



**APPLICATION TO AMEND A
PLANNED DEVELOPMENT OR PUD
and/or
APPLICATION FOR FINAL PLAN APPROVAL
IN UNINCORPORATED AREAS ONLY
[LDC Section 34-380 or 34-1037]**

Project Name: Genova Real Estate Sales Office

Current Zoning: Commerical Planned Development (CPD)

Amendment to a PD or PUD to allow: modification of Phase 1 for a Real Estate Sales Office

Final Plan Approval for: _____

1. **Name of Applicant:** Jim Wallace, Genova Partners, LLC
 Address: 3798 Cracker Way
 City, State, Zip: Bonita Springs, FL 34134
 Phone Number: 239-405-3208
 E-mail Address: Wallaceim@earthlink.net

2. **Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:**
 Applicant is the sole owner of the property. [34-201; 34-204]
 Applicant has been authorized by the owner(s) to represent them for this action. [34-202; 34-204]

3. **Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202; 34-204]**

a. **Company Name:** Stantec, Consulting Services, Inc.
 Contact Person: Josh Philpott, AICP
 Address: 3800 Colonial Boulevard
 City, State, Zip: Fort Myers, FL 33966
 Phone Number: 239.939.1020 Ext. 266 Email: Josh.Philpott@Stantec.com

b. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202; 34-204]

4. **Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-201; 34-204]**

Name: Stephanie Miller Trust
 Address: 9250 Corkscrew Road, Suite 8
 City, State, Zip: Estero, FL 33928
 Phone Number: _____ E-mail: _____

5. **Disclosure of Interest [34-201; 34-204]:**
 Attach [Disclosure of Interest](#) Form. [34-201; 34-204]

6. **STRAP Number(s) [34-204]:**
34-46-25-E1-U1991.2358

7. **Street Address of Property:** 9150 Corkscrew Road, Estero, FL 33928

LEE COUNTY COMMUNITY DEVELOPMENT
 PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
 PHONE (239) 533-8585

8. **Legal Description (must submit one):**

Legal description (metes and bounds) and sealed sketch of the legal description. [34-204]

OR

Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.) [34-204]

9. **Lee Plan (Future Land Use) Designation [34-204]:** Suburban

10. **Original Project Name:** Corscrew Road Square

11. **Original Rezoning Resolution Number:** Z-00-055

12. **Subsequent Zoning Action Resolution/Case Numbers** (if any): Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to original rezoning. Include Resolution Numbers and Case Numbers (provide added sheets, if necessary).

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

13. **Development Order Numbers** (if any): List all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary).

DOS2001-00167

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

14. **Written Narrative:** Provide a written narrative statement explaining exactly what is proposed.

15. **Deviations:** If any relief is requested from the provisions of the Lee County Land Development Code (LDC), provide a **written explanation** of the specific relief requested (a schedule of deviations). Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Include specific references to any section (number{s} and name{s}) of the LDC from which relief is sought including why the requested relief is necessary and how it will affect the project. All deviation requests must be specifically keyed to the location on the Master Concept Plan or Final Plan. [34-373]

16. **Planning Community or Community Plan Area*:** Estero

*If in Caloosahatchee Shores [33-1482], Captiva [33-1612], Estero [33-64], Lehigh Acres [33-1401], North Fort Myers [33-1532], North (Upper) Captiva [33-1711], or Page Park [33-1203], attach meeting summary from informational meeting.

17. **Approved Master Concept Plan (MCP):** Provide an APPROVED MCP and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24"x36". [34-204; 34-373]

18. **Proposed Final Plan (for Final Plan Approval applications only):** Provide a copy of the proposed Final Plan consistent with the approved Master Concept Plan and the approved Zoning Resolution at a size of 24"x36". This proposed Final Plan must show any DEVIATION(s) keyed on the plan to identify the location of the specific deviation. [34-204]

SUBMITTAL REQUIREMENT CHECKLIST

Clearly label your attachments as noted in bold below.

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Completed application [34-204] |
| <input type="checkbox"/> | Filing Fee [34-204] |
| <input checked="" type="checkbox"/> | Affidavit of Authorization Form [34-204; 34-202] |
| <input checked="" type="checkbox"/> | Additional Agents [34-204; 34-202] |
| <input type="checkbox"/> | Multiple Owners List (if applicable) [34-201; 34-204] |
| <input checked="" type="checkbox"/> | Disclosure of Interest Form [34-204; 34-201] |
| <input checked="" type="checkbox"/> | Legal description (must submit one) [34-204] |
| <input type="checkbox"/> | Legal description (metes and bounds) and sealed sketch of legal description |
| | OR |
| <input type="checkbox"/> | Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.) |
| <input checked="" type="checkbox"/> | Previous Zoning Actions (if applicable) |
| <input type="checkbox"/> | DO Numbers (if applicable) |
| <input checked="" type="checkbox"/> | Narrative of Request [34-204] |
| <input type="checkbox"/> | Schedule of Deviations (if applicable) [34-373] |
| <input type="checkbox"/> | Meeting Summary (if applicable) [34-204] |
| <input checked="" type="checkbox"/> | MCP and detailed drawings of any proposed deviations (if applicable) (24"x36") [34-204] |
| <input type="checkbox"/> | Proposed Final Plan including deviations keyed to the plan (24"x36") [34-204] |

Note: All information submitted with the application becomes a part of the public record and will be a permanent part of the file. Department staff will review this application for compliance with requirements of the Lee County Land Development Code. The applicant will be notified of any deficiencies.

Acceptance of an application for an administrative amendment in no way guarantees its approval. If the Director determines that the requested amendment is beyond the scope of Land Development Code Section 34-380 or 34-1036 and that a public hearing is necessary, then all fees paid toward the administrative application may be applied toward an application for public hearing.

The Director's decision on an administrative amendment is final and can not be appealed. In the event the Director denies the request, the applicant's only recourse is to apply for a public hearing. No fees paid for the administrative application will be refunded or applied towards the public hearing.

