VILLAGE OF ESTERO
ZONING STAFF REPORT

CASE TYPE: PLANNED DEVELOPMENT/AMENDMENT
CASE NAME: PLAZA DEL SOL
CASE NUMBER: ADD2016-E002
PLANNING & ZONING BOARD DATE: MARCH 22, 2016

REQUEST AND STAFF RECOMMENDATION

The applicant is requesting to amend the Commercial Planned Development Zoning Resolution Number Z-09-037, Section 2.B, Property Development Regulations, to remove an internal setback provision which states that the side setback dimension for buildings must be a "maximum" of 5 feet. As further outlined in this report, staff recommends that the Planning and Zoning Board adopt a recommendation of approval of this amendment by the Village Council.

APPLICATION SUMMARY

Applicant: Estero Medical Center LLC in reference to Plaza del Sol Commercial Planned Development (CPD), Lee County Zoning Resolution #Z-09-037.

Request: Amend CPD Zoning Resolution #Z-09-037, section 2.B, Property Development Regulations, Setbacks, Buildings, Side; to eliminate the provision "…., maximum of 5 feet".

Location: The subject property is located at the intersection of Three Oaks Parkway and Corkscrew Road, Village of Estero, FL. The applicant indicates the STRAP numbers are: 35-46-25-E1-3100A.0000, 3100B.0000, 3100C.0000, 3100D.0000, 3100E.0000, 3100F.0000, and 3100G.0000. The legal description of the property is Plaza Del Sol as described in Plat Book 80, Pages 74-76 of the Official Records of Lee County.

PUBLIC INFORMATION MEETING

The public information meeting for this application was held at the Design Review Board on Thursday November 12, 2015.

PROJECT HISTORY

The Plaza del Sol property was originally rezoned to Commercial Planned Development under Resolution #Z-03-039 and was subsequently amended under Lee County Resolution Number Z-09-037 which superseded the prior action.

Subsequent Actions

There have been no further zoning actions on this property.

STAFF ANALYSIS

The subject property is located in the Plaza del Sol commercial subdivision on the northeast corner of Three Oaks Parkway and Corkscrew Road. This 5 foot maximum setback requirement in Zoning Resolution #Z-09-037 applies to the entire Plaza del Sol subdivision (8 platted development parcels). Several buildings have been constructed already in this subdivision (including the Estero Medical Center, which is the applicant in this matter [on Parcel G], Culver's Restaurant [on Parcel F], and Blue Coast Properties car wash [on Parcel H]). None of these projects, all of which received development order approvals from Lee County, comply with this requirement (all exceed 5 feet for side setback). The strict application of this regulation would result in a commercial subdivision with buildings on adjacent parcels a maximum of 10 feet apart; that is not in compliance with fire code standards which require a minimum of 20 feet separation between such buildings. The subject setback regulation was first identified by Village staff when presented with a development permit matter. There are no external impacts since this relates to the side setbacks internal to the commercial subdivision and elimination of the provision would clearly allow buildings to be set back further from any side property line resulting in reduced impacts. Staff believes that this should be approved since it is apparently a scrivener's error and application of this regulation serves no public benefit. All other provisions of Resolution Z-09-037 will remain in full force and effect.

Findings and Conclusions

Findings of fact must be made to support a recommendation. Based upon an analysis of the application and its impacts, staff recommends the following findings and conclusions:

a) The requested CPD zoning amendment complies with the Land Development Code and Comprehensive Plan.

b) The requested CPD zoning amendment is consistent with the general Urban Community uses set forth in the Comprehensive Plan.

c) The requested CPD zoning amendment is a minor correction to an internal side setback provision which has no external impacts.

ATTACHMENTS:

Zoning Resolution Z-09-037
Plat of Plaza del Sol

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Zoning Resolution Z-09-037
Plat of Plaza del Sol

Community Development," **and** Sheet 2 entitled "ALF/CCF Alternate Master Concept Plan, Plaza Del Sol Parcel G, Lee County, Florida," dated 10/15/2008, last revised 02-01-10, date-stamped "Received Feb 04 2010 Community Development," both attached hereto as Exhibit "C", except as modified by the conditions below.

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

C. The entire development is limited to a maximum of 230,000 square feet of gross floor area, including all gross floor area for the use of Health Care Facilities, Groups I, II and III. Of this total, up to a maximum of 50,000 square feet can consist of office space.

Maximum gross building square footage per parcel:

Parcel A	16,000 square feet
Parcel B	16,000 square feet
Parcel C	21,200 square feet
Parcel D	18,000 square feet
Parcel E	18,000 square feet
Parcel F	18,000 square feet
Parcel G (Anchor Parcel)	114,000 square feet
Parcel H	8,700 square feet

D. Parcel G is limited to a maximum of 6 dwelling units per gross acre for a maximum of 67.62 dwelling units on a total of 7.08 acres (undeveloped portion of Parcel G) plus 3.98 acres for Parcel G's proportionate common area (29%), plus 0.21 acres (½ shared access drive of existing/future development parcels) for a total of 11.27 acres of land.

E. Parcel G is limited to a Maximum of 268 units in assisted living facility/continuing care facility (ALF/CCF) uses, 4:1 equivalents per LDC §34-1494(b)(2) or 134 independent living units (ILU), 2:1 equivalents per LDC §34-1414(c) or any combination of ALF/CCF and/or ILU so long as the density does not exceed six (6) units per acre on 11.27 acres of land.

F. ALF, CCF, ILU uses and related accessory uses are limited to Parcel G only.

G. This Approval codifies the terms and conditions contained in Lee County Zoning Resolution No. Z-03-039 and Lee County Administrative Amendments ADD2004-00068, ADD2005-00016, ADD2005-00197 and ADD2006-00079. Those prior approvals are superceded and are deemed null and void upon the adoption of the Resolution approving this request.

H. All conditions and commitments made in the "Plaza Del Sol Design Guidelines" must be adhered to as part of this planned development. (See attached Exhibit "D".)

2. The following limits apply to the project and uses

A. Schedule of Uses

Accessory Uses and Structures - including uses subordinate to an assisted living facility, continuing care facility and independent living units.
Animal Clinic
Auto Parts Store (No outdoor display or storage)
Assisted Living Facility - Limited to Parcel G and subject to Condition 1
Automatic Teller Machine (ATM)
Automotive Repair and Service - Group I only and excluding: automotive interior shops; automotive paint shops; automotive top installation or repair (canvas or plastic); cellular phone installation; glass replacement and repair; radio sales and installation; transmission repair; undercoating cars; and upholstery repair. These uses are allowed on Parcel H only, and must meet the requirements of LDC §33-431.
Banks and Financial Establishments - Groups I and II (Parcels C or D only)
Boat Parts Store (No outdoor display or storage)
Broadcast Studio, commercial radio and television
Business Services - Group I only
Car Wash - Restricted to Parcel H only and subject to Condition 10
Cleaning and Maintenance Services
Clothing Store, General
Clubs, excluding Country Club
Continuing Care Facilities - Limited to Parcel G and subject to Condition 1
Contractors and Builders - Group I only
Convenience Food and Beverage Store - Restricted to Parcel H only and limited to one structure in compliance with LDC §33-431
Consumption on Premises - Limited to Restaurants, Groups III and IV
Cultural Facilities
Day Care Center - Adult or Child
Department Store
Drive-thru facility - only in conjunction with a bank, drug store, pharmacy or fast food restaurant
Drug Store - Free Standing - Limited to one on entire site
Essential Services
Essential Service Facilities - Group I only
Excavation, Water Retention - Not to include the removal of excavated material from site, and no blasting
Fences and Walls
Food Store - Group I only and limited to anchor Parcel G
Hardware Store - No outdoor display or storage
Health Care Facilities - Groups I, II and III
Hobby, Toy, and Game Shop

Household/Office Furnishings - Groups I and II
Independent Living Units - Limited to Parcel G and subject to Condition 1
Insurance Companies
Laundry or Dry Cleaning - Group I only
Lawn and Garden Supply Store - Limited to less than 1 acre of outdoor display area
Non-Store Retailers
Office, Medical
Package Store - Only in conjunction with a supermarket, food store or drug store
Paint, Glass, and Wallpaper Store
Parking Garage - Limited to Anchor Parcel G and only in conjunction with a retail use on the same parcel
Parking Lot, Accessory
Personal Services - Groups I and II
Pet Shop and Pet Services - No outdoor kennels or runs
Pharmacy
Printing and Publishing - Limited to 5,000 square feet
Recreation Facilities, Commercial - Group I only
Rental or Leasing Establishments - Groups II and III (No outdoor display or storage)
Repair Shop - Groups I, II and III (No outdoor display or storage)
Restaurant - Fast Food - Limited to 1 on the entire CPD site and further restricted to one of these parcels: A, E, F, or G
Restaurant, Standard - Groups I, II, III and IV
Residential accessory uses and structures
School, Commercial
Self Service Fuel Pumps - Limited to a maximum of 12 fuel pumps and only in conjunction with a convenience food and beverage store
Signs - In compliance with LDC Chapter 30 and the Estero regulations at the time of development orders (See also Deviations below)
Social Services - Groups I and II
Specialty Retail Shop - Groups I, II and III
Studio
Temporary Uses - Construction and Sales Office
Variety Store

B. Site Development Regulations

Minimum Lot Dimensions:

Minimum Lot Area:	20,000 square feet
Minimum Lot Depth:	100 feet
Minimum Lot Width:	75 feet

Setbacks

Buildings	
Private Interior Street	Minimum of 20 feet
Side:	Minimum of 0 feet, maximum of 5 feet
Streets	
(Corkscrew Road):	Maximum of 45 feet
(Three Oaks Parkway):	Maximum of 50 feet
Rear Setback:	Minimum of 20 feet
Water Body:	Minimum of 25 feet

Maximum Lot Coverage: 40%

Maximum Building Height: 35 feet or two (2) stories

3. Traffic: Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

4. Lee Plan Allocation: 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.

5. Design Guidelines: Prior to local development order approval, the landscape plans must be consistent with the document entitled "Plaza Del Sol Design Guidelines," attached as Exhibit "D," and the LDC.

6. No Blasting: Development blasting is not an approved activity as part of this approved planned development. Development blasting must be approved through an amendment of this planned development that goes through the public hearing process.

7. Public Water and Sewer Hook-up Required: The subject property must connect to public potable water and public sanitary sewer service. At time of local development order, the developer must demonstrate there is adequate water and sewer capacity to handle the proposed level of development.

8. Accessory Uses: Within the Commercial Planned Development, accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

9. Solid Waste/Recycling: As part of any local development order approval, the development order plans must include facilities in compliance with LDC §10-261 and Lee County Solid Waste Ordinance #08-10 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of these facilities will be reviewed at the time of local development order application.

10. Car Wash: The applicant must attach a response letter to any local development order submittal explaining how the Estero Design Review Committee suggestions/comments included in their December 21, 2004 letter (attached as Exhibit "E") may or may not be addressed.

11. Buffering and Landscaping: Prior to local development order approval for the undeveloped 7.08 acre portion of Parcel G and any associated portions of the existing 4.11 acre development, landscape plans must depict landscape islands and pedestrian walkways between the two uses to incorporate trees, shrubs and groundcover as required by Plaza Del Sol Design Guidelines B. 1. And C. 5. (See attached Exhibit "D")

12. Open Space: Prior to local development order approval for the undeveloped 7.08 acre portion of Parcel G, development order plans must depict a minimum of 10% open space is provided within the 7.08 acre project boundary.

13. Arcos Avenue Buffer: Prior to local development order approval for Parcel G, landscape plans must depict a minimum 15-foot-wide Type D right-of-way buffer along Arcos Avenue with a minimum of 7.5 feet of plantable area outside the 10-foot-wide public utility easement, in substantial compliance with the MCP.

SECTION C. DEVIATIONS:

Previously Approved Deviations

Deviations from Lee County Zoning Resolution #Z-03-039 remaining in full force and effect except as indicated below:

Water Retention Setback - Deviation (1) sought relief from the LDC §10-329(d)(1)(a)(3) requirement to provide a water retention setback of 50 feet from private property under separate ownership, to allow a setback of 25 feet.

Intersection Separation - Deviation (2) sought relief from the LDC §10-285(a) requirement to provide a separation distance of 660 feet on an arterial road, to allow a separation distance of 556 feet.

Deviations (3), (4), (5), (6), and (7) - WITHDRAWN.

Conservation Easement - Deviation (8) sought relief from the LDC §34-1044(b) (now §33-351) requirement and was approved to provide the conservation easement in the northeast portion of the CPD to substitute for the Type "A" buffer.

