

Exhibit E

RESOLUTION NUMBER Z-11-018

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

WHEREAS, Southland Group filed an application on behalf of the property owner, Premier Island Group, LLC, to rezone 17.05± acres from Agricultural District (AG-2) and Commercial Planned Development (CPD) to CPD, in reference to the Gulfcoast Health Park CPD; and,

WHEREAS, a public hearing was advertised and held on August 17, 2011, and September 15, 2011, with the record held open until September 8, 2011, and September 13, 2011, for written submissions, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case Number DCI2011-00002; and

WHEREAS, a second public hearing was advertised and held on December 5, 2011, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 17.05± acres from AG-2 and CPD to CPD, to allow for the development of a maximum of 160,000 square feet of commercial use, 130 hotel rooms, and assisted living facility with a density equivalency of 125 dwelling units. The proposed maximum building height is 75 feet (7 stories). The development will connect to potable water and sanitary sewer. No development blasting is proposed. The property is located in the Intensive Development Future Land Use Category and is legally described in attached Exhibit "A." The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Master Concept Plan/ Development Parameters

Development must be substantially consistent with the 1-page Master Concept Plan (MCP) entitled "Gulf Coast Health Park CPD, Lee County, Florida," dated 01/21/2011, last revised on 08/24/2011, date-stamped "Received DEC 14 2011 COMMUNITY DEVELOPMENT," attached hereto as Exhibit "C," except as modified by the conditions herein.

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

The planned development is limited to a maximum of 160,000 square feet of commercial use of which not more than 60,000 square feet may be developed as retail, 130 hotel rooms, and the equivalency of a maximum of 125 residential dwelling units consisting of assisted living facility units, continuing care facility, and independent living units as provided for in the LDC §§34-1414 and 34-1494.

Prior to approval of a local development order for Assisted Living Facility units, Continuing Care Facility, or Independent Living units, the Applicant must demonstrate compliance with the standard density range of the Future Land Use category of the Lee County Comprehensive Plan.

All areas on the above noted MCP identified as "Typical drainage/surface water management areas" are considered dry retention areas. As provided for in the approved Schedule of Uses, any proposed "Excavation, water retention " use will require approval of an administrative amendment of this planned development before approval of a local development order.

2. Uses and Site Development Regulations

The following limits apply to the project and uses:

a. Schedule of Uses

Accessory Uses and Structures
Administrative Offices
Agricultural Uses - existing only - and subject to Condition 11
Assisted Living Facility
ATM (Automatic Teller Machine)
Auto Parts Store

Banks and Financial Establishments - Groups I & II
 Bar or Cocktail Lounge - Limited to no free-standing bar or cocktail lounge.
 Boats: Boat parts store
 Broadcast Studio - Commercial Radio and Television
 Building Material Sales - limited to flooring, paint, windows,
 cabinets (showroom sales and service),
 hardware, and fencing. No fabrication on site.
 Business Services - Groups I & II
 Cleaning and Maintenance Services
 Clothing Store, General
 Clubs, Commercial, Fraternal, membership organization, Private
 Computer and Data Processing Services
 Consumption on Premises (See Note below and Deviation 1)
 Continuing Care Facilities
 Contractors and Builders - Groups I & II
 Convenience Food and Beverage Store, without gas pumps and
 limited to 1 for the project
 Cultural Facilities, Art Galleries
 Day Care Center, child, adult
 Department Store, limited to 30,000 square feet
 Drive-Through Facility for any Permitted Use, EXCEPT Restaurant, Fast Food
 Drug Store, Pharmacy
 Emergency Operations Center
 EMS, Fire or Sheriff's Station
 Entrance Gate and Gatehouse
 Essential Services
 Essential Service Facilities - Group I only
 Excavation, Water Retention (an administrative amendment to
 the MCP to identify the location of the excavation
 must be filed and approved prior to the issuance of
 a local development order that includes excavation;
 water retention)
 Fences & Walls
 Food Stores - Groups I & II
 Food and Beverage Services, Limited
 Funeral Home and mortuary (without a crematory)
 Gift and Souvenir Shop
 Hardware Store
 Healthcare Facilities - Groups I, II & III
 Hobby Toy and Game Shop
 Hospice
 Hotel
 Household and office furnishings - All groups
 Independent Living Units

Insurance Companies
 Laundromat
 Laundry or Dry Cleaning, Group I only
 Library
 Medical Office
 Model Unit
 Motion picture production studio
 Nightclubs
 Non-Store Retailers, All Groups
 Package Store
 Paint, Glass & Wallpaper
 Parcel and Express Services
 Parking Lot: Accessory, Commercial, Garage, Public Parking
 and Temporary (The parking lot/garage can be
 jointly used by all uses located within the development)
 Personal Services - Groups I, II, III & IV, excluding Escort
 Services, Tattoo Parlors, Massage Parlors and
 Steam and Turkish Baths
 Pet Services
 Pet Shop
 Pharmacy
 Photo-Finishing Laboratory
 Place of Worship
 Post Office
 Printing and Publishing
 Real Estate Sales Office
 Research and Development Laboratories Groups II & IV
 Recreation Facilities, Commercial, Groups I & III
 (excluding miniature golf, golf driving range, and
 water slide) and Group IV
 Recreation Facilities, Personal, Private on-site
 Religious Facilities
 Rental or Leasing Establishments, Groups I, II & III
 Repair Shops, Groups I & II
 Research and development laboratories, Groups II & IV
 Residential accessory uses
 Restaurant, Fast Food (without drive-through)
 Restaurants, all Groups
 Retail and wholesale sales, when clearly incidental and
 subordinate to a permitted principal use on the
 same premises
 Schools, Commercial
 Signs in accordance with Unified Sign Plan, in conformity with
 LDC Chapter 30 and Condition 5

Social Services, Group I, Group II and Group III limited
to Social Services Centers, e.g., Salvation Army, etc.
Specialty Retail Shops, All groups
Storage, indoor
Studios
Supermarket
Temporary Uses
Theater, indoor
Transportation Services, Group II only
Variety Store
Wholesale Establishments Groups III & IV

Note: The use of Consumption on Premises is a permitted use requiring Administrative Approval by the Director for each location, including the outdoor seating for the hotel/motel and Group III restaurants. The use of Consumption on Premises in a hotel is permitted in a hotel that has more than 75 units within 500 feet of the school property. No deviation is required for a hotel with more than 100 units. See also Deviation 1.

b. Site Development Regulations

Minimum Lot Area, Width, and Depth

Lot area:	10,000 square feet
Lot Width:	100 feet
Lot Depth:	100 feet

Lot splits must satisfy the lot split requirements of LDC Chapters 10 and 34 and Florida Statutes Chapter 177.