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

ZONING RESOLUTION Z-00-055

ACCO

RESOLUTION NUMBER Z-00-055

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

WHEREAS, an application was filed by the property owner, Stephanie Miller, Trustee, to rezone a 4.84± acre parcel from Agricultural (AG-2) to Commercial Planned Development (CPD), in reference to Corkscrew Road Square; and

WHEREAS, a public hearing was advertised and held on August 9, 2000, but then continued to August 29, 2000, then to September 14, 2000, and then finally to September 15, 2000, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI964585 (f/k/a 99-11-037.02Z 01.01); and

WHEREAS, a second public hearing was advertised and held on December 4, 2000 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 a 4.84± acre parcel from AG-2 to CPD to allow a mixed use retail/professional office development consisting of a maximum of 47,800 square feet of gross floor area. Buildings will not exceed 35 feet in height, except the height may be increased to 45 feet for a hotel/motel use. Uses requested include, but are not limited to, Assisted Living Facility (not exceeding 145 units) banks, clubs, fire station, hotel/motel (not exceeding 58 rooms), medical and professional offices, restaurants, specialty retail shops, vehicle and equipment dealers, and mini-warehouse uses. The property is located in the Suburban Land Use Category and legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Corkscrew Road Square," prepared by Pokorny & Kareh, Inc., dated June 4, 1999, last revised 08/07/00, stamped "Received Aug 8 2000," except as modified by the conditions below.

The development is limited to a maximum total floor area of 47,800 square feet consisting of the retail establishments approved in the Schedule of Uses as set forth in Condition 2. All uses subject to retail site location standards may only be located in Phase I. (SEE ALSO CONDITION 12.) All other uses contained in the Schedule of Uses in Condition 2 may be located in either Phase I, II or III, consistent with Development Options #1, #2 or #4 as shown on the MCP (upper left hand corner). Option #3 has been withdrawn by the applicant.

This development must comply with all requirements of the LDC at time of local planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following Schedule of Uses replaces the Schedule of Proposed Uses on the approved MCP:

PHASES I, II & III (Listed uses are allowed in all phases unless otherwise indicated.)

ACCESSORY USES AND STRUCTURES (LDC §§ 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)

ADMINISTRATIVE OFFICES

ASSISTED LIVING FACILITY (LDC §§ 34-1491 *et seq.* and 34-1411)

(limited to a maximum of 116 units)

(not to exceed the density equivalency for the use as contained in LDC Chapter 34)

ATM (automatic teller machine)

BANKS AND FINANCIAL ESTABLISHMENTS [LDC § 34-622(c)(3)]: Groups I & II

(without drive-thru facilities)

BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION

(LDC § 34-1441 *et seq.*) [Not to include Communication Tower(s).]

BUSINESS SERVICES [LDC § 34-622(c)(5)]: Group I

DAY CARE CENTER, CHILD, ADULT (Phases II or III only)

ESSENTIAL SERVICES (LDC §§ 34-1611 *et seq.*, and 34-1741 *et seq.*)

ESSENTIAL SERVICE FACILITIES [LDC § 34-622(c)(13)]: Group I

(LDC §§ 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)

EXCAVATION: Water retention (LDC § 34-1651)

FENCES, WALLS (LDC § 34-1741)

GIFT AND SOUVENIR SHOP (no outdoor display)

HARDWARE STORE (not to exceed 5,000 square feet)

HEALTH CARE FACILITIES [(LDC § 34-622(c)(20)]: Groups I, II, III, & IV

(not to exceed the density equivalency for the use as contained in LDC Chapter 34)

HOBBY, TOY AND GAME SHOPS [LDC § 34-622(c)(21)]

INSURANCE COMPANIES [LDC § 34-622(c)(23)]

LAUNDRY OR DRY CLEANING [LDC § 34-622(c)(24)]: Group I

MEDICAL OFFICE

PARKING LOT:

Accessory

PERSONAL SERVICES [LDC § 34-622(c)(33)]: Group I

PHARMACY (not to exceed 5,000 square feet)
PLACE OF WORSHIP (LDC § 34-2051 *et seq.*)
REAL ESTATE SALES OFFICE (LDC §§ 34-1951, *et seq.*, and 34-3021)
RESTAURANTS [LDC § 34-622(c)(43)]: Groups I and II only (without
drive-through facilities)
SCHOOLS:
 Commercial [LDC § 34-622(c)(45)] (LDC § 34-2381)
 Noncommercial (LDC § 34-2381)
SIGNS in accordance with Chapter 30 (Pylon signs are prohibited.)
SPECIALTY RETAIL SHOPS [LDC § 34-622(c)(47)]: Groups I & II
STUDIOS [LDC § 34-622(c)(49)]
VARIETY STORE (not to exceed 5,000 square feet)

3. Site Development Regulations

Minimum Lot Area and Dimensions:

Area: 20,000 square feet
Width: 100 feet
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the
street or road (LDC § 34-2191 *et seq.*)
Side: 15 feet
Rear: 25 feet
Water Body: 25 feet

Accessory Use and Structure setbacks must comply with LDC §§ 34-1171
et seq. and 34-2194.

Maximum Height: 35 feet

Maximum Lot Coverage: 40 percent

4. Prior to local development order approval, open space areas must be designed to preserve as many existing native trees as possible. Sabal palms with a minimum 8-foot clear trunk must be preserved in place or relocated to open space areas to the maximum extent possible. Sabal palms preserved in place will receive three tree credits. Any relocated sabal palms will receive two tree credits.
5. The gopher tortoise management plan entitled "Protected Species Management Plan - Corkscrew 5.1 Acre Property," dated July 13, 1999, revised December 28, 1999, prepared by Boylan Environmental Consultants, is hereby adopted.