Reduced Buffer Width - Deviation (9) sought relief from the LDC §34-1044(b) (now §33-351) requirement to provide a 200-foot wide buffer along the internal rights-of-way, to reduce the width of the buffer to 15 feet. This deviation was Approved Subject To the requirement that the buffer contain the same vegetation as required in a Type "D" buffer was installed.

Deviation (10) - WITHDRAWN.

New Deviation 11

Buffer between Commercial Properties - Deviation (11) seeks relief from the LDC §33-351 requirement to provide a Type "A" buffer between commercial properties, to allow no buffer between the existing and future development on Parcel G. This deviation is APPROVED, SUBJECT TO Condition 11 hereinabove.

Deviations from Administrative Amendments remaining in full force and effect:

Administrative Amendment ADD2004-00068

Ground Mounted Signs on Parcels E and H - Deviation (1) sought relief from the LDC §30-153(3)(a)6 requirement and was approved - as conditioned below - to allow Parcels E and H to have two ground-mounted signs, instead of one sign per business; **and**

Monument Signs on Parcels E and H - Deviation (2) sought relief from the LDC §30-406(a)(1)c requirement and was approved to allow one monument style sign to be located at the southwest corner of Parcel E, and one monument style sign to be located at the southwest corner of Parcel H (each sign face was to be a maximum of 200 square feet in area), and one monument style sign, with a total sign face of 72 square feet, on each of Parcels E, and F.

These two Deviations were approved SUBJECT TO the following conditions:

1. The monument style signs to be located in the southwest corners of Parcels E and H, as depicted on the MCP, attached, are to be project identification signs, as defined by the LDC.

2. The single monument style signs, permitted a maximum total sign face of 72 square feet, above and beyond the permitted project identification signs on Parcels E and H, as depicted on the MCP, are restricted to locations on the internal road (to be named Arcos Avenue) for the project, and are prohibited from being visible from either Corkscrew Road or Three Oaks Parkway.

3. Parcels A, B, D and F, as depicted on the MCP, are permitted monument-style signs with a maximum total sign face of 72 square feet, which are restricted to locations on the internal road (to be named Arcos Avenue) for the project, and are prohibited from being visible from either Corkscrew Road, or Three Oaks Parkway.

Administrative Amendment ADD2005-00197

Parking Setback from Corkscrew Road **and** Three Oaks Parkway - Deviations sought relief from the LDC §34-1047 requirement to provide a 35-foot parking setback from Corkscrew Road **and** to allow parking setbacks at 42.9, 43.0 and 43.2 feet from Three Oaks Parkway. These Deviations were APPROVED SUBJECT TO the following conditions.

1. The 3 trees, immediately south of Building 101,must be preserved as shown on the attached "PARKING AREA SETBACKS EXHIBIT", dated 6/01/2005 and date-stamped by the permit counter on October 13, 2005. (Attached as Exhibit "G")

2. The suggestions and comments of the Estero Design Review Committee, dated September 29, 2005, are attached hereto as Exhibit "F" for reference purposes.

3. Two parking spaces to be eliminated as shown on the sketch contained in attached Exhibit "G".

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plans
Exhibit D: Plaza Del Sol Design Guidelines
Exhibit E: Estero Design Review Committee (suggestions/comments included in their December 21, 2004 letter)
Exhibit F: Estero Design Review Committee (suggestions/comments included in their September 29, 2005 letter)
Exhibit G: Parking Area Setbacks Exhibit

The applicant has indicated that the STRAP number for the subject property is: 35-46-25-31-0000G.0000

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;

c. is compatible with existing or planned uses in the surrounding area;

d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

a. the proposed use or mix of uses is appropriate at the subject location;

b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

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

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 1st day of February, 2010.

ATTEST:
CHARLIE GREEN, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
SEAL
LEE COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
~~Tammara Hall, Chair~~ Commissioner

Approved as to form by:

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

RECEIVED
MINUTES OFFICE
MW
2010 FEB 12 PM 12:03

Legal Description

Lot G, Plaza Del Sol, a subdivision, located in Section 35, Township 46 South, Range 31 East, according to the plat thereof on file and recorded in Plat Book 30, Pages 74 thru 76, of the Public Records of Lee County, Florida.

Parcel Number

35-45-25-31-0000G.0000

DCI2008-00048

Approved
By 12-24-08

Banks Engineering
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◊ NAPLES ◊ PORT CHARLOTTE ◊ SARASOTA

Legal Description
Overall CPD

PLAZA DEL SOL, a subdivision according to the plat thereof recorded at Plat Book 80, Page 74-76, in the Public Records of Lee County, Florida.

RECEIVED
AUG 17 2009
COMMUNITY DEVELOPMENT
DCI 2008-00048

10511 Six Mile Cypress Parkway, Fort Myers, Florida 33966 • (239) 939-5490 • Fax (239) 939-2523

PLAZA DEL SOL

A SUBDIVISION
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ & KAREH, INC.
CONSULTING ENGINEERS AND SURVEYORS
13041 McGREGOR BLVD. (239) 481-1331
FORT MYERS, FLORIDA 33919

NOTICE:
THIS PLAT, AS RECORDED IN GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

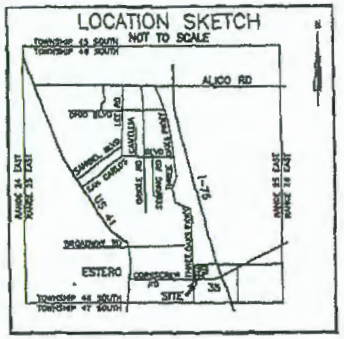
DESCRIPTION:
A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 35; THENCE N89°42'56"E ALONG THE NORTH LINE OF SAID SECTION 35 FOR 120.66 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (120+/- FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE N89°42'56"E ALONG THE NORTH LINE OF SAID SECTION 35 FOR 1461.38 FEET TO THE WESTERLY LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 1454 AT PAGE 1828, PUBLIC RECORDS; THENCE S01°18'30"E ALONG THE WESTERLY LINE OF SAID PARCEL FOR 759.78 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 2995 AT PAGE 410, PUBLIC RECORDS; THENCE S71°47'58"W ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 360.00 FEET; THENCE S13°35'47"E ALONG THE WESTERLY LINE OF SAID PARCEL FOR 350.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 137.80 FEET; THENCE S83°42'19"W ALONG SAID RIGHT-OF-WAY LINE FOR 100.50 FEET; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 500.00 FEET; THENCE N87°43'18"W ALONG SAID RIGHT-OF-WAY LINE FOR 100.12 FEET; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 200.00 FEET; THENCE N76°32'52"W ALONG SAID RIGHT-OF-WAY LINE FOR 103.08 FEET; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 54.58 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (120+/- FEET WIDE); THENCE N01°18'00"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 1197.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.01 ACRES, MORE OR LESS.

BEING THE SAME PARCEL AS DESCRIBED IN OFFICIAL RECORD BOOK 2583 AT PAGE 3088.

LOCATION SKETCH
NOT TO SCALE



NOTICE
LANDS DESCRIBED IN THIS PLAT ARE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED THAT HE MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE AND SEWER FACILITIES.

DEDICATION:
KNOW ALL MEN BY THESE PRESENTS THAT SOL PROPERTY DEVELOPMENT, INC., A CORPORATION UNDER THE LAWS OF THE STATE OF TEXAS, THE OWNER OF THE HEREIN DESCRIBED LANDS, HAS CAUSED THIS PLAT OF PLAZA DEL SOL, A SUBDIVISION LYING IN SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA TO BE MADE AND HEREBY:

1. DEDICATES TRACT "L" FOR LAKE, DRAINAGE, AND RETENTION PURPOSES TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC.

2. DEDICATES TRACT "O" TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC., FOR LANDSCAPE, AND COMMON AREA PURPOSES SUBJECT TO A DRAINAGE EASEMENT OVER THE ENTIRE TRACT.

3. DEDICATES TRACT "R" FOR ROAD RIGHT-OF-WAY AND DRAINAGE PURPOSES TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC., SUBJECT TO A PUBLIC UTILITY EASEMENT AS DESCRIBED HEREIN AND DEPICTED ON THIS PLAT.

4. DEDICATES ALL DRAINAGE EASEMENTS FOR DRAINAGE AND STORM WATER MANAGEMENT PURPOSES AND LAKE MAINTENANCE EASEMENTS AND SIDEWALK EASEMENTS TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC.

5. DEDICATES PUBLIC UTILITY EASEMENTS TO ALL PUBLIC AND PRIVATE UTILITIES IN PERPETUITY FOR OVERHEAD AND/OR UNDERGROUND PUBLIC UTILITIES AS DEPICTED ON THIS PLAT. THE PUBLIC UTILITY EASEMENTS ARE ALSO EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, ELECTRIC, TELEPHONE, AND GAS OR OTHER PUBLIC UTILITY PURPOSES.

6. DEDICATES EASEMENTS LABELED L.C.U.E. AS SHOWN ON THIS PLAT TO LEE COUNTY UTILITIES FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF WATER AND SEWER FACILITIES.

SOL PROPERTY DEVELOPMENT, INC.,
A TEXAS CORPORATION

MARVIN A. GRAHAM-PRESIDENT

CORPORATE SEAL

WITNESS:
PRINT NAME: JAMES M. CORTELLO

WITNESS:
PRINT NAME:

ACKNOWLEDGMENT:
STATE OF FLORIDA)
COUNTY OF LEE)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME, THIS 21st DAY OF DECEMBER, 2004, BY MARVIN A. GRAHAM, PRESIDENT OF SOL PROPERTY DEVELOPMENT, INC. ON BEHALF OF THE CORPORATION HE IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC
PRINT NAME: Beverly L. Stevens
MY COMMISSION EXPIRES:
(SEAL)

NOTES:
1. DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
2. ALL CURVES ARE CIRCULAR.
3. BEARINGS ARE STATE PLANE COORDINATE (FLORIDA WEST ZONE - N.A.D. 1983) WITH THE NORTH LINE OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST BEARING N.89°42'56"E.

APPROVAL:
THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS 26 DAY OF JANUARY, 2005.

CHAIRMAN OF THE BOARD
NAME: DOUGLAS R. ST. CERNY

CLERK OF THE COURT
NAME: CHARLIE GREEN

COUNTY ATTORNEY
NAME: DAWN E. PERRY-LEHNERT

DIRECTOR, DIVISION OF DEVELOPMENT SERVICES
NAME: PETER J. COMPRIGNOR

DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT
NAME: MARY GIBBS

REVIEW BY THE DESIGNATED COUNTY REVIEWER DETERMINED THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF F.S. CH. 177, PART I.
NAME: MICHAEL L. HANNON, PSM

CLERK'S CERTIFICATION: 6625081

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF PLAZA DEL SOL A SUBDIVISION LYING IN SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WAS FILED FOR RECORD AT 2:33 P.M. THIS 31 DAY OF JANUARY, 2005 AND DULY RECORDED IN PLAT BOOK 80 AT PAGES 74 THROUGH 76 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

NAME: CHARLIE GREEN

SURVEYOR'S CERTIFICATION:
I HEREBY CERTIFY THAT THE ATTACHED PLAT OF PLAZA DEL SOL, A SUBDIVISION LYING IN SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, AND COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

BEAN, WHITAKER, LUTZ & KAREH, INC. LB 4219
13041-1 McGREGOR BOULEVARD, FORT MYERS
FLORIDA 33919-5810 (239) 481-1331 DATE: 05-16-04

SEAL

EXHIBIT "A"
(Page 3 of 5)

