

21868

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: February 15, 2005TO: WHOM IT MAY CONCERNFROM: Luisa Villa

RE: Distribution of Resolution

Resolution Number	Case Number	Case Name
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Z-04-068	DCI2004-00013	Camargo MPD
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cc: Andy Getch - DOT, 3rd floor
Brad Vance - Nat. Res. Man., 3rd floor
Julie Dalton - Prop. Appraisers
Sandy Polk - Codes & Buildings
David Saniter - Public Safety, Em. Mgmt
Hearing Examiner

Audra Ennis - Dev. Svcs
Kim Trebatoski - Env. Sciences
Matt Noble - Planning
Pete Eckenrode - Dev. Ser. Dir.
Planner

~~Applicant (care of agent)~~

RESOLUTION NUMBER Z-04-068

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

WHEREAS, Matt Uhle filed an application on behalf of the contract purchaser, Paradise Development Group, with the consent of the property owner, Charles M. Long, to amend the existing Mixed Use Planned Development (MPD) zoning to adopt a new Master Concept Plan (MCP) for a project known as Camargo MPD; and

WHEREAS, a public hearing was advertised and held on October 13, 2004, and continued to October 27, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case DCI2004-00013; and

WHEREAS, a second public hearing was advertised and held on November 29, 2004, 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 amend the existing MPD zoning to adopt a new MCP to allow the continued development of a vacated portion of the overall project. The existing MPD was approved in Resolution Z-98-029 for:

1. up to 300,000 square feet of commercial floor area (of which not more than 100,000 square feet can be retail use); and
2. a total of 500 beds in an assisted living facility; and
3. a potential conversion of up to 100,000 square feet of retail uses to 75,000 square feet of office uses.

The requested amendment allows up to 100,000 square feet of retail on the vacated section of the MPD south of Pelican Sound Boulevard which was previously designated for commercial uses.

This resolution will have no effect on the residential portion of the MPD or the vacated commercial area north of Pelican Sound Boulevard.

The property is located in the Suburban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

COPY

SECTION B. CONDITIONS:

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

1. Resolution Z-98-029 remains in effect unless specifically amended by actions within this zoning case.
2. Development must be consistent with the two-page MCP entitled "Camargo MPD," dated November 29, 2004, date stamped received by the Permit Counter on Jan 13, 2005, except as modified by the conditions below. This MCP replaces all MCPs pertaining to the development of the subject property. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

The development of this portion of the project is limited to a maximum of 100,000 square feet of floor area.

3. Conditions 3 and 4 of Resolution Z-98-029 are hereby amended replacing the Schedule of Uses and Property Development Regulations for this portion of the development with the following:

- a. Schedule of Uses

Accessory Uses and Structures (LDC §§ 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, 34-2141 *et seq.*, and 34-3108)(See Note 1 below)

Administrative Offices

ATM (automatic teller machine)

Auto Parts Store - without installation facilities

Automobile Service Station (Limited to one use located on either Parcel 3 or 4 in conjunction with a convenience store and car wash) See Note 2

Banks and Financial Establishments (LDC §34-622(c)(3)): Groups I and II

Boat Parts Store, without installation

Broadcast Studios

Business Services, Group I

Car Wash (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and convenience store)

Clothing Stores, general (LDC §34-622(c)(8))

Clubs:

Commercial

Fraternal, membership organization (LDC §34-2111)

Private (LDC §34-2111)

Computer and Data Processing Services

Consumption on Premises (LDC Section 34-1261 *et seq.*) (strictly limited in conjunction with a Restaurant use only)

Convenience Food and Beverage Store (Limited to one use located on either Parcel 3 or 4 in conjunction with an automobile service station and car wash) See Note 2

Cultural Facilities (LDC §34-622(c)(10))

Day Care Center, Child, Adult

Department Store (Limited to a maximum of 25,000 square feet per store)

Drive-through Facility for any Permitted Use (limited to a maximum of 5 parcels.

Any drive through facility placed on Parcels 1, 2, 5, and 6 may only be placed on a western facing building facade. On the parcel containing the automobile service station/convenience food and beverage store/car wash, the car wash entrance and exit must face east and west respectively. A drive through facility on Parcel 7 may only be placed on the northern facade so long as the vehicles travel in an east to west direction.

Drugstore (limited to only one within the project)

Entrance Gates and Gatehouse (LDC §34-1741 *et seq.*)

Essential Services (LDC §§ 34-1611 *et seq.*, and 34-1741 *et seq.*)

Essential Service Facilities (LDC §34-622(c)(13)): Group I (LDC §§ 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)

Excavation: Water retention (LDC §34-1651)

Fences, Walls (LDC §34-1741)

Food and Beverage Service, Limited

Food Stores (LDC §34-622(c)(16)): Group I

Hardware Store (limited to a maximum of 10,000 square feet)

Health Care Facilities (LDC §34-622(c)(20)): Groups I, II, and III

Hobby, Toy, and Game Store

Household and Office Furnishings (LDC §34-622(c)(22)), Groups I and II
(Household use as limited by the LDC and Office use is limited to businesses like Kinko's Office Depot, Office Max or other like business. Large newspaper printing facilities are prohibited.)

Insurance Companies (LDC §34-622(c)(23))

Laundry or Dry Cleaning (LDC §34-622(c)(24)): Group I

Lawn and Garden Supply Stores (LDC §34-2081)

Library

Medical Office

Nonstore Retailers (LDC §34-622(c)(30)), all groups

Package Store (LDC §34-1261 *et seq.*) (In conjunction with a multiple-use occupancy complex only; free-standing stores are prohibited)

Paint, Glass and Wallpaper

Parks (LDC §34-622(c)(32)): Groups I and II

Parking Lot: Accessory (see Note 1 below)

Garage, public parking

Temporary

Personal Services (LDC §34-622(c)(33)):

Group I, limited to - ATM's

Barbershops and Beauty Shop

Clothing Alterations and Repair including Dressmakers, Seamstresses and Tailors

Laundry Agents (wherein the establishment may do its own pressing and finish work but not the laundering or dry cleaning which is performed elsewhere)

