

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00167

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, Brendan Sloan, PE, on behalf of Entrada Apartment Investors, LLC, filed an application for an administrative amendment to the RPD-zoned portion of the Estates at Entrada Residential and Commercial Planned Development (RPD/CPD) to amend the approved Master Concept Plan for Multifamily Tract #1 and request three deviations from the Lee County Land Development Code to facilitate development on property located at 3216-3240 Maryns Loop, North Fort Myers, described more particularly as:

LEGAL DESCRIPTION: In Section 27, Township 43 South, Range 24 East, Lee County, Florida

ATTACHED AS EXHIBIT "A"

WHEREAS, the applicant has indicated that the property's current STRAP number is 27-43-24-L1-U0987.5436; and

WHEREAS, the property was originally rezoned by Resolution Z-06-039 and was subsequently amended by ADD2006-00240, ADD2007-00189, ADD2013-00021, ADD2015-00086, and ADD2020-00129A; and

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

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

WHEREAS, the applicant has filed a request to amend the approved Master Concept Plan for Multifamily Tract #1 to modify the lake configuration, remove the previously approved model units and associated temporary parking lot, and incorporate the previously approved amenity area into a new 300-unit multiple-family development on the subject property (see Exhibit "B"); and

WHEREAS, the subject application includes a request for three deviations from parking-related requirements of the Land Development Code to facilitate the proposed multiple-family development (see Exhibit "C"); and

WHEREAS, Deviation (1) seeks relief from LDC Section 34-2020(a), which establishes a total parking requirement of 686 parking spaces for the proposed development based on the calculation in Table 1, to allow a 15-space (2.2 percent) reduction in the total parking requirement for the proposed development; and

**TABLE 1: PARKING CALCULATION**

<b>USE</b>	<b>Parking Requirement</b>	<b>Required Spaces</b>
<b>MULTIPLE-FAMILY UNITS (300 UNITS)</b>	2 spaces/unit	600
<b>GUEST PARKING</b>	10 percent of required parking for multiple-family units	60
<b>CLUBHOUSE/ANCILLARY USES (6,476 SQUARE FEET)</b>	4 spaces/1,000 square feet of total floor area	26
<b>TOTAL PARKING REQUIREMENT</b>		<b>686</b>

WHEREAS, the applicant's justification for the requested deviation notes that the minimal parking reduction will allow for an increase in open space from 40 percent to 47 percent (see Exhibit "C"); and

WHEREAS, the proposed master concept plan and companion development order application each demonstrates code-compliant parking is provided for the proposed number of multiple-family dwelling units and the associated guest parking (see Exhibit "B"); and

WHEREAS, the concurrent development order application for the proposed development (DOS2022-00076) indicates that a 1,200-square-foot leasing office is the only portion of the proposed 6,476-square-foot clubhouse that is open to the public, with the remainder of floor area within the clubhouse dedicated to ancillary amenities accessible only to the residents of the development; and

WHEREAS, the proposed development is oriented around a central lake and will be developed with a network of pedestrian facilities oriented around the lake to facilitate non-vehicular movement throughout the project (see Exhibit "B"); and

WHEREAS, Deviation (2) seeks relief from LDC Section 34-2016(1)b, which requires parking spaces to be a minimum of nine (9) feet by 18 feet, to allow a maximum of 88 parking spaces shown on the master concept plan to be designated as compact parking spaces measuring 8.2 feet by 18 feet; and

WHEREAS, the applicant's justification for the requested deviation notes that the proposed number of compact parking spaces equates to 13.1 percent of the total required parking for the proposed development, and cites an uptick in the sales of compact cars and electric vehicles in support of the request (see Exhibit "C"); and

WHEREAS, Deviation (3) seeks relief from LDC Section 34-2015(2)c, which permits stacking of vehicles only for single-family, duplex, two-family, and townhouse dwelling unit types when each dwelling unit has an appurtenant garage or driveway, to



allow stacking of vehicles for multiple-family dwelling units having access to individual garages within the development; and