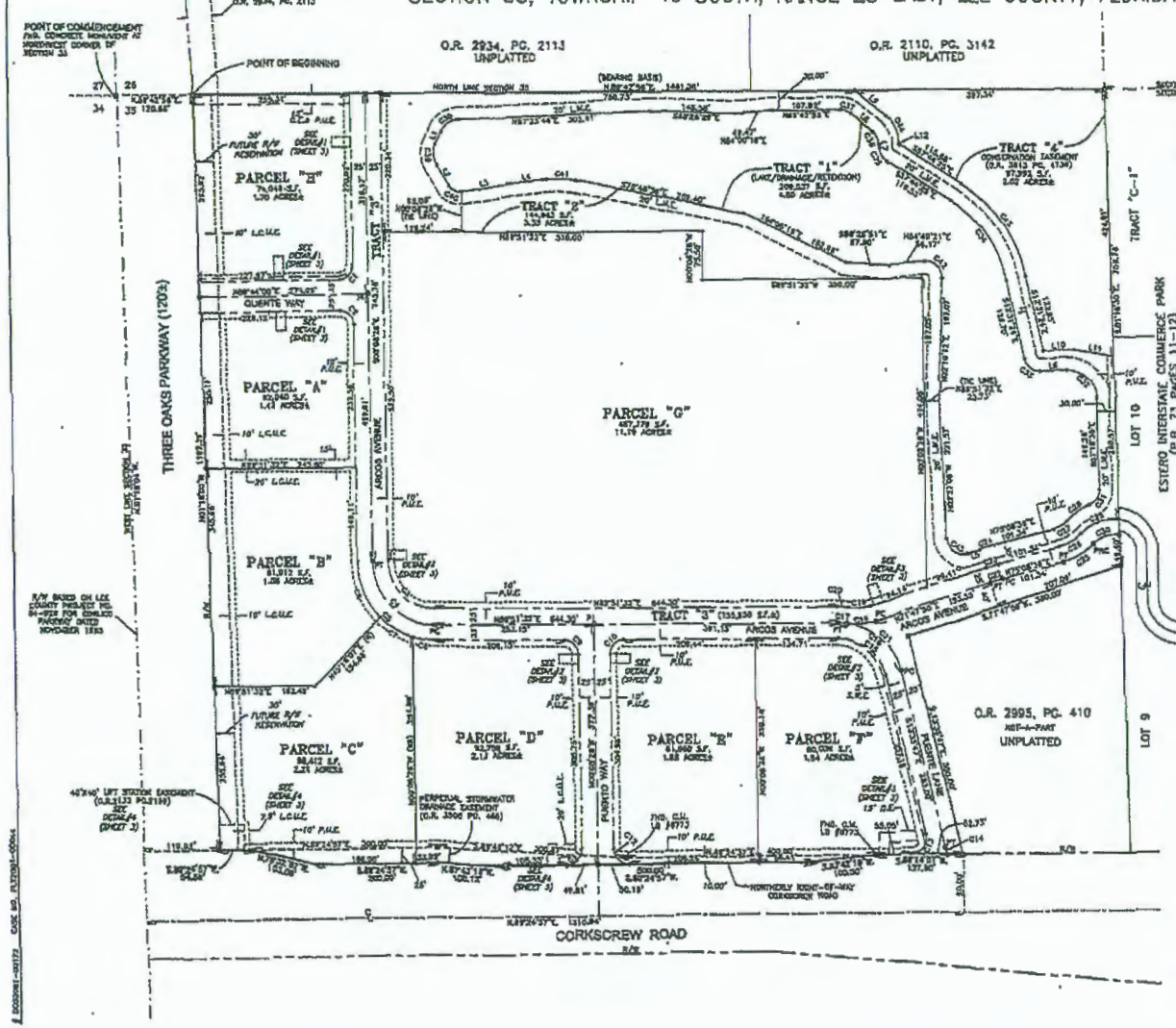
PLAZA DEL SOL

A SUBDIVISION
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

PLAT BOOK 80 PAGE 75
SHEET 2 OF 3

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ & KARSH, INC.
CONSULTING ENGINEERS AND SURVEYORS
13041 McGREGOR BLVD. (239) 481-1331
FORT MYERS, FLORIDA 33919

NOTE: SEE SHEET 3 OF 3 FOR EASEMENT DETAILS



LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°31'30"E	30.00'
L2	N89°28'30"E	30.00'
L3	N00°31'30"W	74.53'
L4	S00°31'30"E	83.72'
L5	N71°17'30"E	22.63'
L6	N64°41'30"E	43.13'
L7	N00°00'28"W	5.02'
L8	S00°00'31"E	43.13'
L9	S00°00'01"E	83.48'
L10	N88°41'30"E	81.83'
L11	S89°19'00"W	81.83'
L12	S00°00'01"E	1.75'

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	25.00'	86°33'22"	34.13'	21.27'	30.91'	S44°17'45"W
C2	25.00'	71°07'41"	31.04'	17.64'	29.11'	S45°41'14"E
C3	75.00'	90°00'00"	117.81'	75.00'	106.07'	N45°31'31"W
C4	100.00'	90°00'00"	157.08'	100.00'	141.42'	N45°28'29"E
C5	125.00'	90°00'00"	196.35'	125.00'	176.78'	N45°28'29"E
C6	125.00'	14°53'21"	32.47'	16.32'	32.38'	N52°24'10"W
C7	125.00'	52°34'39"	114.69'	61.81'	110.73'	N02°26'35"E
C8	125.00'	16°42'33"	36.45'	18.38'	36.33'	N61°49'11"W
C9	25.00'	80°00'00"	34.91'	20.00'	32.15'	S45°58'28"E
C10	25.00'	80°00'00"	34.91'	20.00'	32.15'	N44°31'32"E
C11	50.00'	69°33'33"	60.69'	34.41'	57.07'	S44°58'14"E
C12	25.00'	90°00'00"	39.27'	25.00'	35.36'	N45°31'28"W
C13	25.00'	10°29'44"	4.58'	2.30'	4.57'	S37°46'36"W
C14	100.00'	06°32'43"	11.42'	5.72'	11.36'	S16°31'43"W
C15	75.00'	74°23'41"	97.36'	56.11'	90.61'	S33°31'06"E
C16	100.00'	74°23'41"	129.85'	75.16'	120.88'	S33°31'06"E
C17	100.00'	06°01'30"	10.52'	5.26'	10.51'	S68°01'13"E
C18	100.00'	26°00'24"	45.54'	23.13'	45.14'	S81°30'00"E
C19	75.00'	35°08'22"	46.13'	23.86'	45.43'	S84°58'20"W
C20	125.00'	08°01'30"	17.51'	8.77'	17.51'	S68°01'13"E
C21	100.00'	68°30'31"	119.58'	68.11'	112.66'	S47°31'13"E
C22	300.00'	02°28'30"	12.97'	6.49'	12.97'	N73°38'17"E
C23	300.00'	02°28'30"	12.97'	6.49'	12.97'	N73°38'17"E
C24	125.00'	03°31'55"	7.70'	3.85'	7.69'	N72°23'17"E
C25	100.00'	32°18'09"	56.37'	28.94'	55.63'	S58°09'22"E
C26	75.00'	37°18'09"	48.83'	25.32'	47.97'	S58°09'22"E
C27	45.00'	37°11'26"	29.20'	15.14'	28.69'	S58°09'22"E
C28	100.00'	126°00'46"	44.07'	32.03'	44.78'	N33°00'51"E
C29	75.00'	51°26'44"	67.36'	36.13'	65.16'	N66°31'02"E
C30	50.00'	54°13'34"	47.32'	25.66'	45.58'	S59°31'15"E
C31	25.00'	68°24'44"	29.85'	17.08'	28.11'	S32°43'21"E
C32	55.00'	90°00'00"	70.69'	45.00'	63.64'	S44°16'00"E
C33	25.00'	78°40'07"	34.32'	20.53'	31.72'	S31°51'34"W
C34	250.00'	45°13'31"	197.32'	103.94'	192.17'	S38°27'23"E
C35	25.00'	153°33'38"	26.13'	19.74'	24.01'	N28°26'57"W
C36	25.00'	49°53'25"	21.77'	11.83'	21.09'	S28°00'16"E
C37	25.00'	82°10'03"	35.84'	21.10'	32.85'	S70°09'33"E
C38	25.00'	81°28'13"	37.55'	22.81'	34.47'	N08°28'28"E
C39	25.00'	56°18'33"	24.57'	13.37'	23.60'	N02°13'24"W
C40	25.00'	63°01'13"	27.50'	15.37'	26.11'	S84°58'14"W
C41	150.00'	12°00'28"	31.43'	15.76'	31.37'	S47°39'31"E
C42	25.00'	57°20'01"	25.02'	13.63'	24.00'	S44°30'14"E
C43	25.00'	105°45'33"	46.14'	33.02'	39.93'	N53°19'34"W
C44	25.00'	49°53'25"	21.77'	11.83'	21.09'	S28°00'16"E
C45	310.00'	42°13'33"	228.36'	119.81'	223.17'	S55°07'55"E

LEGEND:
PG. = PAGE
(R) = RADIAL
FND. = FOUND
ORIG. = ORIGINAL
COR. = CORNER
P.B. = PLAT BOOK
(NR) = NON-RADIAL
RP = RADIUS POINT
SF = SQUARE FEET
O.R. = OFFICIAL RECORDS BOOK
R/W = RIGHT OF WAY
(C1) = CURVE NUMBER
PT = POINT OF TANGENCY
PC = POINT OF CURVATURE
PRC = POINT OF REVERSE CURVATURE
PI = POINT OF INTERSECTION
PSM = PROFESSIONAL SURVEYOR AND MAPPER
D.E. = DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
L.M.E. = LAKE MAINTENANCE EASEMENT
U.E. = UTILITY EASEMENT
S.W.E. = SIDEWALK EASEMENT
L.C.U.E. = LEE COUNTY UTILITIES EASEMENT
B = SET PERMANENT REFERENCE 4"x4" CONCRETE MONUMENT (PRM) PSM 4324/LB 4918 (UNLESS OTHERWISE NOTED)
P = PERMANENT CONTROL POINT (PCP)
● = SET 5/8" IRON ROD & CAP LABELED

TRACT IDENTIFICATION:
TRACT 1 - LAKE/DRAINAGE/RETENTION
TRACT 2 - LANDSCAPE/COMMON AREA/DRAINAGE EASEMENT
TRACT 3 - ROADWAY, DRAINAGE EASEMENT & P.U.E.
TRACT 4 - CONSERVATION EASEMENT

EXHIBIT "A"
(Page 4 of 5)

PLAZA DEL SOL

A SUBDIVISION
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

PLAT BOOK 70 PAGE 76
SHEET 3 OF 3

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ & KAREH, INC.
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13041 McGREGOR BLVD. (239) 481-1331
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● = SET PERMANENT REFERENCE MONUMENT (PRM) PSM 4331/LB 4819 (UNLESS OTHERWISE NOTED)
◎ = PERMANENT CONTROL POINT (PCP) NAIL & DISC PSM 4331/LB4819
● = SET 5/8" IRON ROD & CAP LABELED EWLK 4819 "PRM COR"

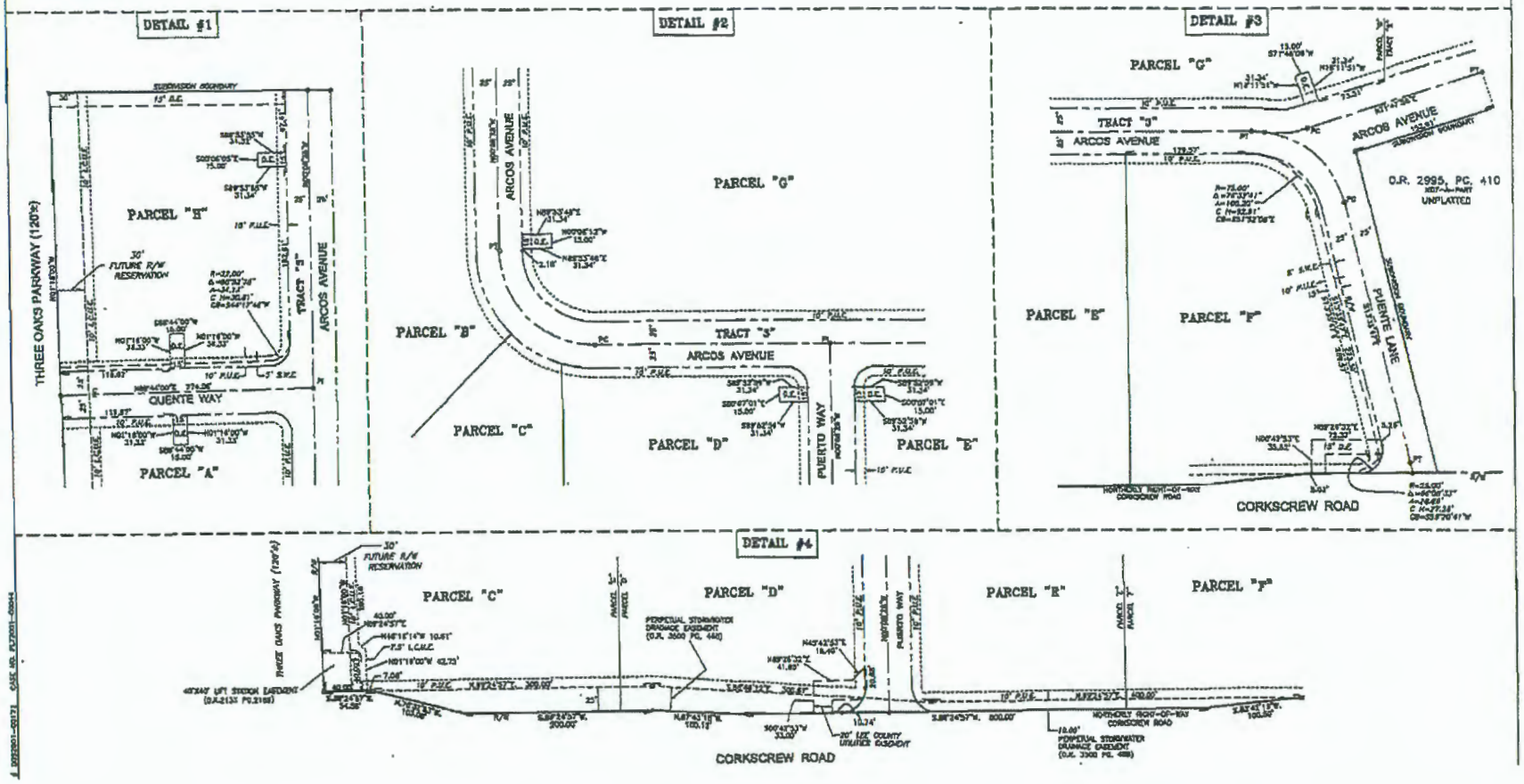

EXHIBIT "A"
(Page 5 of 5)

