area of the Property described on Exhibit "B" which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this Conservation Easement shall be as follows:



1. Recitals. The recitals hereinabove set forth are true and correct and are hereby incorporated into and made a part of this Conservation Easement.

2. Purpose. It is the purpose of this Conservation Easement to retain land or water areas in their existing, natural, vegetative, hydrologic, scenic, open or wooded condition and to retain such areas as suitable habitat for fish, plants, or wildlife in accordance with Section 704.06, F.S. Those wetland and upland areas included in this Conservation Easement which are to be preserved, enhanced, restored, or created pursuant to the Permit (or any modification thereto) and any Management Plan attached hereto as Exhibit "C" ("Management Plan") which has been approved in writing by the Grantee, shall be retained and maintained in the preserved, enhanced, restored, or created condition required by the Permit (or any modification thereto).

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Conservation Easement Area at reasonable times with any necessary equipment or vehicles to inspect, determine compliance with the covenants and prohibitions contained in this easement, and to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Conservation Easement Area by Grantor at the time of such entry; and

b. To proceed at law or in equity to enforce the provision of this Conservation Easement and the covenants set forth herein, to prevent the occurrence of any of the prohibited activities set forth herein, and to require the restoration of such areas or features of the Conservation Easement Area that may be damaged by any activity or use that is inconsistent with this Conservation Easement.

3. Prohibited Uses. Except for activities that are permitted or required by the Permit (or any modification thereto) (which may include restoration, creation, enhancement, maintenance, and monitoring activities, or surface water management improvements) or other activities described herein or in the Management Plan (if any), any activity on or use of the Conservation Easement area inconsistent with the purpose of this Conservation Easement is prohibited. Without limiting the generality of the foregoing, the following activities are expressly prohibited in or on the Conservation Easement area:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removing, destroying or trimming trees, shrubs, or other vegetation, except:
i. The removal of dead trees and shrubs or leaning trees that could cause damage property is authorized;

ii. The destruction and removal of noxious, nuisance or exotic invasive plant species as listed on the most recent Florida Exotic Pest Plant Council's List of Invasive Species is authorized;

iii. Activities authorized by the Permit or described in the Management Plan or otherwise approved in writing by the Grantee are authorized; and

iv. Activities conducted in accordance with a wildfire mitigation plan developed with the Florida Forest Service that has been approved in writing by the Grantee are authorized. No later than thirty (30) days before commencing any activities to implement the approved wildfire mitigation plan, Grantor shall notify the Grantee in writing of its intent to commence such activities. All such activities may only be completed during the time period for which the Grantee approved the plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural, restored, enhanced, or created condition;



f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking, clearing, and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;
and

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties having historical, archaeological, or cultural significance.

4. Grantor's Reserved Rights. Grantor reserves all rights as owner of the Conservation Easement Area, including the right to engage or to permit or invite others to engage in all uses of the Conservation Easement Area that are not prohibited herein and which are not inconsistent with the Permit (or any modification thereto), Management Plan, or the intent and purposes of this Conservation Easement.

5. No Dedication. No right of access by the general public to any portion of the Conservation Easement Area is conveyed by this Conservation Easement.

6. Grantee's Liability. Grantee's liability is limited as provided in Subsection 704.06(10) and Section 768.28, F.S. Additionally, Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep, or maintenance of the Conservation Easement Area.

7. Enforcement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

8. Taxes. When perpetual maintenance is required by the Permit, Grantor shall pay before delinquency any and all taxes, assessments, fees, and charges of whatever description levied on or assessed by competent authority on the Conservation Easement Area, and shall furnish the Grantee with satisfactory evidence of payment upon request.

9. Assignment. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization or entity qualified to hold such interests under the applicable state laws.

10. Severability. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. Terms and Restrictions. Grantor shall insert the terms and restrictions of this Conservation Easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Conservation Easement.

12. Written Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

13. Modifications. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in Lee County, Florida.



14. Recordation. Grantor shall record this Conservation Easement in timely fashion in the Official Records of Lee County, Florida, and shall rerecord it at any time Grantee may require to preserve its rights. Grantor shall pay all recording costs and taxes necessary to record this Conservation Easement in the public records. Grantor will hold Grantee harmless from any recording costs or taxes necessary to record this Conservation Easement in the public records.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purposes imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Conservation Easement Area.

Grantor hereby covenants with Grantee that Grantor is lawfully seized of said Conservation Easement Area in fee simple; that the Conservation Easement is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement; all mortgages and liens on the Conservation Easement area, if any, have been subordinated to this Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and defends record title to the Conservation Easement Area hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Youngquist Brothers Family Holdings, LLC ("Grantor") has hereunto set its authorized hand this 19th day of March, 2018.

☐ A Florida corporation or ☒ Florida LLC (choose one)

By: [Signature]

Name: Harvey Youngquist
(Print)

Title: Manager

Signed, sealed and delivered in our presence as witnesses:

By: [Signature]
(Signature)

Name: Gary Flaherty
(Print)

By: [Signature]
(Signature)

Name: Lyke Schultheis
(Print)

STATE OF FLORIDA

COUNTY OF Lee

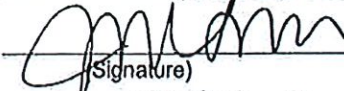
On this 19th day of March, 2018, before me, the undersigned notary public, personally appeared Harvey Youngquist, the person who subscribed to the foregoing instrument, as the Manager (title), of Youngquist Brothers Family Holdings, LLC ☐ (corporation), a Florida corporation, or ☒ Florida LLC (choose one) and acknowledged that he/she executed the same on behalf of said ☐



corporation, or ☒ Florida LLC (choose one) and the he/she was duly authorized to do so. He/She is personally known to me or has produced a _____ (state) driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA


(Signature)
Jessica K. Linn
(Name)



My Commission Expires: 04/16/2018



MORTGAGEE JOINDER, CONSENT AND SUBORDINATION

For Ten Dollars (\$10.00) and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, FineMark National Bank & Trust, the owner and holder of a mortgage dated 05/26/2017, in the original principal amount of \$ 5,250,000.00, given by YBFH Real Estate, LLC ("Grantor") to FineMark National Bank & Trust ("Mortgagee"), encumbering the real property described on Exhibit "B" attached hereto ("Conservation Easement Area"), which is recorded in Official Records Book 2017000122442 at Page _____, (together with that certain Assignment of Leases and Rents recorded in Official Records Book 2017000122442, at Page _____, and those certain UCC-1 Financing Statement(s) recorded in Official Records Book 2017000122443, at Page _____, all of the Public Records of Lee County, Florida (said mortgage, assignment of leases and rents, and UCC-1 Financing Statements, as modified, are hereinafter referred to as the "Mortgage"), hereby joins in, consents to and subordinates the lien of its Mortgage, as it has been, and as it may be, modified, amended and assigned from time to time, to the foregoing Conservation Easement, executed by YBFH Real Estate, LLC, in favor of South Florida Water Management District applicable to the Conservation Easement, as said Conservation Easement may be modified, amended, and assigned from time to time, with the intent that the Mortgage shall be subject and subordinate to the Conservation Easement.



IN WITNESS WHEREOF, this Mortgagee Joinder, Consent and Subordination is made this

16 day of March, 2018.

By: [Signature]
(Signature)

FineMark National Bank & Trust

(Mortgagee)

Name: Chris Cattl

Title: Vice President
(Print)

WITNESSES:

By: [Signature]
(Signature)

Name: Chris Cattl
(Print)

By: Heather Richardson
(Signature)

Name: Heather Richardson
(Print)

STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 16 day of March, 2018, by Chris Cattl (print name), as VP (title) of FineMark Bank (Grantor of Mortgage), on behalf of the [Signature] (Mortgagee, Grantor of the conservation Easement). He/She is personally known to me or has produced a [Signature] (state) driver's license as identification.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

[Signature]
(Signature)

Julie Johnson
(Name)

My Commission Expires: 4/21/21



EXHIBIT A

[LOCATION MAP]



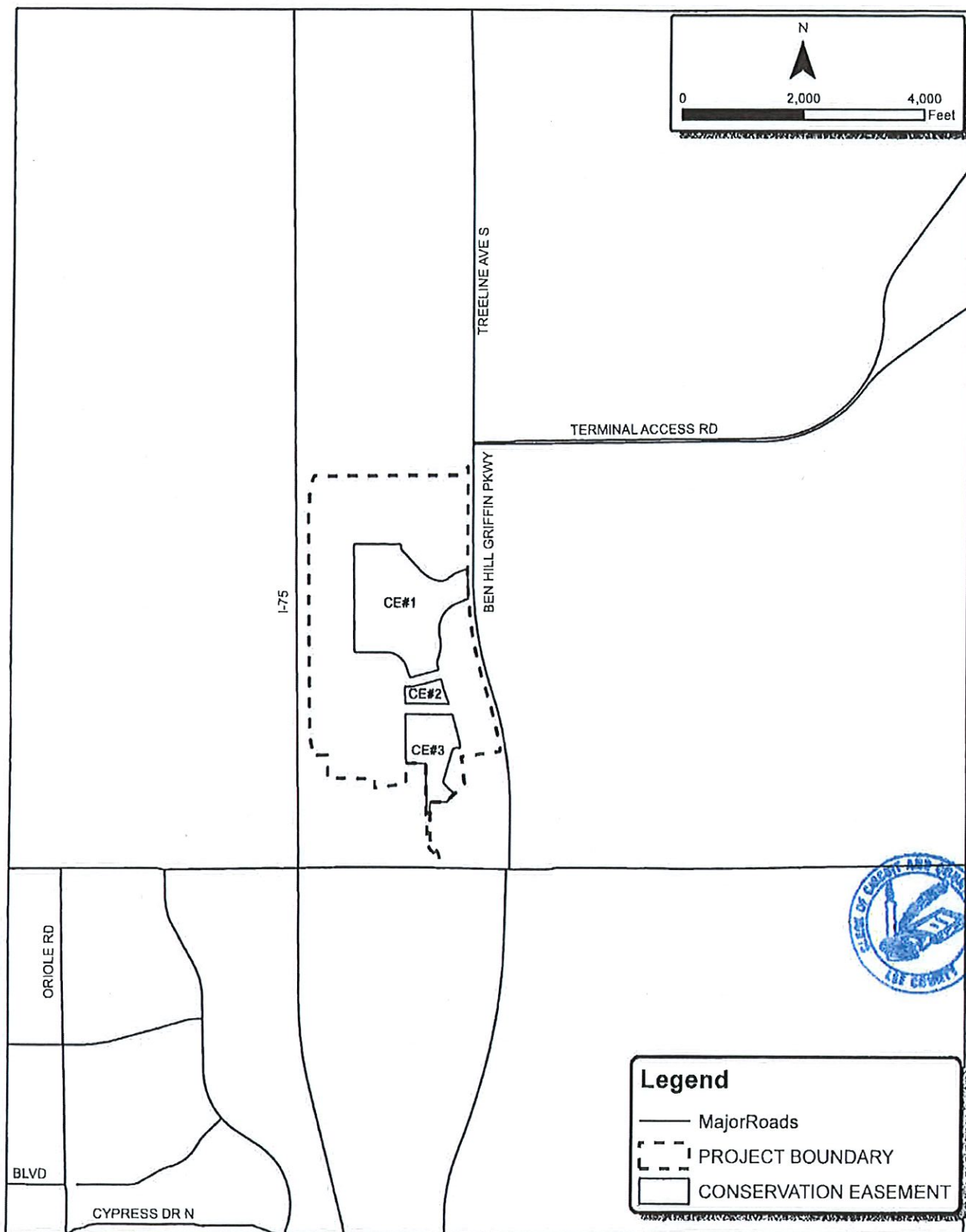


EXHIBIT B

[LEGAL DESCRIPTION AND SKETCH OF CONSERVATION EASEMENT AREA]



DESCRIPTION
CONSERVATION EASEMENT NO.1

PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 2; THENCE S.01°06'33"E., ALONG THE SECTION LINE, FOR A DISTANCE OF 1,324.56 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE N.90°00'00"E. A DISTANCE OF 203.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 104° 28' 39", AND WHOSE CHORD BEARS S.37° 45' 40" E. FOR A DISTANCE OF 39.53 FEET. HAVING AN ARC LENGTH OF 45.59 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE HAVING A RADIUS OF RADIUS 75.00 FEET, A CENTRAL ANGLE OF 58°58'05" AND WHOSE CHORD BEARS S.15°00'23"E. FOR A DISTANCE OF 73.83 FEET, ARC DISTANCE BEING 77.19 FEET; THENCE S.43°05' 09"E. FOR A DISTANCE OF 454.09 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE EASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 525.00 FEET, A CENTRAL ANGLE OF 41°08' 53", AND WHOSE CHORD BEARS S.63°39'36"E. FOR A DISTANCE OF 368.99 FEET, ARC LENGTH BEING 377.04 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE EASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 155.53 FEET, A CENTRAL ANGLE OF 41° 23' 05", AND WHOSE CHORD BEARS N.70°05'11" E, FOR A DISTANCE OF 109.91 FEET, ARC LENGTH BEING 112.34 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS 713.65 FEET, A CENTRAL ANGLE OF 23°08'08", AND WHOSE CHORD BEARS N.60°57'42"E. FOR A DISTANCE OF 286.21 FEET, ARC LENGTH BEING 288.17 FEET; THENCE N.72°31'46"E. FOR A DISTANCE OF 86.42 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150 FEET WIDE); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING 2 COURSES; S.00°04'06"E. FOR A DISTANCE OF 59.63 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 6,071.62 FEET, A CENTRAL ANGLE OF 04°02'25", AND WHOSE CHORD BEARS S.02°05'19"E. FOR A DISTANCE OF 428.07 FEET, HAVING AN ARC LENGTH OF 428.16 FEET; THENCE S.66°09'01"W., DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY FOR A DISTANCE OF 230.69 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 452.01 FEET, A CENTRAL ANGLE OF 76°54'14" AND WHOSE CHORD BEARS S.27°32'52"W., FOR A DISTANCE OF 562.17 FEET, ARC LENGTH BEING 606.70 FEET; THENCE S.10°59'36"E. FOR A DISTANCE OF 34.94 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 573.33 FEET, A CENTRAL ANGLE OF 27°12'10", AND WHOSE CHORD BEARS S.00°28'11"W, FOR A DISTANCE OF 269.66 FEET, ARC LENGTH BEING 272.21 FEET; THENCE RUN S.15°39'02"W. FOR A DISTANCE OF 133.55 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 30°01'18" AND WHOSE CHORD BEARS S.00°38'23"W. FOR A DISTANCE OF 38.85 FEET, ARC LENGTH BEING 39.39 FOR A DISTANCE OF 39.30 FEET; THENCE S.14°22'16"E. FOR A DISTANCE OF 75.17 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF RADIUS 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND WHOSE CHORD BEARS S.30°37'44"W, FOR A DISTANCE OF 35.36 FEET, ARC LENGTH BEING 39.27 FEET; THENCE S.75°37'44"W. FOR A DISTANCE OF 447.42 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 84°29'06", AND WHOSE CHORD BEARS N.62°07'43"W FOR A DISTANCE OF 33.61 FEET, ARC LENGTH BEING 36.86 FEET; THENCE N.19°53'10"W. FOR A DISTANCE OF 161.31 FEET TO BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 70°06'50", AND WHOSE CHORD BEARS N.54°56'35"W, FOR A DISTANCE OF 402.07 FEET, ARC LENGTH BEING 428.30 FEET; THENCE S.90°00'00"W. FOR A DISTANCE OF 505.22 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°20'50", AND WHOSE CHORD BEARS N.45°19'35"W. FOR A DISTANCE OF 35.15 FEET, ARC LENGTH BEING 38.99 FEET; THENCE N.0°39'10"W. FOR A DISTANCE OF 1,712.19 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°39' 10", AND WHOSE CHORD BEARS N.44°40'25"E. FOR A DISTANCE OF 35.56 FEET, ARC LENGTH BEING 39.55 FEET; THENCE N.90°00'00"E. FOR A DISTANCE OF 534.69 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.

PARCEL CONTAINS 2,692,518 SQUARE FEET OR 61.81 ACRES, MORE OR LESS,

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST-QUARTER (NW-1/4) OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST TO BEAR S.01°06'33"E.

PREPARED BY

MARK A. HATFIELD, P.S.M.
 FLORIDA CERTIFICATE NO. 4155

DATE

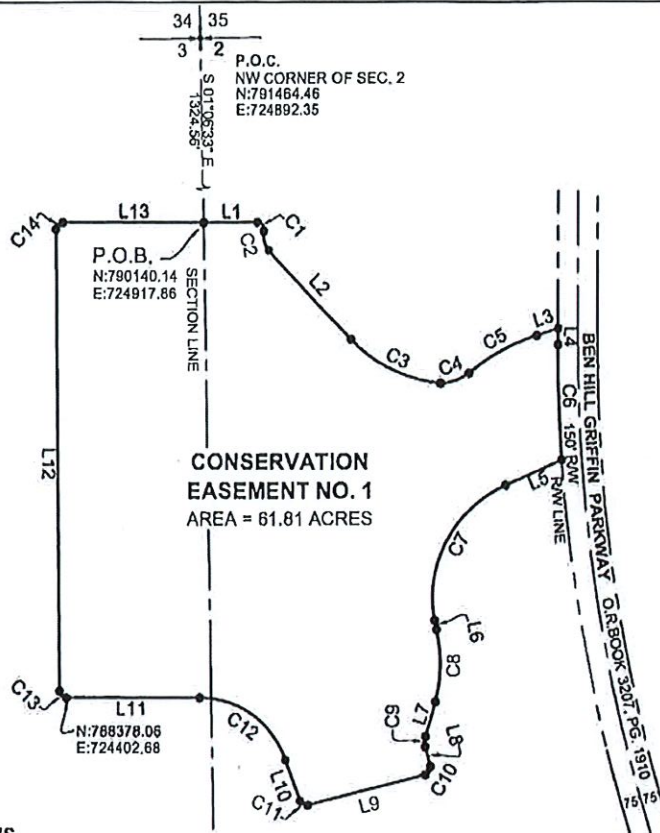


VOA PROJECT 17037
CHECKED BY MAH
DATE 3-23-18
SHEET 1 OF 2

DESCRIPTION DRAWING
 PARCEL OF LAND LYING IN
 SECTIONS 2 AND 3, TOWNSHIP 46
 SOUTH, RANGE 25 EAST, LEE
 COUNTY, FLORIDA
CONSERVATION EASEMENT NO. 1



Fort Myers
 Tallahassee
 Destin
 2511 Cleveland Avenue
 Fort Myers, Florida 33901
 (941) 351-3400
 Fax: (941) 351-0064
 Toll Free: 800-351-9541

**ABBREVIATIONS**

- C1 = CURVE DESIGNATION
 C.A. = CENTRAL ANGLE
 C.B. = CHORD BEARING
 CHD = CHORD LENGTH
 C/L = CENTERLINE
 INST. = INSTRUMENT
 L1 = LINE DESIGNATION
 LB = LICENSED BUSINESS
 NO. = NUMBER
 OR = OFFICIAL RECORDS
 PG. = PAGE
 PERP. = PERPETUAL
 P.B. = PLAT BOOK
 POB = POINT-OF-BEGINNING
 POC = POINT-OF-COMMENCEMENT
 RW = RIGHT OF WAY
 RAD. = RADIUS
 SEC. = SECTION
 SQ.FT. = SQUARE FEET
 S.R. = STATE ROAD

CURVE DATA TABLE

CURVE	RAD.	C.A.	CHD BRG	CHORD	ARC
C1	25.00'	104°28'39"	S 37°45'40" E	39.63'	45.59'
C2	75.00'	58°58'05"	S 15°00'23" E	73.83'	77.19'
C3	525.00'	41°08'53"	S 63°39'36" E	368.99'	377.04'
C4	155.53'	41°23'05"	N 70°05'11" E	109.91'	112.34'
C5	713.65'	23°08'08"	N 60°57'42" E	286.21'	288.17'
C6	6071.62'	4°02'25"	S 02°05'19" E	428.07'	428.16'
C7	452.01'	76°54'14"	S 27°32'52" W	562.17'	606.70'
C8	573.33'	27°12'10"	S 00°28'11" W	269.66'	272.21'
C9	75.00'	30°01'18"	S 00°38'23" W	38.85'	39.30'
C10	25.00'	90°00'00"	S 30°37'44" W	35.36'	39.27'
C11	25.00'	84°29'06"	N 62°07'43" W	33.61'	36.86'
C12	350.00'	70°08'50"	N 54°56'35" W	402.07'	428.30'
C13	25.00'	89°20'50"	N 45°19'35" W	35.15'	38.99'
C14	25.00'	90°39'10"	N 44°40'25" E	35.56'	39.55'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 90°00'00" E	203.64'
L2	S 43°05'09" E	454.09'
L3	N 72°31'46" E	86.42'
L4	S 00°04'08" E	59.63'
L5	S 66°09'01" W	230.69'
L6	S 10°59'36" E	34.94'
L7	S 15°39'02" W	133.55'
L8	S 14°22'16" E	75.17'
L9	S 75°37'44" W	447.42'
L10	N 19°53'10" W	161.31'
L11	S 90°00'00" W	505.22'
L12	N 00°39'10" W	1712.19'
L13	N 90°00'00" E	534.69'

SURVEYOR'S NOTES:

1. THE DESCRIPTION SHOWN HEREON BASED ON DESCRIPTIONS
 RECORDED IN CLERK'S INSTRUMENT NO. 2005000140667, LEE
 COUNTY PUBLIC RECORDS.
 COORDINATES SHOWN HEREON BASED ON FLORIDA GRID, WEST
 ZONE, NAD 83/90.
 SKETCH PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA'S
 STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C.
 ORIENTATION BASED ON THE WEST LINE OF SECTION 2, T.48 S.,
 R. 25 E. AS BEARING S 01°08'33" E.
 UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF
 THE FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS
 ARE INCLUDED, THIS MAP IS NOT VALID.

VSA PROJECT:
 17037
 CHECKED BY: MAH
 DATE:
 3-23-18
 SHEET:
 2 OF 2

DESCRIPTION DRAWING
 PARCEL OF LAND LYING IN
 SECTIONS 2 AND 3, TOWNSHIP 46
 SOUTH, RANGE 25 EAST, LEE
 COUNTY, FLORIDA
CONSERVATION EASEMENT NO. 1

MORRIS
DEPEW
 ENGINEERS & PLANNERS • SURVEYORS
 LANDSCAPE ARCHITECTS
 FL CA NO. 6552 / FL CERT NO. LB0251 / LC28000000

• Fort Myers
 • Tallahassee
 • Destin
 2914 Greenfield Avenue
 Fort Myers, Florida 33901
 (941) 337-3800
 Fax (941) 337-3894
 Toll Free 866-337-7111

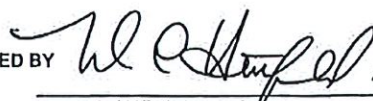


DESCRIPTION**CONSERVATION EASEMENT NO.2**

A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE N.01°03'25"W., ALONG THE SECTION LINE, A DISTANCE OF 2,647.96 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 2; THENCE N.0°06'33"W. ALONG THE SECTION LINE, A DISTANCE OF 261.42 FEET; THENCE N.88°53'27"E. A DISTANCE OF 249.98 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE S.89°42'51"E. A DISTANCE OF 121.05 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE RUN NORTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 14°39'25", AND WHOSE CHORD BEARS N.82°57'27"E. A DISTANCE OF 6.38 FEET, HAVING AN ARC LENGTH OF 6.40 FEET; THENCE N.75°37'44"E. FOR A DISTANCE OF 470.22 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE RUN SOUTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND WHOSE CHORD BEARS S.59°22'16"E. A DISTANCE OF 35.36 FEET, HAVING AN ARC LENGTH OF 39.27 FEET; THENCE S.14°22'16"E. FOR A DISTANCE OF 77.26 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE RUN SOUTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 1320.00 FEET, A CENTRAL ANGLE OF 06°57'08", AND WHOSE CHORD BEARS S.17°50'50"E. A DISTANCE OF 160.07 FEET, HAVING AN ARC LENGTH OF 160.17 FEET TO A POINT OF REVERSE CURVATURE; THENCE RUN SOUTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 4774.76 FEET, A CENTRAL ANGLE OF 01°55'40", AND WHOSE CHORD BEARS S.20°21'34"E. A DISTANCE OF 160.65 FEET, HAVING AN ARC LENGTH OF 160.65 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF A 170 FOOT WIDE FLORIDA POWER AND LIGHT RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 876, PAGE 610, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°43'07"W. ALONG SAID NORTHERLY EASEMENT LINE FOR A DISTANCE OF 732.26 FEET; THENCE N.01°04'36"W. A DISTANCE OF 275.40 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.
PARCEL CONTAINS 220,792 SQUARE FEET OR 5.07 ACRES, MORE OR LESS.

BEARINGS BASED ON THE WEST LINE OF THE SOUTHWEST-QUARTER (SW-1/4) OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST AS BEARING N.01°06'33"W.