Condominium plats and subdivision plats must be consistent with the LDC and appropriate Florida Statutes.

Setbacks (applicable to any development within this planned development):

Street, private:	20 feet
Street, public:	25 feet
Side Yard:	10 feet
Rear Yard:	10 feet
Water Body:	20 feet

Minimum building separation:	20 feet
------------------------------	---------

Maximum building height: 74.5 feet

Maximum lot coverage: 60 percent

3. Open Space: Prior to local development order approval, the Development Order plans must delineate a minimum of 5.25 acres of open space for the project.
4. Maintenance Plan for Preserve and Restoration Area: Prior to local development order approval, the Development Order plans must include a maintenance plan in compliance with §10-415 (b)(4) and include a five-year monitoring report for the proposed 0.77 acres of preserve and restoration area.

The maintenance and monitoring plan must include:

- a. A work schedule indicating the timing of the restoration and exotic removal;
 - b. Address maintenance and monitoring of exotic and nuisance vegetation yearly;
 - c. Vegetation monitoring;
 - d. Wildlife monitoring should any wildlife that requires monitoring be observed during the vegetation monitoring;
 - e. Photographic documentation with yearly submittal of monitoring report;
 - f. Require a survey after two years to indicate success of natural recruitment. If the recruitment does not succeed, the Applicant must submit a restoration plan which indicates species, location and sizes of plantings to be installed to ensure success; and
 - g. Address installation, maintenance and monitoring of supplemental plantings.
5. Billboard - Buffer/Site Visibility
 - a. The billboard sign may not advertise any business, establishment, facility, or use within this approved planned development. This sign (billboard) must be in compliance with the LDC.
 - b. The buffer must be designed to ensure site visibility to the existing billboard while maintaining the code required buffer widths and plantings.

- c. The Billboard must be shown on the development order plans so that the Lee County Division of Environmental Sciences can review the existing or revised billboard location for conflicts with the required buffer plantings while still providing the required landscaping and screening if the billboard is removed from the site. Buffering and landscaping must be consistent with the LDC.
- 6. Dry Retention Area: Prior to local development order approval, the landscape plan must depict:
 - a. The dry detention areas to be planted with native herbaceous grasses arranged in clusters and, planted three-foot on center;
 - b. The dry detention areas must be planted with scattered cypress (*Taxodium sp.*), red maple (*Acer rubrum*) and/ or laurel oak (*Quercus laurifolia*) planted at 10 feet in height, 2-inch caliper dbh, with a four-foot spread; and
 - c. The required plantings must be designated to not adversely affect the functions and future maintenance of the water management facilities and will meet the requirements of the South Florida Water Management District.
- 7. Vehicular/Pedestrian Impacts: Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.
- 8. Lee County Comprehensive Plan Consistency: Approval of this zoning request does not guarantee local development order approval. Future Development Order approvals must satisfy the requirements of the Lee County Comprehensive Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee County Comprehensive Plan provisions.
- 9. Concurrency: Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee County Comprehensive Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

10. Utilities: As part of any local development order for vertical development, the Applicant must provide for connection to central sanitary sewer and potable water.
11. Agricultural Uses: Existing bona fide agricultural uses on this site are allowed subject to the following:
 - a. Bona fide agricultural uses consisting of beekeeping and cattle grazing, that were in existence when the application for this project was filed, may continue in the areas depicted on attached Exhibit "D" until a local development order is approved for the area containing the agricultural uses.
 - b. Existing areas of bona fide agricultural use that include existing green pasture(s) may be mowed but those areas may not be cleared and expanded. Clearing or injury of native trees (4dbh or greater in size) or other native vegetation, including understory, due to mowing, in agricultural areas is prohibited. Violations of this condition will require restoration in accordance with §10-423. The clearing prohibition or expansion of the agricultural use is not intended to preclude the County from approving requests for removal of invasive exotic vegetation.
 - c. Prior to issuance of a local development order for the portion that contains the agricultural use, the property owner must provide written proof, SUBJECT TO approval by the County Attorney's Office, of the following:
 - (1) Termination of all agricultural use on the property included in the Development Order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the property that specifically provides:
 - a) the date the agricultural uses ceased;
 - b) the legal description of the property SUBJECT TO the Development Order approval
 - c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the County that they will not allow agricultural uses on the property until the property is re-zoned to permit agricultural uses; and,

- d) that the affidavit constitutes a covenant between the owner and the County that is binding on the owner, their assignees and successors in interest.

The affidavit must be properly recorded in the public records of the County at the owner's expense.

- (2) Proof of termination of the agricultural tax exemption for the portion of the property included in the Development Order application/approval. Proof of termination must include a copy of the owner's request to terminate the tax exemption provided to the Property Appraiser.
- 12. Solid Waste Management: As part of any local development order approval for vertical development, the Development Order plans must include facilities in compliance with §10-261 and Lee County Solid Waste Ordinance No. 08-10 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of these facilities will be reviewed at the time of local development order application.
 - 13. Existing Billboard: This sign may not advertise any business, establishment, facility, or use within this approved planned development. This sign must be in compliance with the LDC.