6. All material excavated as part of the use of Excavation, water retention must remain on-site. No excavated material may be permitted to be removed from the site as part of this planned development.
7. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
8. The MCP indicates the 60-foot-wide right-of-way road (Erika Lane), along the western boundary of the subject property, is planned to be constructed to County standards as a "Public local road." There is no guarantee, as part of this zoning approval, that the County will accept maintenance of a local road as depicted on the MCP.
9. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).
10. Development of the commercial buildings on this site must be substantially consistent with the architectural rendering labeled "Corkscrew Road Square," prepared by Erika Partnership, dated 11/09/99, also labeled "Hearing Examiner's Exhibit #B," and attached to this zoning resolution as Exhibit D.
11. The Phase I building must be oriented toward Corkscrew Road, OR the architectural theme and design of the front facade must be carried over to the north "end" of that building. If the developer chooses not to re-orient the building, he must install a minimum 3-foot-high berm along the Corkscrew Road frontage, and along Erika Lane from the corner of Corkscrew Road and Erika Lane to the first driveway into the subject property. The berm must also contain the enhanced plantings described on the MCP, including canopy type trees, or be consistent with any enhanced buffering established in the Estero Community Plan, whichever is more restrictive. The purpose of the increased berm height is to shield the development's parking lot from view of the drivers on Corkscrew Road, which would be accomplished if the building was reoriented to the frontage of the parcel.
12. Erika Lane, the proposed local road adjacent to the western perimeter of the subject property, must be constructed to Lee County local road standards set out in Chapter 10 of the LDC from the north to the south boundary line, before the developer is eligible to develop any of the uses set out herein that must meet commercial site location standards. Development of uses required to meet site location standards shall not exceed 10,000 square feet, SUBJECT TO additional limitations in size on certain retail uses set out in the Schedule of Uses in Condition 2.
13. Pylon signs are prohibited on the subject property.
14. The applicant agrees that, if the development area for this project is ever increased in size, every effort will be made to interconnect the various parking lots to minimize and/or reduce the number of access points along Corkscrew Road and Erika Lane.

SECTION C. DEVIATIONS:

1. Deviation (1) - WITHDRAWN AT HEARING.

SECTION D. EXHIBITS:

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

- Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Architectural Rendering - Corkscrew Road Square

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The Schedule of Uses for this project contains uses uniquely tailored to a local neighborhood oriented development. The smaller size of the project site, in conjunction with the limited amount and types of retail uses, make the CPD well suited to serve the residents along the Corkscrew Road corridor.

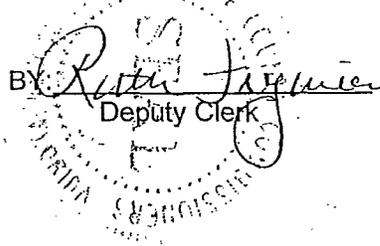
The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Coy, seconded by Commissioner Judah and, upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED this 4th day of December, 2000.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Charlie Green*
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Robert P. Janes*
Chairman

Approved as to form by:

John P. [Signature]
County Attorney's Office

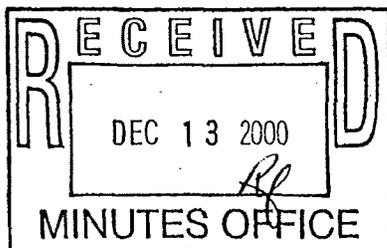


EXHIBIT "A"

Bean, Whitaker, Lutz & Barnes, Inc.

CONSULTING ENGINEERS AND SURVEYORS

13041 McGRILGOR BOULEVARD, SUITE 1
FORT MYERS, FLORIDA 33919-5910
E-Mail - FMOFFICE@BWL.B.COM
(941) 481-1331
FAX (941) 481-1073

BWL.B
N

Description of a Parcel of Land
Lying in
Section 34, Township 46 South, Range 25 East
Lee County, Florida
(Miller Parcel - Zoning Description)

A parcel of land situated in the State of Florida, County of Lee, being a part of Section 34, Township 46 South, Range 25 East and further described as follows:

Commencing at a spike in a disc marking the intersection of the centerline of Corkscrew Road (50 feet wide) and the west line of Section 34, said point lying approximately 46.5 feet south of the northwest corner of the Southwest One Quarter (SW 1/4) of the Northwest One Quarter (NW 1/4) of said Section 34; thence S89°11'00"E along said centerline for 497.25 feet; thence S00°00'45"W for 40.00 feet to the southerly line of Florida Department of Transportation Taking Parcel 121 (Section 12640-2601) and the Point of Beginning; thence S89°11'00"E along said southerly line for 165.74 feet; thence S00°01'30"W for 571.64 feet; thence N88°49'07"W for 4.80 feet; thence S00°03'00"W for 268.32 feet; thence N88°52'30"W for 326.43 feet; thence N00°00'45"E for 268.65 feet to the beginning of a curve to the right having a radius of 214.94 feet; thence northeasterly along said curve through a central angle of 45°26'23" for 170.46 feet; thence N45°27'08"E (N45°27'18"E - Deed) for 52.61 feet to the beginning of a curve to the left having a radius of 214.94 feet; thence northeasterly along said curve through a central angle of 45°26'23" for 170.46 feet; thence N00°00'45"E for 224.00 feet to the Point of Beginning.

Applicant's Legal Checked
by
↑

Containing 4.84 acres, more or less (inclusive of right-of-way easement).

Bearings are based on the west line of the Northwest One Quarter (NW 1/4) of Section 34 as bearing N00°00'00"E.

Bean, Whitaker, Lutz & Barnes, Inc.

