



VILLAGE OF ESTERO
Comprehensive Plan & Zoning
STAFF REPORT

PROJECT NAME: THE REEF, PHASE II
CASE TYPE: COMPREHENSIVE PLAN TEXT AMENDMENT and
PLANNED DEVELOPMENT/REZONING

CASE NUMBER: CPA 2016-02 and
DCI 2016E-01

PLANNING & ZONING BOARD DATE: OCTOBER 11, 2016
COUNCIL FIRST READING: NOVEMBER 16, 2016

REQUEST AND STAFF RECOMMENDATION

There are two requests for this property: a Comprehensive Plan Amendment and a rezoning from Commercial to Residential Planned Development with one deviation for an additional monument sign.

The 5.32 acre site is located at the northeast corner of the intersection of Three Oaks and Estero Parkway. The proposed development is a 60 unit multiple family student housing project. (Phase II of existing project, The Reef)

Staff and the Planning and Zoning Board recommend the Council transmit the Comprehensive Plan Amendment to the state for review. Once the review agencies provide their comments, the Council will hold an "adoption" hearing for the Comprehensive Plan, and a public hearing for the rezoning.

APPLICATION SUMMARY

Applicant: FGCU-Reef, LLC

Location: The subject property is located at the northeast corner of the intersection of Estero Parkway and Three Oaks Parkway. The applicant has indicated that the subject property STRAP number is 23-46-25-E4-U2143.2581.

Request 1: Amend Comprehensive Plan text to add a new Policy 19.3.4 to allow for the conversion of commercially zoned parcels to residential use under certain conditions as outlined in the new policy.

Request 2: Rezone a 5.32+/- acre Commercial Planned Development (CPD) parcel, identified as a portion of Development Area "A" within the Corlco Villages RPD/CPD pursuant to Lee

County Zoning Resolution Z-02-071, to Residential Planned Development (RPD) to accommodate a multi-family residential development with 60 units, a recreation area, and 270 parking spaces. Maximum height proposed is 35 feet. The Development will connect to both potable water and sanitary sewer services.

Request 2a: Deviation from Land Development Code Section 30-152(2)b for additional monument sign.

LAND USE CATEGORY

Urban Community and is located in the Mixed-Use Overlay

PUBLIC INFORMATION MEETING

The meeting for this application was held at the Planning and Zoning Board on July 19, 2016.

PROJECT HISTORY

The site is currently vacant and is not part of a plat or subdivision. The property consists of (1) one STRAP number (23-46-25-E4-U2143.2581) and is owned by FGCU-Reef, LLC. The property consists of 5.32+/- acres and has been part of the Corlico Villages RPD/CPD since the overall project was initially rezoned from AG-2 to Residential Planned Development (RPD) (Lee County Resolution No. Z-86-169). The subject property was subsequently rezoned from RPD to Commercial Planned Development (CPD) pursuant to Lee County Zoning Resolution No. Z-93-013. The overall Corlico Master Concept Plan was adjusted again pursuant to Lee County Zoning Resolution No. Z-02-071.

The subject property is referred to as Development Area "A" within the overall Corlico Villages RPD/CPD and is under contract by the same owner as Development Area "B" which is zoned residential. Development Area "B" is known as the Reef – Phase I and was recently completed with 168 multi-family residential units used for student housing. The subject site, Development Area "A", is currently zoned commercial and is approved for 46,200 square feet of commercial retail and office uses not to exceed 35 feet in height. The Applicant desires to rezone the subject site to residential in order to develop 60 multi-family units as Phase II of The Reef which will be similar to and incorporated as part of the student housing community recently completed on the Development Area "B" parcel.

SURROUNDING ZONING AND LAND USE

North and East – Reef Phase I residential RPD zoning which was recently constructed with 168 multi-family residential apartments. (Urban Community Land Use Category)

South – Estero Parkway and South of Estero Parkway is CPD and RPD zoning that is currently vacant. (Urban Community and Wetlands Land Use Category) The Property Appraiser records indicate this site was approved for 32,000 square feet of commercial retail and offices uses and 126 dwelling units, however, the applicant for The Reef submitted a recorded conservation easement encumbering this parcel, which would not permit that scope of development.

West – Three Oaks Parkway and West of Three Oaks is Estero Oaks, located in unincorporated Lee County, with MPD zoning that includes multifamily housing (280 units including 63 bonus density units) as well as 8 commercial outparcels with 130,000 square feet of retail and office uses. A 7-11 has recently opened on Estero Parkway. (Urban Community Land Use Category)

PROJECT DESCRIPTION

Rezoning –

The Applicant is requesting rezoning from Commercial to Residential Planned Development for a 5.32+/- acre parcel, within the Corlico Villages RPD/CPD previously approved by Lee County. This project is proposed as a multi-family residential development with 60 dwelling units, recreational areas, and 278 parking spaces (See below under 'Master Concept Plan' for more detail of the proposed project). The proposed development will be similar to the recently completed Reef - Phase I project which is to the north and east of the subject property.

The subject property is currently approved for 46,200 square feet of commercial retail and office uses. The permitted commercial uses include but are not limited to medical and professional offices, automobile service stations, banks, retail, convenience stores, indoor storage, package stores, pet services, restaurants and used merchandise stores.

Comprehensive Plan Amendment –

A Comprehensive Plan Amendment is needed to accommodate this project's proposed number of units and density. The current land use category (Urban Community) allows a density of 1 to 6 units per acre. The maximum number of units for this site would be 31 units (if wetlands are protected) and the applicant is requesting 60 units, thus the need for a Comprehensive Plan Amendment.

The applicant originally filed an amendment to change the land use map category from Urban Community to Intensive Development. After discussions with staff, the applicant revised the request to a "text" amendment as staff indicated they would not be supportive of a map amendment.

The amendment would add a new Policy 19.3.4 to allow for the conversion of commercially zoned parcels of 5.5 acres or less in size to residential use subject to several specific conditions identified below. The proposed Comprehensive Plan Text Amendment is as follows:

Policy 19.3.4: Encourage re-development of underutilized commercial lands by providing an option to convert those lands to residential uses at higher residential densities within the Urban Community future land use designation and Mixed-Use Overlay in a manner consistent with Policies 19.1.1.c, 19.1.1.d, 19.1.3.e, 19.2.1.i and 19.3.2. This Policy allows for the conversion of a parcel zoned Commercial Planned Development ("CPD Parcel") of not more than 5.5 acres in size to a Residential Planned Development ("RPD") when combined with an existing adjacent RPD ("Existing RPD Parcel") provided the Resulting Project ("the project resulting from the combination of the Existing RPD and CPD Parcels") is consistent with the following requirements:

- a. The CPD Parcel shall have been zoned CPD before November 16, 2006;

- b. *The CPD Parcel shall have two sides immediately adjacent to and physically abutting the Existing RPD Parcel;*
- c. *The proposed development on the CPD Parcel shall be consistent with and integrated into the residential development on the Existing RPD Parcel and the Resulting Project shall be operated as a single project under common control pursuant to a Declaration of Covenants to the Village; and*
- d. *The total number of residential units for the Resulting Project shall not exceed 140% of the approved number of residential units for the Existing RPD Parcel. The residential units shall be calculated by multiplying that percentage by the approved number of residential units for the Existing RPD Parcel to generate the total number of units available for the Resulting Project. For example, if the Existing RPD Parcel is authorized for 168 units, the total number of residential units for the Resulting Project shall be calculated by multiplying 140% by 168 units to render a maximum total of 235 units for the Resulting Project;*
- e. *The density on the resulting project cannot exceed 8 dwelling units per gross acre;*
- f. *The resulting project shall be within 660 feet of the approved commercial development, measured from the closest property line of the resulting project.*

All conversions of a CPD Parcel to an RPD Parcel under this Policy are subject to the following review requirements:

- a. *The conversion shall be part of an application to rezone the CPD Parcel to an RPD; and*
- b. *Approval for the conversion of the CPD Parcel to an RPD is at the Council's discretion and is dependent on a determination that such a conversion is compatible and consistent with the Existing RPD Parcel and with the rezoning approval criteria set forth in the Land Development Code.*

MASTER CONCEPT PLAN

The Master Concept Plan shows one existing entrance road from Three Oaks Parkway which leads into the existing Reef – Phase I development. The entrance road has a turn-around area and controlled gate for the entire site. A loop road will lead into the Reef – Phase II section and runs around the perimeter of the subject site with six (6) 3-story buildings (Maximum Height 35 feet) in the center of the parcel with common space, open area and walkways around the buildings. A recreation area is also included in the common area between the buildings. The loop road is lined with parking for the project. There are two (2) connections between The Reef - Phase I and The Reef - Phase II along the loop road. Pedestrian sidewalks connect the subject site to Three Oaks Parkway and lead through the site in several locations and connect to The Reef – Phase I.

A total of 132 parking spaces are required for the multi-family dwelling units. The applicant is proposing 278 parking spaces and has indicated that more than the minimum are provided due to it being used as student housing. It is expected that each resident may have a vehicle, which results in a higher parking need than that addressed in the Land Development Code. A buffer will run along the perimeter of the north, south and west property lines to screen the property and proposed parking areas from the adjacent roads.

STAFF ANALYSIS

The staff analysis section of this report reviewed both the Comprehensive Plan amendment and Zoning application in conjunction with information from the Comprehensive Plan and Land Development Code. Staff analyzed various concerns, such as environmental issues, transportation impacts, density, compatibility, height, and other Comprehensive Plan considerations (including Estero-specific goals and policies).

In order to assist, staff has provided a summary of the project's advantages and disadvantages below. Following this section is more information on each of these issues described above.

Summary of Advantages and Disadvantages

Disadvantages:

- The request requires a modification to the Comprehensive Plan prior to the Village's preparation of its first Comprehensive Plan.
- Mixed use development, which is the type of project most desired for this area due to its Mixed Use Overlay land use designation, will be replaced with multi-family residential.
- The proposed text amendment could be applied to other properties, which could have potential negative impacts.
- The proposal is currently inconsistent with the Comprehensive Plan. (The applicant is seeking a text amendment to address that.)

Advantages:

- The addition of housing to support Florida Gulf Coast University is a specific policy within the Comprehensive Plan. This property is close to FGCU and adjacent to existing housing for college students.
- Although mixed use is desired, it was not required on this parcel. General commercial standalone uses could be developed which would not result in a true mixed use community.
- The proposed development of 60 multi-family dwelling units is much less traffic intensive than the currently zoned 46,200 square feet of commercial development.
- Approval of the residential use will eliminate some intensive commercial uses such as convenience stores and package stores, among others.

Pattern Book

The applicant has submitted the required Pattern Book for the proposed project. The overall architectural style of the proposed project is "Mediterranean" with clay tile roofs and textured stucco

wall and earth tone colors. Architectural details along with landscape and hardscape images are given. The Pattern Book indicates that there will be enhanced buffers along Three Oaks Parkway and Estero Parkway. The Pattern Book was recently revised to be more specific about the enhanced buffers and to include more details on fencing. The Pattern Book was presented to the Design Review Board on October 26, 2016 as requested by the Planning and Zoning Board.

Height and Density

Section 34-932 of the Land Development Code limits height in the Residential Planned Development districts to 45 feet. The proposed maximum height of this development will be 35 feet and three stories. The height is similar to that of the Reef Phase I, as well as the Estero Oaks multifamily project across Three Oaks Parkway to the west.

The Comprehensive Plan regulates the residential density. An amendment to the plan is required to obtain the requested density. The applicant is proposing to add Policy 19.3.4 to the Comprehensive Plan for the purpose of encouraging redevelopment of underutilized commercial lands by permitting residential use. The proposed Comprehensive Plan amendment will permit residential density on a commercial parcel of 5.5 acres in size or less, when combined and integrated with an adjacent residential planned development. The density of the resulting project could not exceed 8 units per acre.

Neighborhood Compatibility Issues

North and East of the proposed project is the Reef I. This development is a multifamily, three story project. The Reef I is similar in nature to the Reef II project. The Reef I development also provides multifamily, student housing no greater than three stories in height. The architecture, colors and design are intended to provide compatibility with the existing development. The density is also compatible. The density is somewhat higher on Reef II because Reef I contains the amenities (pool), stormwater management area, and other infrastructure necessary for the development of both parcels. The proposed Comprehensive Plan amendment relies on a blended density of the proposed and neighboring residential parcels.

The property to the west, across Three Oaks Parkway, (Estero Oaks) is a Mixed Planned Development with commercial outparcels and multifamily apartments. To the south is Estero Parkway.

The Master Concept Plan provides for parking surrounding the building. The parking is adjacent to Estero Parkway and Three Oaks Parkway. The applicant is proposing a buffer to conceal the proposed parking, however, staff has suggested that this buffer be enhanced to further obscure the parking areas from the adjacent rights-of-way. Additional materials and larger trees would screen the parking lot more effectively.

Environmental Issues

A site inspection was conducted on September 9, 2016. The site contains native vegetation intermixed with nuisance/exotic vegetation, a narrow manmade ditch of standing water, and wetland and upland habitat. No listed wildlife species were observed and due to adjacent development and the degree of

disturbance the site does not provide critical habitat to support listed wildlife species. The site contains less than two (2) acres of wetlands. No on-site mitigation or preserve area is proposed.

Pursuant to LDC Sec. 34-1493, density calculations are based on total gross residential acres less the wetland area. The applicant has identified 1.83 acres of jurisdictional wetland on the site but this is still under review by the SFWMD. Pending an approved wetland jurisdictional determination by the regulatory agencies density calculations should be considered preliminary.

The flood map indicates that the southern portion of the property falls within a floodway and will need to adhere to the criteria in LDC Sections 6-401, which applies to development in a flood hazard area and 10-253, regarding soil conditions in a flood hazard area.

The site plan has provided the required 40% open space as specified in LDC Sec. 10-415 through the common area, buffers and landscape areas as allowed Sec. 10-415(d)2.

There are impacts to wetlands, waterbodies, and native vegetation with the implementation of this project but there does not appear to be impacts to imperiled, also known as listed, species. The development will need to obtain a tree removal permit. The development will also need to obtain environmental resource permits for wetland impacts. An application to the SFWMD is currently under review for this site, application no. 160526-15. The District is reviewing the submitted wetland delineation line.

Pursuant to LDC Sec. 14-293(a) An Environmental Resource Permit (ERP) is required prior to any development that will impact wetlands. The ERP will be issued by the South Florida Water Management District (SFWMD) in accordance with state statutes. Prior to receipt of a copy of the appropriate state authorization relating to wetlands, the Village may not issue building permits or development orders where development will cause impacts to existing wetlands on the subject property.

Additionally, pursuant to LDC Sec. 14-294 the terms and conditions of all state authorizations relating to wetlands, including ERP's should be incorporated into any development order, building or other local development permit.

Transportation Issues

The Reef development will be served by the existing access connection to Three Oaks Parkway north of Estero Parkway. This entrance serves the existing Reef development and is restricted to right-in/right-out/left-in turning movements. The proposed development which includes 60 residential apartment units is less traffic intensive than the currently zoned 46,200 square feet of commercial development. The proposed residential development will generate 722 daily two way trips onto Three Oaks Parkway. The applicant's traffic impact statement evaluated the net trip generation of the approved existing land use compared to the proposed future land use after the rezoning. The net new trip generation analysis revealed that the proposed residential land use will generate 3,389 fewer daily two way trips than the commercial uses if built out as approved.

The applicant’s traffic statement provided an evaluation of the adjacent roadway links for the existing and future scenarios. The most directly accessed road segment is Three Oaks Parkway and the closest major intersection is Three Oaks Parkway and Estero Parkway. The following is the result of the road segment link analysis for existing and future conditions per traffic data provided in the Lee County 2015 Concurrency Report:

Roadway Link	Roadway Link Location	2015 Peak Hour Volume	2015 LOS	Future Peak Hour Volume	Future LOS
Estero Parkway	US 41 to Three Oaks Parkway	401	B	743	B
Estero Parkway	Three Oaks Parkway to Ben Hill Griffin Parkway	755	B	1,283	B
Three Oaks Parkway	San Carlos Boulevard to Coastal Village Entrance	993	B	1,570	B
Three Oaks Parkway	Coastal Village Entrance to Project Entrance	993	B	1,609	B
Three Oaks Parkway	Project Entrance to Estero Parkway	993	B	1,706	B
Three Oaks Parkway	Estero Parkway to Corkscrew Road	993	B	1,159	B

Note(s): Information taken from Traffic Impact Statement for The Reef Phase II Growth Management Plan Amendment (GMPA)- Rezone prepared by Trebilcock Consulting Solutions, PA dated 09/29/16

The above table indicates that these roadway links will all operate at an acceptable level of service at project buildout based on the Lee County 2015 Concurrency Report. In addition, the applicant provided a level of service analysis for Three Oaks Parkway based upon projecting the existing traffic volume to year 2021 using a 7.4% growth rate and adding the traffic from the existing Reef project, the 280 unit Estero Oaks development and the existing 7-11 convenience store on Estero Parkway. The analysis showed that Three Oaks Parkway will continue to operate at LOS=B through year 2021.

In summary, there is no level of service degradation of roads immediately impacted by this project, and less traffic is generated than the prior approved zoning. The Lee County MPO 2040 Long Range Transportation Plan includes a list of Needs Plan Road Projects which includes the widening of Corkscrew Road between US-41 and Ben Hill Griffin from 4 lanes to 6 lanes at some future date when funding becomes available.

Comprehensive Plan Considerations

The current Future Land Use designation is Urban Community. The Urban Community designation is intended for areas characterized by a mixture of relatively intense commercial and residential uses with future development in this category encouraged to be developed as a mixed-use where appropriate. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre) only with “bonus” density. This property is also located in the Mixed-Use Overlay per the Comprehensive Plan. Sites within this overlay are locations desirable for mixed use located in close proximity to: public transit routes; education facilities; recreation

opportunities; and, existing residential, shopping and employment centers. Appropriate locations will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance.

The applicant's request is to amend the Comprehensive Plan to permit Residential on Commercial property under certain conditions, specifically when commercial properties abut residential properties on two sides and are integrated with the residential project and are under common ownership or control. The reason for the Comprehensive Plan amendment is due to the increased density this project is requesting.

An evaluation of pertinent Comprehensive Plan Policies is below.

Objective 2.1 – Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

The proposed project includes 60 multi-family residential units. The Reef project is within an overall planned development, consisting of 168 existing multi-family dwelling units. The proposed zoning and Comprehensive Plan Amendment will allow the multi-family units to have a resultant density of less than 8 units per acre utilizing the subject property and the neighboring property's density.

Policy 4.2.1 – The County will maintain an overlay in the future land use map series identifying locations desirable for mixed use that are located in close proximity to: public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Appropriate locations will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance (preference will be given to locations serviced by multiple transit routes). An analysis showing the number of existing and potential residential units within the immediate and extended pedestrian shed (measured through connections and delineating pedestrian barriers) will be considered in identifying appropriate locations.

This site is within a Mixed-Use Overlay Land Use Category. However mixed-use is not required. The adjoining properties are all multi-family residential. The property to the south across Estero Parkway is approved for commercial. According to the applicant, there is a recorded conservation easement which would not permit the amount of development approved based on the Lee County Property Records. A 7-11 was recently developed to the west, adjacent to 280 multiple-family apartment units. Approval of residential will eliminate an opportunity for commercial mixed-use. However, based on the existing conditions, which have not been developed in a true mixed-use pattern, mixed-use may not be effective on this remaining in-fill parcel.

Policy 19.1.1: Support the unique character and quality of life within the Estero community by managing growth and development and by maintaining and executing Lee Plan policies, Land Development Code (LDC) regulations, and other planning tools that:

- a. *Implement and maintain commercial development standards for architecture, landscaping, buffering, signage, lighting designs and visual appearance of developments, transportation facilities, and other community amenities;*
- b. *Promote the use of low impact design, sustainable energy, water, and other environmental features;*
- c. *Establish higher density, mixed-use development within areas targeted on the Mixed-Use Overlay;*
- d. *Encourage the redevelopment and infill of underutilized commercial and residential lands; and*
- e. *Increase public participation in the land development approval process to ensure future development efforts support the Estero community plan and adopted Lee Plan policies and LDC standards.*

The applicant is proposing a design that meets the requirements for Mediterranean style and is intended to be consistent with the Reef I, which is a recently constructed multi-family development immediately east of the subject property. Staff is requesting additional buffering to further the goals of the community. The property is vacant commercial land and the request would result in a similar type of development to its adjoining properties, providing neighborhood compatibility. Although mixed-use is not proposed, the applicant is requesting a higher density.

Policy 19.3.2 – Florida Gulf Coast University housing needs. Meet the future residential and commercial needs of Florida Gulf Coast University by encouraging higher density residential developments, with a mix of unit types and design forms, including affordable housing and mixed-use centers, in close proximity to Florida Gulf Coast University. The development of such housing and mixed-use centers will consider the transitions between the adjacent residential neighborhoods, commercial centers, and park and recreational facilities.

The proposed project will be specifically to provide housing opportunities in the form of 60 multi-family dwelling units for Florida Gulf Coast University students and it will be incorporated into the existing Reef project.

Sign Deviation

The applicant has requested a deviation to locate a monument sign at the southwest corner of the project at Three Oaks Parkway and Estero Parkway. The deviation is from Land Development Code Section 30-152(2)b. The deviation is needed because the property does not have sufficient amount of frontage (2,000 linear feet) to permit the second sign without the deviation. There is an existing sign at The Reef's main entrance on Three Oaks Parkway which is shared between The Reef Phase I and Phase II.

The second sign will be designed to be consistent with the existing sign. The property across Three Oaks Parkway to the west (Estero Oaks) has a similar sign at the corner of its property which was approved by Lee County.

No other deviations have been requested with respect to size or setbacks, so the sign will need to comply with all other aspects of the Code.

No other deviations have been requested for this application.