PREPARED BY

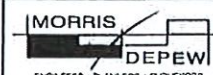


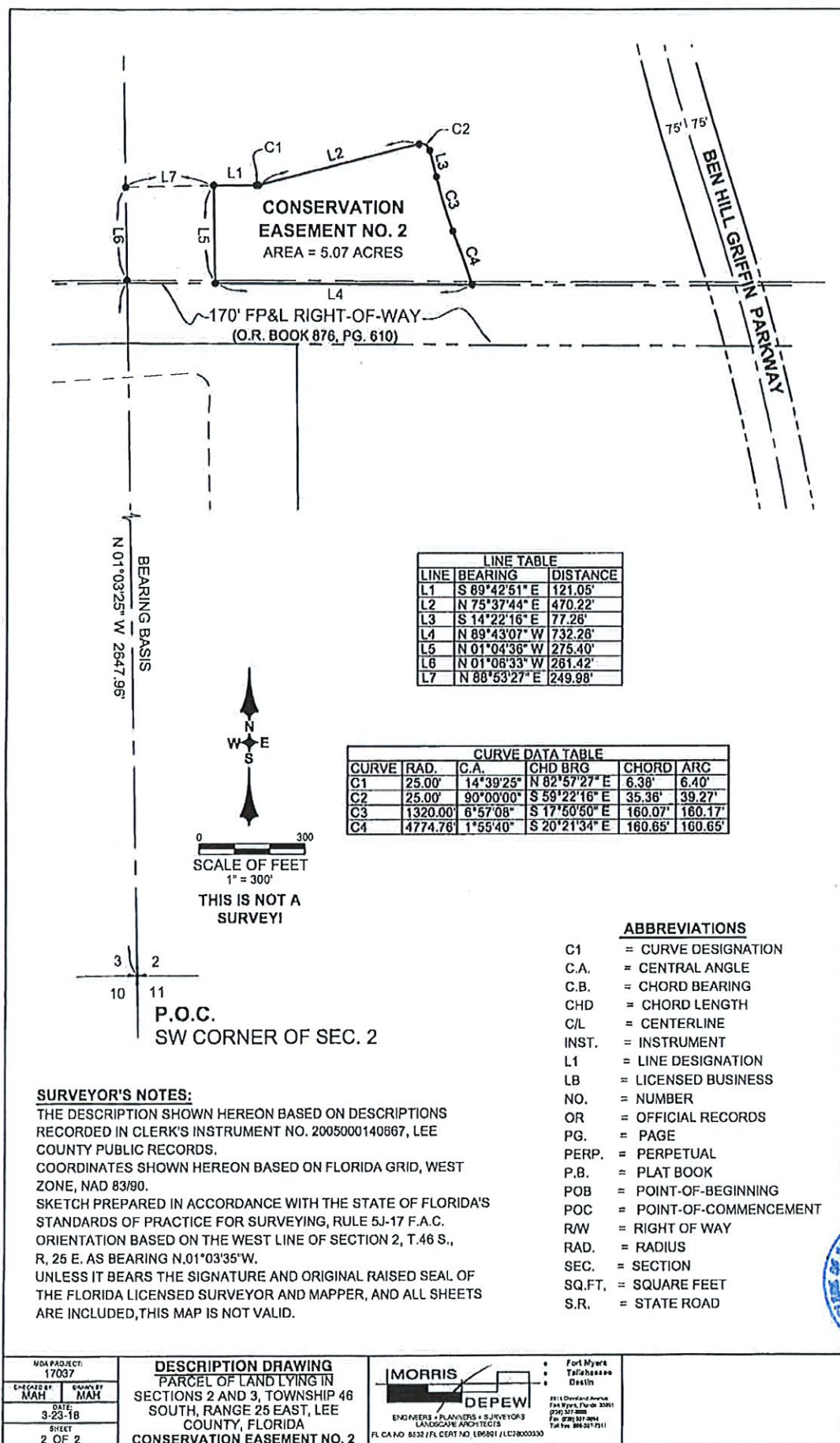
3-26-18

MARK A. HATFIELD, P.S.M.
FLORIDA CERTIFICATE NO. 4155

DATE



MDA PROJECT: 17037	DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA CONSERVATION EASEMENT NO. 2	 MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. C.A.N.O. 6332 / FL. CERT. NO. LB5691 / LC26000330	Fort Myers Tallahassee Destin 2114 Sherford Avenue Fort Myers, Florida 33901 (941) 337-7000 Fax (941) 337-7004 Toll Free 866-337-7341
CHECKED BY MAH	DRAWN BY MAH		
DATE 3-23-18			
SHEET 1 OF 2			



DESCRIPTION
CONSERVATION EASEMENT NO.3

PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2; THENCE N.01°03'25"W, ALONG THE SECTION LINE, FOR A DISTANCE OF 2,469.99 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF A 170 FOOT WIDE FLORIDA POWER AND LIGHT RIGHT-OF-WAY, AS DESCRIBED IN OFFICIAL RECORDS BOOK 876, PAGE 610, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.89°43'07"E. ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 249.96 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE S.89°43'07"E., CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 785.44 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 4774.76 FEET, A CENTRAL ANGLE OF 06°25'56", AND WHOSE CHORD BEARS S.14°01'37"E. A DISTANCE OF 535.75 FEET, HAVING AN ARC LENGTH OF 536.04 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 120°16'11", AND WHOSE CHORD BEARS S.49°19'27"W. A DISTANCE OF 43.36 FEET, HAVING AN ARC LENGTH OF 52.48 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT; THENCE RUN SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 93°12'11", AND WHOSE CHORD BEARS S.62°51'27"W. A DISTANCE OF 108.99 FEET, HAVING AN ARC LENGTH OF 122.00 FEET; THENCE S.16°15'21"W. FOR A DISTANCE OF 495.12 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE RUN SOUTHEASTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 63°03'37", AND WHOSE CHORD BEARS S.15°16'27"E. A DISTANCE OF 78.44 FEET, HAVING AN ARC LENGTH OF 82.55 FEET; THENCE S.46°48'15"E. FOR A DISTANCE OF 217.86 FEET TO AN INTERSECTION WITH THE NORTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 3522, PAGE 3430, SAID PUBLIC RECORDS OF LEE COUNTY; THENCE ALONG THE BOUNDARY OF SAID CERTAIN PARCEL FOR THE NEXT TWO COURSES; S.43°12'27"W. A DISTANCE OF 184.37 FEET; THENCE RUN S.88°56'07"W. A DISTANCE OF 283.60 FEET; THENCE S.01°04'35"E. LEAVING SAID BOUNDARY, FOR A DISTANCE OF 186.62 FEET; THENCE S.88°55'25"W. A DISTANCE OF 60.00 FEET TO THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, SAID PUBLIC RECORDS OF LEE COUNTY; THENCE ALONG THE BOUNDARY OF SAID CERTAIN PARCEL FOR THE NEXT THREE COURSES, N.01°04'35"W. FOR A DISTANCE OF 187.30 FEET; THENCE N.01°04'13"W. A DISTANCE OF 635.96 FEET; THENCE N.89°42'18"W. FOR A DISTANCE OF 329.49 FEET; THENCE N.01°04'60"W., LEAVING SAID BOUNDARY, A DISTANCE OF 804.43 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION. PARCEL CONTAINS 900,179 SQUARE FEET OR 20.67 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE MENTIONED ARE BASED ON THE WEST LINE OF THE SOUTHWEST-QUARTER OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 25 EAST AS BEARING N.01°03'25"W.

PREPARED BY

Mark A. Hatfield

3-26-18

MARK A. HATFIELD, P.S.M.
 FLORIDA CERTIFICATE NO. 4155

DATE



MDA PROJECT: 17037 CHECKED BY: MAH DATE: 3-23-18 SHEET: 1 OF 2	DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA CONSERVATION EASEMENT NO. 3	 MORRIS DEPEU ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA. NO. 8532 / FL. CMT. NO. 129581 / LC26000333	Fort Myers Tallahassee Destin 791 Cleveland Avenue Fort Myers, Florida 33901 (941) 337-8000 Fax: (941) 337-8994 Toll Free: 800-327-7541
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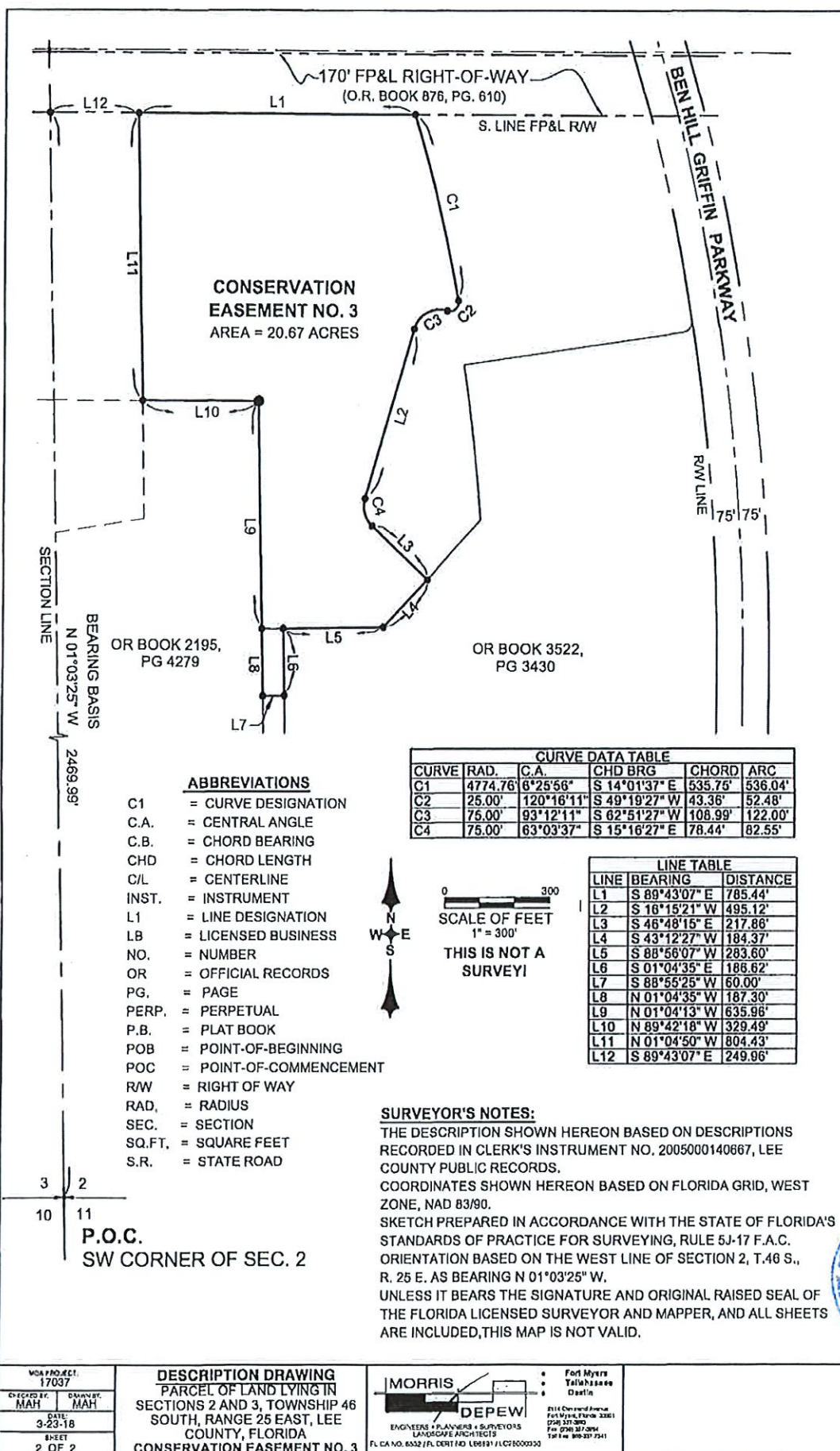


EXHIBIT C

[MANAGEMENT PLAN OR "INTENTIONALLY LEFT BLANK"]

I CERTIFY THIS DOCUMENT TO BE A
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN MY OFFICE
LINDA DOGGETT, CLERK OF CIRCUIT COURT,
STATE OF FLORIDA, COUNTY OF LEE

☐ REDACTED COPY PER F.S. 119.071

BY: Lisa Casposito
DATED: _____ Deputy Clerk

OCT 31 2018

Reset Form Save & Print



Butters Group
Gulf Landings Logistics Center
SFWMD Conservation Area Management Plan

Exhibit B Example Conservation Area Sign

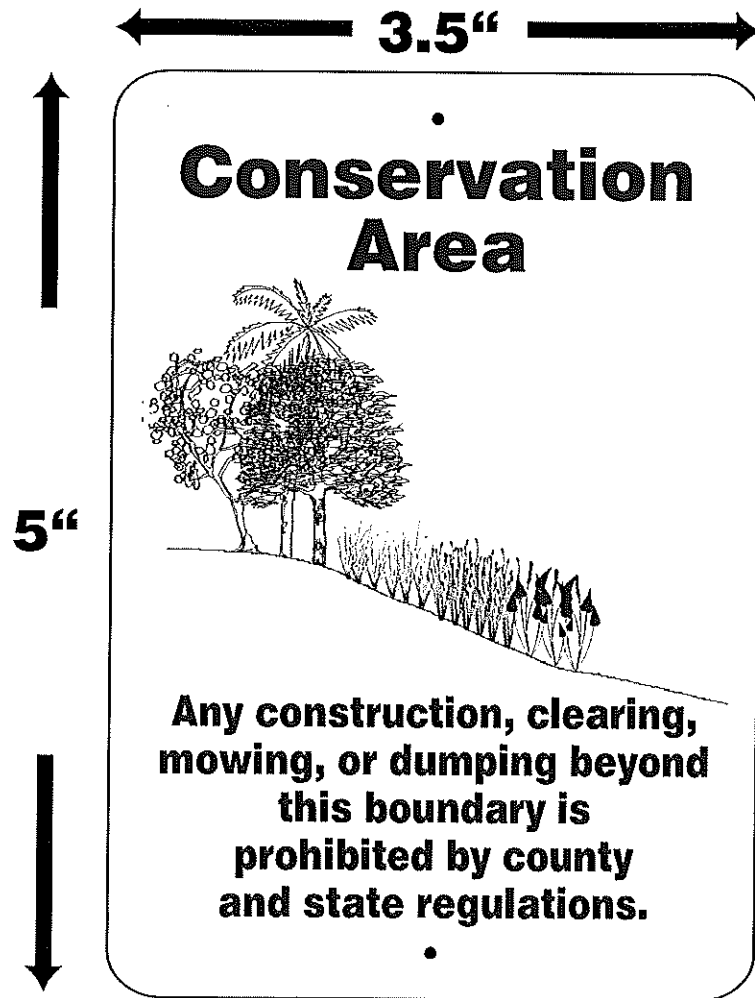


Exhibit C

B:\Projects\750-200 (TYC) Gulf Landings Logistics Center\Drawings\Exhibits\Design\JUE\DO #1 and EPP\Random\CAD\MCP Exhibit\Exhibit B Aerial and Conservation Easement Changes.dwg
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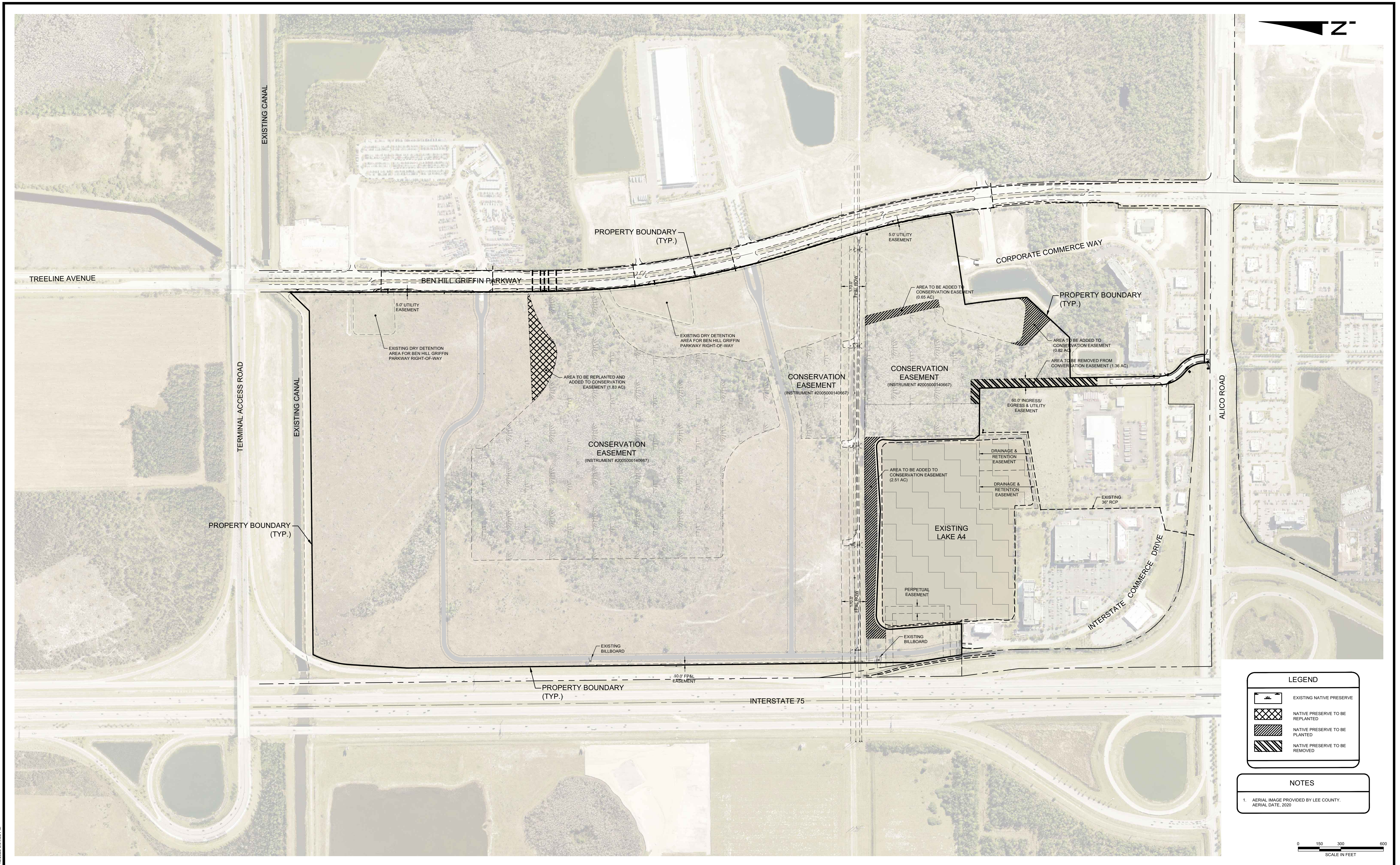


Exhibit D



> **GULF LANDINGS LOGISTICS CENTER**
Lee County Indigenous Preserve
Management Plan

April 2023
ECT No. 210907-0200

BUTTERS GROUP
Coconut Creek, Florida

ECT
1408 West Shore Blvd, Suite 115
Tampa, Florida 33607
www.ectinc.com

TABLE OF CONTENTS

INTRODUCTION	1
2.0 EXISTING INDIGENOUS HABITATS.....	1
3.0 EXISTING NON-INDIGENOUS HABITATS.....	2
4.0 INDIGENOUS VEGETATION RESTORATION.....	2
4.1 METHODS TO REMOVE AND CONTROL EXOTIC AND NUISANCE PLANTS.....	3
4.2 DEBRIS REMOVAL	4
4.3 METHOD AND FREQUENCY OF PRUNING AND TRIMMING	4
5.0 SUPPLEMENTAL WETLAND PLANTINGS	5
6.0 MAINTENANCE	6
7.0 MONITORING REPORTS	7

TABLES

Table 1. Prohibited Invasive Exotics

Table 2. Supplemental Wetland Plantings

FIGURES

FIGURE 1. SITE LOCATION MAP

FIGURE 2. AERIAL LAYOUT

FIGURE 3. RESTORATION MANAGEMENT PLAN MAP

INTRODUCTION

The following outlines the Lee County Indigenous Preserve Management and Restoration Plan for the Gulf Landings Logistics Center (GLLC) (Project). The overall Project site totals 283.75± acres and is located in Sections 2 and 3, Township 46 South, Range 25 East, Lee County (Figure 1). The proposed project will establish on-site conservation (indigenous vegetation) areas totaling approximately 5.80± acres. The purpose for the additional conservation easement acreage is to offset the wetland functional loss incurred from the 1.36-acre vacated portion of the existing conservation easement, therefore management and restoration activities will take place within non-indigenous areas.

The proposed conservation areas will contain the following elements:

- Restoration of 5.80± acres of indigenous wetlands through the removal of exotic vegetation and the addition of supplemental plantings.

2.0 EXISTING INDIGENOUS HABITATS

Pursuant to Land Development Code (LDC) Section 10-1, indigenous native vegetation is defined as those plant species that are characteristic of the major plant communities of the county. Native habitats, where invasive exotic vegetation exceeds 75 percent coverage, are not considered to be indigenous vegetation.

The proposed wetland restoration areas were historically functioning forested wetlands and have since been cleared of vegetation as part of the previously authorized development of the project. There are no existing indigenous areas within the proposed conservation areas.

3.0 EXISTING NON-INDIGENOUS HABITATS

Existing non-indigenous wetland habitat within the preserve totals 5.80± acres. The non-indigenous wetland habitat is comprised mainly of hydric disturbed lands (FLUCFCS 740) with greater than 75 percent coverage by exotics including torpedo grass (*Panicum repens*) and West Indian marsh grass (*Hymenachne amplexicaulis*).

4.0 INDIGENOUS VEGETATION RESTORATION

Wetland areas will be restored through the chemical treatment of exotic and nuisance vegetation and installation of supplemental plantings in the entirety of the conservation areas. The supplemental planting details are discussed in Section 5.0. The locations of the preservation areas are shown on Figure 2 while the mitigation monitoring plan is depicted on Figure 3.

4.1 METHODS TO REMOVE AND CONTROL EXOTIC AND NUISANCE PLANTS

Exotics to be eradicated include, but are not limited to, the 21 species of prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

Table 1. Prohibited Invasive Exotics

Common Name	Scientific Name
Air potato	<i>Dioscorea bulbifera</i>
Australian pine	<i>Casuarina sp.</i>
Bishopwood	<i>Bischofia javanica</i>
Brazilian pepper	<i>Schinus terebinthifolia</i>
Carrotwood	<i>Cupaniopsis anacardioides</i>
Chinese tallow	<i>Sapium sebiferum</i>
Seaside mahoe	<i>Thespesia populnea</i>
Indian laurel	<i>Ficus microcarpa</i>
Downy rose-myrtle	<i>Rhodomyrtus tomentosa</i>
Earleaf acacia	<i>Acacia auriculiformis</i>
Japanese climbing fern	<i>Lygodium japonicum</i>
Java plum	<i>Syzygium cumini</i>
Melaleuca	<i>Melaleuca quinquenervia</i>
Murray red gum	<i>Eucalyptus camaldulensis</i>
Old World climbing fern	<i>Lygodium microphyllum</i>
Rose apple	<i>Syzygium jambos</i>
Indian rosewood	<i>Dalbergia sissoo</i>
Tropical soda apple	<i>Solanum viarum</i>
Wedelia	<i>Wedelia trilobata</i>
Weeping fig	<i>Ficus benjamina</i>
Woman's tongue	<i>Albizia lebbek</i>

Exotic and nuisance vegetation removal will be conducted by an initial mowing event followed by chemical treatment via foliar application of approved herbicide to nuisance grasses.

Efforts will be made to preserve and protect abutting native vegetation. This may include the use of temporary barriers (e.g., staking, roping, fencing) along the existing conservation area. To prevent ground disturbance, mechanical equipment will not be utilized in areas that are saturated or inundated. If rutting occurs, the ground surface will be restored to natural grade with the use of low impact equipment or by hand methods such as raking.

4.2 DEBRIS REMOVAL

The preserve areas will be inspected annually for trash or garbage. Trash or garbage located within the preserve areas will be removed and disposed of by hand.

4.3 METHOD AND FREQUENCY OF PRUNING AND TRIMMING

Exotic removal within the restored indigenous habitats is scheduled to begin after Development Order (DO) approval. After completing the initial exotic removal, semi-annual inspections of the preserves will occur for the first two years. During these inspections, the conservation areas will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Potential problems will also be noted, and corrective actions will be taken. Once exotic/nuisance species levels have been reduced to acceptable limits, inspections of the conservation areas will be conducted a minimum of once every two years.

Exotic maintenance will be hand-removal only. Maintenance will be conducted in perpetuity to ensure that the conservation areas are free of exotic vegetation, including the prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

5.0 SUPPLEMENTAL WETLAND PLANTINGS

Following the removal of exotics, the wetlands will be supplemented with native vegetation plantings. The proposed tree, shrub, and groundcover plantings are listed in Table 2 for the restored wetland habitat.

Table 2. Supplemental Wetland Plantings

Plant Species ¹	Common Name	Size	Spacing
Trees			
<i>Quercus laurifolia</i>	Laurel oak	3-7 gallon	20-foot
<i>Pinus elliottii</i>	Slash pine		
<i>Taxodium distichum</i>	Bald cypress		
<i>Ilex cassine</i>	Dahoon holly		
Shrubs			
<i>Morella cerifera</i>	Wax myrtle	1-3 gallon	10-foot
<i>Myrsine guianensis</i>	Myrsine		
<i>Cephalanthus occidentalis</i>	Buttonbush		
Groundcover			
<i>Spartina bakeri</i>	Sand cordgrass	1 quart or bare root	3-foot
<i>Panicum hemitomon</i>	Maidencane		
<i>Cladium jamaicense</i>	Sawgrass		
<i>Eleocharis interstincta</i>	Spike-rush		

¹Other Florida native species may be substituted where appropriate.²Temporary buffer encroachments occurring in the 15-foot minimum buffer will be replanted.

6.0 MAINTENANCE

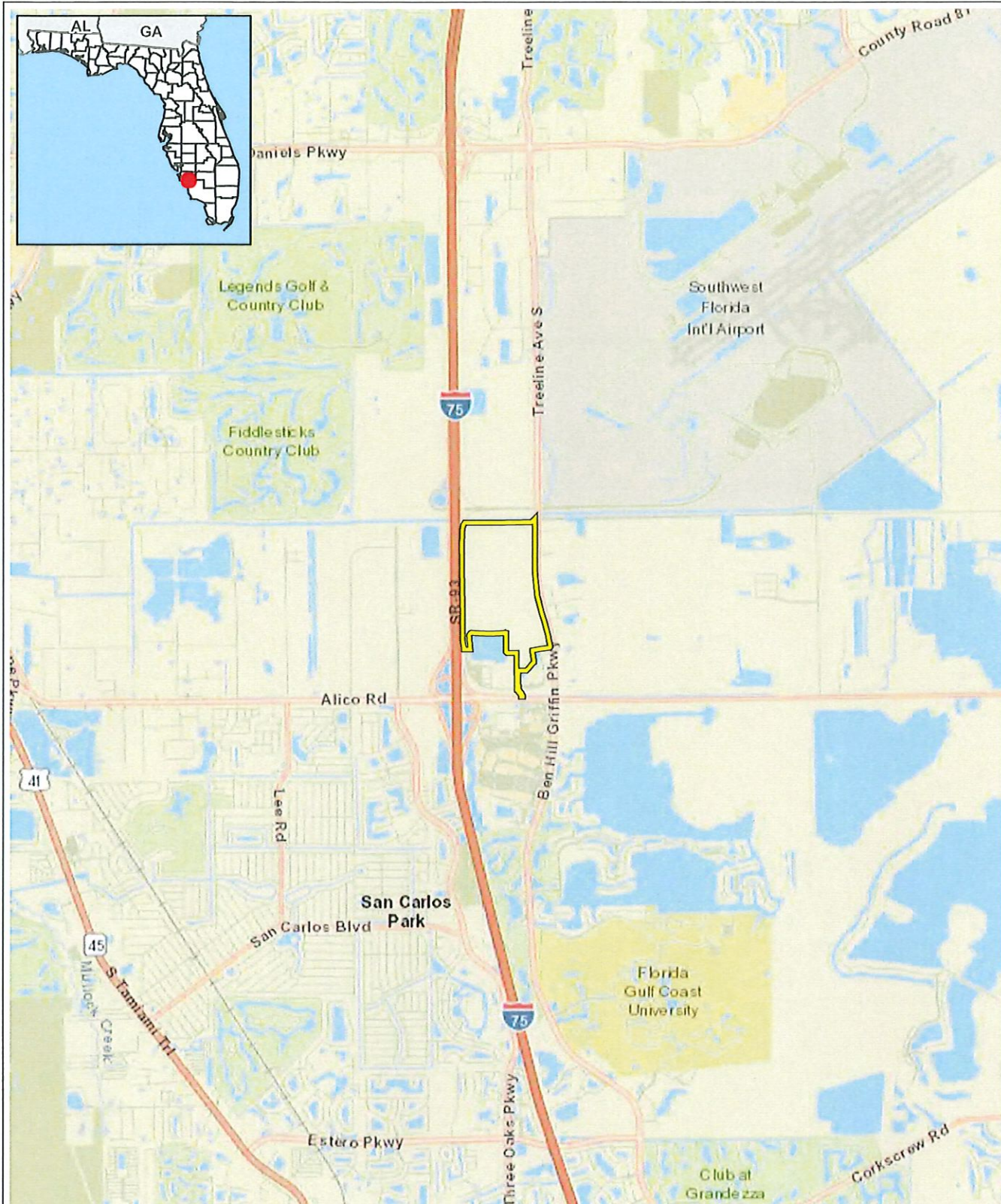
After completing the initial exotic removal, semi-annual inspections of the conservation areas will occur for the first two years. During these inspections, the conservation areas will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Additional potential problems will also be noted, and corrective actions will be taken. Once exotic/nuisance species levels have been reduced to acceptable limits, inspections of the

conservation area will be conducted annually. Maintenance will be conducted in perpetuity to ensure that the conservation areas are free of exotic vegetation, including the prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

7.0 MONITORING REPORTS

The proposed monitoring of the Lee County indigenous preserves will consist of baseline, time- zero, and annual monitoring. Annual reports documenting the achievement of the enhancement, restoration, and creation activities will be submitted to Lee County's Department of Community Development (DCD) staff. Annual monitoring reports will be provided for five years after the Certificate of Compliance has been issued by the DCD. The monitoring reports will include documented exotic and nuisance species, mortality of vegetation, estimated causes of mortality, growth of the vegetation, hydrologic conditions of the wetland preserve areas including monitoring well hydrographs, wildlife observed, photographs, and factors that demonstrate the functional health of the conservation areas. A brief description of the anticipated maintenance work to be conducted over the next year will also be included. In addition, monitoring reports will provide recommendations and/or corrective measures to address deficiencies observed, including impacts to wetland hydrology. Periodic inspections will be conducted by DCD staff to ensure the accuracy of the monitoring reports.

FIGURE 1
SITE LOCATION MAP



A horizontal number line with tick marks at 0, 2,000, and 4,000. The word "Feet" is written below the line. The segment from 0 to 2,000 is shaded with a solid black fill.