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Zoning Map

9/16/2009

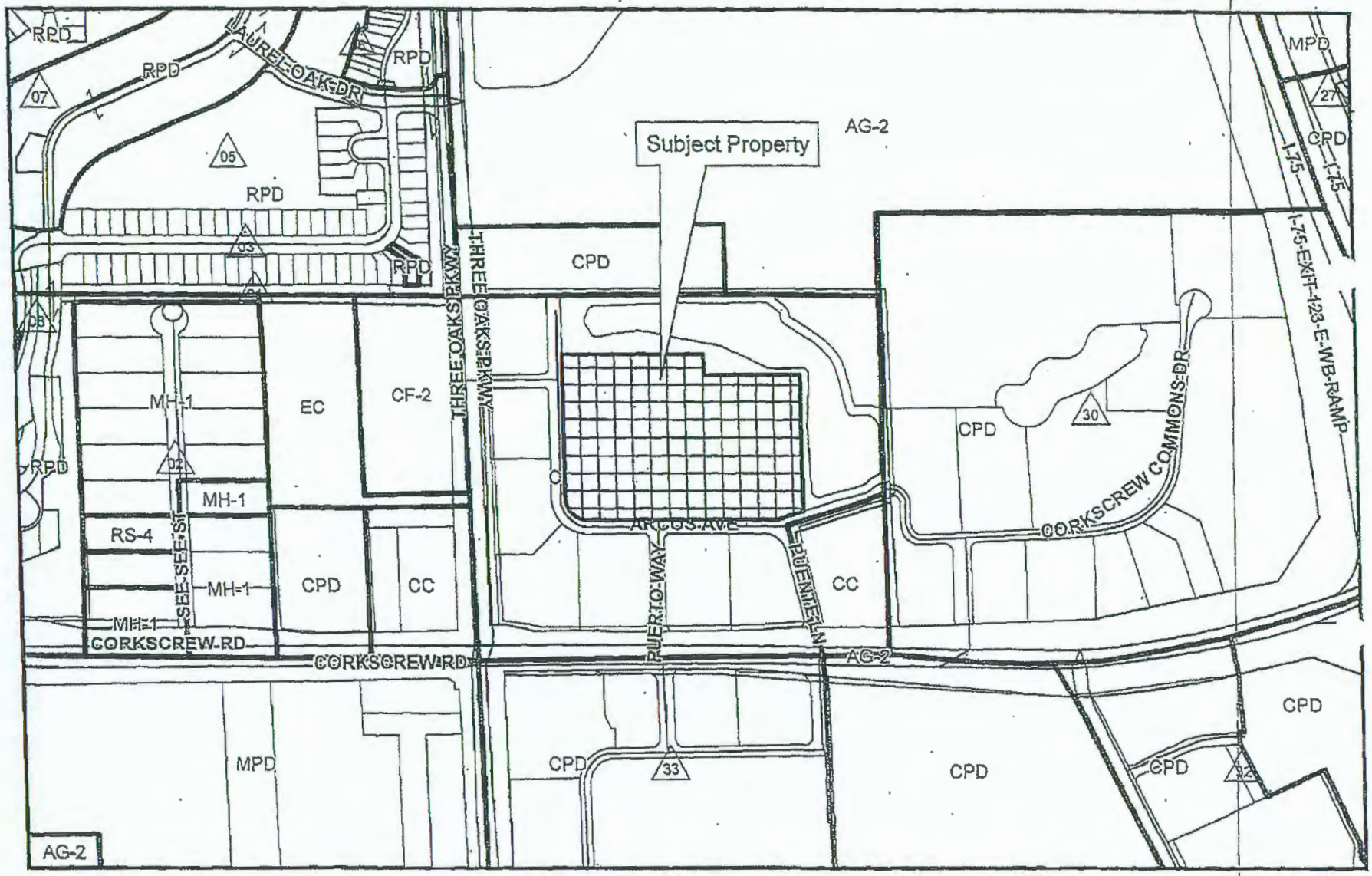

EXHIBIT "B"

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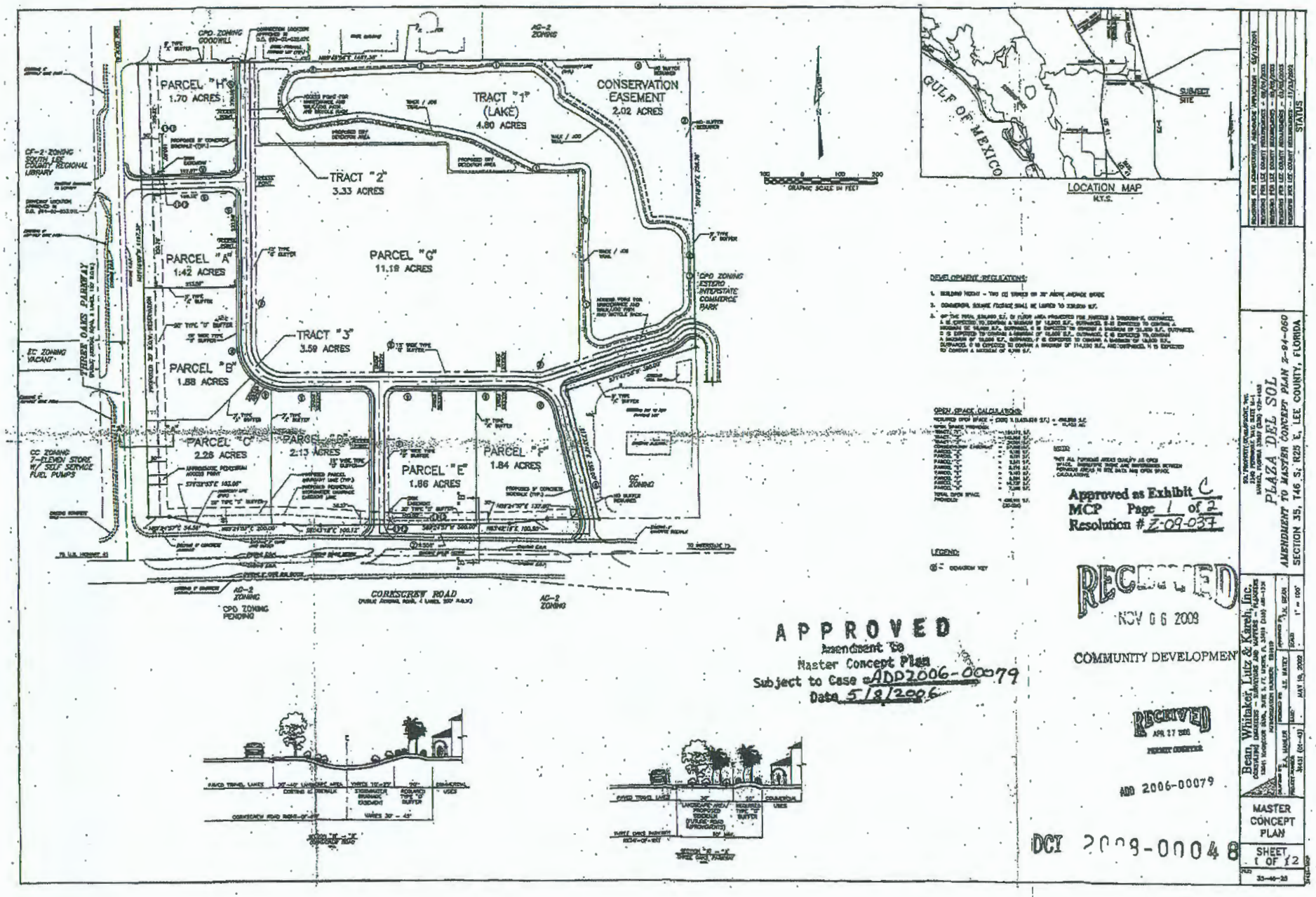

EXHIBIT "C"
(Page 1 of 2)

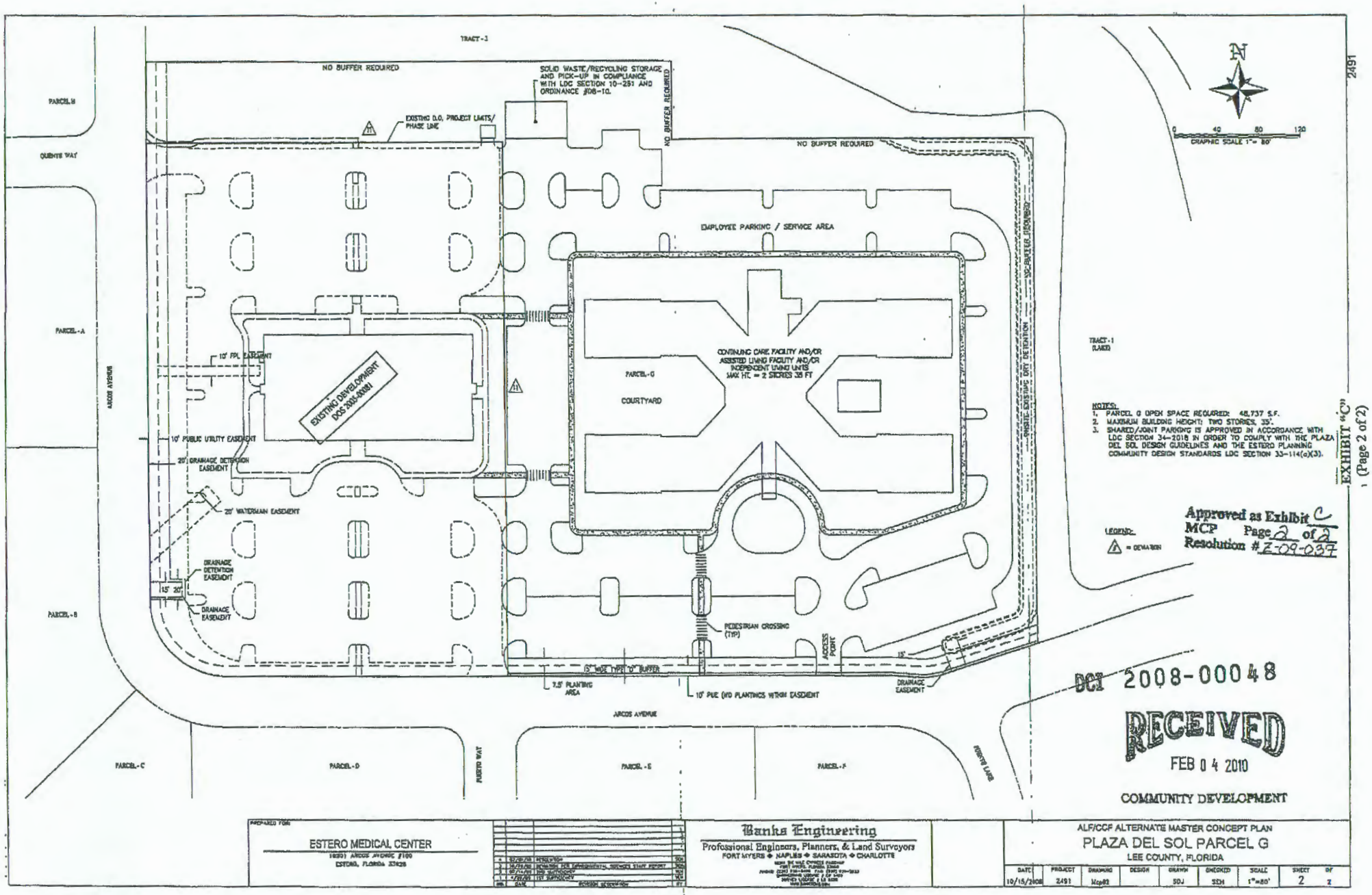

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EXHIBIT "C"
(Page 2 of 2)

EXHIBIT "D"

Plaza Del Sol

Design Guidelines

REVISED 07/14/03

Project Overview

This document describes the intent of the applicant in developing the Plaza Del Sol Subdivision and proposes design guidelines by which individual parcels 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 Community Plan while allowing the developer the flexibility to market the project to tenants with varying uses, building types and size requirements.