SECTION C. DEVIATIONS:

- 1. Deviation (1) - Separation from Consumption on Premises: This Deviation seeks relief from the §§34-1263(e) and 34-1264(b)(1) requirement to provide a minimum 500-foot separation between on or off premises alcoholic beverage sale or consumption on premises from any of the enumerated uses (religious facility, school (noncommercial), a day care center (child), park or a dwelling unit under separate ownership), to allow zero-foot separation for all uses internal to the property and a minimum 175 feet from the east property line (school) for consumption on premises with restaurants in accordance with § 562.45, F.S. and as an accessory use to the hotel (regardless of number of rooms), and to allow outdoor seating with these uses subject to an administrative review of the seating plan. This deviation is APPROVED, SUBJECT to the following:
 - a. A zero-foot separation is approved for all uses internal to the property.
 - b. Agreement that the appropriate boundary with the school is the east boundary of the subject property.

- c. Outdoor seating with consumption on premises is permitted within 500 feet of the school if the outdoor seating is done in conjunction with a hotel or a Group III restaurant, if the outdoor seating is separated from the South Fort Myers High School by a building or is otherwise not visible from the school property line. If the outdoor seating is visible from the high school property line, the outdoor seating with consumption on premises must be approved by a Special Exception.
 - d. The deviation is hereby approved to permit consumption on premises in a hotel with less than 100 units within 500 feet of a school. Any hotel, with consumption on premises within 500 feet of the school property, must have 75 or more units.
2. Deviation (2) - Parking Requirements - This deviation seeks relief from the §34-2020(5)2 requirement to provide multiple-occupancy complexes with a total floor area of 25,000 square feet but less than 600,000 square feet to provide four and one-half spaces per 1,000 square feet, to allow three spaces per 1,000 square feet for all uses excluding the Wellness Center, which will provide 3.8 spaces per 1,000 square feet, and the hotel/motel, which will provide 1 space per room and the ALF/CCF/ILU, which will apply a 75 percent reduction utilizing the residential parking requirements contained within §34-2020. This deviation is APPROVED.
3. Deviation (3) - Landscaping/Buffers Between Internal Uses - This deviation seeks relief from the §10-416(d) requirement to provide landscape buffer requirements; to allow no buffers between any internal uses; to allow planted dry detention in lieu of buffer for the 50-foot strip of land (STRAP No. 19-45-25-00-00004.005A) along the north property line that extends to the east along the northern boundary of the adjacent school, since no uses are proposed in this area. This deviation is APPROVED.
4. Deviation (4) - Open Space - This deviation seeks relief from the §10-415(b)(1)(a) requirement that 50 percent of the open space requirement be met through onsite preservation of indigenous vegetation to allow a 0.08-acre impact as necessary to comply with South Florida Water Management District (SFWMD) requirements. This deviation is APPROVED, SUBJECT TO the following condition:
- a. Prior to local development order approval, the Development Order plans must indicate:
 - (1) Substantial compliance with the Gulf Coast Health Park Indigenous Restoration Plan (attached as Exhibit "E");

- (2) Hand removal of exotics only within the indigenous preserve area;
- (3) Depiction of 0.77 acres of native preservation/restoration to meet indigenous open space requirements; and
- (4) Existing native trees remaining within the 0.27±-acre restoration area may be counted and credited towards the restoration tree-planting requirements at a one-to-one ratio.

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: Agricultural Uses at Time of Zoning Application
- Exhibit E: Gulfcoast Health Park CPD 0.27 Acre Indigenous Restoration Plan

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area;
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and
 - e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location;
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

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

John E. Manning	Aye
Brian Bigelow	Absent
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 5th day of December, 2011.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: John E. Manning
John E. Manning, Chair

Approved as to form by:

John J. Fredyma
John J. Fredyma
Assistant County Attorney
County Attorney's Office



CASE NO: DCI2011-00002

RECEIVED
MINUTES OFFICE
mw
2012 JAN 24 AM 8:20

Z-11-018
Page 12 of 12

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 19 AND THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S 89°00'17" W, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 30, FOR A DISTANCE OF 540.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE S 89°00'17" W, ALONG THE NORTH LINE OF NORTHWEST 1/4 OF SECTION 30, FOR A DISTANCE OF 779.40 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 30; THENCE RUN S 01°06'52" E, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 30, FOR A DISTANCE OF 1,321.49 FEET TO A POINT ON THE NORTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3294 AT PAGE 2623 THROUGH 2690 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S 88°57'29" W, ALONG THE NORTHERLY LINE OF SAID LANDS, FOR A DISTANCE OF 518.38 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF METRO PARKWAY (STATE ROAD 739); THENCE RUN N 00°39'16" W, ALONG THE EASTERLY RIGHT-OF-WAY OF SAID METRO PARKWAY, FOR A DISTANCE OF 1,321.93 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE CONTINUE N 00°39'16" W, ALONG THE EASTERLY RIGHT-OF-WAY OF SAID METRO PARKWAY, FOR A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF THE PLAT OF METRO MEDICAL PARK AS RECORDED IN INSTRUMENT NUMBER 2006000246767 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N 89°00'17" E, ALONG THE SOUTHERLY LINE OF SAID PLAT AND 50.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 19, FOR A DISTANCE OF 1,288.93 FEET; THENCE RUN S 01°21'27" W FOR A DISTANCE OF 50.04 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, CONTAINING 17.05 ACRES, MORE OR LESS.

NOTES

- 1.) BEARINGS HEREON REFER TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 30 AS BEING S89°00'17"W BASED ON THE STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE (NAD 83/99)
- 2.) SUBJECT TO EASEMENTS, RESERVATIONS AND OR RESTRICTIONS OF RECORD.
- 3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMAL THEREOF.


