

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

WHEREAS, as application was filed by Courtelis Company to rezone a 32.96 acre parcel from Agriculture (AG-2) to Commercial Planned Development (CPD); in reference to Estero Town Center CPD; and

WHEREAS, public hearings were advertised and held on May 30, 2003, June 6, 2003 and June 13, 2003, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case DCI2002-00071; and

WHEREAS, a second public hearing was advertised and held on October 20, 2003, 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 32.96 acre parcel from AG-2 to CPD, to allow for the development of a mixed use commercial center consisting of up to 265,000 square feet of gross floor area with buildings not exceeding 45 feet in height (4-stories). The development may include blasting as a development activity. The property is located in the Urban Community and General Interchange Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Estero Town Center CPD-E2007," stamped received Nov 26 2003, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

The project is limited to a maximum of 265,000 square feet of gross floor area. Of this total, up to 50,000 square feet can consist of office space. Additionally, a portion of this

approved floor area may be replaced with up to 175 hotel/motel units through an administrative amendment of this planned development.

All conditions and commitments made in the Estero Town Center Design Guidelines (Exhibit D) providing the Project Overview, Design Guidelines and Standards, Landscaping, and Signage must be adhered to as part of this planned development. Approval of this document grants no deviations from the Lee County LDC. Any change sought to any provision within this document will require a public hearing amendment. In the event of conflict between the provisions set forth in Exhibit D and the LDC, the LDC will control.

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

a. Schedule of Uses

VILLAGE AREAS #1 and #2

ACCESSORY USES AND STRUCTURES (LDC §34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, 34-2141 *et seq.*, and 34-3106)

AUTO PARTS STORE - without installation facilities

AUTO REPAIR AND SERVICE (LDC §34-622(c)(2)), Group I only LDC §34-1351 *et seq.* (Limited to one as a subordinate use to a permitted use within this parcel; Garage doors may not face adjacent arterial; no outdoor storage or display)

BANKS AND FINANCIAL ESTABLISHMENTS (LDC §34-622(c)(3)), Groups I and II

BUSINESS SERVICES (LDC §34-622(c)(5)), Groups I and II (with Group II limited to only Packing Services)

CAR WASH (limited to one) (Only in conjunction with Convenience Food and Beverage Store)

CLOTHING STORES, general (LDC §34-622(c)(8))

CONSUMPTION ON PREMISES (LDC §34-1261 *et seq.*) (only in conjunction with a standard restaurant and outdoor seating in the pedestrian open space areas identified on the MCP; subject to an Administrative Amendment for Outdoor Seating)

CONVENIENCE FOOD AND BEVERAGE STORE (limited to area #1; limited to one) (maximum of 12 fueling stations; permitted abutting Corkscrew Road only if no free-standing fast food use permitted within Village Area abutting Corkscrew Road.)

DAY CARE CENTER, CHILD, ADULT

DRIVE THRU FACILITY FOR ANY PERMITTED USE

DRUGSTORE, PHARMACY (limited to one within the planned development)

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) (Subject to Condition 8)

FENCES, WALLS (LDC §34-1741)
FLORIST SHOP
FOOD STORES (LDC §34-622(c)(16)), Group I
GIFT AND SOUVENIR SHOP
HARDWARE STORE (Limited to 15,000 square feet)
HOBBY, TOY AND GAME SHOPS (LDC §34-622(c)(21))
HOUSEHOLD AND OFFICE FURNISHINGS (LDC §34-622(c)(22)), all groups
(no outdoor display)
LAUNDRY OR DRY CLEANING (LDC §34-622(c)(24)), Group I
MEDICAL OFFICE
NONSTORE RETAILERS (LDC §34-622(c)(30)), all groups
PARCEL AND EXPRESS SERVICES
PARKING LOT; Accessory
PERSONAL SERVICES (LDC §34-622(c)(33)), Groups I and II
PET SHOP (Indoor only; no outdoor runs)
REPAIR SHOPS (34-622(c)(40)), Groups I, II, and III
RESTAURANT, FAST FOOD (Subject to Condition 14)
RESTAURANTS (LDC §34-622(c)(43)), Groups I, II and III
SIGNS in accordance with Chapter 30
SPECIALTY RETAIL SHOPS (LDC §34-622(c)(47)), Groups I, II, III, and IV
VARIETY STORE

ANCHOR PARCEL

ACCESSORY USES AND STRUCTURES (LDC §34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, 34-2141 *et seq.*, and 34-3106)
AUTO PARTS STORE - without installation facilities
AUTO REPAIR AND SERVICE (LDC §34-622(c)(2)), All Groups LDC §34-1351 *et seq.* (Limited to one as a subordinate use to a permitted use within this parcel, unless approved by Administrative Amendment)
BANKS AND FINANCIAL ESTABLISHMENTS (LDC §34-622(c)(3)): Groups I, II
BUILDING MATERIAL SALES (LDC §34-622(c)(4)) and 34-3001 *et seq.* (Outdoor storage and display areas limited to one acre per Lee Plan Policy 19.2.5 and subject to Condition 3)
BUSINESS SERVICES (LDC §34-622(c)(5)), Groups I and II
CLOTHING STORES, general (LDC §34-622(c)(8))
CONSUMPTION ON PREMISES (LDC §34-1261 *et seq.*)(only in conjunction with a standard restaurant)
DAY CARE CENTER, CHILD, ADULT
DEPARTMENT STORE
DRIVE-THRU FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
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) (subject to Condition 8)
FOOD STORES (LDC §34-622(c)(16)), Groups I and II
HARDWARE STORE
HOBBY, TOY AND GAME SHOPS (LDC §34-622(c)(21))
HOTEL/MOTEL (LDC §34-1801 *et seq.*)
HOUSEHOLD AND OFFICE FURNISHINGS (LDC §34-622(c)(22)), all groups
LAUNDRY OR DRY CLEANING (LDC §34-622(c)(24)), Group I
LAWN AND GARDEN SUPPLY STORES (LDC §34-2081) (Outdoor storage and display areas limited to one acre per Lee Plan Policy 19.2.5 and subject to Condition 3)
MEDICAL OFFICE
MINI-WAREHOUSE (No outdoor storage; subject to an Administrative Amendment)
NONSTORE RETAILERS (LDC §34-622(c)(30)), all groups
PAINT, GLASS AND WALLPAPER
PARCEL AND EXPRESS SERVICES
PARKING LOT; Accessory
PERSONAL SERVICES (§34-622(c)(33), Groups I & II
PET SHOP (indoor only; no outdoor runs)
REPAIR SHOP Groups I & II
RESTAURANTS (LDC §34-622(c)(43)), Groups I, II, III, and IV
RESTAURANTS, FAST FOOD (no freestanding uses; no drive-thru facilities)
SELF-SERVICE FUEL PUMPS (maximum of 12 fueling stations)(Limited to one)
SIGNS in accordance with Chapter 30
SPECIALTY RETAIL SHOPS (LDC §34-622(c)(47)), Groups I, II, III and IV
TEMPORARY USES (LDC §34-3041 *et seq.*) (Limited to Contractor's office/equipment storage, ancillary temporary uses in parking, and Christmas Tree sales)
THEATER, Indoor (LDC §34-2471 *et seq.*)

Note: Commercial Retail S.F. may be replaced by up to 50,000 square feet of General/Medical Office uses, subject to an Administrative Amendment review process.

Note: Commercial Retail S.F. may be replaced by up to 150 Hotel/Motel units, subject to an Administrative Amendment

b. Site Development Regulations

Refer to attached Exhibit E.

3. Open storage and outdoor display areas are permitted for only those uses designated as being allowed open storage or outdoor display areas in the approved Schedule of Uses. The total area devoted to open storage and outdoor display area within this entire planned development is one acre. An Administrative Amendment of this planned development will be required prior to approval of a local development order or establishment of open storage or outdoor display area. The Applicant will be responsible in providing the cumulative total of area devoted to this activity as part of the application.

The following screening standard is the minimum requirement for open storage or outdoor display area:

Any open storage or outdoor display area must be screened from view by an opaque fence or wall along the entire permitted area. The fence or wall must be at least 6 feet high, or higher if necessary to provide an opaque buffer, and must be compatible with the architectural design of the project.

4. Prior to local development order approval, the paving and grading plan must delineate the areas of the berm abutting the indigenous preserve that will be enlarged or mounded to provide additional high ground for gopher tortoises. A cross section must be included. The mounded areas must also be highlighted on the landscape plan.
5. Prior to the issuance of a Vegetation Removal Permit, the gopher tortoise burrows must be field located. If any burrows area are situated outside of the indigenous preservation area, then a five or less relocation permit must be obtained from the Florida Fish and Wildlife Commission to excavate the burrow and move any tortoise and commensal species into the preserve.
6. Prior to local development order approval, the landscape plans must be consistent with the Estero Town Center Design Guidelines stamped received February 11, 2003 (attached as Exhibit D), and the LDC.
7. Prior to local development order approval, the plans must show the location of preserved native trees and relocated sabal palms. A tree survey must be submitted to confirm the locations of existing native oak/pine/palms in the Village areas (greater than 6-inch caliper oaks; 12 inch or greater caliper pine; 8-foot or greater clear trunk palms). Reasonable effort and creative designs must be utilized to preserve the large existing native trees/masses of native trees. Protective measures to preserve trees within the Village area must be detailed on the development order plans such as tree well design.
8. Prior to any approval of a local development order, including excavations for water retention, the approved planned development must be administratively amended to show the proposed location of the excavation and the calculation of total open space to ensure compliance with the LDC and the commitments made as part of this approved planned development.

9. Blasting is not an approved activity as part of this approved planned development. Blasting must be approved through an amendment of this planned development that goes through the public hearing process.
10. 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.
11. 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), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
12. All buildings of 80,000 square feet (or 40,000 square feet constructed within 15 feet of each other) must comply with the "Big Box Design Standards" attached as Exhibit F. If design standards for "big box" development are adopted into the LDC, then the provisions of the LDC will supercede attached Exhibit F. Prior to that time, if there is a conflict between the provision set forth in Exhibit F and the LDC, the LDC will control.
13. Agricultural Uses: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:
 - (a) Bona fide agricultural uses that are in existence at the time this resolution is approved and as shown on Exhibit G attached hereto may continue until approval of a local development order for the area of the project containing those uses.
 - (b) Additional clearing or grading of existing agricultural areas is prohibited. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.
 - (c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.
14. Limitations on Fast-Food Restaurants in Village Areas abutting Corkscrew Road:
 - a) No more than one freestanding fast food restaurant (as defined in LDC §34-2) is permitted;
 - b) No freestanding fast food restaurants are permitted if a convenience store has already been permitted in the Village Areas abutting Corkscrew Road;

- c) No more than one fast food restaurant is permitted in a multi-occupancy building.
15. Twenty-four Hour businesses on the site are limited to pharmacies, convenience stores, and grocery stores. If other types of stores (e.g., department stores such as Super Target's, Walmart's, Kmart's, etc.) contain one of the listed uses, only the section of the store that contains that use may remain open for 24-hours).