DCI 964585
31380DESC1 5/24/99


Scott C. Whitaker, P.S.M. 4324

The applicant has indicated that the STRAP number for the subject property is:
34-46-25-00-00005.0010 & 34-46-25-01-0000C.035A

ZONING MAP

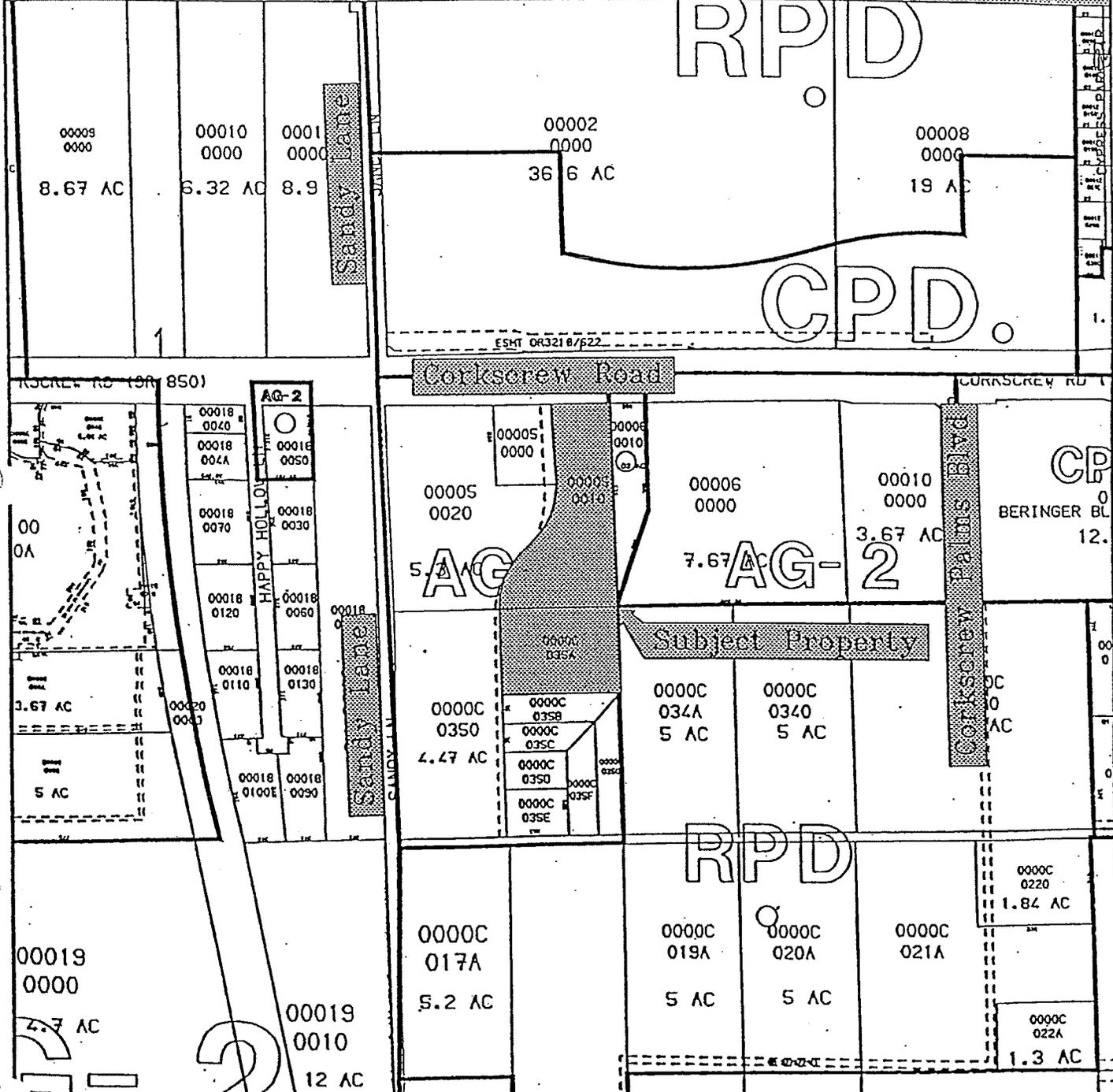
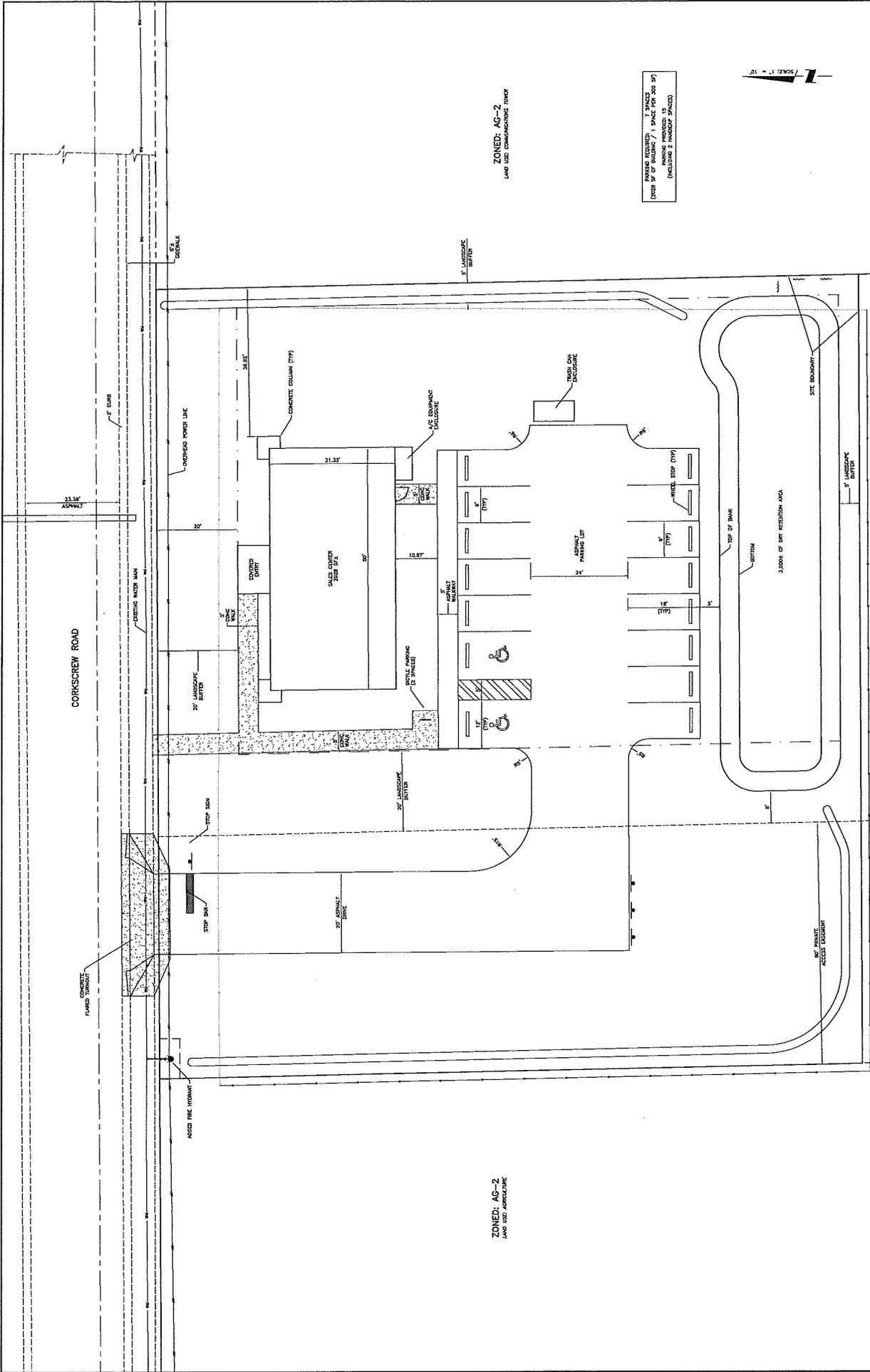


