

ADMINISTRATIVE AMENDMENT (PD) ADD2007-00199

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Worthington Holdings Southwest, LLC filed an application for administrative approval to a Commercial Planned Development (CPD) on a project known as Arborwood Village CPD (Worthington Parcel) **for reconfiguration of a lake and Tract #1** on property located at Arborwood Village, described more particularly as:

LEGAL DESCRIPTION: In Section 23, Township 45 South, Range 25 East, Lee County, Florida:

See Legal Description and Sketch attached hereto as Exhibit "A".

WHEREAS, the property was originally rezoned in case number DCI2006-00005 (Res. Z-06-061); and

WHEREAS, the subject property is located in the General Interchange Future Land Use Category as designated by the Lee Plan ; and

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

WHEREAS, Arborwood CPD (Z-06-061) was approved with a maximum of 302,000 square feet of office and /or retail uses and up to 120 hotel rooms; and

WHEREAS, this rezoning was approved with a Deviation from LDC Sec. 10-329(d)(3)b. allowing for a 35-foot deep lake with conditions; and

WHEREAS, the applicant is seeking a reconfiguration of the proposed lake from +/- 22.9 acres to +/- 17.87 acres: and

WHEREAS, the applicant is seeking a reconfiguration of Tract #1 from +/- 3.3 acres to +/- 10.98 acres: and

WHEREAS, the proposed changes are consistent with the approved conditions and deviations; and

WHEREAS, there are no proposed changes south of the lake and Tract #1; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, these proposed changes were reviewed by the Environmental Sciences Division and the Department of Natural Resources; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

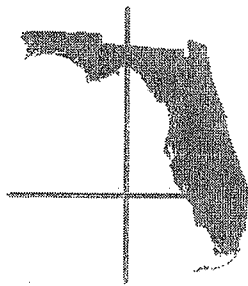
NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to for an amendment to a Commercial Planned Development to reconfigure a lake and Tract #1 is **APPROVED** subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, dated NOV. 07. 2007. Master Concept Plan for ADD2007-00199 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
2. **Prior to local development order approval, the landscape plans must demonstrate that 24.97 acres of open space is provided for the overall project with a minimum ten percent (10%) open space on each tract/parcel.**
3. **Prior to the release of the Treeline Avenue DOS2004-00262 bonding, a minor change must be submitted by the applicant and approved by the Division of Environmental Sciences for the 17.87 acre deep lake management plan as required per Land Development Code Section 10-329.**
4. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

DULY SIGNED this 3rd day of December, A.D., 2007.

BY: 

Pam Houck, Director
Division of Zoning
Department of Community Development



METRON

SURVEYING & MAPPING, LLC

LAND SURVEYORS • PLANNERS

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 23, TOWNSHIP 45 SOUTH RANGE 25 EAST,
LEE COUNTY, FLORIDA
(DANTREE COMMERCIAL & LAKE PARCEL)

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 23, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 23; THENCE N.88°10'10"E., ALONG THE NORTH LINE OF SAID SECTION 23, A DISTANCE OF 1,293.64 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF TREELINE AVENUE AS RECORDED IN OFFICIAL RECORD BOOK 4788 AT PAGE 2150 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE WEST LINE OF SAID TREELINE AVENUE FOR THE FOLLOWING 14 CALLS: SAID POINT BEING ON A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S.88°58'01"W., A RADIAL DISTANCE OF 1,137.50 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 14°31'03", A DISTANCE OF 288.22 FEET; THENCE S.13°29'05"W., A DISTANCE OF 406.80 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,262.50 FEET; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°39'34", A DISTANCE OF 212.84 FEET; THENCE S.14°33'39"W., A DISTANCE OF 53.27 FEET TO THE POINT OF CURVE OF A NON-TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S.88°31'49"E., A RADIAL DISTANCE OF 1,273.50 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°23'18", A DISTANCE OF 319.81 FEET; THENCE S.12°55'07"E., A DISTANCE OF 62.74 FEET; THENCE S.03°04'07"E., A DISTANCE OF 10.20 FEET; THENCE S.12°40'04"E., A DISTANCE OF 86.29 FEET TO THE POINT OF CURVE OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S.21°18'55"W., A RADIAL DISTANCE OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 55°45'57", A DISTANCE OF 29.20 FEET; THENCE S.12°55'07"E., A DISTANCE OF 183.90 FEET; THENCE S.00°18'07"E., A DISTANCE OF 54.24 FEET TO THE POINT OF CURVE OF A NON-TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S.79°17'34"W., A RADIAL DISTANCE OF 1,137.50 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°41'01", A DISTANCE OF 192.25 FEET; THENCE S.01°01'24"E., A DISTANCE OF 609.18 FEET; THENCE S.44°13'46"W., A DISTANCE OF 140.97 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF DANIELS ROAD; THENCE S.89°26'26"W., ALONG SAID NORTH LINE OF DANIELS ROAD, A DISTANCE OF 721.62 FEET; THENCE N.00°36'43"W., A DISTANCE OF 123.32 FEET; THENCE N.66°55'51"W., A DISTANCE OF 451.80 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 23; THENCE N.01°01'45"W., ALONG SAID WEST LINE OF SAID SECTION 23, A DISTANCE OF 2,237.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 68.25 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN)