Other Issues

- Because the proposed amendment to the Comprehensive Plan is a “text” amendment in lieu of a “map” amendment, there is a potential for this to affect other property in the Village. The applicant has analyzed how the potential amendment could be applied elsewhere in the Village. The applicant has further revised the text of the proposed Comprehensive Plan amendment subsequent to the Planning and Zoning Board meeting to further limit its applicability. The applicant reviewed other sites within the Village that could potentially benefit from this amendment by adding increased residential density to commercial properties. Based on the applicant’s analysis, the proposed amendment could potentially be applied to the following property:
 - Lee County CPD (3.67 acres at 20011 Three Oaks Parkway – adjacent to the Corlico Villages RPD).

The applicant proposed language so that it would not be site specific but would also not allow broad applicability to other sites. A rezoning would be required for other properties to utilize this policy so there would be an opportunity for public input and review by the Planning and Zoning Board and Village Council to provide further assurance that this would not have detrimental ramifications.

- Lee County Utilities has confirmed there is availability of water and wastewater services to support this project.
- The Estero Fire Rescue has indicated that they are capable of providing both fire suppression and Advanced Life Support non-transport emergency medical services to the property.
- The Lee County Sheriff’s Office has indicated the project would not affect the ability to provide core levels of service.
- The Lee County Solid Waste Division has confirmed they have capacity to provide solid waste collection for the project.
- The Florida Master Site File has no recorded cultural resources found on this property. There is also nothing of historic significance on this parcel.

PLANNING AND ZONING BOARD DISCUSSION AND RECOMMENDATIONS

The Planning and Zoning Board reviewed the Comprehensive Plan Amendment and Rezoning request at its meeting on October 11th. After discussion, the Board voted to recommend “transmittal” of the Comprehensive Plan Amendment to the State, recognizing that the text amendment language needed further clarification, and also recommended approval of the rezoning request with conditions (as further revised by Staff). They also requested the Design Review Board review the Pattern Book prior to the Council Meeting. The Design Review Board reviewed the document at its meeting on October

26th. The applicant recently proposed revised text amendment language to staff and met with staff on November 2nd to refine the proposed policy.

The motion was to transmit the Comprehensive Plan Amendment based on the policy language as discussed by the Planning and Zoning Board and as further modified by Staff. The motion was made by David Crawford, seconded by William Campos, and was unanimous (7-0).

A second motion was made to approve the rezoning with changes to conditions, as discussed by the Planning and Zoning Board, and to modify the Master Concept Plan to eliminate the reference to Phase I. The motion was made by Ned Dewhirst, seconded by David Crawford and was unanimous (7-0).

Conditions of approval are included in the draft Ordinance.

FINDINGS AND CONCLUSIONS

Based upon an analysis of the application and review of the Comprehensive Plan staff has proposed the following Findings of Fact for review:

1. The applicant has provided sufficient justification for the Comprehensive Plan Amendment by indicating the Goals, Objectives and Policies within the Comprehensive Plan that support this amendment.
2. The Amendment encourages contiguous, compact development.
3. A specific policy of the Comprehensive Plan is to provide housing for Florida Gulf Coast University.

If the Village Council adopts the proposed Comprehensive Plan Amendment, the rezoning application could be approved. The Comprehensive Plan Amendment must be adopted prior to the approval of the rezoning. Based upon an analysis of the application and the standards for approval in the Land Development Code, staff has proposed the following Findings of Fact for review:

1. The applicant has provided sufficient justification for the rezoning by demonstrating compliance with the Land Development Code.
2. The application is consistent with the standards in the Residential Planned Development district and compatible with existing or planned uses in the surrounding area.
3. Urban services will be available and adequate to serve the proposed use.
4. The proposed use, as conditioned, is appropriate at the subject location.
5. There will be additional trips generated by the project, but there will not be Level of Service issues and there will be fewer trips generated on the roadways than if developed under the existing commercial zoning.

6. The recommended conditions to the Master Concept Plan and rezoning provide sufficient safeguards to the public interest and are reasonably related to impacts on the public's interest created by or expected from the proposed development.

ATTACHMENTS

- A. Master Concept Plan
- B. Zoning Map
- C. Land Use Map
- D. Lee County Utilities Water and Wastewater Availability Letter
- E. Lee County School District Letter
- F. Estero Fire Rescue Letter
- G. Lee County Sheriff's Department Letter
- H. Lee County – Solid Waste Letter
- I. Zoning Resolutions
- J. Applicant's Pattern Book

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

VILLAGE OF ESTERO, FLORIDA

ORDINANCE NO. 2016 - 15

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING AN AMENDMENT TO THE VILLAGE TRANSITIONAL COMPREHENSIVE PLAN TO ADD POLICY 19.3.4 PROVIDING FOR THE OPTION TO CONVERT A COMMERCIAL PLANNED DEVELOPMENT OF NOT MORE THAN 5.5 ACRES WITHIN THE URBAN COMMUNITY FUTURE LAND USE DESIGNATION AND MIXED-USE OVERLAY TO A RESIDENTIAL PLANNED DEVELOPMENT WHEN COMBINED WITH AN EXISTING ADJACENT RESIDENTIAL PLANNED DEVELOPMENT UNDER CERTAIN CONDITIONS FOR A DENSITY NOT TO EXCEED EIGHT DWELLING UNITS PER GROSS ACRE ACROSS THE RESULTING RESIDENTIAL PLANNED DEVELOPMENT COMPRISED OF BOTH PARCELS; PROVIDING FOR TRANSMITTAL PURSUANT TO STATE STATUTE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Estero Charter provides that the Lee County Comprehensive Plan existing as of the date of the Village incorporation shall be the Village of Estero Transitional Comprehensive Plan (“Comprehensive Plan”); and

WHEREAS, the Urban Community Future Land Use designation currently provides for a maximum density of six units per acre; and

WHEREAS, in certain limited circumstances the Village Council in its discretion may find that it is in the interest of the public health, safety and welfare to encourage redevelopment of underutilized commercial lands zoned as Commercial Planned Development by providing an option to convert those lands to residential uses at higher residential densities than six dwelling units to the acre but less than eight dwelling units per acre, when combined with an existing adjacent Residential Planned Development; and

WHEREAS, the Village of Estero Planning and Zoning Board conducted a workshop on July 19, 2016, to consider an amendment to the Comprehensive Plan for this purpose; and

90 **Section 5. Severability**

91

92 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance
93 subsequent to its effective date be declared by a court of competent jurisdiction to be invalid,
94 such decision shall not affect the validity of this Ordinance as a whole or any portion thereof,
95 other than the part so declared to be invalid.

96

97 **Section 6. Effective Date**

98

99 This Ordinance shall be effective upon the completion of the transmittal review
100 pursuant to state statute and adoption by the Village Council at second reading, except that the
101 effective date of the amendment to the Village of Estero Comprehensive Plan (Attachment A)
102 shall be thirty-one (31) days after the State Land Planning Agency notifies the Village that the
103 plan amendment package is complete. If timely challenged, the amendment becomes effective
104 when the State Land Planning Agency or the Administration Commission enters a final order
105 determining the adopted amendment to be in compliance.

106

107 **PASSED** on first reading this _____ day of _____, 2016.

108

109 Attest: **VILLAGE OF ESTERO, FLORIDA**

110

111

112 By: _____ By: _____
113 Kathy Hall, MMC, Village Clerk Nicholas Batos, Mayor

114

115

116 Approved as to form and legal sufficiency:

117

118

119 By: _____
120 Nancy Stroud, Esq., Village Land Use Attorney

121

122

123	Vote:	AYE	NAY
124	Mayor Batos	_____	_____
125	Vice Mayor Levitan	_____	_____
126	Councilmember Boesch	_____	_____
127	Councilmember Brown	_____	_____
128	Councilmember Errington	_____	_____
129	Councilmember Ribble	_____	_____
130	Councilmember Wilson	_____	_____

ATTACHMENT A
ORDINANCE NO. 2016-15
FIRST READING

POLICY 19.3.4: Encourage re-development of underutilized commercial lands by providing an option to convert those lands to residential uses at higher residential densities within the Urban Community future land use designation and Mixed-Use Overlay in a manner consistent with Policies 19.1.1.c, 19.1.1.d, 19.1.3.e, 19.2.1.i and 19.3.2. This Policy allows for the conversion of a parcel zoned Commercial Planned Development (“CPD Parcel”) of not more than 5.5 acres in size to a Residential Planned Development (“RPD”) when combined with an existing adjacent RPD (“Existing RPD Parcel”) provided the Resulting Project (“the project resulting from the combination of the Existing RPD and CPD Parcels”) is consistent with the following requirements:

- a. The CPD Parcel shall be zoned CPD before November 16, 2006;
- b. The CPD Parcel shall have two sides immediately adjacent to and physically abutting the Existing RPD Parcel;
- c. The proposed development on the CPD Parcel shall be consistent with and integrated into the residential development on the Existing RPD Parcel and the Resulting Project shall be operated as a single project under common control pursuant to a Declaration of Covenants approved by the Village land use attorney; and
- d. The total number of residential units for the Resulting Project shall not exceed 140% of the approved number of residential units for the Existing RPD Parcel. The residential units shall be calculated by multiplying that percentage by the approved number of residential units for the Existing RPD Parcel to generate the total number of units available for the Resulting Project. For example, if the Existing RPD Parcel is authorized for 168 units, the total number of residential units for the Resulting Project shall be calculated by multiplying 140% by 168 units to render a maximum total of 235 units for the Resulting Project.
- e. The density on the Resulting Project shall not exceed eight dwelling units per gross acre (8 du/gross acre).
- f. The Resulting Project shall be within 660-feet of approved commercial development measured from the Resulting Project’s closest property line to the commercial development’s closest property line.

All conversions of a CPD Parcel to an RPD Parcel under this Policy are subject to the following review requirements:

- a. The conversion shall be part of an application to rezone the CPD Parcel to an RPD; and
- b. Approval for the conversion of the CPD Parcel to an RPD is at the Council’s discretion and is dependent on a determination that such a conversion is compatible and consistent with the Existing RPD Parcel and with the rezoning approval criteria set forth in the Land Development Code.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2016 - 16**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING A REZONING FROM COMMERCIAL PLANNED DEVELOPMENT TO RESIDENTIAL PLANNED DEVELOPMENT WITH ONE DEVIATION TO ALLOW A 60 UNIT MULTIPLE FAMILY PROJECT FOR PROPERTY LOCATED AT THREE OAKS PARKWAY CONSISTING OF APPROXIMATELY 5.32 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, FGCU – Reef LLC (the “Applicant”) filed applications to amend the Transitional Comprehensive Plan by adding a new Policy, and a rezoning from Commercial to Residential Planned Development for a property located at Three Oaks Parkway (at the northeast corner of Estero Parkway and Three Oaks Parkway), Estero, FL, consisting of approximately 5.32 acres (the “Property”); and

WHEREAS, the Property STRAP number is 23-46-25-E4-U2143.2581, and the Property is legally described in Exhibit A attached hereto; and

WHEREAS, the Applicant requested a rezoning from the Commercial Planned Development District (CPD) to Residential Planned Development District (RPD); and

WHEREAS, the Applicant has requested a deviation to allow an additional monument sign; and

WHEREAS, the public information meeting was held on July 19 and after a duly noticed public hearing held on October 11, 2016, the Planning and Zoning Board recommended transmittal of the Comprehensive Plan Amendment and approval with conditions of the rezoning request, including the deviation; and

WHEREAS, a duly noticed first reading was held before the Village Council on November 16, 2016; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on _____, 2016, at which time the Village Council gave consideration to the evidence presented by the Applicant and the Village staff, the recommendations of the Planning and Zoning Board and the comments of the public.

45 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,
46 Florida:

47
48 **Section 1. Rezoning.**

49
50 The Village Council approves the rezoning of the Property from Commercial Planned
51 Development District (CPD) to Residential Planned Development District (RPD), to
52 allow a maximum of 60 multifamily residential units not to exceed 35 feet in height,
53 subject to the following conditions and deviation.

54
55 **Section 2. Conditions.**

56
57 1. The development of this project must be consistent with the one-page Master
58 Concept Plan entitled, "THE REEF" – PHASE II, MASTER CONCEPT PLAN –
59 stamped received October 18, 2016. The development must comply with all of the
60 requirements of the LDC at the time of development order approval. The zoning and
61 Comprehensive Plan amendments will allow a maximum of 60 multi-family units and
62 the maximum height of the buildings shall not exceed 35 feet and three stories.

63
64 2. The rezoning shall not be effective until such time that the Comprehensive Plan
65 amendment (Exhibit B), or an amendment that is substantially similar, is adopted and
66 effective.

67
68 3. The applicant shall provide an enhanced buffer along Estero Parkway and Three
69 Oaks Parkway. The buffer shall provide a berm, taller trees and additional material
70 (including trees, shrubs and groundcover) to provide screening of the parking and
71 vehicle areas, consistent with the Pattern Book.

72
73 4. To address school impacts, the applicant shall pay school impact fees, if the
74 project is not restricted by covenant to student housing.

75
76 5. Uses and Site Development Regulations:

77
78 **Schedule of Uses**

79 Accessory Uses and Structures

80 Administrative Offices

81 Dwelling Unit: Multiple-family building

82 Entrance Gates and Gatehouse

83 Essential Services

84 Excavation: Water retention

85 Fences, Walls

87 Home Occupation
88 Models: Limited to leasing of units in subject property only
89 Recreational Facilities: Personal and private, on-site
90 Residential Accessory Uses
91 Signs in accordance with Chapter 30 and Chapter 33 of the LDC or as approved
92 by deviation
93

94 **Property Development Regulations**

95
96 Height 35 Feet maximum
97 Stories 3 Stories maximum
98 Setbacks:
99 Front 20 Feet minimum
100 Side 20 Feet minimum
101 Rear 20 Feet minimum
102 Parking 278 Spaces maximum
103

104 6. No Blasting

105 No development blasting is permitted as part of this project.
106

107 7. Land Development Code/Concurrency

108 Approval of this zoning does not constitute a finding that the proposed project meets
109 the concurrency requirements set forth in Land Development Code Chapter 2 and all
110 requirements of the Land Development Code. The developer is required to demonstrate
111 compliance with all concurrency requirements prior to issuance of a local development
112 order.
113

114 8. Plan Consistency/Concurrency

115 Approval of this rezoning does not guarantee development order approval, or issuance
116 of a Concurrency Certificate. Future development order approvals must be found
117 consistent with all other Comprehensive Plan provisions.
118

119 9. Utilities

120 Water and sewer services are available to the site, and this development must connect
121 to those services as part of any local development order for the site for vertical
122 construction.
123

124 10. Lighting

125 Lighting of the subject property must be in compliance with LDC Section 33-116 and

126 Section 34-625 utilizing a maximum height of 15 feet for structures. All lighting must
127 be architecturally designed and complementary to the buildings where the lighting is
128 located.

129

130 11. Pattern Book

131 The project design must be consistent with the Pattern Book dated stamped Received
132 October 18, 2016.

133

134 12. Signage

135 The development of the subject property must include a unified, common signage plan
136 and graphic theme throughout the project as depicted in the Pattern Book. The overall
137 Reef Project has one permitted Residential Identification Sign which is already
138 installed at the project entrance drive. A deviation to authorize the proposed sign on
139 the Master Concept plan on the southwest corner of the site is approved.

140

141 13. Open Space

142 The project must provide a minimum of 40% open space in substantial compliance with
143 the approved Master Concept Plan.

144

145 14. Fencing

146 Fencing design is as depicted in the Pattern Book. Any fencing shall be concealed by
147 landscaping on the outside of the fence.

148

149 15. A Declaration of Covenants acceptable to the Village Land Use Attorney shall
150 be provided encumbering Parcels A and B sufficient to provide for and maintain
151 unified operation and control of the project. The Declaration shall be recorded at
152 issuance of any Development Order for the site.

153

154 16. The project is within hurricane evacuation zone B. Therefore, hurricane
155 mitigation is required prior to the approval of the Development Order, based on the
156 options provided in the Land Development Code, Section 2-485.

157

158 17. A shuttle bus service will be provided on site, to provide transportation for
159 students to FGCU, similar to that provided by the existing project, unless an alternative
160 is provided by the University.

161

162 18. The trash dumpster location must be moved to be screened and internal to the
163 site.

164

165

166 **Section 3.** **Deviation.**

167
168 1. A deviation from LDC Section 30-152(2)b which requires 2,000 feet of
169 frontage for an additional residential sign is approved, to allow a monument sign at the
170 corner of Three Oaks and Estero Parkway as shown on the Master Concept Plan.

171
172 **Section 4.** **Findings and Conclusions.**

173
174 Based upon an analysis of the application and the standards for approval in the Land
175 Development Code, staff has proposed the following Findings of Fact for review for
176 the rezoning request:

177
178 1. The applicant has provided sufficient justification for the rezoning by
179 demonstrating compliance with the Land Development Code.

180
181 2. The application is consistent with the standards in the Residential Planned
182 Development district and compatible with existing or planned uses in the surrounding
183 area.

184
185 3. Urban services will be available and adequate to serve the proposed use.

186
187 4. The proposed use, as conditioned, is appropriate at the subject location.

188
189 5. There will be additional trips generated by the project, but there will not be
190 Level of Service issues and there will be fewer trips generated on the roadways than if
191 developed under the existing commercial zoning.

192
193 6. The recommended conditions to the Master Concept Plan and rezoning provide
194 sufficient safeguards to the public interest and are reasonably related to impacts on the
195 public's interest created by or expected from the proposed development.

196
197 7. The deviation recommended for approval:

198
199 (a) Enhances the planned development; and

200 (b) Preserves and promotes the general intent of the LDC to protect the public,
201 health, safety and welfare.

202
203 8. The application is consistent with the Comprehensive Plan as conditioned upon
204 the proposed amendment to the Comprehensive Plan, or an amendment substantially
205 similar, being adopted and effective.

211 **Section 5. Exhibits.**

212
213 The following exhibits are attached to this Ordinance and incorporated by reference:

- 214
215 Exhibit A Legal Description
216 Exhibit B Text Amendment Policy
217 Exhibit C Master Concept Plan
218 Exhibit D Pattern Book
219

220 **Section 6. Conflicts.**

221
222 All sections or part of Sections of the Code of Ordinances, all Ordinances or parts of
223 Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance
224 shall be repealed to the extent of such conflict upon the effective date of this Ordinance.
225

226 **Section 7. Severability.**

227
228 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance
229 subsequent to its effective date be declared by a court of competent jurisdiction to be
230 invalid, such decision shall not affect the validity of this Ordinance as a whole or any
231 portion thereof, other than the part so declared to be invalid.
232

233 **Section 8. Effective Date.**

234
235 This Ordinance shall be effective on the date the Comprehensive Plan Amendment
236 CPA2016-02 adopted by Ordinance 2016-15 becomes effective.
237

238 **PASSED** on first reading this ____ day of _____, 2016.
239

240 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,
241 Florida this ____ day of _____, 2016.
242

243 Attest:

VILLAGE OF ESTERO, FLORIDA

244
245
246 By: _____
247 Kathy Hall, MMC, Village Clerk

By: _____
Nicholas Batos, Mayor

248
249
250 Reviewed for legal sufficiency:

251
252
253 By: _____
254 Nancy E Stroud, Village Land Use Attorney
255

		AYE	NAY
256	Vote:		
257	Mayor Batos	_____	_____
258	Vice Mayor Levitan	_____	_____
259	Councilmember Boesch	_____	_____
260	Councilmember Brown	_____	_____
261	Councilmember Errington	_____	_____
262	Councilmember Ribble	_____	_____
263	Councilmember Wilson	_____	_____

EXHIBIT A

INSTR # 2014000177771 Page Number: 3 of 3

A TRACT OR PARCEL LYING IN THE SOUTHWEST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 25 EAST; THENCE S.89°44'27"E., ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 23 A DISTANCE OF 519.96 FEET; THENCE N.00°52'41"E., A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING; THENCE N.89°44'27"W., A DISTANCE OF 381.78 FEET; THENCE N.44°17'00"W., A DISTANCE OF 11.52 FEET; THENCE N.00°52'41"E., A DISTANCE OF 620.12 FEET; THENCE S.89°07'19"E., A DISTANCE OF 337.61 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S.00°52'51"W., A RADIAL DISTANCE OF 80.00 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 23°54'28", A DISTANCE OF 33.38 FEET; THENCE S.00°52'41"W., A DISTANCE OF 617.47 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 231,594.07 SQUARE FEET OR 5.32 ACRES, MORE OR LESS.

EXHIBIT B

The Reef TEXT AMENDMENT

POLICY 19.3.4: Encourage re-development of underutilized commercial lands by providing an option to convert those lands to residential uses at higher residential densities within the Urban Community future land use designation and Mixed-Use Overlay in a manner consistent with Policies 19.1.1.c, 19.1.1.d, 19.1.3.e, 19.2.1.i and 19.3.2. This Policy allows for the conversion of a parcel zoned Commercial Planned Development (“CPD Parcel”) of not more than 5.5 acres in size to a Residential Planned Development (“RPD”) when combined with an existing adjacent RPD (“Existing RPD Parcel”) provided the Resulting Project (“the project resulting from the combination of the Existing RPD and CPD Parcels”) is consistent with the following requirements:

- a. The CPD Parcel shall be zoned CPD before November 16, 2006;
- b. The CPD Parcel shall have two sides immediately adjacent to and physically abutting the Existing RPD Parcel;
- c. The proposed development on the CPD Parcel shall be consistent with and integrated into the residential development on the Existing RPD Parcel and the Resulting Project shall be operated as a single project under common control pursuant to a Declaration of Covenants approved by the Village land use attorney; and
- d. The total number of residential units for the Resulting Project shall not exceed 140% of the approved number of residential units for the Existing RPD Parcel. The residential units shall be calculated by multiplying that percentage by the approved number of residential units for the Existing RPD Parcel to generate the total number of units available for the Resulting Project. For example, if the Existing RPD Parcel is authorized for 168 units, the total number of residential units for the Resulting Project shall be calculated by multiplying 140% by 168 units to render a maximum total of 235 units for the Resulting Project.
- e. The density on the Resulting Project shall not exceed eight dwelling units per gross acre (8 du/gross acre).
- f. The Resulting Project shall be within 660-feet of approved commercial development measured from the Resulting Project’s closest property line to the commercial development’s closest property line.