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-285 requirement to provide a 660-foot connection separation along arterial roads, to allow connection separation of 600 feet along Corkscrew Road and 570 feet and 400 feet, respectively, along Three Oaks Parkway. This deviation is approved as follows:
- (a) the intersection separation of 600 feet along Corkscrew Road is **APPROVED** to allow, at best, a right-in, right-out only, which is **SUBJECT TO** re-evaluation by LCDOT at the time of development order application. If the reevaluation by LCDOT results in a denial of the request, then the Deviation will be deemed denied.
 - (b) the intersection separation of 570 feet and 400 feet along Three Oaks Parkway is **DENIED**.
- 2.A. Deviation (2.A.) seeks relief from the LDC §34-2192(b)(5) and LDC §34-1047 (note 1b) requirement that all parking lots, access streets, and drives be setback a minimum of 75 feet from the Corkscrew Road right-of-way, to allow parking to be located no closer than 30 feet from the right-of-way in the specified locations and in accordance with the proposed Design Guidelines (attached as Exhibit D) is **APPROVED, SUBJECT TO the conditions** that:
- (a) the deviation allows no more than 300 feet of the Corkscrew Road frontage (with no more than 200 feet in any single location) for the proposed parking use; and
 - (b) the area subject to this deviation is buffered in accordance with the Estero Town Center Design Guidelines attached as Exhibit D.
- 2.B. Deviation (2.B.) seeks relief from the LDC §34-2192(b)(5) requirement that all parking lots, access streets, and drives to be set back a minimum of 75 feet from the Corkscrew Road right-of-way, to allow an access drive in conjunction with a drive-thru facility to be located no closer than five feet from the right-of-way, in the locations specified by, and in accordance with, the Town Center Design Guidelines attached as Exhibit D. This deviation is **APPROVED, SUBJECT TO the following condition**:
- a. Prior to development order approval for any project including a drive-thru facility located between Corkscrew Road and a

commercial building, the landscape plan must include a minimum 5-foot-wide buffer area adjacent to Corkscrew Road consisting of sabal palms (minimum 10-foot clear trunk; planted 10-foot on center) and a single continuous hedge of native shrubs (24-inch; 3-gallon size planted 3-foot on center). If there are overhead powerlines within 10 feet of the buffer planting area, then appropriate native trees may be substituted for the sabal palms. These planting requirements are meant to quantify the landscape buffer depicted in Typical Section C of the Estero Town Center Design Guidelines attached as Exhibit D. Building perimeter plantings must be installed in the 5-foot minimum landscape area depicted adjacent to the building in this same cross section.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: The legal description of the property
- Exhibit B: Zoning Map (subject parcel identified with shading)
- Exhibit C: The Master Concept Plan
- Exhibit D: Estero Town Center Design Guidelines
- Exhibit E: Property Development Regulations
- Exhibit F: Box Big Design Standards
- Exhibit G: Bonafide Agricultural Uses at time of zoning application

The applicant has indicated that the STRAP number for the subject property is: 35-46-25-00-00002.0000 & 35-46-25-00-00002.0020

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,

- d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
- a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner John E. Albion, seconded by Commissioner Douglas R. St.Cerny and, upon being put to a vote, the result was as follows:

Robert P. Janes	AYE
Douglas R. St. Cerny	AYE
Ray Judah	AYE
Andrew W. Coy	ABSENT
John E. Albion	AYE

DULY PASSED AND ADOPTED this 20th day of October, 2003.

ATTEST:
CHARLIE GREEN, CLERK

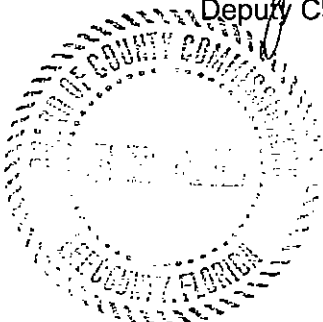
BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Cindy Morrison
Deputy Clerk

BY: John E. Albion
Chairman

Approved as to form by:

Dawn E. Perry-Lehnert
Dawn E. Perry-Lehnert
County Attorney's Office



2003 DEC 17 AM 9:27



950 Encore Way • Naples, Florida 34110 • Phone: 941.254.2000 • Fax: 941.254.2099

HM PROJECT #2002107
11/18/2
REF. DWG. #A-1507

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°57'29"E., ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35, FOR A DISTANCE OF 150.04 FEET TO A POINT 150.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35, THE SAME BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY, A 150.00 FOOT RIGHT-OF-WAY AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN N.01°18'04"W., PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35 AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1227.71 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD, A RIGHT-OF-WAY OF VARIABLE WIDTH, AS THE SAME IS SHOWN ON THE LEE COUNTY DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR CORKSCREW ROAD RIGHT-OF-WAY EAST II, PREPARED BY Q. GRADY MINOR AND ASSOCIATES, P.A., DATED APRIL 1999; THENCE RUN N.89°24'57"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 852.37 FEET; THENCE RUN S.85°16'51"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, FOR A DISTANCE OF 318.86 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35; THENCE RUN S.01°04'29"E., ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35, FOR A DISTANCE OF 1210.91 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35; THENCE RUN N.89°57'29"W., ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35, FOR A DISTANCE OF 1164.94 FEET TO THE POINT OF BEGINNING; CONTAINING 32.957 ACRES, MORE OR LESS.

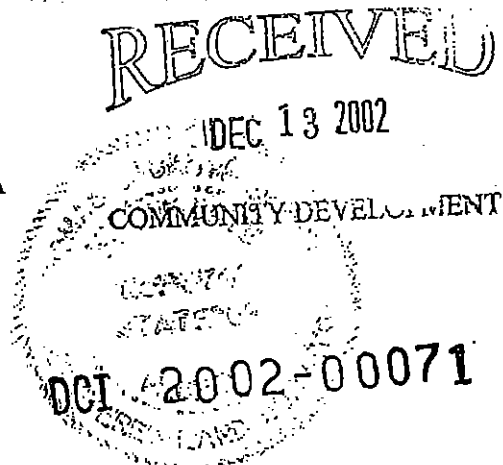
THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

BEARINGS REFER TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AS BEING S.89°57'29"E.

HOLE MONTES, INC.
CERTIFICATION OF AUTHORIZATION LB #1772

BY Thomas J. Garris P.L.S. #3741
THOMAS J. GARRIS STATE OF FLORIDA

Applicant's Legal Checked
by AMM 2-14-03



ZONING MAP

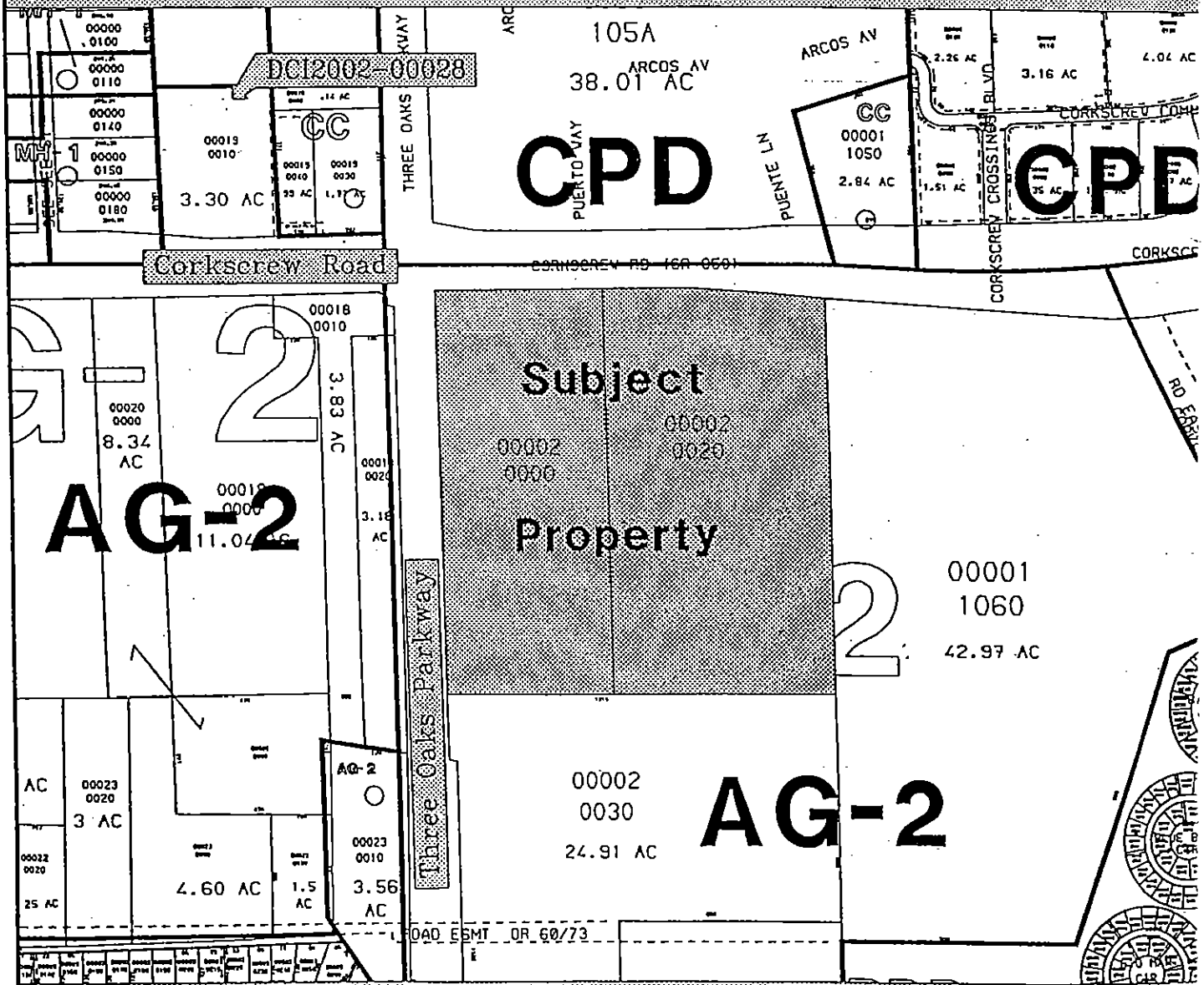
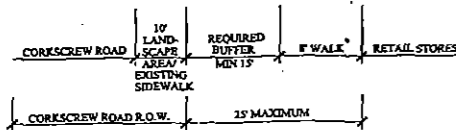
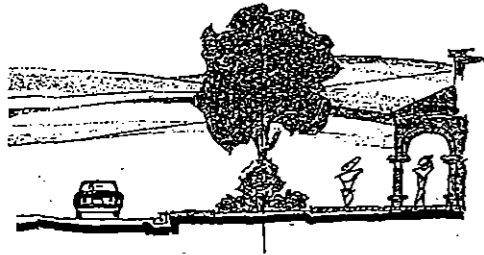


EXHIBIT B

STRAP NUMBERS

35-46-75-00-000010000
35-46-75-00-000010010



SECTION - N.T.S.