The Plaza Del Sol Subdivision is located at the northeast corner of Corkscrew Road and Three Oaks Parkway. This intersection is expected to be the hub of the Corkscrew Road Corridor. 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 the recently adopted Corkscrew Main Street Overlay District Guidelines in the Lee County Land Development Code Sections 34-1045. through 34-1047.

In developing the property, it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19 of the Estero Plan) and the specific regulations governing development of a site at this location. The following principles and policies that influence this level of development were utilized:

1. 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 U.S. 41.

2. 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.

3. 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.

4. The project lies within the Corkscrew Main Street Overlay District 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.

5. The intent of these design guidelines and standards is to meet and exceed the requirements of the Corkscrew Main Street Overlay District yet allow for the development of a large commercial project containing one or more major retailers.

Architectural Design Guidelines

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.

1. Plaza Del Sol 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 the LDC Section 34-1042 through 34-1047. and the Corkscrew Road Main Street Overlay District.

2. Plaza Del Sol 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 compatible architectural theme, unified signage, landscaping and lighting throughout the site.

3. Plaza Del Sol will be developed on a 38 acre site as part of the Corkscrew Main Street Overlay District, a corridor of architecturally appealing and attractively landscaped buildings that provide retail, business and professional services to the community. The 38 acre site is divided into eight (8) development parcels, the outparcels fronting along Three Oaks Parkway and Corkscrew Road, and the Anchor Parcel located within the central portion of the site.

4. *The developer of individual outparcels and/or the Anchor Parcel will submit architectural and landscape plans to the Plaza del Sol Design for compliance review with these Design Standards prior to Development Order application.*

A. Outparcels

1. Architectural Standards - The outparcels will feature an integrated and compatible vernacular with Mediterranean architectural elements in architectural building style or theme. Massing of building facades will be reduced by transitioning building heights, widths and colors, textures, and the adding of 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, 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 complement elements such as 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. Pedestrian access will be provided from Parcel D to Three Oaks Parkway just north of the existing lift station in addition to the internal sidewalks intersecting with Corkscrew Road and Three Oaks Parkway.

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 parcels characteristics and relationship to Corkscrew Road or Three Oaks Parkway. Service Bays on Parcel H will face away from Three Oaks Parkway.

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 Plaza Del Sol 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 emphasizes 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.

B. Anchor Parcel

1. The anchor parcel will accommodate one (1) or several retail uses. The internal pedestrian system will connect the anchor parcel to the outparcels and the buildings of the anchor parcel will be designed to compliment the buildings on the outparcels. 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 vernacular architectural building style or theme with Mediterranean elements which will also be incorporated into the outparcels, whether multi-tenant or 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.

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

   A. Canopies or portico, integrated with the building's massing and style.
   B. Overhangs.
   C. Arcades, minimum of eight feet clear in width.
   D. Raised cornice parapets over doors.

E. Arches.
F. Ornamental and structural architectural details other than cornices, which are integrated into the building structure and overall design.
G. Clock or bell towers.
H. 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 (2) of the design elements listed below. At least one (1) of these design elements may repeat horizontally.

A. Color change.
B. Texture change.
C. Material module change.
D. Expression of architectural relief through a change of plane of no less than 12 inches in width such as a reveal, an offset or a projecting rib.
E. Architectural banding.
F. Pattern change.

Roof will meet at least two (2) of the following requirements:

A. Parapets will be used to conceal roof top equipment and flat roofs.
B. Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum fascia of 8 inches.
C. Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of three (3) 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:

A. Stucco.
B. EFIS.
C. Brick.
D. Tinted, textured, other than smooth or ribbed concrete masonry units.
E. 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.

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 level 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 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 Road and Three Oaks Parkway will be preserved and incorporated into an open space area. This area may include pedestrian amenities such as a walkway to the sidewalk along Three Oaks Parkway. This facility will be permitted and constructed as part of a development order for Parcel "D".

4. Plaza Del Sol will provide a variety of publicly accessible amenities which will further the projects 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. The pedestrian system will serve to link anchor and outparcel areas 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 the 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 pedestrian-way pathway shall have a minimum unobstructed average width of 8'. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances.

   B. The outparcel/building area pedestrian-way shall be incorporated in each building design as either a covered or uncovered walkway adjacent to at least three (3) sides of a building and extending to parking areas and/or adjacent parcels. The walkways shall feature concrete surfaces, which may be tiled, paved, etc.

   C. The parking area pedestrian-way shall be located generally within the parking area. This pedestrian-way system will be designed to promote safe and convenient linkage from the parking areas to both the outparcel buildings and the anchor parcel.

Vehicular crossings will be identified with signage, landscaping or 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 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 specifications for shade palms at the time of planting.

6. The lake at Plaza Del Sol shall incorporate into the overall design of the project at least two (2) of the following items:

   A. A maximum 5' wide mulched or cinder walkway with trees at an average of 50' on center.
   B. A public access pier.
   C. An intermittent shaded plaza courtyard, a minimum of 200 S.F. in area with benches and/or picnic tables adjacent to the water body.
   D. A permanent fountain structure.

Landscaping

A. General:

Landscape development will play a major role in creating and perpetuating the "theme of image" at Plaza Del Sol. The site has very little topography or natural vegetation and no existing natural water bodies. A lake system will be constructed with the creation of a park setting as the objective. Therefore a carefully conceived landscape design concept will do much to create and enhance the village image desired at Plaza Del Sol.

Open space areas should incorporate landscaping which enhances the natural feel of the space, integrating its forms and features into the overall site plan. Native varieties of vegetation are encouraged. Plant material should be utilized for the purposes of enhancing the harmonious forms of a meandering lake, berms, drainage features and pathway systems while serving to integrate these spaces into the overall site plan. Plantings shall include an appropriate mix of approved trees, shrubs and groundcover which will achieve a natural, harmonious function and provide a pleasing complement to the landscape. The use of native tree and shrub masses is encouraged to reinforce the park-like character of Plaza Del Sol.

Landscaping shall also conform to the Estero Community Land Development Code and Corkscrew Road Main Street Overlay District Corridor Plan.

B. Landscape Development Priorities:

The following represents the development priorities related to landscaping to insure consistency within Plaza Del Sol:

1. Integration of Architecture and Landscaping - Use plants that project a scale relationship between people, the architecture and the open space. Variable height, building foundation plantings should be used to integrate architecture and open space.

2. Erosion Control Planting - Sodding, seeding, planting of areas such as swales and lake banks and slopes of berms.

3. Tree Planting - Use native trees colorful and attractive materials to create variety and ambiance.

4. Screening - Use plants to screen undesirable elements such as parking lots and service areas or to help create privacy.

5. Creating Focal Points and Interest Planting - Use plants that flower or fruit with interesting branching structures or unique variety.

6. Shrubs and Groundcover - Use of shrubs should be to conceal parking areas. Groundcover may be used to add interest.

C. Perimeter:

1. Buildings along Corkscrew Road will be designed in accordance with Lee County Land Development Code Section 34-1047.; the setback requirements for the Corkscrew Road Main Street Overlay District (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.

2. The height of required trees within buffers shall be 12' overall in height. Canopy trees shall have a 6' canopy spread at the time of planting.

3. Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Plaza Del Sol boundary concurrent with site development. Landscape buffers along the internal road network will also be installed concurrent with site development.

4. Signage, project architectural features, lighting and utilities will be permitted and constructed concurrent with site development.

D. Signage:

1. 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.

2. All signs will comply with the Land Development Code Sign Guidelines for Estero at the time of the issuance of the sign permit (see typical sign sketches). All signage will be in accordance with LDC Section 34-400. et. seq.

E. Internal:

Per Lee County Land Development Code Sections 34-1042. through 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.

In addition to these regulations (LDC Sections 34-1042. through 34-1047.), the following will be required:

1. *Parking lots shall provide a landscaped island for every 10 parking spaces.*

2. *Parking design (angle of parking) shall be unified except at perimeter areas, which may utilize for one row deep a different angle to maximize parking design.*

3. *Shared parking is encouraged.*

4. *Parking on the anchor parcel shall be distributed around the building with employee parking located at the rear of the building.*

5. *All parking lots shall be interconnected.*

F. Street Right-of-Ways:

Street right-of-ways shall include appropriate landscaping, sidewalks, lighting and drainage provisions. Each lot owner is expected to incorporate the Plaza Del Sol right-of-way treatment into their respective buffer areas to insure continuity of design and perpetuation of the village image.

G. Entrances:

The entry is identified by changing the character of the roadway landscaping by holding the plantings away from the entry, grading and providing focal point landscaping, signage, etc. Landscaping should present an attractive appearance and reinforcement of the entrance to the lot and should incorporate the design of the landscaping in adjoining buffer areas. Landscape treatment of entry areas shall not incorporate, interfere with or obstruct the view of vehicular or pedestrian traffic. The intent is to provide continuity and integrity of landscape design between entrances and lots.

H. Adjacent Landscape Buffers:

All parking areas facing adjacent properties shall be landscaped as to effectively screen vehicles and from public rights-of-way, residential and recreation areas.

1. Berming shall be provided adjacent to the parking lot asphalt surface to screen parking from adjacent properties and public right-of-ways.

2. Plantings upon berms shall be double rowed, staggered planting technique of sufficient density to effectively screen vehicles within the parking area from adjacent properties and public right-of-ways.

3. All lot service or utility areas shall be adequately screened from view from adjacent properties and public right-of-ways. Screening shall be a minimum of double rowed, staggered density hedges.

I. Building Open Area Landscaping:

1. Front Areas - Landscape treatment of front areas shall present an attractive appearance emphasizing the major entrance or entrances to the structure. Landscaping should be a mix of trees; shrubs and groundcover in a design appropriate with the scale of the building. A combination of shrubs and groundcover should be utilized as foundation plants in an aesthetic design across the entire front facade of the building. Trees shall be incorporated into the landscaping design of front areas to provide shade, accent and frame the main entry of the building.

2. Side Areas - Landscape treatment of side areas as defined herein shall be incorporated into and shall continue the design of the front area. Mixed shrubs and groundcover shall be used as foundation plants across the entire facade in these areas exclusive of walks, entries and courtyards. All walks entries and courtyards in side areas shall be appropriately landscaped.

3. Rear Areas - Landscape treatment for rear or service areas as defined herein shall also be incorporated into the overall design of the front and side areas. Appropriate foundation plantings shall be provided across all facades in normal public view.

Any service areas, drives and service entrances shall be adequately screened with appropriate plant material from the approved list in this manual so as to present a totally screened appearance to persons entering or leaving the building through all public entrances or exits and to vehicular or pedestrian traffic in the roadways adjacent to the lot.

J. Sodding and Mulch:

1. All open spaces not developed with parking, roadways, sidewalks or otherwise planted shall be sodded or planted in approved groundcover.

2. Sod shall be St. Augustine "Floratam".

3. All exposed dirt shall be covered with a minimum of two (2) inches of shredded eucalyptus or no less than Grade "B+" cypress mulch.

K. Irrigation:

1. Plaza Del Sol will provide irrigation water to the common landscaped areas via irrigation wells.

2. Individual lot owners will have the option to provide a private well for irrigation or use the public water system. No lake water withdrawals for irrigation purposes are allowed by lot owners. All irrigation systems must be of an approved underground automatic type with pumps and time clocks screened from view. Irrigation shall extend all the way to the curb, side property lines and to the edge of all lakes and/or retention features.

3. A "drip" irrigation system will be used in all common landscape and buffer areas.

4. If "pop up" spray heads are used on individual parcels, the pipe extensions should be painted a dark green or black where exposed. Irrigation heads should be placed to prevent spraying onto paved areas.

5. Installation of the irrigation system shall follow the piping and installation specifications of Gulf Environmental Services, Inc.

L. Landscape Maintenance:

All Plaza Del Sol lot owners shall maintain their landscape to standards established and maintained by the Plaza Del Sol Property Owners' Association Design Review Committee.

Each lot owner, as a member of the Plaza Del Sol Property Owners' Association (POA), will participate in shared landscape maintenance of all common areas within the Plaza del Sol land mass as defined in Exhibit "A" of the Declaration of Covenants, Conditions and Restrictions contained within this Lot Owners Manual.