All conversions of a CPD Parcel to an RPD Parcel under this Policy are subject to the following review requirements:

- a. The conversion shall be part of an application to rezone the CPD Parcel to an RPD; and

- b. Approval for the conversion of the CPD Parcel to an RPD is at the Council's discretion and is dependent on a determination that such a conversion is compatible and consistent with the Existing RPD Parcel and with the rezoning approval criteria set forth in the Land Development Code.

EXHIBIT C

"THE REEF" PHASE II MASTER CONCEPT PLAN

LAND USE TABLE

	PARCEL A ACREAGE	PARCEL A+ ACREAGE
LAKES	0	0
PARKING	1.83 AC	35.04%
BUILDINGS	3.25 AC	17.42%
WALKWAYS	.87 AC	7.01%
POOL		
OPEN SPACE	2.14 AC	40.53%
TOTAL NEW	5.29 AC	100

DENSITY SUMMARY

REBARA	DWELLING UNITS	LAND USE	BUILDING HEIGHT
DRY AREA A	60 UNITS	60 UNITS	75 FEET 3 STOREYS
TOTAL	60 UNITS	60 UNITS	

SETBACKS
 FROM TREE DWS @ INTERO IL UD 30 FT MIN.
 SIDE 30 FT MIN.
 REAR 30 FT MIN.

PARKING CALCULATIONS
 MULTIFAMILY BUILDINGS
 REQUIRED BY RESIDUAL-2000
 MULTIFAMILY = 3 SPACES PER UNIT
 TOTAL NEW UNITS 60
 60 x 3 = 180 REQUIRED SPACES REQUIRED
 (RUST PARKING = REQUIRED) = 84
 120 x 10 = 1200 REQUIRED PARKING SPACES REQUIRED
 152 REQUIRED PARKING SPACES
 278 AVAILABLE PARKING SPACES

HANDICAP SPACES
 REQUIRED PER ADA NUMBER OF ACCESSIBLE
 SPACES = 2% OF TOTAL SPACES = (278 x .02) = 5.64
 3 HANDICAP SPACES REQUIRED
 3 HANDICAP SPACES PROVIDED

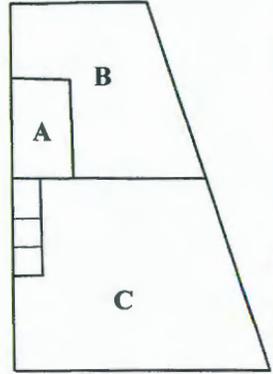
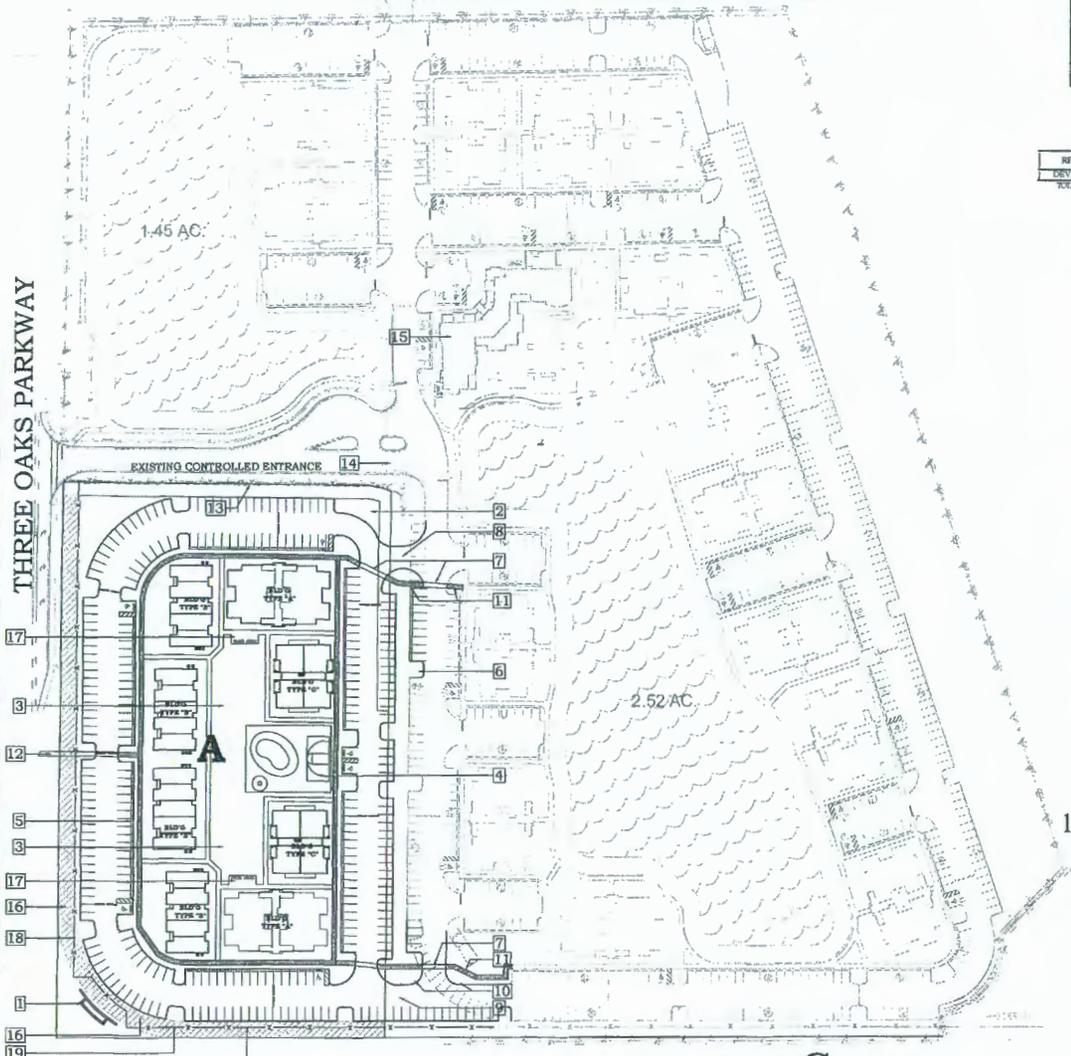
BUILDING COUNT
 (2) TYPE A BLDGS = THREE STORY = 24 UNITS
 (4) TYPE B BLDGS = THREE STORY = 20 UNITS
 (2) TYPE C BLDGS = THREE STORY = 16 UNITS
 TOTALS 60 UNITS

FLOODPLAIN REGULATIONS
 AS PER LDC SECTIONS 6-40 AND 10-20
 REQUIREMENTS, THIS DEVELOPMENT WILL COMPLY
 WITH APPLICABLE FLOODPLAIN REGULATIONS FOR A
 FLOODWAY AREA IN THE WING.

- SCHEDULE OF USES**
 (See D. Ordinance Code, 2010)
- ACCESSORY USES AND STRUCTURES
 - ADMINISTRATIVE OFFICES
 - DEVELOPMENT
 - Multi-family housing
 - ENTRANCE GATES AND COURTYARDS
 - ESSENTIAL SERVICES
 - EXERCISE YARD
 - FENCES, WALLS
 - HOME COORINEN
 - MOBILE HOME USE, mobile home, mobile d., by order
 - RECREATIONAL FACILITIES: Pool and Tennis Courts
 - RESIDENTIAL, ACCESSORY USES
 - SECS is accoide 4 with Chapter D of the LDC

MCP REFERENCE NOTES

(0)	PROPOSED PROJECT SIGN / FEATURE
(D)	DUMPSTER / RECYCLE LOCATION (IF REQUIRED)
@	COMMON AREA
(H)	AMENITIES AREA
(S)	SIDEWALK
(SI)	REVISED ISLAND LOCATION
(Z)	CROSS WALK CONNECTION
(N)	NEW ACCESS (- 6 SPACES)
(Z)	NEW ACCESS (+ 1 SPACES/ ADD 18 SPACES/ NET GAIN = 1 SPACE)
(P)	RECONFIGURED DRIVE
(W)	NEW SIDE WALK CONNECTION
(12)	SIDEWALK CONNECTION TO THREE OAKS
(11)	EXISTING FENCE & BUFFER FROM REEF 1
(1H)	EXISTING CONTROLLED GATE
(Im)	EXISTING CLUBHOUSE
(M)	ENHANCED TYPE 'D' BUFFER (20' WIDE W/ 1'-2' GRASS BERM) • 15' (100 GALLON TREES @ 3 PER 100' • 12' (45 GALLON TREES @ 3 PER 100' • DOUBLE ROW HEDGE PLANTED 36"-48" Ø GALLONS) SHRUBS
(11)	GRILLING AREA
(S)	DECORATIVE ALUMINUM FENCE TO MATCH EXISTING (6' MAX HEIGHT)
(12)	(OPTIONAL) PEDESTRIAN GATE ACCESS TO MATCH EXISTING



ESTERO PARKWAY

C
 SITE DEVELOPMENT
 SCALE 1" = 60'

MCHARRIS
 PLANNING & DESIGN
 19665 THREE OAKS PARKWAY
 FORT MYERS, FL 33907
 TEL: 888-888-8888
 FAX: 888-888-8888
 WWW.MCHARRIS.COM

PROJECT: "THE REEF" PHASE II MASTER CONCEPT PLAN
 DATE: 01-16-2023
 DRAWING: MCP

The Reef Student Housing Pattern Book



Property Location:

19655 Three Oaks Parkway
(Corner of Three Oaks and Estero Parkway)
Fort Myers, FL 33967



Design Standards

Building

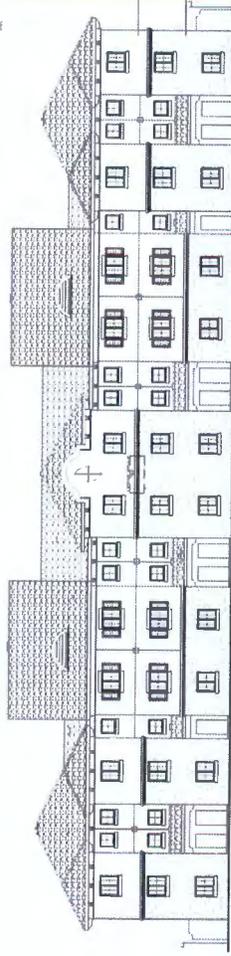
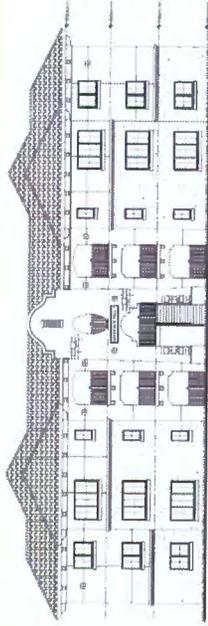
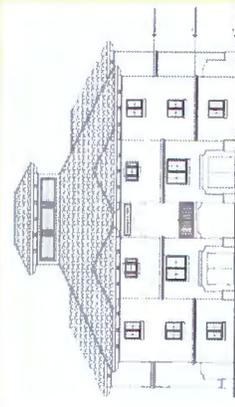
- Roof
- Details
- Walls
- Colors

Site Plan

- Parking
- Buffers
- elements

Landscaping

- Material
- hardscape
- Details





Roof/Building Design Standards



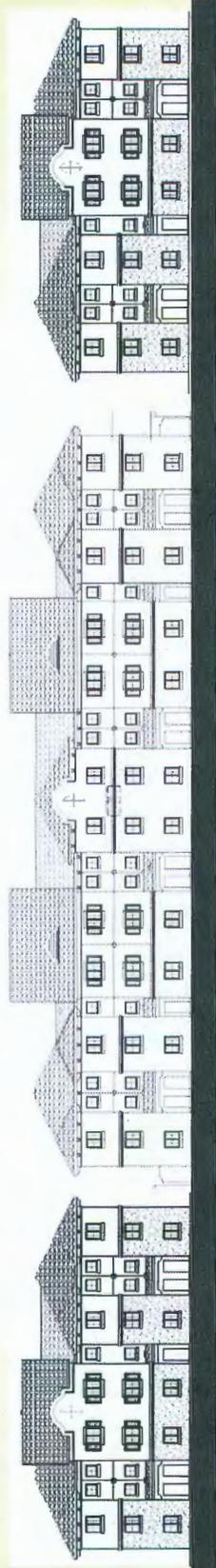
High Profile "S"



Roof Changes



Decorative Trim/Eave Brackets





Walls/Building Design Standards



Trim/Banding



Textured Stucco 1



Textured Stucco 2



Windows/Trim



Opening/details



Multi-Colored



Base Trim



Composition



Lighting



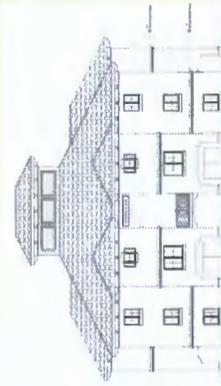
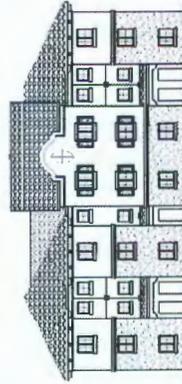
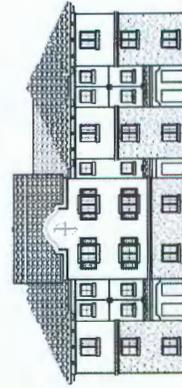
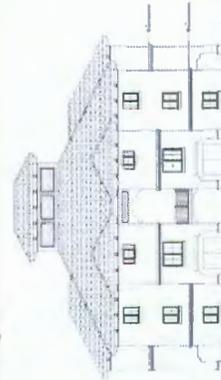
Colors/Building Design Standards



Existing Earth-tone Color Palette



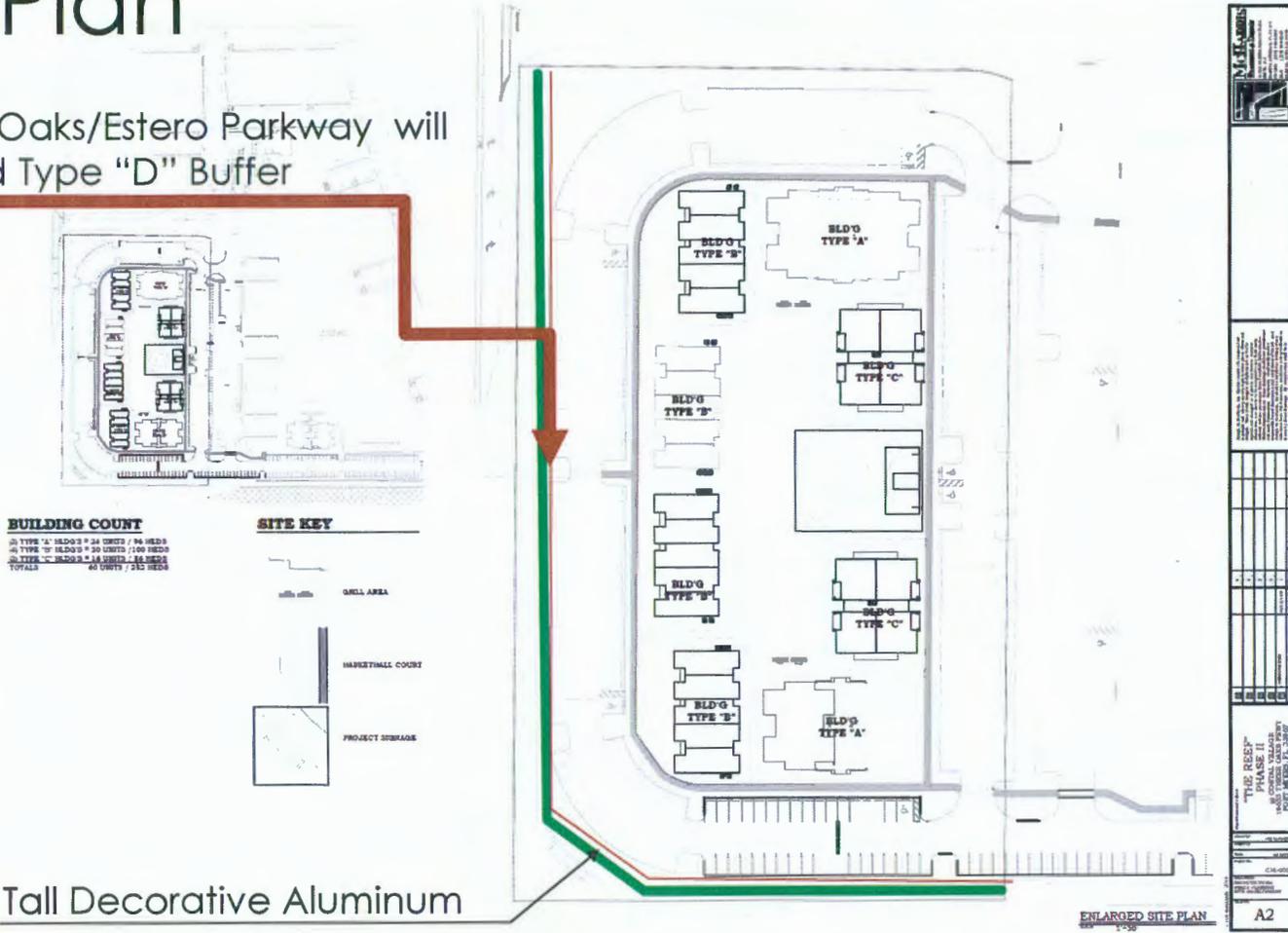
Proposed New Earth-tone Color Palette





Site Plan

Buffer along Three Oaks/Estero Parkway will have an Enhanced Type "D" Buffer



Max 6'-0" Tall Decorative Aluminum Fencing



Material/Landscape Design Standards



Trees and Palms



Shrubs/Ground Cover



Proposed Landscaping

Trees (100% Native/Drought Resistant)*

Green Button Wood/Conocarpus Erectus	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Cabbage Palm/Sable Palmetto	12'-18' CT, Booted/Slick, Hur. Cut
Red Maple/Acer Rubrum	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Slash Pine/Pinus Elliottii 'Densa'	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Black Olive/Buceda Buceras 'Shady Lady'	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Royal Palm/Royestonta Flata	6' Greywood, 18' O.A.

Additional Plantings (100% Native/Drought Resistant)*

Awabuki Viburnum/V. Odoratissimum	24" HT, x 16" W, 3 Gal., 4' O.C.
Cord Grass/Spartina Bakeri	24" HT, x 16" W, 3 Gal., 3' O.C.
Cocoplum/Chrysobalanus Icacco	24" HT, x 16" W, 3 Gal.
Parsonail Juniper/J. Chinensis 'Parsonii'	12" x 12", 3 Gal. Trailing
Firebush/Hamalia Patens	24" x 18"m 3 Gal. 3' O.C.
Gold Mound Duranta/Duranta Erecta 'Gold Mound'	24" x 18"m 3 Gal. 3' O.C.
Waters Viburnum/V. Obobatum 'whorled Class'	16" HT x 16" W, # Gal., 3' O.C.
Fakahatcee Grass/Tripsacum Dactyloides	24" HT, x 18" W, 3 Gal., 3' O.C.

Grass

Floratom Sod
Bahia Sod

*Buffers along Three Oaks/Estero Parkway will have double hedge row planted at 36"-48" inches (at insillation) with 2/16'-0" (100 gallon) and 3/12'-0" (45 gallon) trees every 100 feet



Buffers/Landscape Design Standards



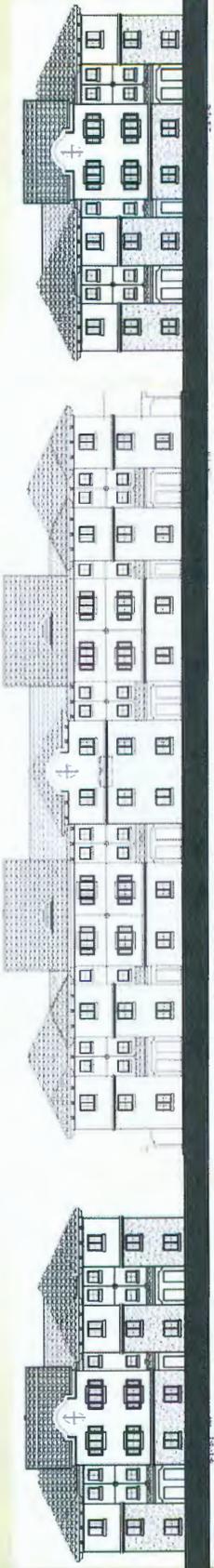
Roadway buffer



Building buffers

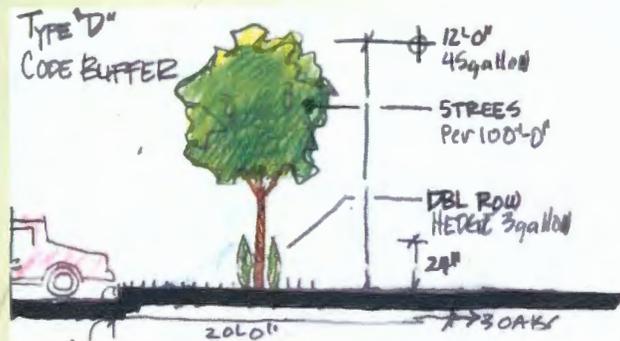


Parking Area Buffer

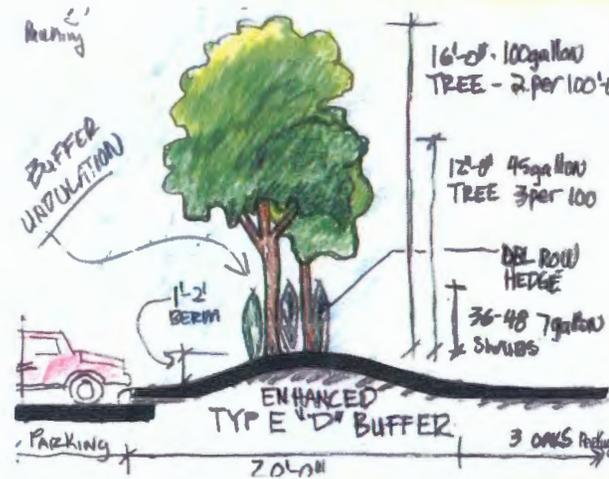




Buffers/Landscape Design Standards



Type D Code Buffer



Proposed Enhanced Type D Buffer

Buffers along Three Oaks/Estero Parkway will have double hedge row Planted at 36"-48" inches (at instillation) with 2/16'-0" (100 gallon) and 3/12'-0" (45 gallon) trees every 100 feet





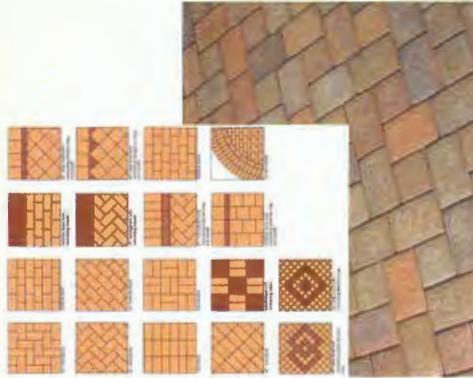
Hardscape Design Standards



**Tree Lined
Meandering
Sidewalks**



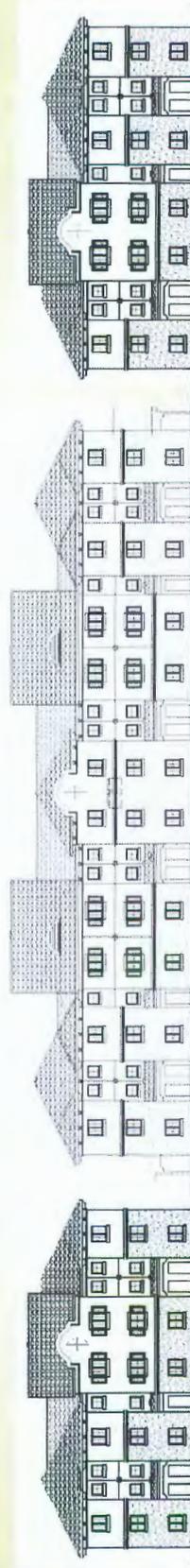
**Decorative
Fencing (6'-0"
max height)**



**Paver and
Patterns**



**Pedestrian
interconnection**





The Reef Student Housing Signage

MONUMENT SIGN

SIDE VIEW

DESCRIPTION:
 New double faced monument to be constructed of CMU with non-illuminated HDU logo, HDU primary and secondary channel letters, and 1/2" FCO address numerals. *The Reef* copy to be mounted to surround with 1-1/2" standoffs. *Student Living* to be mounted to surround with 1" standoffs. Logo to be flush mounted to stone surround.