SIGNATURE DATE SIGNED: 1/25/11
ERIC V. SANDOVAL (FOR THE FIRM) LB-734
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5223

APPROVED
LEGAL

CSJ 2-2-11
PAGE 192
DCI

JAN 27 2011

COMMUNITY DEVELOPMENT
2011-00002

* THIS IS NOT A SURVEY *

T&W
CONSULTING ENGINEERS

5621 Banner Drive
Fort Myers, Florida 33912
239.278.1992 • FAX 239.278.0922
E-MAIL: info@tkwonline.com
Engineering Certification # 5762
Survey LB # 734

DRAWN BY: M.W. JOB NO.: 10712 SHEET 1 OF 2

LEGAL DESCRIPTION

DESCRIPTION OF BOUNDARY A PORTION OF

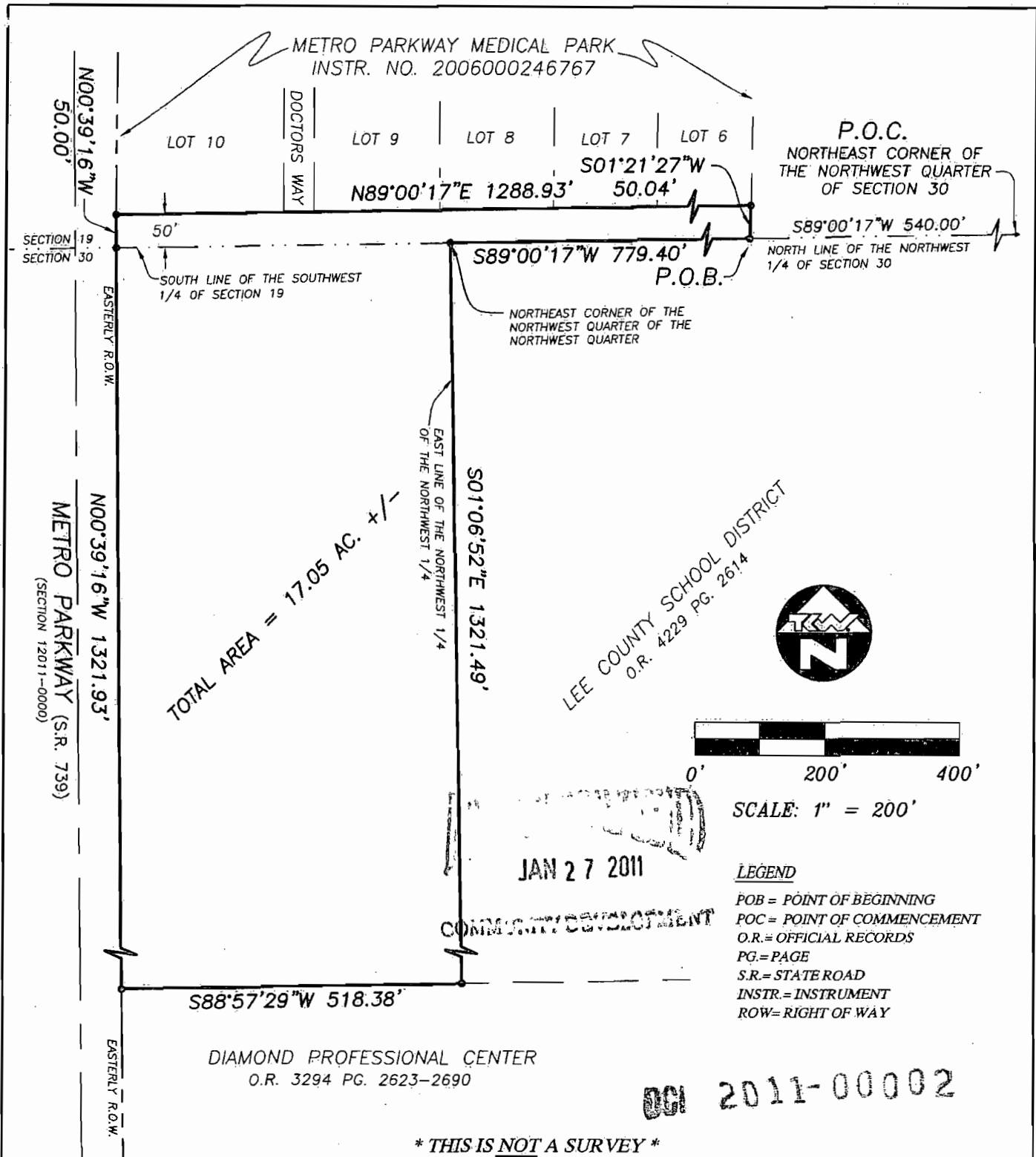
SECTIONS 19 & 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
FORT MYERS, LEE COUNTY, FLORIDA

DATE: JANUARY 2011

DRAWING: 10712_SKETCH

EXHIBIT "A"

(Page 1 of 2)



TKW
CONSULTING ENGINEERS

5621 Banner Drive
Fort Myers, Florida 33912
239.278.1992 • FAX 239.278.0922
E-MAIL: info@tkwonline.com
Engineering Certification # 5762
Survey LB # 734

DRAWN BY: M.W.

JOB NO.: 10712

SHEET 2 OF 2

SKETCH TO ACCOMPANY

DESCRIPTION OF BOUNDARY

A PORTION OF

SECTIONS 19 & 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
FORT MYERS, LEE COUNTY, FLORIDA

DATE: JANUARY 2011

DRAWING: 10712_SKETCH

EXHIBIT "A"

(Page 2 of 2)

