

ADMINISTRATIVE AMENDMENT (PD) ADD2008-00082

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, BRE/South Seas Resort, Owner LLC filed an application for administrative approval to amend the South Seas Resort Master Development Plan (SSRMPD), to allow the redistribution of 140 dwelling units used for employee housing within the South Seas Resort District (SSRD) with redevelopment at the south end and new development at the north end as follows:

- South end: demolish the existing 7 buildings with dwelling units use for 140 employee housing and build a new 80 unit hotel at the same location;

Within the new hotel, 40 units will alternate between units used for employee housing units and units used as standard hotel rooms;
- North end: build 4 multi-family buildings with a total of 20 dwelling units on the west side of South Seas Plantation Drive; build a new 6,000 square foot restaurant in between the 4 buildings; and construct a 5,000± square foot spa on the east side of South Seas Plantation Drive.

WHEREAS, the development of the 80 unit hotel on the south end and the 20 units on the north end of SSRD will leave 40 dwelling units for use elsewhere within the resort based upon future amendment(s) to the SSRMPD; and

WHEREAS, a metes and bounds property description for the perimeter boundaries of the SSRD has been provided and is described more particularly as:

LEGAL DESCRIPTION: In Sections 15, 22, 23, 26, and 27, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida:

See Attachment "A"

WHEREAS, the following is a legislative history of South Seas Resort District (SSRD):

- ▶ The Board of County Commissioners changed the zoning to RU-3 (converted to RM-2) with a PUD concept and a special permit for up to 5 acres of commercial property by Resolution Z-73-202, Case Number 73-10-29. Resolution Z-90-91 rezoned the 10 acre marina property to Commercial Marine (CM).
- ▶ In 2002, the Board of County Commissioners directed the County to summarize and clarify the current status of development in South Seas Resort. Administrative Interpretation (AI) ADD2002-00098 established the South Seas

THIS AMENDMENT IS NULL AND VOID PER ADD2014-00203 DATED 8-19-2015

Resort District (SSRD) and established the development standards for existing and new development within the resort.

- ▶ The Administrative Interpretation sets forth that South Seas Resort District cannot exceed a limitation of 3 units per acre up to 912 residential dwelling units and up to 5 acres of commercial property. The Administrative Interpretation recognizes that certain changes to the SSRMDP may be approved administratively. Previous amendments to South Seas Resort District (SSRD) have been approved in case numbers ADD2002-00054, ADD2003-00077, ADD2004-00077, and ADD2006-00041.
- ▶ The 140 employees housing units were included as part of the 912 residential dwelling units approved by Resolution Z-73-202. This amendment will not increase the number of units approved for the SSRD but will allow the redistribution, as recognized by the Administrative Interpretation, of the 140 dwelling units used for employee housing within SSRD described as follows:

South End

Currently there are 7 buildings with 140 dwelling units used for employee housing located on the west side of South Seas Plantation Road. These buildings will be demolished and a new 80 unit hotel will be developed at the same site, see attachment "B".

Within the hotel, 40 units will be designated as units that may alternate between employee housing and standard hotel units. The number and location of units within the hotel that are used for employee housing will vary throughout the year depending on the seasonal need for employee housing, the type of employee for which housing is needed, and similar factors. The hotel will be located to optimize the beachfront location and will be designed to capture the flavor of the "Old Florida" architectural style, see attachment "H".

The landscape plan, see attachment "E" will be compatible with the surrounding area. The landscape plan reflects 31 live oak trees and 1053 grasses, groundcovers and shrubs provided along Captiva Drive, see attachment "I". Other plantings similar to those shown on the plan will be provided around the hotel and will blend with the existing vegetation within South Seas Resort. All plantings will be native or non-invasive species.

North End

There will be 2 areas of new development that will occur at the north end of SSRD that includes the following:

On the west side of South Seas Plantation Drive, 20 multi-family dwelling units in 4 buildings and a 6,000 square foot restaurant will be built, see attachment "C" and the architectural renderings attachment "J".

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A 5,000 square foot spa is proposed on the peninsular island just east of the marina on the existing golf course. The applicant has 2 options for the location of the spa, see attachment "D" and the architectural rendering attachment "K".

The overall development for the 20 multi-family units and the restaurant is shown on the overall landscape plan as attachment "F". The landscape plan submitted as attachment "G" will be compatible with the surrounding area. The landscape plan shows 46 palms and trees and 487 grasses, groundcovers and shrubs provided along the southern boundary lines of the development on the east side and the west side of South Seas Plantation Road. Other plantings similar to those shown on the plan will be provided around the hotel and will blend with the existing vegetation within South Seas Resort. All plantings will be native or non-invasive species.

WHEREAS, a Traffic Impact Study (TIS) for the application with the reduction in employee housing and increase in hotel and condominium units was provided to evaluate the potential impacts associated with the proposal. The TIS demonstrated a reduction of 11 P.M. peak hour trips; and

WHEREAS, the proposed changes were presented to the Captiva Community Panel on June 10, 2008 and November 11, 2008, see attachment "L". During the June meeting, employee housing was proposed to be relocated near the "Tennis Villas" housing area. Members of the public voiced their concerns regarding potential traffic increase due to the reduction of the employee housing and problems with noisy and delinquent employee behavior. The Panel did not have any specific issues with the proposed changes. Subsequently, a representative of the Tennis Villas owners' association wrote a letter expressing concern over the more proximate location proposed of employee housing. Since that meeting, and after applicant's discussion with the Tennis Villas representative of the current alternative plan for employee housing, the proposed employee housing has been eliminated from the "Tennis Villas" area, the "Tennis Villas" condominium association has indicated that it has no objection with combining the employee housing with the proposed hotel, see letter from "Tennis Villas" agent as attachment "M". During the November 11, 2008 meeting, the Panel had no objection to the revised plan as presented; and

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

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WHEREAS, the proposed redevelopment of the 140 dwelling units used for employee housing to an 80 unit hotel at the south end and the new development of the 20 multi-family units at the north end of the resort approved herein will result in the redistribution of 140 existing dwelling units leaving a remainder of 40 dwelling units for use elsewhere within the resort based upon future amendment(s) to the SSRMPD; and

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to amend the South Seas Resort Master Development Plan (SSRMPD), to allow the redistribution of 140 employee housing units within the South Seas Resort District (SSRD) with redevelopment at the south end and new development at the north end as follows:

- South end: demolish the existing 7 buildings with 140 dwelling units used for employee housing and build a new 80 unit hotel at the same location;

Within the hotel, 40 units will alternate between units used for employee housing units and units used as standard hotel rooms;
- North end: build 4 multi-family buildings with a total of 20 dwelling units on the west side of South Seas Plantation Drive; build a new 6,000 square foot restaurant in between the 4 buildings; and construct a 5,000± square foot spa on the east side of South Seas Plantation Drive.

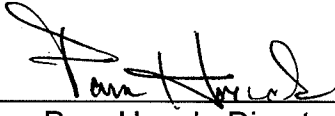
is **APPROVED**.

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, dated November 19, 2008, Sheet 3 (South end - attachment A) and Sheets 5 and 7 (North end - attachment C and D). Master Concept Plans for ADD2008-00082 are hereby APPROVED and adopted. Reduced copies are attached hereto.**
2. **The Development must be in substantial compliance with the Landscape plans dated November 19, 2008, Sheets L.1.2 (South end - attachment E) and Sheets L.1.0 and L.1.1 (North end - attachment F and G). Reduced copies are attached hereto.**
3. **The undistributed 40 dwelling units must be approved through the appropriate zoning process deemed at that time.**
4. **A minimum of 40 employee units with alternating use as standard hotel rooms must be maintained in perpetuity located as part of the proposed 80 unit hotel.**
5. **The terms and conditions of the original zoning resolutions, as confirmed in Administrative Interpretation ADD2002-00098 remain in full force and effect.**

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DULY SIGNED this 30th day of December, A.D., 2008.

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

Attachments:

- A - Legal Description
- B - Proposed Hotel Site - Sheet 3
- C - Proposed Development - North - Sheet 5
- D - Proposed Spa - Sheet 7
- E - Enhanced Type D Buffer (hotel) - Sheet L.1.2
- F - Redevelopment North - Master Landscape Plan - Sheet L.1.0
- G - Enhanced Villa Buffer - Sheet L.1.1
- H - Proposed Hotel - architectural rendering
- I - Architectural rendering of landscape buffer along Captiva Drive
- J - Proposed Villas and restaurant - architectural rendering
- K - Proposed Spa - architectural rendering
- L - November 11 and June 10, 2008 minutes from Captiva Community Panel
- M - Letter from Tennis Villas agent

RECEIVED
MAY 29 2008

COMMUNITY DEVELOPMENT

May 21, 2008

DESCRIPTION

SOUTH SEAS PLANTATION OVERALL PARCEL **ADD 2008-00082**
AS DESCRIBED IN OCTOBER 23, 1973
SECTIONS 15, 22, 23, 26 AND 27, TOWNSHIP 45 SOUTH, RANGE 21 EAST
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

A parcel or tract of land lying in Sections 15, 22, 23, 26 and 27, Township 45 South, Range 21 East, Captiva Island, Lee County, Florida, which tract or parcel is described as follows:

PARCEL 1

From a corner common to said Sections 22, 23, 26 and 27 run N 81° 30' 10" W along the north line of said Section 27 for 230.95 feet to an intersection with the bulkhead line as approved by The Lee County Board of County Commissioners and described in resolution recorded in County Commission Minutes Book 23 at Pages 54(a) through 54(d), Public Records of Lee County, Florida.

From said point of beginning run the following courses and distances along said bulkhead line S 18° 15' 20" W for 466.75 feet; thence run S 10° 42' 40" E for 1,881.11 feet to a point of curvature; thence run southeasterly along the arc of said curve to the left of radius 430.00 feet (chord bearing S 66° 09' 00" E) (chord 708.22 feet) (delta 110° 52' 33") for 832.11 feet to a point of tangency; thence run N 58° 24' 50" E for 205.81 feet to a point of curvature; thence run northeasterly along the arc of said curve to the left of radius 185.00 feet (chord bearing N 13° 24' 50" E) (chord 261.63 feet) (delta 90° 00' 00") for 290.60 feet to a point of compound curvature; thence run northwesterly along the arc of said curve to the left of radius 325.00 feet (chord bearing N 51° 29' 50" W) (chord 221.36 feet) (delta 39° 49' 16") for 225.88 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the right of radius 185.00 feet (chord bearing N 28° 07' 10" W) (chord 253.70 feet) (delta 86° 34' 39") for 279.55 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 225.00 feet (chord bearing N 01° 56' 10" W) (chord 132.35 feet) (delta 34° 12' 31") for 134.34 feet to a point of reverse curvature; thence run northeasterly along the arc of said curve to the right of radius 227.37 feet (chord bearing N 57° 27' 20" E) (chord 442.17 feet) (delta 152° 59' 39") for 607.13 feet to a point of compound curvature; thence run southeasterly along said curve to the right of radius 1,485.00 feet (chord bearing S 21° 34' 00" E) (chord 1,230.75 feet) (delta 48° 57' 44") for 1,269.01 feet to a point of tangency; thence run S 02° 54' 50" W for 695.00 feet to a point of curvature; thence run southeasterly along the arc of said curve to the left of radius 135.00 feet (chord bearing S 22° 05' 10" E) (chord 114.11 feet) (delta 50° 00' 05") for 117.81 feet to