- Photo Agents (wherein drop-off and pickup film services are provided but the actual processing and developing is done elsewhere)
- Shoe Repair Services (wherein shoe repair or shoe shining for individual customers is performed)
- Group II, limited to -
 - Beauty spas
 - Health clubs or spas
 - Reducing or slenderizing salons
 - Steam or turkish baths
- Group III, limited to -
 - Artificial limbs
 - Crutches
 - Hearing aids
 - Hospital beds
 - Optical supplies
 - Orthopedic supplies
 - Wheelchairs
- Pet Services (outdoor pens, enclosures, and dog runs are prohibited)
- Pet Shop (outdoor pens, enclosures, and dog runs are prohibited)
- Pharmacy
- Post Office
- Real Estate Sales Office (LDC §§ 34-1951 *et seq.*, and 34-3021)
- Recreational Facilities: Commercial (LDC §34-622(c)(38)): Groups II and IV
- Religious Facilities (LDC §34-2051 *et seq.*)
- Rental or Leasing Establishment (LDC §34-622(c)(39))(All storage must be indoor and outdoor display is prohibited):
 - Group I, limited to -
 - Beach chairs, umbrellas, and similar facilities
 - Bicycles
 - Moped and scooters
 - Passenger car pickup and drop off (no maintenance or repairs and limited storage)
 - Group II, limited to -
 - Appliances
 - Bicycles
 - Costumes
 - Furniture
 - Garden equipment
 - Movies, videotapes and similar home entertainment
 - Party and banquet supplies
 - Tools and equipment primarily for home use
- Repair Shops (34-622(c)(40)): Groups I and II
- Research and Development Laboratories (LDC §34-622(c)(41)): Groups II and IV
- Restaurant, Fast Food (Limited to one within the project; must be located on either Parcel 2 or 5)
- Restaurants (LDC §34-622(c)(43)): Groups I, II, and III
- Schools: Commercial (LDC §34-622(c)(45)) (LDC §34-2381)
- Self Service Fuel Pumps (only in conjunction with an Automobile Service Station or Convenience Food and Beverage Store) See Note 2
- Signs, in accordance with LDC Chapter 30



Social Services (LDC §34-622(c)(46)): Group I
 Specialty Retail Shops (LDC §34-622(c)(47)): Groups I, II, III, and IV (no outdoor storage or display permitted)
 Studios (LDC §34-622(c)(49))
 Temporary Uses (LDC §34-3041 *et seq.*)(limited solely to temporary contractor's office and storage shed),
 Theater, indoor (LDC §34-2471 *et seq.*)
 Used Merchandise Stores (LDC §34-622(c)(54)): Groups I and II
 Variety Store
 Wholesale Establishments (LDC §34-622(c)(56)): Group III

NOTE:

1. All accessory uses, including accessory parking, must be located on the same tract, parcel, outparcel, or lot where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel, outparcel, or lot.
2. A maximum of eight (8) fueling positions (four pump structures) are permitted within this development. A Special Exception will be required to permit more than eight (8) fueling station (four pump structures).

b. Site Development Regulations

Development based on the use within this 22-acre portion of the MPD must comply with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area: 7,500 square feet
 Width: 75 feet
 Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (§34-2191 *et seq.*)
 Side: 15 feet
 Rear: 20 feet
 Water Body: zero feet

Accessory Use and Structure setbacks must comply with LDC §§ 34-1171 *et seq.* and 34-2194.

Maximum Lot Coverage: 60 percent

Maximum Building Height: 45 feet

Minimum Building Separation: Minimum building separation is the greater of either the minimum required setbacks or one-half the sum of the height of the buildings. (LDC §34-935(e)(4))

4. Condition 7 of Resolution Z-98-029 is hereby amended to include the following buffer:

A minimum 30-foot-wide native landscaped arterial road buffer must be provided. In areas where native vegetation does not exist, the developer will plant five native trees and 15 native shrubs per 100 linear feet. This buffer must include a 2-foot-high undulating berm (with landscaping on the berm) running parallel to U.S. 41. New landscaping will be planted in a well designed and clustered manner.

5. Blasting activities are prohibited as part of this planned development. If blasting is necessary, then a public hearing amendment of this planned development will be required in order to permit the activity.
6. 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.
7. 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).
8. Development of this commercial project must be in compliance with the revised Design Guidelines attached hereto as Exhibit D.
9. Outdoor dining is permitted on the subject property only in conjunction with the Restaurant and Fast-Food Restaurant uses. NO other outdoor uses or outdoor sales, display, or storage is allowed on the 22-acre commercial site.
10. Access onto Williams Road must be limited to right-in/right-out until improvements are made to Williams Road as determined necessary by LCDOT to allow left-in/left-out turning.

SECTION C. DEVIATIONS:

1. Deviations (1), (3), (5) and (6) which were previously approved in Z-98-029 remain in effect for this 22-acre portion of the project.
2. Deviation (7) seeks relief from the LDC §10-415(b)(1) requirement to provide 50 percent of the open space percentage requirement be provided through the on-site preservation of existing native vegetation communities; to allow the preservation of the westerly 10 acres in accordance with Resolution Z-98-029. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (subject parcel identified with shading)
- Exhibit C: Master Concept Plan dated November 29, 2004, date stamped received by the Permit Counter on Jan 13, 2005
- Exhibit D: Design Guidelines

The applicant has indicated that the STRAP number for the property is: 33-46-25-00-00001.0030.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes and regulations.
2. The MPD zoning, as conditioned:
 - a. meets or exceeds the 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 the site 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 approval of this rezoning request 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 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 Albion, seconded by Commissioner Hall, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammy Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 29th day of November 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Charlie Green*

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Robert P. Janes*

Chairman

Approved as to form by:

Timothy Jones

Timothy Jones
County Attorney's Office



RECEIVED
MINUTES OFFICE

2005 FEB 11 AM 10:34

Applicant's Legal Checkedby Nov/22/2004

DCI 2004-00013

DESCRIPTIONFor the specific area subject to
this request (21.73 acres)**Parcel in**Section 33, Township 46 South, Range 25 East
Lee County, Florida2004 DEC 15 PM 3:46
RECEIVED BY
LEE CO. ATTORNEY

A tract or parcel of land in Section 33, Township 46 South, Range 25 East, Lee County, Florida being part of lands described in Official Record Book 2787, Page 1398, Lee County Records, being more particularly described as follows.

From the southeast corner of the southwest quarter (SW 1/4) of Section 33, Township 46 South, Range 25 East, Lee County, Florida, run N01°03'48"W along the east line of said fraction for 30.00 feet to an intersection with the north right-of-way line of Williams Road (60 feet wide), said point being the POINT OF BEGINNING

From said POINT OF BEGINNING continue along said east fraction line N01°03'48"W for 750.21 feet to a point of curvature; thence run northerly along the arc of said curve to the right of radius 500.00 feet (delta 22°23'46") (chord bearing N10°08'05"E) (chord 194.20 feet), for 195.44 feet to a point of reverse curvature; thence run northerly along the arc of said curve to the left of radius 30.00 feet (delta 85°58'03") (chord bearing N21°39'03"W) (chord 40.91 feet) for 45.01 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the right of radius 315.00 feet (delta 55°00'10") (chord bearing N37°08'00"W) (chord 290.92 feet) for 302.39 feet to a point of reverse curvature; thence run northwesterly along the arc of said curve to the left of radius 33.00 feet (delta 81°14'53") (chord bearing N50°15'21"W) (chord 42.97 feet) for 46.80 feet to a point of tangency; thence run S89°07'12"W for 203.82 feet to a point of curvature; thence run northwesterly along the arc of said curve to the right of radius 30.00 feet (delta 89°50'48") (chord bearing N45°57'24"W) (chord 42.37 feet), for 47.04 feet to a point of tangency; thence run N01°02'01"W for 572.18 feet to an intersection with the south right-of-way line of Pelican Sound Drive as recorded in Official record Book 3533, Page 4459, Lee County Records; thence run N88°25'54"E along said south right-of-way line for 874.95 feet to an intersection with the west right-of-way line of Tamiami Trail (State Road 45); thence run S04°52'56"W along said west right-of-way line for 1,860.03 feet to an intersection with the north right-of-way line of Williams Road; thence run S88°20'42"W along said north right-of-way for 268.35 feet to the POINT OF BEGINNING.