COLOR SCHEDULE:

- Main Cabinet (Top & Bottom) = SW6135 ECRU with textured finish
- Main Cabinet (Body) = SW2629 Classical White with textured finish
- The Reef* = Painted to match *The Reef* text
- Student Living* & Address = Painted to match *The Reef* blue
- Logo = Painted to match *The Reef* logo colors.
- Tile Background = Coronado Stone Products "Caribbean Coral".

THE REEF
STUDENT LIVING

10100-251 Shephard St. Fort Myers, FL 33967

Monument Sign

Sign Area: 105 sqft
OAH: 10 R

QUEEN CITY
ENGINEERING & DESIGN

This design / engineering is to remain Queen City Engineering & Design, PLLC exclusive property until approved and accepted for purchase by client named on drawing. Inward of design and/or specifications may be duplicated without written authorization of Queen City Engineering & Design, PLLC.

Drawing No.	19016
Sheet No.	(1) OF (1)
Date	12 / 28 / 2015
Drawn By	R. Carlinar
Scale	1/2" = 1'-0"
Revision 4	3 / 02 / 16
Revision 5	5 / 06 / 16
Revision 6	6 / 16 / 16
Revision 7	8 / 30 / 16

Approved by: _____

Date: _____

APPROVED AS SHOWN
 APPROVED AS NOTED
 CORRECT & RETURN



The Village of Estero Zoning Map

Legend

- Town Boundary
- Zoning**
- AG-2
- AG-3
- C-1
- C-1A
- CC
- CF
- CFPD
- CPD
- CS-2
- CG
- EC
- IL
- MH-1
- MH-2
- MH-3
- MHC-2
- MPD
- PUD
- RM-2
- RPD
- RPD-CPD
- RS-1
- RS-2
- RS-3
- RS-4
- RSA
- RSC-1
- RV-3
- TFC-2

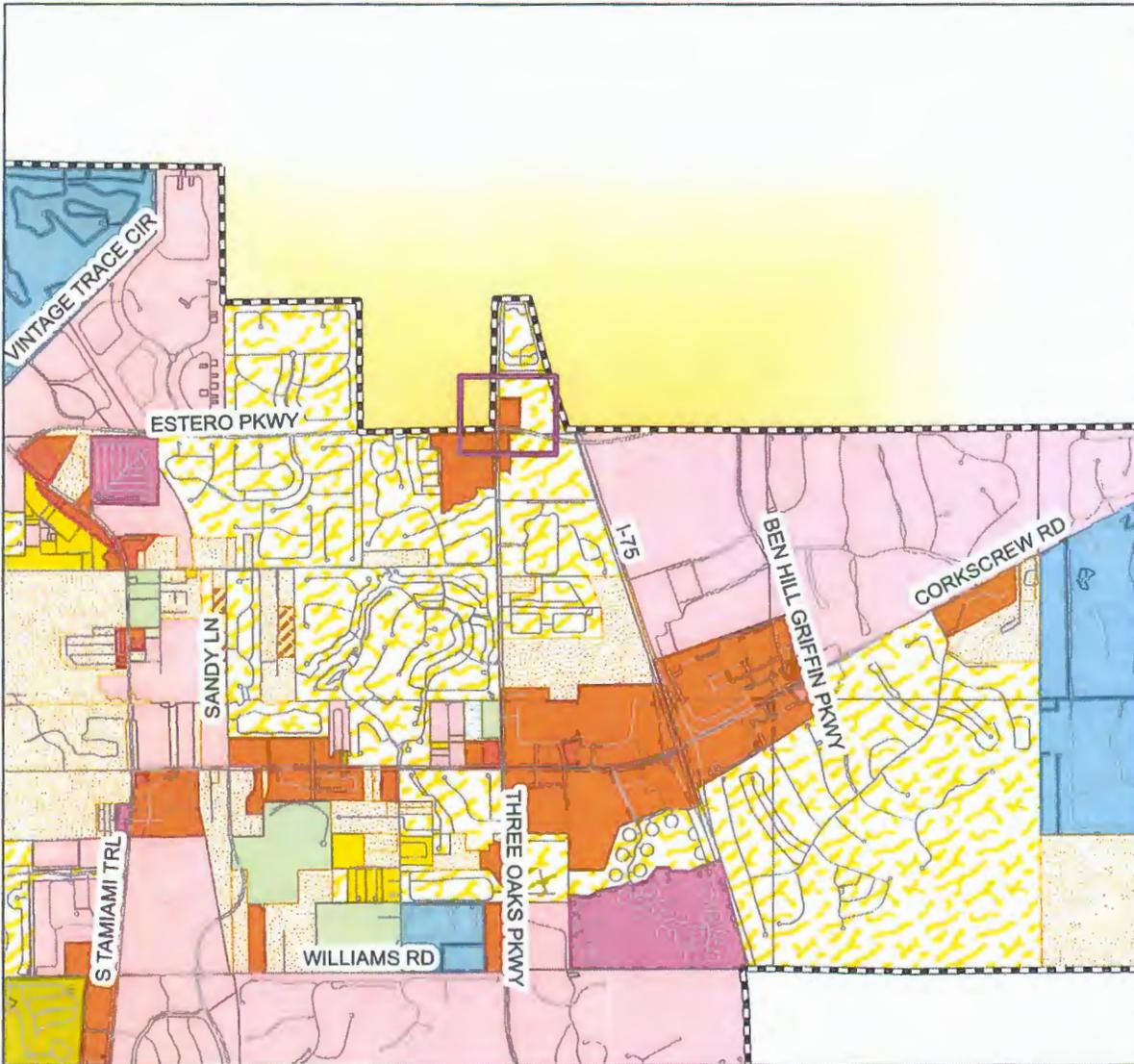


0 0.15 0.3 0.6 Miles

Print Date: 9-29-2016

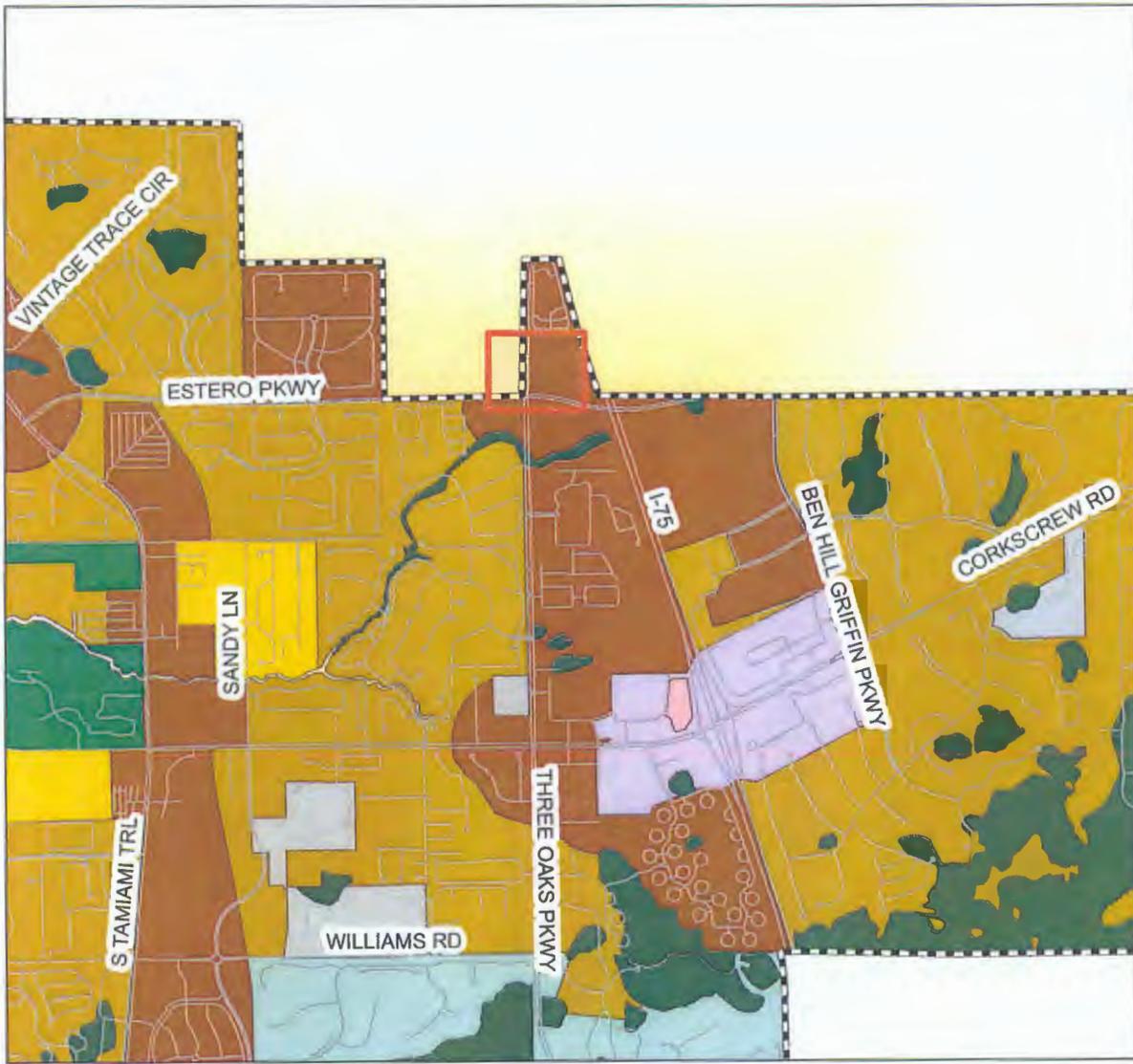
Calvin, Giordano & Associates, Inc.
PROFESSIONAL SOLUTIONS

GIS Produced and maintained by the CBA
Geographic Information Systems Division



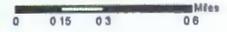


The Village of Estero Future Land Use Map



Legend

- Town Boundary
- Land Use**
- Conservation Lands Upland
- Conservation Lands Wetland
- Density Reduction/
Groundwater Resource
- General Interchange
- Intensive Development
- Outlying Suburban
- Public Facilities
- Rural
- Suburban
- University Community
- Urban Community
- Wetlands



Print Date: 9-29-2016

Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

GIS
Produced and maintained by the CEA
Geographic Information Systems Director



Writer's Direct Dial Number: (239) 533-8532

April 28, 2016

John E. Manning
District One

Cecil L. Pendergraas
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjertels
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Heating Examiner

Karen Bishop
PMS Inc. of Naples
3125 54th Terrace SW
Naples, FL 34116

**RE: Potable Water and Wastewater Availability
The Reef 2
STRAP # 23-46-25-E4-U2157.2590**

Dear Ms. Bishop:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions will be required.

Your firm has indicated that this project will consist of 60 multi-family residential units with an estimated flow demand of approximately 12,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Pinewood Water Treatment Plant.

Sanitary sewer service will be provided by Three Oaks Wastewater Treatment Plant. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

This is only a letter of availability of service and not a commitment to serve. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of Water and Wastewater service is for re-zoning for this project only. Individual letters of availability will be required for obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

A handwritten signature in cursive script that reads "Mary McCormic".

Mary McCormic
Technician Senior
UTILITIES ENGINEERING
1500 Monroe Street, 3rd Floor
Fort Myers, FL 33901

VIA EMAIL



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

DAWN M HUFF
LONG-RANGE PLANNER
Planning, Growth & School Capacity
Phone: 239-337-8142
FAX: 239-335-1460

STEVEN K. TEUBER
CHAIRMAN, DISTRICT 4
MARY FISCHER
VICE CHAIRMAN, DISTRICT 1
JEANNE S. DOZIER
DISTRICT 2
CATHLEEN O'DANIEL MORGAN
DISTRICT 3
PAMELA H. LARIVIERE
DISTRICT 5
GREGORY K. ADKINS, ED. D.
SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

July 7, 2016

Karen Bishop
PMS, Inc. of Naples
3125 54th Terrace SW
Naples, Florida 34116

RE: Estero Planning Comprehensive Plan Amendment

Dear Ms. Bishop:

This letter is in response to your request for comments dated July 06, 2016 for the Estero Planning Comprehensive Plan Amendment in regard to educational impact. This project is located in the South Choice Zone, Sub Zone 2.

The request is for a plan amendment to accommodate 60 multi-family dwelling units. A lease for a similar development to the adjacent property was provided that may potentially be utilized for this development. The lease is clearly for college students which allows one person per room and would not accommodate school-aged or minor children. If this is the proposed use, there would be no impact.

However, absent a local development order with a condition that prohibits occupancy by school-aged persons, or minor children, it must be analyzed for the effects on public school facilities. With regard to the inter-local agreement for school concurrency, the generation rates are created from the type of dwelling unit and further broken down by grade level.

For multi-family homes, the generation rate is .088 and further broken down by grade level into the following, .044 for elementary, .021 for middle and .023 for high. A total of 5 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development. The Concurrency Analysis attached, displays the impact of this development. Capacities for elementary seats is not an issue within the Concurrency Service Area (CSA). For middle and high school, the development adds to the projected deficit for the CSA, however, there are sufficient seats available to serve the need within the contiguous CSA.

Thank you for your attention to this issue. If I may be of further assistance, please call.

Sincerely,

Dawn Huff

Dawn Huff,
Long Range Planner

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY Lee School District
NAME/CASE NUMBER Estero Planning Comprehensive Plan Amendment
OWNER/AGENT Longeveld
ITEM DESCRIPTION various amendments; all impacts in South CSA, sub area S2

LOCATION Northeast corner of Estero Pkwy Extension & Three Oaks Pkwy
ACRES 5
CURRENT FLU Urban Community (UC)
CURRENT ZONING Commercial Planned Development (CPD) & Residential Planned Development (RPD)

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
0	60	0

STUDENT GENERATION

Student Generation Rates			
SF	MF	MH	Projected Students
Elementary School	0.044		2.64
Middle School	0.021		1.26
High School	0.023		1.38

Source: Lee County School District, July 7, 2016 letter

CSA SCHOOL NAME 2019/20

CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
12,413	10,726	1,687	3	1684	86%	
5,621	5,803	-182	1	-183	103%	
7,070	7,947	-877	1	-878	112%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan
 (2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)
 (3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Dawn Huff, Long Range Planner



Estero Fire Rescue

21500 Three Oaks Parkway
Estero, Florida 33928
(239) 390.8000
(239) 390.8020 (Fax)
www.esterofire.org

April 25, 2016

Karen Bishop
PMS Inc of Naples
3125 54th Terrace SW
Naples, Florida 34116

Re: Colico Villages PD

Ms. Bishop,

Please accept this correspondence as a letter of Service Availability for the project known as Colico Villages specifically Strap Number 23-46-25B4-U2157.2590.

This parcel is within the legally defined boundaries of the Estero Fire Rescue District.

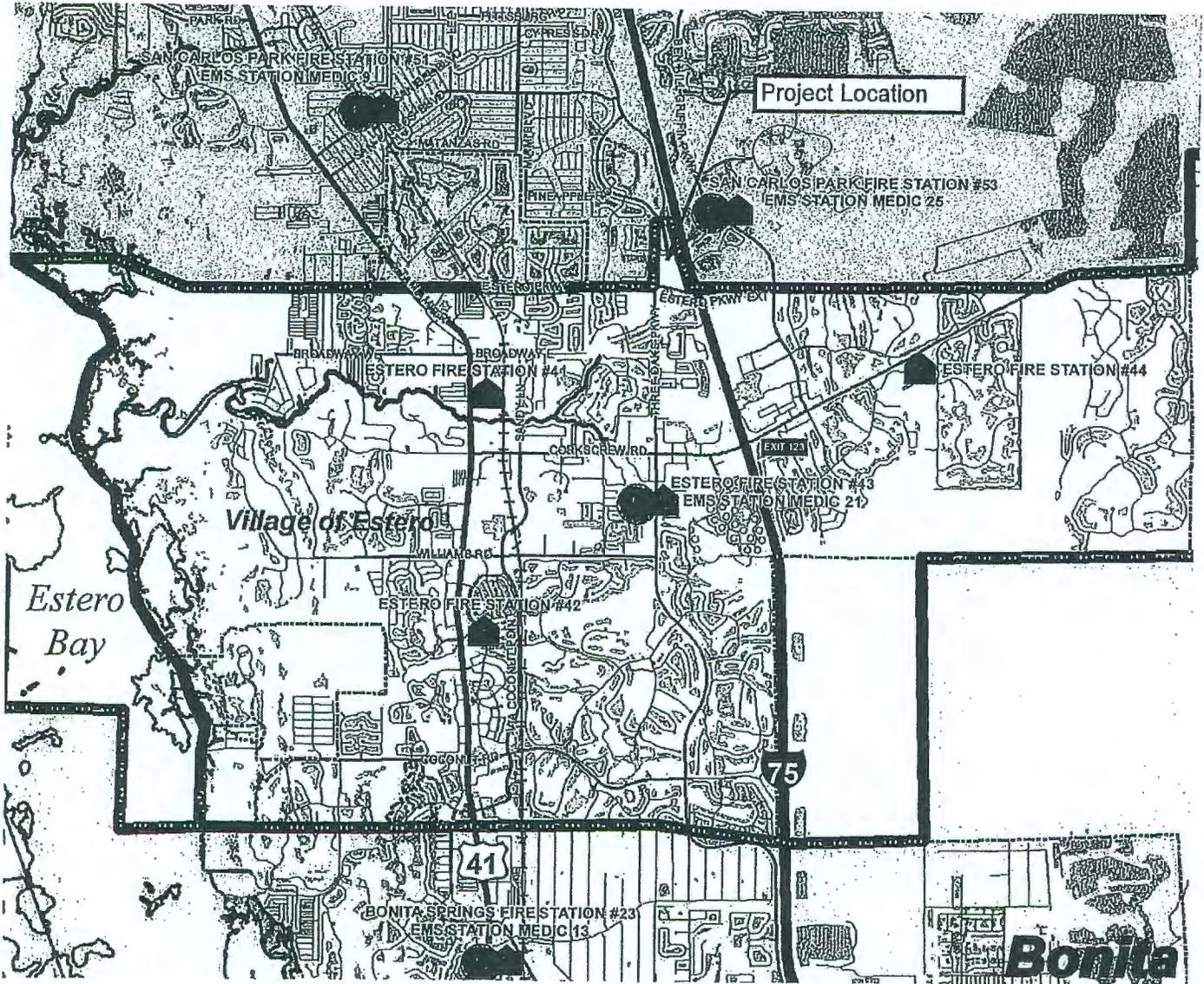
Estero Fire Rescue is capable of providing both fire suppression and Advanced Life Support non-transport emergency medical services to this property.

Should you require any additional information please feel free to contact me at 239-390-8000.