Base Layer: ESRI Streetmap

Figure 1
Site Location

GLLC ERP
Lee County, Florida
Date: 11/29/2022

ECT

FIGURE 2
AERIAL LAYOUT



FIGURE 3
RESTORATION MANAGEMENT PLAN MAP

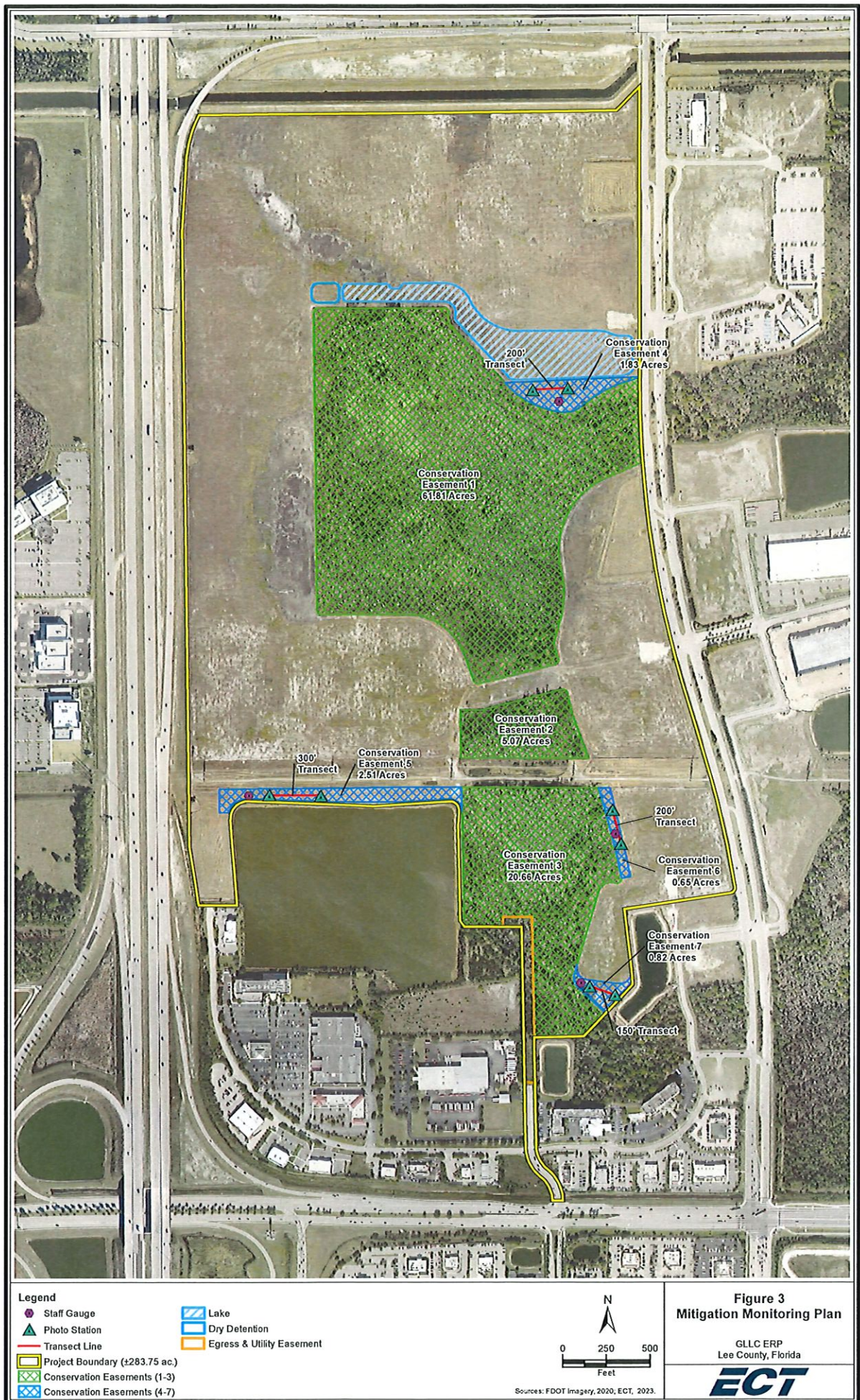
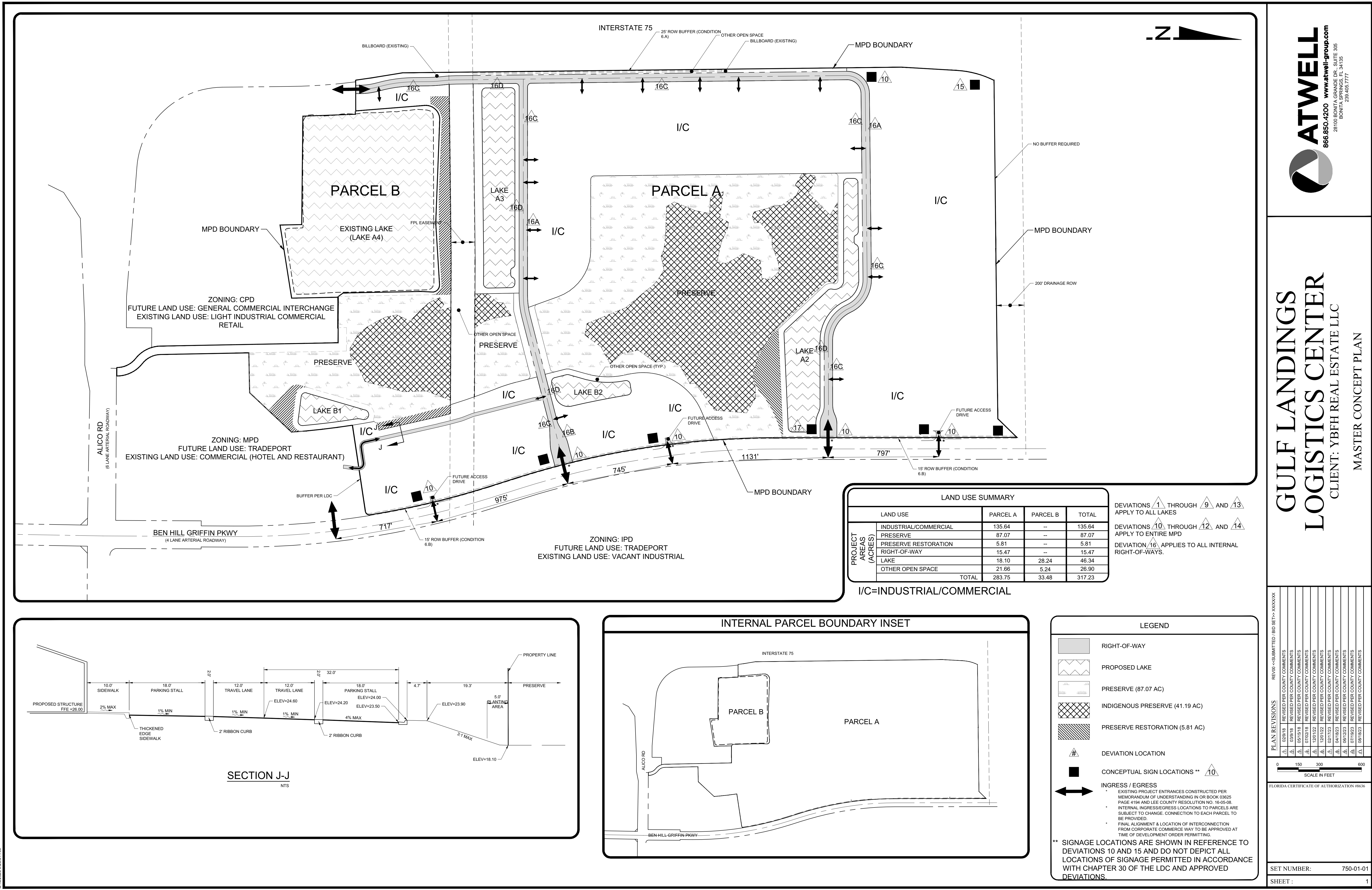
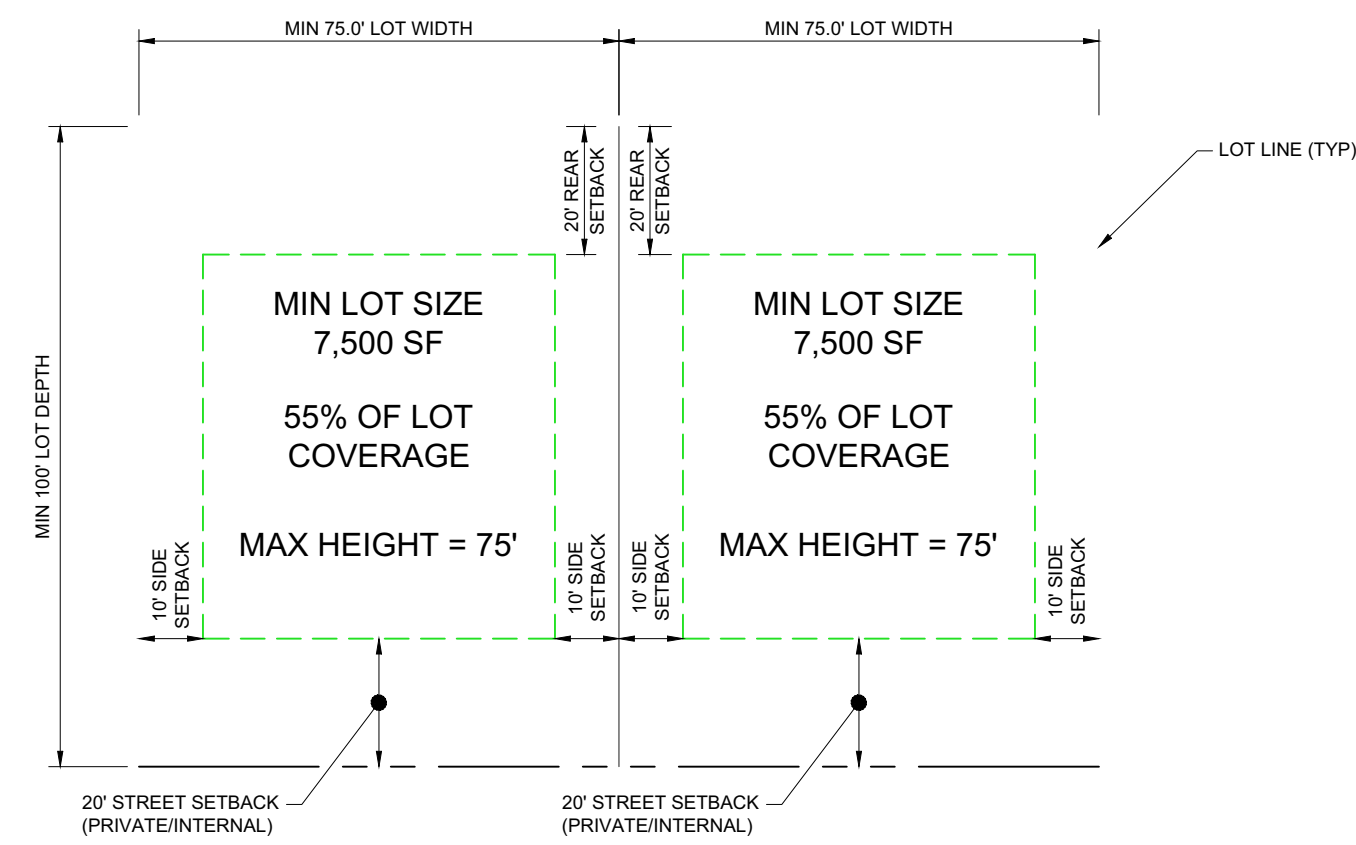
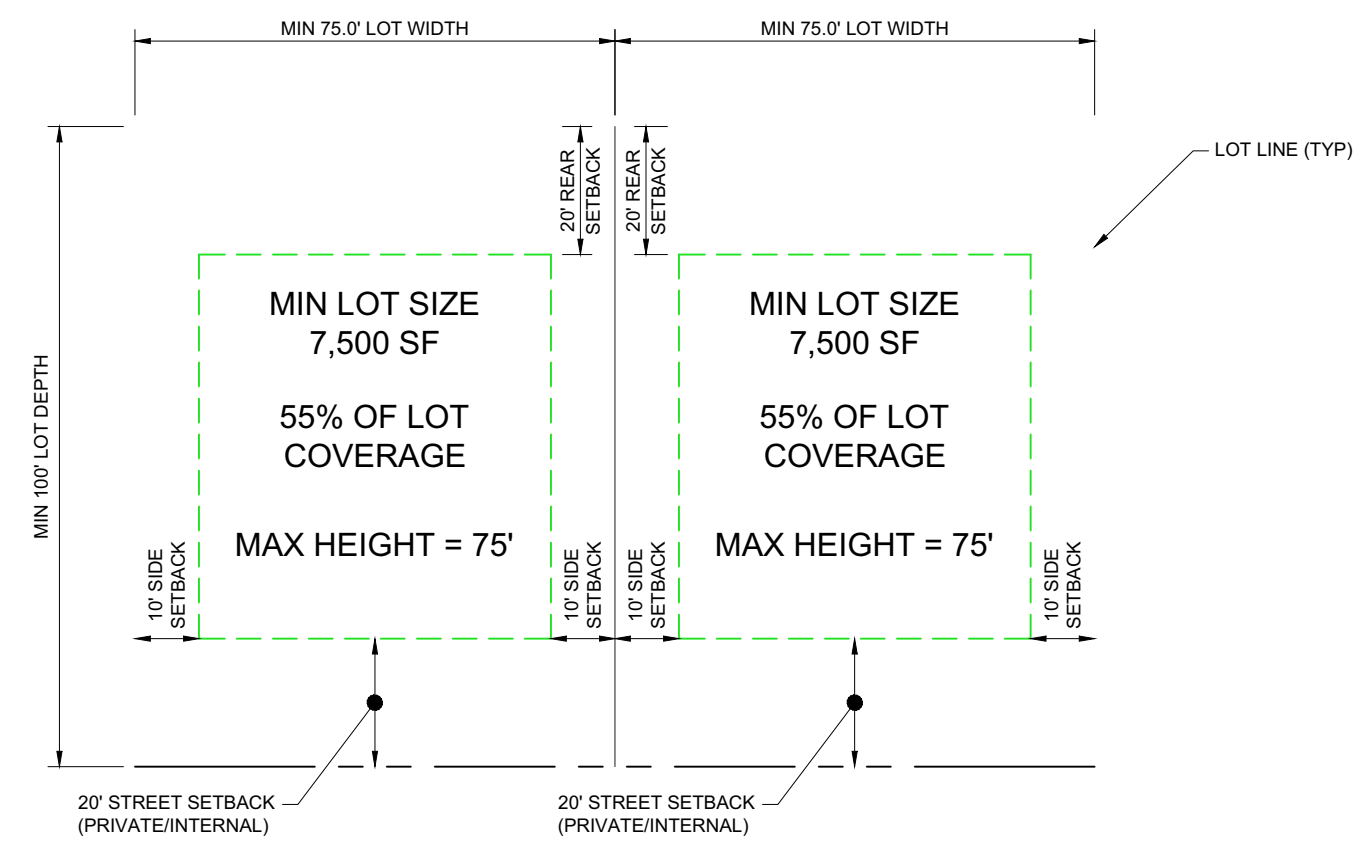


Exhibit E

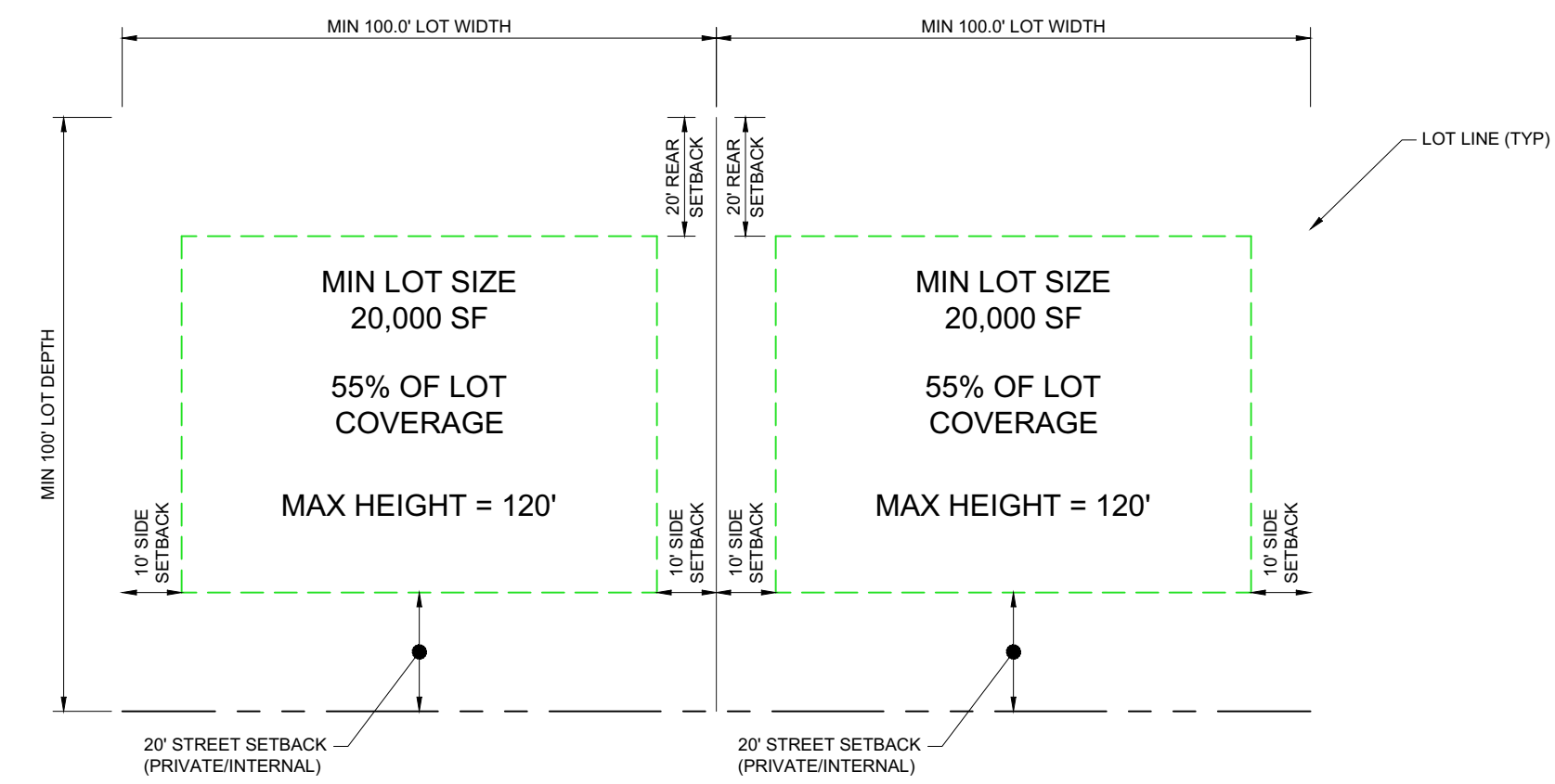




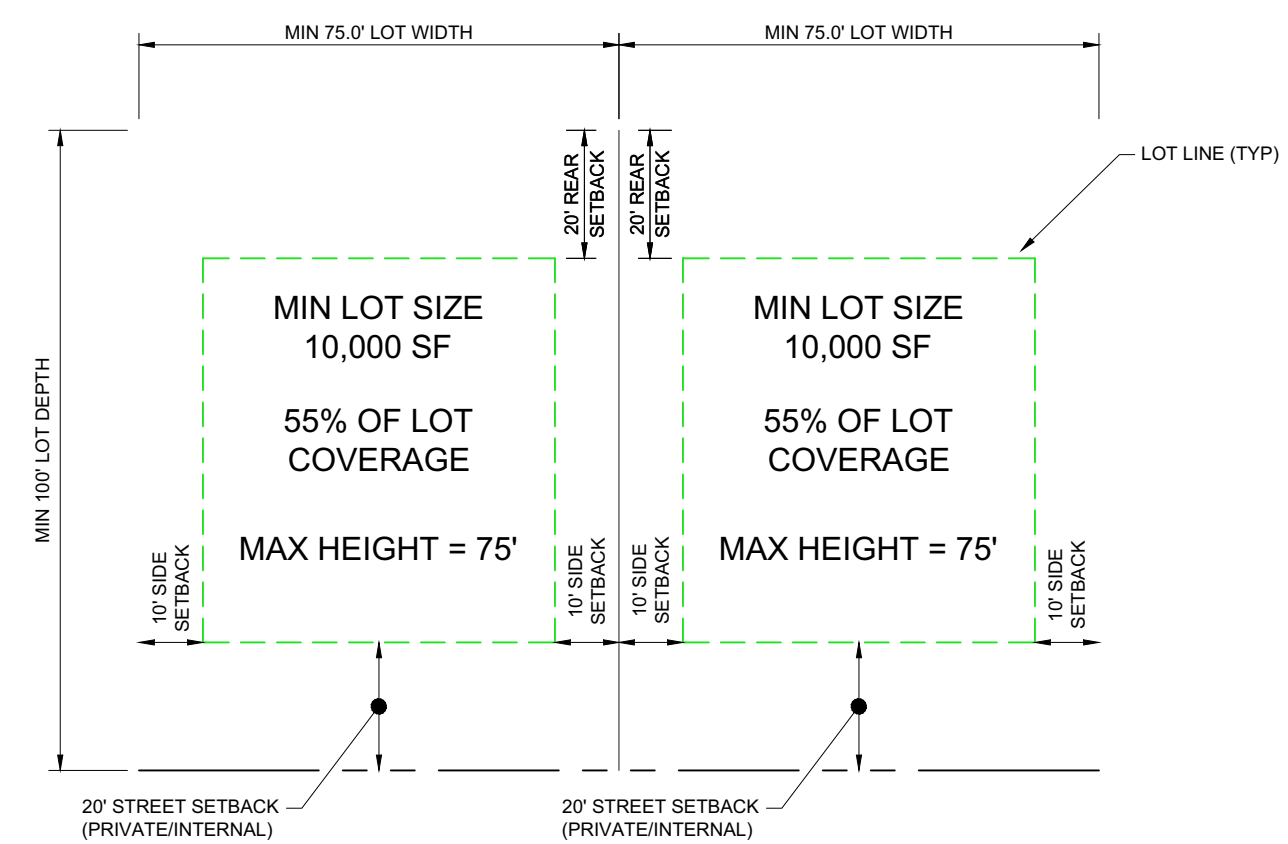
TYPICAL OFFICE LOT DETAIL
NTS



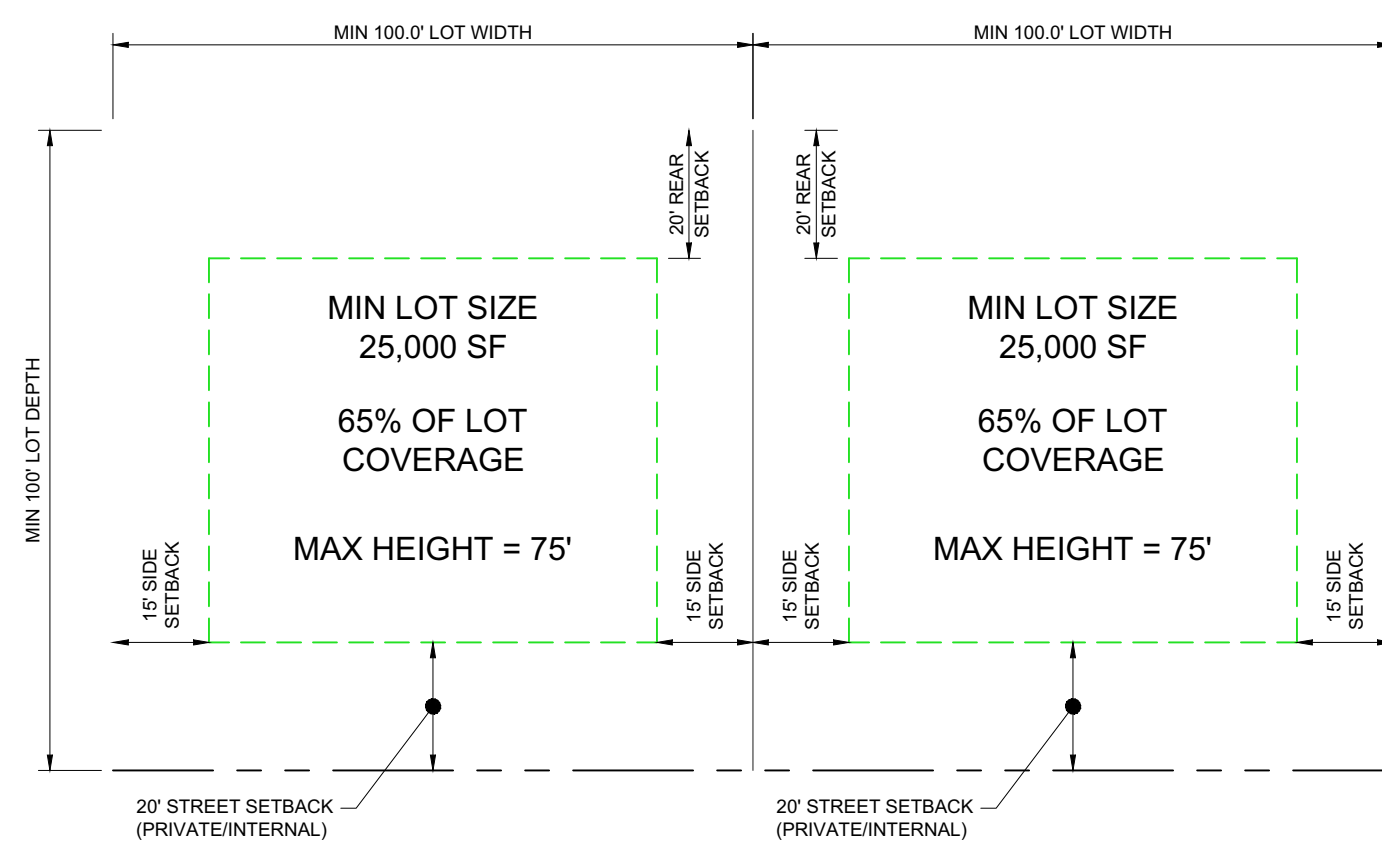
TYPICAL RETAIL LOT DETAIL
NTS



TYPICAL HOTEL LOT DETAIL
NTS

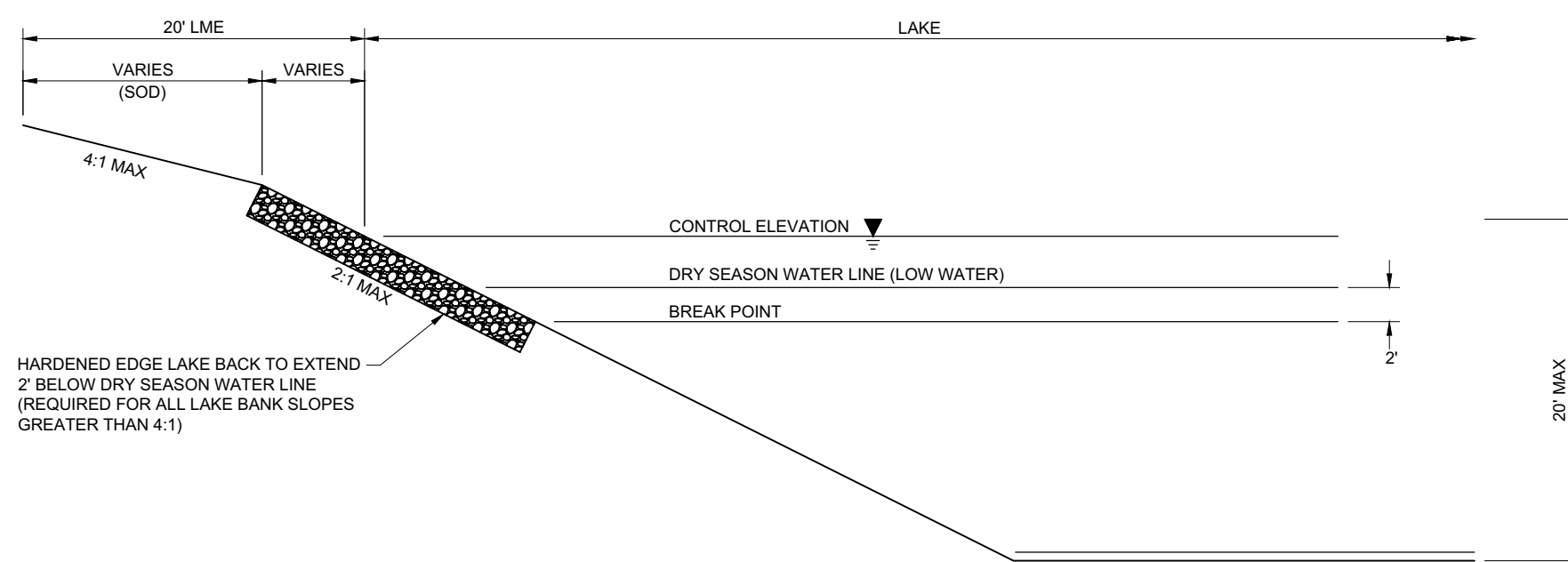


TYPICAL MIXED USE BUILDINGS LOT DETAIL
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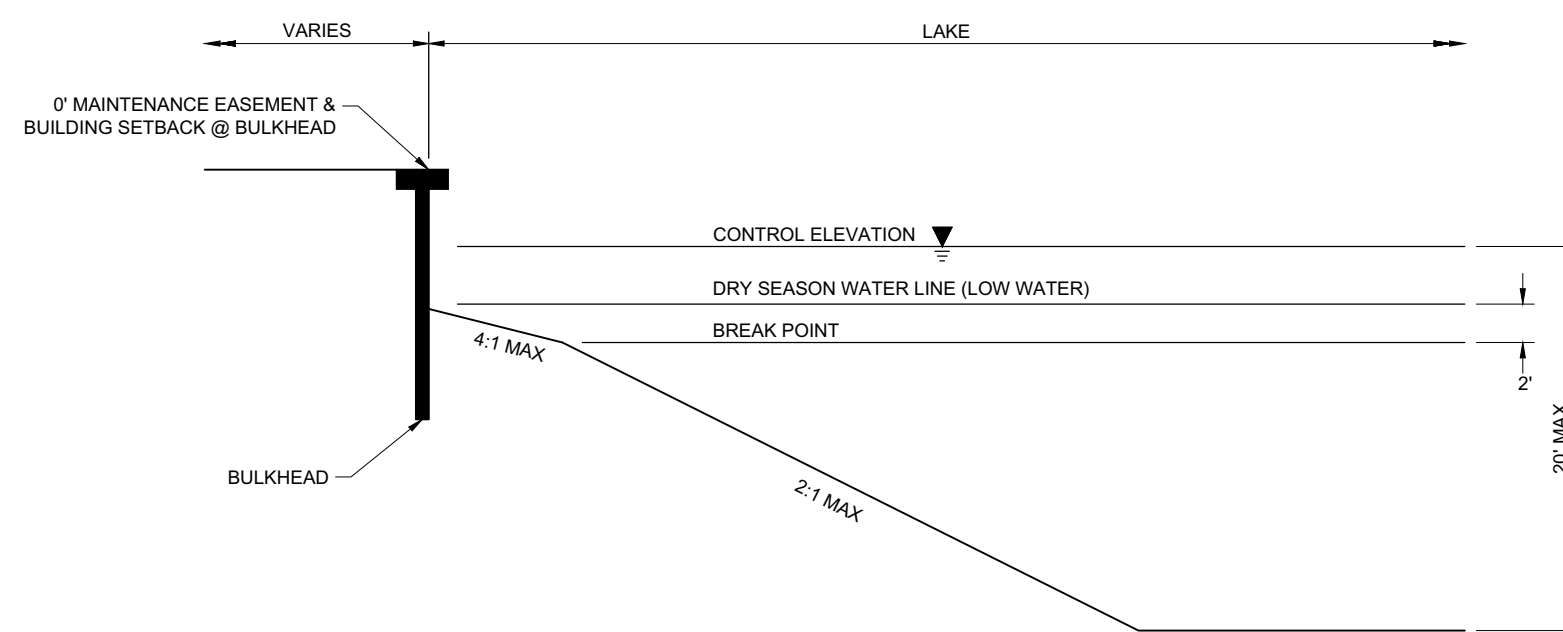