WHEREAS, the applicant's justification for the requested deviation notes that individual garages will be offered for lease to tenants and will provide assigned parking spaces for tenants who elect to lease garages (see Exhibit "C"); and

WHEREAS, other multiple-family developments in unincorporated Lee County have implemented the garage-for-lease concept, and similar relief has been granted to facilitate this concept elsewhere in the County; and

WHEREAS, Development Services staff reviewed the requested deviations and offered no objection; and

WHEREAS, the subject property is located in the North Fort Myers Community Plan area as designated by the Lee Plan; and

WHEREAS, LDC Section 33-1532 requires an applicant seeking an amendment to a planned development or approval of a local development order to conduct a public information session within the North Fort Myers Community Plan area prior to approval or a finding of sufficiency; and

WHEREAS, the applicant conducted the required public information session on November 1, 2022 and furnished the required meeting summary document in compliance with LDC Section 33-1532 (see Exhibit "E"); 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.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an administrative amendment to the RPD-zoned portion of the Estates at Entrada Residential and Commercial Planned Development (RPD/CPD) to amend the approved Master Concept Plan for Multifamily Tract #1 and request three deviations from the Lee County Land Development Code to facilitate development on property located at 3216-3240 Maryns Loop, North Fort Myers is **APPROVED subject to the following conditions:**

- 1. The Development must be in substantial compliance with the Master Concept Plan for Multifamily Tract #1 entitled RPD Administrative**

**Amendment**, prepared by Avalon Engineering, Inc., a copy of which is attached hereto as Exhibit "B."

2. **Deviation (1), which seeks relief from LDC Section 34-2020(a), which establishes a total parking requirement of 686 parking spaces for the proposed development, to allow for a 15-space (2.2 percent) reduction in the total parking requirement for the proposed development, is hereby APPROVED subject to the following conditions:**
  - a. **This deviation applies only to development on Multifamily Tract #1 depicted on the Master Concept Plan for the Estates of Entrada RPD/CPD approved by ADD2020-00129(A).**
  - b. **This deviation is approved based on the parking requirements calculated pursuant to Table 1 herein. Any change to the densities or intensities of the proposed development in a manner that increases the parking requirement for the development must be approved in accordance with the Land Development Code.**
3. **Deviation (2), which seeks relief from LDC Section 34-2016(1)b, which requires parking spaces to be a minimum of nine (9) feet by 18 feet, to allow a maximum of 88 parking spaces shown on the master concept plan to be designated as compact parking spaces measuring 8.2 feet by 18 feet, is hereby APPROVED subject to the following condition:**
  - a. **The use of compact parking spaces is limited to those areas depicted on the approved master concept plan.**
4. **Deviation (3), which seeks relief from LDC Section 34-2015(2)c, which permits stacking of vehicles only for single-family, duplex, two-family, and townhouse dwelling unit types when each dwelling unit has an appurtenant garage or driveway, to allow stacking of vehicles for multiple-family dwelling units having access to individual garages within the development, is APPROVED subject to the following conditions:**
  - a. **Stacked parking spaces are limited to the garage locations depicted on the Master Concept Plan attached hereto as Exhibit "B."**
  - b. **Each set of stacked parking spaces must be assigned to the same rental unit within the multiple-family development.**
5. **The terms and conditions of the original zoning resolution and subsequent amendments thereto remain in full force and effect, except as amended herein.**
6. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when**

**rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 3/24/2023

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

List of Exhibits

Exhibit A: Legal Description

Exhibit B: Master Concept Plan, Multifamily Tract #1

Exhibit C: Request Narrative and Deviation Justifications

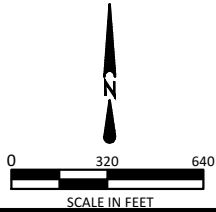
Exhibit D: ADD2020-00129(A) (includes Resolution Z-06-039, ADD2006-00240, ADD2007-00189, ADD2013-00021, and ADD2015-00086)