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 23 BEING N.01°01'45"W.

Certification for Description

Surveyor and Mapper in Responsible Charge:

Denis J. O'Connell, Jr., LS #5430

Metron Surveying & Mapping, LLC, LB #7071

10970 S. Cleveland Avenue, Suite 605

Fort Myers, FL 33907

Applicant's Legal Check

by CS

11-14-07

RECEIVED

NOV 13 2007

Signed:

Date:

5/4/06

PERMIT COUNTER

ADD 2007-00199

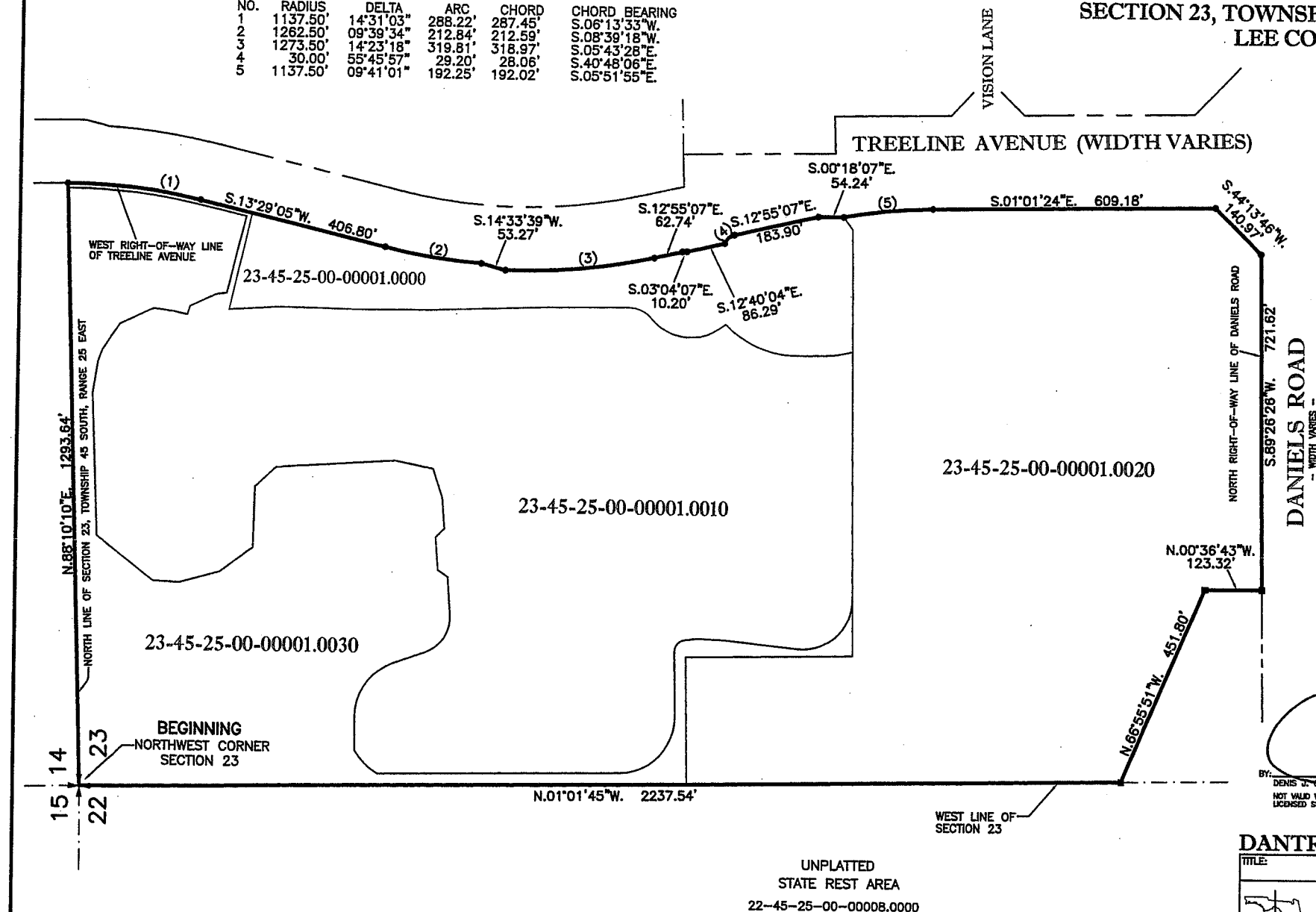


CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	1137.50'	14°31'03"	288.22'	287.45'	S.06°13'33"W.
2	1262.50'	09°39'34"	212.84'	212.59'	S.08°39'18"W.
3	1273.50'	14°23'18"	319.81'	318.97'	S.05°43'28"E.
4	30.00'	55°45'57"	29.20'	28.06'	S.40°48'06"E.
5	1137.50'	09°41'01"	192.25'	192.02'	S.05°51'55"E.

SKETCH

OF A PARCEL LYING IN
SECTION 23, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



Applicant's Legal Checked
by C.S. 14 Nov 2007
RECEIVED
NOV 13 2007
PERMIT COUNTER