Containing 21.73 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/99 adjustment) And are based on the south line of the southwest quarter (SW 1/4) of said Section 33 to bear N88°33'52"E.

21840s06desc.doc

RECEIVED
NOV 22 2004
DCI 2004-00013
PERMIT COUNTER

MAPPED

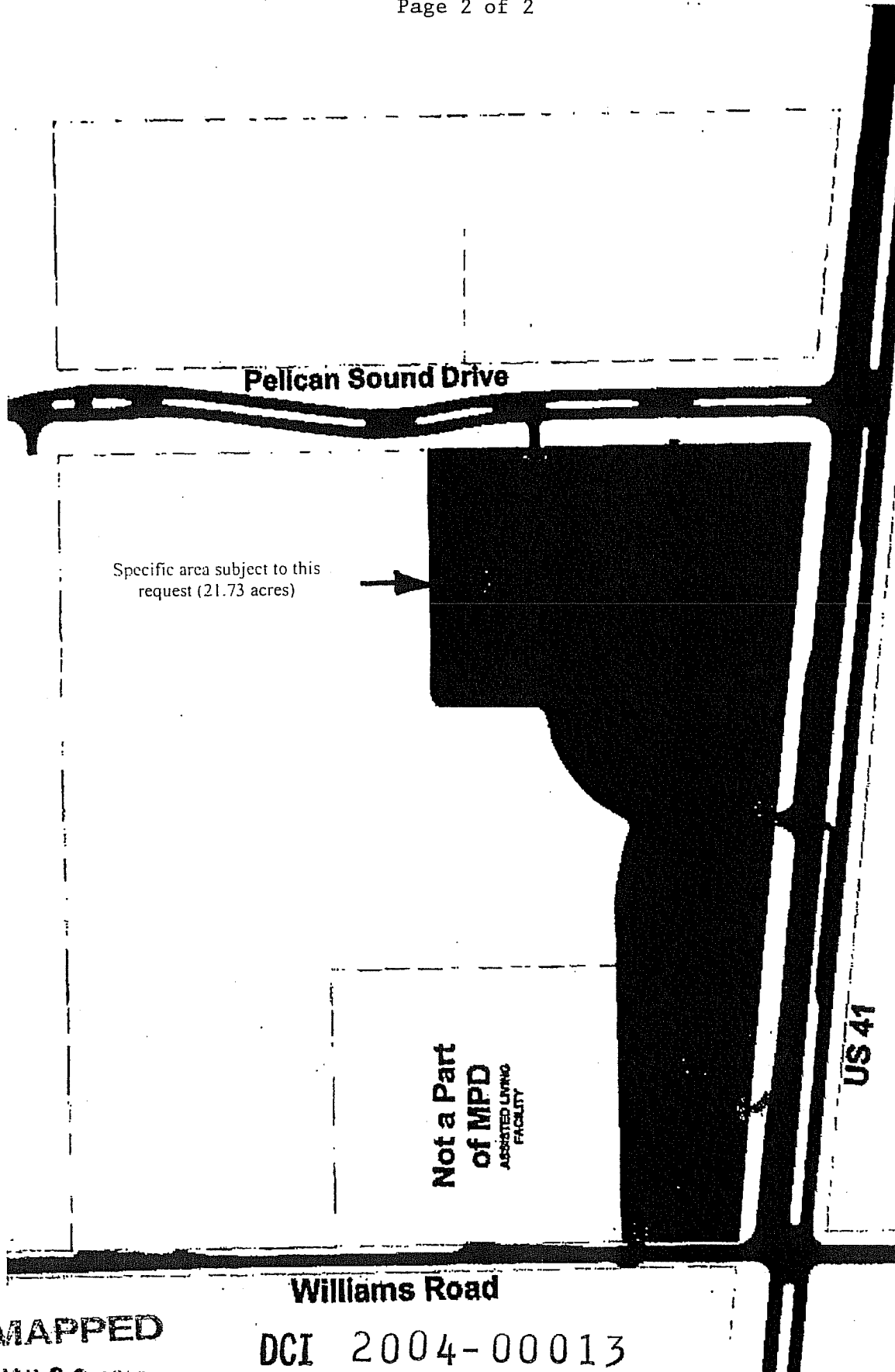
NOV 22 2004

ZONING

Scott A. Wheeler 11/19/04
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

EXHIBIT A
Page 2 of 2

PARADISE SHOPPES OF ESTERO



Parcel Map

MAPPED
NOV 22 2004
ZONING

Williams Road
DCI 2004-00013

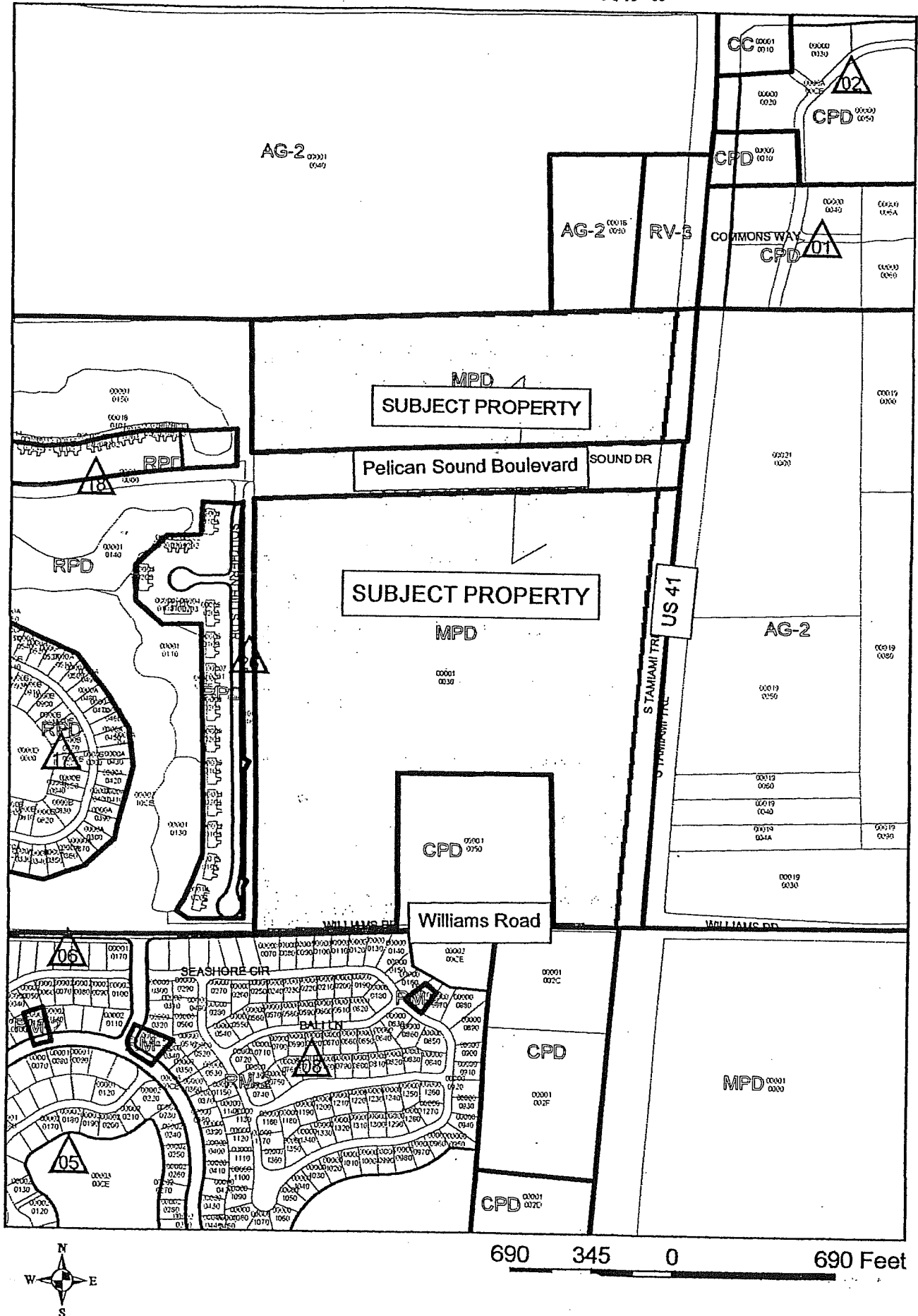
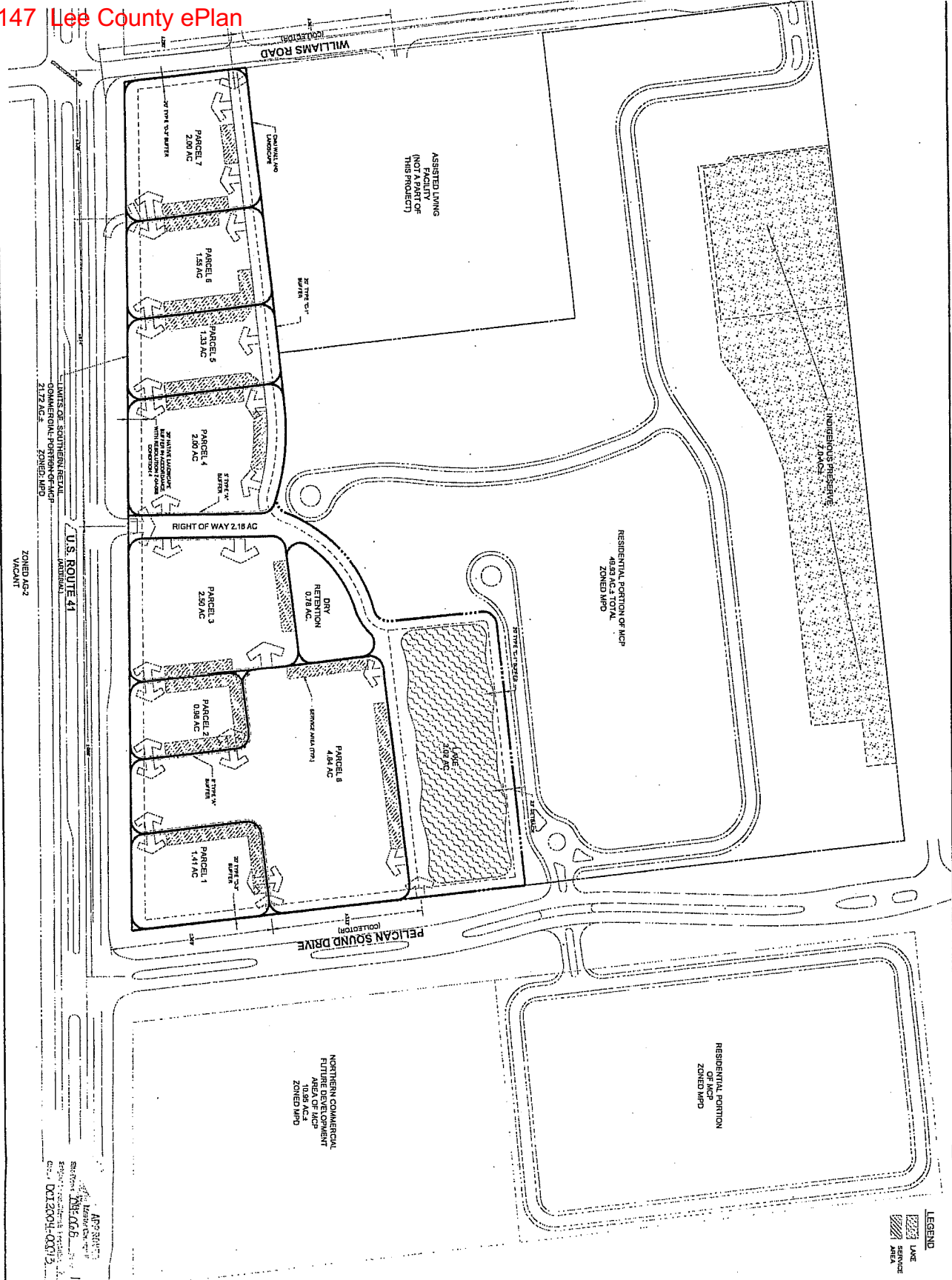


EXHIBIT B



MASTER CONCEPT PLAN

CAMARGO MPD

LEE COUNTY, FLORIDA