EXHIBIT "B"

CURRENT MASTER CONCEPT PLAN

CURRENT MASTER CONCEPT PLAN



ZONED: AG-2
 LAND USE: AGRICULTURE

ZONED: AG-2
 LAND USE: COMMUNICATIONS TOWER

MINIMUM SPACING: 7' MINIMUM
 (FROM 5' OF BUILDING / 1' SPACE PER 300 SQ FT)
 PARKING PROVIDED TO
 (INCLUDING 2' WALKWAY SPACES)

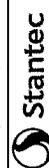
SCALE: 1" = 10'

| REV | DATE | BY | CHKD | DESCRIPTION |
|-----|---------|----|------|---|
| A | 5/23/21 | BL | BL | ISSUED FOR PERMITS |
| B | 5/27/21 | BL | BL | REVISED BUFFER WIDTH, ADDED PARKING LOT |
| C | 5/27/21 | BL | BL | REVISED BUFFER WIDTH, ADDED PARKING LOT |
| D | 5/27/21 | BL | BL | REVISED BUFFER WIDTH, ADDED PARKING LOT |

| | |
|-------------|------------------------------------|
| PROJECT NO. | 215172546 |
| CLIENT | WALLACE HOMES OF SOUTHWEST FLORIDA |
| PROJECT | GENOVA PHASE 1 SALES CENTER |
| DATE | 5/27/21 |
| SCALE | 1" = 10' |
| TITLE | MASTER CONCEPT PLAN |

| | | | | | |
|------|---------|----|----|------|----|
| DATE | 5/27/21 | BY | BL | CHKD | BL |
| DATE | 5/27/21 | BY | BL | CHKD | BL |
| DATE | 5/27/21 | BY | BL | CHKD | BL |
| DATE | 5/27/21 | BY | BL | CHKD | BL |

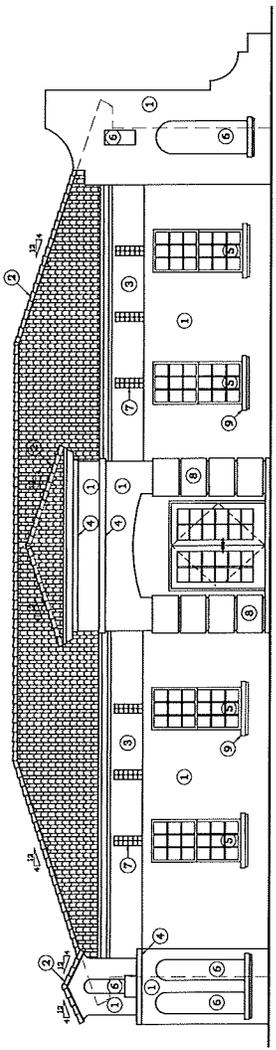
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| DATE | 5/27/21 | BY | BL | CHKD | BL |
| DATE | 5/27/21 | BY | BL | CHKD | BL |
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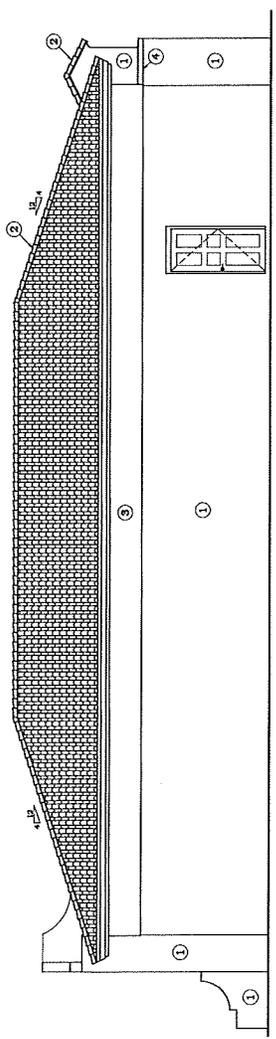
Stantec
 10000 West 15th Avenue, Suite 1000
 Denver, CO 80202
 Phone: 303.425.4300
 Fax: 303.425.4301
 Email: denver@stantec.com

| NO. | DESCRIPTION | DATE | BY |
|-----|-------------------|----------|----|
| 1 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 2 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 3 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 4 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 5 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 6 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 7 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 8 | ISSUED FOR PERMIT | 10/15/11 | GS |
| 9 | ISSUED FOR PERMIT | 10/15/11 | GS |