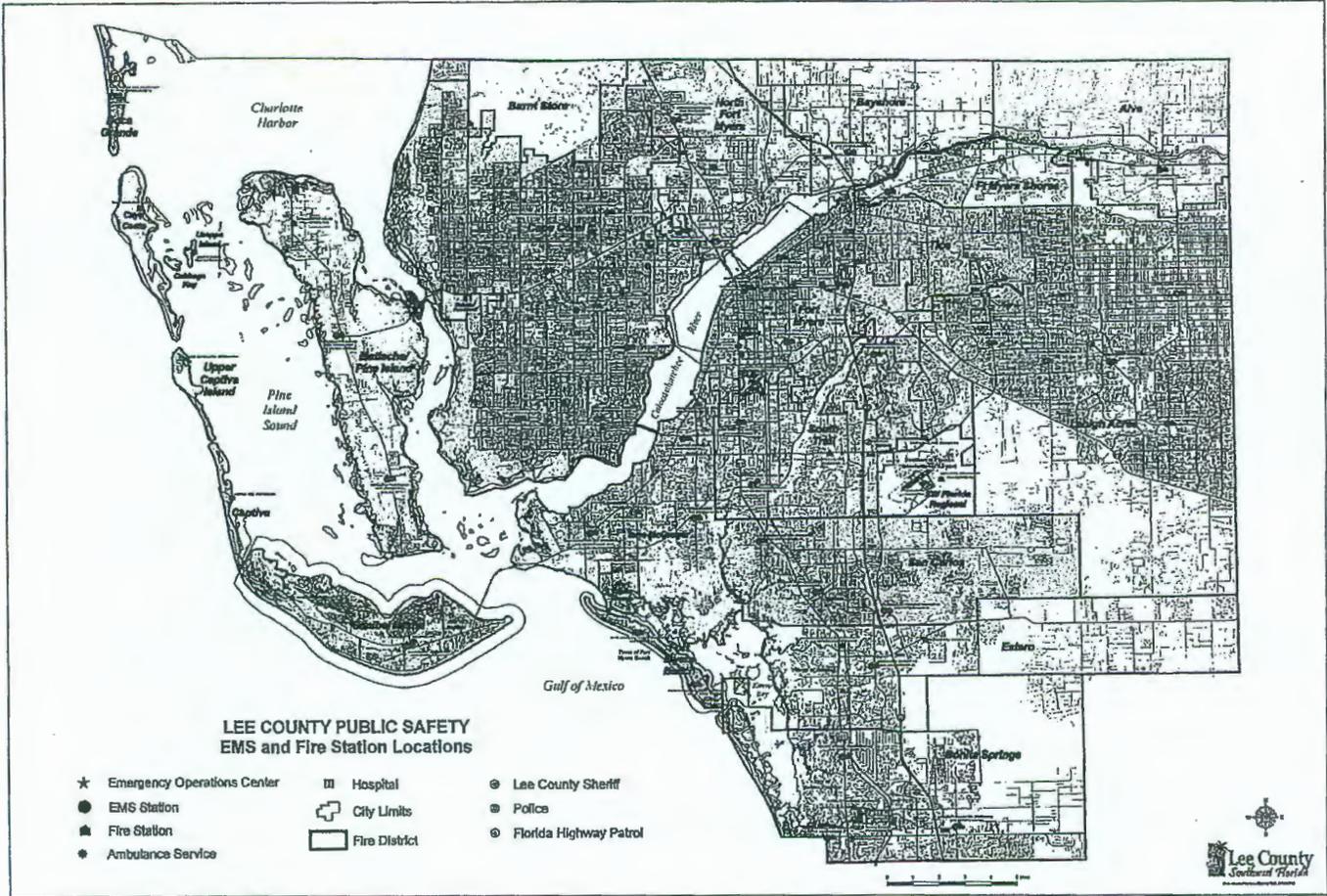
Respectfully,

Phillip Green
Fire Marshal

The Reef Phase 2



Lee County Public Safety Map



Mike Scott
Office of the Sheriff



State of Florida
County of Lee

May 2, 2016

Karen Bishop
PMS Inc. of Naples
3125 54th Terrace SW
Naples, FL 34116

RE: Corlico Villages

Ms. Bishop,

The proposed rezoning of a five-acre parcel in Corlico Villages in Estero from commercial to multi-family would not affect the ability of the Lee County Sheriff's Office to provide core levels of service at this time. The change would add up to 60 multi-family units as an extension of the adjacent project known as The Reef.

Law enforcement services will be provided from our South District office in Bonita Springs, with supplemental support from City of Bonita Springs contract deputies. As this development builds out, we will factor its impact into our annual manpower review and make adjustments accordingly. At the time of application for a Development Order or building permit, we request that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comments.

Please address further correspondence to me at the address listed below. Please contact Community Relations Supervisor Beth Schell at 258-3287 with any questions regarding the CPTED study.

Respectfully,

Stan Nelson
Director, Planning and Research





LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

April 26, 2016

Cecil L. Pendergrass
District Two

Mrs. Karen Bishop
PMS Inc of Naples
3125 54th Terrace SW
Naples, FL 34116

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

SUBJECT: Corlco Villages PD – The Reef
Strap Number 23-46-25-E4-U2143.2581
Letter of Availability

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Dear Mrs. Bishop:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the planned multi-family 160 dwelling units proposed for Section A (Corlco Villages Master Concept Plan Parcel A aka The Reef Phase 2) Development located at the Northeast Intersection of Estero Parkway and Three Oaks Parkway in Estero through Lee County's franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

Please review Lee County Land Development Code, Chapter 10, Section 261, with requirements for on-site space for placement and servicing of solid waste containers. Solid Waste Ordinance (11-27) defines the requirements for multi-family and/or commercial dwellings. It further establishes that Property Owners will be responsible for all future applicable solid waste assessments and fees.

If you have any questions, please call me at (239) 533-8000.

Sincerely,

Brigitte Kantor
Public Utilities Manager
Lee County Solid Waste Division

Zoning Resolutions

58

LEE COUNTY
RECEIVED

RESOLUTION NUMBER Z-02-071

03 MAR -7 AM 9: 01

COMM. DEV/
PUB. WKS. CNTR.
SECOND FLOOR

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

WHEREAS, Gary F. Muller, John Musser and Parke Lewis filed an application on behalf of the property owner, Richard Q. Richards III, Trustee, to rezone an 81.26± acre parcel from Residential Planned Development/Commercial Planned Development (RPD/CPD) to RPD/CPD, in reference to Corlico Villages; and

WHEREAS, a public hearing was advertised and held on December 18, 2002, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2002-00014; and

WHEREAS, a second public hearing was advertised and held on February 17, 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 81.26± acre parcel from RPD/CPD to RPD/CPD, to permit a maximum of 78,200 square feet of commercial retail/office uses and a maximum of 294 residential dwelling units, not to exceed 35 feet/2 stories in height. The property is located in the Urban Community and Wetlands Land Use Categories and is legally described in attached Exhibit B. The subject property is part of a larger RPD/CPD project known as Corlico Villages that also includes the parcel described in attached Exhibit C. 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 "Corlico Villages," stamped received on FEB 21 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.
2. The following limits apply to the project and uses:

a. Schedule of Uses

i. DEVELOPMENT AREA "A" INCLUDING OUTPARCELS #1, #2, and #3:

AGRICULTURAL USES (See Condition #5)
ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
ATM (automatic teller machine)
AUTOMOBILE SERVICE STATION, limited to only one (1) on either
Outparcel #1, #2, or #3
AUTO PARTS STORE - without installation facilities in Development Area
"A"; with installation facilities on Outparcels #1, #2, or #3
BANKS AND FINANCIAL ESTABLISHMENTS: Groups I, II
BUSINESS SERVICES: Groups I
CLOTHING STORES, general
CLUBS:
Commercial
Fraternal, membership organization
Private
CONSUMPTION ON PREMISES (See LDC §34-1261 *et seq.*)
CONTRACTORS AND BUILDERS: Group I
CONVENIENCE FOOD AND BEVERAGE STORE, limited to one (1) on
Development Area "A", contained totally within the 46,200 square
foot retail structure (not freestanding) without fuel pumps; and one
(1) freestanding on either Outparcel #1, #2, or 3, with a maximum of
10 fuel pumps,
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
DRUGSTORE, PHARMACY
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES: Group I
EXCAVATION: Water retention
FENCES, WALLS
FIRE STATION, limited to either Outparcel #1, #2, or #3
FOOD STORES: Group I
GIFT AND SOUVENIR SHOP
HARDWARE STORE
HOBBY, TOY AND GAME SHOPS
HOUSEHOLD AND OFFICE FURNISHINGS: Groups I and II, no outdoor
display
INSURANCE COMPANIES
LAUNDRY OR DRY CLEANING: Group I
MEDICAL OFFICE
MINI-WAREHOUSES, limited to Outparcel #1, #2, or #3
PACKAGE STORE (See LDC §34-1261 *et seq.*)
PAINT, GLASS AND WALLPAPER
PERSONAL SERVICES: Groups I, II, III, IV, excluding massage parlors,
tattoo parlors, palm readers, fortunetellers or card readers, dating
and escort services

PET SERVICES
PET SHOP
REPAIR SHOPS, Groups I and II
RESTAURANT, FAST FOOD, limited to one (1) on Development Area "A",
contained totally within the 46,200 square foot retail structure,
without a drive through; and one (1) permitted on either Outparcel
#1, #2, or #3, with a drive through
RESTAURANTS: Groups I, II, III, and IV
SIGNS in accordance with chapter 30 of the LDC
SOCIAL SERVICES: Groups I, and II
SPECIALTY RETAIL SHOPS: Groups I, II, III, and IV
STORAGE, Indoor only
USED MERCHANDISE STORES: Groups I, and II, no outdoor display
VARIETY STORE

ii. Development Area "B":

AGRICULTURAL USES (See Condition #5)
ACCESSORY USES AND STRUCTURES
DWELLING UNIT:
Single-family
Duplex
Two-family attached
Townhouse
Multiple-family building
Zero lot line
ENTRANCE GATES AND GATEHOUSE
ESSENTIAL SERVICES
EXCAVATION: Water retention
FENCES, WALLS
HOME OCCUPATION
MODELS: Model unit, model home, model display center
REAL ESTATE SALES OFFICE (See LDC §§34-1951 *et seq.*, and 34-3021)
RECREATIONAL FACILITIES: Personal and Private, On-Site
RESIDENTIAL ACCESSORY USES
SIGNS in accordance with chapter 30 of the LDC

iii. Development Area "C":

AGRICULTURAL USES (See Condition #5)
ACCESSORY USES AND STRUCTURES
DWELLING UNIT:
Single-family
Duplex
Two-family attached
Zero lot line
ENTRANCE GATES AND GATEHOUSE
ESSENTIAL SERVICES

EXCAVATION: Water retention
FENCES, WALLS
HOME OCCUPATION
MODELS: Model unit, model home, model display center
REAL ESTATE SALES OFFICE (See LDC §§34-1951 *et seq.*, and 34-3021)
RECREATIONAL FACILITIES: Personal and Private, On-Site
RESIDENTIAL ACCESSORY USES
SIGNS in accordance with chapter 30 of the LDC

b. Site Development Regulations

See EXHIBIT "E", PROPERTY DEVELOPMENT REGULATIONS, attached hereto.

3. The CPD portion of the project is limited to a maximum of 78,200 feet of commercial retail/office uses with the development tracts not to exceed the following commercial retail/office square footage:

Development Area "A"	46,200 square feet
Outparcel #1	12,000 square feet
Outparcel #2	10,000 square feet
Outparcel #3	10,000 square feet

The RPD portion of the project is limited as follows:

Development Area "B"	168 dwelling units
Development Area "C"	126 dwelling units

4. Environmental Conditions

a. Open Space Requirements:

- i. Prior to local development order approval, the overall project must provide 13.3 acres of open space.
- ii. Prior to local development order approval, the development order plans must delineate 40% common open space for parcels containing townhouses and other multifamily units.
- iii. The maximum lot coverage for single family, two-family attached, duplex and zero lot line lots is forty-five percent (45%).
- iv. Prior to local development order approval, the development order plans must delineate 30% open space for the commercial parcels. The 30% or 3.07 acres may be distributed throughout the project if a minimum of 10% is provided within each commercial parcel.

b. Protection for Gopher Tortoises and Commensal Species Within the Burrows:

Prior to local development order approval within the areas denoted as 411M and 411M2 on the FLUCCS map prepared by W. Dexter Bender and Associates stamped received June 19, 2002, these areas must be resurveyed for the presence of gopher tortoise burrows and a gopher tortoise management plan must be submitted.

5. AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:
 - a. Bona fide agricultural uses as shown on Exhibit F attached, may continue until approval of a local development order for the area of the project containing those uses.
 - b. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. 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 agricultural use must cease by December 31st of the calendar year in which the local development order is issued. 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.
6. At the time of local development order approval, the developer must provide pedestrian interconnections (sidewalks) between commercial Development Area "A", including outparcels #1, #2, and #3 and residential Development Areas "B" and "C".
7. Blasting is approved for the excavation of material for on-site use only (water retention and water management), and does not constitute construction materials mining as defined under F.S. §552.30. Blasting activity must be performed in accordance with all applicable Lee County Ordinances.
8. Prior to local development order approval, the applicant will coordinate with Lee County Department of Transportation concerning the widening of Three Oaks Parkway and the extension of Koreshan Boulevard across the subject property.
9. 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.
10. 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.

11. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.
12. University Lake Village, as described in attached Exhibit C and approved for construction in accord with DOS#98-07-132.00D, is a portion of this overall planned development as it was approved in Resolution Z-93-013. All conditions applicable to University Lake Village, as set for in Resolution Z-93-013, remain in full force and effect. However, to the extent Resolution 93-013 affects development of portions of the remaining planned development that are described in attached Exhibit B, it is superceded by the conditions approved in this resolution as a result of case DCI2002-00014.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-285(a) requirement to provide intersection connection separation of 660 feet on an arterial road, to allow minimum connection separations of 600± feet and 640± feet along Three Oaks Parkway. This deviation is APPROVED.
2. Deviation (2) seeks relief from the LDC §10-291(2) requirement that all development abut and have access to a public or private street designed and constructed, or improved to meet the standards in §10-296, to allow access to three Outparcels by way of a 24-foot-wide internal accessway with parking along the rear lot line of the Outparcels. This deviation is APPROVED, SUBJECT TO the condition that the only access to the Outparcels is achieved via the accessway running parallel to the most easterly property line of Outparcels #1, #2, and #3.
3. Deviation (3) - Withdrawn by the applicant.
4. Deviation (4) seeks relief from the LDC §10-415(b)(1) requirement that large developments with existing indigenous native vegetation provide 50% of their open space percentage requirement (6.47 acres) through the on-site preservation of the existing indigenous native vegetation, to allow Applicant to preserve only 2.44 acres of existing indigenous upland vegetation and provide the remaining 4.03 acres in a flow-way that will be replanted with indigenous wetland vegetation. This deviation is APPROVED, SUBJECT TO the following conditions:

Prior to the first local development order approval:

- a. The development order plans must delineate 6.65 acres of indigenous preservation and restoration with a minimum 2.44 acres of existing upland indigenous plant communities.
- b. The flow-way capacity must meet or exceed the ability of the existing flow-way to convey (with Three Oaks Parkway improvements) and store water. Information

must be submitted for review and approval by the Division of Natural Resources staff that documents the flow-way capacity; and

- i. The crossing of the flow-way is limited to one road crossing with a pile supported bridge or bridge culverts per Florida Department of Transportation standards; and
- ii. The proposed 80-foot wide berm is not approved within 50 feet of the flow-way (the MCP must be revised to meet this condition); and
- iii. The flow-way must be connected to the 80-foot drainage easement at natural grade; and
- iv. A low level weir must be installed at the southern end of the flow-way to insure water flow from the drainage easement through the flow-way; and
- v. A restoration plan for a cypress and marsh native plant community must be submitted for review by the Division of Environmental Sciences staff. The restoration plan must include native vegetation based on one gallon plants planted 3-foot on center; planting specifications including species, number, and container size; native trees must be a minimum 3-gallon container size; herbaceous vegetation must be a minimum 2-inch liner size; a minimum of six native wetland species must be used; and
- vi. A structural buffer (i.e. a native shrub hedge or fence) must be provided between the flow-way and the residential lots; and
- vii. The littoral planting requirement for the surface water management lakes must be based on two plants per linear foot, and 50% of the required littoral plants must be provided as 3-gallon native wetland trees; and
- viii. The I-75 side of the 80-foot wide berm must be planted with 250 South Florida slash pine ranging in size with a minimum 5-foot height and 2-inch caliper.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Zoning Map (subject parcel identified with shading)
Exhibit B: The legal description of subject property
Exhibit C: Legal for University Lake Village
Exhibit D: The Master Concept Plan
Exhibit E: Property Development Regulations
Exhibit F: Property Appraiser AG Exemption Classification

The applicant has indicated that the STRAP number for the subject property is: 23-46-25-00-00001.0000 and 26-46-25-00-00001.2000

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.

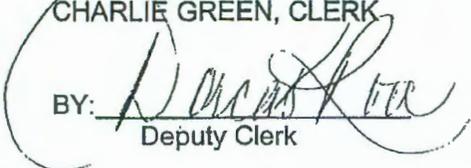
The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Andrew Coy, seconded by Commissioner John Albion and, upon being put to a vote, the result was as follows:

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

DULY PASSED AND ADOPTED this 17th day of February, 2003.

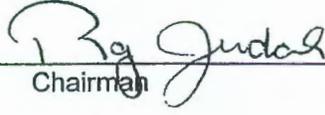
ATTEST:
CHARLIE GREEN, CLERK

BY:

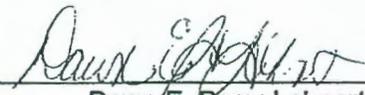

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY:

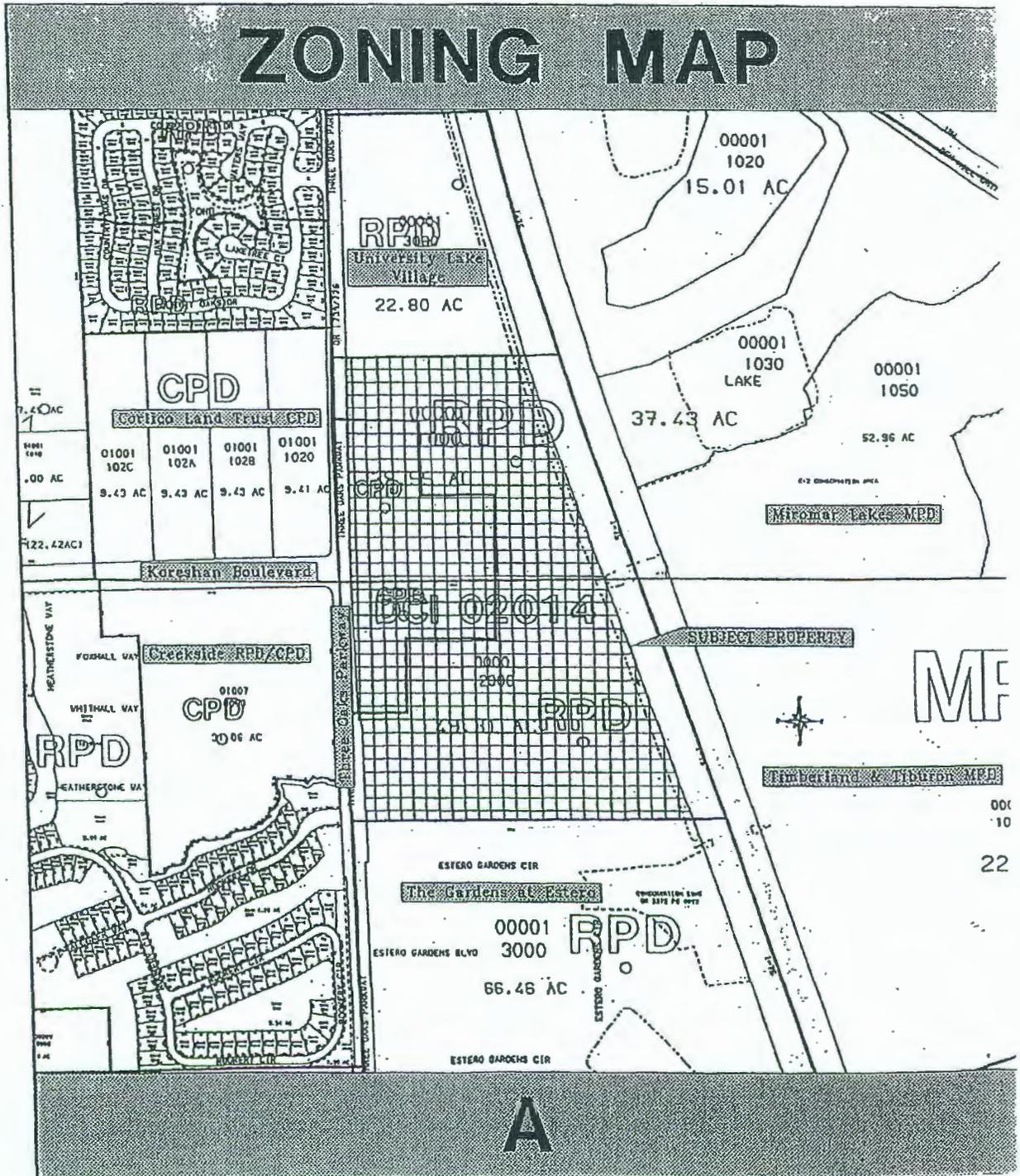

Chairman

Approved as to form by:


Dawn E. Perry-Lehnert
County Attorney's Office



ZONING MAP



000
10
22

EXHIBIT "B"
LEGAL DESCRIPTION
 Property located in Lee County, Florida

EXHIBIT "B"
 DCI2002-00014
 PAGE 1 OF 2

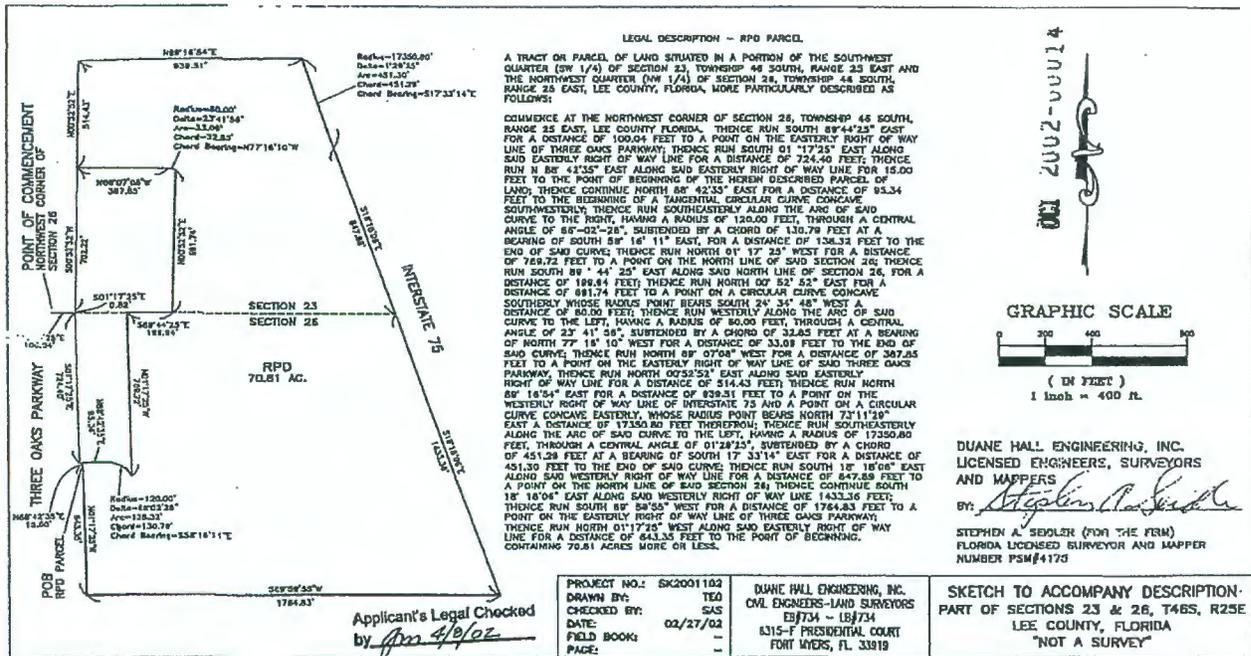


EXHIBIT "B"
DCI2002-00014
PAGE 2 OF 2

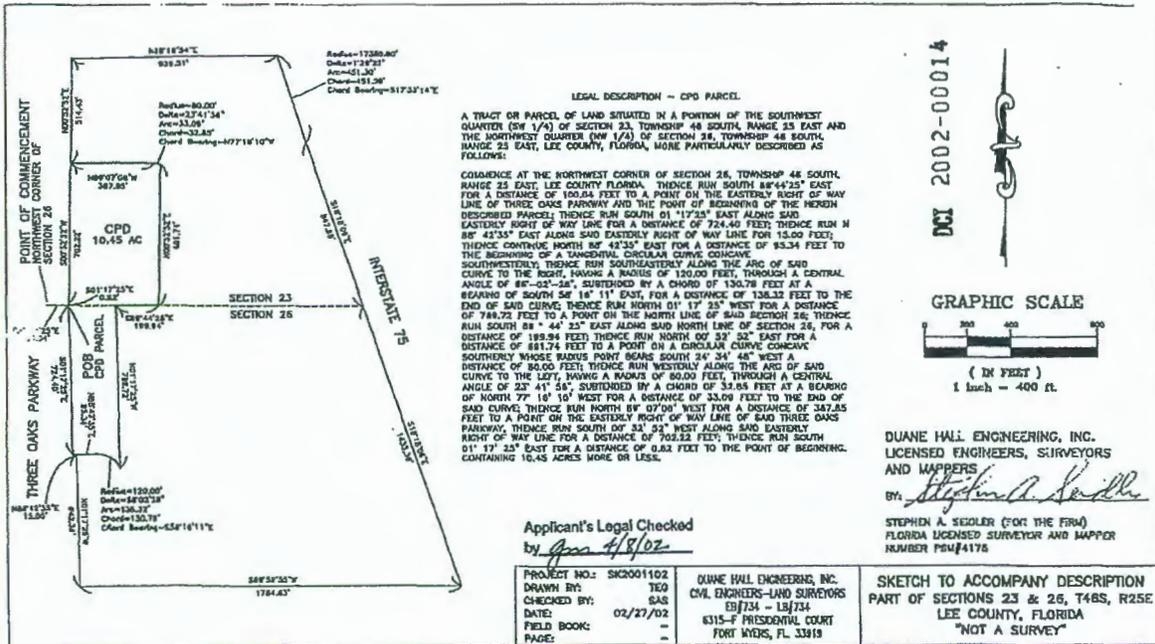


EXHIBIT C
University Lake Villages

A tract or parcel of land situated in the State of Florida, County of Lee being part of Section 23, Township 46 South, Range 25 East, being more particularly described as follows:

Starting at the Southwest corner of said Section 23, thence S 89°44'02" E along the South line of said Section for 100.00 feet to a point on the east right-of-way line of Three Oaks Parkway (100.00 feet wide); thence N 00°52'52" E along said East right-of-way line for 1218.27 feet to the Point of Beginning of the herein described parcel, thence continue N 00°52'52"E along said East right-of-way line for 1240.10 feet to the beginning of a curve concave to the West having a radius of 1025.00 feet; thence northerly along said curve for 91.07 feet through a central angel of 05°05'27", said curve having a chord bearing of N 01°39'52" W and a chord distance of 91.04 feet to a point on the North line of the Southwest one quarter (SW ¼) of said Section 23, thence N 89°16'57" E along said quarter section line for 568.59 feet to a point on the West right-of-way line of I-75; thence S 14°13'11" E along said right-of-way line for 590.20 feet to the beginning of a curve concave to the Northeast having a radius of 17350.80 feet, thence Southwesterly along said curve for 782.78 feet through a central angle of 02°35'06", said curve having a chord bearing of S 15° 30' 43" E and a chord distance of 782.71 feet, thence S 89°16' 57" W along a non-tangent line to said curve and parallel to the North line of the Southwest one quarter (SW ¼) of said Section 23 for 939.35 feet to the Point of Beginning.

DCI2002-00014CORLICO VILLAGES

PROPERTY DEVELOPMENT REGULATIONS										
LAND USE	Minimum Lot Area sq. ft.	Minimum Lot ⁽¹¹⁾ Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage	Setbacks (ft)				Max. Height (ft.)	Stories
					Street ⁽⁸⁾	Side	Rear ⁽¹⁰⁾	Water		
RESIDENTIAL										
Single-family	6,500	50	130	45%	20	5	20	20	30	2
Two-family attached	3,770/unit	29/unit	130	45%	20	0 ⁽¹⁾ /5 ⁽²⁾	20	20	30	2
Duplex	7,540	58	130	45%	20	10	10	20	30	2
Zero Lot Line	6,500	50	130	45%	20	0 ⁽³⁾ /10 ⁽⁴⁾	10	20	30	2
Townhouse	1,800/unit	20/unit	90	70%	20	0 ⁽⁵⁾ /10 ⁽⁶⁾	10	25	30	2
Multiple-family	10,000	100	100	45%	20	20 ⁽⁷⁾	20 ⁽⁷⁾	20	30	2
RECREATIONAL FACILITIES										
Recreational Facilities, Private On-site	Setbacks for on-site recreational facilities will be in accordance with all applicable requirements of LDC sections 34-1176 and 34-2474(b)(6)									
COMMERCIAL										
Commercial Uses	20,000	100	100	40%	20/25 ⁽⁹⁾	15	20	20	35	2

Footnotes:

- ii interior side only
- ii exterior side only
- ii zero lot line side
- ii side opposite zero lot line with a minimum building separation of 10 feet
- ii interior side only
- ii exterior side only, with minimum building separation of 20 feet
- ii minimum building separation of 30 feet
- ii private streets unless otherwise noted
- ii public street
- ii a five (5) foot rear yard setback to be allowed for accessory structures on individual residential lots.
- ii lot widths for residential lots are to be measured at the midpoints of the side lot lines



A

KENNETH M. WILKINSON, C.F.A.
LEE COUNTY PROPERTY APPRAISER
P.O. Box 1546, Fort Myers, FL 33902-1546
(941) 339-6150
www.lccpa.org

PLEASE KEEP THIS CARD

EXEMPTION RECEIPT FOR 2002

2346250000001.1
RICHARDS R Q III TR
Ag Classification

January 1, 2002



RICHARDS R Q III TR
8191 COLLEGE PARKWAY STE 205
FT MYERS, FL 33919

LEGAL DESCRIPTION

THAT PART OF SW 1/4
LYING W OF I-75
LESS R RW + 1.3000

K. Wilkinson
LEE COUNTY PROPERTY APPRAISER

SITE ADDRESS:
19701 THREE OAKS PKWY
Fort Myers, 33912

Dear Property Owner(s):

The card above is your Year 2002 receipt for HOMESTEAD and PERSONAL EXEMPTIONS and/or LANDS THAT ARE CURRENTLY CLASSIFIED AGRICULTURAL USE. Exemptions are not transferable. If you have moved, you MUST APPLY for your new residence by March 1st, 2002. The rental of a dwelling previously claimed to be a homestead for tax purposes may constitute an abandonment of said dwelling as a homestead. Please read the reverse side for additional important information.

Sincerely,

K. Wilkinson

Kenneth M. Wilkinson, C.F.A.
Lee County Property Appraiser
Author of the "Save Our Homes" Constitutional Amendment*

*"Save Our Homes" protected Lee County homestead owners in 2001 from taxes on over \$1.3 Billion in assessed value.
"AGRICULTURAL CLASSIFICATION": This receipt is proof of your 2002 Agricultural Classification. The Property Appraiser reserves the right, however, to notify you in writing by July 1, 2002 of a denial of the 2002 Agricultural Classification if you do not qualify.

WARNINGS. (1) Any person giving false information to claim a homestead exemption is guilty of a first degree misdemeanor punishable per 775.082(4)(a), Fla. Stats., and/or by a fine of up to \$5,000, (2) It is the owner's responsibility to promptly notify us when the use or status of the property or owner changes regarding an exemption. If we are not so notified and you were not entitled to the exemption in the last 10 years, the property is subject to back taxes plus 15% interest/year plus a 50% penalty 196.011 Fla. Stats.

PLEASE DETACH AND RETURN THE FORM BELOW IF YOUR PROPERTY NO LONGER QUALIFIES FOR THE EXEMPTION CLAIMED OR IF YOUR ADDRESS IS INCORRECT.

X X

EXEMPTION REMOVAL	CHANGE OF ADDRESS
Parcel Identification No. 23-46-25-00-00001.1000	CORRECTION: (NEW ADDRESS)
<input type="checkbox"/> I No Longer Own This Property, Date Sold _____	Street _____
<input type="checkbox"/> I No Longer Reside On This Property, Date Moved _____	City _____ State _____ Zip Code _____
<input type="checkbox"/> This Property Has Been Rented, Date Rented _____	CHECK ONE BELOW: <input type="checkbox"/> This address correction is permanent. <input type="checkbox"/> This address correction is seasonal and is only valid through the dates _____ 200____ through _____ 200____
<input type="checkbox"/> I No Longer Qualify For _____ Exemption <small>(I.E. HOMESTEAD, DISABILITY, WIDOWER, AGRICULTURE)</small>	

Signature: _____ Print Name: _____ Date: _____
Home Phone: _____ Business Phone: _____



A

KENNETH M. WILKINSON, C.F.A.
LEE COUNTY PROPERTY APPRAISER
P.O. Box 1546, Fort Myers, FL 33902-1546
(941) 339-6150
www.lccpa.org

PLEASE KEEP THIS CARD

EXEMPTION RECEIPT FOR 2002

2646250000001.2
RICHARDS R Q III TR
Ag Classification

January 1, 2002



RICHARDS R Q III TR
8191 COLLEGE PKWY STE 205
FT MYERS, FL 33919

LEGAL DESCRIPTION

SEC 26 W OF I-75
DESC IN OR 1778 PG 1943
LESS R/W OR 1892 PG 747

Kenneth M. Wilkinson
LEE COUNTY PROPERTY APPRAISER

SITE ADDRESS:
0 ACCESS UNDETERMINED
Esteros, 33928

Dear Property Owner(s):

The card above is your Year 2002 receipt for HOMESTEAD and PERSONAL EXEMPTIONS and/or LANDS THAT ARE CURRENTLY CLASSIFIED AGRICULTURAL USE. Exemptions are not transferable. If you have moved, you MUST APPLY for your new residence by March 1st, 2002. The rental of a dwelling previously claimed to be a homestead for tax purposes may constitute an abandonment of said dwelling as a homestead. Please read the reverse side for additional important information.

Sincerely,

Kenneth M. Wilkinson

Kenneth M. Wilkinson, C.F.A.
Lee County Property Appraiser
Author of the "Save Our Homes" Constitutional Amendment*

*"Save Our Homes" protected Lee County homestead owners in 2001 from taxes on over \$1.3 Billion in assessed value.
AGRICULTURAL CLASSIFICATION: This receipt is proof of your 2002 Agricultural Classification. The Property Appraiser reserves the right, however, to notify you in writing by July 1, 2002 of a denial of the 2002 Agricultural Classification if you do not qualify.

WARNINGS: (1) Any person giving false information to claim a homestead exemption is guilty of a first degree misdemeanor punishable per 775.082(4)(a), Fla. Stats., and/or by a fine of up to \$5,000; (2) It is the owner's responsibility to promptly notify us when the use or status of the property or owner changes regarding an exemption. If we are not so notified and you were not entitled to the exemption in the last 10 years, the property is subject to back taxes plus 15% interest plus a 4% penalty 196.011 Fla. Stats.

PLEASE DETACH AND RETURN THE FORM BELOW IF YOUR PROPERTY NO LONGER QUALIFIES FOR THE EXEMPTION CLAIMED OR IF YOUR ADDRESS IS INCORRECT.

X X

EXEMPTION REMOVAL	CHANGE OF ADDRESS
<p>Parcel Identification No. 26-46-25-00-00001.2000</p> <p><input type="checkbox"/> I No Longer Own This Property, Date Sold _____</p> <p><input type="checkbox"/> I No Longer Reside On This Property, Date Moved _____</p> <p><input type="checkbox"/> This Property Has Been Rented, Date Rented _____</p> <p><input type="checkbox"/> I No Longer Qualify For _____ Exemption <small>(i.e., HOMESTEAD, DISABILITY, WIDOWER, AGRICULTURE)</small></p>	<p>CORRECTION: (NEW ADDRESS)</p> <p>Street _____</p> <p>City _____ State _____ Zip Code _____</p> <p>CHECK ONE BELOW:</p> <p><input type="checkbox"/> This address correction is permanent.</p> <p><input type="checkbox"/> This address correction is seasonal and is only valid through the dates _____ 200____ through _____, 200____.</p>
Signature: _____	Print Name: _____
Home Phone: _____	Business Phone: _____

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

WHEREAS, Richard Richards and Frank DiPlacido in reference to Corlico Villages, have properly filed an application for:

- a) a rezoning from Residential Planned Development to Commercial Planned Development; and
- b) a new Master Concept Plan for the Residential Planned Development; and

WHEREAS, the subject property is located at 19701 Three Oaks Parkway, described more particularly as:

LEGAL DESCRIPTION: In Sections 23 and 26, Township 46 South, Range 25 East, Lee County, Florida:

CPD PARCEL 1

STARTING AT a concrete post marking the Southwest corner of said Section 23;
THENCE S89°44'27"E along the South line of said Southwest Quarter (SW1/4) for 66.25 feet to an intersection with the East right-of-way line of Corlico Road (80.00 feet wide) as described in Official Records Book 1739 at Page 776;
THENCE N01°11'15"E along said right-of-way line for 75.00 feet and the POINT OF BEGINNING;
THENCE S89°44'27"E for 800.11 feet;
THENCE N01°11'15"E for 400.05 feet;
THENCE N89°44'27"W for 400.05 feet;
THENCE N01°11'15"W for 400.05 feet;
THENCE N89°44'27"W for 400.05 feet;
THENCE S01°11'15"W for 800.11 feet to the POINT OF BEGINNING.

AND

CPD PARCEL 2

STARTING AT a concrete monument marking the Southwest corner of said Section 26;
THENCE N01°18'46"W along the West line of the Southwest Quarter (SW1/4) of said Section 26 for 2,648.43 feet to an iron pipe marking the Northwest corner of said fraction;
THENCE N01°18'00"W along the West line of the Northwest Quarter (NW1/4) of said Section 26 for 1,279.32 feet;
THENCE East for 79.06 feet to an intersection with the East right-of-way line of Corlico Road (80.00 feet wide) as described in Official Records Book 1739 at Page 776;
THENCE N01°50'12"W for 567.34 feet and the POINT OF BEGINNING;
THENCE S89°44'27"E for 393.01 feet;
THENCE N00°15'33"E for 400.00 feet;
THENCE S89°44'27"E for 393.98 feet;
THENCE N00°15'33"E for 400.00 feet;
THENCE N89°44'27"W for 816.27 feet;
THENCE S01°11'15"W for 800.54 feet to the POINT OF BEGINNING.

continued...

RPD PARCEL

A tract or parcel of land situated in the State of Florida, County of Lee, being a part of the Southwest Quarter (SW1/4) of Section 23, Township 46 South, Range 25 East, and further described as follows:

STARTING AT a concrete post marking the Southwest corner of said Section 23;
THENCE S89°44'27"E along the South line of said Southwest Quarter (SW1/4) for 66.25 feet to an intersection with the East right-of-way line of Corlico Road (80.00 feet wide) as described in Official Records Book 1739 at Page 776 and the POINT OF BEGINNING;
THENCE continuing S89°44'27"E along said South line for 1,394.24 feet to a concrete post marking the Westerly right-of-way line of I-75;
THENCE N18°17'53"W along said right-of-way line for 847.89 feet to an iron rod marking the beginning of a curve concave to the Northeast having a radius of 17,350.80 feet;
THENCE Northwesterly along said curve and said right-of-way line through a central angle of 04°04'42" for 1,255.03 feet to an iron rod;
THENCE N14°13'11"W along said right-of-way line for 590.20 feet;
THENCE S89°16'57"W along the North line of said Southwest Quarter (SW1/4) for 584.54 feet to a point 80.04 feet East of the Northwest Corner of said Southwest Quarter (SW1/4) and the East right-of-way line of said Corlico Road;
THENCE S01°11'15"W along said right-of-way line for 2,549.45 feet to the POINT OF BEGINNING.

LESS CPD PARCEL 1.

AND

RPD PARCEL

STARTING AT a concrete monument marking the Southwest corner of said Section 26;
THENCE N01°18'46"W along the West line of the Southwest Quarter (SW1/4) of said Section 26 for 2,648.43 feet to an iron pipe marking the Northwest corner of said fraction;
THENCE N01°18'00"W along the West line of the Northwest Quarter (NWL/4) of said Section 26 for 1,279.32 feet;
THENCE East for 79.06 feet to an intersection with the East right-of-way line of Corlico Road (80.00 feet wide) as described in Official Records Book 1739 at Page 778 and the POINT OF BEGINNING;
THENCE continuing East for 1,800.40 feet to a concrete monument marking the Westerly right-of-way line of Interstate 75;
THENCE N18°17'53"W along said right-of-way line for 1,433.35 feet to a concrete monument;
THENCE N89°44'27"W along the North line of said Northwest Quarter (NWL/4) for 1,394.24 feet to an intersection with said East right-of-way line of Corlico Road;
THENCE S01°50'12"E along said right-of-way line for 1,367.88 feet to the POINT OF BEGINNING.

LESS CPD PARCEL 2

WHEREAS, the applicant has indicated the property's current STRAP numbers are 23-46-25-00-00001.1000 and 23-46-25-00-00001.2000; and

WHEREAS, proper authorization has been given to Morris-Depew Associates, Inc., by Richard Richards and Frank DiPlacido, the fee simple owners of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on March 2, 1993 and subsequently continued to March 31, 1993; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby:

- a) APPROVE WITH CONDITIONS a rezoning to Commercial Planned Development; and
- b) APPROVE a new Master Concept Plan for the Residential Planned Development.

The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development of this property shall be in accordance with the one-page Master Concept Plan, entitled Gorlico Villages, dated 10-24-92 and stamped Received 2-12-93, Sheet 1 of 1, Project Number 90064), prepared by Morris-Depew Associates, Inc., except as may be modified by the conditions herein. Approval of this request does not exempt the applicant from compliance with all development regulations, except as specifically approved herein.
2. Commercial uses within the Residential Planned Development shall be restricted by Section 431.C.5 of the Lee County Zoning Ordinance.
3. All those uses listed on the Master Concept Plan (Sheet 1 of 1) are permitted by right on site, except for agricultural uses which are governed as follows: Bona fide agricultural uses that are now in existence on the subject property may continue until such time that development commences. However, no development activity of any kind shall occur on the property, including clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with all applicable Lee County regulations as if no agricultural uses existed on the property. The purpose of this condition is to eliminate any exemptions or other special considerations or procedures that might otherwise be available under Lee County regulations by virtue of the existing agricultural uses on the property.
4. Only one consumption on premises in the Residential Planned Development may be permitted for the clubhouse (for use of residents and their guests only and shall not be open to the public), in accordance with Section 202.03 of the Lee County Zoning Ordinance.
5. The total number of dwelling units shall not exceed 508.
6. Total Square Footage Gross Floor Area:

- a. The CPD portion of the site is restricted to 100,000 square feet of retail commercial uses and 140,000 square feet of non-retail commercial uses, for a total of 240,000 square feet of building area.
 - b. The developer may request an Administrative Amendment to the Commercial Planned Development to reallocate 20,000 square feet from non-retail to commercial retail uses once Koreshan Boulevard is constructed east of Three Oaks Parkway and designated as an arterial roadway. If approved, the non-retail square footage shall be reduced to an amount commensurate with the increase in retail commercial square footage. No more than 240,000 square feet of building area shall be developed on site.
7. All structures shall be designed to be architecturally compatible with one another and landscaping arranged to complement and tie together the designs among individual parcels. This condition shall be incorporated into all pertinent covenants and restrictions associated with the property owners' association.
 8. Approval of this rezoning does nothing more than change the zoning district wherein the subject property lies and does not grant or vest in the developer any present or future development rights that may exceed any Lee Plan uses set forth in the 2010 Overlay or any other Lee Plan provision.
 9. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order, per the Development Standards Ordinance or other Lee County Ordinance.
 10. Prior to Development Order approval, the Plan shall be modified to relocate the driveways on both sides of Koreshan Boulevard from 660 to 330 feet east of Three Oaks Parkway.
 11. Emergency Management Conditions
 - A. Hurricane Mitigation
 1. The developer shall initiate the establishment of a homeowners' or residents' association to provide an educational program describing the risks of natural and technological hazards.
 2. The established homeowners' or residents' association shall maintain an education program for hurricane preparedness. The program should consist of an annual description of the hurricane risk to the residents, as well as providing the continuing information to residents concerning hurricane evacuation and shelters.
 3. Health Care or Related Facility

In the event an adult congregate living facility (ACLF), nursing home facility or multi-family use associated with a congregate care facility is constructed, the following conditions are recommended:

 - a. The developer shall prepare to the satisfaction of the Director of Lee County Emergency Management and prior to receiving a certificate of occupancy, an emergency preparedness plan covering the following aspects:
 1. Duties and responsibilities
 2. Plan coordination and activation
 3. Warning and notification
 4. Evacuation of population off-site
 5. In-place sheltering

6. Off-site sheltering
7. Transportation
8. Support Services for in-place and off-site shelter
9. Security for property and patients sheltered off-site
10. Training
11. Communications
12. Continuity of Patient Care on-site and off-site
13. Damage Assessment
14. Recovery

- b. The emergency preparedness plan shall be approved annually by Lee County Emergency Management.
- c. The developer shall establish and maintain an annually-updated program to educate staff in the matters of the hurricane threat, hurricane planning, evacuation and sheltering.
- d. The developer shall provide refuge space for its occupants on-site or off-site to the approval of the Director of Lee County Emergency Management. The building(s) shall also be constructed with as little exposed glass as possible and/or protected by storm shutters. The refuge shall contain emergency power, food, potable water, sanitation facilities, adequate ventilation, medical supplies and communications equipment in sufficient quantities to sustain the refuge for three (3) days.