COMMERCIAL PORTION - SOUTH

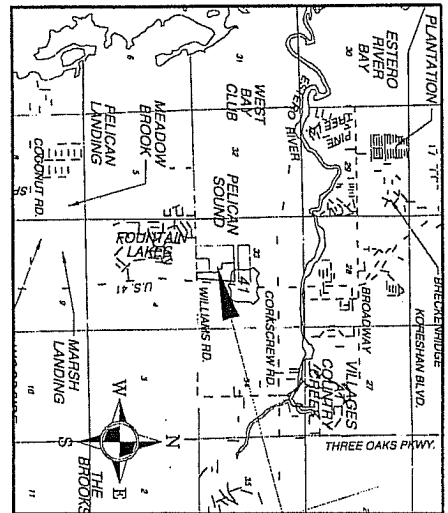
November 29, 2004

EXHIBIT 6-J

0 50 100 200
SCALE IN FEET

Barraco
and Associates, Inc.

RECEIVED
JUN 12 2005
PUBLIC WORKS
DCI 2004-00013



LOCATION MAP

- SITE DEVELOPMENT NOTES, VARIANTS, SUGGESTED CONDITIONS**
1. The subject property is located within the Lee County Comprehensive Zoning Ordinance, Chapter 17, Article 1, Section 17.01, which requires that all development be in accordance with the Comprehensive Zoning Ordinance.
 2. There are no other parcels proposed.
 3. All other parcels are shown for informational purposes only.
 4. All other parcels will be reviewed at the time of development code approval.