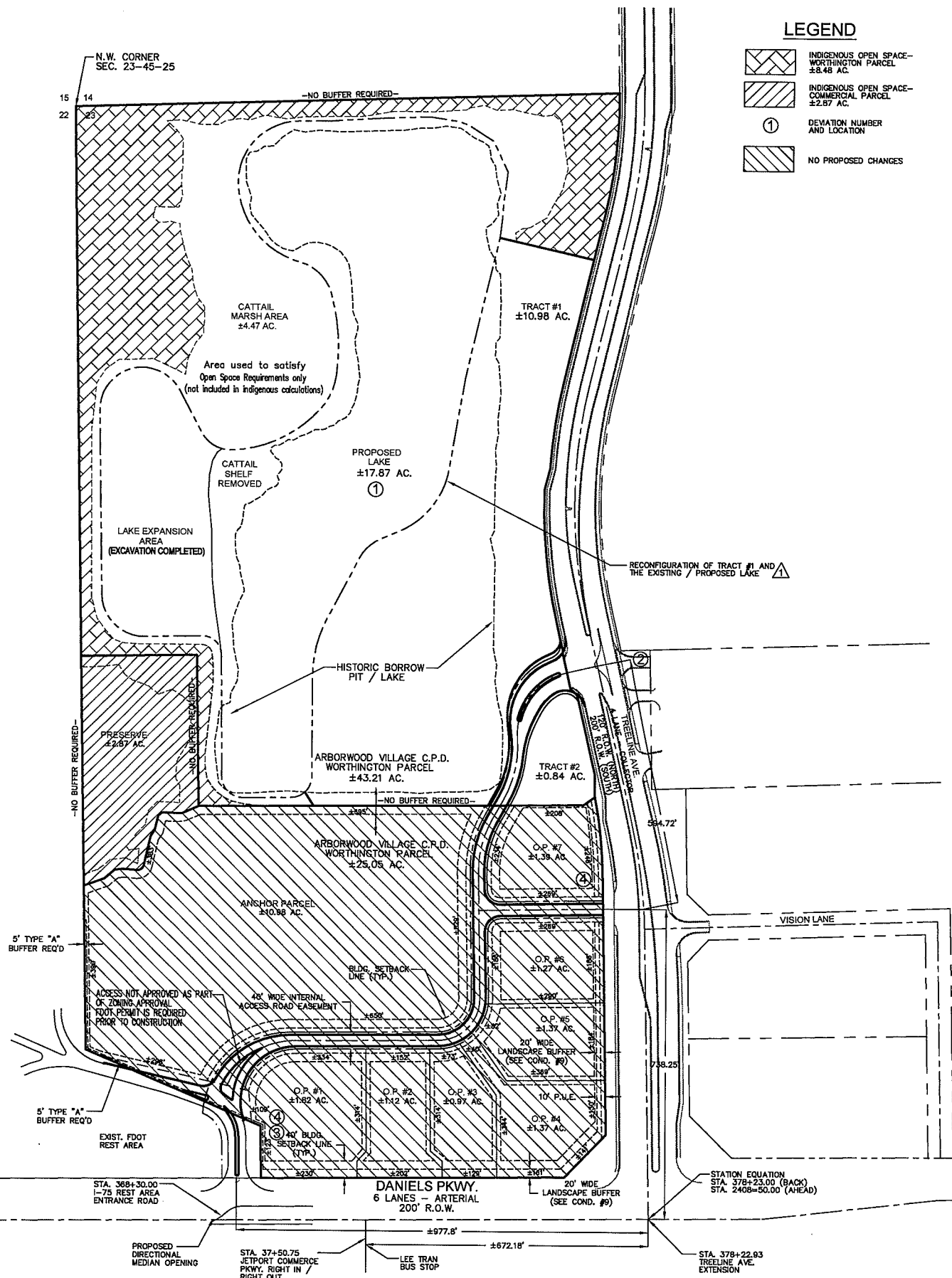
ADD 2007-00199

*** THIS IS NOT A SURVEY ***
BY: DENIS J. O'CONNELL, JR., PROFESSIONAL SURVEYOR AND MAPPER L.S.# 6430 DATE SIGNED 5/4/06
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DANTREE COMMERCIAL/LAKE SITE

TITLE: SKETCH	
METRON SURVEYING & MAPPING, LLC LAND SURVEYORS-PLANNERS L.B.# 7071	
10070 S. CLEVELAND AVENUE, SUITE 805 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com	
FILE NAME: 9398SK.DWG	FIELD BOOK/PAGE: 9398