B. Hazardous Material Management

1. The developer shall contact the Lee County Office of Emergency Management, Hazardous Material representative, to discuss the proposed development in relation to the potential type, use, and storage of hazardous materials which will be located on the premises.
2. If required by federal, state and/or local regulations:
 - a. The developer shall prepare or have available material safety data sheets (MSDS) and submit either copies of MSDS or a list of MSDS chemicals to the appropriate fire department or district and to the Lee County Division of Public Safety.
 - b. The developer shall establish an emergency notification system to be used in the event of a hazardous material release.
12. Deviation (1) is a request to allow zero lot line single-family homes on 3,750 square foot lots (7,500 square foot lot area required), with maximum lot widths and depths of 50 feet by 75 feet (75 foot by 100 foot required) (Section 434.02.A). Deviation (1) is APPROVED with the condition that the zero lot line units be developed in compliance with the typical zero lot line configuration as shown on the Master Concept Plan.

Deviation (2) is a request to allow a minimum setback of 25 feet for excavations from a trafficway corridor, instead of the required 150 feet (Section 509.C.4). Deviation (2) is APPROVED with the condition that guardrails or other suitable safety barrier be placed in front of the water retention area, along Koreshan Boulevard. Also, prior to Development Order approval, a Hold Harmless Agreement to indemnify Lee County shall be provided.

Deviation (3) is a request to allow in the CPD district a frontage road stub-out/connection to the north and south, instead of complying with the required Access Road Map (Development Standards Ordinance Section 9.C.1).

Deviation (3) is APPROVED with the condition that the frontage roads meet Development Standards Ordinance requirements for access streets and that a minimum distance of 100 feet, measured from the edge of pavement of the frontage road to edge of pavement of Three Oaks Parkway be maintained to provide adequate vehicle storage of the intersection(s) pursuant to the requirements of the Development Standards Ordinance Section 9.E.1.

Deviation (4) is a request to allow lot lines as shown on the plan, instead of meeting the requirement that side lot lines are to intersect the street right-of-way at right angles to straight street lines and radial to curved streets (Development Standards Ordinance Section 7.D.4). Deviation (4) is APPROVED with the condition that all lot lines should be straight as depicted on the Master Concept Plan.

If determined necessary:

Deviation (5) is a request from Section 431.C.4.a, which allows 10% of the required open space to be distributed to individual units, to allow 100% of the open space required in the zero lot line area to be distributed to individual units. Deviation (5) is APPROVED with the following conditions:

- a. The total amount of open space shown on the Master Concept Plan (dated 10-24-92, stamped 2-12-93), shall not be decreased. Such existing open space shall include all private open space, and common open space as shown on the Plan within retention, water management, and recreation areas and centers. This shall not prohibit adjustment of structures within these areas, but shall prohibit any substantial alteration in the amount of common open space.
- b. Invasive exotic vegetation shall be removed from the entire site. Such invasive exotic vegetation shall be that as defined in the Development Standards Ordinance (DSO) at the time of local Development Order.

Deviation (6) is a request from Development Standards Ordinance Section 13.C.2 which requires 50% of the required open space to be indigenous vegetation, to allow 0% in the zero lot line area. Deviation (6) is APPROVED with the following conditions:

- a. The total amount of open space shown on the Master Concept Plan (dated 10-24-92, stamped 2-13-93), shall not be decreased. Such existing open space shall include all private open space, and common open space as shown on the Plan within retention, water management, and recreation areas and centers. This shall not prohibit adjustment of structures within these areas, but shall prohibit any substantial alteration in the amount of common open space.
- b. Invasive exotic vegetation shall be removed from the entire site. Such invasive exotic vegetation shall be that as defined in the Development Standards Ordinance (DSO) at the time of local Development Order.

Site Plan 93-013 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of CPD zoning:

- A. That there are changed or changing conditions within the area which make approval of both requests appropriate.
- B. That neither the CPD rezoning, nor the Master Concept Plan, as conditioned, will have an adverse impact on the intent of the Zoning Ordinance.

- G. That both requests, as conditioned, are consistent with the goals, objectives, policies and intent of the Lee Plan, and with the densities, intensities and general uses set forth therein.
- D. That the CPD rezoning, as conditioned, meets or exceeds all performance and locational standards set forth for the proposed use.
- E. That the CPD rezoning and the Master Concept Plan, both as conditioned, will protect, conserve or preserve environmentally critical areas and natural resources.
- F. That the CPD rezoning and the Master Concept Plan, both as conditioned, will be compatible with existing or planned uses and will not cause damage, hazard, nuisance or other detriment to persons or property.
- G. That the CPD rezoning and the Master Concept Plan, both as conditioned, will not place an undue burden upon existing transportation or other services and facilities and will be served by streets with the capacity to carry traffic generated by the development.
- H. That the CPD rezoning, as conditioned, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth elsewhere in the Zoning Ordinance.
- I. That each approved deviation enhances the achievement of the objectives of the planned development, and preserves or promotes the protection of the public health, safety and welfare.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Douglas R. St. Cerny, and seconded by Commissioner Franklin B. Mann and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Franklin B. Mann	Aye
John E. Albion	Abstain

DULY PASSED AND ADOPTED this 3rd day of May 3, A.D., 1993.

ATTEST:
CHARLIE GREEN, CLERK

BY: Charlie J. Green
Deputy Clerk

FILED

JUN 1 1993

CLERK CIRCUIT COURT
BY egw D.C.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: John E. Manning
Chairman

Approved as to form by:

Timothy P. Jones
County Attorney's Office

29 on Bill

OFF REC 1902 PG 3666

RESOLUTION NUMBER Z-86-169

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

2239531

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY E. ROSINE, D.C.

WHEREAS, Robert Barber, Trustee has properly filed an application on a project known as Corlico Village for a rezoning from AG-2 to Residential Planned Development, to permit up to 640 residential units not to exceed 45 feet in height above average grade, on 106.71 total acres of land. The proposed development will also include recreational and accessory uses as permissible in the RPD zoning district, including a clubhouse with consumption on premises of alcoholic beverages. Zero-lot-line dwellings will comply with RSA standards (434.01), and all other dwelling types will comply with RM-6 standards (437.02).

NOTE:

If approved, the Master Concept Plan will deviate from the following Lee County standards:

- (1) Minimum setback between structures and a quarter section line of 60 feet (202.15.B.3.b), to 25 feet from the east-west line in Section 23;
- (2) DELETED - NO LONGER NECESSARY
- (3) WITHDRAWN BY THE APPLICANT
- (4) Minimum lot width of 50 feet per unit and lot area of 7,000 square feet per unit for duplexes and two-family attached (437.02.A.2), to 37½ feet and 3,750 square feet per unit;
- (5) Minimum lot width of 100 feet, lot depth of 120 feet, and lot area of 14,000 square feet (plus 6,500 square feet for each unit after the second) for multiple-family buildings (437.02.A.3), to 20 feet of width, 20 feet of depth, and 600 square feet of area for individual units which will be sold on fee simple lots;
- (6) Minimum side setback of 6.5 feet for single-family residences (434.01.B), to 0 feet on one side for zero-lot-line dwellings;
- (7) Minimum setback from a structure to a water body of 25 feet (202.15.B), to 0 feet; and
- (8) Requirement that an access street be constructed along Corlico Parkway (DSO C.3.0), to eliminate this requirement; and

WHEREAS, the subject property is located on the east side of Corlico Parkway, immediately south of the "Villages of San Carlos DRI" and about 1 mile north of Corkscrew Road, described more particularly as:

11-26

LEGAL DESCRIPTION: In Sections 23/26, Township 46S, Range 25E, Lee County, Florida:

A tract or parcel of land situated in the State of Florida, County of Lee, being a part of the southwest one quarter of Section 23, Township 46 South, Range 25 East, and further described as follows:

Starting at a concrete post marking the southwest corner of said Section 23; thence S 89° 44' 27" E along the south line of said southwest one quarter for 66.25 feet to an intersection with the east right-of-way line of Corlico Road (80.00 feet wide) as described in Official Records Book 1739 at Page 776 and the Point of Beginning; thence continuing S 89° 44' 27" E along said south line for 1394.24 feet to a concrete post marking the westerly right-of-way line of Interstate 75; thence N 18° 17' 53" W along said right-of-way line for 847.89 feet to an iron rod marking the beginning of a curve concave to the northeast having a radius of 17350.80 feet; thence northwesterly along said curve and said right-of-way line through a central angle of 4° 04' 42" for 1255.03 feet to an iron rod; thence N 14° 13' 11" W along said right-of-way line for 590.20 feet; thence S 89° 16' 57" W along the north line of said southwest one quarter for 584.54 feet to a point 80.04 feet east of the northwest corner of said southwest one quarter and the east right-of-way line of said Corlico Road; thence S 01° 11' 15" W along said right-of-way line for 2549.45 feet to the Point of Beginning.

PARCEL NO. 3

Starting at a concrete monument marking the southwest corner of said Section 26; thence N 01° 18' 46" W along the west line of the southwest one quarter of said Section 26 for 2648.43 feet to an iron pipe marking the northwest corner of said fraction; thence N 01° 18' 00" W along the west line of the northwest one quarter of said Section 26 for 1279.32 feet; thence East for 79.06 feet to an intersection with the east right-of-way line of Corlico Road (80.00 feet wide) as described in Official Records Book 1739 at Page 778 and the point of beginning; thence continuing east for 1800.40 feet to a concrete monument marking the westerly right-of-way line of Interstate 75; thence N 18° 17' 53" W along said right-of-way line for 1433.35 feet to a concrete monument; thence N 89° 44' 27" W along the north line of said northwest one quarter for 1394.24 feet to an intersection with said east right-of-way line of Corlico Road; thence S 01° 50' 12" E along said right-of-way line for 1367.88 feet to the point of beginning.

Said parcel contains 50.00 acres more or less.

WHEREAS, the applicant has indicated the property's current STRAP numbers are: 23-46-25-00-00001.1000,

26-46-25-00-00001.2000; and

WHEREAS, proper authorization has been given to Carleton Ryffel, AICP, by Robert Barber, the owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter and recommended approval of the request with conditions and the addition of two new deviations, based on the analysis contained in the staff report dated October 24, 1986, and testimony at the public hearing which was held on November 3, 1986; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons:

LEGISLATIVE HISTORY:

This is a request for Residential Planned Development (RPD) zoning to allow a residential development comprised of single-family, zero-lot-line detached, two-family attached, duplex, and/or multiple-family dwelling units. The proposed development also includes a nine-hole golf course, clubhouse with consumption on premises of alcoholic beverages, and other recreational facilities. The density being requested would allow the maximum density of the "Urban Community" land use category, of 6 dwelling units per acre without bonuses.

The proposed Corlico Parkway will run along the western edge of the subject parcel. A "Notice To Proceed" has been issued for November 17, 1986 on the Corlico Parkway project and the road should be open for traffic during the winter of 1987/88.

The area immediately to the north of the subject parcel is part of the Villages of San Carlos D.R.I and was approved for RM-2 zoning on February 16, 1981. RM-2 zoning permits 6 units per acre in this land use category. The vacant property to the south is zoned AG-2. Corlico Parkway is planned to be an arterial road carrying a large volume of traffic. I-75 will have negative impacts on residential use of these parcels, specifically with regards to noise levels, air quality, and aesthetics. The proposed project will have a golf course along most of this frontage, which will function as a buffer.

The northerly portion of this development (in Section 23) is not in a fire district. A condition which would not allow development to occur on that portion until it is in a fire district is recommended.

The proposed uses and density in this project are consistent with the Lee Plan, and subject to recommended conditions, the request is reasonable and appropriate at the requested location.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE a rezoning from AG-2 to Residential Planned Development, to permit up to 640 residential units not to exceed 45 feet in height above average grade, on 106.71 total acres of land. The proposed development will also include recreational and accessory uses as permissible in the RPD zoning district, including a clubhouse. Zero-lot-line dwellings will comply with RSA standards (434.01), and all other dwelling types will comply with RM-6 standards (437.02). Approval is subject to the following conditions:

1. No development order shall be issued for any portion of the project which is not located in a Fire District;
2. No construction may occur until Corlico Parkway is open to traffic from Corkscrew Road to Alico Road;
3. Deviations (1), (4), and (6) are approved, and deviation (2), (3), and (7) are denied;
4. Deviation (5) is approved provided density for the multiple-family units does not exceed 10 units per acre;
5. Minimum perimeter setbacks shall be as set forth in Section 202.15.B and as listed below:
 - a) 115 feet from the centerline of Corlico Parkway;
 - b) 25 feet from the southern property line;
 - c) 15 feet from the northern property line; and
 - d) 80 feet from the I-75 right-of-way line;
6. Deviation (8) is approved provided that stub-outs to the north and south of this parcel are provided (subject to the approval of the County Engineer, who may require a recorded easement or a public roadway), and the internal road system north of the proposed east/west road is interconnected.
7. Intersection separation shall be as set forth in the Development Standards Ordinance, contrary to the note on the Master Concept Plan.
8. Development of this project shall be in general compliance with the Master Concept Plan prepared by Carleton Ryffel, last revised on 10-24-86, and received on 10-27-86, unless modified by the above conditions. Permitted uses are those uses permitted by right in the RM-district, as may be amended from time to time, in addition to a clubhouse as indicated on the Master Concept Plan (which may also contain additional recreational facilities).

Site Plan-86-169 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this Residential Planned Development:

- 1) The proposed use is appropriate at the subject location;
- 2) Sufficient safeguards to the public interest are provided by the recommended conditions;

- 3) All recommended conditions are reasonably related to the impact on the public's interest created by or expected from the proposed development; and
- 4) The deviations recommended for approval enhance the achievement of the objectives of the planned development, meet the general intent of these regulations, and will preserve and protect the public health, safety, and welfare.

The following findings of fact were made in conjunction with the requested deviations:

Deviation (1) is a request to reduce the required setback from a quarter section line. The Trafficways Map does not show any roads on this quarter section line and therefore approval is recommended of the requested reduction to 25 feet. Deviation (1) is hereby APPROVED.

Deviation (2) is no longer necessary because of the new Development Standards Ordinance. Deviation (2) is hereby DENIED.

Deviation (3) is no longer being requested. Deviation (3) is hereby DENIED.

Deviations (4), (5), and (6) are being requested to allow flexibility in lot layout and housing types. The Villages of San Carlos, which is immediate to the north of Corlico Village, is approved for a mix of housing types with that portion abutting this project being approved for multiple-family uses. I-75 and the setbacks imposed on Florida Rock Industries, effectively eliminates any discussion of neighborhood compatibility to the east. The proposed Corlico Parkway provides a barrier between Corlico Village and any future development to the west. The property to the south is zoned AG-2 and is vacant, but that parcel also has the negative impacts of backing up to I-75. The applicant has included a nine-hole golf course in the project, in part, to buffer this development from I-75. Deviations (4) and (6) are hereby APPROVED. Deviation (5) is hereby APPROVED provided the maximum density of multiple-family units does not exceed ten units per acre (which is the maximum bonus density allowed in the "Urban Community" land use category). Condition #4 addresses this issue.

Deviation (7) is a request to reduce the water body setback from 25 feet to 0 feet. The applicant believes that the new Zoning Ordinance requires that building setbacks from a waterbody are no longer to be measured from control elevation of the lake, but instead from the highest level on the excavation bank to be used for the storage of stormwater (as set forth in Section 518 of the Zoning Ordinance). To clarify this matter, the Annotations Committee made the following interpretations:

Structure setbacks from bodies of water should be measured from the nearest point of the structure to the "mean high water" or to the "control elevation", whichever is most applicable, unless specifically stated otherwise.

Deviation (8) is a request to not build an access road along Corlico Parkway as required by the new Development Standards Ordinance and its concomitant "Required Access Road Map". Section C.3.0.(2)(b) allows for access road requirements to be waived where they are technically infeasible. The applicant contends (and Lee County's Department of Transportation and Engineering agrees) that it is not feasible to have an access road crossing the east-west road which is to cross this parcel, because the bridge crossing I-75 will have elevated approaches, and that portion of the proposed road east of Corlico Road which will be at grade will not be of sufficient length to provide proper intersection separation. If a stub-out is provided to the south and north of the property and the internal road system is interconnected (with the exception of crossing the proposed east/west road), the intent of D.S.O. Section C.3.0. will be met as closely as is technically feasible.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Slisher, and seconded by Commissioner Fussell and, upon being put to a vote was as follows:

Porter J. Goss	Absent
Charles L. Bigelow, Jr.	Absent
Mary Ann Wallace	Nay
Bill Fussell	Aye
Donald D. Slisher	Aye

DULY PASSED AND ADOPTED this 24th day of November, A.D., 1986.

ATTEST:
CHARLIE GREEN, CLERK

BY: Lisa D. Pierce D.C.
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Bill Fussell
Chairman

Approved as to form by:

[Signature]
County Attorney's Office

FILED

FEB 26 1987

CLERK, CIRCUIT COURT
BY: Lisa D. Pierce D.C.

RESOLUTION NUMBER Z-86-169

(24302)

HEARING NUMBER 86-10-7 DCI

Page 6 of 6

REC 14UZP6361Z

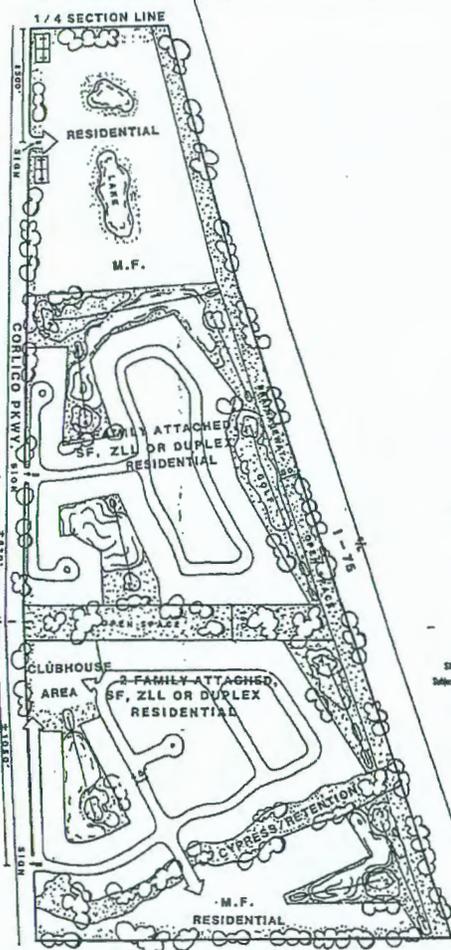
APPROVED AND RECORDED
CLERK OF CIRCUIT COURT
LEE COUNTY FLA

MAR 10 2 35 PM '87

NOTE: DISTANCE FROM C-L
CORLICO PKWY. TO G-L
ACCESS IS FORTY FEET



1" = 200'

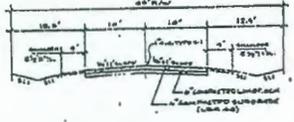


TYPICAL LAKE CROSS SECTION
N.T.S.



CYPRESS SLEW/RETENTION AREA
CROSS SECTION
N.T.S.

APPROVED
Master Concept Plan
Site Plan 2-21-87, Prop. L.M.L.
Subject to conditions to Resolution 20-2-87
Zoning Code of 5-20-87



TYPICAL R/W CROSS SECTION
N.T.S.

- DESIGN NOTES**
- SPECIFIC DETAILS, MATERIALS AND ANY VARIATIONS TO BE SPECIFIED WITH THIS PLAN
1. Site Slope = 100:75 across distance from AC to ADC
 2. Maximum Density & Units/Acre = 400 units. It is recognized that some areas within the site will exceed this overall density with a corresponding reduction of density in other areas of the site.
 3. Permitted uses - Single family, multiple family (medium, medium-high density), but family attached, recreational, club, clubhouse, consumption no production and animal residential and clubhouse accessory only.
 4. UNDEVELOPED
 5. Setts subject to franchisee's minimum and no driveway, 11'10" are allowed in accordance with the Water Control Plan, (MS 1.1.3.4 and Ordinance 82-10, Sec. 2.11)
 6. Minimum Section Line setback to be reduced from 60' to 25' (MS 19.5.3).
 7. Maximum building height shall be 3 stories.
 8. Open space and other common areas shall be maintained by homeowner associations.
 9. Open space and amenities on site may be reconfigured provided that total open space is a minimum of 20% of the site area.
- Conceptual Site Usage Schedule**
- | | |
|-----------------------------|----------------------------|
| Land | 7.10 Acres |
| Cypress/Retention | 2.75 |
| Clubhouse | 2.00 |
| 100' Open Space Strip | 4.00 |
| 100' Buffer (between lanes) | 22.00 |
| Clubhouse | 2.00 |
| Swamp | 2.00 |
| Swamp | 2.00 |
| Total Site | 32.00 Acres = 100% of Site |
10. Minimum Setback from Site Line to Be Maintained

Single family detached (not over lot line)	As indicated in MS-6
Setback on on family attached	As indicated in MS-6
Site Line	As indicated in MS-6 except one site setback may be zero.
 11. "Duplex lots contain 2 units each, with a common wall that normally bisects the lot in half.
 12. Detached units may or may not have detached "lots" depending on the final site plan.
 13. Conceptual unit mix subject to modification: 80 zero lot line units, 120 duplex units, 400 multiple family (include Condominium or multiple family buildings).