TYPICAL INDUSTRIAL LOT DETAIL
NTS

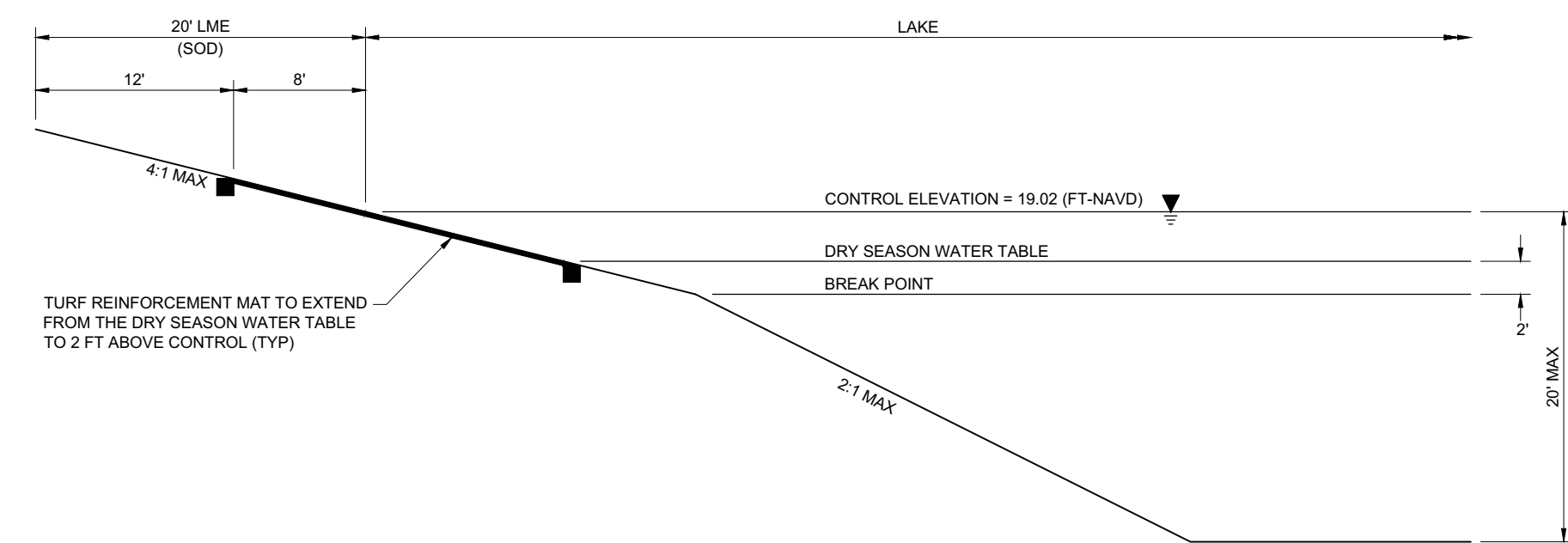
- TYPICAL LOT DETAILS NOTES**
- MIN. STREET SETBACK (BHG PKWY.) = 25' (OFFICE, RETAIL, HOTEL, MIXED USE BUILDING)
 - MIN. STREET SETBACK (BHG PKWY.) = 25'/100' (INDUSTRIAL)
 - MIN. STREET SETBACK (I-75) = 30'
 - MIN. STREET SETBACK (PRIVATE/INTERNAL) = 20'
 - WATERBODY = 20'/0'
 - PRESERVE = 20'
 - MIN. BUILDING SEPARATION = 1/2 SUM OF THE BUILDING HEIGHT, OR 20' WHICHEVER IS GREATER (OFFICE, RETAIL, HOTEL)
 - MIN. BUILDING SEPARATION = 1/2 SUM OF THE BUILDING HEIGHT (MIXED USE BUILDINGS, INDUSTRIAL)



TYPICAL LAKE CROSS-SECTION (HARDENED EDGE)
NTS



TYPICAL LAKE CROSS-SECTION (BULKHEAD)
NTS



TYPICAL LAKE CROSS-SECTION (4:1 LAKE BANK SLOPE)
NTS



**GULF LANDINGS
LOGISTICS CENTER**
CLIENT: YBFH REAL ESTATE LLC
MASTER CONCEPT PLAN

PLAN REVISIONS		REVISED PER COUNTY COMMENTS
1	02/01/16	REVISED PER COUNTY COMMENTS
2	03/01/16	REVISED PER COUNTY COMMENTS
3	05/15/16	REVISED PER COUNTY COMMENTS
4	07/02/16	REVISED PER COUNTY COMMENTS
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NOT TO SCALE

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

SET NUMBER: 750-01-01

SHEET: 2

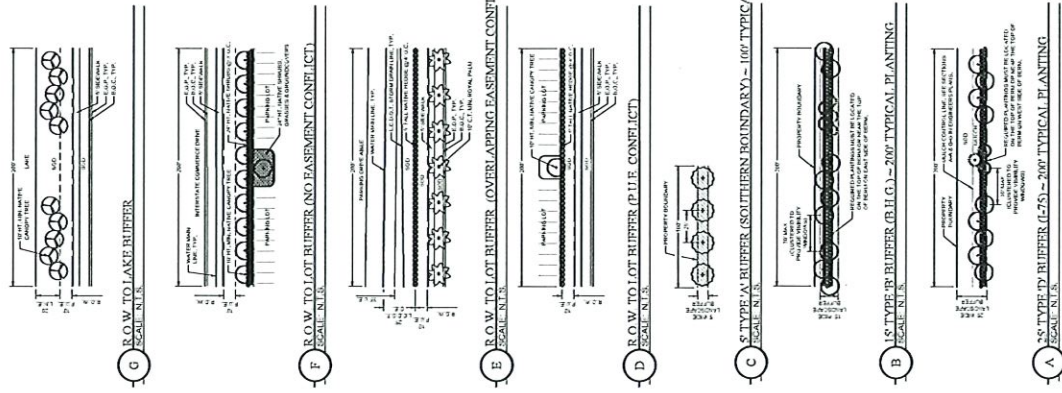
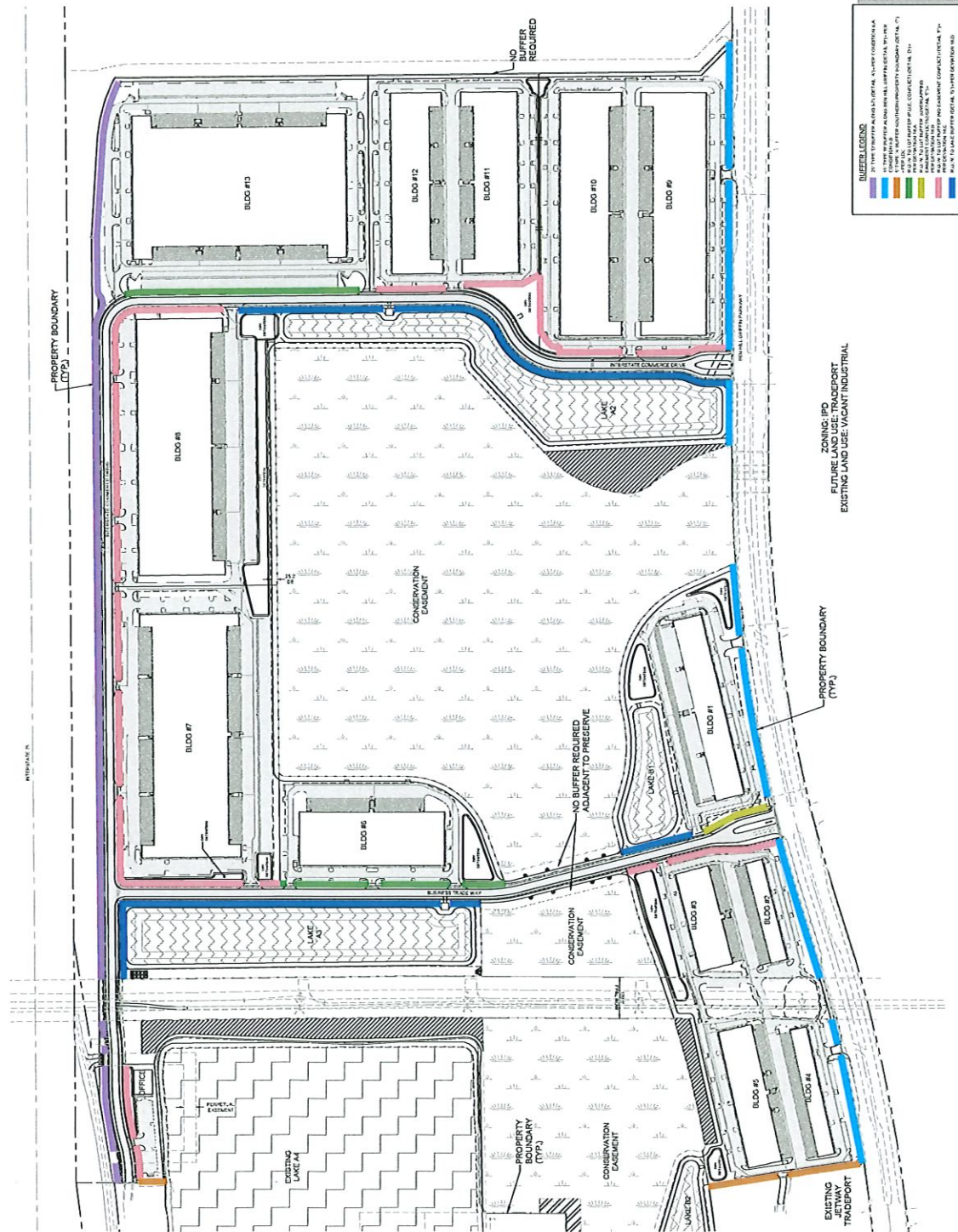




Exhibit G

GULF LANDINGS LOGISTICS CENTER MPD ADMINISTRATIVE AMENDMENT NARRATIVE

Fort Myers Industrial Owner, LLC (Applicant) is requesting an Administrative Amendment to the Gulf Landings Logistics Center (FKA Youngquist Trade Center and FKA Airport Interstates Commerce Park) Mixed Use Planned Development (MPD) to allow for changes to the Master Concept Plan (MCP), zoning condition 4.a of Resolution Z-18-027 and the addition of a traffic signal warrant analysis and signalization agreement condition. These changes will allow for consistency with the pending Development Order Amendment (DOS2018-10047-A01). Additionally, the Applicant is requesting relief from LDC requirements via two (2) additional deviations to allow alternative location of the plantings required for the 15-foot Type D internal right-of-way (ROW) buffers and to allow a 40-foot setback between Lake A2 and the Ben Hill Griffin Parkway ROW. The provided legal description with this application is limited to the boundaries of this specific Administrative Amendment request.

BACKGROUND/PROJECT HISTORY

The Gulf Landings Logistics Center MPD is comprised of four (4) parcels totaling 283.75 +/- acres and is accessed from Ben Hill Griffin Parkway (a four-lane, county-maintained arterial roadway) and from Alico Road (a six-lane county-maintained arterial roadway). The MPD allows for the development of up to 2,500,000 square feet of industrial; 175,000 square feet of commercial retail; 225,000 square feet of commercial office; 200,000 square feet of medical office; and 360 hotel rooms pursuant to Zoning Resolution Z-21-009. ADD2021-00217 amended the schedule of uses within Zoning Resolution Z-21-009 to include the warehouse, high cube use as defined by the Land Development Code (LDC)

REQUEST NARRATIVE

The following is a summary of changes to the MCP the Applicant is seeking, as depicted in the proposed MCP attached:

- ***Amendment to the MCP to modify Parcel B's MPD Boundary:***

At the time of the rezone/major amendment approved via Z-18-027 the Lake parcel was not under control of the applicant and was not included in the legal description or boundary survey. Therefore, the parcel was never part of the MPD and this discrepancy is being corrected via this Administrative Amendment. References to Parcel A and Parcel B have been removed from the MCP.

- ***Amendment to the MCP to revise the preserve area boundary located within Parcel A and depict the location of the 41.19 +/- acres of existing indigenous preserve area.***

The expansion of the preserve boundary delineated in the Master Concept Plan will result in a total increase of 5.81 acres to the overall preserve area of the development from 87.30 acres to 92.88 acres. 41.19 +/- acres of the retained preserve will consist of existing indigenous plant communities. The resulting increase in preserve acreage is

the result of the removal of 1.36 acres of Conservation Easement and the proposed mitigation of 5.81 acres to be replanted/added.

- ***Amendment to the MCP to configuration lakes and remove Lake A1 in its entirety.***
- ***Amendment to the MCP Land Use Summary Table.***

Update the table to address

1. Update to Parcel A and Parcel B acreages.
2. Acreage breakdown of Native Preservation area and Preserve Restoration has been incorporated.

- ***Amendment to the internal road layout***

Update the internal roadway network to align with the pending DO – Amendment (DOS2018-10047-A01). After discussion with Lee County DOT regarding the internal layout of the southern eastern most tract. In order to assure satisfaction with Zoning Condition 15 which calls for a roadway interconnection with the two projects to the south the Applicant proposed two travel lanes with two foot ribbon curbs to delineate these travel lanes within the southeastern development tract. As discussed with LDOT these travel lanes and proposed alignment with the project to the south will serve to satisfy Zoning Condition 15 as depicted reflected on the proposed MCP.

- ***Modifications to External Access Points to address Phasing.***

Addition of clarifying note that external access points identified on the MCP will be optional and are to be allowed in future phases beyond the initial Phase of development identified in the pending DO- Amendment. No changes to the number or location of the ingress and egress points are being requested.

This MCP amendment would also include an update to Zoning Condition 1 to reflect the amended MCP; updating the stamped received date by the City; and amending Condition 4.a as outlined below in strike and underline format:

4. Environmental

- Development order plans must be in substantial compliance with the open space table and delineate preserve in substantial compliance with the MCP. A minimum of ~~40.36~~41.19+/- acres of existing indigenous plant communities must be preserved within the approximately ~~83.15~~92.88-acre preserve on Parcel A, and ~~0.83~~+/- acres of existing indigenous plant communities must be preserved within the ~~4.15~~ acre preserve on Parcel B.*

The amendment to condition 4.a is proposing to increase the amount of preserve area an additional 5.81 acres within the overall development. There is no change to the acreage of existing indigenous plant communities that must be preserved as a whole, the changes simply add the required 40.36 +/- acres to be preserved in Parcel A with the 0.83 +/- acres required within Parcel B, but the same acreage of indigenous preserve will remain within the former Parcel

A and B boundary. The change to the condition is simply to assure consistency with the pending DO - Amendment and proposed MCP update.

- ***Add traffic signal warrant analysis condition and parameters of signalization agreement should traffic signal facilities be warranted.***

After discussion with LDOT a new condition was agreed upon for the development to assure a timeframe to trigger a traffic signal warrant analysis and specify the parameters of a signalization agreement should the traffic signal warrant analysis indicate that traffic signal facilities are warranted. which reads as follows:

“The applicant/developer shall perform a planning level traffic signal warrant analysis as a part of Gulf Landings Logistics Center first DO for vertical construction at all connections to the County roadway network based on the buildout intensity of the development. Should the analysis indicate that signal warrants are likely to be satisfied as determined by the County Traffic Engineer, the Developer shall enter into a Signalization Agreement for the proportionate share contribution towards the design and installation/construction of traffic signal facilities at the Hilton Garden Way and Ben Hill Griffin Parkway intersection, the Interstate Commerce Drive and Ben Hill Griffin Pkwy intersection, and the Business Trade Way and Ben Hill Griffin Pkwy intersection as a part of the initial approval for Development at each connection. The proportionate share traffic signal agreement must be reviewed and approved by LCDOT and County Attorney Office staff, executed, and recorded by Lee County Clerk of Circuit Court prior to issuance of first certificate of occupancy for development permitted under this development order.”

As further discussed in the deviation justification document of this application the Applicant is also requesting the revision to Deviation 4 for consistency with removal of Lake A1 from the MCP and approval of two (2) administrative deviations (Deviations 16 & 17) to allow for alternatives to the 15-foot Type D Buffer right-of-way requirement internal to the site as depicted within the “Typical Buffer Conditions Exhibit” and to allow for a 40-foot setback between Lake A2 and the Ben Hill Griffin Parkway ROW instead of 50 feet.

CONCLUSION

The proposed amendments qualify for administrative approval. In accordance with LDC §34-174 (i), this amendment request does not propose an increase to height, density or intensity within the development. Similarly, the amendment will not result in the substantial underutilization of public resources and infrastructure committed to the support of the development, will not reduce required open space, buffering, landscaping and preservation areas, and will not adversely impact surrounding land uses.

Based upon this application’s compliance with all other conditions in Z-18-027, as amended by Z-21-0009 and ADD2021-00217, the Lee Plan, and administrative thresholds set forth in §34-380, the Applicant respectfully requests staff approval of the proposed administrative amendment.



Exhibit H

Gulf Landings Logistics Center MPD

Schedule of Deviations & Justification

Changes from Z-21-009 shown in ~~strike-through~~/underline format.

Deviations 1 through 3 - No Changes.

Deviation 4 seeks relief from the LDC §10-329(d)(1)a.3. requirement to provide water retention or detention excavations be setback 50 feet from private property line under separate ownership, to allow:

- a. A 25-foot setback between Lake B1 and Jetway Tradeport MPD.
- b. A 20-foot setback between Lakes A1, A2, A3, B1, and B2 and internal property lines and internal roadways; and
- c. A zero-foot setback between Lake A4 (existing borrow pit) and Airport South Interchange CPD and the Coca Cola Bottling Plant property.

This deviation is APPROVED SUBJECT TO the following condition:

Prior to local development order approval, the developer order plans must include details for wetland trees around the existing lake, even if reconfigured. (MCP Lake A4) Wetland trees must be calculated on one wetland tree per 100 littoral plants.

At the time of development order approval, the developer must provide elements to protect wayward vehicles on the internal roadways adjacent to Lakes A1, A2, A3, B1, and B2. The elements may include guardrails, berms, swales, vegetation, or other protections approved by the Development Services Director.

Deviations 5 through 15 – No Changes.

Deviation 16 seeks relief from LDC Section 10-416(d)(3), which requires a 15-foot Type D Buffer from right-of-way to Commercial/Industrial uses, to allow the following buffers identified within the “Typical Buffer Conditions Exhibit”:

- a. R.O.W to lot buffer (containing Public Utility Easement conflict) shall provide trees within the parking lot landscape islands adjacent to the internal R.O.W. and a continuous single 5 feet tall hedge with shrubs planted at 4 feet on center per typical buffer “F” detail to comply with required vehicle use area and Type D buffer landscape requirements.
- b. R.O.W to lot buffer (containing overlapping easement conflicts) is limited to 275 linear feet of R.O.W shall provide enhanced royal palms and a

continuous single 5-foot-tall hedge at 4 feet on center per typical buffer “G” detail.

- c. R.O.W. to lot buffer (containing no easement conflict) shall provide trees within the common area between the internal R.O.W and individual lots to comply with vehicle use area and Type D buffer landscape requirements. Trees shall be planted at 20 feet on center with shrubs planting in a continuous double hedge 3 feet on center per typical buffer “D” detail.
- d. R.O.W to lake buffer shall provide littoral trees at 5 trees per 100 linear feet to comply with littoral and Type D buffer landscape requirements. Trees shall be clustered in groups of 5 canopy trees with clusters spaced no more than 75 feet apart per typical buffer “E” detail.

Justification: The intent of the 15-foot Type D buffer is to reduce developmental impacts of noncompatible uses promoting the health, safety and welfare of residents by the reduction of noise and glare through the use of vegetative visual and sound barriers that complement the natural environment. The intent is also to shield the traveling public from views of development.

As identified within the “Typical Buffer Conditions Exhibit” development conditions in distinct portions of the development will not allow for sufficient area to provide a 15 foot wide type D buffer. The Applicant therefore proposes to address the intent of the buffer by placing the required Type D landscape buffer trees at different locations depending on the limiting situation. The proposed locations assure that the vegetative visual and sound barriers are still present within the development without taking away area from developable area, stormwater management areas and preservation area.

Where different easement conflicts exist, the Applicant proposes the placement of vegetation within parking landscape islands and as part of the littoral planting when internal R.O.W. is adjacent to lakes.

Type D buffer is fully internal and will not affect abutting property owners and the external public rights-of-way. The MPD is a unified, master planned development under common ownership. The intent is to create a dynamic employment generating development that serves a compatible mix of non-industrial users. The proposed uses within the MPD’s schedule of uses are compatible to each other with no residential being proposed.

The LDC required buffers and enhanced 15-foot wide right-of-way buffer along Ben Hill Griffin and 25-foot wide right-of-way buffer along I-75 to provide buffering to the traveling public. This buffer is not impacted by the deviation request.

The deviation will allow for maximization of development potential within the project, as intended in the employment generating Tradeport designation lands in Lee County. The external views will remain well landscaped, while allowing the internal mix of uses to be developed in a more compact format. For these reasons, the deviation will not impact public health, safety or welfare

Deviation 17 seeks relief from 10-329(d)(1)a.2 requirement to provide water retention or detention excavations be setback 50 feet from any existing or proposed right-of-way line or easement for a collector or arterial street, to allow a 40-foot setback between Lake A1 and the Ben Hill Griffin Parkway ROW.

Justification: The Applicant is requesting an administrative deviation in accordance with Section 10-104 of the LDC to reduce the required setback between Lake A1 and the Ben Hill Griffin Parkway ROW from 50 feet to 40 feet - a 10-foot reduction of the LDC requirement.

The request is the result of a reconfiguration of Lakes occurring to add an additional 5.81 acres of preserve to the MPD.

The 15-foot enhanced buffers along Bill Hill Griffin Parkway consisting of a two-foot-high berm with seven (7) trees, 66 shrubs providing protection of wayward vehicles through the use of vegetation. In addition, the roadway features Type "F" unmountable curbing to further protect public health, safety and welfare.

Exhibit I

GULF LANDINGS LOGISTIC CENTER
SECTION B. CONDITIONS

Changes are shown in ~~strike through~~/underline below:

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

1. Development must be consistent with the 2-page MCP entitled "~~Youngequist Trade Center~~ Gulf Landings Logistic Center Master Concept Plan" prepared by Atwell Waldrop Engineering, date stamped received July [Insert date] ~~June 18, 2023~~ 19, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with the Lee Plan and the LDC at time of local development order approval, except where deviations have been approved by this resolution. Changes to the MCP require further development approvals.
2. No changes
3. No changes
4. Environmental
 - a. Development order plans must be in substantial compliance with the open space table and delineate preserves in substantial compliance with the MCP. A minimum of 40.36~~41.19~~+/- acres of existing indigenous plant communities must be preserved within the approximately 83.15~~92.88~~-acre preserve on Parcel A, and 0.83~~0.83~~+/- acres of existing indigenous plant communities must be preserved within the 4.15~~4.15~~-acre preserve on Parcel B.
 - b. The developer must coordinate removal of invasive exotic plants within preserve areas with the Division of Environmental staff. The developer must utilize hand removal methods within indigenous plant communities with 75% or less invasive exotic plant coverage.
 - c. The developer must survey the portion of the property to be cleared pursuant to a development order application for active Big Cypress Fox Squirrel nests prior to issuance of a Vegetation Removal Permit. If the survey identifies active Big Cypress Fox Squirrel nests, the developer must protect the nests with a 125-foot buffer until the nest is confirmed inactive. Onsite preserves provide adequate

habitat for Big Cypress Fox Squirrels, therefore no additional preserves will be required if Big Cypress Fox Squirrels nests are identified.

5. No changes

6. Right-of-way Buffers

a. Interstate 75

Prior to development order approval for vertical construction within Parcels A and B, the development order plans must reflect a 25-foot-wide buffer, within the 50 foot setback, along the west property line.

The buffer must consist of a 2-foot-high berm (3:1 slope) measured from the centerline of the frontage road. The buffer must be planted with 5 trees per 100 linear feet and a double staggered hedge. Palms may substitute for canopy trees at a 3:1 ratio (3 palms to one canopy tree) but may not exceed 50% of the buffer. The landscape plans must specify trees at 14 feet in height and shrubs at 36 inches in height at the time of planting

Required plantings must be installed on the top of the berm or on the west side of the berm near the top. .

Trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees and understory vegetation. Post installation, the hedge must be maintained at a minimum 36 inches in height.

b. Ben Hill Griffin Parkway

Prior to development order approval for vertical construction within Parcels A and B, development order plans must reflect a 15-foot right-of-way buffer along Ben Hill Griffin Parkway.

The buffer must consist of a two-foot-high berm with seven (7) trees, 66 shrubs, and 56 ground cover plants per 100 linear feet (excluding the preserve area).

Required plantings must be located on the top of the berm or near the top of the berm on the east side of the berm.

Trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees and understory vegetation.

C. Non-Vertical Development

Prior to the issuance of a development order for infrastructure, developer must demonstrate there is at least 25 feet of existing native vegetation adjacent to 1-75 and Ben Hill Griffin Parkway. Development orders for vertical development will trigger the installation of landscape buffers indicated in the paragraphs above.

7. No changes

8. No changes

9. No changes

10. No changes

11. No changes

12. No changes

13. No changes

14. No changes

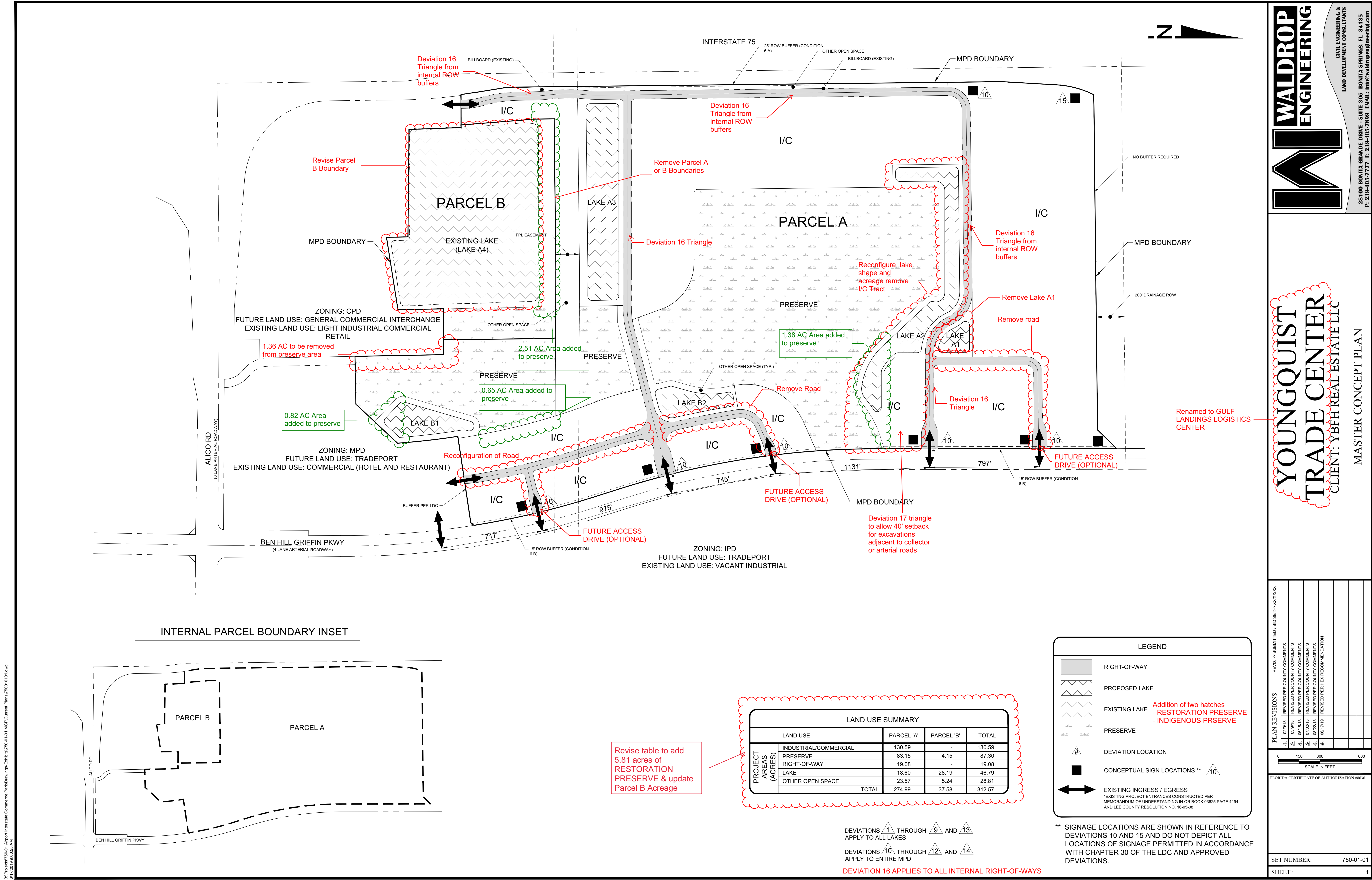
15. No changes

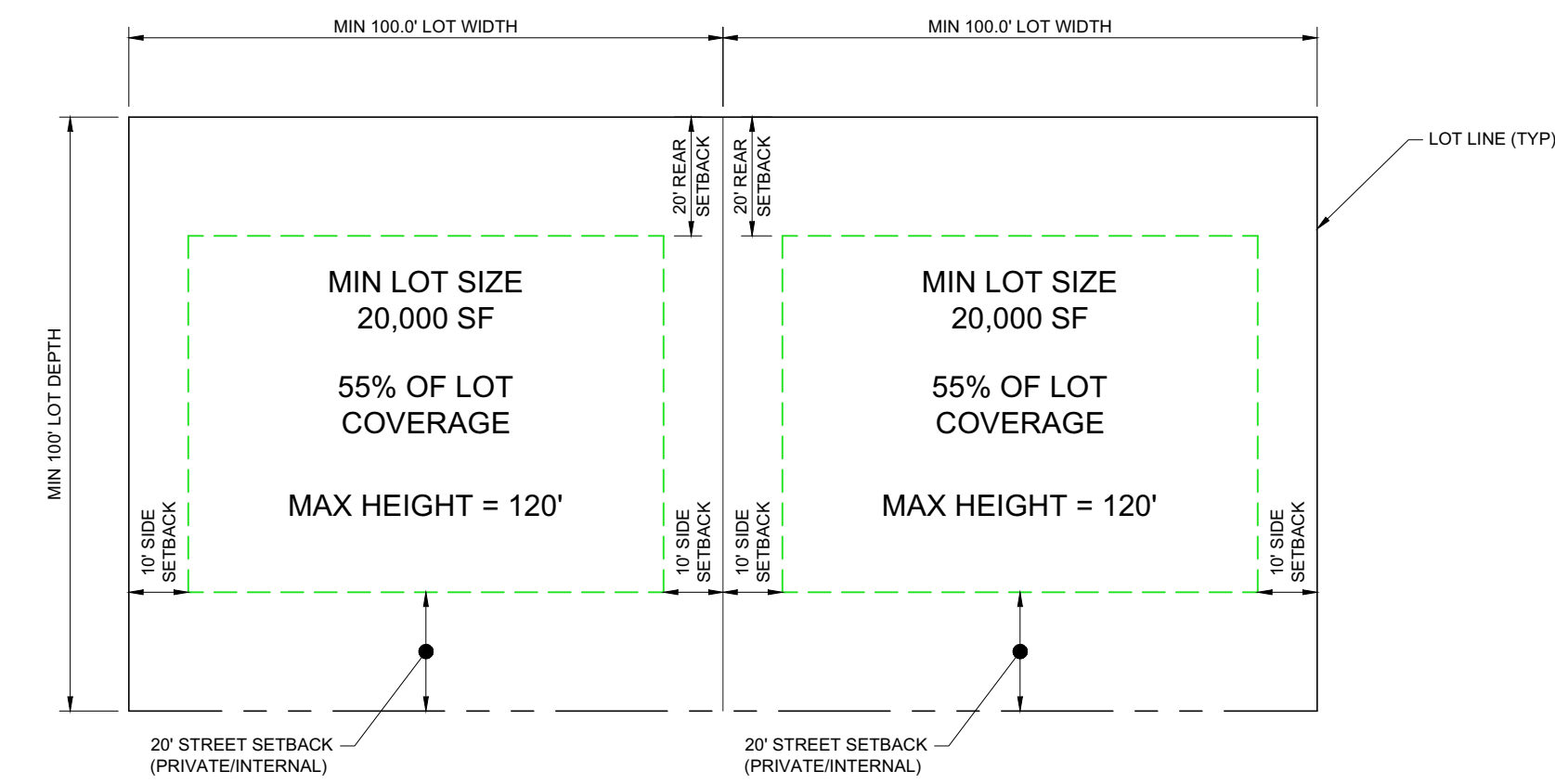
16. No changes

17. Traffic Signal Facilities

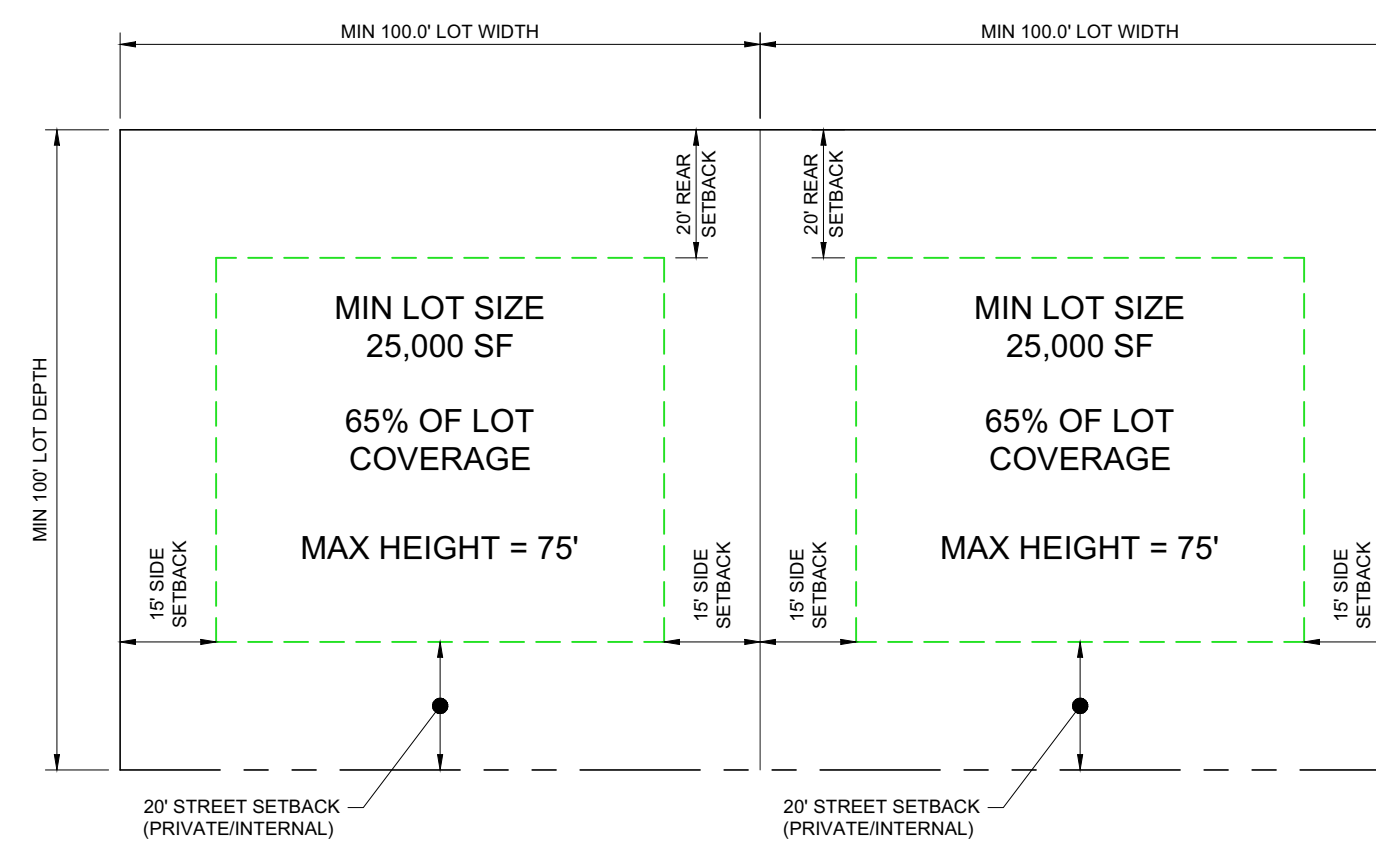
The applicant/developer shall perform a planning level traffic signal warrant analysis as a part of Gulf Landings Logistics Center first DO for vertical construction at all connections to the County roadway network based on the buildout intensity of the development. Should the analysis indicate that signal warrants are likely to be satisfied as determined by the County Traffic Engineer, the Developer shall enter into a Signalization Agreement for the proportionate share contribution towards the design and installation/construction of traffic signal facilities at the Hilton Garden Way and Ben Hill Griffin Parkway intersection, the Interstate Commerce Drive and Ben Hill Griffin Pkwy intersection, and the Business Trade Way and Ben Hill Griffin Pkwy intersection as a part of the initial approval for Development at each connection. The proportionate share traffic signal agreement must be reviewed and approved by LCDOT and County Attorney Office staff, executed, and recorded by Lee County Clerk of Circuit Court prior to issuance of first certificate of occupancy for development permitted under this development order.

Exhibit J



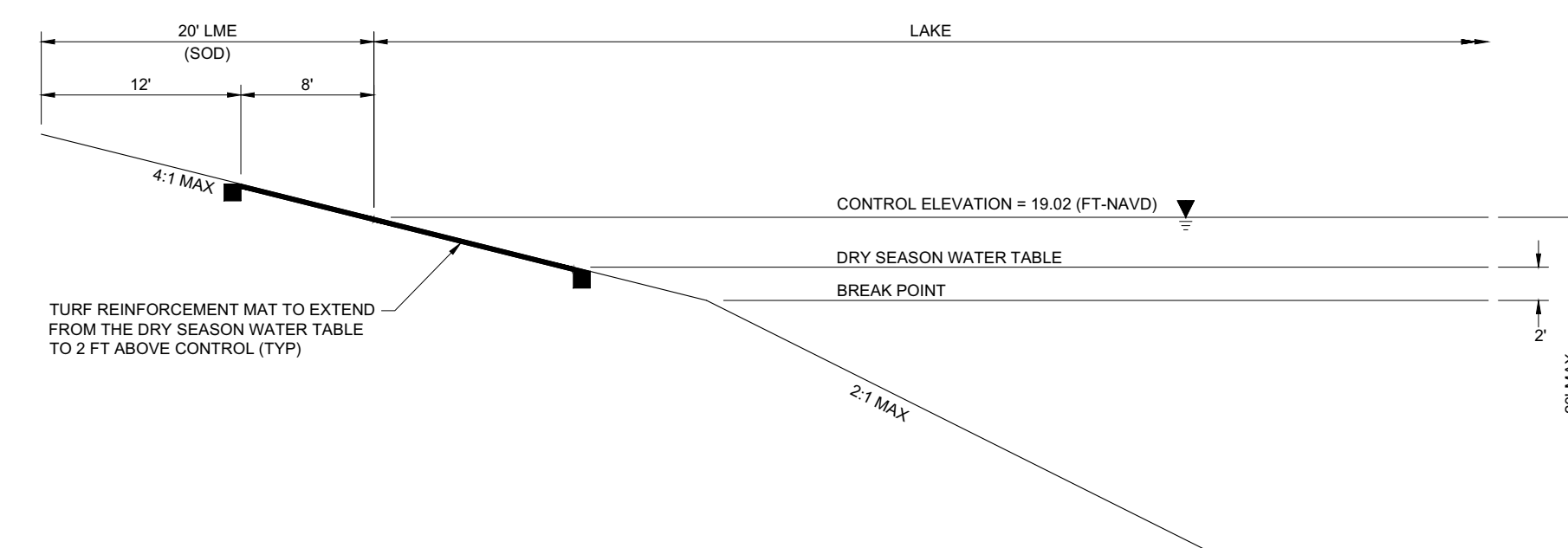


TYPICAL HOTEL LOT DETAIL



TYPICAL INDUSTRIAL LOT DETAIL

- MIN. STREET SETBACK (BHG PKWY.) = 25' (OFFICE, RETAIL, HOTEL, MIXED USE BUILDING)
- MIN. STREET SETBACK (BHG PKWY) = 25'/100' (INDUSTRIAL)
- MIN. STREET SETBACK (I-75) = 30'
- MIN. STREET SETBACK (PRIVATE/INTERNAL) = 20'
- WATERBODY = 20'/0'
- PRESERVE = 25'
- MIN. BUILDING SEPARATION = 1/2 SUM OF THE BUILDING HEIGHT, OR 20' WHICHEVER IS GREATER (OFFICE, RETAIL, HOTEL).
- MIN. BUILDING SEPARATION = 1/2 SUM OF THE BUILDING HEIGHT (MIXED USE BUILDINGS, INDUSTRIAL).



TYPICAL LAKE CROSS-SECTION (4:1 LAKE BANK SLOPE)

Exhibit K

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

April 18, 2022

Harvey Youngquist
YBFH Real Estate LLC
15533 Pine Ridge Road
Fort Myers, FL 33908

Delivered via email

**Subject: Youngquist Trade Center
Return of Financial Assurance Performance Bond
Environmental Resource Permit (ERP) No. 36-05415-P
Lee County**

Dear Mr. Youngquist:

Enclosed please find Performance Bond (No. 1155259), issued by Lexon Insurance Company on April 13, 2018, in the amount of \$475,000.00 in favor of the South Florida Water Management District (District) as a financial assurance mechanism in accordance with the above referenced ERP.

We are returning the enclosed Performance Bond in accordance with the following:

- On March 31, 2022, District staff conducted a site inspection of the conservation areas, and confirmed that all initial mitigation work has been completed and in compliance with the ERP. In addition, the annual monitoring requirement has been satisfied.

If you have any questions or require additional assistance, please contact Matt Brosious at (239) 338-2929 x7713 or via email at jbrosiou@sfwmd.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wayne P. Blythe". The signature is fluid and cursive, with the first name "Wayne" and last name "Blythe" clearly visible.

Wayne Blythe
Administrator, Environmental Resource Bureau

eEnclosures: Location Map ([210423-6007 Exhibit1.0_LocMap.pdf](#))
Performance Bond (hard copy)

Page 2

c: Youngquist Brothers Inc (U.S. Mail)
Lexon Insurance Company (U.S. Mail)

This document is filed in the ePermitting system under Permit Number 36-05415-P via the Application/Permit Section on the Records Search home page

ADMINISTRATIVE AMENDMENT (PD) ADD2021-00217

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Youngquist Brothers Family Holdings, LLC filed an application for an administrative amendment to a Mixed Use Planned Development (MPD) on a project known as Youngquist Trade Center MPD (fka Airport Interstate Commerce Park) to amend the schedule of uses to include "Warehouse, High Cube" on property located at 16200 Ben Hill Griffin Parkway, described more particularly as:

LEGAL DESCRIPTION: In Sections 02 and 03, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the subject property has the STRAP Numbers 02-46-25-00-00001.0000, 02-46-25-00-00001.1010, 03-46-25-00-00001.0000, 03-46-25-00-00001.1120, and 03-46-25-00-00001.0080; and

WHEREAS, the property was originally rezoned by Resolution Z-02-016 (with subsequent amendments in case number ADD2006-00087, ADD2007-00091, Resolution Z-05-029/DCI2004-00010, Resolution Z-18-027/DCI2017-00028 and Resolution Z-21-009/DCI2021-00002); and

WHEREAS, the subject property is located in the Tradeport, Wetlands, and Industrial Interchange Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, Resolution Z-21-009, included as Exhibit "B", increased the industrial square footage to 2,500,000 square feet, increased the office square footage to 225,000 square feet, and added 200,000 square feet of medical office and a 360 room hotel developed exclusive of square footage limits; and

WHEREAS, the Applicant proposes to add "warehouse, high-cube" to the approved schedule of uses of the MPD; and

WHEREAS, the proposed use is similar in character and intensity to the warehouse uses currently approved within the MPD and may be integrated without further external impacts; 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 the Mixed Use Planned Development is **APPROVED**.

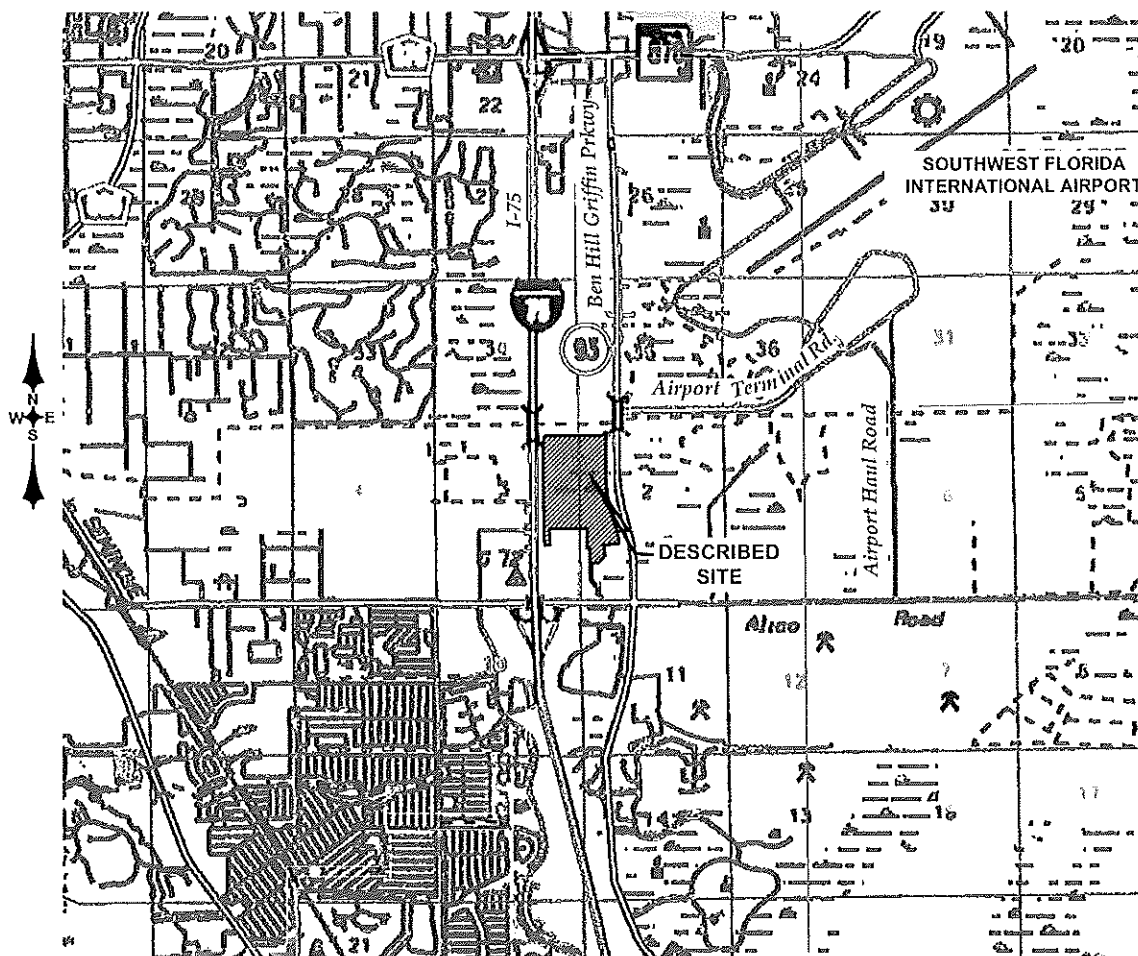
Approval is subject to the following conditions:

1. **Approval of this amendment is limited to the inclusion of warehouse, high cube, as defined by the LDC, in the approved schedule of uses within Resolution Z-21-009.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**
3. **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 2/8/2022

Anthony R. Rodriguez, AICP, Zoning Manager

Exhibit A – Legal Description
Exhibit B – Resolution Z-21-009



VICINITY MAP

1" = 1 MILE

ABBREVIATIONS

C1	= CURVE DESIGNATION
C.A.	= CENTRAL ANGLE
C.B.	= CHORD BEARING
CHD	= CHORD LENGTH
C/L	= CENTERLINE
INST.	= INSTRUMENT
L1	= LINE DESIGNATION
LB	= LICENSED BUSINESS
NO.	= NUMBER
OR	= OFFICIAL RECORDS
PG.	= PAGE
PERP.	= PERPETUAL
P.B.	= PLAT BOOK
POB	= POINT-OF-BEGINNING
POC	= POINT-OF-COMMENCEMENT
RAW	= RIGHT OF WAY
RAD.	= RADIUS
SEC.	= SECTION
SQ.FT.	= SQUARE FEET
S.R.	= STATE ROAD

SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.

COORDINATES SHOWN HEREON BASED ON FLORIDA GRID, WEST ZONE, NAD 83-(2011).

SKETCH PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA'S STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C.