RETAIL/COMMERCIAL INTENSITY			
PAGE	ADDITIONAL	MAXIMUM	
PAGE	ADDITIONAL	MAXIMUM	
PAGE 1	1.40	13,000	
PAGE 2	2.11	21,000	
PAGE 3	2.11	21,000	
PAGE 4	1.50	15,000	
PAGE 5	1.50	15,000	
PAGE 6	2.00	18,000	
PAGE 7	2.00	18,000	
PAGE 8	4.44	55,000	
TOTAL	16.00	160,000	

SUBJECT PROPERTY

OPEN SPACE TABLE			
PAGE	REQUIRED	PROPOSED	
PAGE	ADDITIONAL	ADDITIONAL	
PAGE	ADDITIONAL	ADDITIONAL	
PAGE 1	1.40	0.29	0.29
PAGE 2	2.11	0.59	0.59
PAGE 3	2.11	0.59	0.59
PAGE 4	1.50	0.46	0.46
PAGE 5	1.50	0.46	0.46
PAGE 6	2.00	0.60	0.60
PAGE 7	2.00	0.60	0.60
PAGE 8	4.44	1.50	1.50
LAKE	3.00	0.90	0.90
RIGHT-OF-WAY	1.17	0.35	0.35
TOTAL	21.72	6.55	6.55
TOTAL ADJACENT TO SOUTH COMMERCIAL	10.95	3.28	3.28
TOTAL ADJACENT TO NORTH COMMERCIAL	10.95	3.28	3.28
TOTAL ADJACENT TO WEST COMMERCIAL	10.95	3.28	3.28
TOTAL ADJACENT TO EAST COMMERCIAL	10.95	3.28	3.28
TOTAL ADJACENT TO INDUSTRIAL AREA	10.95	3.28	3.28
TOTAL	62.59	20.45	20.45

Indigenous Open Space Provided

10 acres (per acre) of indigenous open space has been provided in the industrial portion of the site.

10 acres (per acre) of indigenous open space has been provided in the industrial portion of the site.

Open Space Required by Comprehensive Zoning Ordinance

10.0 acres (per acre) of indigenous open space has been provided in the industrial portion of the site.

10.0 acres (per acre) of indigenous open space has been provided in the industrial portion of the site.

SURROUNDING ZONING AND LAND USES

ZONING	EXISTING LAND USES
NORTH MPD	PELICAN SOUND DRIVE/VACANT
SOUTH MPD	WILLIAMS ROAD / COMMERCIAL
EAST ACS	U.S. 41 / VACANT
WEST MPD	VACANT

APPROVED: 2-2-2

DATE: 01-06-2004

BY: 1014010009

MASTER CONCEPT PLAN

CAMARGO MPD
LEE COUNTY, FLORIDA
COMMERCIAL PORTION - SOUTH
 November 29, 2004

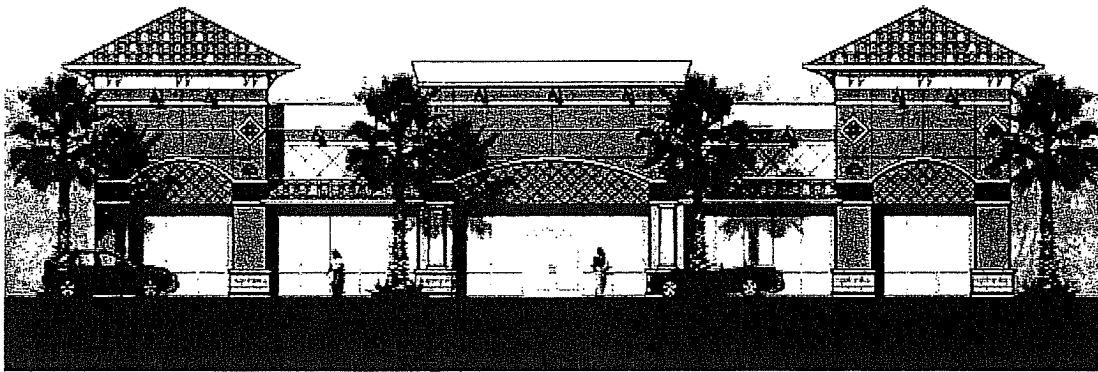
EXHIBIT 6-J

Barraco

1014010009

PARADISE SHOPPES OF ESTERO

EXHIBIT D
21 Pages



Project Overview

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

The Paradise Shoppes of Estero project is located on the northwest corner of U.S. Highway 41 and Williams Road. The project is strategically nestled in the heart of Estero bounded by new commercial development, which will provide services, plazas and amenities to be enjoyed by all ages. The project architecture, layout and design will incorporate features exceeding both the current Lee County design guidelines, found in LDC Article IV, and the Estero Plan, Goal 19 of the Lee County Comprehensive Plan.

In developing the property located at the northwest corner of U.S. Highway 41 and Williams Road it is important to do so in accordance with the Lee County Comprehensive Plan (including Goal 19, the Estero Plan) and the development constraints presented with a 22-acre site at this location. The following base postulations, as well as policies that influence this type of development, were utilized.

- The subject property is located at the intersection of an arterial roadway –U.S. Highway 41, and two secondary roadways –Williams Road and Pelican Sound Boulevard. Access driveways are evenly distributed among the complementary roadways. U.S. Highway 41 is a primary thoroughfare and can safely support commercial development.

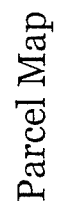
PARADISE SHOPPES OF ESTERO

- The proposed development site is within the Suburban land use category, which was designated for areas that are primarily residential but allow commercial development as neighborhood centers are necessary to promote the quality of life in these areas. Commercial development is limited to neighborhood centers and industrial development is not allowed. The Lee Plan projects less intense development in these areas, more characteristic of a suburban area.
- The intent of these design guidelines and standards is to meet and exceed the requirements of the Estero Plan, yet allowing for the development of a large commercial project containing one or more major anchors.

Design Guidelines and Standards

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

- The Paradise Shoppes of Estero is planned as a functionally interrelated commercial site under unified control, subject to common guidelines and standards to ensure a quality development. All development will meet and enhance LDC Article IV, the Estero Design Guidelines.
 - The Paradise Shoppes of Estero will be a fully integrated planned site, where attention to the overall site design is achieved by providing well designed and integrated vehicular use areas, pedestrian paths, a common or compatible architectural theme, unified signage, landscaping and lighting throughout the site.
 - The Paradise Shoppes of Estero will be developed on a 22-acre site as part of the Estero Overlay that designates an area of architecturally attractive landscaped buildings that cater to the needs of the community.
- A. Vista Areas – Parcels 1-7 *(See Illustration on following page)*
- Architectural Standards: The Vista Areas will feature an integrated and compatible Mediterranean architectural building style or theme. Massing of building facades will be



PARADISE SHOPPES OF ESTERO

reduced by transitioning building heights, widths and colors, textures and adding architectural elements such as wall projections, loggias, canopies, corner towers, archways or columns, appropriately scaled for the public. Primary entry facades will have windows along no less than 10% of their horizontal length in addition to the primary entrance. These treatments will create visual interest and variety, while providing visitors to the project a pedestrian-friendly atmosphere. Building architectural styles shall be compatible and complimentary elements such as roof treatments, signage, landscaping and building materials and colors.