RETAIL VILLAGE AND CORKSCREW ROAD

Removal of existing 5' walk and addition of proposed 5' walk is dependent upon Lee Co. D.O.T. permitting / approval and resolving potential utility conflicts.

SITE DEVELOPMENT NOTES

- The master concept plan is general in nature and may be modified to reflect environmental conditions, easements, utilities and changes in market. The parcel boundaries can be modified to reflect the final built square footage of commercial and related parking requirements. All acreages are approximate and subject to slight adjustment.
- Internal circulation may be modified administratively at the time of local development order.
- General Service Area for the Anchor Parcel will be located within the southern portion of the parcel. General Service Area for the Village Areas will be internal to the project. Exact locations will be reviewed during the local D.O. process.

AG-2 (VACANT)

PROP. PROJECT ACCESS POINT (SEE 12/19/02)

ACCESS POINT #4 (FULL TURNING MOVEMENT)

EXIST. FIRE STA. ACCESS POINT (SEE 12/19/02)

Date of Submittal: Dec. 13th, 2002
Date of Re-Submittal: Jan. __th, 2003
Case No.: DC12002 - 00071

NOTE:
The Access Points, Turning Movements and Median Openings depicted on the Master Concept Plan are not vested.

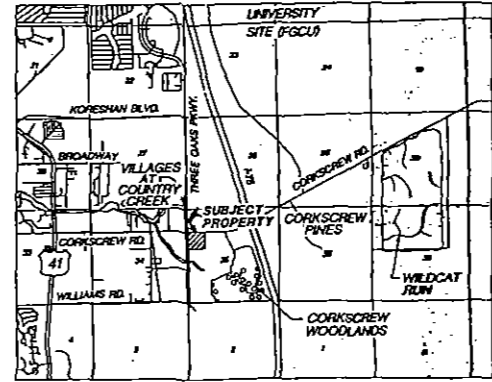
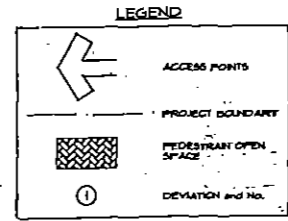
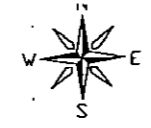
AG-2 (VACANT)

(VAC) (VAC)

CORKSCREW ROAD
(Edit. 4-Lane Arterial) (R.O.W. Width Varies - 150' avg)

ACCESS POINT #3 (R.L. R. OR. OR.) (Subject to Deviation #1)

ACCESS POINT #4 (FULL TURNING MOVEMENT)



SITE LOCATION MAP
N.T.S.

LAND USE SUMMARY / OPEN SPACE REQUIREMENTS

PARCEL	LANDUSE	PERMITTED USE	EST. ACRES	REQUIRED OPEN SPACE	PROVD. OPN SPACE	INDIGENOUS REQUIREMENT	INDIGENOUS PROVIDED
VILLAGE AREA 1	COMMERCIAL	65,000 SF	4.80	-	4.13 (83%)	-	-
VILLAGE AREA 2	COMMERCIAL	70,000 SF	4.73	-	4.04 (85%)	-	-
ANCHOR PARCEL	PEDESTRIAN OPEN SPACE AREA	N/A	4.01	-	4.70 (79%)	-	-
	INDIGENOUS / SUPL AREA	N/A	4.43	-	4.43	-	4.43
	GREEN AREA	N/A	4.13	-	4.13	-	-
	ROW / EASEMENTS	N/A	4.71	-	4.71	-	-
TOTAL		265,000	4.37	4.30% = 4.95 AC	4.93	4.30% = 4.43 AC	4.43

* SUBJECT TO LOC INDIGENOUS VEGETATION CREDIT. FINAL CALCULATION TO BE DETERMINED DURING LOCAL D.O. REVIEW

LAND USE AND DEVELOPMENT PROGRAM SUMMARY

PERMITTED USES	Intensity	Phasing
COMMERCIAL		
RECREATION	765,000 sq. ft.	2001 - 2004

RECEIVED
NOV 26 2002
ZONING

APPROVED
Master Concept Plan

Site Plan - 2003-032 Page 1 of 1
Subject to conditions in Resolution 2-03-000
Case - DC12002-00071

Vanasse Daylor
Traffic Engineering
11111 Van Ness Blvd, Suite 1400
San Francisco, CA 94140
Tel: 415.764.2200
Fax: 415.764.2201
www.vanasse.com

Countells Company
701 Brickell Ave.
Suite 1400
Miami, FL 33131-2822

Esler Town Center CPD-E2007
Master Concept Plan

Lee County Florida

NOV 25 2002
PRINTED

Sheet No. 1 of 1

EXHIBIT C

11/20/2002 11:18:18 Summary View: MOP Appraisal: 184233402_Rev_12/19/02 4:48:28 PM EST

ESTERO TOWN CENTER



CONCEPTUAL PERSPECTIVE
Estero Town Center
COURTEUS COMPANY

2002-00077

RECEIVED

MUELL
ARCHITECTS

FEB 11 2003

PROJECT OVERVIEW

COMMUNITY DEVELOPMENT

This document describes the intent of the applicant in developing the Estero Town Center project, and proposes design guidelines by which the project will be constructed. The objective is to provide the Estero community and Lee County the assurances that this project will be developed to meet the language and intent of the Estero Plan, while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Estero Town Center project is located at the corner of Corkscrew Road and Three Oaks Parkway. This intersection is in the center of Estero and has been the subject of great attention by the community. For this reason, the developer has devoted special attention to creating the following design guidelines that exceed both the current Lee County design guidelines, found in LDC Section 10-600, and the recently adopted Corkscrew Main Street Overlay guidelines, found in LDC Sections 34-1045 through 34-1047.

In developing the property located at the southeast corner of Corkscrew Road and Three Oaks Parkway it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19 of the Estero Plan) and the development constraints presented with a 33-acre site at this location. The following base postulations, as well as policies that influence this type and level of development, were utilized.

- The subject property is located at the intersection of two arterial roadways – Corkscrew Road and Three Oaks Parkway. Prime access is provided to the site by the intersecting arterial roads, as well as the close proximity of Interstate 75 and US 41, $\frac{1}{3}$ miles and $1\frac{1}{3}$ miles from the site respectively.

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- The proposed development site is within the Urban Community land use category, which was designated for areas that are suitable for fairly intense levels of commercial, residential and light industrial development. The Lee Plan projects more intense development in these areas, more characteristic of an urban area.
- The intersection of Corkscrew Road and Three Oaks Parkway is designated as a commercial node on Map 19 of the Lee County Comprehensive Plan. The Estero Community Plan limits retail uses for all areas along Three Oaks Parkway with the exception of commercial nodes where the Plan deemed appropriate.
- The project lies within the Corkscrew Main Street Overlay, which was created to provide a pedestrian "boulevard", in relative scale to Corkscrew Road by locating proposed commercial buildings close to the roadway and providing for pedestrian connections and amenities.
- The intent of these design guidelines and standards is to meet and exceed the requirements of the Corkscrew Main Street Overlay, yet allowing for the development of a large commercial project containing one or more major anchors.

DESIGN GUIDELINES AND STANDARDS

The following design guidelines are intended to establish the standard with which this development will comply. The guidelines however, are intended to be flexible to allow for a more detailed analysis by the Lee County development review staff and the Estero Development Review Committee at the time of local development order.

- The Estero Town Center is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Section 34-1045-1047, the Corkscrew Road Main Street Overlay.
- The Estero Town Center will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping, and lighting throughout the site.
- The Estero Town Center will be developed on a 33 acre site as part of the Corkscrew Main Street Overlay, a corridor of architecturally appealing and attractively landscaped buildings that cater to the needs of the community.

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This 33 acre site is divided into two main development parcels, the "Village Areas" fronting along Three Oaks Parkway and Corkscrew Road and the "Anchor Parcel" located within the central portion of the site.

A. VILLAGE AREAS

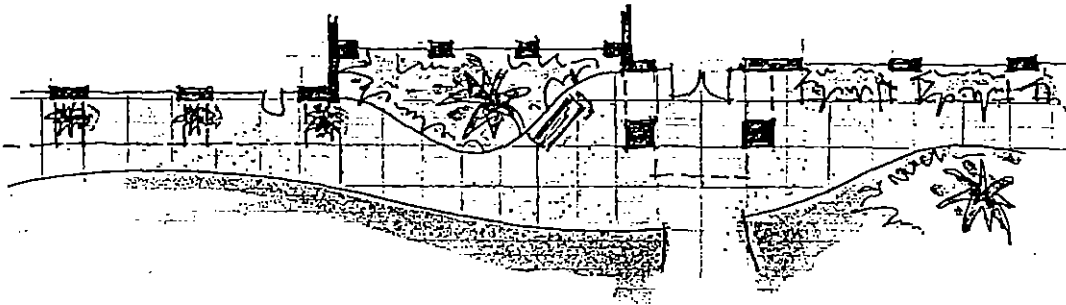
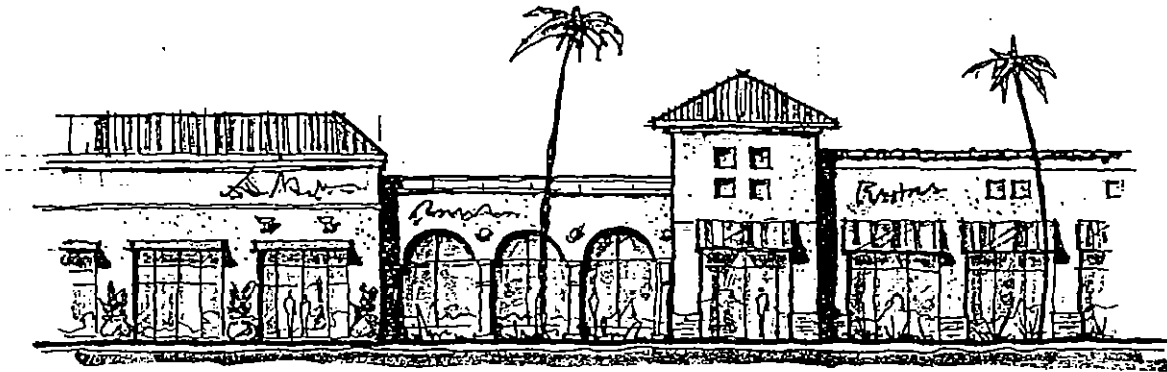
1. Architectural Standards: The Village Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways, or columns, which will form courtyard-like areas, appropriately scaled for public gathering space. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complementary elements such roof treatments, signage, landscaping and building materials and colors.
2. Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from Corkscrew Road to the free standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to Corkscrew Road.
3. Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall be shielded to minimize light intrusion crossing the property line when abutting residential uses.
4. Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complementary to the overall master landscape plan. The Estero Town Center landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasize plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas.