Applicant's Legal Checked
by BSJ 6/5/08

SHEET 1 OF 6

a point of compound curvature; thence run southwesterly along the arc of said curve to the right of radius 80.00 feet (chord bearing S 00° 24' 50" W) (chord 117.96 feet) (delta 94° 59' 43") for 132.64 feet to a point of reverse curvature; thence run southwesterly along the arc of said curve to the left of radius 180.00 feet (chord bearing S 27° 02' 22" W) (chord 128.26 feet) (delta 41° 44' 42") for 131.15 feet to an intersection with the easterly prolongation of the northerly boundary of the lands described in deed recorded in Deed Book 130 at Page 21, Public Records of Lee County, Florida; thence run N 85° 50' 20" W along said northerly boundary line for 497.94 feet; thence run S 02° 47' 50" W along the westerly boundary of the lands as conveyed in said deed for 450.32 feet; thence run S 85° 47' 00" E along the south boundary of lands as described in said deed for 41.59 feet to an intersection with the west right-of-way line of a 30 foot easement for roadway purposes as recorded in Official Record Book 1216 at Pages 1789 and 1790, Public Records of Lee County, Florida; thence run S 02° 55' 20" W along said west easement line 227.87 feet to an intersection with the northerly right-of-way line of a 30 foot public road as described in deed recorded in Deed Book 54 at Page 540, Public Records of Lee County, Florida said road being the north line of Captiva Drive S.W. also known as Binder Avenue; thence N 71° 18' 20" W along the northerly right-of-way line of said road for 809.05 feet to an intersection with the east boundary of G.P. Bryant's Addition to Gulf View Captiva Island as recorded in Plat Book 3 at Page 21, Public Records of Lee County, Florida; thence run N 12° 49' 40" E along said east boundary line for 8.65 feet to the northerly right-of-way line of Binder Avenue as shown on said Plat of G.W. Bryant's Addition to Gulf View, Captiva Island; thence run N 77° 10' 20" W along said northerly right-of-way line of Binder Avenue (Captiva Drive S.W.) for 357.91 feet to an intersection with the easterly right-of-way line of a 30 foot public road also being the east boundary of Gulf View Subdivision as recorded in Plat Book 3 at Page 8, Public Records of Lee County, Florida; thence run N 16° 50' 00" W along east right-of-way line of said public road for 650 feet more or less, to an intersection with the Mean High Water Line of the Gulf of Mexico; thence run northwesterly along said Mean High Water Line for 4,779 feet more or less to an intersection with the south line of the lands as described in deed recorded in Deed Book 209 at Page 71, Public Records of Lee County, Florida; thence run N 89° 27' 00" E departing said Mean High Water Line along the south line of said deed for 69 feet more or less, to an intersection with the easterly line of the former 30 foot wide public road for South Seas Plantation; thence run N 04° 57' 00" W along said easterly right-of-way line for 375.04 feet to a jog in said right-of-way line; thence run N 00° 27' 00" W continuing along said right-of-way line for 597.23 feet to a jog in said right-of-way line; thence run N 22° 10' 43" W continuing along said right-of-way line for 140.17 feet to the southwest corner of the unrecorded American Hotel's Company Subdivision, Lot 14; thence run N 89° 21' 11" E along the south line of said lot for 183 feet more or less, to an intersection with the westerly shore Mean High Water Line of Bryant Bayou; thence run southerly, easterly and northeasterly along said Mean High Water Line of Bryant Bayou for 4,535 feet more or less, to the northerly most terminus point of a bulkhead line and submerged lands from a

Trustees of Internal Improvement Trust Fund as recorded in Official Record Book 572 at Page 14, Public Records of Lee County, Florida; thence run the following courses and distances along said bulkhead line and submerged lands: run southeasterly along arc of a curve to the right of radius 25.00 feet (chord bearing S 89° 56' 05" E) (chord 38.97 feet) (delta 102° 24' 41") for 44.69 feet to a point of tangency; thence run S 38° 44' 10" E for 497.24 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right of radius 1400.00 feet (chord bearing S 35° 16' 00" E) (chord 169.44 feet) (delta 06° 56' 19") for 169.54 feet to a point of tangency; thence run S 31° 47' 50" E for 591.34 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right of radius 500.00 feet (chord bearing S 32° 53' 55" E) (chord 19.22 feet) (delta 02° 12' 09") for 19.22 feet to a point of tangency; thence run S 34° 00' 00" E for 981.23 feet to a point of curvature; thence run southeasterly along the arc said curve to the right of radius 150.00 feet (chord bearing S 23° 00' 00" E) (chord 57.24 feet) (delta 21° 59' 56") for 57.59 feet to a point of tangency; thence run S 12° 00' 00" E for 638.00 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right of radius 220.00 feet (chord bearing S 04° 22' 30" E) (chord 58.38 feet) (delta 15° 14' 57") for 58.55 feet to a point of reverse curvature; thence run southeasterly along the arc of said curve to the left of radius for 540.00 feet (chord bearing S 16° 37' 30" E) (chord 367.17 feet) (delta 39° 45' 01") for 374.64 to a point of reverse curvature; thence run southeasterly along the arc of said curve to the right of radius 175.97 feet (chord bearing S 23° 33' 50" E) (chord 78.79 feet) (delta 25° 52' 26") for 79.47 feet to a point of tangency; thence run S 10° 15' 19" E for 2.28 feet to a point of curvature; thence run southwesterly along the arc of said curve to the right of radius 175.97 feet (chord bearing S 02° 44' 01" W) (chord 76.88 feet) (delta 25° 14' 04") for 77.50 feet to a point of reverse curvature; thence run southeasterly along the arc of said curve to the left of radius 397.28 feet (chord bearing S 04° 04' 00" E) (chord 264.14 feet) (delta 38° 50' 00") for 269.26 feet to a point of compound curvature; thence run southeasterly along the arc of said curve to the right of radius 200.00 feet (chord bearing S 13° 53' 30" E) (chord 66.65 feet) (delta 19° 11' 00") for 66.96 feet to a point of tangency; thence run S 04° 18' 00" E for 286.00 feet to a point of curvature; thence run southwesterly along the arc of said curve to the right of radius 200.00 feet (chord bearing S 05° 12' 00" W) (chord 66.02 feet) (delta 19° 00' 01") for 66.32 feet to a point of tangency; thence run S 14° 42' 00" W for 244.00 feet to a point of curvature; thence run southwesterly along the arc of said curve to the right of radius 250.00 feet (chord bearing S 58° 27' 00" W) (chord 345.76 feet) (delta 87° 30' 04") for 381.80 feet to a point of tangency; thence run N 77° 48' 00" W for 425.21 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right radius 241.48 feet (chord bearing N 39° 41' 20" W) (chord 298.08 feet) (delta 76° 13' 23") for 321.25 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 680.00 feet (chord bearing N 20° 09' 40" W) (chord 433.41 feet) (delta 37° 10' 00") for 441.10 feet to a point of tangency; thence run N 38° 44' 40" W for 145.60 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 150.00 feet (chord

bearing N 00° 31' 20" W (chord 185.61 feet) (delta 76° 26' 33") for 200.13 feet to a point of reverse curvature; thence run northeasterly along the arc of said curve to the left of radius 150.00 feet (chord bearing N 09° 57' 00" E) (chord 139.68 feet) (delta 55° 29' 53") for 145.29 feet to a point of tangency; thence run N 17° 48' 00" W for 130.00 feet to a point of curvature; thence northwesterly along the arc of said curve to the left of radius 150.00 feet (chord bearing N 45° 25' 30" W) (chord 139.10 feet) (delta 55° 14' 53") for 144.64 feet to a point of tangency; thence run N 73° 03' 00" W for 163.07 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 191.45 feet (chord bearing N 54° 18' 00" W) (chord 123.08 feet) (delta 37° 30' 01") for 125.30 feet to a point of reverse curvature; thence run southwesterly along the arc of said curve to the left of radius 35.00 feet (chord bearing S 66° 57' 00" W) (chord 68.34 feet) (delta 154° 59' 40") for 94.68 feet to a point of tangency; thence run S 10° 33' 00" E for 126.80 feet to a point of curvature; thence run southeasterly along the arc of said curve to the left of radius 73.00 feet (chord bearing S 53° 28' 50" E) (chord 99.44 feet) (delta 85° 51' 31") for 109.39 feet to a point of reverse curvature; thence run southeasterly along the arc of said curve to the right of radius 100.94 feet (chord bearing S 45° 34' 40" E) (chord 156.52 feet) (delta 101° 40' 00") for 179.11 feet to an intersection with the south line of the lands as described in deed recorded in Deed Book 209 at Page 71, Public Records of Lee County, Florida and the point of tangency; thence run S 05° 15' 20" W continuing along said bulkhead line for 110.81 feet to a point of curvature; thence run southeasterly along the arc of said curve to the left of radius 135.00 feet (chord bearing S 16° 44' 40" E) (chord 101.14 feet) (delta 44° 00' 00") for 103.67 feet to a point of tangency; thence run S 38° 44' 40" E for 390.00 feet to a point of curvature; thence run southeasterly along the arc of said curve to the right of radius 620.00 feet (chord bearing S 10° 14' 40" E) (chord 591.68 feet) (delta 57° 00' 00") for 618.80 feet to a point of tangency; thence run S 18° 15' 20" W for 317.84 feet to an intersection with the north line of Government Lot 2 of said Section 27 and the Point of Beginning.

AND

PARCEL 2

From an intersection with the south line of the lands as described in Deed Book 209 at Page 71, Public Records of Lee County, Florida with the westerly right-of-way line of the former 30 foot roadway for South Seas Plantation run N 04° 57' 00" W along said westerly right-of-way line for 200.56 feet to the Point of Beginning.

From said Point of Beginning continue N 04° 57' 00" W along said westerly right-of-way line for 175.72 feet to a jog in said right-of-way; thence run N 00° 27' 00" W continuing said right-of-way line for 324.14 feet; thence run S 89° 27' 00" W and parallel with the south line of the lands as described in Deed Book 209 at Page 71 said public records for 237 feet more or less, to an intersection with the Mean High Water Line of the Gulf of Mexico; thence run

southeasterly along said Mean High Water Line for 517 feet more or less, to an intersection with a line that bears S 89° 27' 00" W and passing through said Point of Beginning; thence run N 89° 27' 00" E along said line for 115 feet more or less to the Point of Beginning.

AND

PARCEL 3

From the northeaster corner of Plantation Beach Club, Phase II also being the southeasterly corner of Lot 7 of Unrecorded American Hotels Company Subdivision run S 22° 10' 43" E along the westerly right-of-way line of South Seas Plantation Road for 146.79 feet to a jog in said road; thence run S 00° 27' 00" E along the former 30 foot roadway for Plantation Road for 165.64 feet; thence run S 89° 27' 00" W and parallel with the south line of the lands as described in Deed Book 209 at Page 71, Public Records of Lee County, Florida for 290 feet more or less, to an intersection with the Mean High Water Line of the Gulf of Mexico; thence run northwesterly along said Mean High Water Line for 306 feet more or less, to an intersection with the north line of said Plantation Beach Club, Phase II and the southerly line of Lot 7 of Unrecorded American Hotels Company Subdivision; thence run N 89° 21' 11" E along said line for 290 feet more or less, to the Point of Beginning.

AND

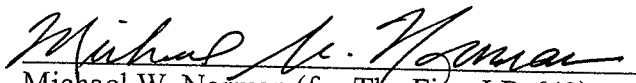
PARCEL 4

From the northerly most terminus point of a bulkhead line as approved by The Lee County Board of County Commissioners also being the same northerly terminus of the submerged lands from the Trustees of Internal Improvement Trust Fund as recorded in Official Record Book as described in deed recorded Official Record Book 572 at Page 14, Public Records of Lee County, Florida run S 32° 48' 09" W for 278 feet more or less, to an intersection with the face of a existing concrete seawall and the Mean High Water Line of Bryant Bayou; thence southerly, westerly, northerly, northwesterly and southerly meandering along said Mean High Water Line for 1,980 feet, more or less to an intersection with the common lot line of Lots 22 and 23 of the unrecorded American Hotel's Company Subdivision; thence run S 89° 21' 11" W along said common lot line for 226 feet more or less, to an intersection with the east right-of-way line of South Seas Plantation Road as described in deed recorded in Official Record Book 1846 at Page 807, Public Records of Lee County, Florida; thence run S 08° 55' 49" E along said right-of-way for 136.42 feet to an intersection with the common lot line of Lots 22 and 21 of said American Hotel's Company Subdivision; thence run N 89° 21' 11" E along said common line for 244 feet more or less, to an intersection with the Mean High Water Line of said Bryant Bayou; thence run southerly meandering said Mean High Water Line for 134 feet more or less, to an

intersection with the common lot line of Lots 21 and 20 of said unrecorded American Hotel's Company Subdivision; thence run S 89° 21' 11" W along said common line for 284 feet more or less, to an intersection with said South Seas Plantation Road; thence run S 12° 24' 49" E along said right-of-way line for 284.01 feet; thence run S 22° 13' 12" E continuing along said east right-of-way line for 6.44 feet to an intersection with the south line of Government Lot 1; thence run N 81° 30' 10" W along said Government Lot line for 33.28 feet to an intersection with the westerly right-of-way line of said South Seas Plantation Road; thence run N 12° 24' 49" W along said right-of-way line for 381.52 feet to a jog in said right-of-way line; thence run N 08° 55' 49" W for 251.73 feet to an intersection with the north line of the lands as described in deed recorded in Deed Book 305 at Page 143, Public Records of Lee County, Florida also being the south line of a 30 foot wide access easement as described in Official Record Book 22 at page 486, Public Records of Lee County, Florida; thence run S 89° 21' 11" W along said line for 390 feet more or less, to an intersection with the Mean High Water Line of the Gulf of Mexico; thence run northwesterly, northerly, northeasterly and southerly meandering along the Mean High Water Line of Pine Island Sound for 5,334 feet more or less, to an intersection with the a line that bears N 49° 14' 36" W and passing through the Point of Beginning; thence run S 49° 14' 36" E along said line for 148 feet more or less, to said Point of Beginning.