ORIENTATION BASED ON THE NORTH LINE OF THE NORTHEAST-QUARTER OF SECTION 3, T.46 S., R. 25 E. AS BEARING N.89°23'14"E.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

PREPARED BY



PSM 6347

Digitally signed by
Thomas M. Rooks Jr.
Date: 2021.04.12
16:12:59 -04'00'

THOMAS M. ROOKS JR., P.S.M.
FLORIDA CERTIFICATE NO. 6347

DATE

REV: UPDATE SURVEYOR SIGNATURE 04-12-2021

MDA PROJECT: 17037 CHECKED BY: MAH DATE: 01-15-19 SHEET: 1 OF 4	DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	MORRIS DEPEW EX-GRADERS • PLATERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. LE6891 / LC26000330	Fort Myers Tallahassee Destin 2017-00-00000 R.S. Fort Myers, FL 33901 (941) 337-5293 Fax: (941) 337-5294 TOLL FREE: 800-397-7311
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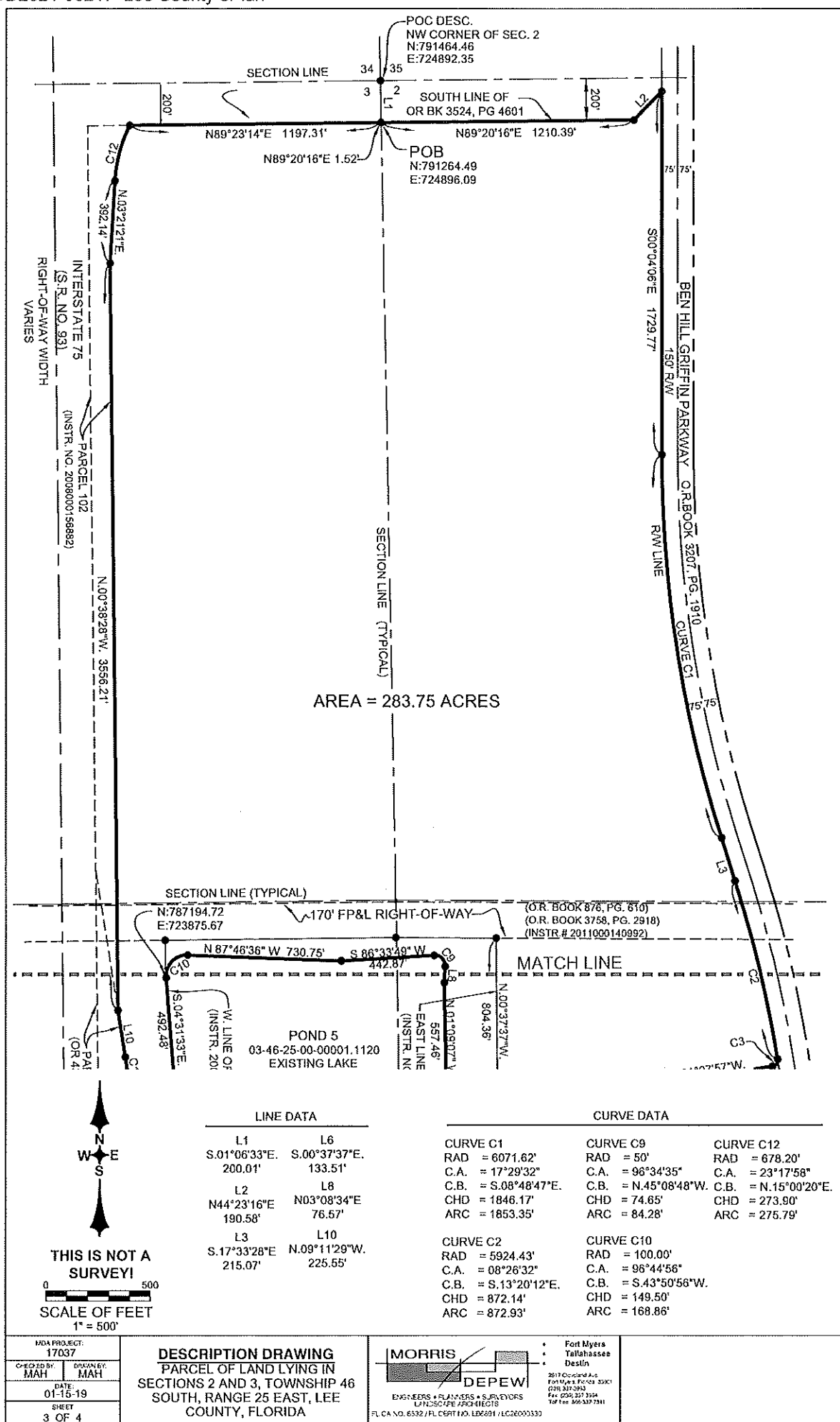
**DESCRIPTION:
EXHIBIT "A" METES AND BOUNDS**

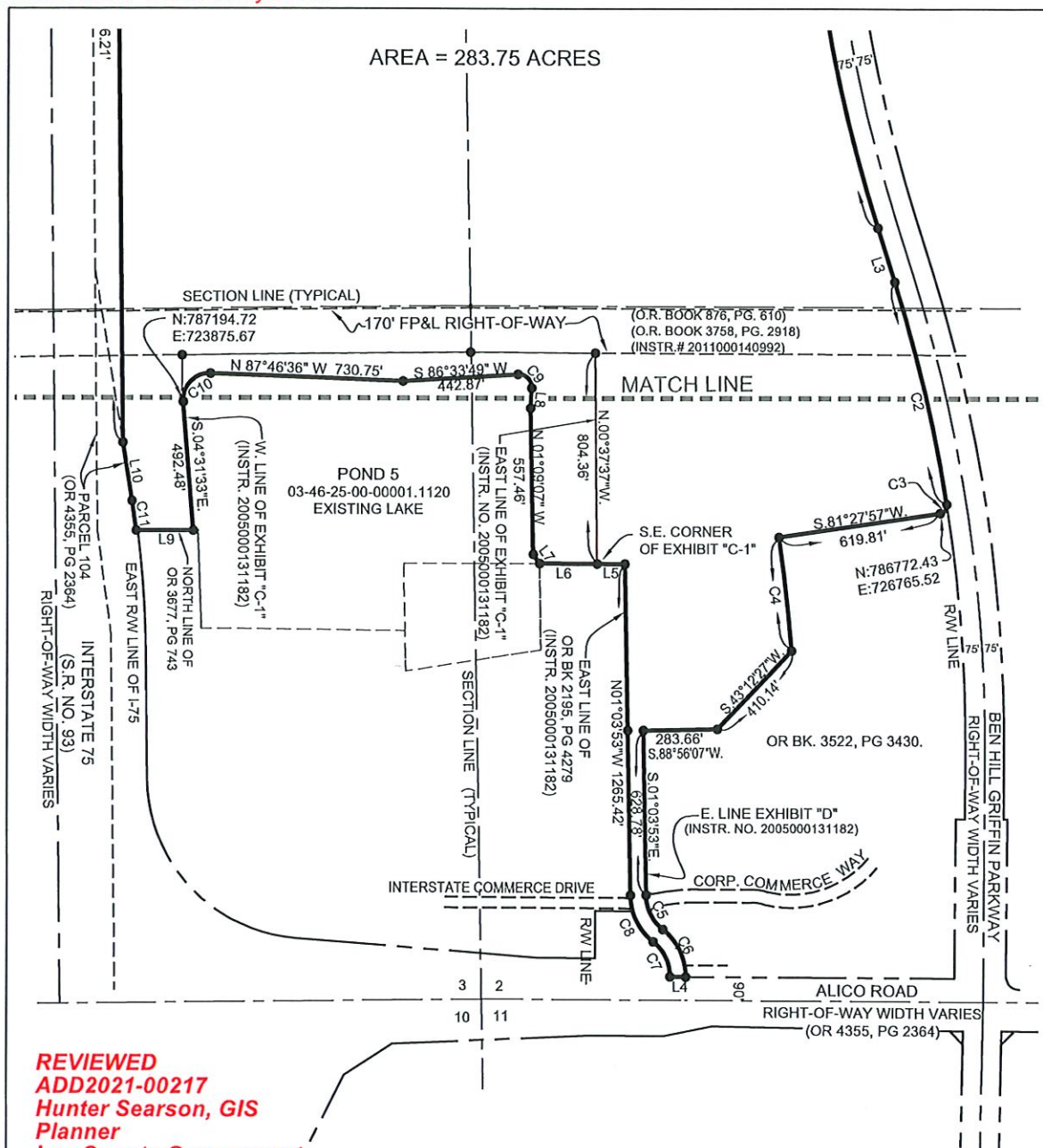
PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING THE NORTHWEST CORNER OF SAID SECTION 2; THENCE S.01° 06' 33"E., ALONG THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 2 FOR 200.01 FEET TO AN INTERSECTION WITH A LINE 200.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SECTION 2 AND THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE N.89° 20' 16" E. ALONG SAID PARALLEL LINE AND ALSO ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 1210.39 FEET; THENCE N.44° 23' 16"E. CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 190.58 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150.00' RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3207, PAGE 1910 OF SAID PUBLIC RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) COURSES; S.00° 04' 06" E. A DISTANCE OF 1,729.77 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 6071.62 FEET, A CENTRAL ANGLE OF 17°29'22" AND WHOSE CHORD BEARS S.08°48'47"E. FOR A DISTANCE OF 1846.17 FEET, HAVING AN ARC LENGTH OF 1853.35 FEET; THENCE S.17° 33' 28"E., ALONG A TANGENT LINE, A DISTANCE OF 215.07 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHERLY, ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5924.43 FEET, A CENTRAL ANGLE OF 08°26'32" AND WHOSE CHORD BEARS S.13°20'12"E., FOR A DISTANCE OF 872.14 FEET, HAVING AN ARC LENGTH OF 872.93 FEET, TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY, ALONG THE BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, OF SAID PUBLIC RECORDS, FOR THE NEXT EIGHT (8) COURSES, SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°34'53" AND WHOSE CHORD BEARS S.36°10'31"W. FOR A DISTANCE OF 42.64 FEET, HAVING AN ARC LENGTH OF 47.43 FEET; THENCE S.81°27'57"W. ALONG A TANGENT LINE, A DISTANCE OF 619.81 FEET TO A NON-RADIAL INTERSECTION WITH A CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5274.39 FEET, A CENTRAL ANGLE OF 04°44'31" AND WHOSE CHORD BEARS S.06°27'12"E. FOR A DISTANCE OF 436.40 FEET, ARC LENGTH BEING 436.52 FEET; THENCE S.43°12'27"W. ALONG A NON-TANGENT LINE, A DISTANCE OF 410.14 FEET; THENCE S.88°56'07"W. A DISTANCE OF 283.66 FEET; THENCE CONTINUING ALONG SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, AND ALSO ALONG THE EAST BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2005000131182, SAID PUBLIC RECORDS, FOR THE NEXT THREE (3) COURSES; S.01°03'53"E. A DISTANCE OF 628.78 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS S.26°28'06"E. FOR A DISTANCE OF 145.87 FEET, HAVING AN ARC LENGTH OF 150.87 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 52°04'24" AND WHOSE CHORD BEARS S.25°50'08"E. FOR A DISTANCE OF 201.92 FEET, HAVING AN ARC LENGTH OF 209.04 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS; THENCE N.89°42'18"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID EXHIBIT "D" AND TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG AN ARC OF SAID CURVED WEST LINE OF "EXHIBIT D", HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 52°02'25" AND WHOSE CHORD BEARS N.25°51'07"W. FOR A DISTANCE OF 149.16 FEET, HAVING AN ARC LENGTH OF 154.42 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS N.26°28'06"W. FOR A DISTANCE 197.35 FEET, HAVING AN ARC LENGTH OF 203.97 FEET; THENCE N.01°03'53"W. ALONG THE SAID WEST LINE OF "EXHIBIT D" AND THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, SAID PUBLIC RECORDS, A DISTANCE OF 1265.42 FEET; THENCE N.89°42'18"W. ALONG NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, A DISTANCE OF 107.62 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID CERTAIN PARCEL FOR THE NEXT EIGHT (8) COURSES; N.89°42'18"W. A DISTANCE OF 221.98 FEET; THENCE N.35°32'45"W. A DISTANCE OF 42.43 FEET; THENCE N.01°09'07"W. A DISTANCE OF 557.46 FEET; THENCE N.03°08'34"E. A DISTANCE OF 76.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 96°34'35" AND WHOSE CHORD BEARS N.45°08'48"W. A DISTANCE OF 74.65 FEET, HAVING AN ARC LENGTH OF 84.28 FEET; THENCE S.86°33'49"W. A DISTANCE OF 442.87 FEET; THENCE N.87°46'36"W. A DISTANCE OF 730.75 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 96°44'56" AND WHOSE CHORD BEARS S.43°50'56"W. A DISTANCE OF 149.50 FEET, HAVING AN ARC LENGTH OF 168.86 FEET; THENCE S.04°31'33"E., LEAVING SAID SOUTHERLY BOUNDARY OF THAT CERTAIN PARCEL DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, OF SAID PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 492.53 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, SAID PUBLIC RECORDS; THENCE S.89°54'37"W, LEAVING THE BOUNDARY OF SAID "EXHIBIT C-1" AND ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, A DISTANCE OF 218.60 FEET TO A NON-RADIAL INTERSECTION WITH THE CURVED EASTERLY BOUNDARY OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD NO. 93); THENCE NORTHERLY, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT FIVE (5) COURSES; NORTHERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3913.93 FEET, A CENTRAL ANGLE OF 01°40'50" AND WHOSE CHORD BEARS N.08°21'29"W. FOR A DISTANCE OF 114.79 FEET, HAVING AN ARC LENGTH OF 114.79 FEET; THENCE N.09°11'29"W. A DISTANCE OF 225.55 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 102 AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2008000156882; THENCE NORTHERLY ALONG THE EAST BOUNDARY LINE OF SAID PARCEL 102 AND SAID EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 FOR THE NEXT THREE (3) COURSES; N.0°38'28"W. A DISTANCE OF 3556.21 FEET; THENCE N.03°21'21"E A DISTANCE OF 392.14 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 678.20 FEET, A CENTRAL ANGLE OF 23°17'58" AND WHOSE CHORD BEARS N.15°00'20"E. A DISTANCE OF 273.90 FEET, HAVING AN ARC LENGTH OF 275.79 FEET TO A NON-TANGENT INTERSECTION THE SAID SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, SAID PUBLIC RECORDS; THENCE N.89°23'14"E. ALONG SAID SOUTH LINE, A DISTANCE OF 1197.31 FEET; THENCE N.89°20'16"E. ALONG SAID SOUTH LINE A DISTANCE OF 1.52 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.

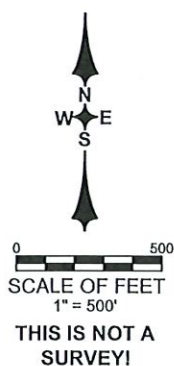
CONTAINING 283.75 ACRES, MORE OR LESS.

MDA PROJECT: 17037 CHECKED BY: MAH DATE: 01-15-19 SHEET: 2 OF 4	DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	 MORRIS DEPEW ENGINEERS & PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL. CA. NO. 6532 / FL. CERT. NO. 118691 / LCP6000350	Fort Myers Tallahassee Destin 3817 Greyside Ave Fort Myers, Florida 33901 (941) 337-3264 Fax: (941) 337-3264 T-811 Fax: 800-337-7341
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REVIEWED
ADD2021-00217
Hunter Searson, GIS
Planner
Lee County Government
1/25/2022



LINE DATA

L3 S.17°33'28"E 215.07'	L9 S.89°54'37"W. 218.60'
L4 N.89°42'18"W 60.00'	L10 N.09°11'29"W. 225.55'
L5 N89°42'18"W 107.62'	
L6 N89°42'18"W 221.98'	
L7 N35°32'45"W 42.43'	
L8 N03°08'34"E 76.57'	

CURVE DATA

CURVE C2 RAD = 5924.43' C.A. = 08°26'32" C.B. = S.13°20'12"E. CHD = 872.14' ARC = 872.93'	CURVE C6 RAD = 230.01' C.A. = 52°04'24" C.B. = S.25°50'08"E. CHD = 201.92' ARC = 209.04'	CURVE C10 RAD = 100.00' C.A. = 96°44'56" C.B. = S.43°50'56"W. CHD = 149.50' ARC = 168.86'
CURVE C3 RAD = 30.00' C.A. = 90°34'53" C.B. = S.36°10'31"W. CHD = 42.64' ARC = 47.43'	CURVE C7 RAD = 170.01' C.A. = 52°02'25" C.B. = N.25°51'07"W. CHD = 149.16' ARC = 154.42'	CURVE C11 RAD = 3913.93' C.A. = 01°40'50" C.B. = N.08°21'29"W. CHD = 114.79' ARC = 114.79'
CURVE C4 RAD = 5274.39' C.A. = 04°44'34" C.B. = S.06°27'12"E. CHD = 436.40' ARC = 436.52'	CURVE C8 RAD = 230.01' C.A. = 50°48'27" C.B. = N.26°28'06"W. CHD = 197.35' ARC = 203.97'	
CURVE C5 RAD = 170.01' C.A. = 50°48'27" C.B. = S.26°28'06"E. CHD = 145.87' ARC = 150.76'	CURVE C9 RAD = 50' C.A. = 96°34'35" C.B. = N.45°08'48"W. CHD = 74.65' ARC = 84.28'	

MDA PROJECT: 17037		DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	 MORRIS DEPEW ENGINEERS • PLANNERS • SURVEYORS LANDSCAPE ARCHITECTS FL CA NO. 6532 / FL CERT NO. 156891 / LC26000330	• Fort Myers • Tallahassee • Destin 2617 Cleveland Ave. Fort Myers, Florida 33901 (941) 337-3393 Fax: (941) 337-3394 Toll Free: 866-337-7341
CHECKED BY: MAH	DRAWN BY: MAH			
DATE: 01-15-19				
SHEET 4 OF 4				

Exhibit B

RESOLUTION NUMBER Z-21-009

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

WHEREAS, Waldrop Engineering, P.A., filed an application on behalf of the property owner, Youngquist Brothers Family Holdings, LLC, to amend the Youngquist Trade Center Mixed Use Planned Development (MPD) in reference to Youngquist Trade Center; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on July 29, 2021; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2021-00002 and recommended APPROVAL of the Request with conditions; and

WHEREAS, a second public hearing was advertised and held on September 8, 2021 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 amend the Youngquist Trade Center Mixed Use Planned Development (MPD) to:

- Increase approved industrial square footage from 1,400,000 to 2,500,000;
- Increase approved office square footage from 131,000 sq. ft. to 225,000;
- Add a maximum of 200,000 sq. ft. of medical office; and
- Allow for the development of 360 hotel rooms without reducing approved square footage of other approved uses.

The property is located in the Tradeport and Wetland Future 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. Development must be consistent with the 2-page MCP entitled "Youngquist Trade Center Master Concept Plan" prepared by Waldrop Engineering, date stamped received June 18, 2019, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with the Lee Plan and the LDC at time of local development order approval, except where deviations have been approved by this resolution. Changes to the MCP require further development approvals.

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

a. Schedule of Uses:

Accessory Uses and Structures
Administrative Offices
Agricultural Uses: See Condition 5
Aircraft Food Service and Catering
Amusement Parks
Animals: Clinic or kennel
ATM (automatic teller machine)
Auto Parts Store, with installation services
Auto Repair and Service, all groups
Automobile Service Station
Bait and Tackle Shop
Banks and Financial Establishments: all groups
Bar and Cocktail Lounge, in conjunction with a restaurant
Billboards, existing only
Boardwalks
Boats, boat part store boat repair and service
Boat Sales
Broadcast Studio, Commercial Radio and Television
Building Material Sales
Business Services: All groups
Bus Station/Depot
Car Wash
Cleaning and Maintenance Services
Clothing Store, general
Clubs, commercial, fraternal, membership organization, and private
Cold Storage, Pre-Cooling, Warehouse and Processing Plant
Communication Facilities, Wireless, subject to Condition 10
Computer and Data Processing Service
Consumption on Premises, in conjunction with a restaurant
Convenience Food and Beverage Store with Fuel Pumps, limited to one (1) store
with 36 fuel pumps
Contractors and Builders: All groups
Drive-Through Facility for Any Permitted Use
Emergency Operations Center
EMS, Fire or Sheriff's Station
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities: Groups I and II (Group II is limited to communication,
telephone and electrical distribution facilities, and electrical substations)
Excavation: Water retention, including dewatering
Factory Outlets, point of manufacture only
Fences and Walls
Food and Beverage Services, limited
Food Stores: all groups
Freight and Cargo Handling Establishments
Gasoline Dispensing Systems, Special
Gift and Souvenir Shop

Government Maintenance Facility
Healthcare Facilities, Group III
Heliport or Helistop, subject to Condition 11
Hobby, Toy, and Game Shops
Hotels/ Motels – limited to 360 rooms
Household and Office Furnishings, All Groups
Lawn and Garden Supply Stores
Laundry or Dry Cleaning: All Groups
Manufacturing of:
 Apparel products
 Boats
 Chemical and allied products: Groups I and II, (Group II is limited to cosmetics, perfumes, soaps, detergents, and other toilet preparations)
 Electrical machinery and equipment, all operations must be conducted within a fully enclosed building
 Fabricated metal products: Group II, all operations must be conducted within a fully enclosed building
 Food and kindred products: Groups II and III
 Furniture and Fixtures, all operations must be conducted within a fully enclosed building
 Leather products: Group II
 Lumber and wood products: Group II, III, IV, V and VI
 Measuring, analyzing and controlling instruments
 Novelties, jewelry, toys and signs: All Groups
 Paper and allied products: Groups II and III
 Rubber and plastic products: All Groups
 Stone, clay, glass and concrete products: Group I
 Textile mill products: All groups
 Transportation equipment: Groups I and II
Medical Office
Mini-Warehouse
Motion Picture Production Studio
Nightclubs
Non-Store Retailers: All groups
Package Store, limited to one
Paint and Glass and Wallpaper
Parcel and Express Services
Parking Lot:
 Accessory
 Commercial, subject to Condition 13
 Garage, public parking, subject to Condition 13
 Temporary
Personal Services: Groups I, II, III and IV except for massage parlors, palm readers, fortune tellers, card readers and tattoo parlors
Pet Services
Photofinishing Laboratory
Post Office
Printing and Publishing
Processing and Warehousing
Real Estate Sales Office, for sale of lots/structures within the development only

Recreational Facilities: All groups excluding outdoor gun ranges
 Rental or Leasing Establishment: Groups II, III, and IV
 Repair Shops: Groups I, II, III, IV, and V
 Research and Development Laboratories: All groups
 Restaurants: All groups including fast food
 Retail and Wholesale Sales, when clearly incidental and subordinate to a permitted principal use on the same premises
 Schools, Commercial, (excluding charter and private schools unless located in a multitenant building) – prohibited in Airport Noise Zone B
 Signs including one (1) interstate highway interchange area identification sign, subject to Conditions 12 and 16
 Social Services, Groups I and II
 Specialty Retail Shops: All groups
 Storage:
 Indoor
 Open, including RV storage
 Technical Training Facilities
 Temporary Uses
 Transportation Services: Groups II, III, and IV
 Trucking Terminal
 Used Merchandise Stores: All groups
 Variety Store
 Vehicle and Equipment Dealers: All groups
 Warehouse:
 Private
 Public
 Wholesale Establishments: Groups III, and IV

b. Site Development Regulations

i. Office, Retail, and Mixed Use Development

Minimum Lot Area and Dimensions:

Minimum Lot Area: 7,500 square feet, 10,000 square feet for mixed use buildings

Minimum Lot Width: 75 feet

Minimum Lot Depth: 100 feet

Minimum Setbacks:

Ben Hill Griffin Parkway: 25 feet

Interstate 75: 30 feet

Internal Streets: 20 feet

Side: 10 feet

Rear: 20 feet

Accessory: 5 feet

Waterbody: 20 feet, 0 feet waterbody setback for decks, patios, and boardwalks accessory to restaurants, hotels, health clubs/spas, and offices.

Preserve: 25 feet

Minimum Building Separation: $\frac{1}{2}$ sum of the building height, or 20 feet,
whichever is greater

Maximum Building Height: 75 feet

Maximum Lot Coverage: 55%

ii. Hotel/Motel Development

Minimum Lot Area and Dimensions:

Minimum Lot Area: 20,000 square feet

Minimum Lot Width: 100 feet

Minimum Lot Depth: 100 feet

Minimum Setbacks:

Ben Hill Griffin Parkway: 25 feet

Interstate 75: 30 feet

Internal Streets: 20 feet

Side: 10 feet

Rear: 20 feet

Accessory: 5 feet

Waterbody: 20 feet, 0 feet waterbody setback for decks, patios, and boardwalks accessory to restaurants, hotels, health clubs/spas, and offices.

Preserve: 25 feet

Minimum Building Separation: $\frac{1}{2}$ sum of the building height, or 20 feet,
whichever is greater

Maximum Building Height: 120 feet

Maximum Lot Coverage: 55%

iii. Industrial Development

Minimum Lot Area and Dimensions:

Minimum Lot Area: 25,000 square feet

Minimum Lot Width: 100 feet

Minimum Lot Depth: 100 feet

Minimum Setbacks:

Ben Hill Griffin Parkway: 25 feet for all buildings conforming to LDC design standards and guidelines for commercial buildings. 100 feet for buildings that do not conform to the LDC design standards and guidelines for commercial buildings (see Condition 9)

Interstate 75: 30 feet

Internal Streets: 20 feet

Side: 10 feet

Rear: 20 feet

Accessory: 5 feet

Waterbody:	20 feet, 0 feet waterbody setback for decks, patios, and boardwalks accessory to restaurants, hotels, health clubs/spas, and offices.
Preserve:	25 feet
Minimum Building Separation:	$\frac{1}{2}$ sum of the building height, or 20 feet, whichever is greater
Maximum Building Height:	75 feet
Maximum Lot Coverage:	65%

3. Development Parameters

- a. The floor area for the development will not exceed 2,500,000 square feet of light industrial uses, 175,000 square feet of commercial retail development and 225,000 square feet commercial office development, 200,000 square feet of medical office development, and up to 360 hotel/motel rooms.
- b. Permitted restaurant gross floor area includes restaurant outdoor seating areas.
- c. The developer must submit a report/tabulation with every Local development order application itemizing:
 - i. the intensity of commercial, office, and industrial uses (expressed as square footages), and the number of hotel rooms, proposed by the application;
 - ii. the cumulative total intensity of uses permitted by previous development order approvals; and
 - iii. remaining intensity available for future development.

4. Environmental

- a. Development order plans must be in substantial compliance with the open space table and delineate preserves in substantial compliance with the MCP. A minimum of 40.36+/- acres of existing indigenous plant communities must be preserved within the approximately 83.15-acre preserve on Parcel A, and 0.83+/- acres of existing indigenous plant communities must be preserved within the 4.15 acre preserve on Parcel B.
- b. The developer must coordinate removal of invasive exotic plants within preserve areas with the Division of Environmental staff. The developer must utilize hand removal methods within indigenous plant communities with 75% or less invasive exotic plant coverage.
- c. The developer must survey the portion of the property to be cleared pursuant to a development order application for active Big Cypress Fox Squirrel nests prior to issuance of a Vegetation Removal Permit. If the survey identifies active Big Cypress Fox Squirrel nests, the developer must protect the nests with a 125-foot buffer until the nest is confirmed inactive. Onsite preserves provide adequate

habitat for Big Cypress Fox Squirrels, therefore no additional preserves will be required if Big Cypress Fox Squirrels nests are identified.

5. Existing Agricultural Use

Existing bona fide agricultural uses may continue in compliance with the following:

- a. Bona fide agricultural uses in existence at the time of this resolution and as shown on Exhibit "D" attached hereto may continue until approval of a local development order for vertical construction for the lot or parcel containing those uses.
- b. The property owner must terminate the agricultural tax exemption for the lot or parcel receiving a local development order for vertical construction. The agricultural use must cease and the exemption termination must be filed with the Property Appraisers 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.

6. Right-of-way Buffers

a. Interstate 75

Prior to development order approval for vertical construction within Parcels A and B, the development order plans must reflect a 25-foot-wide buffer, within the 50 foot setback, along the west property line.

The buffer must consist of a 2-foot-high berm (3:1 slope) measured from the centerline of the frontage road. The buffer must be planted with 5 trees per 100 linear feet and a double staggered hedge. Palms may substitute for canopy trees at a 3:1 ratio (3 palms to one canopy tree) but may not exceed 50% of the buffer. The landscape plans must specify trees at 14 feet in height and shrubs at 36 inches in height at the time of planting

Required plantings must be installed on the top of the berm or on the west side of the berm near the top.

Trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees and understory vegetation. Post installation, the hedge must be maintained at a minimum 36 inches in height.

b. Ben Hill Griffin Parkway

Prior to development order approval for vertical construction within Parcels A and B, development order plans must reflect a 15-foot right-of-way buffer along Ben Hill Griffin Parkway.

The buffer must consist of a two-foot-high berm with seven (7) trees, 66 shrubs, and 56 ground cover plants per 100 linear feet (excluding the preserve area).

Required plantings must be located on the top of the berm or near the top of the berm on the east side of the berm.

Trees and shrubs used to meet the buffer requirement must be indigenous to Southwest Florida. Clustering of trees and shrubs is strongly recommended to create visibility windows and provide a more naturalistic buffer with canopy trees and understory vegetation.

c. Non-Vertical Development

Prior to the issuance of a development order for infrastructure, developer must demonstrate there is at least 25 feet of existing native vegetation adjacent to I-75 and Ben Hill Griffin Parkway. Development orders for vertical development will trigger the installation of landscape buffers indicated in the paragraphs above.

7. Roadway Access/Drainage

- a. All access points depicted on the master concept plan, for the proposed Ben Hill Griffin Parkway extension, must be consistent with the access spacing requirements established in the October 19, 1999, Memorandum of Understanding between Alico, Inc. and the Lee County Port Authority and with the design of the Ben Hill Griffin Parkway/Treeline project or as agreed to by the parties involved.
- b. In accordance with the October 19, 1999 Memorandum of Understanding between Alico, Inc. and the Lee County Port Authority and South Florida Water Management District Permits for the RSW Midfield Terminal Project, Glewin 275 LLC and Slevin 275 LLC T/C and Airport Interstate Association LLC agree to execute drainage easements consistent with the Ben Hill Griffin Parkway Memorandum of Understanding, as amended and agreed to by both parties.

8. Detention Pond Relocation

Prior to local development order approval, any change in the location of the detention pond (water management area), on the subject property, for Ben Hill Griffin Parkway from Alico Road north to the Midfield terminal must be approved by the South Florida Water Management District and be consistent with the approved October 19, 1999 Memorandum of Understanding between Alico, Inc. and the Lee County Port Authority and South Florida Water Management District Permits, as amended and agreed to by all parties.

9. Buildings and Structures

- a. The primary façade of industrial buildings and structures within 100 feet of Ben Hill Griffin Parkway must comply with the design standards and guidelines for commercial buildings and development set forth in the LDC. Industrial buildings more than 100 feet from Ben Hill Griffin Parkway will not be subject to the commercial building design standards.
- b. All structures must be designed to be architecturally compatible and share a common architectural theme.

- c. The developer may not develop or use the property within the Florida Power and Light (FP&L) easement in a manner inconsistent with that easement. The developer is not required to obtain approval from FP&L to develop within the easement if the developer provides evidence of the legal authority to develop within easement. Such evidence may consist of an attorney opinion the proposed use of the property within the easement does not violate the easement. The attorney rendering the opinion must be board certified in real estate.