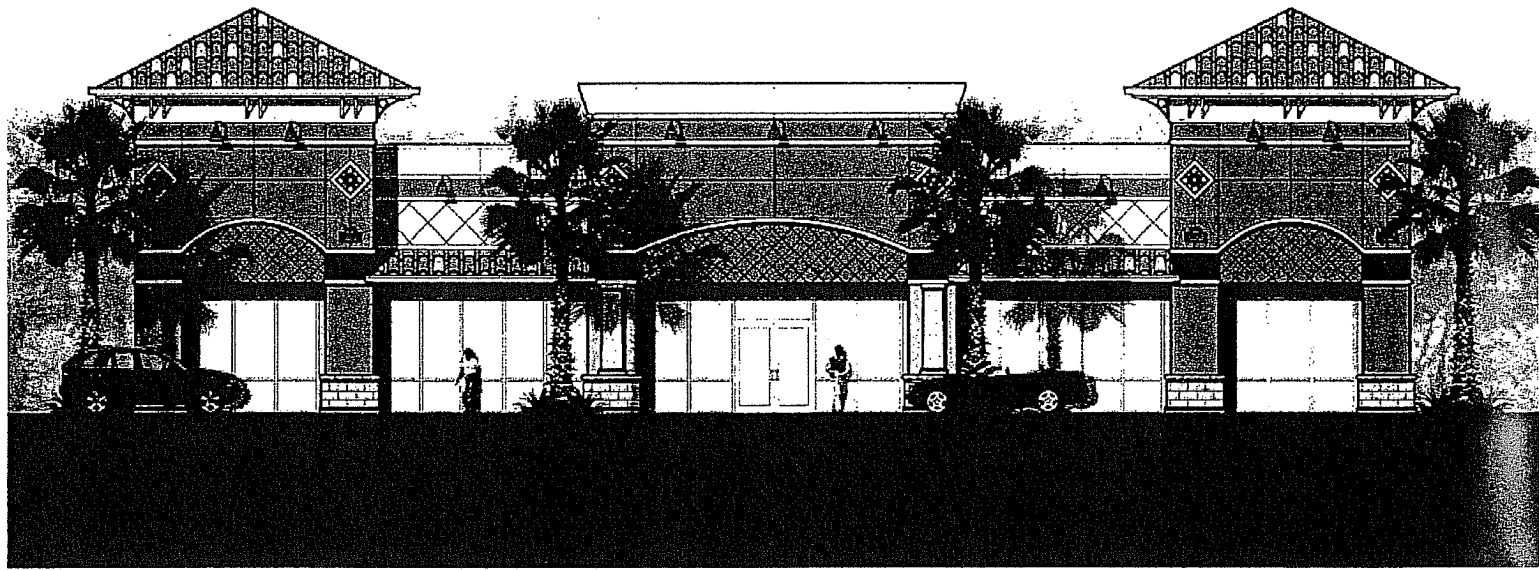
- Each free-standing use will provide a visually appealing, articulated, identifiable path of entry for pedestrians and vehicles for the internal drive to the site, from the site to the buildings themselves, and from U.S. Highway 41 to the free-standing use. The orientation of a building or structure upon a site will reflect not only the project's functionality, but will also be responsive to the individual parcel's characteristics and relationship to U.S. Highway 41.
- Building lighting design will be architecturally treated in the style of the building architecture. Lighting fixtures illuminating the parking area shall meet the design standards of Lee County Development Code Section 34-625 and shielded to eliminate light intrusion crossing the property line when abutting residential and assisted living facility uses.
- Landscaping: Landscape design guidelines for free-standing uses will create a harmonious and visually pleasing landscape that is cohesive and complimentary to the overall master landscape plan. The Paradise Shoppes of Estero landscape concept will feature combinations of native plants and ornamental varieties, which will be designed to define and accent pedestrian and vehicular spaces, as well as enhance the building architectural style. Landscape designs will create a coherent theme, which emphasizes plant material as a primary unifying element. Where possible, existing native trees will be incorporated into the site plan to add character to the pedestrian/open space areas and enhance buffer and perimeter areas. A Landscape Plan for the entire project perimeter buffer will be provided at the time of the first Development Order for the site.

PARADISE SHOPPES OF ESTERO

B. Anchor Parcel – Parcel 8

- The Anchor Parcel will accommodate one or several commercial uses. The on-site pedestrian system will connect the Anchor Parcel to the adjacent Vista Parcel paralleling U.S. Highway 41 and the buildings of the Anchor Parcel will be designed to compliment the Vista Parcels. The parking area will be designed to minimize hardscaped areas, visually and physically.
- Architectural Standards: The Anchor Parcel will feature an integrated and compatible Mediterranean vernacular architectural building style or theme, which will also be incorporated into the Vista Parcels and all other free-standing uses. Buildings will have architectural features and patterns that provide visual interest from the perspective of the pedestrian, reduce massing aesthetic and be site responsive. Facades will be designed to reduce the mass/scale and uniform monolithic appearance of large adorned walls, while providing visual interest that will be consistent with the center's identity and character through the use of articulation, detail and scale. Articulation is accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian. (See illustration on the following page)

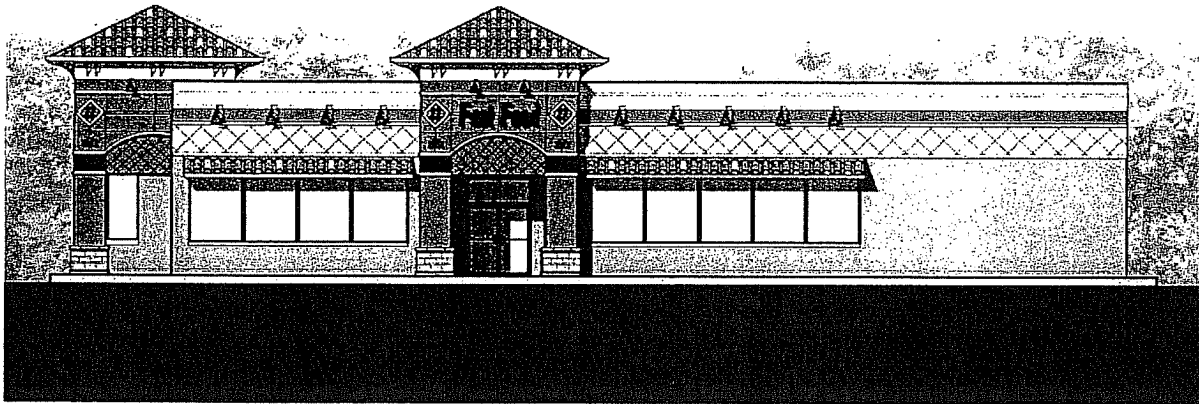
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Buildings will also provide a minimum of two of the following building design treatments:

- Canopies or portico, integrated with the buildings' massing and style
- Overhangs
- Raised cornice parapets over doors
- Arches
- Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design
- Any other treatment, which, in the opinion of the Architect meets the intent of the design character

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

- Color change
- Texture change
- Material module change
- Expression of architectural relief, through a change in plane of no less than 6 inches in width, such as a reveal, and offset or a projecting rib
- Architectural banding
- Pattern change



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Roof will meet at least two of the following requirements:

- Parapets will be used to conceal roof top equipment and flat roofs where required
- Where overhanging eaves are used, overhangs will be no less than 12 inches beyond the supporting walls with a minimum fascia of 8 inches
- Three-dimensional cornice treatment which will be a minimum of 12 inches in height with a minimum of two reliefs

Major anchor parcel buildings will have clearly defined, highly visible customer entrances which incorporates benches or other seating components and decorative landscape planters.