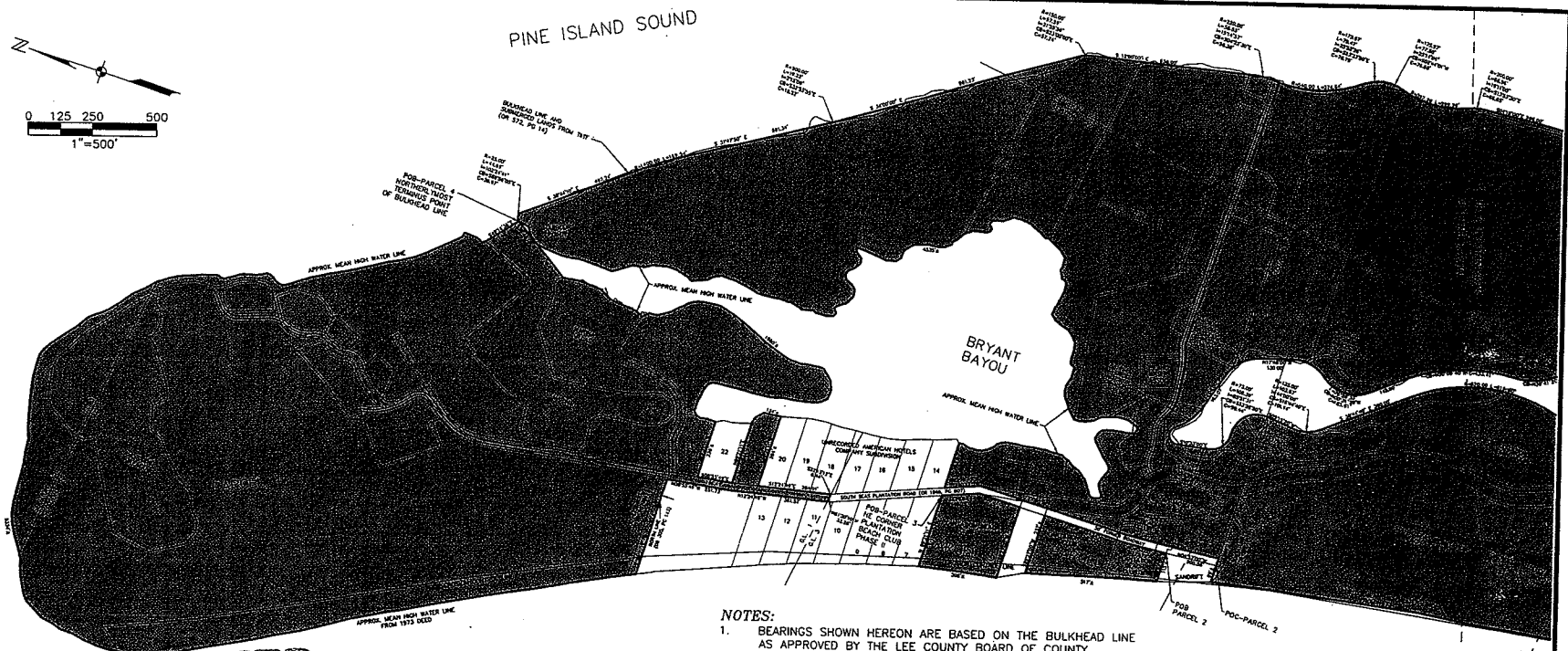
SUBJECT TO easements, restrictions and reservations of record.

Bearings hereinabove mentioned are based on the bulkhead line as approved by The Lee County Board of County Commissioners as described in resolution recorded in County Commission Minute Book 23 at Pages 54(a) through 54(d), Public Records of Lee County, Florida, wherein the north line of Section 27, Township 45 South, Range 21 East bears N 81° 30' 10" W.


Michael W. Norman (for The Firm LB-642)
Professional Land Surveyor
Florida Certificate No. 4500

S:\20087557\Sketches\20087557 - Sketch - 1973 Boundary.dwg (Sheet 1 - 8.5X14) tjd May 21, 2008 - 5:06pm

REDFISH PASS



RECEIVED
MAY 29 2008

ADD 2008-00082
COMMUNITY DEVELOPMENT

SOUTH SEAS PLANTATION
SECTIONS 15, 22, 23, 26 & 27, TWP. 45 S., RGE. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

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OVERALL DESCRIPTION FOR
OCTOBER 23, 1973 PARCEL

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
08/21/08	20087557	22-45-21	1"=500'	1 OF 2

NOTES:

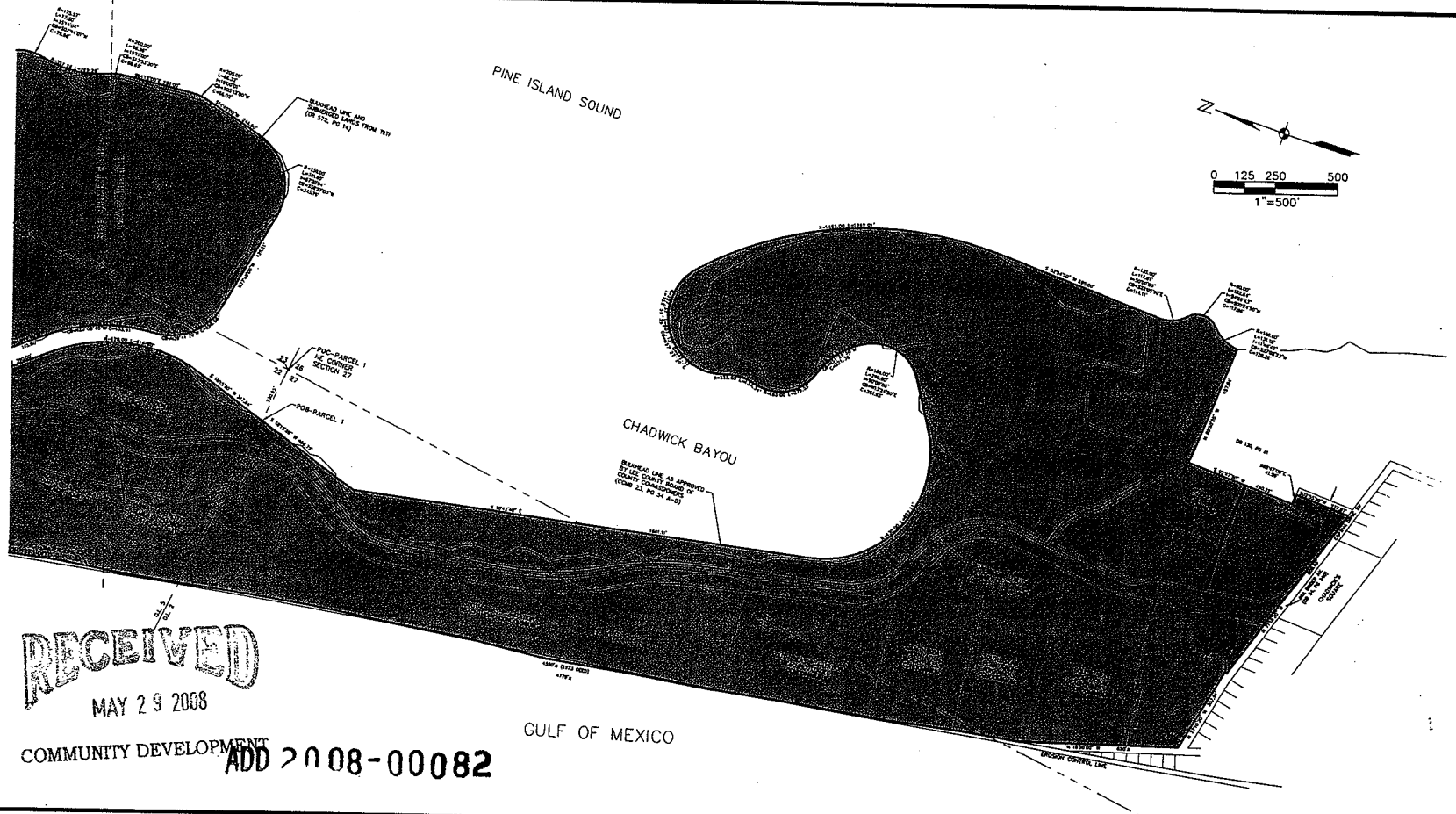
1. BEARINGS SHOWN HEREON ARE BASED ON THE BULKHEAD LINE AS APPROVED BY THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS AS DESCRIBED IN RESOLUTION RECORDED IN COUNTY COMMISSION MINUTE BOOK 23 AT PAGES 54(A) THROUGH 54(D), PUBLIC RECORDS OF LEE COUNTY, FLORIDA, WHEREIN THE NORTH LINE OF SECTION 37, TOWNSHIP 45 SOUTH, RANGE 21 EAST BEARS N 81°30'10"W.
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT.
4. POB = POINT OF BEGINNING.
5. DESC. = DESCRIPTION
6. DESCRIPTION ATTACHED.

THIS IS NOT A SURVEY

Michael W. Norman
MICHAEL W. NORMAN (FOR THE FIRM L.B. #642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4500
DATE SIGNED: MAY 22 2008
I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Applicant's Legal Checked
by *BA* 6/5/08

S:\20087557\Sketches\20087557 - Sketch - 1973 Boundary.dwg (Sheet 2 - 8.5X14) (d May 21, 2008 - 5:07pm



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COMMUNITY DEVELOPMENT
ADD 2008-00082

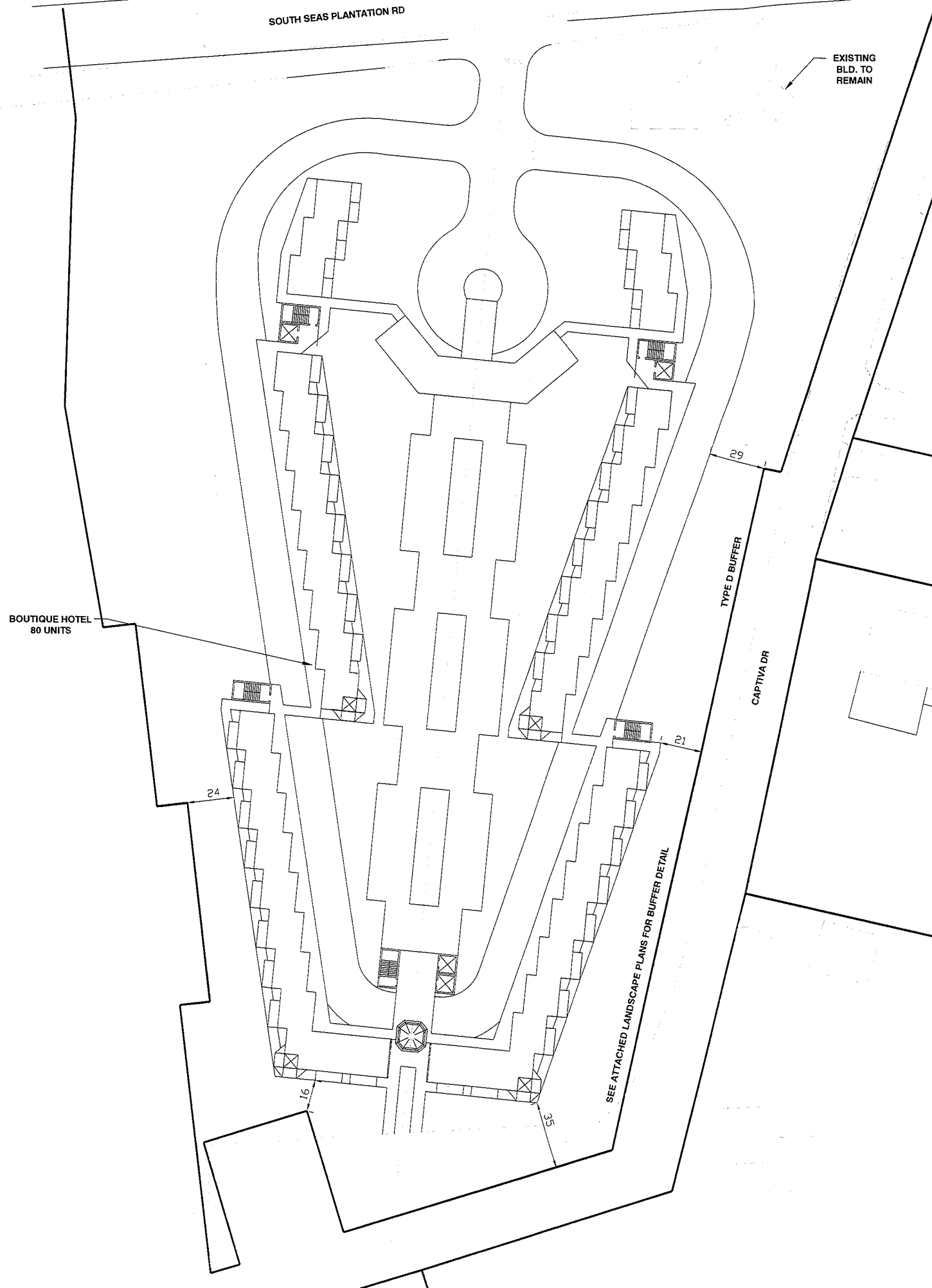
SOUTH SEAS PLANTATION
SECTIONS 15, 22, 23, 26 & 27, TWP. 45 S., RGE. 21 E.
CAPTIVA ISLAND, LEE COUNTY, FLORIDA