10. Wireless Communication Facilities

- a. If approved under the LDC, wireless communication facilities are permitted in the FP&L easement.
- b. Freestanding wireless communication facilities, including stealth towers, are prohibited.
- c. Federal Communication Commission review will be required for any wireless communication facilities to ensure that signals from wireless communication facilities do not interfere with navigation aids and radar at Lee County Port Authority (and Airport).

11. Heliport/Helistops

The developer must fully coordinate future heliports or helistops with, and approved by, the Lee County Port Authority and the Florida Department of Transportation Aviation Office to avoid interference with the operation of the Southwest Florida International Airport.

12. Signs

The developer must submit a unified signage plan for staff review and approval with application for local development order approval subject to Condition 16 and Deviation 10.

13. Commercial Parking Lot/Garage, Public Parking

- a. Square footage of all floor area within commercial parking buildings will be deducted from approved industrial square footage. The ITE Trip Generation does not provide any data for long term car storage, and based on the current information available, the use should be considered industrial.

Applicant/developer has the option of submitting a traffic analysis establishing the actual trip generation rate of the commercial vehicle storage facility with the local development order application. The trip generation analysis will include the following:

- i. Traffic counts conducted at all driveways leading to and from the commercial parking structure for a period not less than three consecutive weekdays. The traffic counts must be conducted during the months of February or March in order to determine the peak season usage of the commercial parking structure. Operators of the facility will be consulted as to the peak months of operation. The facility must be open a minimum of

60 days before conducting a survey for this purpose. Twenty-four hour machine counts must be summarized in tabular form.

- ii. The average weekday P.M. peak hour trip generation will be determined from the three day count.
 - iii. The peak hour trip generation will be analyzed to determine that an industrial land use of similar size to the parking facility does not generate similar P.M. peak hour trips as does a commercial parking structure (i.e. an 80,000 square feet commercial parking facility does not generate the same number of trips as 80,000 square feet of industrial use).
 - iv. The developer will submit this analysis to the Department of Community Development, Development Services Division, in order to request additional industrial floor area, with the overall floor area within the MPD not exceeding the floor area permitted in this resolution.
- b. The commercial parking lot or public parking garage (vehicle storage building) is limited to a maximum of 2,000 vehicles and a maximum height of 75 feet.
- c. Parking Garage buffers:
- i. The east side of the parking structure along Ben Hill Griffin Parkway must include the following vegetation on top of a 2-foot-high meandering berm: eight trees (four canopy at a minimum of 12 feet in height and four palms at a minimum of 30 feet in height at planting), 66 shrubs (minimum 24-inch height, 3-gallon container size at planting, and allowed to grow to their natural height), and 56 ground cover (minimum 1-gallon container size at planting) per 100 linear feet.
 - ii. The north and south sides of the parking structure must include the following vegetation: four palms at a minimum 30-foot in height at planting, four canopy trees at a minimum 12-foot height at planting, and a double staggered hedge (minimum 24-inch height, 3-gallon container size at planting, and allowed to grow to their natural height).
- d. A vehicle storage building must be setback a minimum of 50 feet from Ben Hill Griffin Parkway.

14. Industrial Uses

Industrial uses (manufacturing), located within 100 feet of the Ben Hill Griffin right-of-way are subject to the following standards:

- a. If producing a tangible product, the use or activity must stand at or near the end of the manufacturing process, accounting only for the last steps of preparation or assembly of components or preprocessed materials.
- b. All operations must be conducted within a fully enclosed building.

- c. The use may not emit dust, smoke, odor or other air or water pollutant, glare, sound or other vibration that can be perceived outside the boundaries of the development tract or industrial use area.
- d. Open storage of waste products is prohibited. Open storage of raw materials must be fully screened from external property lines and Ben Hill Griffin Parkway by proposed buildings and/or screening in accordance with the LDC.
- e. Open storage of finished goods awaiting shipment is permitted, provided the storage area meets LDC visibility screening requirements.

15. Interconnection with Adjacent Property

At the time of local development order approval, the roadway interconnections with the two projects to the south (Jetway Tradeport and Airport South Interchange) must be reviewed to ensure the roadways are in alignment.

16. Interstate Highway Interchange Sign

One on-site interstate interchange area sign is permitted within one quarter mile of Interstate 75 and the Airport Direct Connect Ramp. This sign may not 400 square feet in area and 50 feet in height. This sign is in addition to the allowances provided in Deviation 10.

SECTION C. DEVIATIONS:

1. Surface Water Management Systems

Deviation (1) seeks relief from the LDC §10-418(3) requirement to permit a maximum of 20% of lake banks to be comprised of bulkhead or similar hardened shoreline, to allow bulkheads on 30% of the shoreline. This deviation is APPROVED SUBJECT TO the following condition:

Prior to local development order approval, the development order plans must delineate the locations of the bulkheads. Lakes that include up to 20% of the shoreline as bulkhead must be designed to include a compensatory 4:1 lake bank slope equivalent to the linear footage of the bulkhead and also provide one wetland tree per 100 required littoral plants, subject to LDC compensatory calculations. Lakes with 21-30% of the shoreline as bulkhead must be designed to provide a compensatory 4:1 lake bank slope equivalent to the linear feet of bulkhead and also provide two wetland trees per 100 required littoral plants, subject to LDC compensatory calculations. See Deviations 8, 9, and 13.

2. Drainage Easements

Deviation (2) seeks relief from the LDC §10-328(a) requirement to provide a minimum 20 foot wide maintenance access easement along lake perimeters, to allow zero (0) feet where lakes have bulkheads. This deviation is APPROVED SUBJECT TO the following condition:

At the time of development order approval, the developer must demonstrate to Development Services Division that permanent access to the lakes is available to launch a boat(s) to maintain the lake bulkheads.

3. Waterbody Setbacks

Deviation (3) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot waterbody setback for buildings, to allow a zero-foot setback at bulkhead areas. This deviation is APPROVED SUBJECT TO the site development regulations set forth in Condition 2.

4. Excavations

Deviation (4) seeks relief from the LDC §10-329(d)(1)a.3. requirement to provide water retention or detention excavations be setback 50 feet from private property line under separate ownership, to allow:

- a. A 25-foot setback between Lake B1 and Jetway Tradeport MPD.
- b. A 20-foot setback between Lakes A1, A2, A3, B1, and B2 and internal property lines and internal roadways; and
- c. A zero-foot setback between Lake A4 (existing borrow pit) and Airport South Interchange CPD and the Coca Cola Bottling Plant property.

This deviation is APPROVED SUBJECT TO the following condition:

Prior to local development order approval, the developer order plans must include details for wetland trees around the existing lake, even if reconfigured. (MCP Lake A4) Wetland trees must be calculated on one wetland tree per 100 littoral plants.

At the time of development order approval, the developer must provide elements to protect wayward vehicles on the internal roadways adjacent to Lakes A1, A2, A3, B1, and B2. The elements may include guardrails, berms, swales, vegetation, or other protections approved by the Development Services Director.

5. Deviation (5) withdrawn.

6. Excavations

Deviation (6) seeks relief from the LDC §10-329(d)(4) requirement to provide 6:1 lake bank slopes, to allow for 4:1 lake bank slopes. This deviation is APPROVED.

7. Shoreline Configuration

Deviation (7) seeks relief from the LDC §10-418(1) requirement to provide a sinuous lake shoreline, to allow for a non-sinuous lake shoreline. This deviation is APPROVED.

8. Planted littoral shelf configuration

Deviation (8) seeks relief from the LDC §10-418(2)(c) requirement to provide a 20-foot-wide littoral shelf no greater than two feet below control elevation, to omit the 20-foot-wide planted littoral shelf extending water ward of the control elevation at a depth no greater than two feet below the control elevation to minimize potential bird attractants. The developer will plant substituted native trees along the 4:1 lake bank slopes and/or Lake Maintenance Easements, depending upon species. See Deviations 9 and 13. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval for any lake, the landscape plans must illustrate the wetland trees installed within the 4:1 lake bank slope or meandering the 20 foot lake maintenance easement allowing sufficient clearance for lake maintenance vehicles.

9. Littoral Shelf Plant Selection

Deviation (9) seeks relief from the LDC §10-418(2)(d) requirement which allows the substitution of native trees for up to 25% of the total number of herbaceous plants, to allow native trees to substitute for 100% of the required herbaceous plants. This deviation is APPROVED.

10. Permanent Sign in Commercial and Industrial Areas

Deviation (10) seeks relief from the LDC §30-153(2)(a)(ii) requirement which permits two identification signs totaling 400 square feet in area along street frontages exceeding 330 feet, to allow a total combined sign area per frontage of 1,000 square feet along Ben Hill Griffin Parkway, and 500 feet along I-75. This deviation is APPROVED SUBJECT TO the following condition:

Total sign area for Ben Hill Griffin Parkway is 1,000 square feet, not to exceed 250 square feet per sign. A maximum of 500 square feet of sign area is permitted along I-75 frontage. Signs must comply with LDC Chapter 30 in all other respects.

11. Phased Projects

Deviation (11) seeks relief from the LDC §10-117 to allow for phased installation of project perimeter buffers. Perimeter buffers must be installed upon issuance of a development order approving construction on the subject parcel/phase. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval for vertical construction, project landscape plans must illustrate a common plant pallet theme for the Interstate 75 and Ben Hill Griffin Parkway buffer requirements.

12. Required Parking Spaces

Deviation (12) seeks relief from the LDC §34-2020(e)(1)(a), requirement to provide an additional 80 square feet of internal parking island landscape area for every additional parking space over 120% of required parking, to allow for an additional 40 square feet of internal parking island landscape area for every additional parking space over 120%, to

be planted with ground cover plants at a minimum one gallon container size, and allow the developer to locate the required canopy trees in the project's perimeter and/or internal buffer areas. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval, landscape plans must illustrate the additional 40 square feet of internal parking landscape area for each parking space that is over the 120% requirement. Industrial uses must provide that additional internal parking landscape area to the internal parking island and within a minimum five foot with building perimeter planting area located adjacent to the front of the building. Commercial uses must provide the additional square feet to the internal parking islands and to the required five-foot wide building perimeter. The landscaping must consist of trees, palms, and shrubs. Landscaping material must be installed in accordance with LDC §10-420.

13. Surface Water Management Systems

Deviation (13) seeks relief from the LDC §10-418(3) requirement to provide a five-foot wide littoral planted shelf, planted with herbaceous wetland plants for compensatory littoral zones, to allow native trees to be substituted for 100% of the required compensatory herbaceous plants based upon the calculations in LDC §10-418(3). Native trees will be substituted at a ratio of 100 plants per one (1) tree. This deviation is APPROVED SUBJECT TO the following condition:

Prior to development order approval, the landscape plans must illustrate a 4:1 lake bank slope consisting of native wetland trees within the lake maintenance easement, while maintaining sufficient area for required maintenance activities and associated access.

14. Property Development Regulations

Deviation (14) seeks relief from the LDC §34-935 requirement which limits building height in Tradeport to 95 feet, to allow for a maximum building height of 120 feet. This deviation is APPROVED.

15. Interstate Highway Interchange Area Signs

Deviation (15) seeks relief from LDC §30-154(2) to allow one on-site interstate highway interchange area sign within the project not to exceed 50 feet in height and 400 square feet in sign area. This deviation is APPROVED SUBJECT TO Condition 16.

SECTION D. EXHIBITS:

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

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Bona Fide Agricultural Uses

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. The proposed MPD amendment complies with the Lee Plan. Lee Plan Vision Statement Paragraph 10 (Gateway/Airport), Lee Plan Goals 2, 4, 6, 7, 60, 61, 77, 123, 124, 158, Objectives 2.2, 11.1, Policies 2.1.2, 6.1.3, 7.1.1, 7.1.2, 7.1.3, 158.3.5.
2. As conditioned, the amendments to the MPD:
 - a. Meet the LDC and other county regulations or qualifies for deviations. LDC §§ 2-265, 2-385, 10-287, 10-321, 34-411, 34-413, 34-491, 34-612(2), 34-1012; 34-2175(b);
 - b. Are compatible with existing and planned uses in the surrounding area. Lee Plan Objective 47.2, Policies 2.1.2, 2.2.1, 6.1.3, 6.1.4, 7.1.2, 7.1.3;
 - c. Provide access sufficient to support the proposed development intensity. Expected impacts on transportation facilities will be addressed by county regulations and conditions of approval. Lee Plan Objective 39.1, Policies 2.2.1, 6.1.1, 6.1.3, 7.1.1, 7.1.2, 7.1.5, Policy 39.1.1; LDC §§ 34-411(d) and (e);
 - d. Will not adversely affect environmentally critical areas and natural resources. Lee Plan Goals 60, 77, 123, 124, 125, Objectives 60.5, 61.2, 77.2, 77.3, Policies 60.1.2, 60.5.2, 61.2.4, 61.3.11, 77.3.1, 77.3.5, 123.2.4, 125.1.3, Standard 4.1.4; and
 - e. Will be served by urban services including paved roads, potable water, sanitary sewer, urban surface water management, police, fire, and emergency services. Lee Plan Glossary, Lee Plan Goals 2, 4, Objectives 2.1, 6.1, 7.1 Policies 2.2.1, 6.1.4, 7.1.1, 7.1.5, 7.1.6, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).
3. The proposed mix of uses is appropriate at the proposed location. Lee Plan Goal 158, Objective 2.1, Policies 2.1.1, 2.1.2, 6.1.1, 6.1.2, 7.1.1, 7.1.2, 7.1.3.
4. Recommended conditions and applicable regulations provide sufficient safeguards to protect the public interest. In addition, recommended conditions reasonably relate to impacts expected from the proposed development. Lee Plan Goals 123, 124, Objective 47.2, Policies 6.1.1, 7.1.2, 123.2.13; LDC §§ 34-377(a)(3), 34-411, 34-932(b) and (c), 34-1012, 34-1104.
5. As conditioned, the deviations:
 - a. Enhance the planned development, and
 - b. Preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

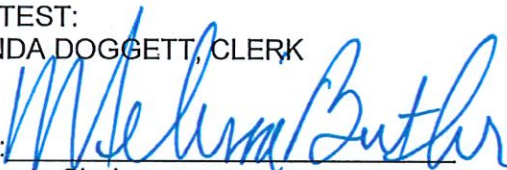
Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Sandelli. The vote was as follows:

Adopted by unanimous consent.

Kevin Ruane	Absent
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 8th day of September 2021.

ATTEST:
LINDA DOGGETT, CLERK

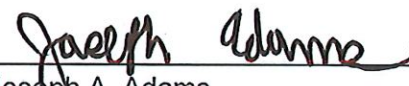
BY: 
Deputy Clerk

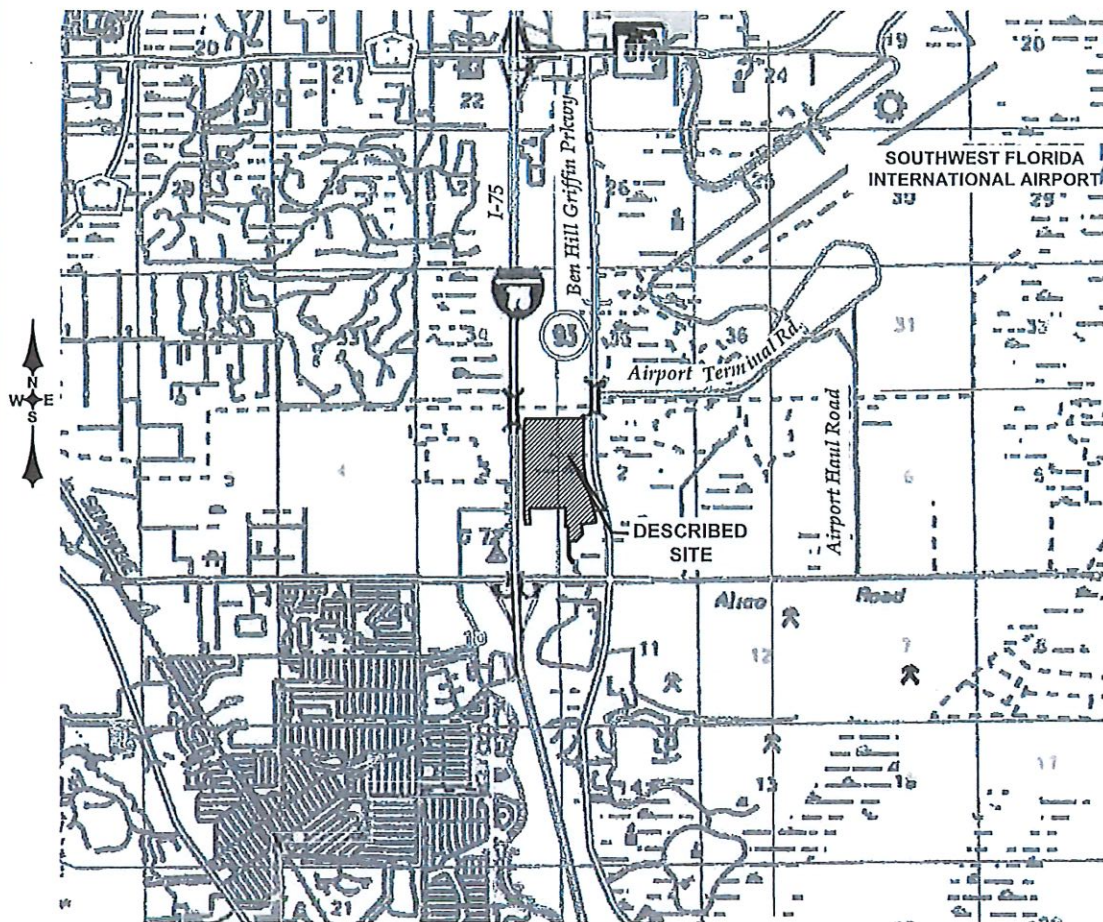


BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Vice Chair
Commissioner Cecil L. Pendergrass
Lee County Board of County Commissioners
District 2

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


Joseph A. Adams
Assistant County Attorney
County Attorney's Office



VICINITY MAP
1" = 1 MILE

ABBREVIATIONS

C1	= CURVE DESIGNATION
C.A.	= CENTRAL ANGLE
C.B.	= CHORD BEARING
CHD	= CHORD LENGTH
C/L	= CENTERLINE
INST.	= INSTRUMENT
L1	= LINE DESIGNATION
LB	= LICENSED BUSINESS
NO.	= NUMBER
OR	= OFFICIAL RECORDS
PG.	= PAGE
PERP.	= PERPETUAL
P.B.	= PLAT BOOK
POB	= POINT-OF-BEGINNING
POC	= POINT-OF-COMMENCEMENT
R/W	= RIGHT OF WAY
RAD.	= RADIUS
SEC.	= SECTION
SQ.FT.	= SQUARE FEET
S.R.	= STATE ROAD

SURVEYOR'S NOTES:

THE DESCRIPTION SHOWN HEREON IS NEW.

COORDINATES SHOWN HEREON BASED ON FLORIDA GRID, WEST ZONE, NAD 83-(2011).

SKETCH PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA'S STANDARDS OF PRACTICE FOR SURVEYING, RULE 5J-17 F.A.C.

ORIENTATION BASED ON THE NORTH LINE OF THE NORTHEAST-QUARTER OF SECTION 3, T.46 S., R. 25 E. AS BEARING N.89°23'14"E.

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER, AND ALL SHEETS ARE INCLUDED, THIS MAP IS NOT VALID.

EXHIBIT **A**

PREPARED BY



PSM 6347

Digitally signed by
Thomas M. Rooks Jr.
Date: 2021.04.12
16:12:59 -04'00'

THOMAS M. ROOKS JR., P.S.M.
FLORIDA CERTIFICATE NO. 6347

DATE

REV: UPDATE SURVEYOR SIGNATURE 04-12-2021

MDA PROJECT: 17037	CHECKED BY: MAH	DRAWN BY: MAH
DATE: 01-15-19		
SHEET 1 OF 4		

DESCRIPTION DRAWING
PARCEL OF LAND LYING IN
SECTIONS 2 AND 3, TOWNSHIP 46
SOUTH, RANGE 25 EAST, LEE
COUNTY, FLORIDA

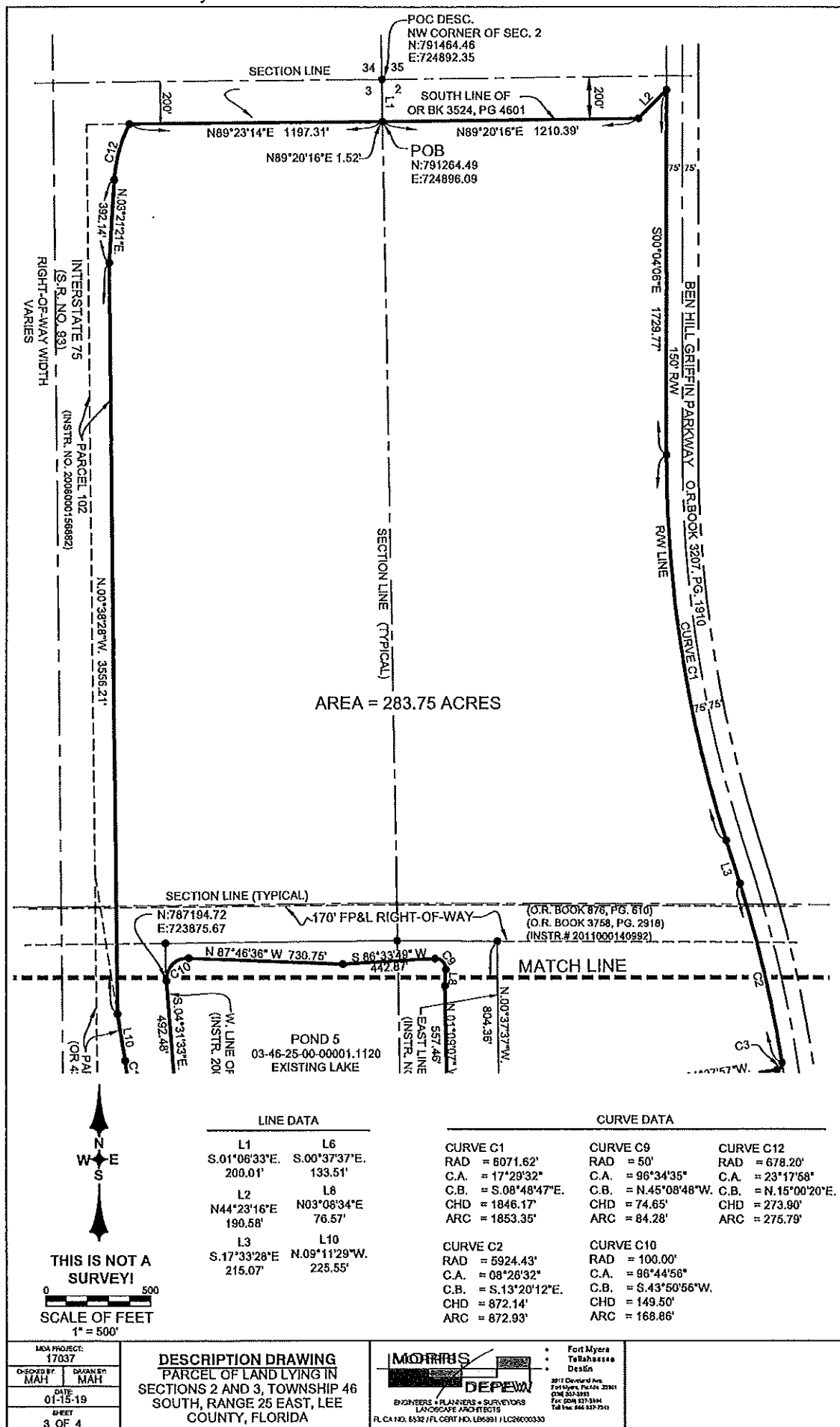
MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL. CA. NO. 6532 / FL. CERT. NO. LB6691 / LC200000330

Fort Myers
Tallahassee
Destin
3517 Colonial Ave.
Fort Myers, Florida 33901
(941) 337-3333
Fax: (941) 337-3334
Toll Free: 800-337-3241

**DESCRIPTION:
EXHIBIT "A" METES AND BOUNDS**

PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING THE NORTHWEST CORNER OF SAID SECTION 2; THENCE S.01° 06' 33"E., ALONG THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 2 FOR 200.01 FEET TO AN INTERSECTION WITH A LINE 200.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES) AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SECTION 2 AND THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE N.89° 20' 16" E. ALONG SAID PARALLEL LINE AND ALSO ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 1210.39 FEET; THENCE N.44° 23' 16"E. CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 190.58 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY (150.00' RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3207, PAGE 1910 OF SAID PUBLIC RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT FOUR (4) COURSES; S.00° 04' 06" E. A DISTANCE OF 1,729.77 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 6071.62 FEET, A CENTRAL ANGLE OF 17°29'22" AND WHOSE CHORD BEARS S.08°48'47"E. FOR A DISTANCE OF 1846.17 FEET, HAVING AN ARC LENGTH OF 1853.35 FEET; THENCE S.17° 33' 28"E., ALONG A TANGENT LINE, A DISTANCE OF 215.07 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHERLY, ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5924.43 FEET, A CENTRAL ANGLE OF 08°26'32" AND WHOSE CHORD BEARS S.13°20'12"E., FOR A DISTANCE OF 872.14 FEET, HAVING AN ARC LENGTH OF 872.93 FEET, TO A POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF BEN HILL GRIFFIN PARKWAY, ALONG THE BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, OF SAID PUBLIC RECORDS, FOR THE NEXT EIGHT (8) COURSES, SOUTHWESTERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 90°34'53" AND WHOSE CHORD BEARS S.36°10'31"W. FOR A DISTANCE OF 42.84 FEET, HAVING AN ARC LENGTH OF 47.43 FEET; THENCE S.81°27'57"W. ALONG A TANGENT LINE, A DISTANCE OF 619.81 FEET TO A NON-RADIAL INTERSECTION WITH A CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 5274.39 FEET, A CENTRAL ANGLE OF 04°44'31" AND WHOSE CHORD BEARS S.06°27'12"E. FOR A DISTANCE OF 436.40 FEET, ARC LENGTH BEING 436.52 FEET; THENCE S.43°12'27"W. ALONG A NON-TANGENT LINE, A DISTANCE OF 410.14 FEET; THENCE S.88°56'07"W. A DISTANCE OF 283.66 FEET; THENCE CONTINUING ALONG SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 3430, AND ALSO ALONG THE EAST BOUNDARY OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2005000131182, SAID PUBLIC RECORDS, FOR THE NEXT THREE (3) COURSES; S.01°03'53"E. A DISTANCE OF 628.78 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS S.26°28'08"E. FOR A DISTANCE OF 145.87 FEET, HAVING AN ARC LENGTH OF 150.87 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 52°04'24" AND WHOSE CHORD BEARS S.25°50'08"E. FOR A DISTANCE OF 201.92 FEET, HAVING AN ARC LENGTH OF 209.04 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS; THENCE N.89°42'18"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID EXHIBIT "D" AND TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG AN ARC OF SAID CURVED WEST LINE OF "EXHIBIT D", HAVING A RADIUS OF 170.01 FEET, A CENTRAL ANGLE OF 52°02'25" AND WHOSE CHORD BEARS N.25°51'07"W. FOR A DISTANCE OF 149.16 FEET, HAVING AN ARC LENGTH OF 154.42 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 230.01 FEET, A CENTRAL ANGLE OF 50°48'27" AND WHOSE CHORD BEARS N.26°28'06"W. FOR A DISTANCE 197.35 FEET, HAVING AN ARC LENGTH OF 203.97 FEET; THENCE N.01°03'53"W. ALONG THE SAID WEST LINE OF "EXHIBIT D" AND THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, SAID PUBLIC RECORDS, A DISTANCE OF 1265.42 FEET; THENCE N.89°42'18"W. ALONG NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2195, PAGE 4279, A DISTANCE OF 107.62 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID CERTAIN PARCEL FOR THE NEXT EIGHT (8) COURSES; N.89°42'18"W. A DISTANCE OF 221.98 FEET; THENCE N.35°32'45"W. A DISTANCE OF 42.43 FEET; THENCE N.01°09'07"W. A DISTANCE OF 557.46 FEET; THENCE N.03°08'34"E. A DISTANCE OF 76.57 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 96°34'35" AND WHOSE CHORD BEARS N.45°08'48"W. A DISTANCE OF 74.65 FEET, HAVING AN ARC LENGTH OF 84.28 FEET; THENCE S.86°33'49"W. A DISTANCE OF 442.87 FEET; THENCE N.87°46'36"W. A DISTANCE OF 730.75 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 96°44'56" AND WHOSE CHORD BEARS S.43°50'56"W. A DISTANCE OF 149.50 FEET, HAVING AN ARC LENGTH OF 168.86 FEET; THENCE S.04°31'33"E., LEAVING SAID SOUTHERLY BOUNDARY OF THAT CERTAIN PARCEL DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2018000217893, OF SAID PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 492.53 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, SAID PUBLIC RECORDS; THENCE S.89°54'37"W, LEAVING THE BOUNDARY OF SAID "EXHIBIT C-1" AND ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3677, PAGE 743, A DISTANCE OF 218.60 FEET TO A NON-RADIAL INTERSECTION WITH THE CURVED EASTERLY BOUNDARY OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 4355, PAGE 2364, SAID PUBLIC RECORDS, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD NO. 93); THENCE NORTHERLY, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT FIVE (5) COURSES; NORTHERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 3913.93 FEET, A CENTRAL ANGLE OF 01°40'50" AND WHOSE CHORD BEARS N.08°21'29"W. FOR A DISTANCE OF 114.79 FEET, HAVING AN ARC LENGTH OF 114.79 FEET; THENCE N.09°11'29"W. A DISTANCE OF 225.55 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 102 AS DESCRIBED IN CLERK'S INSTRUMENT NUMBER 2008000156882; THENCE NORTHERLY ALONG THE EAST BOUNDARY LINE OF SAID PARCEL 102 AND SAID EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 FOR THE NEXT THREE (3) COURSES; N.0°38'28"W. A DISTANCE OF 3556.21 FEET; THENCE N.03°21'21"E A DISTANCE OF 392.14 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG AN ARC OF SAID CURVE, HAVING A RADIUS OF 678.20 FEET, A CENTRAL ANGLE OF 23°17'58" AND WHOSE CHORD BEARS N.15°00'20"E. A DISTANCE OF 273.90 FEET, HAVING AN ARC LENGTH OF 275.79 FEET TO A NON-TANGENT INTERSECTION THE SAID SOUTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3524, PAGE 4601, SAID PUBLIC RECORDS; THENCE N.89°23'14"E. ALONG SAID SOUTH LINE, A DISTANCE OF 1197.31 FEET; THENCE N.89°20'16"E. ALONG SAID SOUTH LINE A DISTANCE OF 1.52 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.
CONTAINING 283.75 ACRES, MORE OR LESS.