As POA members, lot owners will participate in the ongoing oversight of the POA contract landscape maintenance services for the common areas as well as participate financially based on appropriate share. The POA will maintain the common areas within the Plaza Del Sol land mass to include medians, entrances to Plaza Del Sol and dedicated open spaces.

Each lot owner shall have the responsibility to maintain the landscaping within their lot to the curb line, all property lines, and any bodies of water located on the lot in accordance with POA standards.

M. Acceptable Plant Material:

For the purpose of unity in design, the following plant list shall form the basis of landscape design. Plant materials shall conform to the Lee County Land Development Code Standards for Florida No. 1 or better as given in Grades and Standards for Nursery Plants, 1973, and Grades and Standards for Nursery Plants, Part II, Florida Department of Agriculture and Consumer Services, Tallahassee, and any amendments thereto. Plant material requirements have been selected for harmony, interest in structure, texture, color and ultimate growth.

The attached Native Plant Lists are provided to present a specific plant palette for perimeter buffers, native re-vegetation, preserve enhancement, and to satisfy Lee County Land Development Code native plant requirements. Any non-native landscape material used shall be allowed under the Lee County Land Development Code 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.

Recommended Plants - Native Trees (Medium and Large)

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

Botanical Name	Common Name	Botanical Name	Common Name
Acacia farnesiana	Sweet Acacia	Jacquinia keyensis	Joewood
Acer rubrum	Red Maple	Juniperus silicicola	Southern Red Cedar
Annona glabra	Ponda Apple	Laguncularia racemosa	White Mangrove
Acacia farnesiana	Sweet Acacia	Magnolia virginiana	Sweet Magnolia
Bursera simaruba	Gumbo Limbo	Morus rubra	Red Mulberry
Celtis laevigata	Sugarberry	Myrcanthes fragrans	Simpson Stopper
Chrysobalanus icaco	Cocoplum	Nyssa sylvatica	Black Gum
Chrysophyllum oliviformea	Satin Leaf	Persea palustris	Florida Red Bay
Citharexylum spinosum	Fiddlewood	Pinus elliotti 'densa'	South Florida Slash Pine
Clusia rosea	Pitch Apple	Pinus palustris	Longleaf Pine
Cocoloba diversifolia	Pigeon Plum	Piscidia piscipula	Jamaica Dogwood
Cocoloba uvifera	Seagrape	Prunus angustifolia	Chickasaw Plum
Conocarpus erectus	Buttonwood	Quercus laurifolia	Laurel Oak
Cordia sebestena	Geiger Tree	Quercus virginiana	Live Oak
Diospyros virginiana	Persimmon	Rhizophora mangle	Red Mangrove
Eugenia axillaris	White Stopper	Salix caroliniana	Coastal Pain Willow
Eugenia confusa	Redberry Stopper	Sapindus saponaria	Wingleaf Soapberry
Eugenia foetida	Spanish Stopper	Schaefferia frutescens	Florida Boxwood
Eugenia rhombea	Red Stopper	Sideroxylon foetidissimum	Mastic
Gordonia lasianthus	Loblolly Bay	Sideroxylon salicifolium	Willow Bustic
Gualacum sanctum	Lignum Vitae	Swietenia mahogoni	Mahogany
Gymnanthes lucida	Crabwood	Taxodium distichum	Bald Cypress
Ilex cassine	Dahoon Holly	Ulmus alata	Winged Elm
Ilex vomitoria	Yaupon Holly	Ulmus americana var.floridana	Florida Elm
Ilex x attenuata	East Palatka Holly		

Recommended Plants - Native Trees (Medium and Large)

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

Botanical Name	Common Name
Acoelorrhaphe wrightii	Paurotis Palm
Coccothrinax argentata	Silver Palm
Rhapidophylium hystrix	Needle Palm
Roystonea elata	Royal Palm
Sabal minor	Dwarf Palmetto
Sabal Palmetto	Cabbage Palm
Serenoa repens	Saw Palmetto
Thrinax radiata	Florida Thatch Palm

Recommended Plants - Native Shrubs

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

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

Recommended Plants - Native Grasses

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

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

Recommended Plants - Native Ferns
(Plants Listed Range from Zones 9, 10 and 11)

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

Recommended Plants - Native Aquatics
(Plants Listed Range from Zones 9, 10 and 11)

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

EXHIBIT "E"

Estero Design Review Committee

Public Informational Session Summary and Design Review Comments

December 21, 2004

RECEIVED
JAN 2 · 2005
PERMIT COUNTER

Mr. Gene Allison
20233 Wildcat Run Drive
Estero, Florida 33928

RE: **Classic Car Wash at Plaza Del Sol**
Public Informational Session Summary and Design Review Comments
Estero Design Review Committee Meeting of December 8, 2004
Location: The Estero Country Club at the Vines - Perry Room

Dear Applicant and County Staff:

The above referenced project was presented to EDRC on December 8, 2004, and has satisfied the public informational session as required per LDC, Sect.34-1042. The EDRC recommends the approval of the development order with the following suggestions/comments all of which the applicants agreed to pursue.

- The committee recommends "S" roof tile, profile or higher with flashing.
- Increase the size and number of dormers.
- Fire department requested 7'6" front and sides 4' rear.
- Applicant agreed to return before EDRC after submitting building colors, tile colors, sign package and landscaping to Plaza Del Sol for developer approval.

Per LDC Sect. 34-1042, the applicant must provide a proposal for how the applicant will respond to any issues that were raised. The EDRC recommends the applicant attach a response letter explaining how the EDRC suggestions/comments may or may not be addressed with revisions/changes to the Development Order submittal.

The EDRC would like to thank the applicant for the submittal and cooperation with the design review procedures.

Sincerely,

ADD 0 0016

M. Gordon Lyons
Vice Chair, Estero Design Review Committee

EXHIBIT "F"

Estero Design Review Committee

Public Informational Session Summary and Design Review Comments

September 29, 2005

Mr. Brad Guaino
J.E.D. of Southwest Florida, Inc.
9130 Corsica Del Fontana Way
Naples, FL 34109

RE: Plaza Del Sol Parcels A, B & C
Public Informational Session Summary and Design Review Comments
Estero Design Review Committee Meeting of September 14, 2005
Location: The Estero Country Club at the Vines – Perry Room

Dear Applicant and County Staff:

The above referenced project was presented to EDRC on September 14, 2005, and has satisfied the public informational session as required per LDC, Sect.34-1042. The EDRC recommends the approval of the Development Order with the following suggestions/comments all of which the applicants agreed to pursue.

Comments and Suggestions:

1. Recommended that turf block be used in parking area because of tree roots.
2. Trees should be 12 to 14', 45 gallon.
3. Because of the uniqueness of the site which has an existing lift station at the corner and the plan to retain existing trees there, the Committee agreed to support the applicants request for an 8' decorative wall in lieu of parking façade within the 75' buffer.
4. The Committee also would support a deviation to remove 2 parking spaces

Per EDC SECT. 34-1042, the applicant must provide a proposal for how the applicant will respond to any issues that were raised. The EDRC recommends the applicant attach a response letter explaining how the EDRC suggestions/comments may or may not be addressed with revisions/changes to the Development Order Submittal.

The EDRC, on behalf of the citizens of Estero, would like to thank the applicant for the submittal and cooperation with the design review procedures.

Sincerely,

Thomas J. O'Dea
Co-Chairman, Estero Design Review Committee

RECEIVED
OCT 03 2005

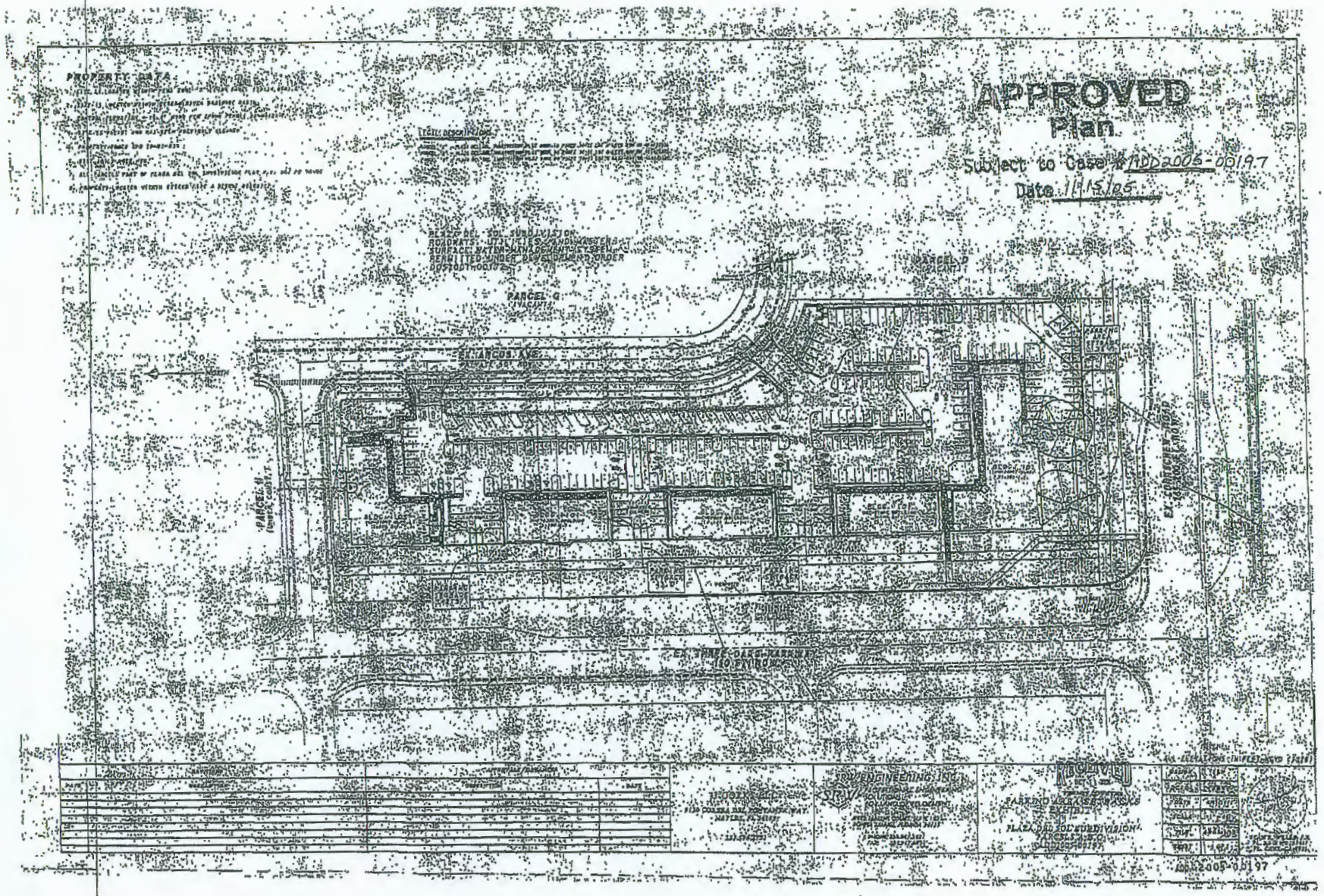


EXHIBIT "G"
(Page 1 of 2)