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

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

- Stucco
- EFIS
- Architectural Block
- Tinted, textured, other than smooth or ribbed, concrete masonry units; or
- Natural Stone and/or Pre-cast Concrete

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

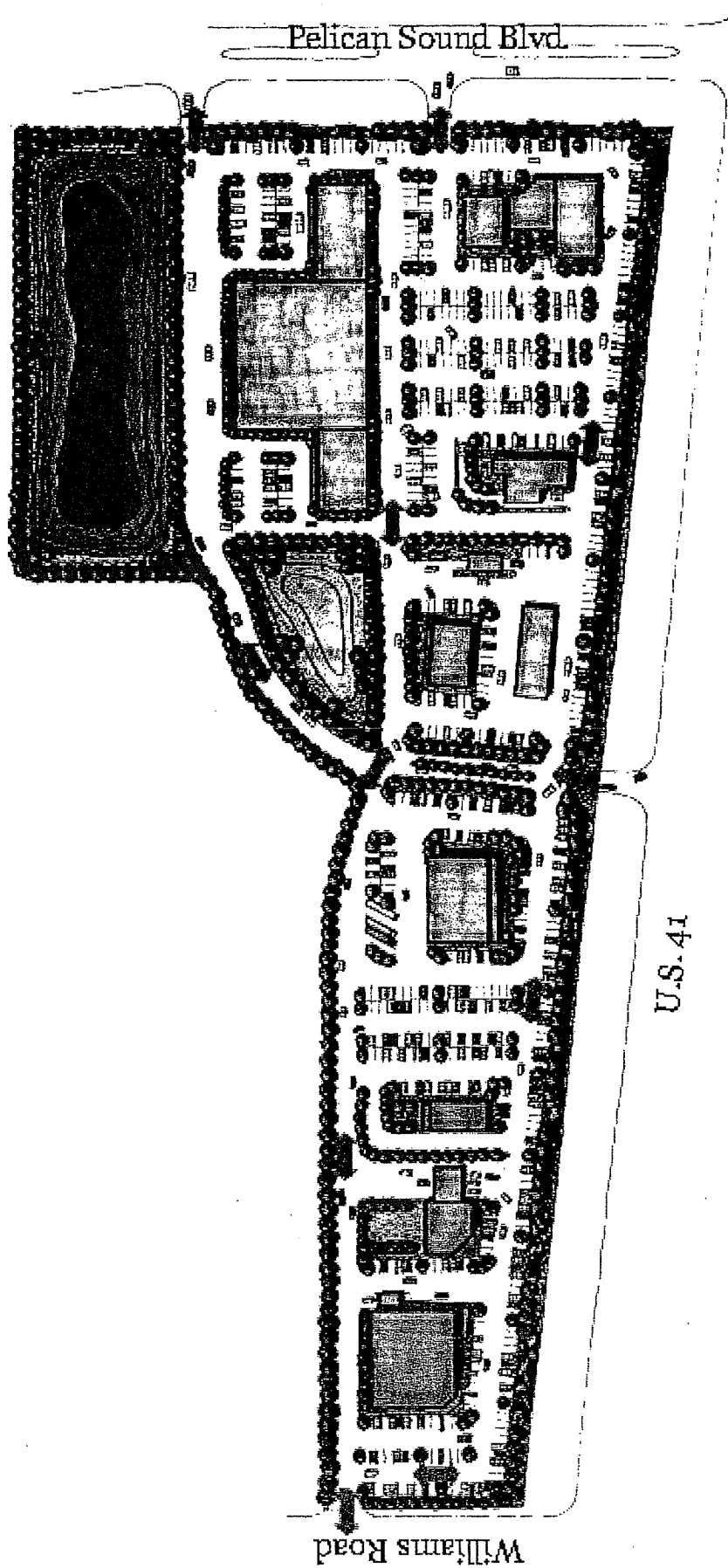
C. Common / Public Areas

- Internal roadways will provide efficient vehicular circulation and will be designed with streetscapes that create pedestrian-friendly environments. Streetscape plans will be designed to establish a hierarchy of vehicular and pedestrian flow appropriate in scale and character with landscape improvements, street function and adjacent land uses with the intention of linking uses throughout the project.
- Project architectural features will be developed within common areas of the project and will be coordinated in the design, color and style. Architectural features shall be permitted throughout the site.