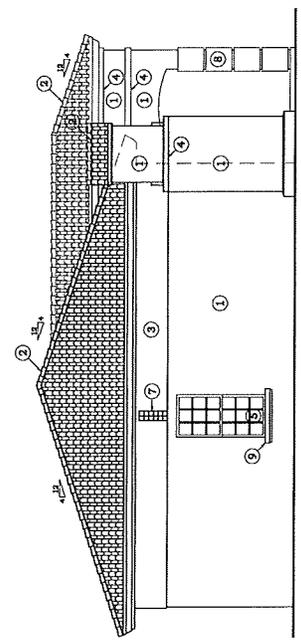
- KEY**
- 1. STUCCO (PAINTED)
 - 2. TILE ROOF (TBD)
 - 3. RAISED STUCCO BAND (PAINTED)
 - 4. RAISED STUCCO TRIM (PAINTED)
 - 5. WINDOW
 - 6. RECESS (NICHE)
 - 7. DECORATIVE ACCENT TILE (TBD)
 - 8. RAISED STUCCO QUOIN (PAINTED)
 - 9. PRECAST OR RAISED STUCCO SILL (PAINTED)



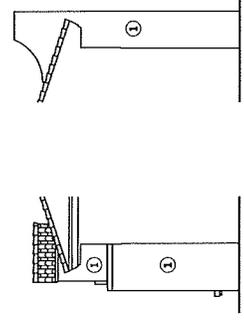
FRONT ELEVATION
 NO SCALE



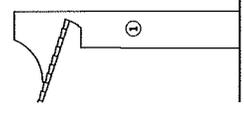
REAR ELEVATION
 NO SCALE



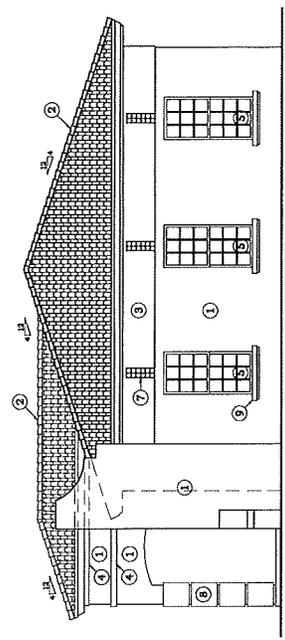
LEFT SIDE ELEVATION
 NO SCALE



FRONT/LEFT ELEVATION
 NO SCALE



FRONT/RIGHT ELEVATION
 NO SCALE



RIGHT SIDE ELEVATION
 NO SCALE



3800 Colonial Boulevard, Suite 100, Fort Myers FL 33966-1075

May 12, 2015

File: 215612546

Attention: Chip Block, AICP Principal Planner

Lee County Department of Community Development
Planning Division
1500 Monroe Street
Fort Myers, FL 33901

**Reference: Genova
ADD2015-00047 – Genova Sales Center Administrative Amendment
Sufficiency Response No. 1**

Dear Chip:

The following information is offered in response to the County's review comments and request for additional information. The County questions, comments, and concerns are provided below, followed by our response in **bold**.

1. Staff is interpreting the applicant desires to develop the use of Business Services, Group I specifically for a Real estate agents and brokers use.

Acknowledged.

2. Intensity – Please clarify the proposed development intensity of the project.

Based on the revised application, the proposed development included in Phase 1 is approximately 2,028 square-feet of commercial office use.

3. Buffers. It appears that the buffers along Corkscrew Road and Erika Lane are not compliant with the Land Development Code or the approved zoning. The applicant must review the buffers required by the approved Zoning Resolution and Chapters 10 and 33 of the Land Development Code. The proposed Plan must be revised to provide the buffer that is required.

The Master Concept Plan has been revised to comply with the Land Development Code and the conditions of Z-00-055.

4. Condition 8 provides that the 60-foot wide Right-of-Way would be constructed to County standards as a "Public local road". It does not appear that the proposed amendment provides the road as required. The proposed plan only proposes a 20 foot asphalt drive. Please revise the Plan to show compliance with this Condition.



May 12, 2015
Chip Block, AICP Principal Planner
Page 2 of 3

Reference: Genova
ADD2015-00047 – Genova Sales Center Administrative Amendment
Sufficiency Response No. 1

At the time of the approval of the current CPD, the proposed Erika Lane was a proposed alternative for the extension of Sandy Lane. Condition 8 was included to ensure that the developer was responsible for the construction of the future Sand Lane Extension. After approval of the zoning, the proposed Erika Lane was not chosen to be the final route for the extension of Sandy Lane. Via Coconut Point was ultimately constructed as the extension of Sandy lane to the south. Via Coconut Point is constructed, in place, and operational.

Based on the construction of Via Coconut Point, Erika Lane is not needed as a north/south corridor. The applicant is not requesting to modify the Master Concept Plan to eliminate Erika Lane as part of the administrative amendment, the applicant is requesting a modification to Condition 8 to change the timing of the construction requirement. The applicant is requesting a modification to Condition 8 to allow the development of Phase 1, as proposed, without constructing Erika Lane. The proposed amendment would allow Erika Lane to be constructed at the time of development of Phase 2 development.

Proposed Revision to Condition 8:

The MCP indicates the 60-foot-wide right-of-way road (Erika Lane), along the western boundary of the subject property, is planned to be constructed to County standards as a "Public local road." There is no guarantee, as part of this zoning approval, that the County will accept maintenance of a local road as depicted on the MCP. The construction of Erika Lane to Public Local Road standards will be required as part of the local development order approval for Phase 2 of the Master Concept Plan.

5. Please provide documentation demonstrating this proposed amendment has been the subject of a public information meeting, in accordance with the Village of Estero LDC Section 33-54. Please make sure the meeting summary contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

A copy of the meeting minutes from a public information meeting held on April 13, 2015, have been included as part of this submittal.

6. Infrastructure for Phase 1. How does the applicant plan to address the required infrastructure for the remaining phases of the approved CPD.