JOHNSON
ENGINEERING

2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

**OVERALL DESCRIPTION FOR
OCTOBER 23, 1973 PARCEL**

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
08/21/08	20087557	22-45-21	1"=500'	2 OF 2



APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2008-00082
Date 12/30/2008

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COMMUNITY DEVELOPMENT

ADD 2008-00082
ATTACHMENT B

REVISIONS
9/26/08 REVISED PER ARCHITECTURAL CHANGES

• Fort Myers
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• Gainesville
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(239) 337-3883
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LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330

PROPOSED HOTEL SITE

SOUTH SEAS RESORT REDEVELOPMENT

SECTION 26, T-45S, R-21E, CAPTIVA ISLAND, LEE COUNTY, FLORIDA

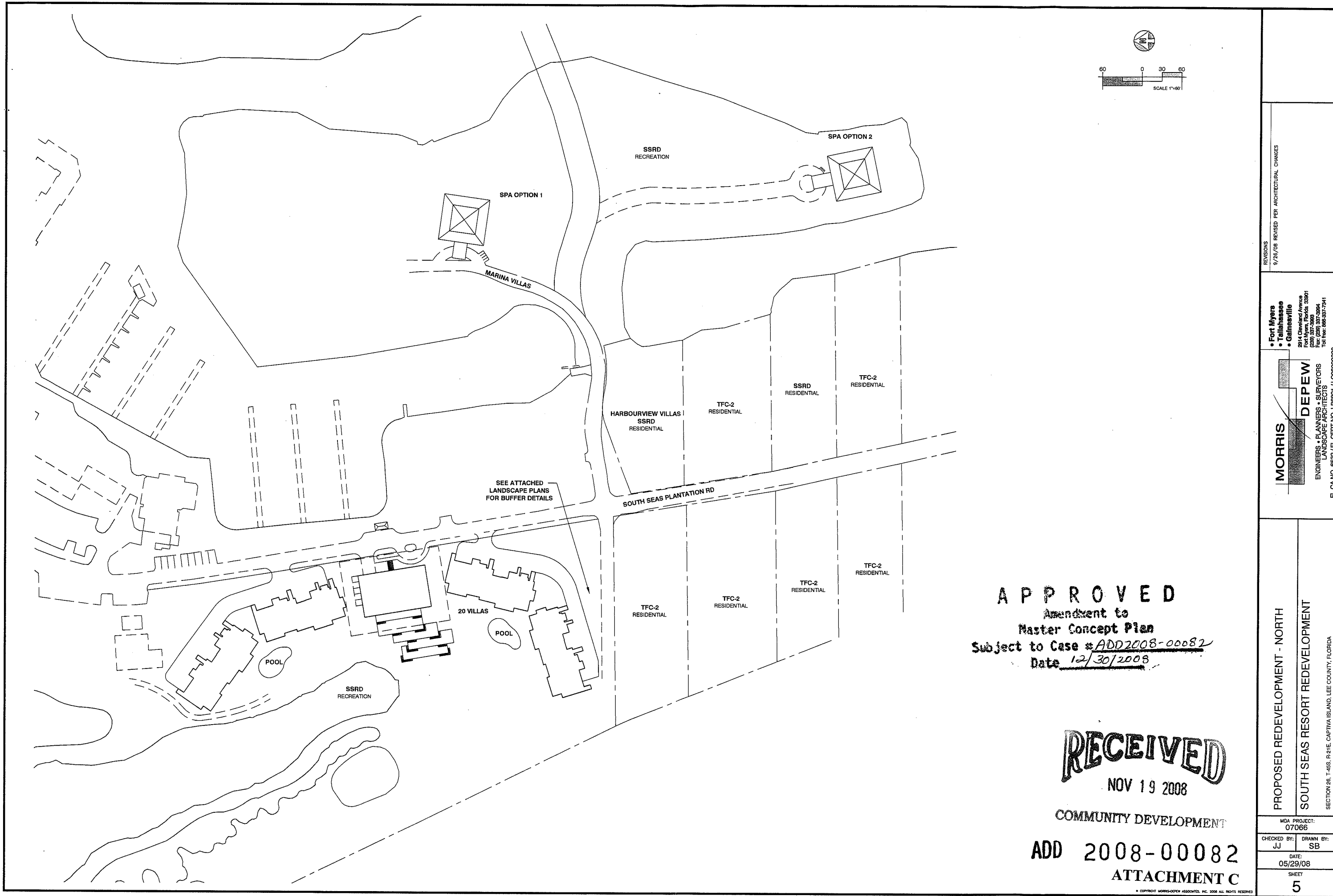
MDA PROJECT:
07066

CHECKED BY: JJ
DRAWN BY: SB

DATE:
05/29/08

SHEET

3



APPROVED
 Amendment to
 Master Concept Plan
 Subject to Case # ADD2008-00082
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COMMUNITY DEVELOPMENT

ADD 2008-00082
ATTACHMENT C

REVISIONS
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 • Gainesville
 2914 Cleveland Avenue
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PROPOSED REDEVELOPMENT - NORTH

SOUTH SEAS RESORT REDEVELOPMENT

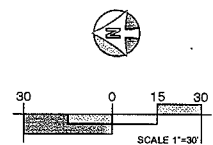
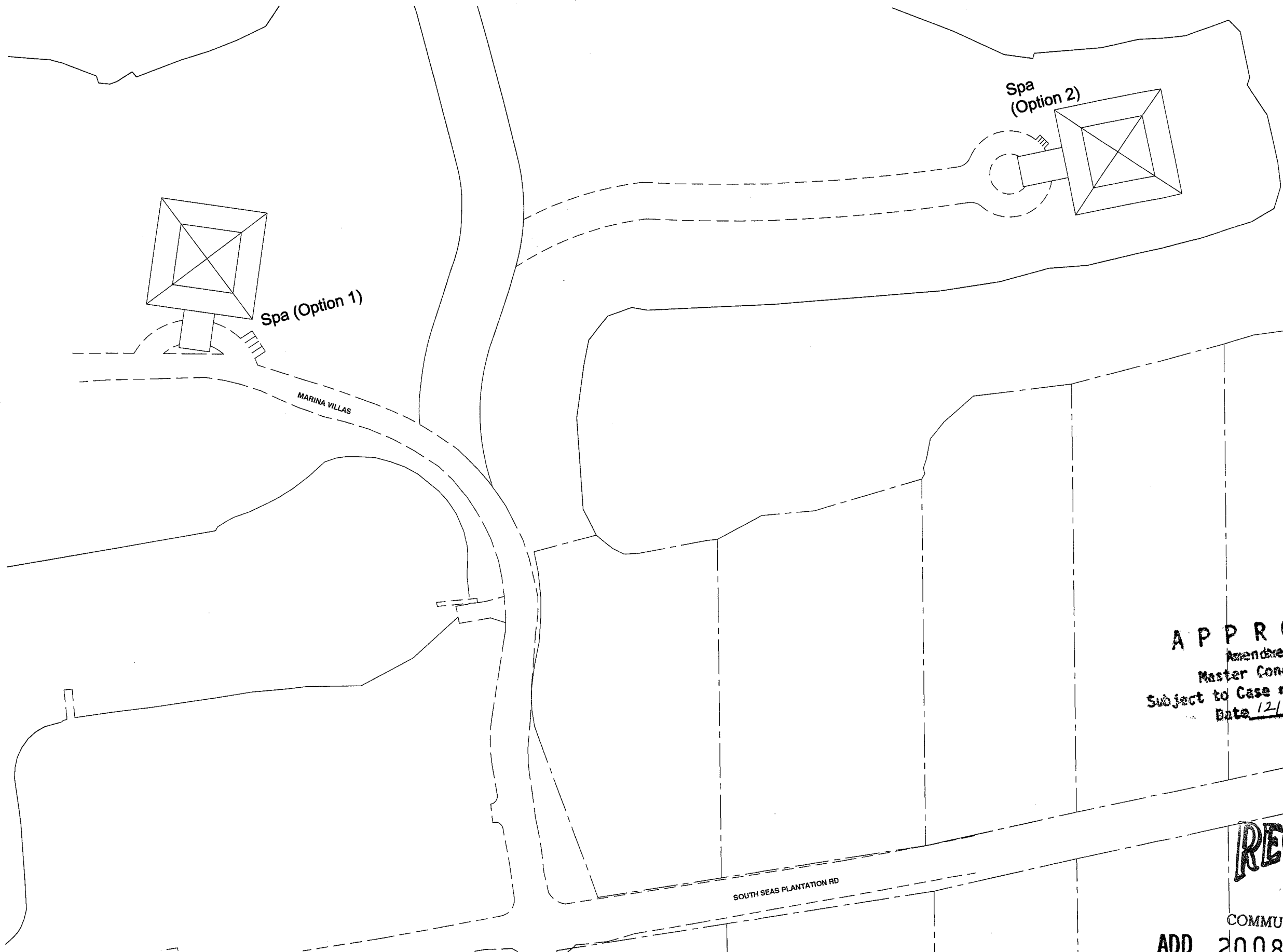
SECTION 26, T-4SS, R-21E, CAPTIVA ISLAND, LEE COUNTY, FLORIDA

MDA PROJECT:
 07066

CHECKED BY: JJ DRAWN BY: SB

DATE:
 05/29/08

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5



APPROVED
Amendment to
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Subject to Case # ADD 2008-00082
Date 12/30/2008

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COMMUNITY DEVELOPMENT
ADD 2008-00082

ATTACHMENT D

REVISIONS
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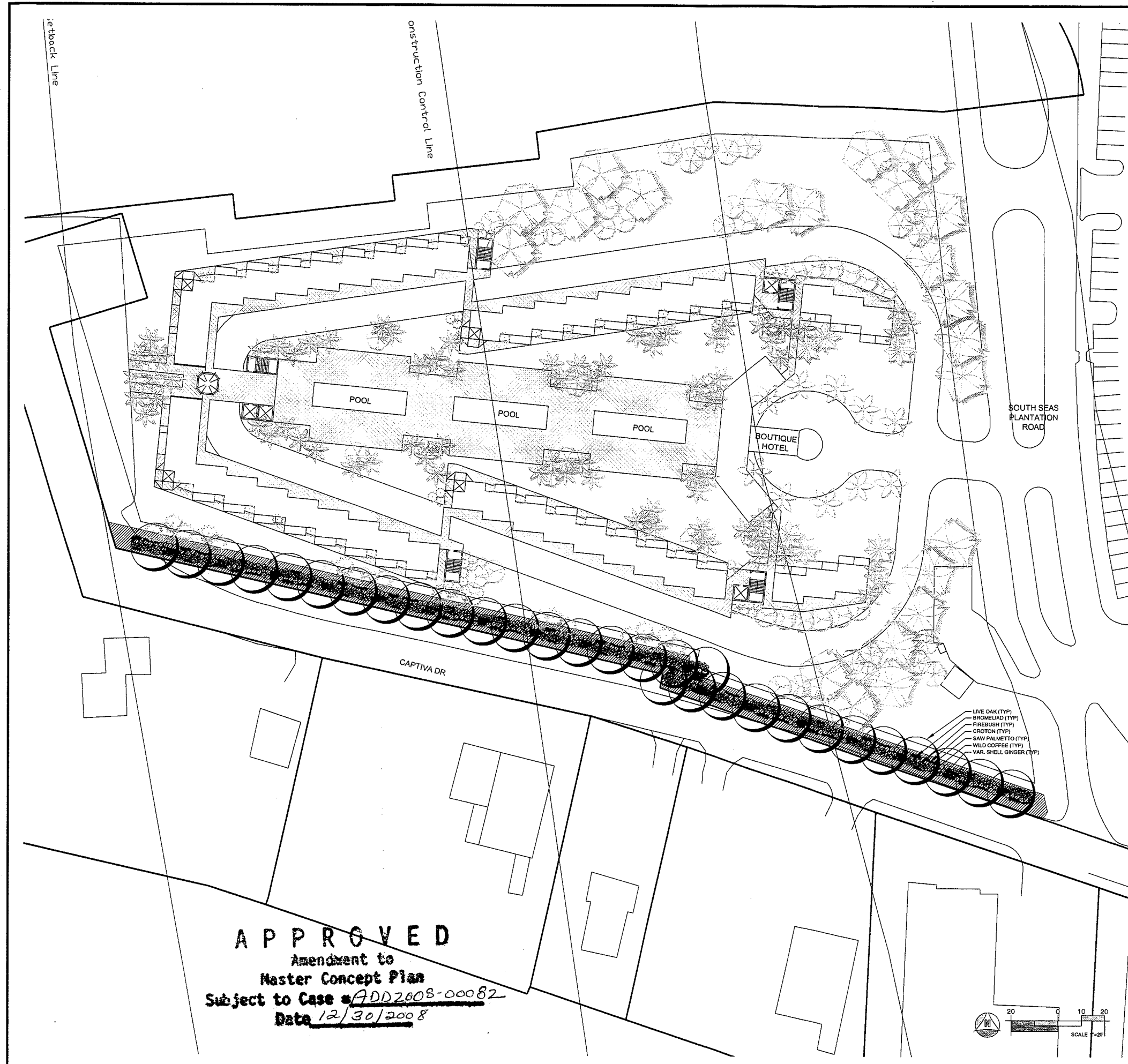
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Gainesville
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3383
Fax: (239) 337-3854
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FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000390