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B. ANCHOR PARCEL

1. The Anchor Parcel will accommodate one or several retail uses. The on-site pedestrian system will connect the Anchor Parcel to the Village Areas, and the buildings of the Anchor Parcel will be designed to compliment the buildings in the Village Areas. The parking area will be designed to minimize hardscaped areas, visually and physically.
2. Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the village parcel, and all other free standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian; reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large unadorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration below)

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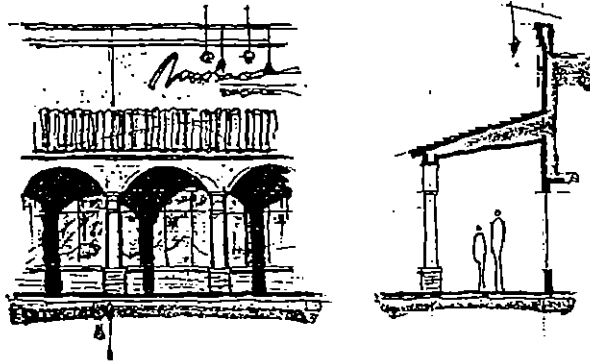


Buildings will also provide a minimum of two of the following building design treatments:

- Canopies or portico, integrated with the buildings massing and style
- Overhangs
- Arcades, minimum of eight feet clear in width
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices; which are integrated into the building structure and overall design
- Clock or bell towers

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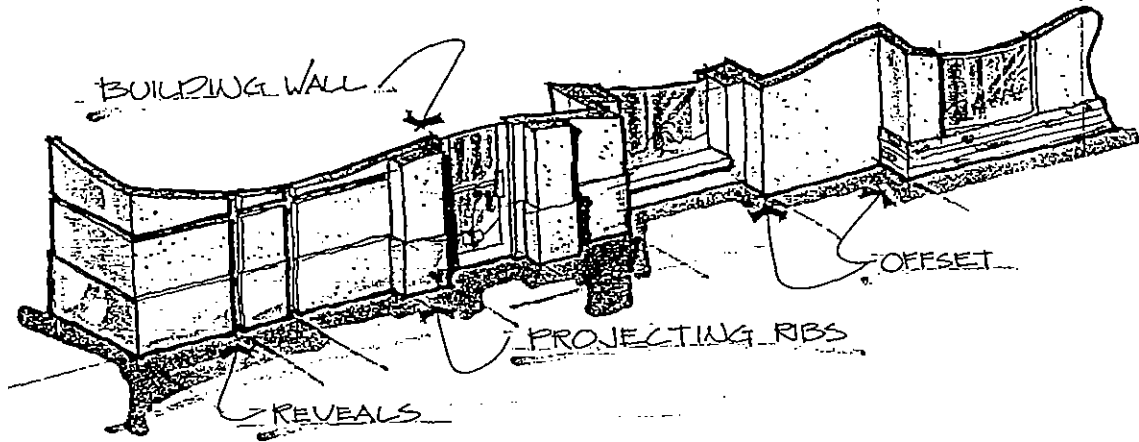
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character.



Building facades may include a repeating pattern and may include no less than two of the design elements listed below. At least one of these design elements may repeat horizontally.

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 12 inches in width, such as a reveal, an offset, or a projecting rib
- Architectural banding
- Pattern change

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Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum fascia of eight inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of three reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which may include, an outdoor patio area adjacent to the customer entrance, which incorporates benches or other seating components and decorative landscape planters.

Exterior building colors and materials contribute significantly to the visual impact of a building.

Predominant exterior building materials will include, but are not limited to:

- Stucco
- EFIS
- Brick
- Tinted, textured, other than smooth or ribbed, concrete masonry units or

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- Stone, excluding an ashlar or rubble construction look

Customer parking for the Anchor Parcel will be in accordance with Section 34-1046 Design Standards, Item 7. In addition to Item 7b. customer parking will be located in front of the Anchor Parcel building.

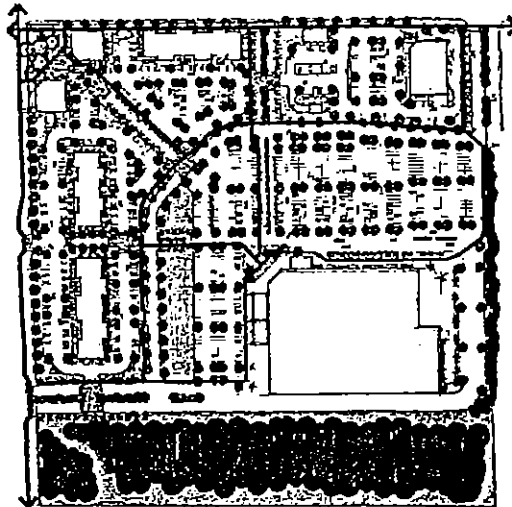
C. COMMON / PUBLIC AREAS

1. Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.
2. Project architectural features will be developed within common areas of the project and will be coordinated in design, color and style. Architectural features shall be permitted throughout the site.
3. In accordance with the Master Concept Plan, the Live Oak trees at the corner of Corkscrew and Three Oaks Parkway will be preserved and incorporated into a pedestrian/open space area. This area may include pedestrian amenities and architectural features.
4. The Estero Town Center will provide a variety of publicly accessible amenities, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.
5. A pedestrian way network shall be established throughout the project. (See illustration below) The pedestrian system will serve to link Anchor and village areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of pavers, signage, or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.
 - a. The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc.. This pedestrian way shall include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum

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unobstructed pedestrian way of 10' average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances.

- b. The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan. This pedestrian way system will be designed to promote safe and convenient linkage from the parking areas to both the perimeter village area and the anchor parcel. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatments or other traffic calming techniques. This pedestrian way system shall be a minimum of 5' in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway way will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms will be planted within adjacent parking landscape islands. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12' high with a 4' spread for canopy trees and equivalent specification for shade palms at the time of planting.
- c. The perimeter pedestrian way system is designed to link free-standing uses with the parking and village area pedestrian way as shown on the Conceptual Site Plan. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatments or other traffic claming techniques.



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LANDSCAPING

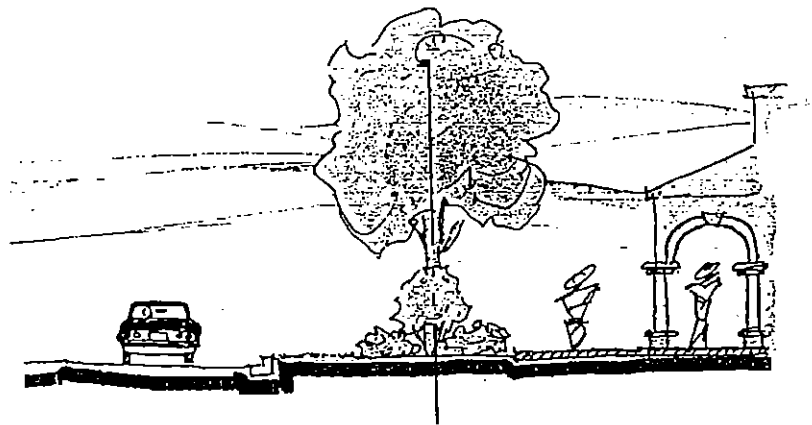
A. GENERAL

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement and satisfy LDC native plant requirements. Any non-native landscape material used shall be allowed under the LDC and will be used to provide additional color and texture for areas to be enhanced such as main vehicular and pedestrian entries, circulation routes, building perimeter plantings and pedestrian amenity open spaces.

B. PERIMETER

1. Buildings along Corkscrew Road will be designed in accordance with LDC Section 34-1047; the setback requirements for the Corkscrew Road Main Street Overlay (Typical Section A). Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

Typical Section A



CORKSCREW ROAD 10' LAND-SCAPE AREA/ EXISTING SIDEWALK REQUIRED BUFFER MIN 15' 8' WALK RETAIL STORES

CORKSCREW ROAD R.O.W. 25' MAXIMUM

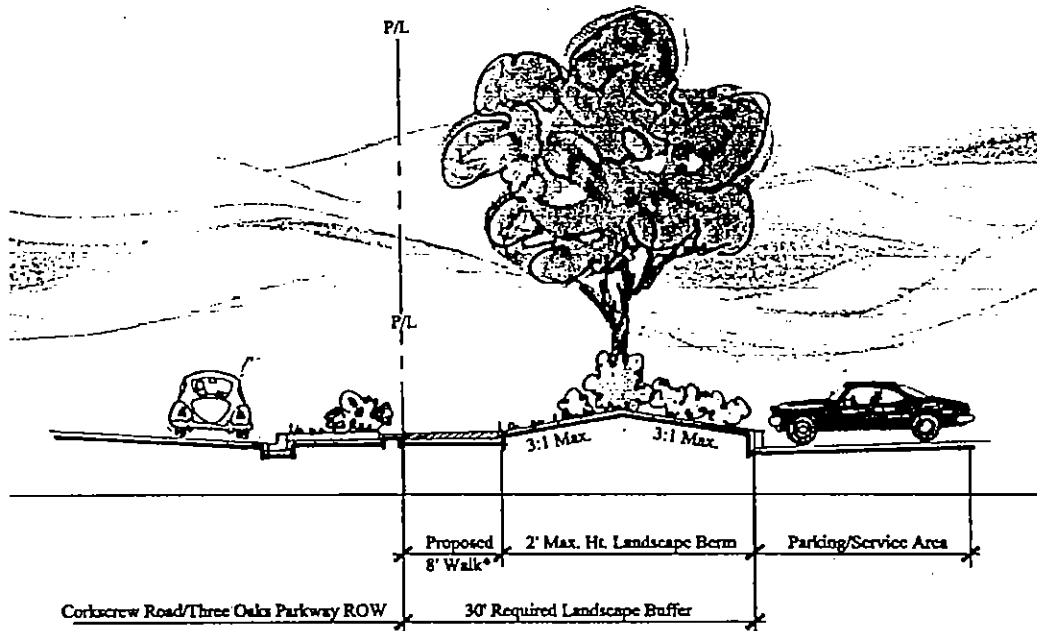
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2. Where parking or service areas along Corkscrew Road are located within 75' of the right of way line, the developer must maintain a minimum 30' setback for parking or service areas from the Corkscrew Road right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles (Typical Section B). Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made (subject to LDOT review and utility conflicts) to create a landscape area between the edge of pavement of Corkscrew road and the sidewalk.