SURVEY DATE: 05-04-2008	DRIVEN BY: DJO
SCALE: 1"= 100'	CHECKED BY: DJO
FILE NO. (S-T-R): 23-45-25	SHEET: 1 OF 1

T:\ENG\Worthington_treeline\office_complex\ZONING\MCP1.DWG, 11/20/2007 11:17:07 AM, ehigginson



LEGEND

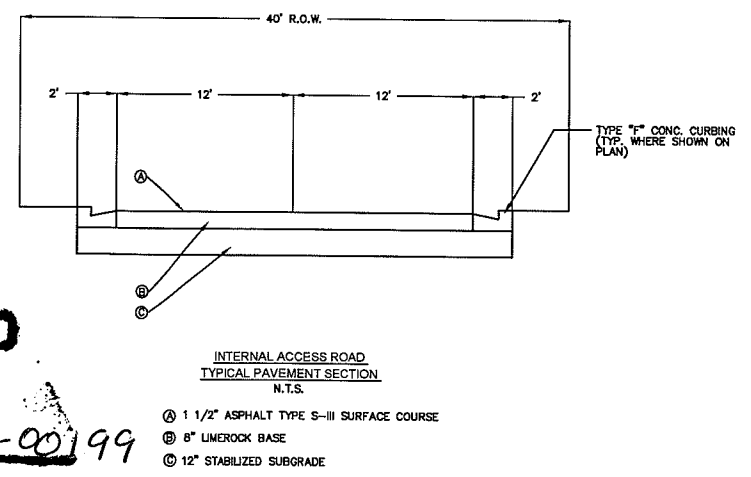
- INDIGENOUS OPEN SPACE - WORTHINGTON PARCEL ±8.48 AC.
- INDIGENOUS OPEN SPACE - COMMERCIAL PARCEL ±2.97 AC.
- ① DEVIATION NUMBER AND LOCATION
- NO PROPOSED CHANGES

PROJECT SUMMARY:

1.) CONCEPTUAL LAND USE BREAKDOWN:		3.) INDIGENOUS OPEN SPACE:	
C.P.D. - COMMERCIAL PARCEL		C.P.D. - COMMERCIAL PARCEL	
ON SITE WETLAND / UPLAND PRESERVE AREA / O.S. GREEN AREA		INDIGENOUS OPEN SPACE REQ'D ±7.5 AC. x 50%	
INTERNAL (PRIVATE) R.O.W.		INDIGENOUS OPEN SPACE PROV'D EXIST. PRESERVE AREA ±2.87 AC.	
DEVELOPMENT PARCELS		TOTAL OPEN SPACE PROV'D ±2.87 AC.	
TOTAL SITE - CPD COMMERCIAL PARCEL		*(SEE NOTE BELOW)	
C.P.D. - WORTHINGTON PARCEL		C.P.D. - WORTHINGTON PARCEL	
ON SITE WETLAND / CONSERVATION AREA		INDIGENOUS OPEN SPACE REQ'D ±12.98 AC. x 50%	
EXIST. LAKE / PROPOSED LAKE EXPANSION		INDIGENOUS OPEN SPACE PROV'D ON-SITE WETLAND / CONSERVATION AREA ±8.42 AC.	
O.S. / GREEN AREA		TOTAL OPEN SPACE PROV'D ±8.42 AC.	
INTERNAL (PRIVATE) R.O.W.		INDIGENOUS OPEN SPACE REQ'D (TOTAL PROJECT) ±10.23 AC.	
WORTHINGTON TRACT #1		INDIGENOUS OPEN SPACE PROV'D (TOTAL PROJECT) ±11.29 AC.	
WORTHINGTON TRACT #2		* THE ACTUAL ACREAGE AVAILABLE IN THE ON-SITE WETLAND/CONSERVATION AREA IS ±11.29 AC. WITH ONLY ±10.23 NEEDED TO SATISFY THIS REQUIREMENT	
TOTAL SITE - CPD - WORTHINGTON PARCEL		4.) PUBLIC TRANSIT:	
TOTAL CPD PARCEL AREA ±88.28 AC.		THIS SITE IS LOCATED ON LEE TRAN ROUTE #50	
2.) CONCEPTUAL OPEN SPACE:		5.) PROJECT DENSITY:	
C.P.D. - COMMERCIAL PARCEL		INTENSITY:	
±25.1 AC. x 0.3 = ±7.50 AC.		ANCHOR PARCEL 200,000 S.F. - RETAIL AND 120 BED HOTEL	
TOTAL OPEN SPACE REQ'D ±7.50 AC.		OUT-PARCEL #1-#7 50,000 S.F. - COMMERCIAL 12,000 S.F. - OFFICE 30,000 S.F. - OFFICE 10,000 S.F. ESSENTIAL SERVICE (EMS)	
OPEN SPACE PROV'D:			
INDIGENOUS / PRESERVE AREA ±2.87 AC.			
ANCHOR PARCEL (022.0%) ±2.68 AC.			
O.P.'S #1 THRU #7 (022.0%) ±2.05 AC.			
O.P. #1 (±1.82 AC. x 0.22) ±0.40 AC.			
O.P. #2 (±1.12 AC. x 0.22) ±0.25 AC.			
O.P. #3 (±0.97 AC. x 0.22) ±0.21 AC.			
O.P. #4 (±1.37 AC. x 0.22) ±0.30 AC.			
O.P. #5 (±1.37 AC. x 0.22) ±0.30 AC.			
O.P. #6 (±1.27 AC. x 0.22) ±0.28 AC.			
O.P. #7 (±1.39 AC. x 0.22) ±0.31 AC.			
SUB-TOTAL (OUT PARCELS) ±2.05 AC.			
TOTAL OPEN SPACE PROV'D ±7.60 AC.			
C.P.D. - WORTHINGTON PARCEL			
±43.2 AC. x 0.3 = ±12.96 AC.			
OPEN SPACE PROV'D:			
ON-SITE WETLAND / CONSERVATION AREA (INCLUDING CATTAIL MARSH) ±12.95 AC.			
EXIST. LAKE / PROPOSED LAKE ±3.24 AC.			
TRACT #1 (±10.98 AC. x 0.10) ±1.10 AC.			
TRACT #2 (±0.84 AC. x 0.10) ±0.08 AC.			
SUB-TOTAL (TRACTS) ±1.18 AC.			
TOTAL OPEN SPACE PROV'D ±17.37 AC.			

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APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2007-00199
Date 12/3/2007



ADD 2007-00199

date <u>10-07</u>	
drawn <u>JWH</u>	
file name: <u>ZONING</u>	
job: <u>TREELINE</u>	
No.	Date
1	10-07
Revisions	
RECONFIGURATION OF TRACT #1 AND EXIST. / PROP. LAKE	

community engineering services, inc.
civil engineering • surveying • project management
EB-0006613 LB-6572
8991 Daniels Center Drive, Suite 103
Fort Myers, Florida 33912
Telephone (239) 936-9777 Fax (239) 936-0064

MASTER CONCEPT PLAN EXHIBIT 6-J (REVISED)
OF
ARBORWOOD VILLAGE CPD
(WORTHINGTON PARCEL)
FOR
WORTHINGTON HOLDINGS SOUTHWEST, LLC
9341 MARKET PLACE ROAD
FORT MYERS, FL 33912
(239) 561-4668 fax (239) 561-4676

scale: 1"=200'
SHEET
1 OF 2
date _____