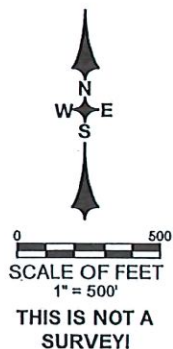
LMA PROJECT: 17037 CHECKED BY: MAH DATE: 01-15-19 SHEET: 2 OF 4	DESCRIPTION DRAWING PARCEL OF LAND LYING IN SECTIONS 2 AND 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA	 MORRIS DEFEW ENGINEERS & PLANNERS • SUIRVEYORS LANDSCAPE ARCHITECTS FL CA110, 6532 / FL CERT NO. 18891 / LC26000230	Fort Myers Tallahassee Destin 1817 Osprey Ave. Fort Myers, Florida 33901 (239) 577-0803 Fax: (239) 577-0804 Toll Free: 866-520-7241
--	--	---	--





L3	L9
S.17°33'28"E	S.89°54'37"W.
215.07'	218.60'
L4	L10
N.89°42'18"W	N.09°11'29"W.
60.00'	225.55'
L5	
N89°42'18"W	
107.62'	
L6	
N89°42'18"W	
221.98'	
L7	
N35°32'45"W	
42.43'	
L8	
N03°08'34"E	
76.57'	

CURVE C2	CURVE C6	CURVE C10
RAD = 5924.43'	RAD = 230.01'	RAD = 100.00'
C.A. = 08°26'32"	C.A. = 52°04'24"	C.A. = 96°44'56"
C.B. = S.13°20'12"E.	C.B. = S.25°50'08"E.	C.B. = S.43°50'56"W.
CHD = 872.14'	CHD = 201.92'	CHD = 149.50'
ARC = 872.93'	ARC = 209.04'	ARC = 168.86'
CURVE C3	CURVE C7	CURVE C11
RAD = 30.00'	RAD = 170.01'	RAD = 3913.93'
C.A. = 90°34'53"	C.A. = 52°02'25"	C.A. = 01°40'50"
C.B. = S.36°10'31"W.	C.B. = N.25°51'07"W.	C.B. = N.08°21'29"W.
CHD = 42.64'	CHD = 149.16'	CHD = 114.79'
ARC = 47.43'	ARC = 154.42'	ARC = 114.79'
CURVE C4	CURVE C8	
RAD = 5274.39'	RAD = 230.01'	
C.A. = 04°44'34"	C.A. = 50°48'27"	
C.B. = S.06°27'12"E.	C.B. = N.26°28'06"W.	
CHD = 436.40'	CHD = 197.35'	
ARC = 436.52'	ARC = 203.97'	
CURVE C5	CURVE C9	
RAD = 170.01'	RAD = 50'	
C.A. = 50°48'27"	C.A. = 96°34'35"	
C.B. = S.26°28'06"E.	C.B. = N.45°08'48"W.	
CHD = 145.87'	CHD = 74.65'	
ARC = 150.76'	ARC = 84.28'	



MDA PROJECT: 17037	
CHECKED BY: MAH	DRAWN BY: MAH
DATE: 01-15-19	
SHEET 4 OF 4	

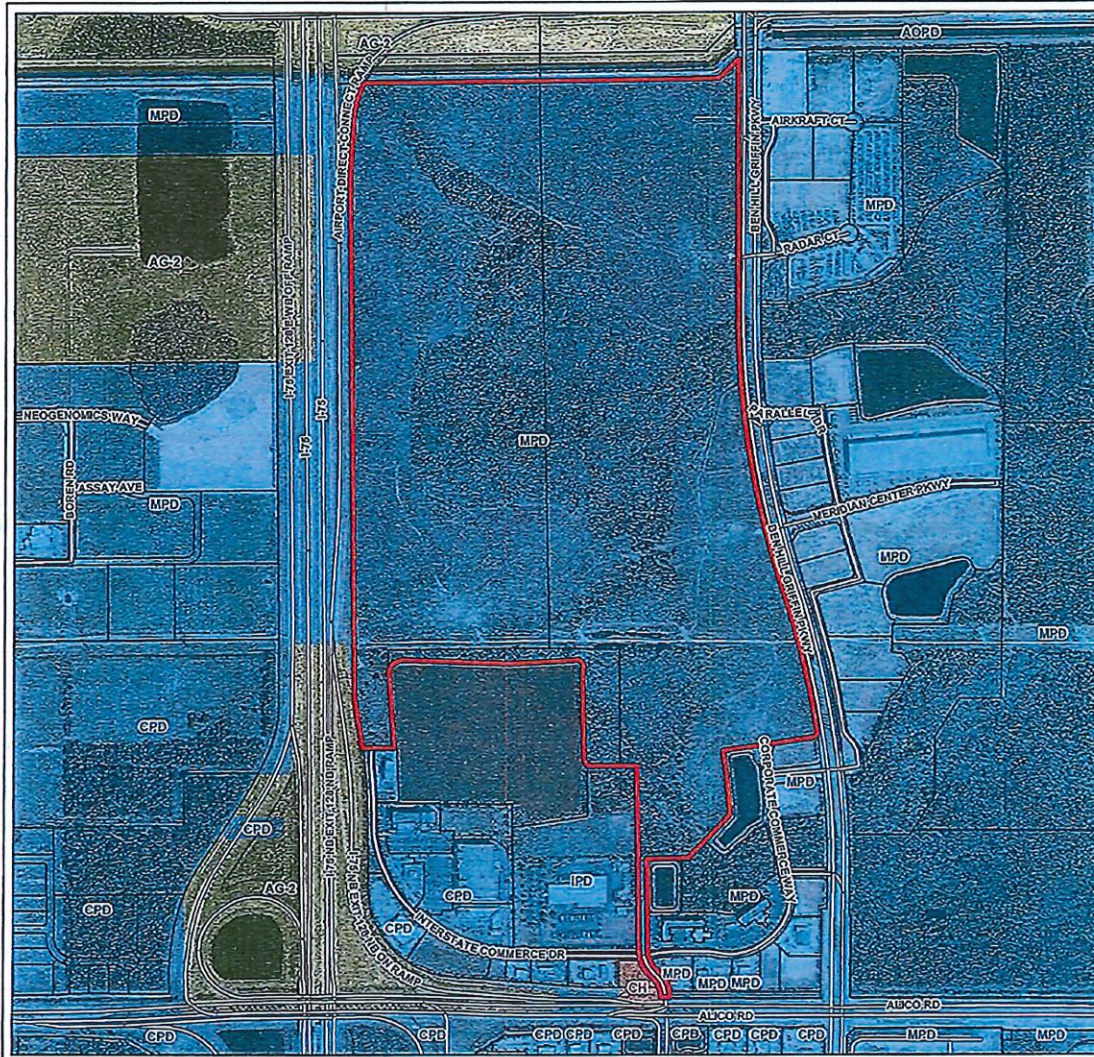
DESCRIPTION DRAWING
PARCEL OF LAND LYING IN
SECTIONS 2 AND 3, TOWNSHIP 46
SOUTH, RANGE 25 EAST, LEE
COUNTY, FLORIDA



- Fort Myers
- Tallahassee
- Destin

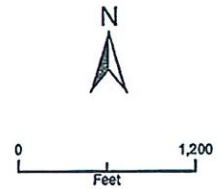
2917 Cleveland Ave
Fort Myers, Florida 33901
(941) 337-3193
Fax: (239) 337-3854
Toll free: 866-327-7241

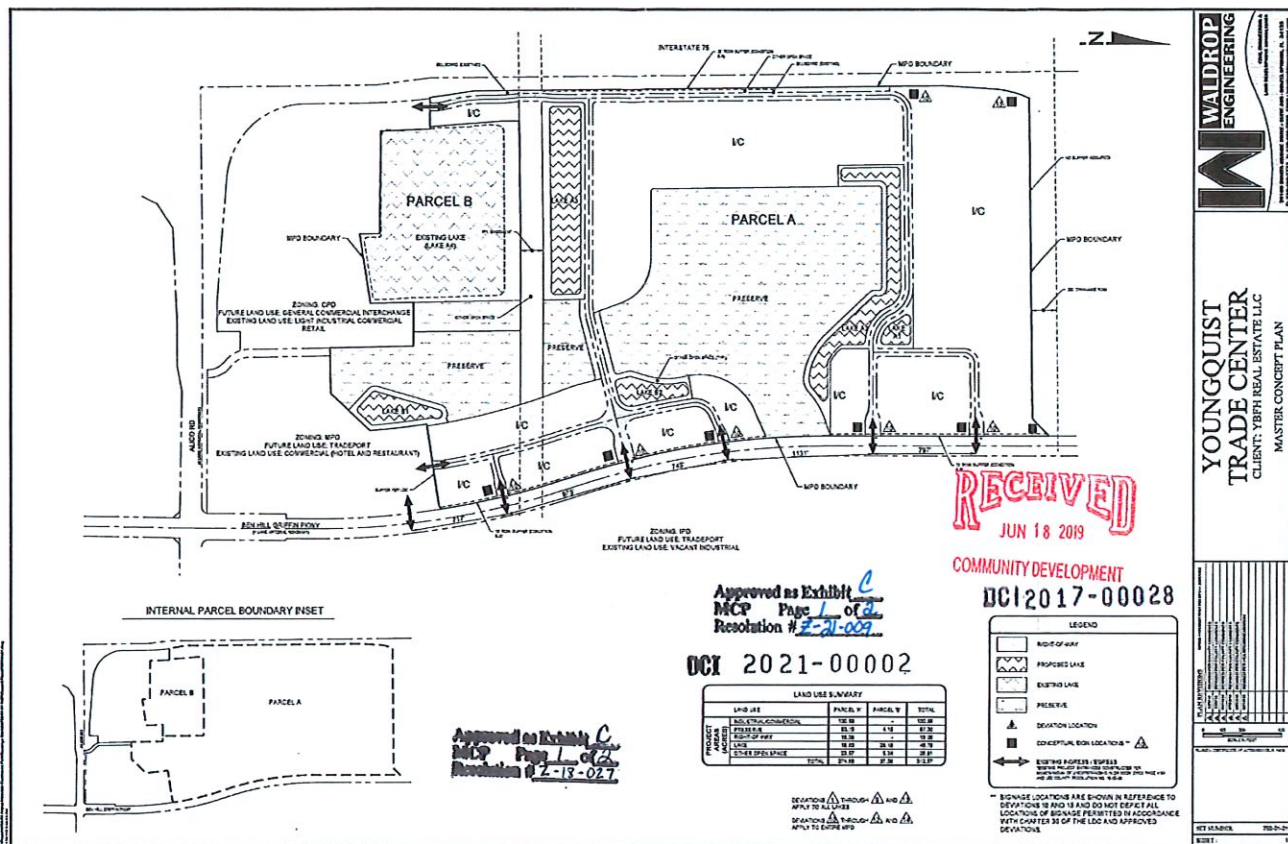
EXHIBIT B



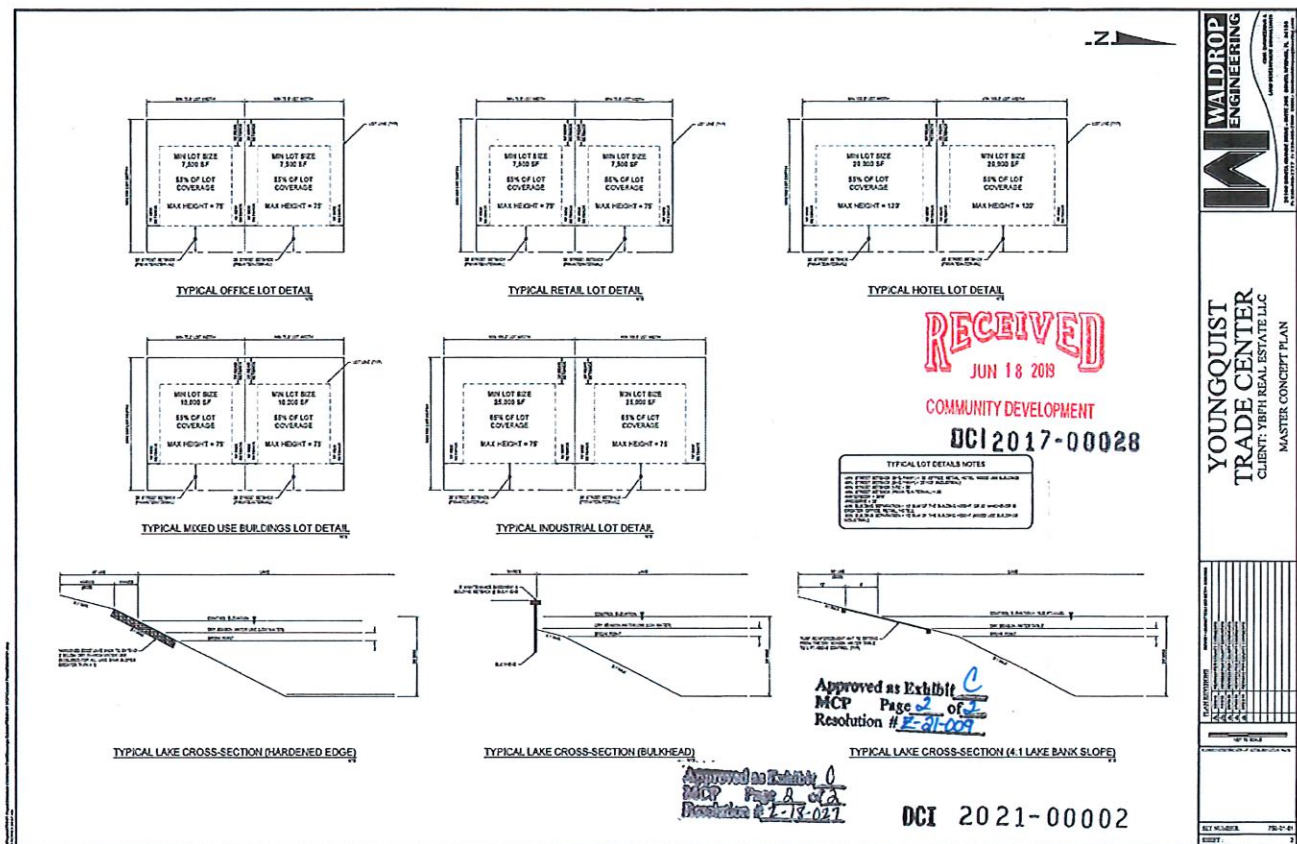
**DCI2021-00002
Zoning**

Legend
 Subject Parcel





ADD2021-00217 Lee County ePlan



AFFIDAVIT

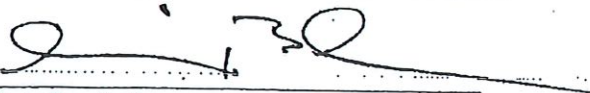
STATE OF FLORIDA,
COUNTY OF LEE.

BEFORE ME, the undersigned authority, on this 2nd day of Aug, 2004, personally appeared Chris Bundschu, Managing Member of Airport Interstate Associates, LLC, a Florida limited liability company, who is personally known to me and who did take an oath, who deposes and says as follows:

1. That I am the owner of the following described properties, to wit:
See attached Exhibit "A"
2. That the above described property was used for bona fide agricultural purposes, to wit livestock grazing and pasturage, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".
3. The agricultural use of the property is an existing bona fide agricultural use.
4. The agricultural use is being conducted on the entire 38.77 acres. The entire property described on the attached Exhibit "A" is being used for the grazing of livestock.
5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read or has heard read to him, the full facts of this affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NAUGHT.

AIRPORT INTERSTATE ASSOCIATES, LLC


Chris Bundschu

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)



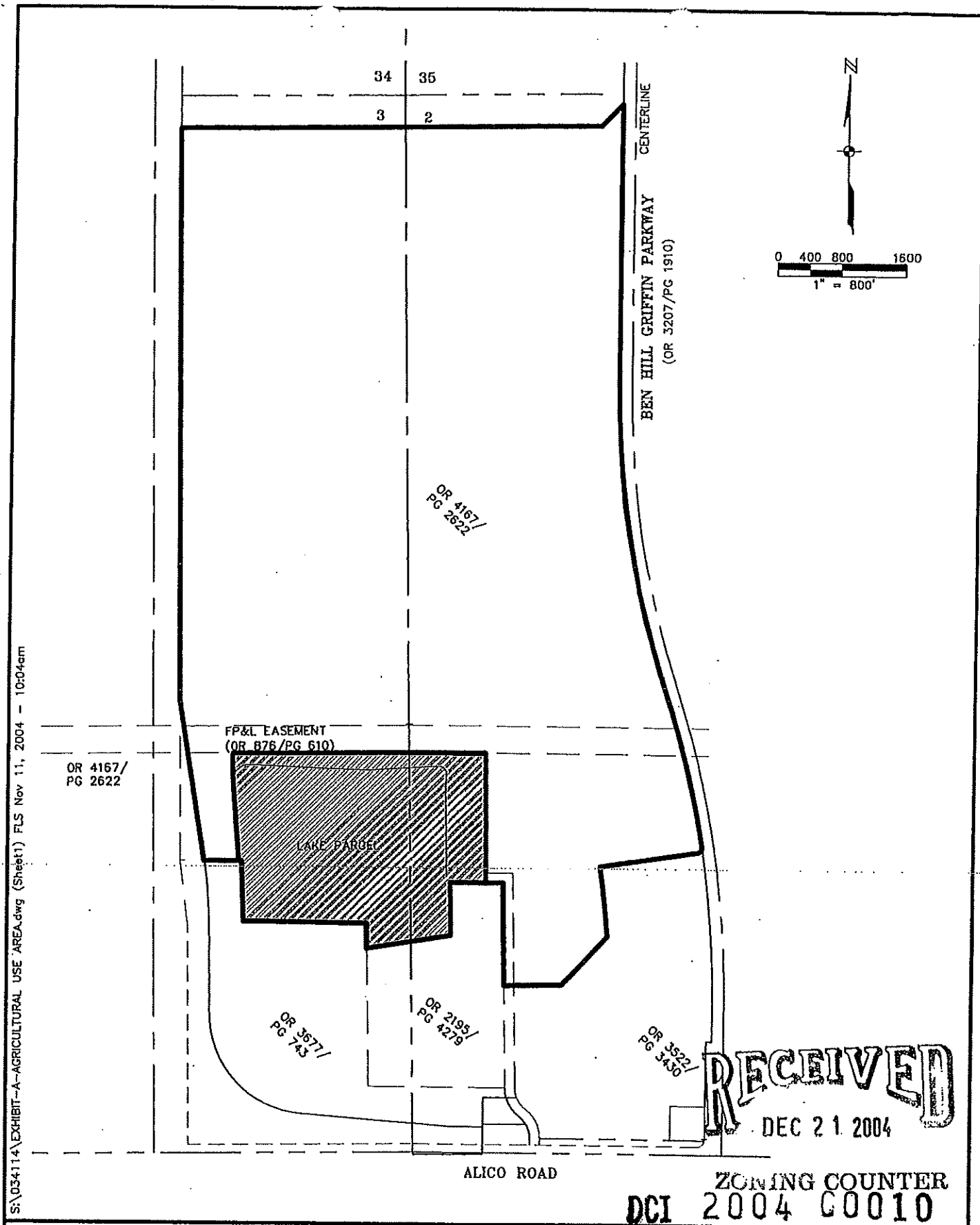

Signature of Notary Public

Commission No.

(Print, type or stamp commissioned name of
Notary Public)

EXHIBIT D

RECEIVED
DEC 21 2004
DCI-2004-0010
ZONING COUNTER



JOHNSON ENGINEERING	215B JOHNSON STREET P.O. BOX 1550 FORT MYERS, FLORIDA 33902-1550 PHONE (239) 334-0046 FAX (239) 334-3661 E.B. #642 & L.B. #642		EXHIBIT "A" AGRICULTURAL USE AREA	
	DATE NOV 2004	PROJECT NO. 20034114	FILE NO. 2&3-46-25	SCALE 1" = 800'

S:\034114\EXHIBIT-A-AGRICULTURAL USE AREA.dwg (Sheet1) FLS Nov 11, 2004 - 10:04am

AFFIDAVIT

STATE OF FLORIDA,
COUNTY OF BROWARD.

BEFORE ME, the undersigned authority, on this 3rd day of Aug, 2004, personally appeared George Levin and Gayla Sue Levin, who is personally known to me or who produced Driver License as identification and who did take an oath, who deposes and says as follows:

1. That I am the owner of the following described properties, to wit:

See attached Exhibit "A"
2. That the above described property was used for bona fide agricultural purposes, to wit livestock grazing and pasturage, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".
3. The agricultural use of the property is an existing bona fide agricultural use.
4. The agricultural use is being conducted on the entire 283.77 acres. The entire property described on the attached Exhibit "A" is being used for the grazing of livestock.
5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read or has heard read to him, the full facts of this affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NAUGHT.

George Levin
George Levin

Gayla Sue Levin
Gayla Sue Levin

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)



Paul McMahon
Commission #DD289671
Expires: Feb 10, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

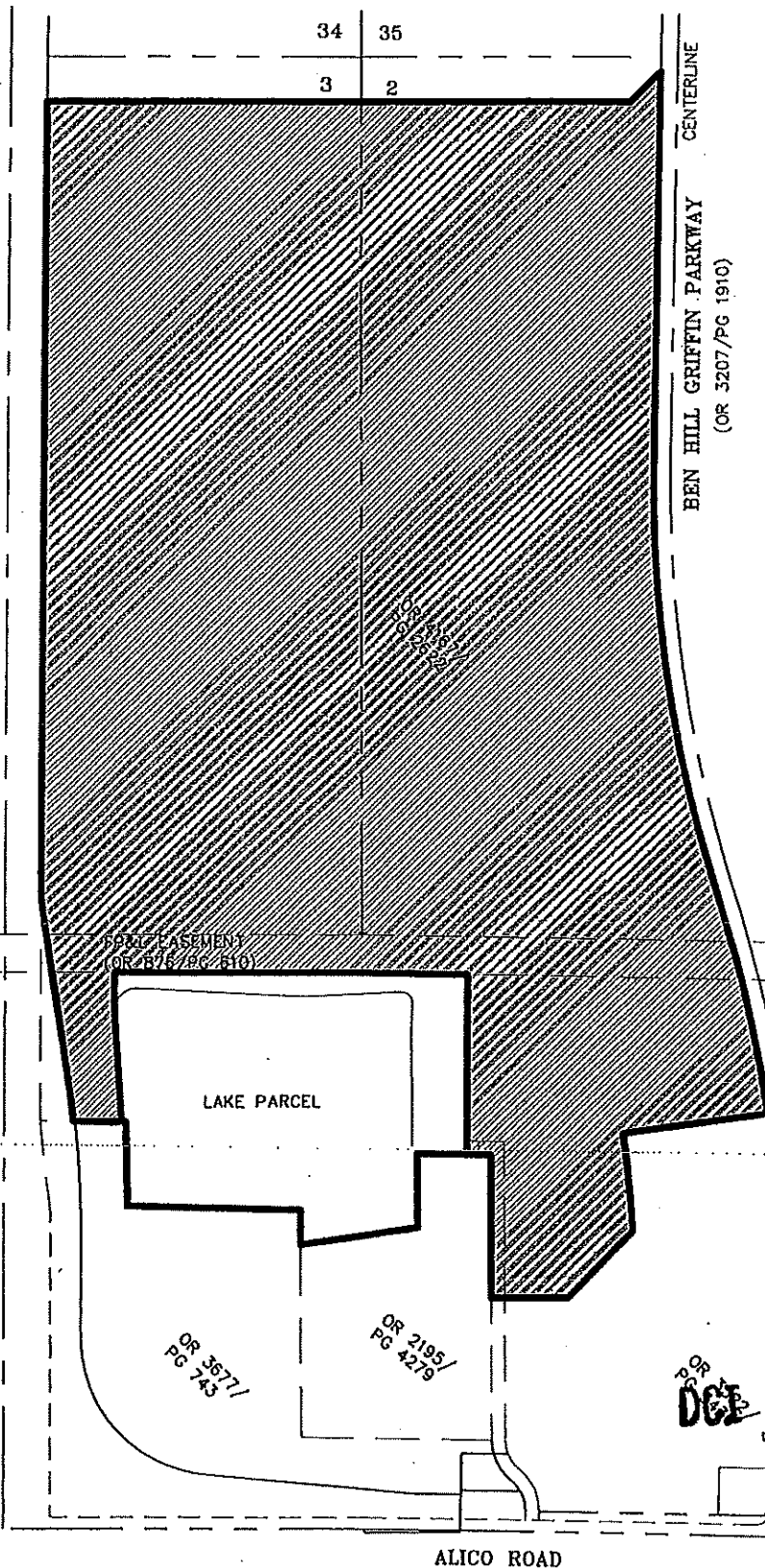
Commission No.

Paul McMahon
Signature of Notary Public

PAUL MCMAHON
(Print, type or stamp commissioned name of
Notary Public)

RECEIVED
DCI DEC 21 2004 10

S:\034114\EXHIBIT-A-AGRICULTURAL USE AREA.dwg (Sheet 2) FLS Nov 11, 2004 - 10:04am



DEC 21 2004

2004-00010
RECEIVED
DEC 21 2004

ZONING COUNTER

JOHNSON
ENGINEERING

2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

EXHIBIT "A"
AGRICULTURAL USE AREA

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
NOV 2004	20034114	2&3-46-25	1" = 800'	1 OF 2

~~XXXXM~~
Exhibit M

Resolution Z-21-009 – Intersection Connection between MPD and CPD