Zoning Map

7/22/2011

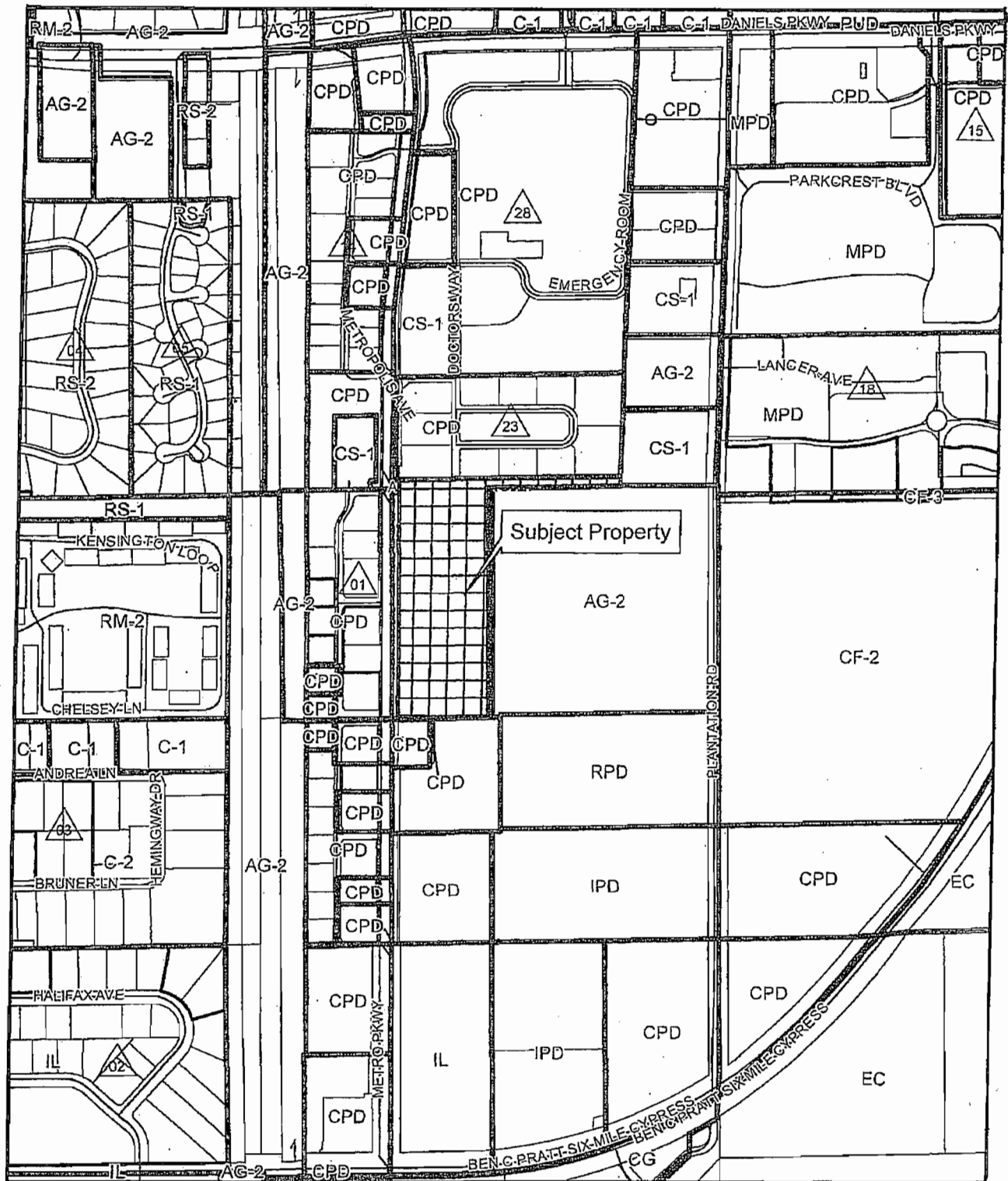


EXHIBIT "B"

500 250 0 500 1,000 Feet

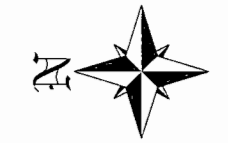
Piedmont Coastal Plain

RECEIVED
DEC 14 2011

COMMUNITY DEVELOPMENT

DC12011-00002

0 50 100 150
GRAPHIC SCALE 1"=100'



DEVELOPMENT PROGRAM:
MAXIMUM 160,000 SF OF COMMERCIAL USES (INCLUDING RETAIL NOT TO EXCEED 60,000 SF, GENERAL OFFICE, MEDICAL OFFICE, CONFERENCE FACILITIES, WELLNESS CENTER AND RECREATIONAL USES). 130 HOTEL ROOMS (FLOOR AREA 120 SF - 725 SF) ASSISTED LIVING FACILITY (ALF)/CONTINUING CARE FACILITY (CCF)/INDEPENDENT LIVING UNITS (ILU) IN ANY COMBINATION NOT TO EXCEED THE EQUIVALENT OF 125 DWELLING UNITS.

OPEN SPACE TABLE:
TOTAL SITE: 17.05 ACRES±
MIXED USE DEVELOPMENT REQUIRES 30% OPEN SPACE
17.05 X 0.30 = 5.12± ACRES
TOTAL OPEN SPACE REQUIRED: 5.12± ACRES

INDIGENOUS REQUIRED: 50% OF OPEN SPACE REQUIREMENT IF EXISTING ON-SITE
EXISTING INDIGENOUS: 0.58± ACRE
PROPOSED INDIGENOUS (PRESERVED & RESTORED): 0.77± ACRE

PROPOSED OTHER OPEN SPACE: 4.48± ACRES
TOTAL OPEN SPACE PROVIDED: 5.25± ACRES

GENERAL NOTES:

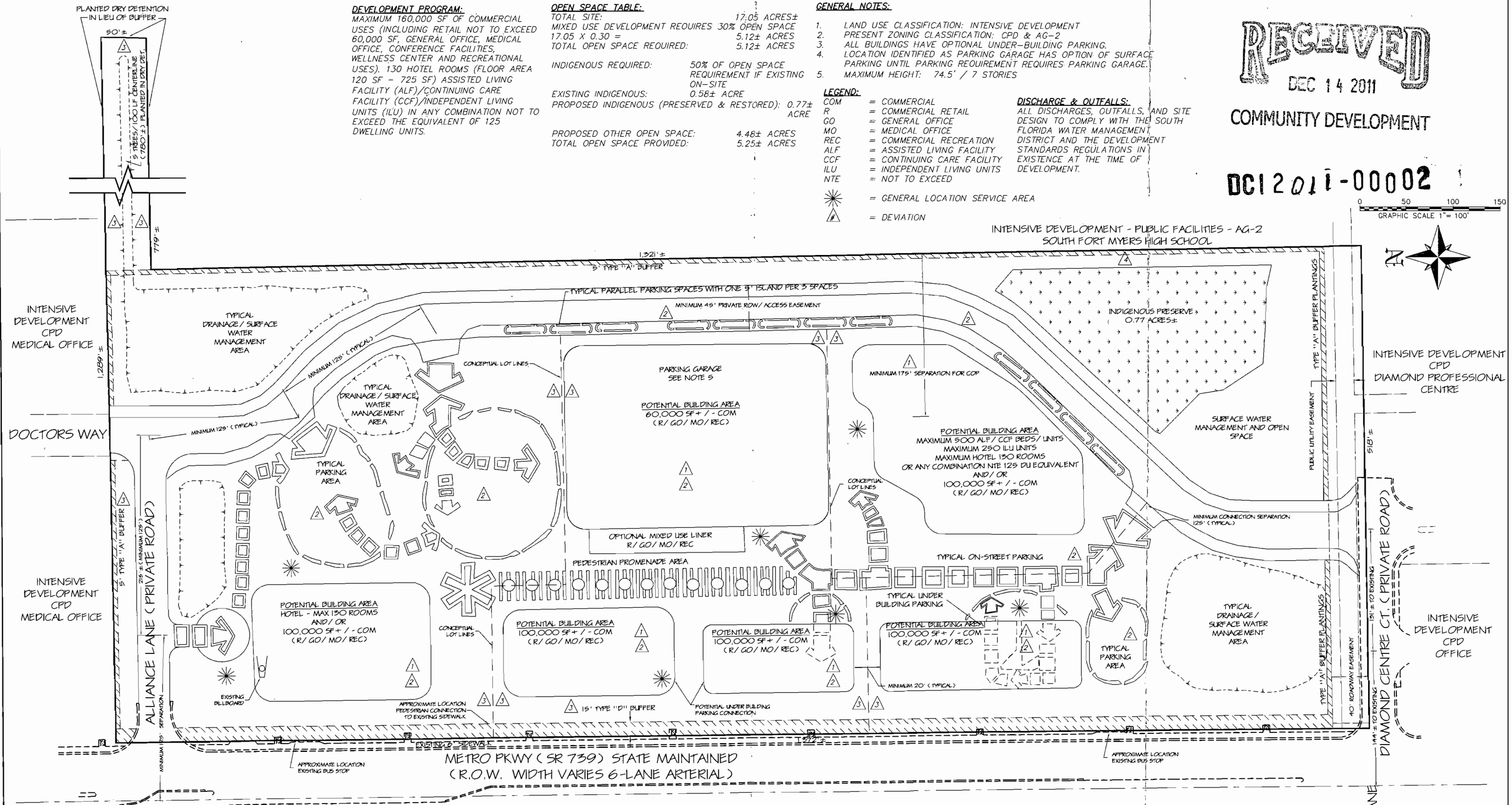
1. LAND USE CLASSIFICATION: INTENSIVE DEVELOPMENT
2. PRESENT ZONING CLASSIFICATION: CPD & AG-2
3. ALL BUILDINGS HAVE OPTIONAL UNDER-BUILDING PARKING.
4. LOCATION IDENTIFIED AS PARKING GARAGE HAS OPTION OF SURFACE PARKING UNTIL PARKING REQUIREMENT REQUIRES PARKING GARAGE.
5. MAXIMUM HEIGHT: 74.5' / 7 STORIES

LEGEND:

COM = COMMERCIAL
R = COMMERCIAL RETAIL
GO = GENERAL OFFICE
MO = MEDICAL OFFICE
REC = COMMERCIAL RECREATION
ALF = ASSISTED LIVING FACILITY
CCF = CONTINUING CARE FACILITY
ILU = INDEPENDENT LIVING UNITS
NTE = NOT TO EXCEED

* = GENERAL LOCATION SERVICE AREA
= DEVIATION

DISCHARGE & OUTFALLS:
ALL DISCHARGES, OUTFALLS, AND SITE DESIGN TO COMPLY WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND THE DEVELOPMENT STANDARDS REGULATIONS IN EXISTENCE AT THE TIME OF DEVELOPMENT.



Approved as Exhibit C
MCP Page 1 of 1
Resolution # 2-11-018

INTENSIVE DEVELOPMENT CPD OFFICE	INTENSIVE DEVELOPMENT CPD MEDICAL OFFICE	INTENSIVE DEVELOPMENT CPD VACANT	INTENSIVE DEVELOPMENT CPD VACANT	INTENSIVE DEVELOPMENT CPD MEDICAL OFFICE	INTENSIVE DEVELOPMENT CPD VACANT
--	--	--	--	--	--

PREPARED FOR:
**PREMIER ISLAND GROUP LLC
AND SOUTHLAND GROUP**
9990 COCONUT ROAD
SUITE 375
BONITA SPRINGS, FL 34135
(239) 494-8280

NO.	DATE	REVISION DESCRIPTION	BY
6	06/24/11	ADDED BILLBOARD	SDJ
5	06/10/11	PRE-HEARING CONFERENCE	SDJ
4	06/22/11	4TH SUFFICIENCY	SEH
3	06/02/11	3RD SUFFICIENCY	SEH
2	04/15/11	2ND SUFFICIENCY	SEH
1	03/10/11	1ST SUFFICIENCY	SEH

Banks Engineering
Professional Engineers, Planners & Land Surveyors
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

MASTER CONCEPT PLAN
GULF COAST HEALTH PARK CPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
01/21/2011	2392S	_MCP	SEH	SDJ	SEH	1"=100'	1	1	(30-45-25)

EXHIBIT "C"

**Gulfcoast Health Park CPD
0.27 Acre Indigenous Restoration Plan**

The Gulfcoast Health Park CPD project contains 0.58 acre of existing native indigenous vegetation (FLUCCS 621E1). The project's perimeter berm will impact 0.08 acre of this indigenous area. The LDC requires the impacted area to be mitigated at a 2:1 ratio totaling 0.16 acre of restored area. Approximately 0.27 acre of disturbed wetlands (FLUCCS 621E4) will be restored in the southeast portion of the project exceeding this requirement. The 0.27 acre area is dominated by bald cypress. Melaleuca and java plum are also present in the canopy. The mid-story is dominated by Brazilian pepper. The proposed restoration area surrounds the 0.5 acre existing indigenous area, resulting in a proposed indigenous area of 0.77 acre. The restoration of this area is described below.