Typical Section B

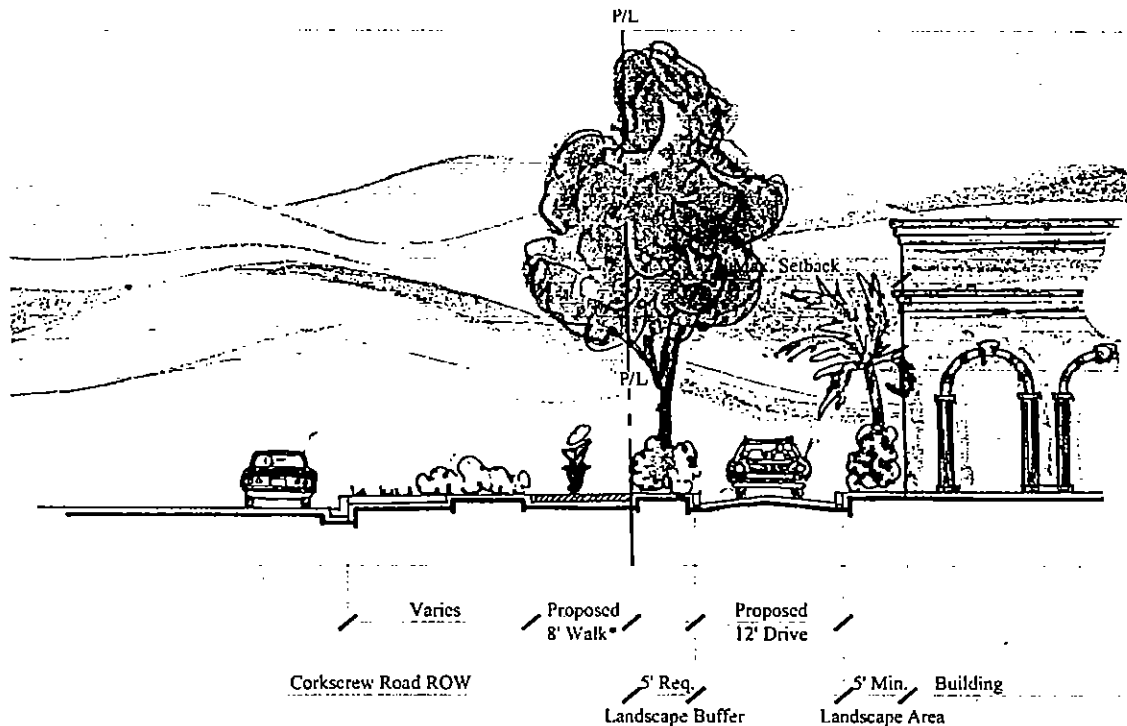


* Removal of Existing 8' Walk and Addition of Proposed 8' Walk is dependant upon Lee DOT permitting and approval and resolving potential utility conflicts.

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3. Where an access road for a drive-thru is located along Corkscrew Road within 75' of the right of way line, the developer must maintain a maximum 25' building setback from the Corkscrew road right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles (Typical Section C). Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of pavement of Corkscrew road and the sidewalk (subject to LDOT review, utility conflicts, and spacing issues.)

Typical Section C



* Removal of Existing 8' Walk and Addition of Proposed 8' Walk is dependant upon Lee DOT permitting and approval and resolving potential utility conflicts.

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4. Where buildings along Three Oaks Parkway are designed such that parking areas are in front of the building, an enhanced, 30' buffer, consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with a $\pm 2'$ undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.
5. The height of required trees within buffers shall be 12' over all in height. Canopy trees shall have a 6' canopy spread at the time of planting.
6. Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Estero Town Center boundary concurrent with site development within each village area or anchor parcel respectively.
7. Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting, and utilities will be permitted within perimeter landscape buffers.
8. Perimeter landscape berms located within the Estero Town Center boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.

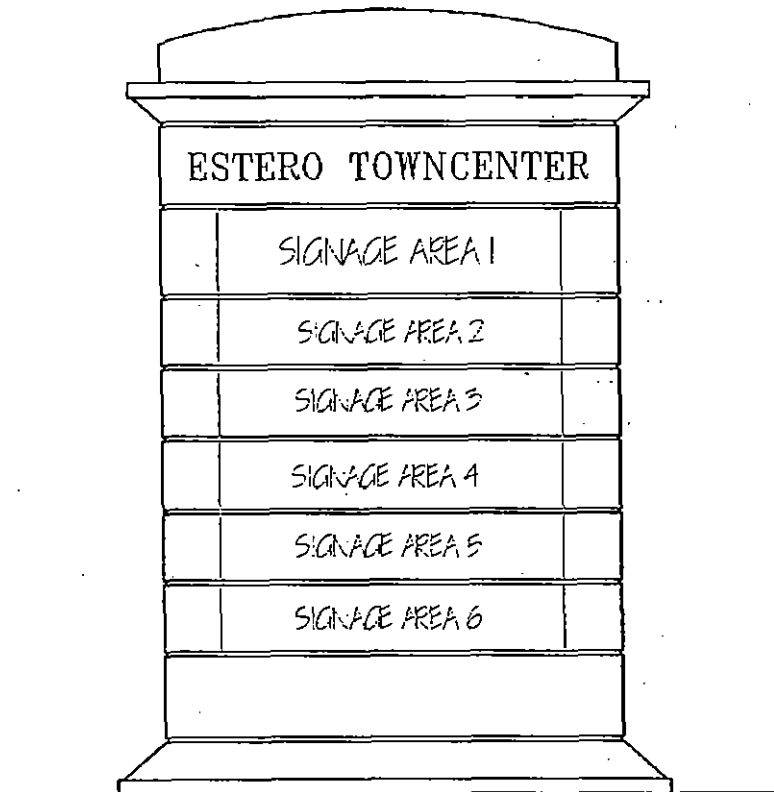
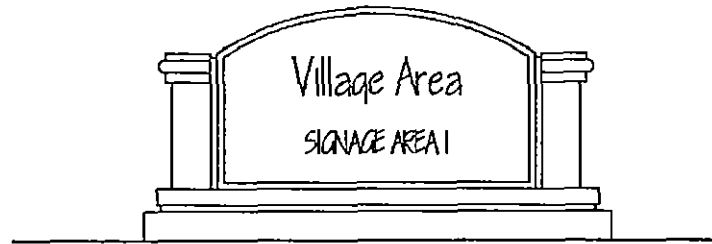
C. INTERNAL

Per LDC Sections 34-1042 thru 34-1047, internal landscaping will be provided to minimize hardscaped areas, both visually and physically, accentuate entryways, define pedestrian areas, and enhance the pedestrian walkway system. In all landscaped areas, existing native trees will be preserved, where possible.

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SIGNAGE

- A. All signs shall be of consistent architectural style and shall feature like building materials and sign structures. Sign structures will be uniform in size, color and building material.
- B. All signs will comply with the land development code sign guidelines at the time of the issuance of the sign permit. (see typical sign sketches)



RECOMMENDED PLANTS - Native Trees (Med. & Large)

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
<i>Acacia chorophylla</i>	Cinnecord	<i>Juniperus silicicola</i>	Southern Red Cedar
<i>Acacia farnesiana</i>	Sweet Acacia	<i>Juniperus virginiana</i>	Red Cedar
<i>Acer rubrum</i>	Red Maple	<i>Laguncularia racemosa</i>	White Mangrove
<i>Acer saccharum</i> subs. <i>Floridanum</i>	Florida Maple	<i>Liriodendron tulipifera</i>	Tulip Poplar
<i>Annona glabra</i>	Pond Apple	<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Betula nigra</i>	River Birch	<i>Magnolia virginiana</i>	Sweet Magnolia
<i>Bourreria succulenta</i>	Strongbark	<i>Morus rubra</i>	Red Mulberry
<i>Bursera simaruba</i>	Gumbo Limbo	<i>Myrcanthes fragrans</i>	Simpson Stopper
<i>Celtis laevigata</i>	Sugarberry	<i>Nyssa sylvatica</i>	Black Gum
<i>Cercis canadensis</i>	Red Bud	<i>Persea palustris</i>	Florida Red Bay
<i>Chionanthus virginicus</i>	White Fringetree	<i>Pinus elliottii</i>	Slash Pine
<i>Chrysobalanus icaco</i>	Cocoplum	<i>Pinus elliottii</i> 'densa'	South Florida Slash Pine
<i>Chrysophyllum oliviforme</i>	Satin Leaf	<i>Pinus palustris</i>	Longleaf Pine
<i>Citharexylum spinosum</i>	Fiddlewood	<i>Pinus taeda</i>	Loblolly Pine
<i>Clusia rosea</i>	Pitch Apple	<i>Piscidia piscipula</i>	Jamaica Dogwood
<i>Cocoloba diversifolia</i>	Pigeon Plum	<i>Plantanus occidentalis</i>	Sycamore
<i>Cocoloba uvifera</i>	Seagrape	<i>Prunus angustifolia</i>	Chickasaw Plum
<i>Conocarpus erectus</i>	Buttonwood	<i>Prunus caroliniana</i>	Cherry Laurel
<i>Cordia sebestena</i>	Geiger Tree	<i>Prunus myrtifolia</i>	West Indian Cherry
<i>Cornus florida</i>	Dogwood	<i>Quercus alba</i>	White Oak
<i>Diospyros virginiana</i>	Persimmon	<i>Quercus falcata</i>	Southern Red Oak
<i>Eugenia axillaris</i>	White Stopper	<i>Quercus laurifolia</i>	Laurel Oak
<i>Eugenia confusa</i>	Redberry Stopper	<i>Quercus mlchauxii</i>	Swamp Chestnut Oak
<i>Eugenia foetida</i>	Spanish Stopper	<i>Quercus nigra</i>	Water Oak
<i>Eugenia rhombea</i>	Red Stopper	<i>Quercus shumardii</i>	Shumard Oak
<i>Gordonia lasianthus</i>	Loblolly Bay	<i>Quercus virginiana</i>	Live Oak
<i>Gualacum sanctum</i>	Lignum Vitae	<i>Rhizophora mangle</i>	Red Mangrove
<i>Gymnanthes lucida</i>	Crabwood	<i>Salix caroliniana</i>	Coastal Plain Willow
<i>Hibiscus tiliaceus</i>	Mahoe	<i>Sapindus saponaria</i>	Wingleaf Soapberry
<i>Ilex cassine</i>	Dahoon Holly	<i>Schaefferia frutescens</i>	Florida Boxwood
<i>Ilex opaca</i>	American Holly	<i>Sideroxylon foetidissimum</i>	Mastic
<i>Ilex vomitoria</i>	Yaupon Holly	<i>Sideroxylon salicifolium</i>	Willow Busic
<i>Ilex x attenuata</i>	East Palatka Holly	<i>Swietenia mahagoni</i>	Mahogany
<i>Jacquinia keyensis</i>	Joewood	<i>Taxodium distichum</i>	Bald Cypress
		<i>Ulmus alata</i>	Winged Elm
		<i>Ulmus americana</i> var. <i>floridana</i>	Florida Elm
		<i>Viburnum obovatum</i>	Walter's Viburnum