14. Minimum from MS-6 C.L. to be maintained on all corners of frontage zone.
15. Setback on 237.02.0 on address subject to a master plan from 25' to 0'.
16. UNDEVELOPED
17. Signs shall be as follows: any sign on any one of each style home they construct, located on their portion of the lot and any home on sales office. Final location to be approved administratively by MS-6.
18. Clubhouse area may contain clubhouse, gym, shop, car storage, laundry, C.A.P., dining room and lounge, or other uses normally necessary to such auto use.
19. Signs shown as setbacks may only be located in the center of road as shown if these setbacks have minimum, otherwise they may be located adjacent such setbacks in accordance with the sign ordinance.
20. Maximum lot width of 80' per unit and lot area of 7000 square feet per unit for duplex and two family attached (MS-6, 2.2) to 200' and 2500 square feet per unit.
21. Minimum lot width of 4.37' may be reduced to zero on one side (MS-6, 2.2).
22. Minimum lot width of 100' lot depth of 100', and lot area of 10000 square feet (plus 5000 square feet for each unit after the second) for multiple family buildings (MS-6, 2.1), to 200' of width, 200' of depth, and 500 square feet of area for detached at units, not to be less than 60' on any side.

CARLETON RYFFEL, A.I.C.P. LAND PLANNER & DEVELOPMENT COORDINATOR
6290 Corporate Court SW, Suite C-201 Fort Myers, Florida 33907 813/482-4404

CORLICO VILLAGE MASTER CONCEPT PLAN
SW 10-14-87
REVISED 8/2/86
REVISED 9/8/86
REVISED 9/18/86
REVISED 10/24/86

The Reef Student Housing Pattern Book



Property Location:
19655 Three Oaks Parkway
(Corner of Three Oaks and Estero Parkway)
Fort Myers, FL 33967



Design Standards

Building

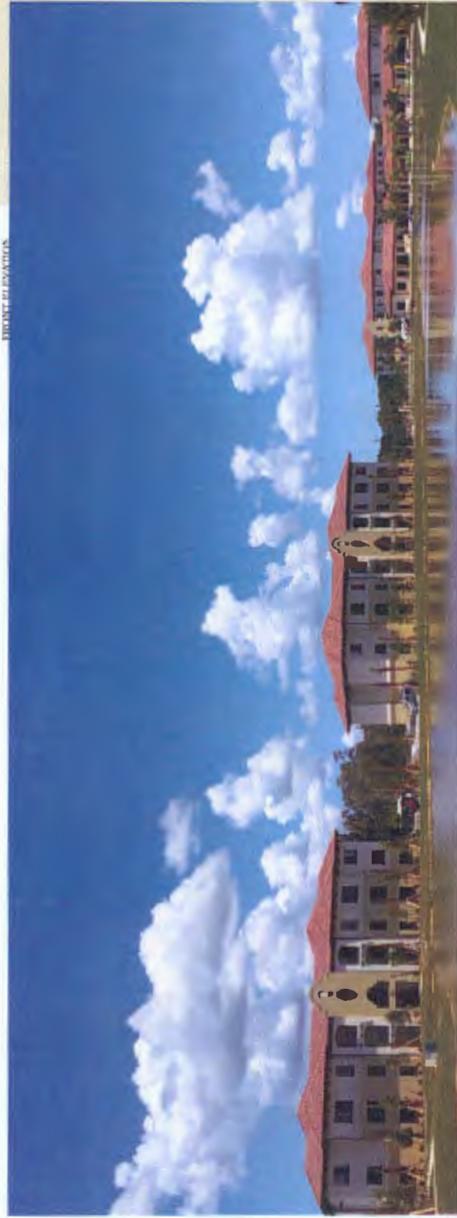
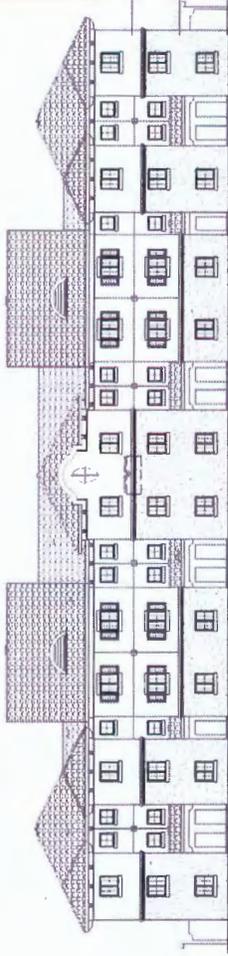
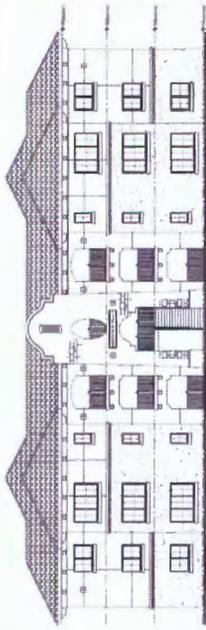
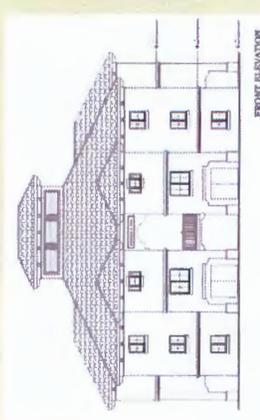
- Roof
- Details
- Walls
- Colors

Site Plan

- Parking
- Buffers
- elements

Landscaping

- Material
- hardscape
- Details





Roof/Building Design Standards



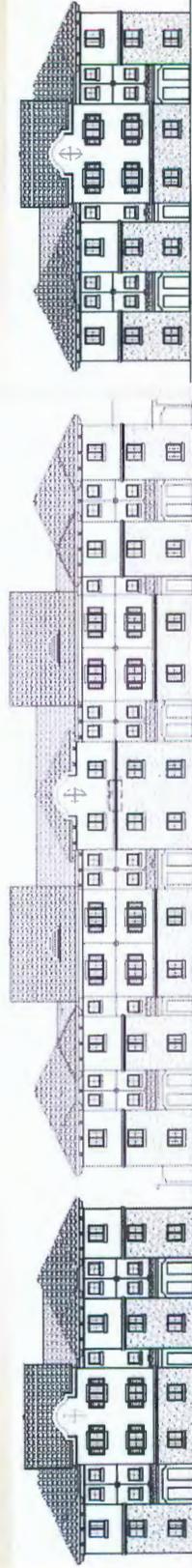
High Profile "S"



Roof Changes



Decorative Trim/Eave Brackets





Walls/Building Design Standards



Trim/Banding



Textured Stucco 1



Textured Stucco 2



Windows/Trim



Opening/details



Multi-Colored



Base Trim



Composition



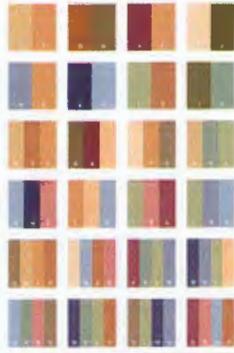
Lighting



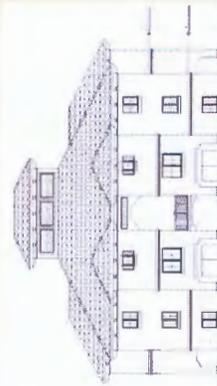
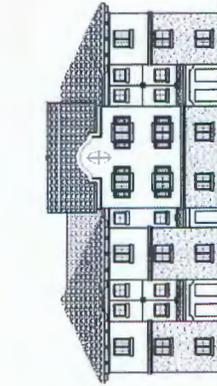
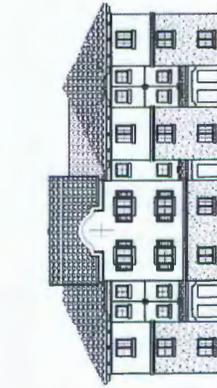
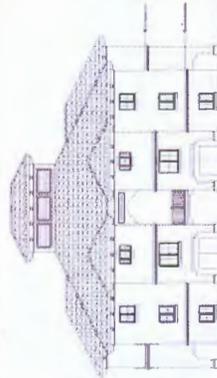
Colors/Building Design Standards



Existing Earth-tone Color Palette



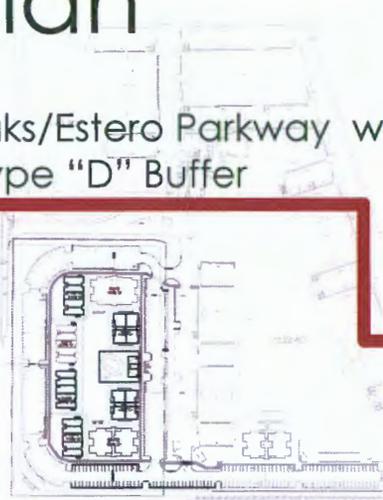
Proposed New Earth-tone Color Palette





Site Plan

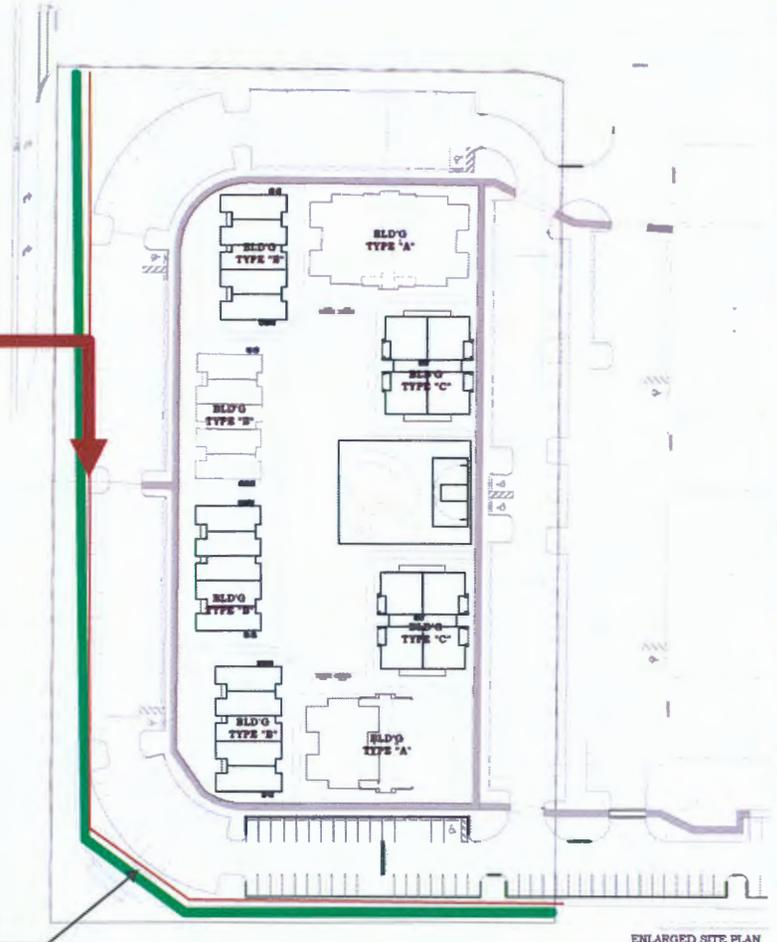
Buffer along Three Oaks/Estero Parkway will have an Enhanced Type "D" Buffer



BUILDING COUNT

3 TYPE "A" BLDGS = 24 UNITS / 96 BEDS
4 TYPE "B" BLDGS = 20 UNITS / 100 BEDS
2 TYPE "C" BLDGS = 16 UNITS / 80 BEDS
TOTALS 46 UNITS / 216 BEDS

SITE KEY



Max 6'-0" Tall Decorative Aluminum Fencing

ENLARGED SITE PLAN
1758
A2

McHARRIS	
PLANNING AND DESIGN	
11338 BONITA BEACH ROAD, SUITE 103, BONITA SPRINGS, FL 34135	
TEL: 813-487-1111 FAX: 813-487-1112	
WWW.MCHARRIS.COM	
PROJECT NO. 1758	
DATE: 08/14/13	
DRAWN BY: J. HARRIS	
CHECKED BY: J. HARRIS	
SCALE: AS SHOWN	
SHEET NO. A2	
TOTAL SHEETS: 2	
PROJECT NAME: THE REEF	
ADDRESS: 11338 BONITA BEACH ROAD, SUITE 103, BONITA SPRINGS, FL 34135	
OWNER: MCHARRIS PLANNING AND DESIGN	
DATE: 08/14/13	
SCALE: AS SHOWN	
SHEET NO. A2	
TOTAL SHEETS: 2	



Material/Landscape Design Standards



Trees and Palms



Shrubs/Ground Cover

Proposed Landscaping

Trees (100% Native/Drought Resistant)*

Green Button Wood/Conocarpus Erectus	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Cabbage Palm/Sable Palmetto	12'-18' CT, Booted/Slick, Hur. Cut
Red Maple/Acer Rubrum	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Slash Pine/Pinus Elliottii 'Densa'	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Black Olive/Buceda Buceras 'Shady Lady'	12'-14' O.A x 6' spread, 45 gallon min or FG equivalent
Royal Palm/Royestonta Flata	6' Greywood, 18' O.A.

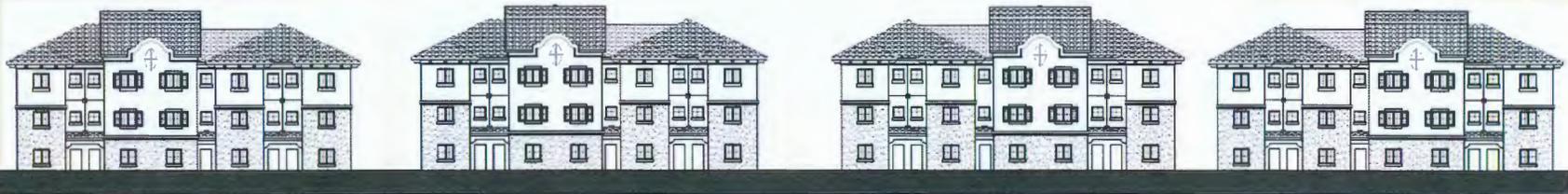
Additional Plantings (100% Native/Drought Resistant)*

Awabuki Viburnum/V. Odoratissimum	24" HT, x 16" W, 3 Gal., 4' O.C.
Cord Grass/Spartina Bakeri	24" HT, x 16" W, 3 Gal., 3' O.C.
Cocoplum/Chrysobalanus Icacco	24" HT, x 16" W, 3 Gal.
Parsonai Juniper/J. Chinensis 'Parsonii'	12" x 12", 3 Gal. Trailing
Firebush/Hamalia Patens	24" x 18"m 3 Gal. 3' O.C.
Gold Mound Duranta/Duranta Erecta 'Gold Mound'	24" x 18"m 3 Gal. 3' O.C.
Waters Viburnum/V. Obobatum 'whorled Class'	16" HT x 16" W, # Gal., 3' O.C.
Fakahatcee Grass/Tripsacum Dactyloides	24" HT, x 18" W, 3 Gal., 3' O.C.

Grass

- Floritam Sod
- Bahia Sod

*Buffers along Three Oaks/Estero Parkway will have double hedge row planted at 36"-48" inches (at instillation) with 2/16'-0" (100 gallon) and 3/12'-0" (45 gallon) trees every 100 feet





Buffers/Landscape Design Standards



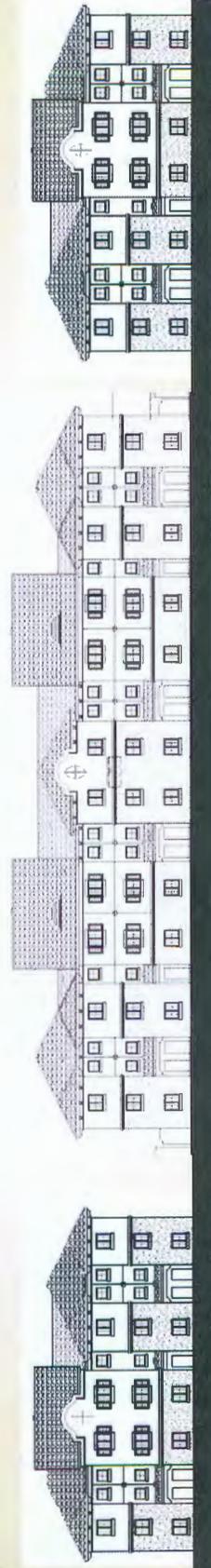
Roadway buffer



Building buffers

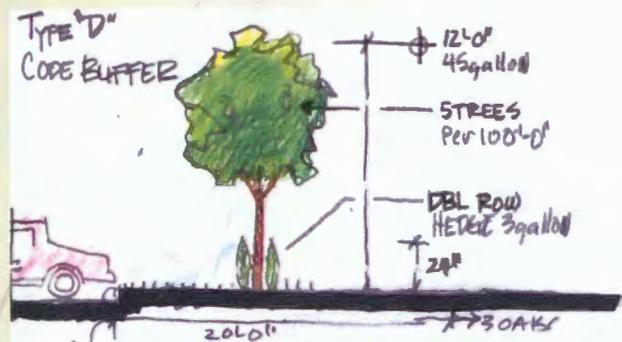


Parking Area Buffer

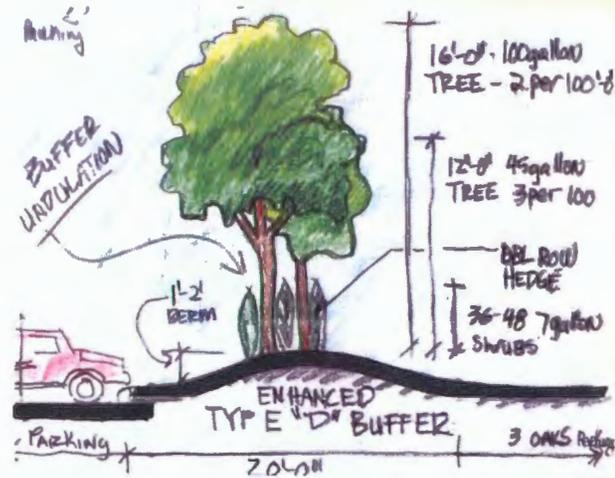




Buffers/Landscape Design Standards



Type D Code Buffer



Proposed Enhanced Type D Buffer

Buffers along Three Oaks/Estero Parkway will have double hedge row Planted at 36"-48" inches (at instillation) with 2/16'-0" (100 gallon) and 3/12'-0" (45 gallon) trees every 100 feet





Hardscape Design Standards



**Tree Lined
Meandering
Sidewalks**



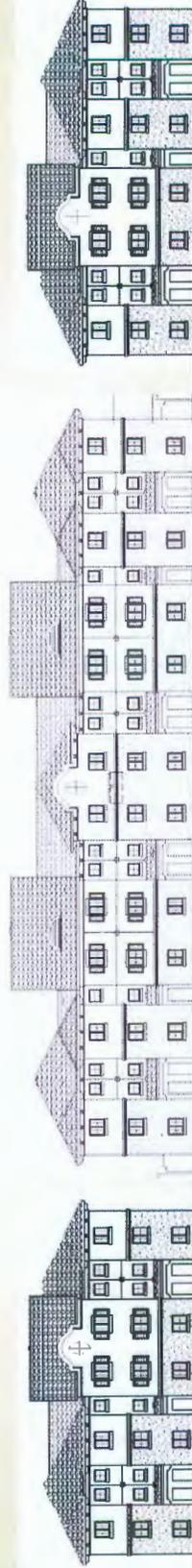
**Decorative
Fencing (6'-0"
max height)**



**Paver and
Patterns**



**Pedestrian
interconnection**





The Reef Student Housing Signage

MONUMENT SIGN

SIDE VIEW

DESCRIPTION:
 New double faced monument to be constructed of CMU with non-illuminated HDU logo, HDU primary and secondary channel letters, and 1/2" FCO address numerals. The Reef logo to be mounted to surround with 1-1/2" standoffs. Student Living to be mounted to surround with 1" standoffs. Logo to be flush mounted to stone surround.

COLOR SCHEDULE:

- Main Cabinet (Top & Bottom) = SW6135 ECRU with textured finish
- Main Cabinet (Body) = SW2829 Classical White with textured finish
- The Reef = Painted to match The Reef logo
- Student Living & Address = Painted to match The Reef blue
- Logo = Painted to match The Reef logo colors.
- Tile Background = Coronado Stone Products "Caribbean Conf".

Monument Sign

QUEEN CITY
 ENGINEERING & DESIGN

This design / engineering is to remain Queen City Engineering & Design, PLLC, exclusive property until approved and accepted for purpose by client named on drawing. No part of design and/or modification may be duplicated without written authorization of Queen City Engineering & Design, PLLC.

Drawing No.	10010
Sheet No.	(1) OF (1)
Date	12 / 28 / 2015
Drawn By	H. CarBar
Scale	1" = 1'-0"
Revision 4	3 / 02 / 16
Revision 5	5 / 08 / 16
Revision 6	5 / 19 / 16
Revision 7	6 / 29 / 16

Approved by: _____
 Date: _____

APPROVED AS SHOWN
 APPROVED AS NOTED
 CORRECT & RESUBMIT