The applicant requests that a condition be included in the zoning amendment approval that allows for the development of Phase 1 to only provide the infrastructure improvements, including turn lanes, needed to support the 2,028 square-foot commercial office use. Infrastructure for the remaining phases will be completed at the time of the development of Phase 2. The Phase 2 analysis will be a cumulative analysis of the entire development.

7. Intersection Spacing - Notwithstanding the previous zoning approval for a road, has a deviation ever been granted for less than the required 660' intersection standards?



May 12, 2015
Chip Block, AICP Principal Planner
Page 3 of 3

Reference: Genova
ADD2015-00047 – Genova Sales Center Administrative Amendment
Sufficiency Response No. 1

At the time of approval of the existing CPD the approved access point met all the required intersection spacing requirements in the Land Development Code. Since that time two additional access points have been constructed along Corkscrew Road. The first is Via Coconut Point, approximately 460 feet west of the approved access point. The other new access point is the driveway for the Estero Commons CPD approximately 414 feet to the east. The requested administrative amendment is proposing to utilize the access point approved in Z-00-055, however based on the new access points, a deviation is needed. The applicant requests a deviation be added to allow the proposed development to utilize the access point approved in Z-00-055.

8. Turn-around along entrance road

The comments from Development Services staff regarding the Development Order for the proposed Sales Center included a comment requiring a hammer-head type turn-around to be installed along the entry road to allow for a 48-foot vehicle to turn around. The proposed access to the site does not qualify as an entry road and a turn-around should not be required. The proposed access is designed as a driveway for the commercial building.

In addition, the applicant has had discussions with Estero Fire and Rescue requesting that no turn-around is required. The applicant has received an email from Phil Green, Estero Fire and Rescue Fire Marshall, agreeing to waive the requirement for the turn-around. A copy of the email is attached. In an abundance of caution, the applicant is requesting an additional deviation from Section 10-296(p) to require no turn-around.

We trust that the above information and enclosed documents are sufficient for staff review and approval. If you should have any questions or require additional information, please do not hesitate to contact me.

Regards,

STANTEC CONSULTING SERVICES INC.

Josh Philpott, AICP
Senior Planner
Phone: (239) 939-1020
Josh.Philpott@stantec.com

Attachment: See above

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VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2015 - ____

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, APPROVING
ADMINISTRATIVE AMENDMENT (PD) ADD2015-00047;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Jim Wallace, Genova Partners, LLC., filed an application (“Application”) for an administrative amendment to the Corkscrew Road Square Commercial Planned Development for a project known as Genova Real Estate Sales Office for the following changes:

- A modification to the approved Master Concept Plan to allow for the building of a real estate office of approximately 2,200 sq ft. as part of Phase I
- Adding a deviation to not require a hammerhead turn-around
- Adding a deviation to reduce the roof pitch to allow a 4:12 pitched roof as requested at the Design Review Board
- Adding a deviation for connection separation along Corkscrew Road from 660 feet to 460 feet to the west and 414 feet to the east for the access point previously approved in Resolution Z-00-055
- A revision to Condition 8 of Resolution Z-00-055
- Adding a condition allowing for the development of Phase 1 to only require the infrastructure improvements, including warranted turn lanes, needed to support the 2,200 square-foot commercial office use. Infrastructure and other required improvements for the remaining phases will be completed at the time of the development of Phase 2; and

WHEREAS, the property is located at 9150 Corkscrew Road, described more particularly as:

LEGAL DESCRIPTION: In Section 34, Township 46 South, Range 25 East, Lee County, Florida;

ATTACHED AS EXHIBIT “A”

WHEREAS, the property was originally rezoned with the adoption of Resolution Number Z-00-055 (with no subsequent amendment); and

WHEREAS, the subject property is designated as Suburban on the Future Land Use Map of the Village of Estero Comprehensive Plan; and

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

47
48 **WHEREAS**, the developer is seeking approval to allow the development of a Real
49 Estates Sales Office as Phase I, while a Comprehensive Plan amendment and a rezoning to
50 Residential Planned Development are being considered by the Village of Estero; and

51
52 **WHEREAS**, the developer has affirmed and accepted that any approval by the Village
53 of the amendments proposed by the Application shall not be construed to vest the developer or
54 owner with any rights to the pending Comprehensive Plan amendment and rezoning to
55 Residential Planned Development; and

56
57 **WHEREAS**, under the provisions of Ordinance 2015-01 of the Village of Estero, the
58 Planning and Zoning Board has been delegated the authority to review all applications for
59 administrative actions; and

60
61 **WHEREAS**, proposed amendments to specific conditions to zoning resolutions are
62 considered by the Village Council after recommendation by the Planning and Zoning Board
63 and the associated changes for the Master Concept Plan and deviations for consistency should
64 also be considered by the Village Council; and

65
66 **WHEREAS**, the following findings of fact are offered:

- 67
68 1. The proposed amendment does not increase density or intensity within the
69 development; and
70
71 2. The proposed amendment does not decrease buffers or open space required
72 by the Land Development Code; and
73
74 3. The Planning and Zoning Board has recommended approval of the proposed
75 amendments to the Master Concept Plan and the deviations at a duly
76 constituted public hearing after due public notice.
77

78 **NOW, THEREFORE**, be it resolved by the Village Council of the Village of Estero,
79 Florida:

80
81 **Section 1.** The application for administrative approval for following amendments
82 to the Commercial Planned Development is APPROVED, subject to the following conditions:

- 83
84 1. The terms and conditions of the original zoning resolution, Resolution Number
85 Z-00-055 remain in full force and effect, except as amended herein.
86
87 2. Condition 1 of Resolution Number Z-00-055 is amended as follows:

88
89 The development of this project must be consistent with the one-page Master
90 Concept Plan (MCP) entitled "Corkscrew Road Square," prepared by Pokorny
91 & Kareh, Inc., dated June 4, 1999, last revised 08/07/00, stamped "Received
92 Aug 8 2000," except as modified by the conditions below.