RECOMMENDED PLANTS - Native Palms

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
<i>Acoelorrhaphe wrightii</i>	Paurotis Palm		
<i>Coccothrinax argentata</i>	Silver Palm		
<i>Pseudophoenix sargentii</i>	Buncaneer Palm		
<i>Rhapidophyllum hystrix</i>	Needle Palm		
<i>Roystonea elata</i>	Royal Palm		
<i>Sabal minor</i>	Dwarf Palmetto		
<i>Sabal Palmetto</i>	Cabbage Palm		
<i>Serenoa repens</i>	Saw Palmetto		
<i>Thrinax radiata</i>	Florida Thatch Palm		
<i>Thrinax morrisii</i>	Key Thatch Palm		

RECOMMENDED PLANTS - Native Shrubs

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
<i>Ardisia escallonioides</i>	Marlberry		
<i>Baccharis halimifolia</i>	Saltbush		
<i>Callicarpa americana</i>	Beautyberry		
<i>Capparis cynophallophora</i>	Jamaican Caper		
<i>Cassia ligustrina</i>	Privet Cassia		
<i>Cephalanthus occidentalis</i>	Buttonbush		
<i>Clethera alnifolia</i> 'Ruby Spice'	Sweet Pepperbush		
<i>Cordia globosa</i>	Bloodberry		
<i>Cyrilla racemiflora</i>	Titi		
<i>Dodonaea viscosa</i>	Varnishleaf		
<i>Erithalis fruticosa</i>	Black Torch		
<i>Ernodia littoralis</i>	Beach Creeper		
<i>Erythrina herbacea</i>	Coral Bean		
<i>Foresteria segregata</i>	Florida Privet		
<i>Genipa clusiifolia</i>	Seven-Year-Apple		
<i>Hamelia patens</i>	Firebush		
<i>Hypericum</i> spp.	St. John's Wort		
<i>Illicium floridanum</i>	Florida Anise		
<i>Itea virginica</i>	Virginia Sweetspire		
<i>Iva frutescens</i>	Marsh Elder		
<i>Lantana involucrata</i>	Native White Lantana		
<i>Licania michauxii</i>	Gopher Apple		
<i>Lyonia lucida</i>	Fetterbush		
<i>Myrica cerifera</i>	Wax Myrtle		
<i>Opuntia</i> spp.	Prickly Pear		
<i>Psychotria nervosa</i>	Wild Coffee		
<i>Randia aculeata</i>	White Indigo Berry		
<i>Rapanea punctata</i>	Myrsine		
<i>Rivina humilis</i>	Rouge Plant		
<i>Sambucus simpsonii</i>	Elderberry		
<i>Scaevola plumieri</i>	Scaevola		
<i>Sophora tomentosa</i>	Necklace Pod		
<i>Stachytarpheta jamaicensis</i>	Blue Porterweed		
<i>Styrax americanus</i>	Snowbell		
<i>Suriana maritima</i>	Bay Cedar		
<i>Yucca aloifolia</i>	Spanish Bayonet		
<i>Zamia pumila</i>	Coontie		

RECOMMENDED PLANTS - Native Grasses

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Andropogon brachystachys	Shortspike Bluestem		
Eragrostis elliotii	Elliot Love Grass		
Eragrostis spectabilis	Purple Love Grass		
Muhlenbergia capillaris	Muhly Grass		
Sorghastrum secundum	Lopsided Indiagrass		
Spartina bakeri	Sand Cordgrass		
Tripsacum dactyloides	Fakahatchee Grass		
Tripsacum floridanum	Florida Gamma Grass		
Uniola paniculata	Sea Oats		

RECOMMENDED PLANTS - Native Ferns

(The Plants Listed Range from Zones 9, 10 and 11)

Botanical Name	Common Name	Botanical Name	Common Name
Acrostichum danaeifolium	Leather Fern		
Blechnum serrulatum	Swamp Fern		
Ctenitis sloanei	Florida Tree Fern		
Nepherolepis spp.	Swordfern/Boston Fern		
Osmunda regalis	Royal Fern		
Pteridium aquilinum	Bracken		

RECOMMENDED PLANTS - Native Aquatics

(The Plants Listed Range from Zones 9, 10 and 11)

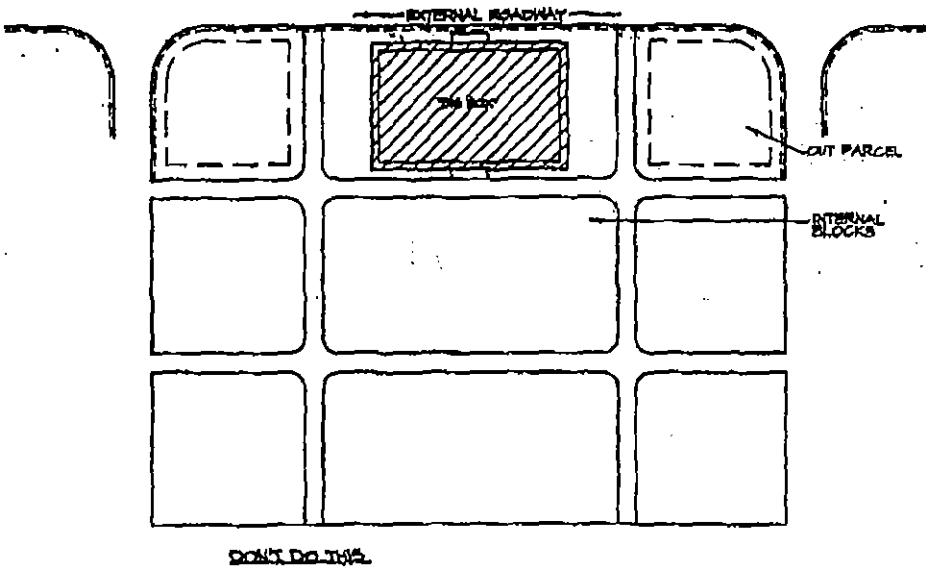
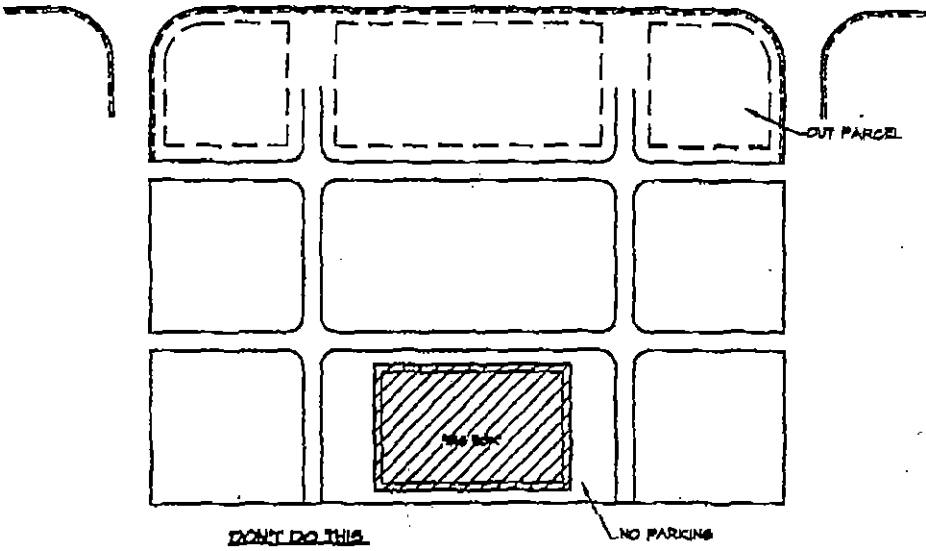
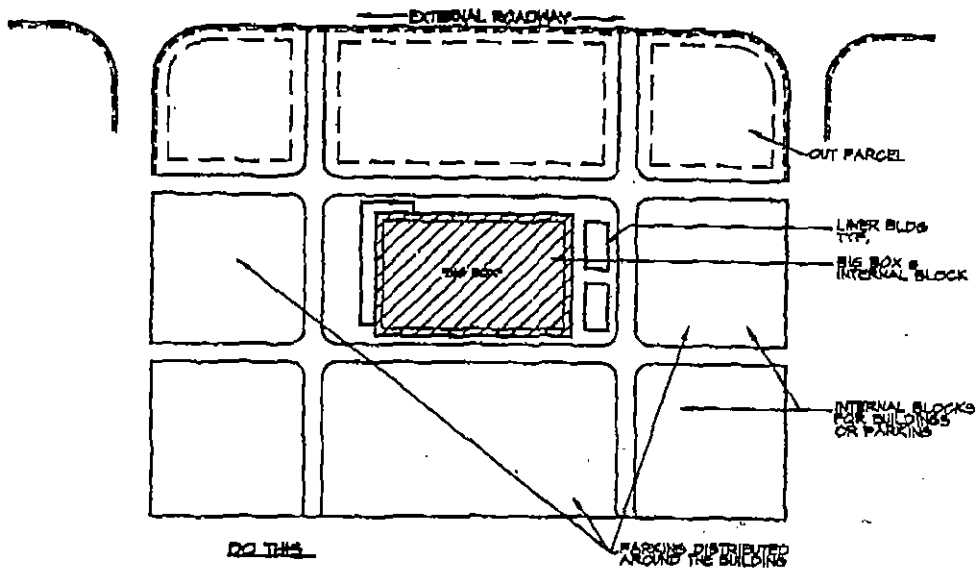
Botanical Name	Common Name	Botanical Name	Common Name
<i>Canna flaccida</i>	Yellow Canna		
<i>Equisetum</i> spp.	Horsetail		
<i>Juncus effusus</i>	Soft Rush		
<i>Nuphar luteum</i>	Spatterdock		
<i>Nymphaea odorata</i>	White Water Lily		
<i>Pontederia lanceolata</i>	Pickerelweed		
<i>Sagittaria</i> spp.	Arrowhead		
<i>Scirpus</i> spp.	Giant Bulrush		
<i>Thalia geniculata</i>	Alligator Flag		