PROPOSED SPA

SOUTH SEAS RESORT REDEVELOPMENT

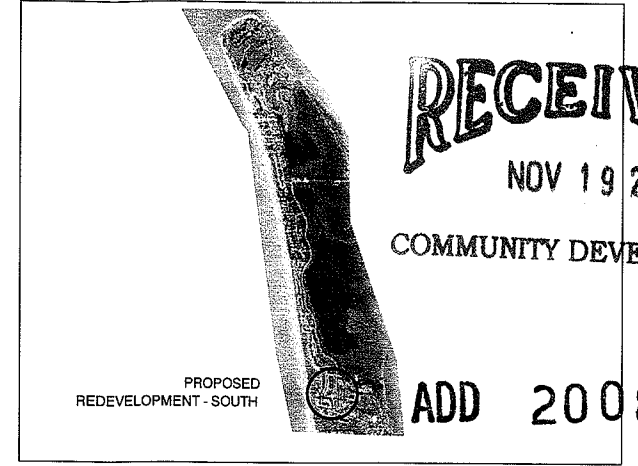
SECTION 26, T-4SS, R-2-E, CAPTIVA ISLAND, LEE COUNTY, FLORIDA

MDA PROJECT:
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05/29/08
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APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD 2008-00082
Date 12/30/2008

KEY MAP



NATIVE TREE & SHRUB REQUIREMENT

NATIVE TREE & SHRUB REQUIREMENT:
75 % OF CODE REQUIRED TREES & 50 % OF CODE REQUIRED SHRUBS ARE TO BE NATIVE.

TOTAL CODE REQUIRED TREES	= 30 REQUIRED
TOTAL NATIVE TREES	= 30 PROVIDED
PERCENT NATIVE	= 75% REQUIRED
	= 100 % PROVIDED
TOTAL CODE REQUIRED SHRUBS	= 303 REQUIRED
TOTAL NATIVE SHRUBS	= 1214 PROVIDED
PERCENT NATIVE	= 50% REQUIRED
	= 61 % PROVIDED

ENHANCED TYPE 'D' BUFFER PLANT SCHEDULE

SYM	QTY	NATIVE	SCIENTIFIC NAME	COMMON NAME	SIZE / SPECIFICATIONS
TREES & PALMS					
☼	0	NO	BISMARCKIA NOBILIS 'SILVER'	BISMARCK PALM	10' HT, 2" CAL, 4" SPR.
◯	0	YES	BUCIDIA BUCERAS 'SHADY LADY'	BLACK OLIVE	10' HT, 2" CAL, 4" SPR.
⊗	0	YES	BURSERIA SIMARUBA	GUMBO LIMBO	10' HT, 2" CAL, 4" SPR.
⊕	0	YES	COCOLOBIA DIVERSIFOLIA	PIGEON PLUM	10' HT, 2" CAL, 4" SPR.
☼	0	YES	COCOS NUCIFERA	COCONUT PALM	10' HT, 2" CAL, 4" SPR.
⊗	0	YES	CORDIA SEBESTENA	GEISER TREE	10' HT, 2" CAL, 4" SPR.
⊕	0	NO	DELONIX REGIA	ROYAL POINCIANA	10' HT, 2" CAL, 4" SPR.
⊗	0	YES	SABAL PALMETTO	SABAL PALM	10' HT, 2" CAL, 4" SPR.
◯	0	YES	THRINAX MORRISII	THATCH PALM	10' HT, 2" CAL, 4" SPR.
◯	31	YES	QUERCUS VIRGINIANA	LIVE OAK	10' HT, 2" CAL, 4" SPR.
SHRUBS, GROUNDCOVERS & GRASSES					
★	103	NO	ALPINA ZERUMBET	VARIATED SHELL GINGER	3 gal @ 36" O.C., 24" H. X 18" W.
★	66	NO	BROMELIAD SPP.	BROMELIAD	3 gal @ 36" O.C., 24" H. X 18" W.
⊗	0	NO	CARISSA MACROCARPA	DWARF CARISSA	3 gal @ 36" O.C., 24" H. X 18" W.
⊗	0	YES	CHRYSOBALANUS ICACO	COCOPLUM	3 gal @ 36" O.C., 24" H. X 18" W.
◯	0	YES	COCLOBA UVIFERA	SEAGRAPE	3 gal @ 36" O.C., 24" H. X 18" W.
◯	0	YES	CONOCARPUS ERECTUS	GREEN BUTTWOOD	3 gal @ 36" O.C., 24" H. X 18" W.
★	243	NO	CODIAEUM VARIEGATUM 'MAMMEY'	CROTON	3 gal @ 36" O.C., 24" H. X 18" W.
★	0	YES	CRINUM AMERICANUM	CRINUM	3 gal @ 36" O.C., 24" H. X 18" W.
⊗	220	YES	HAMELIA PATENS 'COMPACTA'	FIREBUSH	3 gal @ 36" O.C., 24" H. X 18" W.
⊕	0	NO	NERIUM OLEANDER 'PETITE PINK'	OLEANDER	3 gal @ 36" O.C., 24" H. X 18" W.
◯	199	YES	PSYCHOTRIA NERVOSA	WILD COFFEE	3 gal @ 36" O.C., 24" H. X 18" W.
◯	212	YES	SERECOA REPENS	SAW PALMETTO	3 gal @ 36" O.C., 24" H. X 18" W.
⊗	0	NO	STRELITZIA NICOLAI	WHITE BIRD OF PARADISE	3 gal @ 36" O.C., 24" H. X 18" W.
★	0	NO	STERLITZIA REGINAE	ORANGE BIRD OF PARADISE	3 gal @ 36" O.C., 24" H. X 18" W.
☼	0	NO	ZAMIA FURFURACEA	CARDBOARD PALM	3 gal @ 36" O.C., 24" H. X 18" W.

NOTES:
1) ALL SIZES SPECIFIED ARE MINIMUMS.
2) LANDSCAPE ARCHITECT RESERVES THE RIGHT TO FIELD ADJUST ALL PLANT MATERIALS.
3) ALL TURF AREAS TO BE ST. AUGUSTINE 'FLORATAM' UNLESS OTHERWISE NOTED ON THE DRAWINGS.
4) LANDSCAPE ARCHITECT TO APPROVE FINAL LOCATIONS, SIZE, AND SPECIES OF ALL PLANT MATERIALS.

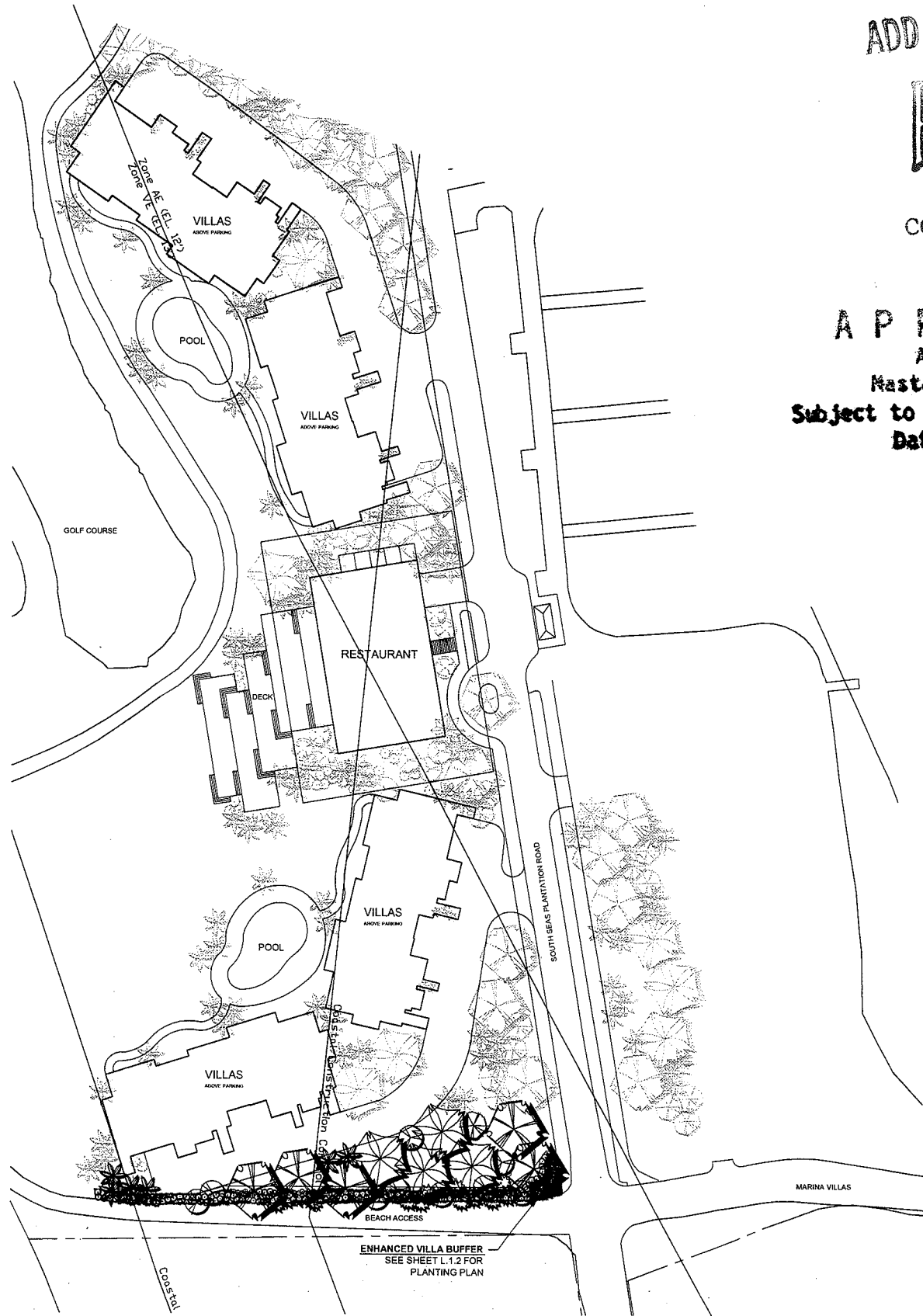
ATTACHMENT E

REVISIONS
9/26/08 REVISED PER ARCHITECTURAL CHANGE

• Fort Myers
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ENHANCED TYPE 'D' BUFFER
SOUTH SEAS RESORT REDEVELOPMENT
SECTION 26, T-4SS, B-21E, CAPTIVA ISLAND, LEE COUNTY, FLORIDA

MDA PROJECT:
07066
CHECKED BY: JMM
DRAWN BY: SB
DATE: 05/29/08
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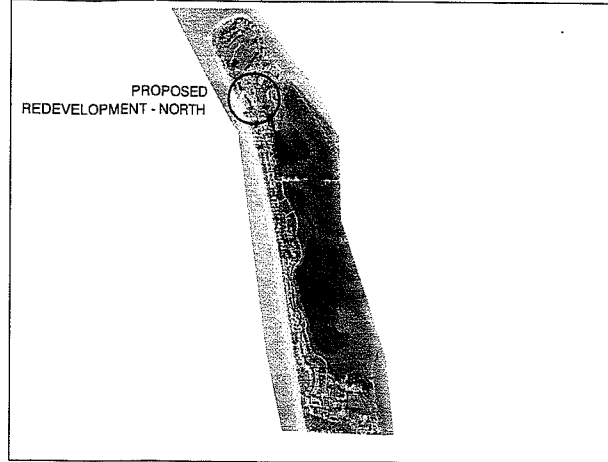
ADD 2008-00082