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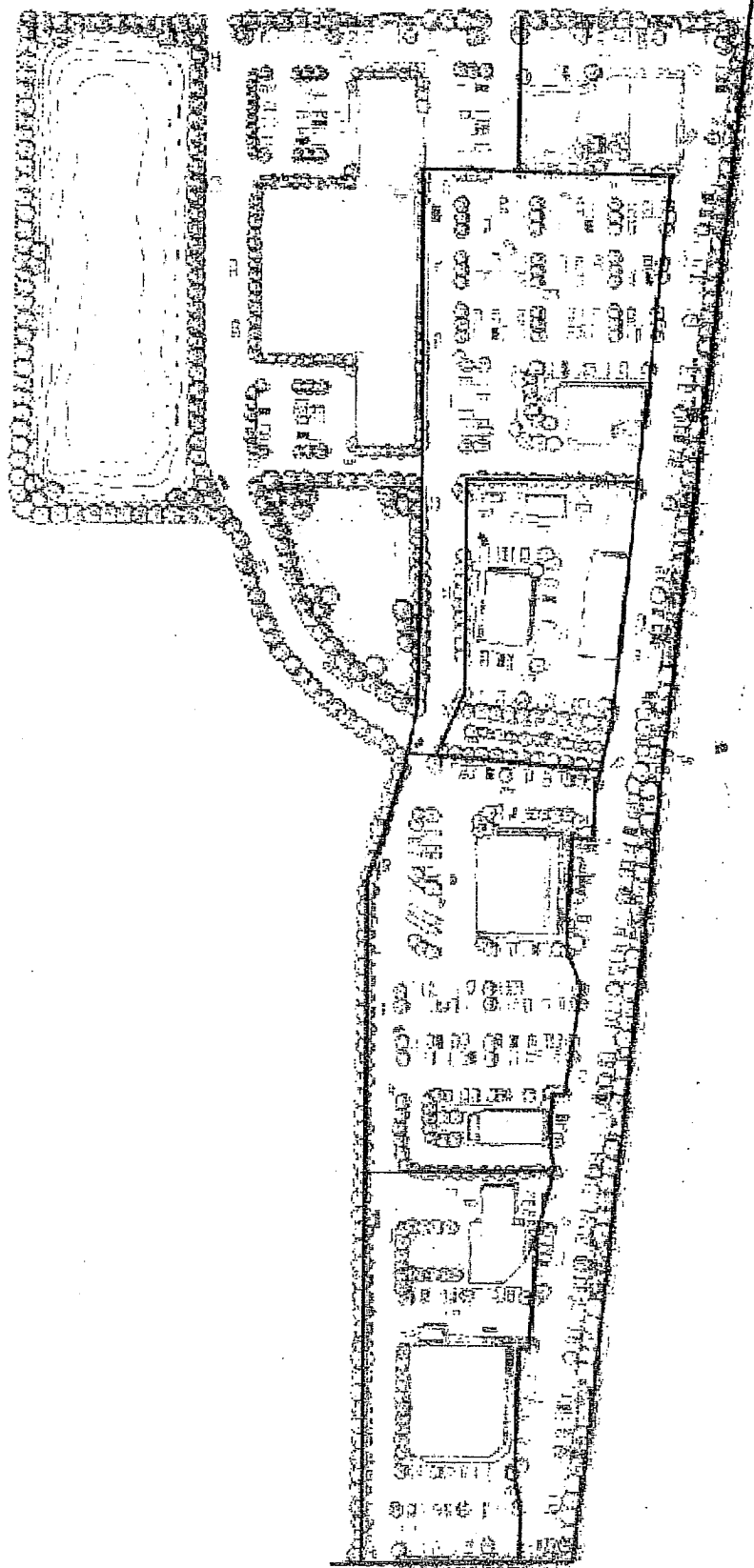
- The Paradise Shoppes of Estero will provide a variety of publicly accessible amenities such as bicycle racks, benches and trash receptacles, which will further the project's commitment to complement and enhance Lee County and Estero's Design Guidelines, and serve to provide a sense of place for the community.
- A pedestrian way network shall be established throughout the project as shown on the Conceptual Site Plan on the following page. The pedestrian system will serve to link Anchor and vista areas with freestanding uses at the perimeter of the project site, by providing a landscaped walkway protected from vehicular traffic movement. Any required breaks in the pedestrian network for vehicular access to the site shall be identified through use of treated surfaces, signage or other traffic calming techniques deemed appropriate to reduce the speed of vehicles and provide safe pedestrian movements throughout the site.
 - The anchor parcel/building area pedestrian way shall be a wide intermittently covered walkway, featuring concrete surfaces which may be paved, tiled, etc. This pedestrian way will include architectural features such as fountains, courtyards, arbors or similar design features, and decorative landscape plantings. This pathway shall have a minimum unobstructed pedestrian way of 5 feet average width. Seating and decorative landscape planting shall be provided intermittently along the pathway and at all primary tenant entrances where appropriate.
 - The parking area pedestrian way shall be located generally within the parking area as shown on the Conceptual Site Plan on the following page. This pedestrian way system will be designed to promote safe and convenient linkage from the parking area to the entire project. Vehicular crossings will be identified with signage, landscaping and clearly marked through use of varied pavement treatment and other traffic calming techniques. This pedestrian way system shall be a minimum of 4 feet in width, with paver, stamped concrete or banded concrete pedestrian pathway. This pedestrian pathway will feature canopy trees or palms with ground level landscape plantings. Canopy trees or palms shall be planted along the pedestrian way system and shall be a minimum 12 feet high with a 4 foot spread for canopy trees and equivalent specification for shade palms at the time of planting.
 - The perimeter pedestrian way system is designed to link free-standing uses with the parking and vista area pedestrian way as shown on the Conceptual Site Plan on the following page. Vehicular crossings will be identified with signage, landscaping and clearly marked through uses of varied pavement treatments or other traffic calming techniques.

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Conceptual Site Plan: Vehicular Circulation

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Conceptual Site Plan: Pedestrian Circulation

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Landscaping

A. General

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

B. Perimeter

- Buildings along U.S. Highway 41 will be designed in accordance with LDC Article IV; the setback requirements for the Estero Overlay. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.
- Where parking or service areas along U.S. Highway 41 are located within 75 feet of the right of way line, the developer must maintain a minimum 30 foot setback for parking or service areas from the U.S. Highway 41 right-of-way, with a landscaped berm to obscure the parking areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made (subject to FDOT review and utility conflicts) to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk.
- Where an access road for a drive-thru is located along U.S. Highway 41 within 75 feet of the right of way line, the developer must maintain a maximum 25 foot building setback from the U.S. Highway 41 right-of-way, with a landscaper buffer to obscure the drive areas as well as the vehicles. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project. Further, sidewalk improvements may be made to create a landscape area between the edge of the pavement of U.S. Highway 41 and the sidewalk (subject to FDOT review, utility conflicts and spacing issues).
- Where buildings along Williams Road or Pelican Sound Boulevard are designed such that parking areas are in front of the building, an enhanced 30 foot buffer consisting of a minimum ten (10) trees and thirty (30) shrubs per 100 linear feet, will be installed at the time of development with

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a ± 2 feet undulating landscaped berm, to adequately screen parking areas from view (Typical Section B). This is not intended to block visual corridors to the buildings, but is intended to screen parking areas. Trees may be clustered to allow view corridors to internal buildings. Where possible, native trees will be preserved and incorporated into the perimeter buffer areas for screening and aesthetic enhancement of the project.

- The height of required trees within buffers shall be 12 feet overall in height. Canopy trees shall have a 4 foot canopy spread at the time of planting.
- Landscape buffers, berms, fences and walls, where applicable, must be constructed along the perimeter of the Paradise Shoppes of Estero boundary concurrent with site development within each vista area or anchor parcel respectively.
- Sidewalks, signage, water management systems, drainage structures, project architectural features, lighting and utilities will be permitted within perimeter landscape buffers.
- Perimeter landscape berms located within the Paradise Shoppes of Estero boundary and contiguous to a property line and/or right-of-way line may be constructed such that they encroach into the right-of-way when approved by the applicable owner or agency.
- The developer and adjacent landowners endeavor to provide a unified homogenous landscape and entry feature for Pelican Sound Boulevard. The entry feature will be designed to compliment the Paradise Shoppes of Estero project.

C. Internal

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

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U.S. 41 Parking/Pedestrian/U.S. Retail Shops Entrance
41 Circulations



Entrance from U.S. 41



Creation of Focal Points

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Signage

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

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RECOMMENDED PLANTS - Native Trees (Med. & Large)

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

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

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RECOMMENDED PLANTS - Native Shrubs

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

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

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

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

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RECOMMENDED PLANTS - Native Ferns

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

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

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RECOMMENDED PLANTS - Native Aquatics

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

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