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The development is limited to a maximum total floor area of 47,800 square feet consisting of the retail establishments approved in the Schedule of Uses as set forth in Condition 2. All uses subject to retail site location standards may only be located in Phase I. (SEE ALSO CONDITION 12 of Resolution Z-00-055.) All other uses contained in the Schedule of Uses in Condition 2 may be located in either Phase I, II or III, consistent with Development Options #1, #2 or #4 as shown on the MCP (upper left hand corner). Option #3 has been withdrawn by the applicant.

In the alternative, Phase I may consist of not more than 2,200 square feet for the sole use of a Real Estate Sales Office. Development of the Real Estate Sales Office alternative must be consistent with the 1-sheet Master Concept Plan for Wallace Homes of Southwest Florida, Genova Phase I – Sales Center. No development beyond Phase I can be granted until the full planned development is amended in accordance with the Land Development Code.

The development of the sales center only requires the provision of the infrastructure improvements, including turn lanes, needed to support the 2,200 square-foot commercial office use. Infrastructure for the remaining phases will be completed at the time of the development of Phase II. The Phase II analysis will be a cumulative analysis of the entire development.

This development must comply with all requirements of the LDC at time of local planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

3. Deviation from LDC Section 10-296(p) requiring a hammerhead turn-around on the entry road, to eliminate this requirement for Phase I only. This deviation is supported by the fire department. The deviation is approved subject to development in conformance with the approved Master Concept Plan for Alternative Phase I.
4. Deviation from LDC Section 33-227 requiring buildings less than 5,000 square feet to be designed with a pitched roof with a minimum roof pitch of 30 degree, to allow a pitched roof of 18.4 degree (4:12). This deviation is approved.
5. Destination for intersection separation along Corkscrew Road from 660 feet to the west and 414 feet to the east was previously approved in Zoning Resolution Z-00-055 and is hereby approved for the sales center.
6. Condition 8 of Resolution Number Z-00-055 is amended as follows:

The MCP indicates the 60-foot-wide Right-of-way road (Erika Lane), along the western boundary of the subject property, is planned to be constructed to County standards as a “Public local road.” There is no guarantee, as part of this

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zoning approval, that the County will accept maintenance of a local road as depicted on the MCP. The construction of Erika Lane to Public Local Road standards will not be required as part of the local development order approval for Phase I, it will be required as part of the Phase II Development Order improvements.

- 7. The sales office is temporary and will be removed within five years of this approval, unless a new condition is approved in the proposed rezoning.
- 8. As offered by the applicant, approval of the Real Estate Sales office does not create any vested rights or other entitlement to the residential project currently being reviewed for a comprehensive plan amendment and rezoning.
- 9. If it is determined that inaccurate or misleading information was provided to staff or the Planning and Zoning Board or if this decision does not comply with the LDC when rendered, then, at any time, the Village Council may issue a modified decision that complies with the Code or revoke the decision.

Section 2. This Resolution shall take effect immediately upon adoption.

ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida this ____ day of _____, 2015.

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____
Kathy Hall, MMC, Village Clerk

By: _____
Nicholas Batos, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy Stroud, Esq.

- Exhibits:
- A – Legal Description
 - B – Master Concept Plan

EXHIBIT "A"

Bean, Whitaker, Lutz & Barnes, Inc.

CONSULTING ENGINEERS AND SURVEYORS

13041 MCGREGOR BOULEVARD, SUITE 1
FORT MYERS, FLORIDA 33919-5910
E-Mail: FMOFFICE@BWL.B.COM
(941) 481-1331
FAX (941) 481-1073

BWL
N

APPROVED
ADD2015-00047
Chick Jakacki, Planner
Lee Co Division of Zoning
3/13/2015

Description of a Parcel of Land
Lying in

Section 34, Township 46 South, Range 25 East
Lee County, Florida
(Miller Parcel - Zoning Description)

A parcel of land situated in the State of Florida, County of Lee, being a part of Section 34, Township 46 South, Range 25 East and further described as follows:

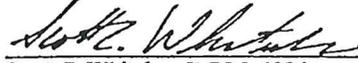
Commencing at a spike in a disc marking the intersection of the centerline of Corkscrew Road (50 feet wide) and the west line of Section 34, said point lying approximately 46.5 feet south of the northwest corner of the Southwest One Quarter (SW 1/4) of the Northwest One Quarter (NW 1/4) of said Section 34; thence S89°11'00"E along said centerline for 497.25 feet; thence S00°00'45"W for 40.00 feet to the southerly line of Florida Department of Transportation Taking Parcel 121 (Section 12640-2601) and the Point of Beginning; thence S89°11'00"E along said southerly line for 165.74 feet; thence S00°01'30"W for 571.64 feet; thence N88°49'07"W for 4.80 feet; thence S00°03'00"W for 268.32 feet; thence N88°52'30"W for 326.43 feet; thence N00°00'45"E for 268.65 feet to the beginning of a curve to the right having a radius of 214.94 feet; thence northeasterly along said curve through a central angle of 45°26'23" for 170.46 feet; thence N45°27'08"E (N45°27'18"E - Deed) for 52.61 feet to the beginning of a curve to the left having a radius of 214.94 feet; thence northeasterly along said curve through a central angle of 45°26'23" for 170.46 feet; thence N00°00'45"E for 224.00 feet to the Point of Beginning.

Containing 4.84 acres, more or less (inclusive of right-of-way easement).

Bearings are based on the west line of the Northwest One Quarter (NW 1/4) of Section 34 as bearing N00°00'00"E.

Bean, Whitaker, Lutz & Barnes, Inc.

DCI 964585
5/24/99


Scott C. Whitaker, P.S.M. 4324

31380DESC1

Applicant's Legal Checked
by

The applicant has indicated that the STRAP number for the subject property is:
34-46-25-00-00005.0010 & 34-46-25-01-0000C.035A