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COMMUNITY DEVELOPMENT

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2008-00082
Date 12/30/2008

KEY MAP



REDEVELOPMENT NORTH - BUFFER LEGEND

SYM	QTY	NATIVE	SCIENTIFIC NAME	COMMON NAME	SIZE / SPECIFICATIONS
TREES & PALMS					
☼	NO		BISMARCKIA NOBILIS 'SILVER'	BISMARCK PALM	10' HT, 2" CAL, 4' SPR.
☉	YES		BUCIDA-BUCERAS 'SHADY LADY'	BLACK OLIVE	10' HT, 2" CAL, 4' SPR.
☼	YES		BURSERIA SIMARUBA	GUMBO LIMBO	10' HT, 2" CAL, 4' SPR.
☉	YES		COCOLOBIA DIVERSIFOLIA	PIGEON PLUM	10' HT, 2" CAL, 4' SPR.
☼	YES		COCOS NUOIFERA	COCONUT PALM	10' HT, 2" CAL, 4' SPR.
☉	YES		CORDIA SEBESTENA	GEIGER TREE	10' HT, 2" CAL, 4' SPR.
☼	NO		DELONIX REGIA	ROYAL POINCIANA	10' HT, 2" CAL, 4' SPR.
☉	YES		SABAL PALMETTO	SABAL PALM	10' HT, 2" CAL, 4' SPR.
☉	YES		THRINAX MORRISII	THATCH PALM	10' HT, 2" CAL, 4' SPR.
☉	YES		QUERCUS VIRGINIANA	LIVE OAK	10' HT, 2" CAL, 4' SPR.
SHRUBS, GROUNDCOVERS & GRASSES					
☼	NO		ALPINA ZERUMBET	VARIGATED SHELL GINGER	3 gal @ 36" O.C., 24" H. X 18" W.
☼	NO		BROMELIAD SPP.	BROMELIAD	3 gal @ 36" O.C., 24" H. X 18" W.
☉	NO		CARISSA MACROCARPA	DWARF CARISSA	3 gal @ 36" O.C., 24" H. X 18" W.
☉	YES		CHRYSOBALANUS ICACO	COCOPLUM	3 gal @ 36" O.C., 24" H. X 18" W.
☉	YES		COCLOBA UVIFERA	SEAGRAPE	3 gal @ 36" O.C., 24" H. X 18" W.
☉	YES		CONOCARPUS ERECTUS	GREEN BUTTOWOOD	3 gal @ 36" O.C., 24" H. X 18" W.
☼	NO		CODIAEUM VARIEGATUM 'MAMMEY'	CROTON	3 gal @ 36" O.C., 24" H. X 18" W.
☼	YES		CRINUM AMERICANUM	CRINUM	3 gal @ 36" O.C., 24" H. X 18" W.
☉	YES		HAMELIA PATENS 'COMPACTA'	FIREBUSH	3 gal @ 36" O.C., 24" H. X 18" W.
☉	NO		NERIUM OLEANDER 'PETITE PINK'	OLEANDER	3 gal @ 36" O.C., 24" H. X 18" W.
☉	YES		PSYCHOTRIA NERVOSA	WILD COFFEE	3 gal @ 36" O.C., 24" H. X 18" W.
☉	YES		SEREDNA REPENS	SAW PALMETTO	3 gal @ 36" O.C., 24" H. X 18" W.
☼	NO		STRELITZIA NICOLAI	WHITE BIRD OF PARADISE	3 gal @ 36" O.C., 24" H. X 18" W.
☼	NO		STERLITZIA REGINAE	ORANGE BIRD OF PARADISE	3 gal @ 36" O.C., 24" H. X 18" W.
☼	NO		ZAMIA FURFURACEA	CARDBOARD PALM	3 gal @ 36" O.C., 24" H. X 18" W.

NOTES:
1) ALL SIZES SPECIFIED ARE MINIMUMS.
2) LANDSCAPE ARCHITECT RESERVES THE RIGHT TO FIELD ADJUST ALL PLANT MATERIALS.
3) ALL TURF AREAS TO BE ST. AUGUSTINE FLORATAM UNLESS OTHERWISE NOTED ON THE DRAWINGS.
4) LANDSCAPE ARCHITECT TO APPROVE FINAL LOCATIONS, SIZE, AND SPECIES OF ALL PLANT MATERIALS.

ATTACHMENT F

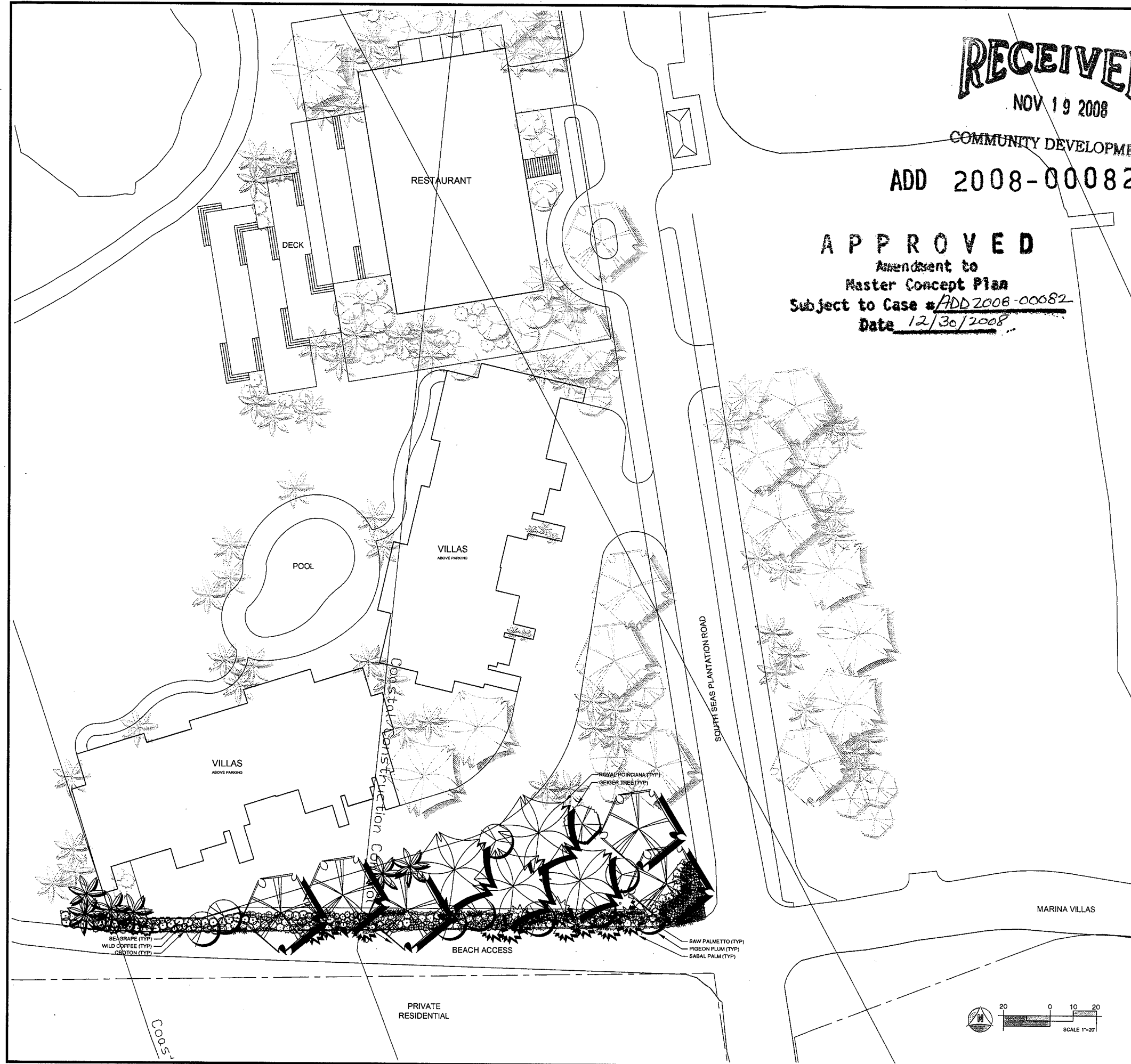
REVISIONS
9/26/08 REVISED PER ARCHITECTURAL CHANGES

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REDEVELOPMENT NORTH - MASTER LANDSCAPE PLAN
SOUTH SEAS RESORT REDEVELOPMENT
SECTION 26, T-4SS, R-21E, CAPTIVA ISLAND, LEE COUNTY, FLORIDA

MDA PROJECT:
07066
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DATE:
05/29/08
SHEET
L.1.0



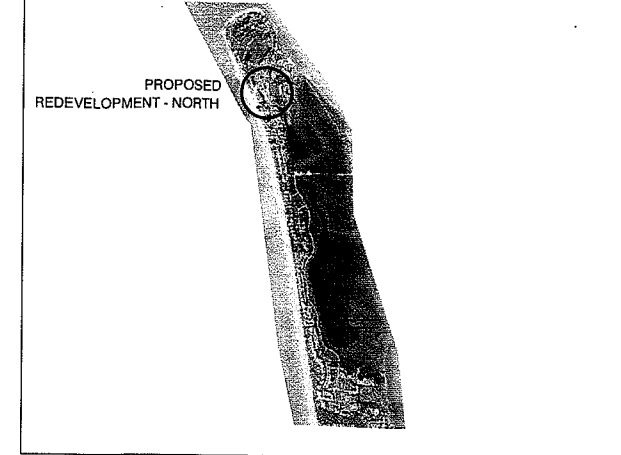
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COMMUNITY DEVELOPMENT

ADD 2008-00082

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD 2008-00082
Date 12/30/2008

KEY MAP



NATIVE TREE & SHRUB REQUIREMENT

NATIVE TREE & SHRUB REQUIREMENT: 75 % OF CODE REQUIRED TREES & 50 % OF CODE REQUIRED SHRUBS ARE TO BE NATIVE.	
TOTAL CODE REQUIRED TREES	= 0 REQUIRED
TOTAL NATIVE TREES	= 48 PROVIDED
PERCENT NATIVE	= 75% REQUIRED
	= 59 % PROVIDED
TOTAL CODE REQUIRED SHRUBS	= 0 REQUIRED
TOTAL NATIVE SHRUBS	= 407 PROVIDED
PERCENT NATIVE	= 50% REQUIRED
	= 59 % PROVIDED

ENHANCED VILLA BUFFER PLANT SCHEDULE

SYM	QTY	NATIVE	SCIENTIFIC NAME	COMMON NAME	SIZE / SPECIFICATIONS
TREES & PALMS					
1	1	NO	BISMARCKIA NOBILIS 'SILVER'	BISMARCK PALM	10' HT, 2" CAL, 4' SPR.
2	0	YES	BUCCIA BUCERAS 'SHADY LADY'	BLACK OLIVE	10' HT, 2" CAL, 4' SPR.
3	7	YES	BURSERIA SIMARUBA	GUMBO LIMBO	10' HT, 2" CAL, 4' SPR.
4	9	YES	COCOLOBIA DIVERSIFOLIA	PIGEON PLUM	10' HT, 2" CAL, 4' SPR.
5	6	YES	COCOS NUCIFERA	COCONUT PALM	10' HT, 2" CAL, 4' SPR.
6	1	YES	CORDIA SEBESTENA	GEKKER TREE	10' HT, 2" CAL, 4' SPR.
7	4	NO	DELONIX REGIA	ROYAL POINCIANA	10' HT, 2" CAL, 4' SPR.
8	12	YES	SABAL PALMETTO	SABAL PALM	10' HT, 2" CAL, 4' SPR.
9	6	YES	THRINAX MORRISII	THATCH PALM	10' HT, 2" CAL, 4' SPR.
10	0	YES	QUERCUS VIRGINIANA	LIVE OAK	10' HT, 2" CAL, 4' SPR.
SHRUBS, GROUNDCOVERS & GRASSES					
11	61	NO	ALPINA ZERUMBET	VARIATED SHELL GINGER	3 gal @ 36" O.C., 24" H. X 18" W.
12	56	NO	BROMELIAD SPP.	BROMELIAD	3 gal @ 36" O.C., 24" H. X 18" W.
13	0	NO	CARISSA MACROCARPA	DWARF CARISSA	3 gal @ 36" O.C., 24" H. X 18" W.
14	0	YES	CHRYSOBALANUS ICACO	COCOPLUM	3 gal @ 36" O.C., 24" H. X 18" W.
15	49	YES	COCLOBA UVIFERA	SEAGRAPE	3 gal @ 36" O.C., 24" H. X 18" W.
16	0	YES	CONOCARPUS ERECTUS	GREEN BUTTWOOD	3 gal @ 36" O.C., 24" H. X 18" W.
17	84	NO	CODIAEUM VARIEGATUM 'MAMMIE'	CROTON	3 gal @ 36" O.C., 24" H. X 18" W.
18	0	YES	CRINUM AMERICANUM	CRINUM	3 gal @ 36" O.C., 24" H. X 18" W.
19	104	YES	HAMELIA PATENS 'COMPACTA'	FIREBUSH	3 gal @ 36" O.C., 24" H. X 18" W.
20	0	NO	NERIUM OLEANDER 'PETITE PINK'	OLEANDER	3 gal @ 36" O.C., 24" H. X 18" W.
21	49	YES	PSYCHOTRIA NERVOSA	WILD COFFEE	3 gal @ 36" O.C., 24" H. X 18" W.
22	84	YES	SEREAONA REPENS	SAW PALMETTO	3 gal @ 36" O.C., 24" H. X 18" W.
23	0	NO	STRELITZIA NICOLAI	WHITE BIRD OF PARADISE	3 gal @ 36" O.C., 24" H. X 18" W.
24	0	NO	STERILITZIA REGINAE	ORANGE BIRD OF PARADISE	3 gal @ 36" O.C., 24" H. X 18" W.
25	0	NO	ZAMIA FURFURACEA	CARDBOARD PALM	3 gal @ 36" O.C., 24" H. X 18" W.