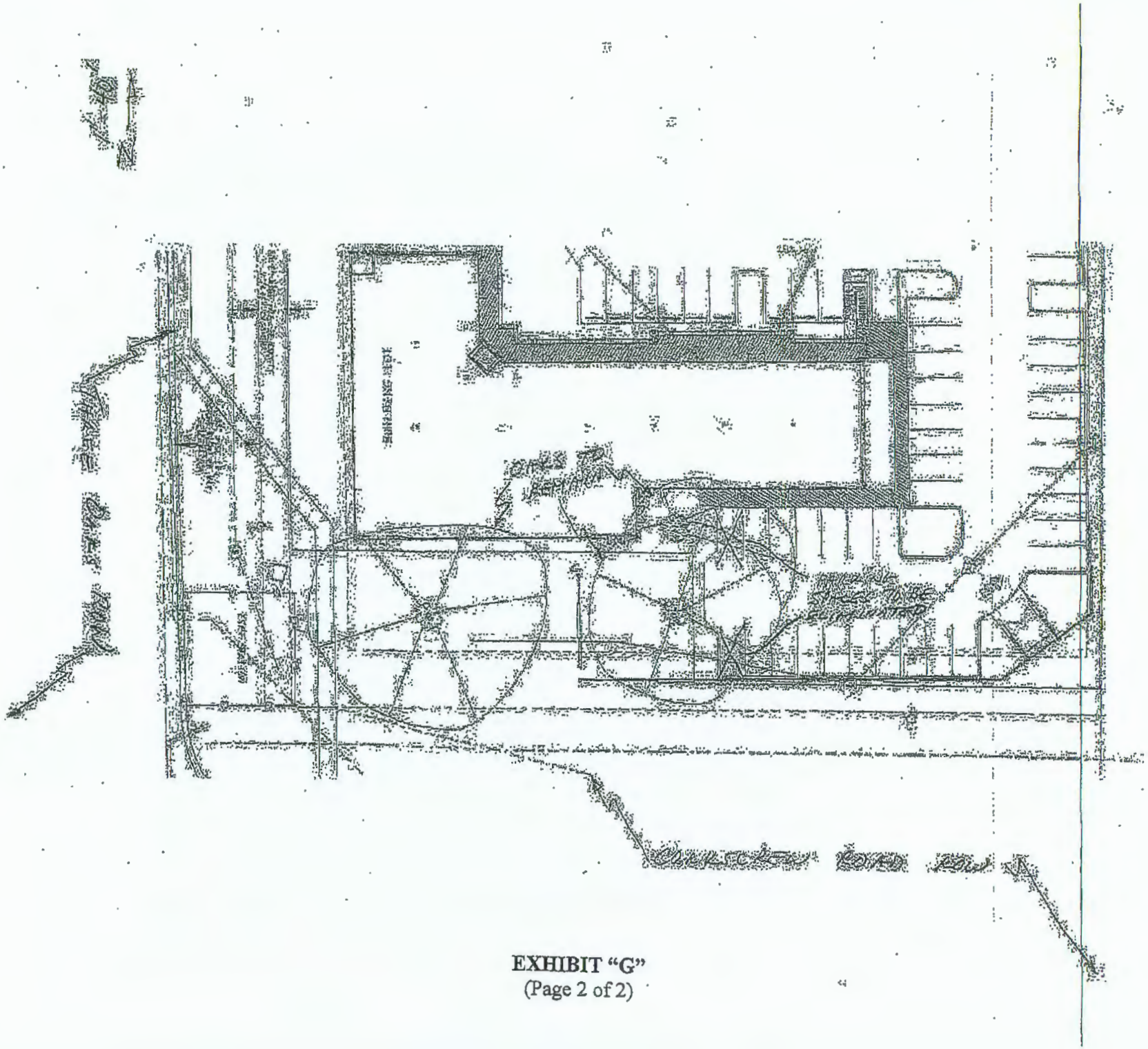


EXHIBIT "G"
(Page 2 of 2)

PLAZA DEL SOL

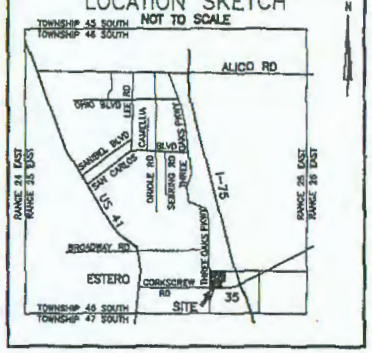
A SUBDIVISION
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ & KAREH, INC.
CONSULTING ENGINEERS AND SURVEYORS
13041 McGREGOR BLVD. (239) 481-1331
FORT MYERS, FLORIDA 33919

NOTICE:

THIS PLAT, AS RECORDED IN GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

LOCATION SKETCH
NOT TO SCALE



DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 35; THENCE N89°42'56"E ALONG THE NORTH LINE OF SAID SECTION 35 FOR 120.68 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (120+/- FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE N89°42'56"E ALONG THE NORTH LINE OF SAID SECTION 35 FOR 1481.38 FEET TO THE WESTERLY LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 1454 AT PAGE 1828, PUBLIC RECORDS; THENCE S01°18'30"E ALONG THE WESTERLY LINE OF SAID PARCEL FOR 759.75 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 2995 AT PAGE 410, PUBLIC RECORDS; THENCE S71°47'58"W ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 360.00 FEET; THENCE S13°35'47"E ALONG THE WESTERLY LINE OF SAID PARCEL FOR 350.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 137.80 FEET; THENCE S83°42'19"W ALONG SAID RIGHT-OF-WAY LINE FOR 100.50 FEET; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 500.00 FEET; THENCE N87°43'18"W ALONG SAID RIGHT-OF-WAY LINE FOR 100.12 FEET; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 200.00 FEET; THENCE N76°32'52"W ALONG SAID RIGHT-OF-WAY LINE FOR 103.08 FEET; THENCE S89°24'57"W ALONG SAID RIGHT-OF-WAY LINE FOR 54.58 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (120+/- FEET WIDE); THENCE N01°16'00"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 1197.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.01 ACRES, MORE OR LESS.

BEING THE SAME PARCEL AS DESCRIBED IN OFFICIAL RECORD BOOK 2883 AT PAGE 3068.

NOTICE

LANDS DESCRIBED IN THIS PLAT ARE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED THAT HE MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE AND SEWER FACILITIES.

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT SOL PROPERTY DEVELOPMENT, INC., A CORPORATION UNDER THE LAWS OF THE STATE OF TEXAS, THE OWNER OF THE HEREON DESCRIBED LANDS, HAS CAUSED THIS PLAT OF PLAZA DEL SOL, A SUBDIVISION LYING IN SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA TO BE MADE AND HEREBY:

1. DEDICATES TRACT "1" FOR LAKE, DRAINAGE, AND RETENTION PURPOSES TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC.

2. DEDICATES TRACT "2" TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC., FOR LANDSCAPE, AND COMMON AREA PURPOSES SUBJECT TO A DRAINAGE EASEMENT OVER THE ENTIRE TRACT.

3. DEDICATES TRACT "3" FOR ROAD RIGHT-OF-WAY AND DRAINAGE PURPOSES TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC., SUBJECT TO A PUBLIC UTILITY EASEMENT AS DESCRIBED HEREIN AND DEPICTED ON THIS PLAT.

4. DEDICATES ALL DRAINAGE EASEMENTS FOR DRAINAGE AND STORM WATER MANAGEMENT PURPOSES AND LAKE MAINTENANCE EASEMENTS AND SIDEWALK EASEMENTS TO THE PLAZA DEL SOL PROPERTY OWNERS ASSOCIATION, INC.

5. DEDICATES PUBLIC UTILITY EASEMENTS TO ALL PUBLIC AND PRIVATE UTILITIES IN PERPETUITY FOR OVERHEAD AND/OR UNDERGROUND PUBLIC UTILITIES AS DEPICTED ON THIS PLAT. THE PUBLIC UTILITY EASEMENTS ARE ALSO EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, ELECTRIC, TELEPHONE, AND GAS OR OTHER PUBLIC UTILITY PURPOSES.

6. DEDICATES EASEMENTS LABELED L.C.U.E. AS SHOWN ON THIS PLAT TO LEE COUNTY UTILITIES FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF WATER AND SEWER FACILITIES.

SOL PROPERTY DEVELOPMENT, INC.,
A TEXAS CORPORATION

MARVIN J. GRAUNICK-PRESIDENT (SEAL)

CORPORATE SEAL

WITNESS: JAMES M. COSTELLO
PRINT NAME:

WITNESS: Beverly L. Stevens
PRINT NAME:

ACKNOWLEDGMENT:

STATE OF FLORIDA)
COUNTY OF LEE)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF December, 2004, BY MARVIN J. GRAUNICK, PRESIDENT OF SOL PROPERTY DEVELOPMENT, INC. ON BEHALF OF THE CORPORATION HE IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC
PRINT NAME: Beverly L. Stevens
MY COMMISSION EXPIRES:

(SEAL)

NOTES:

1. DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
2. ALL CURVES ARE CIRCULAR.
3. BEARINGS ARE STATE PLANE COORDINATE (FLORIDA WEST ZONE - N.A.D. 1983) WITH THE NORTH LINE OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST BEARING N.89°42'56"E.

APPROVAL:

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS 26 DAY OF January, 2004.

CHAIRMAN OF THE BOARD
NAME: DOUGLAS R. ST. CERNY

CLERK OF THE COURT
NAME: CHARLIE GREEN

COUNTY ATTORNEY
NAME: DAWN E. PERRY-LEHKERT

DIRECTOR, DIVISION OF DEVELOPMENT SERVICES
NAME: PETER J. ECKENRODE

DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT
NAME: MARY GIBBS

REVIEW BY THE DESIGNATED COUNTY PSM DETERMINED THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF F.S. CH. 177, PART I.

NAME: MICHAEL L. HARMON, PSM

CLERK'S CERTIFICATION: 6625081

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF PLAZA DEL SOL A SUBDIVISION LYING IN SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WAS FILED FOR RECORD AT 3:43 P.M. THIS 21 DAY OF January, 2004 AND DULY RECORDED IN PLAT BOOK 80 AT PAGES 74 THROUGH 76 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

NAME: CHARLIE GREEN
CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF PLAZA DEL SOL, A SUBDIVISION LYING IN SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, AND COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THIS PLAT.

BEAN, WHITAKER, LUTZ & KAREH, INC. LB 4819
13041-1 McGREGOR BOULEVARD, FORT MYERS
FLORIDA 33919-5910 (239) 481-1331 DATE: 12-16-04

SEAL

SCOTT C. WHITAKER, P.S.M. - FLORIDA CERTIFICATE NO. 4324

D.S. # 0052001-00172 CASE NO. PL20001-00044

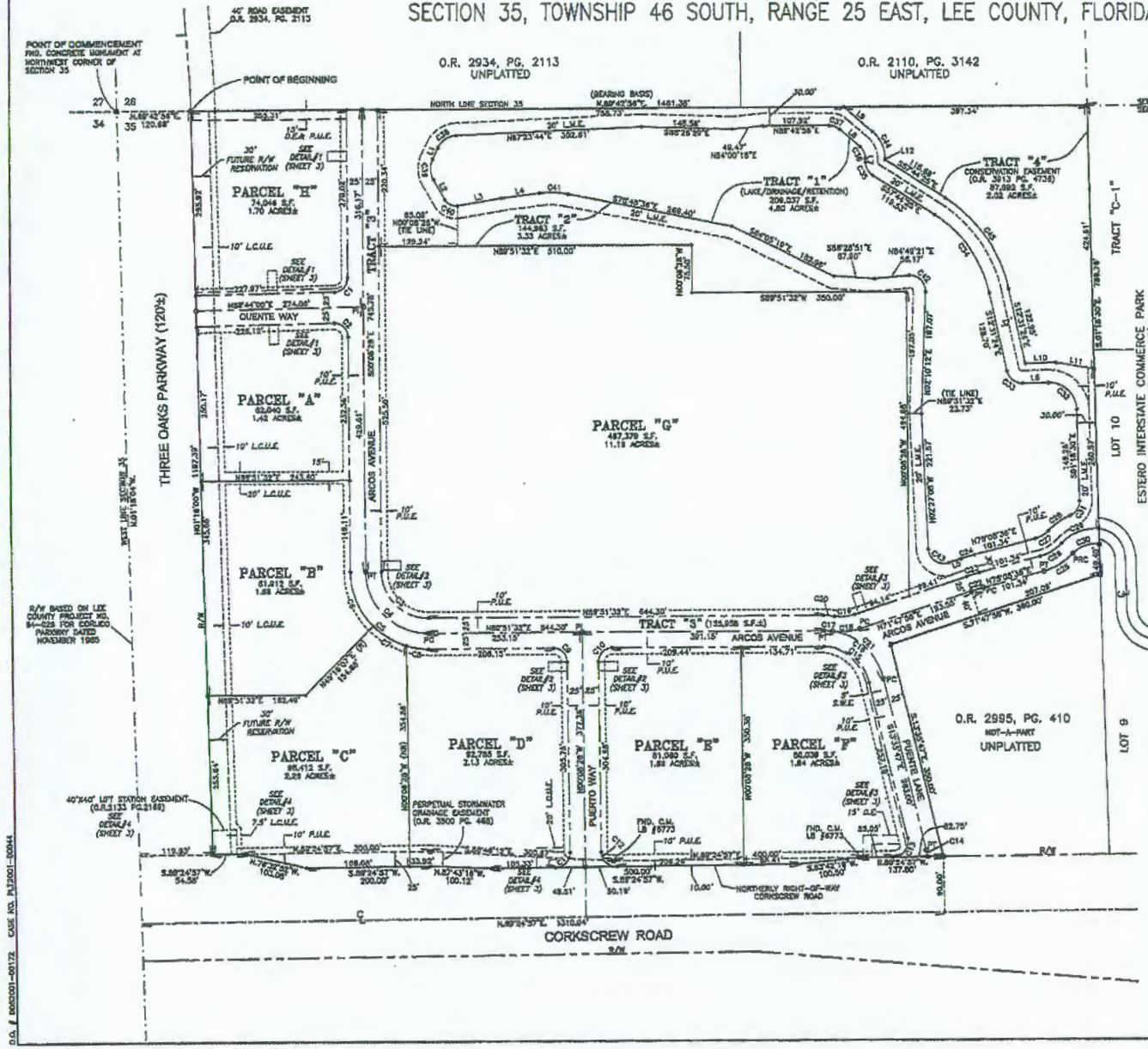
PLAZA DEL SOL

A SUBDIVISION
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

PLAT BOOK 80 PAGE 75
SHEET 2 OF 3

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ & KAREH, INC.
CONSULTING ENGINEERS AND SURVEYORS
13041 McGREGOR BLVD. (239) 481-1331
FORT MYERS, FLORIDA 33919