PROPERTY DEVELOPMENT REGULATIONS

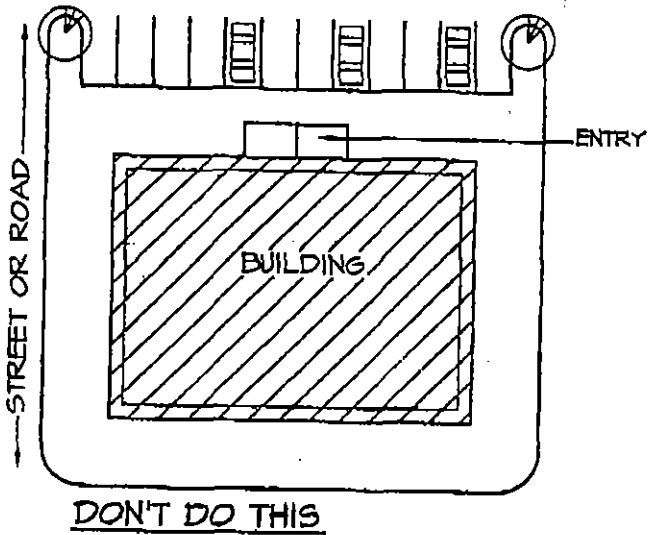
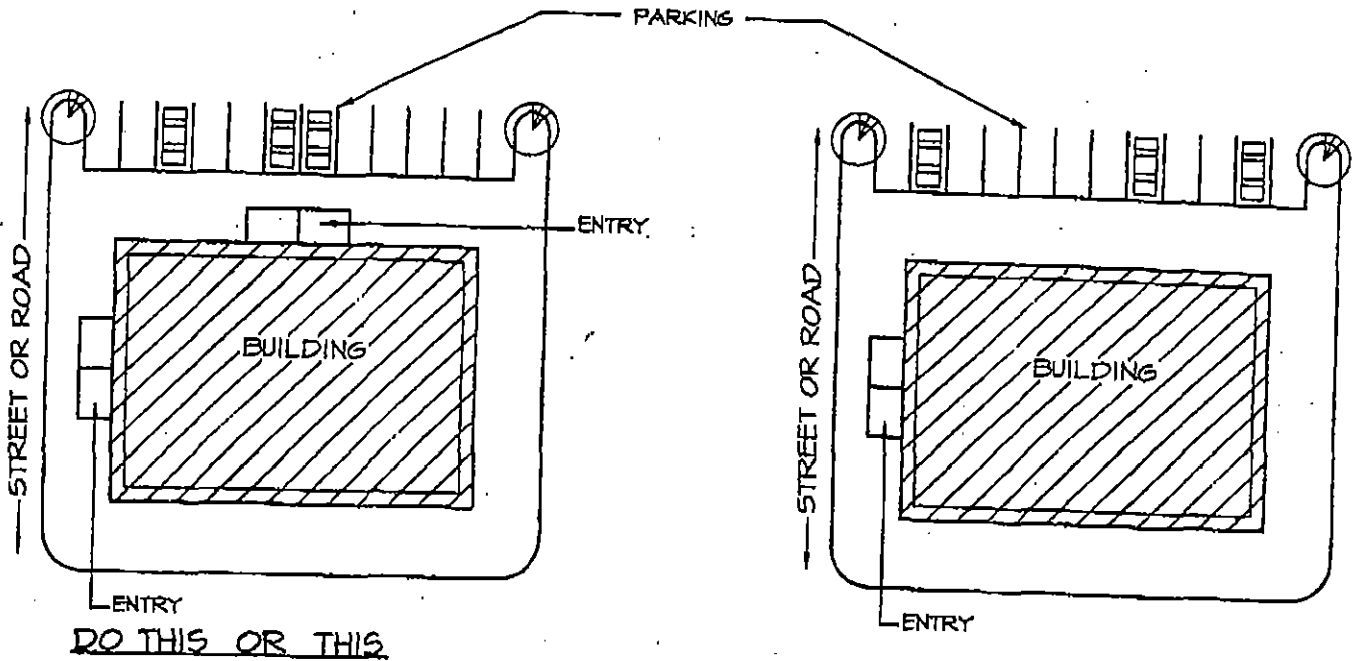
Land Use	Min. Lot Area (SF)	Min. Lot Width	Min. Lot Depth	Setbacks (FT)				Max. Ht. (FT)	Floors	Bldg. Separation (FT)
				Road	Side	Corner	Rear			
NEIGHBORHOOD COMMERCIAL										
Retail	30,000	100	100	Note 1	5	15	20	35	2	Note 2
Office	10,000	100	100	20	5	15	20	45	3	Note 2

Note 1: The setback of buildings from the Corkscrew Road right of way and the first 200' of Three Oaks Parkway ROW south of Corkscrew Road will be in accordance with LDC Sections 34-1047 Table 1 and 34-1046(a)(8); and the Corkscrew Road cross Section on the Master Concept Plan; For the remaining Three Oaks Parkway ROW, setback to be min 25'/max 100'.

Note 2: Building separation and side setbacks will be in accordance with LDC Section 34-1047 Table 1, in order to create "Village" style commercial development.

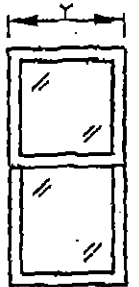


BIG BOX PLACEMENT-DIAGRAM "B"
 NTS

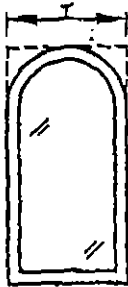


ENTRY PLACEMENT-DIAGRAM "C"

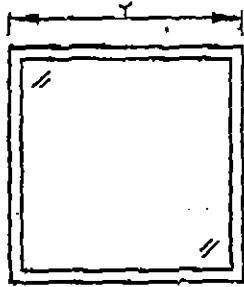
RTA



RECTANGULAR



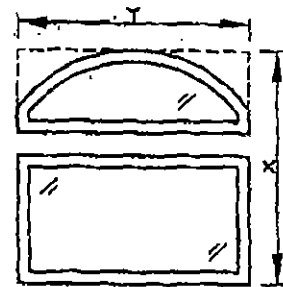
ARCH TOP



SQUARE



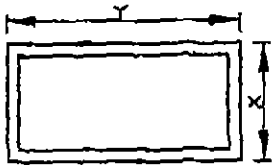
SEGMENTED ARCH



COMBO

DO THIS

$(Y \leq X)$



DON'T DO THIS

$(X < Y)$

WINDOW PROPORTIONS-DIAGRAM "D"