NOTES:
1) ALL SIZES SPECIFIED ARE MINIMUMS.
2) LANDSCAPE ARCHITECT RESERVES THE RIGHT TO FIELD ADJUST ALL PLANT MATERIALS.
3) ALL TURF AREAS TO BE ST. AUGUSTINE 'FLORATAM' UNLESS OTHERWISE NOTED ON THE DRAWINGS.
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ATTACHMENT G

REVISIONS
9/25/08 REVISED PER ARCHITECTURAL CHANGES

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Fort Myers, Florida 33901
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(239) 337-3834
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FL. CA. NO. 6532 / FL. CERT. NO. LB8891 / LC28000330

ENHANCED VILLA BUFFER
SOUTH SEAS RESORT REDEVELOPMENT
SECTION 26, T-4SS, R-21E, CAPTIVA ISLAND, LEE COUNTY, FLORIDA

MDA PROJECT:
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ADD 2008-00082

COMMUNITY DEVELOPMENT

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OCT 02 2008



BOUTIQUE HOTEL (FROM BEACH)



BOUTIQUE HOTEL – MATURE BUFFER ALONG CAPTIVA DRIVE

MAY 29 2008
AUG 20 08-00082



VILLAS

RECEIVED

MAY 29 2008

ADD 2008-00082
COMMUNITY DEVELOPMENT

ATTACHMENT J

RESTAURANT

RECEIVED
MAY 23 2008
ADD 2008-00082
COMMUNITY DEVELOPMENT



ATTACHMENT K

SPA

RECEIVED
MAY 23 2008

COMMUNITY DEVELOPMENT
ADD 2008-00082

Captiva Community Panel

MINUTES

Nov. 11, 2008

Attending: Ron Gibson, Rick Hayduk, Gordon Hullar, Dave Jensen, Mike Kelly, Rene Miville, Harry Silverglide, Sandy Stilwell

Audience: 60

The meeting convened at 9:05 a.m. with an introduction of panel members.

Blind Pass: Captiva Erosion Prevention District Commissioner Doris Holzheimer introduced district administrator Kathleen Rooker. Rooker made some brief comments and encouraged islanders with questions about the Blind Pass project to contact her at the CEPD office.

Robert Neal with the Lee County Division of Natural Resources began his discussion of the Blind Pass reopening project with the caveat that it's all going to change with contractors. A schedule for the project was posted on the county project Web page, along with e-mail contact information. Regarding a no-motor zone at Wulfert Flats, that was being considered to mitigate for dredging seagrasses in the channel. A zone of 474 acres worked with the refuge and state, and we reached a management agreement with the state to restore seagrass damaged by prop scars. We needed 5 acres to mitigate dredging; that's 5 acres of actual scars, so if an area was 20% scarred we might need 20 acres total. We determined that there was not enough there to meet mitigation efforts.

We went ahead with a management plan, and may revisit no-motor zone between now and March; if so, we will have a public meeting to get input from the stakeholders and user groups with meetings on island and in town. Right now, there are no plans to make a no-motor zone, but we may revisit that. We intend to transplant grass from the channel to Dinkins Bayous, put it in areas where no boats go and where the water is shallow enough. Some in Dinkins by the culvert, some in Sunset Bayou, some at the entrance to Dinkins. Will make maps available by the end of this month. Hoping we won't need a no motor zone, that the management plan will be enough.

Where are we going to dredge? We looked at starting on the Gulf side and coming in, to take advantage of the winter weather. Contractor is using small equipment, which can only work in calmer seas. Since we missed the weather window, we decided to come back around start on the back side and work toward the bridge to be on the Gulf by April. Dredging will start as soon as the equipment is ready, before Dec. 1. It will start in Roosevelt Channel, with a 500-foot section working to Wulfert Channel. There will be two dredges, one in Roosevelt Channel and one in the main channel working toward the bridge. The plan is to work only during daylight hours, roughly 7 a.m. to 7 p.m. The contractor has submitted a

to work 24 hours a day if necessary to meet the 6 months schedule. If they can do that by working through the day, it's easier on equipment and crew, and allows time for repairs. Noise may be an issue for homes on Wulfert Channel. Miville noted that after the wait for this project, the sound of that engine will be music to the residents' ears.

Neal noted that the project timing was the worst time of year for the island, but the best time of year for environmental issues. When you have a problem, we have a problem, we'll be out here too. Project will take 3-4 months starting in December on the inside. We'll be trucking material one week out of each month, with three trucks on the road every hour. That could change if they can move it faster. Will have traffic control to let the trucks out into the road, and there will be signs and flagmen if we're going to disrupt traffic. They have authorization to work at night if necessary; they will work only one or the other, and obviously would prefer days. We will monitor sand loss and speed; equipment will be muffled. Trucks will come in from the Captiva side parking lot. Working with Sanibel contractor for lift station. We're working to minimize impact as much as possible. No additional vehicles expected from the project on the beach. There will be some crews on the beach, between Clam Pass and Blind Pass; beachgoers will have right of way. Contractor will not allow other vehicles to follow them onto the beach, will work with police on that and maintain entrances so no unauthorized vehicles will have access to the beach.

Neal said they will bury the 8-inch pipeline so, except for the hum of diesels, you won't know what's going on. There will be bulldozers by the beach placement area, by the Scribante house. They will begin clearing vegetation by Blind Pass soon, it will be trucked to the Gavin site to be incinerated. They're bringing in steel sheet pile to create a 2-acre holding/dewatering cell, ten feet high. Hope to keep Sanibel beach parking lot open, will have fence to force people south to keep them away from the work area. Will vibrate sheetpile into the sand, during the day only, in the next two weeks to be in the ground Dec. 10. Dredging on the back side, discharging into the cell and the beach placement area. Noise not too loud; extractor will be moving material into cell to settle out, dozers working at placement site. Backup beepers will be operational, but that's not a large disturbance.

A person from the Pine Tree Drive Association said he was concerned about seagrass planting in Dinkins, getting silting from the culvert. Slit will have to be cleared out later. Navigation during low tide was getting difficult. They want to work with the county and the city but are concerned about the outcome. We want to do thing right environmentally, but we also want to be able to get our boats out. Neal said the work should have been coordinated better, but we didn't have time. Our goal is to not plant in navigable waters. Can't promise we'll fix it but will stay with it. Believe the slitting will take care of itself once the big pass is open. Annie Vanderbilt suggested the county not plant on the shoaled area that formed once the culvert was opened, not on bars that have formed unnaturally due to the

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opening of the culvert. Neal said he was happy to come out with residents and mark those areas. Discussion about timing and response prior to opening. Mike Calinski suggested they move what's there somewhere else now while the permits are in place.

Vanderbilt asked if people would be able to access Captiva by bridge? Neal said yes, as long as they stay out of the fencing. There will be no access via the beach. Kate Gooderham asked that the county let us know the week of traffic disruption every month, everyone's happy to work with you as long as they know. This was a very difficult permit to get, and people are happy to see this day come. Mike Mullins asked if there would be smells associated with the dredging. Neal said the material going into cell has clay mixed in, don't know how strong the smell will be. In that area there will be an odor...by the bridge on the Gulf side. Smell will be worst when they're trucking it away, mixing it up and loading it. Calinski asked if they could dredge the muck on top of shell first to clean it out. Neal said the material from the channel will be placed in the near shore near Scribante property, so contact with air will be minimal. Much is going to the beach. Very slit-y, but beach suitable. Bill Vanderbilt wanted to thank the CEPD for their involvement, Alison Hagerup's work especially.

Minutes: A motion was made by Hullar (Kelly second) to approve the panel minutes from June, July, August and September; unanimous approval.

DOT issues: Silverglide noted there had been discussion at last month's panel meeting to await county input before further action. The issue of changing the speed limit n Captiva Drive was put to rest at the last meeting, made recommendation to leave speed limits as is. We asked Harry Campbell with Lee DOT and LCSO Lt. Joe Poppalardo to attend this meeting to help in the discussion about enforcement of golf cart use on the island. Silverglide was interested in allowing the use of carts at night when equipped with proper equipment – brakes, windshield, headlights, etc. Also wanted to discuss extending the allowed use of carts on Captiva drive from the first to the second S curve to include Tween Waters Inn. He felt that with the addition of the safety lane, coexistence was now possible on the Tween Waters stretch. Campbell noted that a countywide golf cart ordinance got wrapped up in Boca Grande issues, dispute was over licensure for 16-year-olds on Captiva. Captivans were OK with operators being age 16 with license, this was enforceable and safer. He suggested the panel take the last iteration of that ordinance for review and make recommendation to poll people on Captiva to agree to that ordinance.

Mullins asked if road-ready vehicles were not an issue. Silverglide said low-speed vehicles (LSV) were already legal; if they had a VIN number you can register them and use them. Golf carts can do 18 mph, necessary equipment is easy to afford. Mullins asked why not just buy an NEV (Neighborhood Electric Vehicle) or LSV? Silverglide said the problem was their cost and ability to register carts. Campbell said there was a safety issue with NEV vs. carts. Seat belts had

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been removed from final draft of the ordinance, there were legal issues with mandating seat belts – crashworthiness. Silverglide said there is a certain risk to any vehicle. When operated responsibly, golf carts can benefit community. Mullins said what was being sought was allowing operators to be 16 years of age with a valid driver's license. Silverglide said that gives LSCO something that's enforceable. He wanted to poll the community and, if the idea is approved, then go to Lee BoCC and ask for a Captiva-only ordinance. Campbell said the current ordinance is identical to state statutes. Same legal basis, not out too late at night until age 18, best we can do legally without an unreasonable challenge being placed against us. Mullins said if the panel was polling the island, why not ask about other areas? Silverglide said they could do that as a second question. Hullar said he did not remember reviewing the ordinance. Silverglide said the county could circulate the document to panel members for review. Hullar said they could poll on the speed issue as well, particularly on the south end of the island.

Campbell said the proposed ordinance regulate carts, but is not about where carts are allowed. That would take an engineering study to determine if they're safe. Average speed on Captiva Drive has come down a little bit since the safety shoulder was added, fewer people speeding. We'd like input from the community before we make those decisions. Look to community to see if they support additional regulations. Hullar suggested the panel get documents, form a committee today with Silverglide leading it, then come to the next panel meeting with a proposal we can deal with. Let's see if we can make the decisions ourselves vs. polling the island. Silverglide said the county requested the polling. Miville noted that the panel bylaws say we will poll community, bring out the facts and seek consensus.

Silverglide said enforcement not a problem, the issue is it's a restrictive use of carts, even in the Village at night. The cart zone is working well, time to take the next step. Mullins aid is was two parallel things that can be done, county efforts with the survey process. Silverglide said we were there with the county two years ago, but Boca Grande changed the direction of the ordinance. Poppalardo said that was a countywide ordinance, not Captiva specific. Campbell offered a discussion of the ordinance's evolution. It had been tabled due to Boca Grande resistance, they wanted to allow 14-year-olds to drive carts. Is it beneficial to community to have 14-year-olds driving carts, with those safety issues? There's no easy solution, we need to find a balance.

Kelly asked is the county will pass a 16-year-old ordinance? Poppalardo said it was not certain, the age of responsibility is 14-16. The county will look at a Captiva-specific ordinance, not a countywide ordinance. Campbell said specific regulations may be appropriate for Captiva, but you'd need to bring the consensus of the community to the commissioners for their decision. Need community support to get board approval. Silverglide said he hoped for rules that were enforceable and that give the community what it wants. Kelly said the

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panel's position should be in two pieces: Make ordinance available for next meeting, then determine what next step will be, plebiscite everything if necessary. Kelly made a motion have a draft golf-cart ordinance available prior to the next meeting and review it to determine if it's supportable by the panel. Kelly made a second motion to ask Harry Campbell to do an engineering study on how extensive golf cart use should be geographically on the island, to see if there's a value in it engineering standpoint. Silverglide said no motion was necessary for the first action.