NOTE: SEE SHEET 3 OF 3 FOR EASEMENT DETAILS



LINE TABLE

LINE	BEARING	DISTANCE
L1	S23°53'33"W	30.60'
L2	S30°23'30"E	37.43'
L3	S64°28'23"W	33.65'
L4	S87°30'38"W	53.24'
L5	N71°47'58"E	20.84'
L6	N89°41'30"E	42.14'
L7	N00°08'28"W	3.80'
L8	S90°00'01"E	44.89'
L9	S30°02'01"E	82.46'
L10	N89°41'30"E	49.89'
L11	N80°18'09"W	82.63'
L12	S00°08'28"E	1.70'

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	22.00'	88°53'28"	34.13'	21.57'	30.81'	S44°17'48"W
C2	22.00'	91°07'32"	34.99'	22.44'	31.43'	S45°42'12"E
C3	75.00'	90°00'00"	117.81'	75.00'	106.07'	N42°00'28"W
C4	100.00'	90°00'00"	157.08'	100.00'	141.42'	N45°08'28"W
C5	125.00'	90°00'00"	196.35'	125.00'	176.78'	N42°08'28"W
C6	125.00'	44°39'22"	97.28'	51.35'	94.84'	N22°28'10"W
C7	125.00'	28°42'00"	62.61'	31.98'	61.99'	N59°04'31"W
C8	125.00'	16°42'00"	36.43'	18.38'	36.30'	N81°27'11"W
C9	22.00'	90°00'00"	34.56'	22.00'	31.11'	S45°08'28"E
C10	22.00'	90°00'00"	34.56'	22.00'	31.11'	N44°51'32"E
C11	25.00'	88°33'22"	38.65'	24.81'	34.92'	S44°08'14"W
C12	22.00'	92°26'38"	35.48'	23.19'	31.73'	N43°21'46"W
C13	25.00'	103°09'44"	44.99'	31.44'	39.13'	S37°54'35"W
C14	100.00'	06°27'49"	11.28'	5.65'	11.28'	S10°21'32"E
C15	70.00'	76°32'41"	100.20'	59.17'	92.91'	S31°52'08"E
C16	100.00'	76°32'41"	133.60'	79.00'	123.99'	S31°52'08"E
C17	100.00'	08°01'30"	14.00'	7.02'	14.00'	S66°07'31"E
C18	100.00'	26°03'24"	45.54'	23.17'	45.14'	S68°50'40"W
C19	75.00'	26°03'24"	34.13'	17.38'	33.84'	S68°50'40"W
C20	125.00'	08°01'30"	17.02'	8.77'	17.01'	S66°07'31"E
C21	100.00'	66°30'31"	116.08'	66.11'	112.58'	S47°31'10"E
C22	350.00'	03°20'36"	20.43'	10.22'	20.42'	N73°28'17"E
C23	375.00'	03°20'36"	21.89'	10.95'	21.88'	N73°28'17"E
C24	400.00'	03°20'36"	23.34'	11.68'	23.33'	N73°28'17"E
C25	100.00'	32°10'06"	56.20'	28.83'	55.43'	S62°39'33"W
C26	75.00'	32°18'09"	42.29'	21.72'	41.73'	S62°39'33"W
C27	45.00'	32°18'09"	25.37'	13.03'	25.04'	S62°39'33"W
C28	105.00'	24°30'46"	44.92'	22.85'	44.58'	N58°00'51"E
C29	75.00'	51°28'16"	67.38'	36.15'	65.15'	N69°54'05"E
C30	50.00'	54°17'54"	47.38'	25.64'	45.63'	N69°39'21"E
C31	25.00'	65°29'44"	29.59'	17.02'	28.14'	S32°58'22"W
C32	45.00'	90°00'00"	70.69'	45.00'	63.64'	S45°18'30"E
C33	25.00'	78°42'07"	34.33'	20.33'	31.73'	N51°34'55"W
C34	200.00'	43°13'02"	157.64'	83.58'	153.77'	S20°00'58"E
C35	25.00'	97°33.58"	25.13'	13.74'	24.09'	N28°58'27"W
C36	25.00'	49°53'33"	21.77'	11.63'	21.09'	S25°05'15"E
C37	25.00'	40°15'03"	17.56'	9.16'	17.20'	S70°00'33"E
C38	35.00'	61°28'12"	37.53'	20.81'	35.77'	N65°39'38"E
C39	35.00'	56°18'52"	34.40'	18.73'	33.03'	N07°12'54"W
C40	20.00'	88°07'12"	24.13'	13.78'	22.89'	N64°34'33"W
C41	150.00'	18°29'46"	48.03'	24.22'	47.83'	S87°36'59"E
C42	25.00'	57°29'51"	42.46'	23.43'	37.56'	S46°30'14"E
C43	25.00'	105°14'33"	46.14'	33.05'	39.81'	N59°10'34"W
C44	27.00'	48°33'13"	45.83'	24.31'	44.50'	S22°03'13"E
C45	202.00'	42°13'02"	183.08'	96.51'	178.38'	S39°07'33"E

LEGEND:
- PG. = PAGE
- (R) = RADIAL
- FND. = FOUND
- ORIG. = ORIGINAL
- COR. = CORNER
- P.B. = PLAT BOOK
- (NR) = NON-RADIAL
- RP = RADIUS POINT
- SF = SQUARE FEET
- O.R. = OFFICIAL RECORDS BOOK
- R/W = RIGHT OF WAY
- (#) = CURVE NUMBER
- PT = POINT OF TANGENCY
- PC = POINT OF CURVATURE
- PRC = POINT OF REVERSE CURVATURE
- PI = POINT OF INTERSECTION
- PSM = PROFESSIONAL SURVEYOR AND MAPPER
- D.E. = DRAINAGE EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- L.M.E. = LAKE MAINTENANCE EASEMENT
- U.E. = UTILITY EASEMENT
- S.W.E. = SIDEWALK EASEMENT
- L.C.U.E. = LEE COUNTY UTILITIES EASEMENT
- ■ = SET PERMANENT REFERENCE 4"X4" CONCRETE MONUMENT (PRM) PSM 4324/LB 4919 ("UNLESS OTHERWISE NOTED")
- ⊙ = PERMANENT CONTROL POINT (PCP) NAIL & DISC PSM 4324/LB4919
- ● = SET 3/8" IRON ROD & CAP LABELED BWLK 4919 "ORIG COR"

TRACT IDENTIFICATION:
- TRACT 1 – LAKE/DRAINAGE/RETENTION
- TRACT 2 – LANDSCAPE/COMMON AREA/DRAINAGE EASEMENT
- TRACT 3 – ROADWAY, DRAINAGE EASEMENT & P.U.E.
- TRACT 4 – CONSERVATION EASEMENT

D.O. # 80052001-00172 CASE NO. PL72001-00044

PLAZA DEL SOL

A SUBDIVISION
LYING IN
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ & KAREH, INC.
CONSULTING ENGINEERS AND SURVEYORS
13041 McGREGOR BLVD. (239) 481-1331
FORT MYERS, FLORIDA 33919

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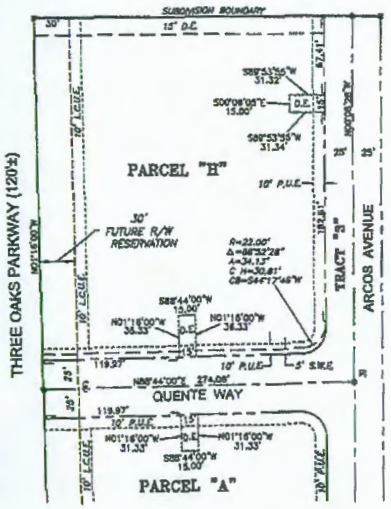
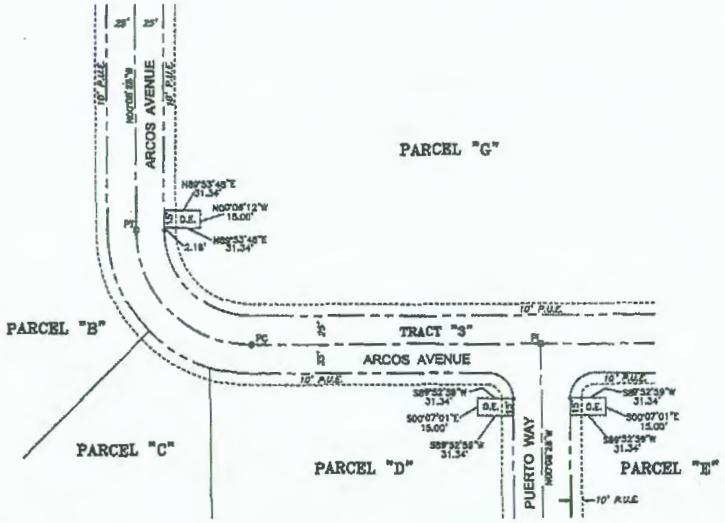
■ = SET PERMANENT REFERENCE 4"x4" CONCRETE MONUMENT (PRM) PSM 4324/LB 4919 ("UNLESS OTHERWISE NOTED")
● = PERMANENT CONTROL POINT (PCP) NAIL & DISC PSM 4324/LB4919
• = SET 5/8" IRON ROD & CAP LABELED BWLK 4919 "ORIG COR"

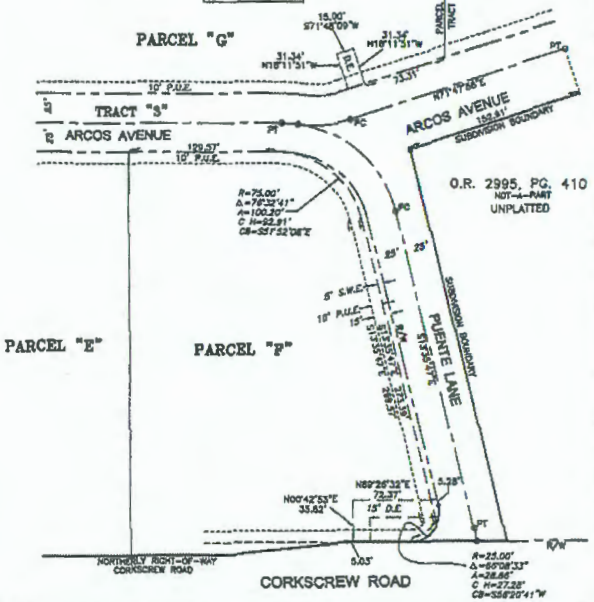
DETAIL #1



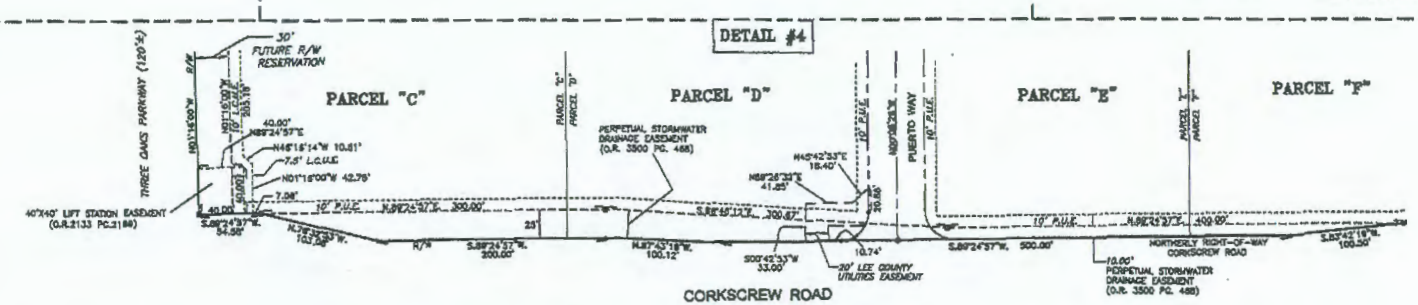
DETAIL #2



DETAIL #3



DETAIL #4



D.A. J 005901-00172 CASE NO. PU2001-00044