DO THIS

$(X < Y \ \& \ X < 2")$

OR

$Y < X \ \& \ Y < 2"$



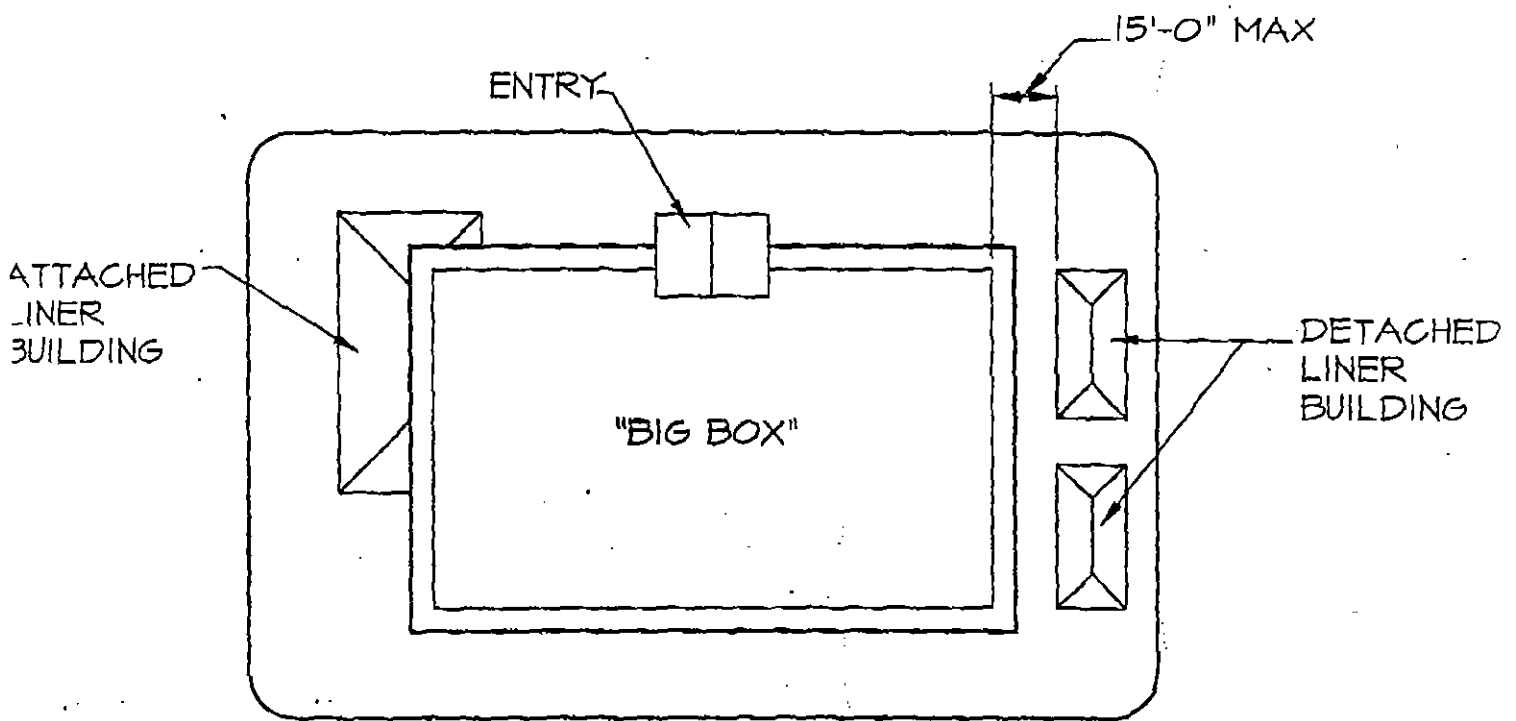
DONT DO THIS

$(X < Y \ \& \ X > 2")$

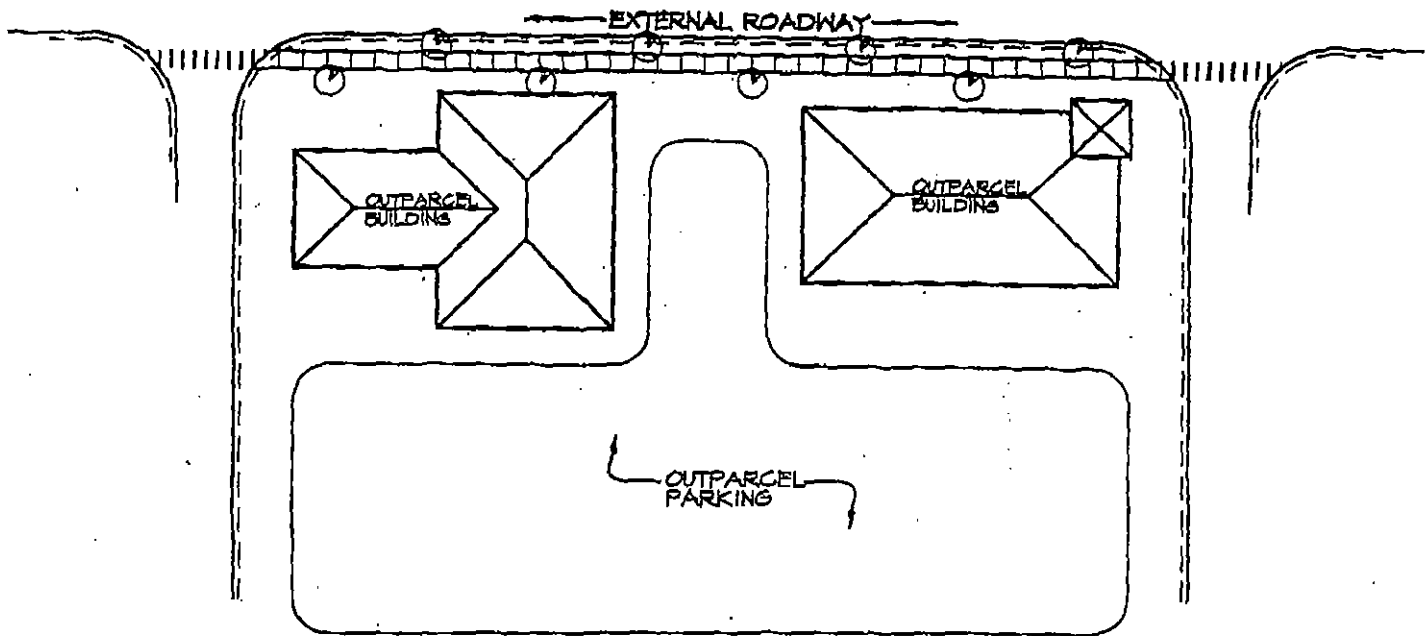
OR

$Y < X \ \& \ Y > 2"$

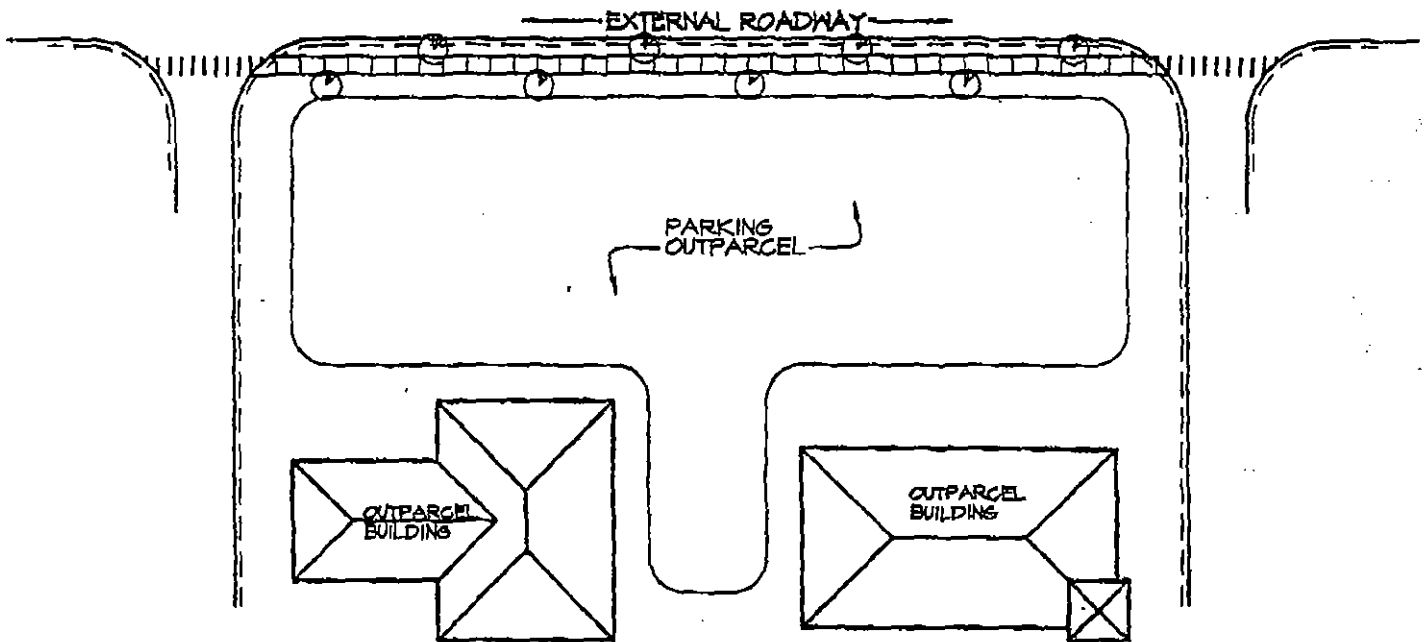
PRIMARY & SECONDARY ACCENT COLORS-DIAGRAM "E"



LINEAR BUILDING-DIAGRAM "F"
KTS.



DO THIS



DONT DO THIS

OUT PARCEL PLACEMENT-DIAGRAM "A"
RTA

Please return to:
Courthouse Box 94

This instrument prepared by:
Thomas B. Hart, Esquire
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Third Floor
Fort Myers, Florida 33901
(239) 334-2722

AFFIDAVIT

STATE OF FLORIDA)
)
COUNTY OF LEE)

Before me, the undersigned authority, personally appeared Dwight S. Baird Jr.
who first being sworn on oath, deposes and says:

1. The Affiant is the Owner, or authorized principle of the Owner, of the real property located at 10250 Corkscrew Road, Estero, Florida 33928 in Section 35, Township 46 South, Range 25 East, Lee County containing 32.96 acres, more or less (the "Subject Property").
2. The Subject Property is the subject of the Application by Courtelis Company for CPD zoning in Case No. DCI 2002-00071, pending in Lee County.
3. The Subject Property is currently zoned AG-2 and is currently in use as cattle grazing land.
4. FURTHER, AFFIANT SAYETH NOT.

[Signature]
/s/

Sworn to and subscribed before me this 24th day of MAY, 2003, by Dwight S. Baird Jr., who is personally known to me.

FL D.L. # B630-177-48-413-0

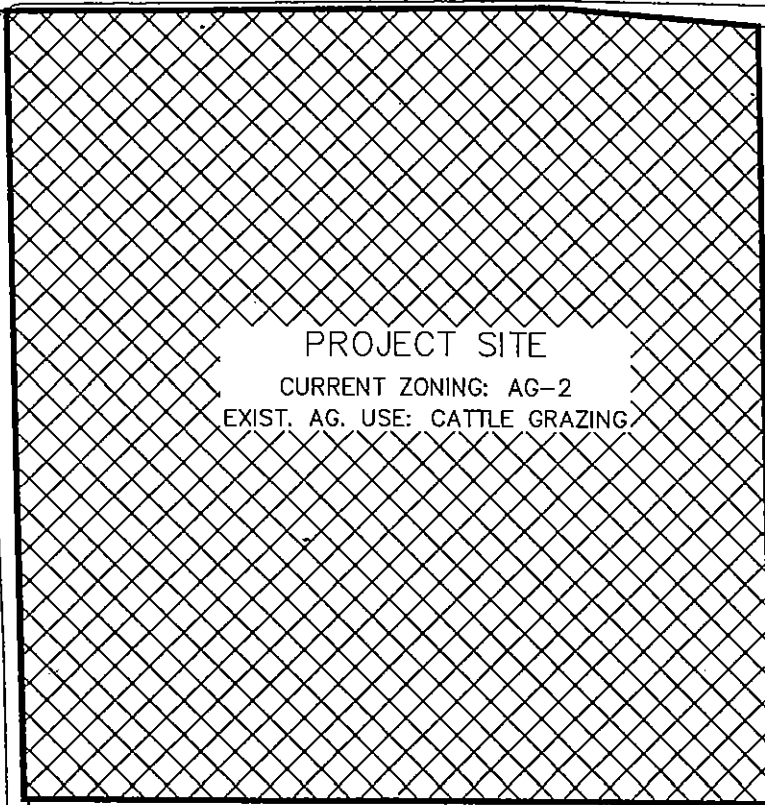
[Signature]
Notary Public, State of Florida
Jean C. Hill
Printed Name

My Commission expires:



CORKSCREW ROAD

THREE OAKS PARKWAY



SCALE: 1" = 300'