Colin Kilgore asked to speak, noting he was a resident for 27 years, a volunteer firefighter, but not a property owner. He felt this was a safety issue, and had had four incident with carts... all underage drivers at night after dark. The current cart zone is being violated on a couple of occasions. People in carts don't seem to think they need to obey the road rules. He asked the panel to uphold the side of the wage earner and offered thanks to the veterans that are here today. He said there are 500 employees at South Seas, Tween Waters, eight restaurants, shops, contractors, fire dept., landscapers, etc., who depend on this roadway every day, have an 1-1.5 hour commute to get home. Why instigate any more road rage in these people than is there now? Road rage a reality, golf carts slow people down. Why inconvenience them so that a few people can have the novelty of using their golf carts in the Village. I drive slow anyway in the Village, that's OK. But to extend the zone out further down Captiva Drive will be inconvenient. Using the ecological card in favor of carts is abusing it, since they're not ecologically pure. If you're worry about the environment, walk or ride a bike.

Larry Anderson said he was an owner at Lands End, and that he agreed with that. He had to drive through a lot of the golf cart area, sees them being used grossly irresponsibly out there. Overloaded carts, difference in behavior between owners and visitors. Last thing we want to do is expand this area. Hullar said he wanted to cut this discussion off, have a discussion at the next meeting when we have an ordinance in front of us. Campbell noted that extending the use is engineering, prefer to do that kind of study at the height of season. Hullar restated the motion and offered a second, to look at ordinance at next meeting. Approval was unanimous.

South Seas: Byron Blount said he had come back before the panel to offer a plan update on the issues they had brought to the community earlier in the year. In reaction to comments at the previous meeting, they had looked at the location of the employee housing project. The need for on-site housing was reducing, they had hired more workers who were already in the community, increased van and car pools. On-site units were more for managers who needed to stay on site temporarily, not for full-time resident employees. Also to attract interns for summer. In the previous iteration of the plan, housing had been proposed behind the reception building. Now they wanted to co-locate it on the arrival side of the proposed building. (note: regular hotel rooms would be occupied by employees

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as needed, so guests and employees would be intermingled. Blount said the neighboring homeowner associations were OK with this new proposal. Of the 80 units in the proposed hotel, 40 of those would be available for use by employees. Also, the proposed mixed-use project at the marina on the north end will be put on hold for now; based on economic issues due to retail softness. Blount reiterated that these plans involved no additional density or traffic, and compliance with all existing rules.

On other issues, Blount said that the trolley going outside the gates was being discontinued for now, will use vans during season and have a more concierge situation where transportation can be arranged for specific parties and events. We also looking at greener options. We made changes in use of existing employee housing within two weeks of the last panel meeting based on comments there. He also said commuter van pools were seeing a rise in demand, and they will add more vans now. The Holy Smokes BBQ restaurant was now open, and the family slide pool under construction. More details were online at www.southseascommunity.org

Hullar asked about the schedule for the proposed hotel? Blount said it depends on county approvals. It was not going to happen during season, 2010 date was the earliest possible. Jeff Shuff asked about the status of the proposed spa; Blount said it was still coming. Mullins asked about the beach parking area, what's envisioned there? Blount said the CEPD owns that access, but there had been some discussions about trading locations to the old Shirley's lot. Someone asked about the mini-golf proposal, and Blount noted that it had met with objections internally so they were not pursuing it. The Mariner project still pending in that area. Eventually, he expected a spa on the tip of that parcel, some low-density estate lots possible. Looking at a kids play area in place of mixed use area by the marina. An audience member expressed thanks from Tennis Villas HOA for moving the employee housing project out of our area.

Hurricane Response Committee: Holzheimer said hopefully Paloma will be the last storm of the season. There would be a committee meeting next week, so she expected more information at the next panel meeting.

Gibson asked to recognize Terry Brennan with WGCU TV, who was in attendance. Gibson said he had been approached to work on a documentary history of Captiva for public TV. He encourage the audience to stay after the panel meeting was done, when Brennan would discuss what this is all about. Brennan said the station hoped to get this accomplished by springtime. He described previous documentary efforts to capture history of this area; they plan to air the Captiva program Feb. 27 and were already working on it.

Financial report: Stilwell said there was \$19,000 in bank, need more funding. She asked whether the panel should send out a letter or hold an event, and

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noted that a mailing could be tied it into any poll mailing. The goal would be to not spend a lot of money to raise money.

Water quality: Dr. Loren Coen with the SCCF Marine Lab introduced Mark Thompson, formerly with the Florida DEP but now with the lab and working on the water monitoring project for Captiva. Coen said they were starting sampling this month, and had selected sites. Thompson had established a database to capture data, select sites to sample this year and next. Coen said the lab had accessed all existing water quality data in our area, analyzed it for pollutants and sources of concern. They identified sites which were the most logical places to sample, 22 sites selected; they would identify pollutants and draw conclusions as to sources. Samples would be done bimonthly, three times when it was dry at rainfall events, and three times during the wet season at rainfall events. Starting next week. The lab database contained some 500,000 records, local, state and federal sources. They planned a more extensive presentation at upcoming meetings. Coen also mentioned that islanders could access the lab's RECON system online, and that they needed volunteers but needed to maintain a chain of custody for samples.

There followed a discussion of Year 1 vs. Year 2 funding issues for the project. Gooderham noted that FY 2009 funding was secure, but that the application for FY 2010 funding would be turned in in February. The availability of funds would depend on the decision about how the Tourist Development Council bed tax proceeds would be apportioned to pay for the new Red Sox stadium. With the commitment to increase funding to 20% from the current 13.4%, it was assumed the difference would have to be taken from the Beaches & Shoreline Fund, which would reduce funding for those projects. The TDC was meeting with county commissioners Dec. 2 to discuss funding, and it was expected that the criteria for beach/shoreline projects would be tightened to focus more tightly on beach efforts and make it easier to eliminate some marginal projects that had been funded. Gooderham promised to brief panelists and islanders on funding changes, and noted that the county commissioners who had been contacted prior to the Red Sox funding decision had promised to protect beaches as well.

With no other business, the panel meeting adjourned at 11:15 a.m.

-- Ken Gooderham

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Captiva Community Panel

MINUTES

June 10, 2008

Attending: Ron Gibson, Dave Jensen, Rene Miville, Nathalie Pyle, Harry Silverglide, Sandy Stilwell (vice-chair).

Audience: Approx. 20

Meeting convened 9:05 a.m. Motion to approve the May 13 minutes by Jensen (Gibson second), unanimous approval.

South Seas Island Resort update: Byron Blount with Luxury Resorts offered a PowerPoint presentation on current and planned enhancements at the resort, which included amenities on both the north and south ends of the property, new restaurants, a mixed-use project at the marina, additional dwelling units at the north end, a boutique hotel at the south end and reconfigured and relocated employee housing. (The presentation is available as a PDF if desired.) Blount stressed that the proposed projects would conform to all current land use and zoning regulations, as well as the 912-unit limit. He also introduced Rich Hayduk as the new regional manager for the LXR holdings on the islands.

Some of the questions raised by the audience (members did not provide identification, so not all questioners are known):

- What is the status of permitting for these projects? Blount explained where the various effort stood, many of which were still under preliminary review by the county.
- How will the square footage of the new units compare to the existing employee housing units? Blount noted that the new units will obviously be larger to accommodate resort guests, extra amenities and additional usage.
- Miville asked why an "Old Florida" look was not considered for the proposed projects. Blount commented that the staff was not comfortable with that look.
- Silverglide asked where the mixed-use projects would be located at the marina. Blount said it would be on the southern end near to the existing cruise office. He also noted that the north-end projects would have no overall impact on the golf course, since holes would be reconfigured as part of the redevelopment.
- Sharon Michie asked if any of the new retail space would be open to island businesses. Blount noted that there would be options for that, but that they had a specific business mix in mind for some of the projects.
- Silverglide asked about the timeline for the proposed projects. Blount noted that some of the projects might be done in the next year, while the

hotel and relocated employee housing would hopefully be completed within three years.

- Sharon Brace asked how many of the proposed units would be for sale vs. being owned by the resort. Blount noted the hotel units and employee housing would be resort-owned while the other 40 units would be sold to individual buyers. No timeshare units were being proposed.
- Bob Brace asked how the loss of employee housing will affect traffic on the islands. Blount noted that many of the off-island employees already utilize the existing shuttle and bus service provided by the resort, which would continue to accommodate any additional need. He said their studies had shown a decrease in overall traffic expected once the "residential" trips of on-site employees were eliminated or reduced.
- Ann Bradley asked about off-island housing being planned in a centralized location, which might make recruitment and transportation of employees easier.
- A question was raised about how the new employee housing/reception plan would affect the entrance to the Bayside Villas area. After a brief explanation of what was proposed, Blount observed that the proposed plan might actually be both more attractive and more accessible than the current road way.
- There were diverse comments about the employee housing plans, current issues with employees and concerns about possible problems with these changes.

Hurricane committee: Ann Bradley reminded the audience about the June 25 event at the Captiva Library, which will include the response team, TV presentations, meteorologists and local information to be helpful to islanders. Hurricane passes from Sanibel would be available as well.

Water quality: Gooderham discussed the current status of water quality projects, including a meeting he and Jensen had with Judie Zimomra and Gates Castle with the City of Sanibel on May 28 to discuss Captiva's interest in possible participation in wastewater studies the city would be seeking proposal for later this year. Gooderham asked the panel for their comments on this, as well as pursuing funding for such studies from a variety of grant or government sources. (A handout detailing this meeting and follow-up was provided to the panel and audience at this meeting.)

Gooderham reiterated that any such participation would not be construed as a commitment to pursue sewer service for the island, but would allow information to be gathered concurrent to (and perhaps influenced by) the planned water quality testing program the panel had been pursuing through county funding to begin in October. The hope was that by working both projects concurrently, information on options for the island would be further along when the water quality monitoring results were in, so that the community would be in a position to make informed decisions on how to act next if action was deemed necessary.

Bob Brace asked if there had ever been a show of interest by the community on this issue. Miville replied that this was an effort to begin learning how to work with the city, but that perhaps we should ask the community now how they felt. Brace observed that was not a good idea right now, the issue was too conceptual with no facts. Miville said they could do a mass e-mail to see what the response is. Feelings will come out. Then we could treat it like the safety shoulder – set up a committee with both pro and con to amass and report data. Gibson noted they were looking for funds to start the water quality monitoring ASAP. Jensen noted that the upcoming SCCF fund-raiser being organized by Paul McCarthy was a good time to show community support. Mike Kalinski said the island should look at output from septic systems and package plants as a way to model a solution. He cited a Sarasota Bay study on Total Daily Maximum Loading as a source for calculations.

MSTU update: Gooderham noted that the county commission had been reviewing possible changes to the Municipal Services Taxing/Benefit Unit rules at a recent Management & Planning session, with proposal that could have made it more difficult to form such a unit – something the island has looked at for a number of options in the past. However, at this time the only change commissioners seemed to endorse regarding formation was to put a time limit on petitions so that costs remain reasonably accurate and reflective of reality. The proposal affecting how units would be dissolved would likely move forward, which was necessary both for practicality and due to problems with units elsewhere in the county.

Finances: Stilwell noted the panel had received no income for the month with the regular expenses. A full report would be prepared for next month's meeting.

Water quality: Jensen reiterated the SCCF fund-raiser on Captiva Cruises June 19. People could contact Paul McCarthy for information.

Other business: A question was asked whether the safety shoulder roadwork was done and would DOT repave whole road? Miville noted he had discussed this with Randy Cerchie and that DOT planned to layer the whole thing in the next two weeks, including driveways lines and sloping.

The meeting adjourned at 10:20 a.m.

-- Ken Gooderham

Law Office of
Joseph M. Madden Jr.
LLC

September 9, 2008

Mr. David Depew
Morris Depew & Associates
2914 Cleveland Avenue
Fort Myers, FL 33901

VIA EMAIL

RE: Our Client: Tennis Villas Condominium Association
Our File No.: 3073.000

South Seas Plantation Employee Housing Relocation

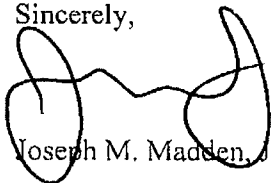
Dear Mr. Depew:

This letter is in follow up to our correspondence to you dated August 22, 2008. Since that time, I have had an opportunity to speak with the Tennis Villas Condominium Association Board Members and I have learned the following:

Tennis Villas Condominium Association has no objection with combining employee housing with the hotel that is proposed. They have no problem with locating the housing offsite with the provision that if it is located adjacent to Tennis Villas, they would want to know the specifics and understand how it will be buffered and how traffic, both foot and auto would be handled. Also, they would want to know about any planned additional units to be developed in/around Tennis Villas.

Upon receipt, please provide me with your feedback. Thank you.

Sincerely,



Joseph M. Madden, Jr.

JMM/sc

cc: Board of Directors