All woody exotic and nuisance vegetation within the indigenous preserve/restoration area will be cut just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic application. Only hand removal of exotics will be allowed within the 0.50 acre (621E1) existing indigenous area. Treatment will occur immediately following cutting to ensure maximal uptake of the herbicide. The resulting vegetative material will be physically removed from the preserve and disposed of at an upland location in accordance with all applicable local regulations. Non-woody exotics will be treated by a foliar application of an appropriate herbicide. Herbicides will be used in strict accordance with label directions by trained applicators. Care will be taken to reduce damage to non-target native species to the maximum extent practical.

Upon completion of the initial exotic treatment, existing native trees within the 0.27 acre area will be counted and credited toward the 70 tree planting requirement (0.16 acre x 6' minimum trees 10' on center = 70 trees). After the existing native trees within the 0.27 acre area are counted the deficit will be planted with six feet minimum cypress trees to reach the 70 tree requirement. It is anticipated that native wetland ground cover species will become re-established within the 0.27± acre existing cypress area once the exotics have been treated. In areas with less than 80 percent cover by native wetland ground cover species two complete growing seasons following the initial exotic treatment, native wetland ground cover species will be installed at densities of 4,840± plants per acre (e.g. three feet on center average spacing). The species to be installed may include sand cordgrass, beakrush, little blue maidencane, spikerush, swamp fern, pickerelweed, and maidencane.

The final species list and plant quantities will be based upon site specific conditions and on plant material availability at the time of planting.

DCI 2011-00002

EXHIBIT "D"
(Page 1 of 3)



BOTANICAL NAME	COMMON NAME	SIZE	DENSITY (plants per acre)	ESTIMATED NUMBER OF PLANTS
Canopy Trees*				
<i>Taxodium distichum</i>	Bald cypress	6' height	436	70 total*
			10' OC for restoration	*Includes credit for existing cypress
Total			436	70 total*
Ground Cover **				
<i>Amphicarpum muhlenbergianum</i>	Little blue maidencane	4" liner	726	196
<i>Blechnum serrulatum</i>	Swamp fern	4" liner	726	196
<i>Eleocharis</i> sp.	Spikerush	4" liner	484	131
<i>Panicum hemitomon</i>	Maidencane	4" liner	968	261
<i>Pontederia cordata</i>	Pickerselweed	4" liner	484	131
<i>Rynchospora</i> sp.	Beakrush	4" liner	726	196
<i>Spartina bakeri</i>	Sand cordgrass	4" liner	726	196
Total			4,840	1,307

* 0.16 ac. 10' OC = 70 trees

** Quantity presumes 0.27 acres are planted

DCI 2011-00002

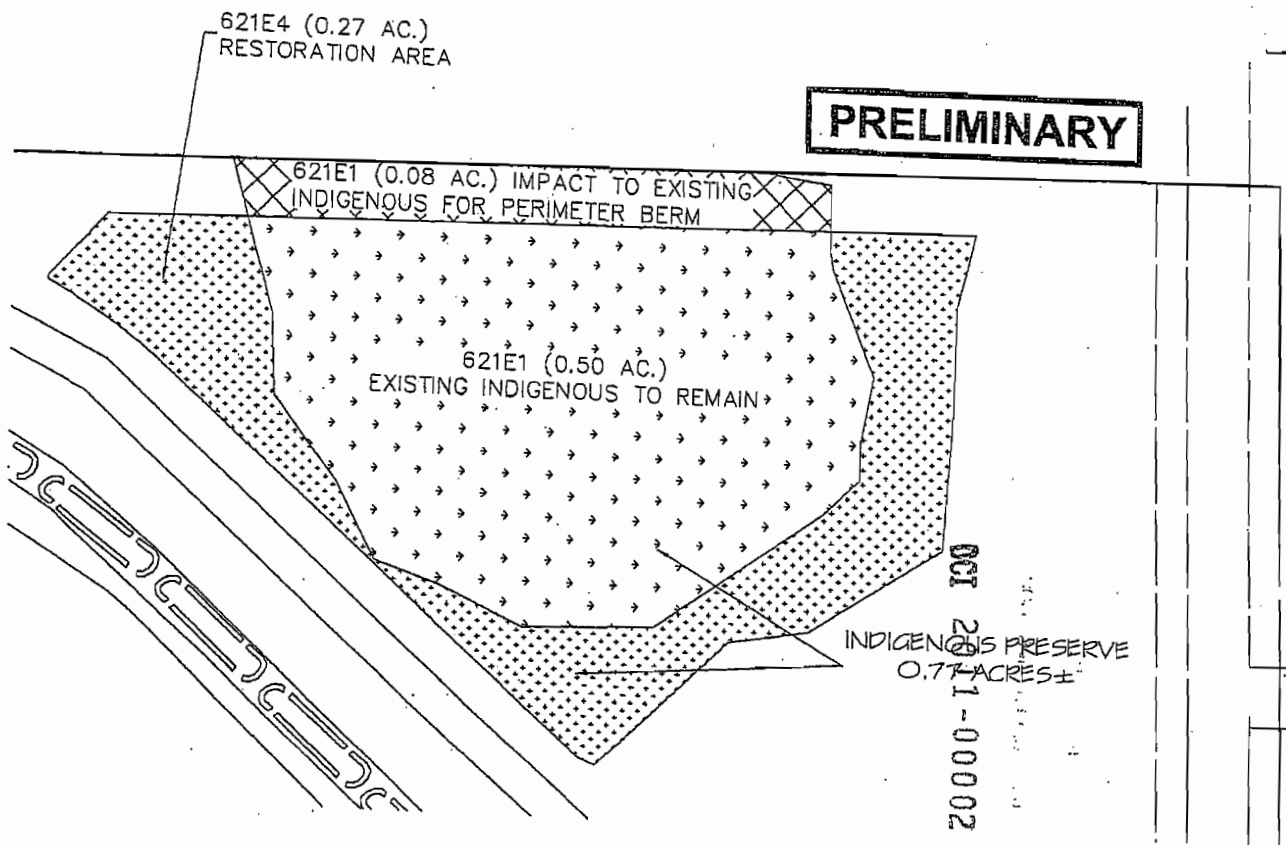


EXHIBIT PH-3.1.3
AGRICULTURAL USES AT TIME OF ZONING APPLICATION

STATE OF Ohio
COUNTY OF Madison

BEFORE ME this day appeared Robert Leatherman, Manager of The Premier Island Group, LLC who, being first duly sworn, deposes and says:

1. He is, the Manager of The Premier Island Group, LLC, the owner of the property that is identified by STRAP Numbers: 30-45-25-00-00002.3020 & 19-45-25-00-00004.005A.
2. A copy of the boundary sketch of the property to be rezoned is attached as Exhibit "A". The parcel consists of 17.05+/- acres.
3. The parcel described in Exhibit "A" is being used for bona fide agricultural uses comprised of 15.6+/- acres of grazing purposes and 1.45+/- acres of bee keeping (see attached Exhibit "B").
4. The Premier Island Group, LLC, or its successors in interest, intend to continue these uses upon the approval of the rezoning until approval of a Local Development Order for the area of the project upon which the cattle grazing and/or bee keeping uses exist. Should Lee County staff require a site visits during the course of reviewing the zoning and development applications on the subject property, Lee County can enter the property at a reasonable time with reasonable notice to the landowner, so the landowner can send a designee to go with Lee County staff to secure the property to ensure no difficulties with the cattle and/or bees.

EXECUTED this 4th day of March, 2011

The Premier Island Group, LLC

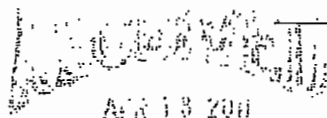
By: [Signature]
Robert Leatherman, Manager

SWORN TO AND SUBSCRIBED before me this 4th day of March, 2011,
by Robert Leatherman, who is personally known to me or has produced
_____ as identification.

My Commission Expires: 3-14-15

[Signature]
Notary Public

Amy E. Stull



001 2011-00002

COMMUNITY DEVELOPMENT

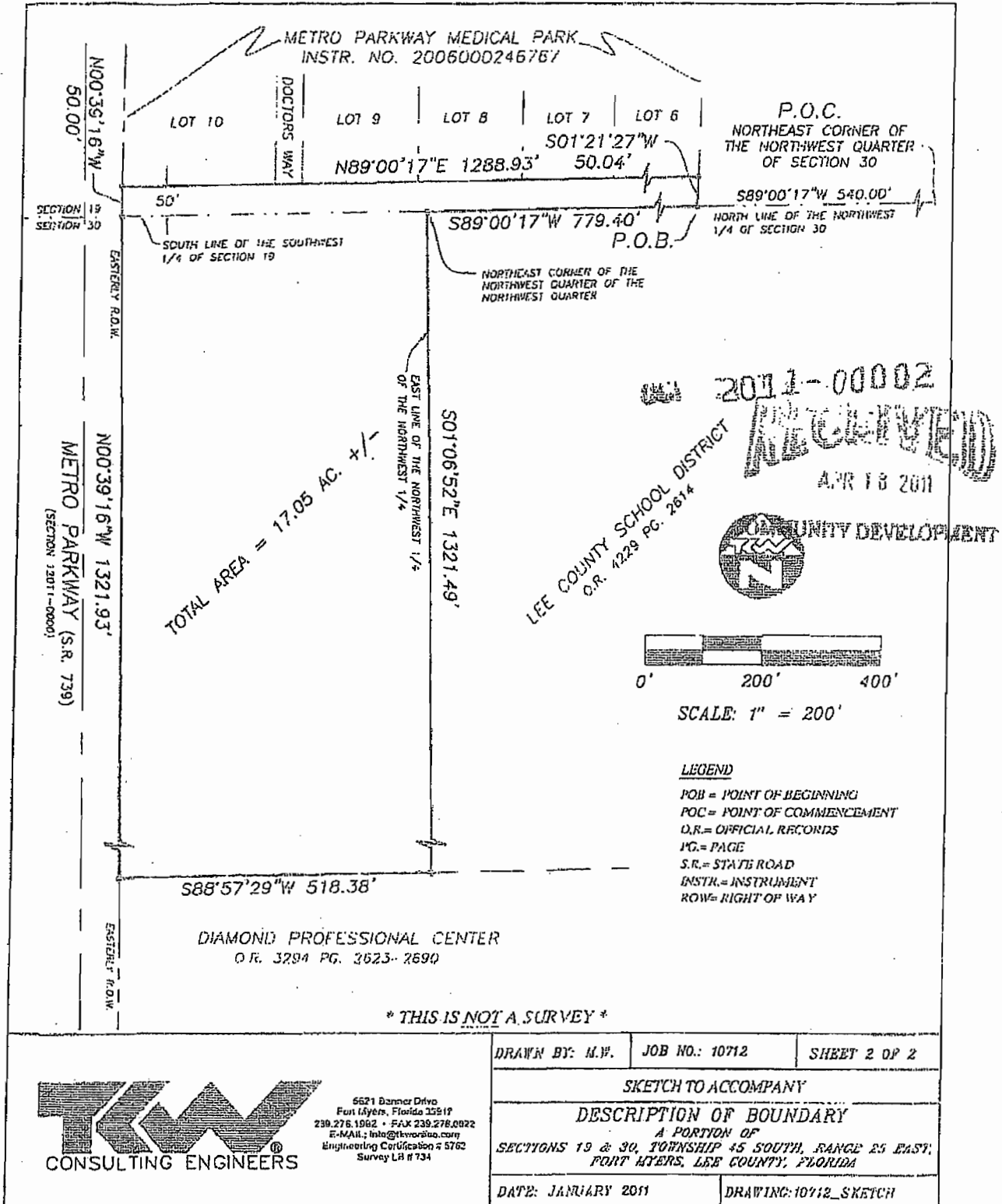


EXHIBIT "B"
AGRICULTURAL USES AT
TIME OF ZONING APPLICATION