Exhibit E: Public Information Session Summary

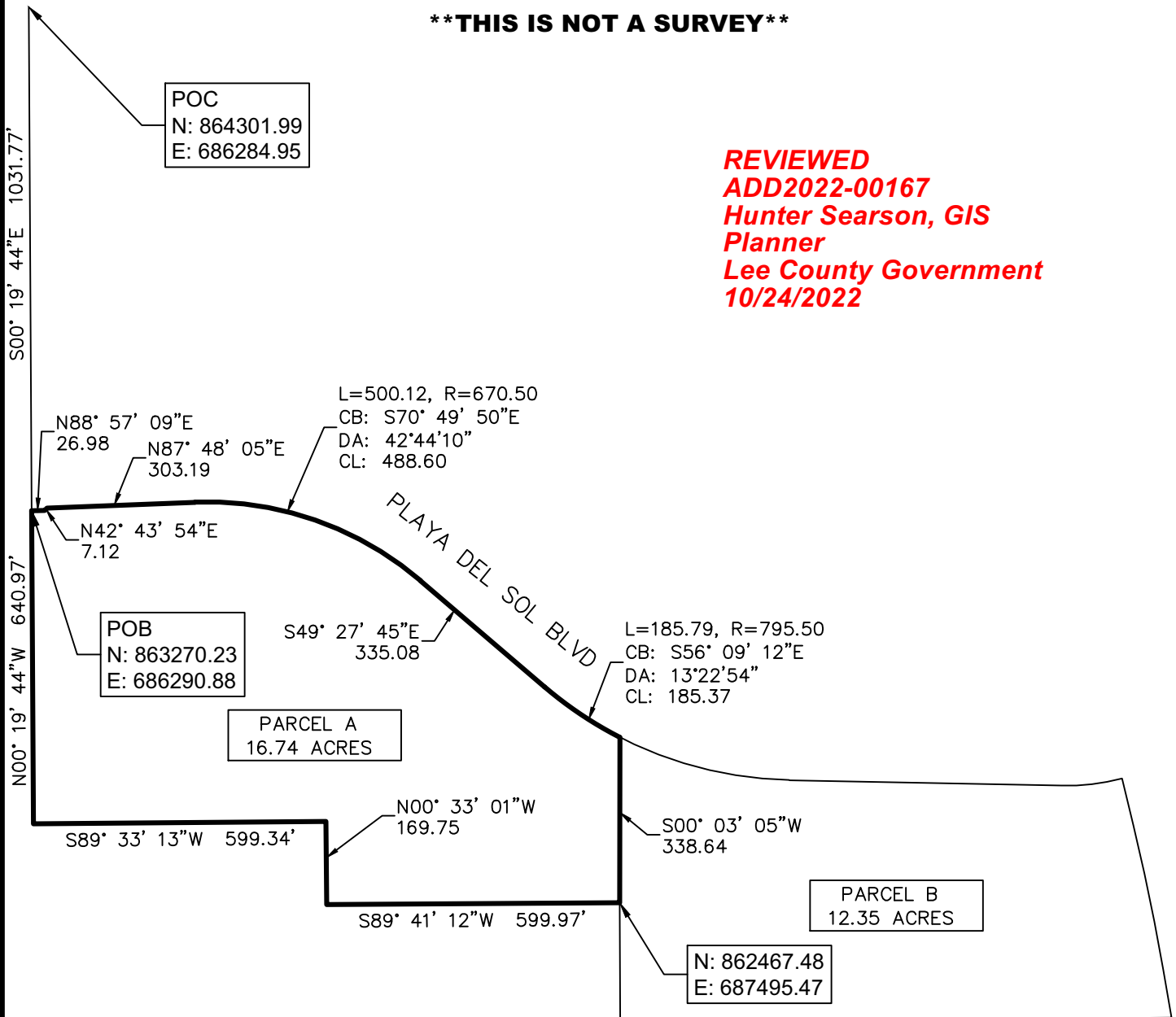
THE ESTATES AT ENTRADA  
OF  
SECTION 27, TOWNSHIP 43 SOUTH,  
RANGE 24 EAST

SKETCH

DATE: 09/02/2021

**\*\*THIS IS NOT A SURVEY\*\***

**REVIEWED**  
**ADD2022-00167**  
**Hunter Searson, GIS**  
**Planner**  
**Lee County Government**  
**10/24/2022**



I CERTIFY THAT THIS SKETCH AND DESCRIPTION WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050 THRU .052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

REVISIONS:

PAGE 1 OF 2

PROJECT NO: N/A  
SCALE: 1"= 320'  
DRAWN BY: JJM  
CHECKED BY: MDM  
DATE DRAWN: 09/02/2021  
FIELD BOOK: 55



**CE-SITE**  
civil engineering . surveying . project management  
EB-30108 • LB-7995  
13650 Fiddlesticks Blvd., PMB202-389  
Fort Myers, Florida 33912  
Telephone (239) 936-9777

THIS MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

Digitally signed  
by Mark D  
McCleary PSM  
Date: 2021.09.08  
20:30:59 -04'00'

MARK D. MCCLEARY, P.S.M.  
FLORIDA REGISTRATION NO. 6557  
FOR THE FIRM LB-7995  
DATE SIGNED: \_\_\_\_\_

THE ESTATES AT ENTRADA  
OF  
SECTION 27, TOWNSHIP 43 SOUTH,  
RANGE 24 EAST

DESCRIPTION

DATE: 09/02/2021

**\*\*THIS IS NOT A SURVEY\*\***

## PARCEL A DESCRIPTION

A TRACT OF PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 27 TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE S 00°19'44" E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION FOR 1031.77 FEET TO AN INTERSECTION WITH THE SOUTHERN RIGHT-OF-WAY LINE OF PLAYA DEL SOL BOULEVARD THE POINT OF BEGINNING; THENCE N 88°57'09" E A DISTANCE OF 26.98 FEET ALONG SAID RIGHT-OF-WAY; THENCE N 42°43'54" E ALONG SAID RIGHT-OF-WAY LINE FOR 7.12 FEET; THENCE N 87°48'05" E A DISTANCE OF 303.19 FEET ALONG SAID RIGHT-OF-WAY TO A TANGENTIAL CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 500.12 FEET, WITH A RADIUS OF 670.50 FEET, WITH A DELTA ANGLE OF 42°44'10", WITH A CHORD BEARING OF S 70°49'50" E, WITH A CHORD LENGTH OF 488.60 FEET; THENCE S 49°27'45" E A DISTANCE OF 335.08 FEET ALONG SAID RIGHT-OF-WAY TO A TANGENTIAL CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 185.79 FEET, WITH A RADIUS OF 795.50 FEET, WITH A DELTA ANGLE OF 13°22'54", WITH A CHORD BEARING OF S 56°09'12" E, WITH A CHORD LENGTH OF 185.37 FEET; THENCE LEAVING SAID RIGHT-OF-WAY S 00°03'05" W A DISTANCE OF 338.64 FEET; THENCE S 89°41'12" W A DISTANCE OF 599.97 FEET; THENCE N 00°33'01" W A DISTANCE OF 169.75 FEET; THENCE S 89°33'13" W A DISTANCE OF 599.34 FEET; THENCE N 00°19'44" W A DISTANCE OF 640.97 FEET TO THE POINT OF BEGINNING;

CONTAINING 729,174.36 SQUARE FEET OR 16.74 ACRES MORE OR LESS.

REVISIONS:

PAGE 2 OF 2

PROJECT NO: N/A  
SCALE: N/A  
DRAWN BY: JJM  
CHECKED BY: MDM  
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EXHIBIT B

TYPICAL TANDEM GARAGE SPACES

ADMINISTRATIVE DEVIATIONS

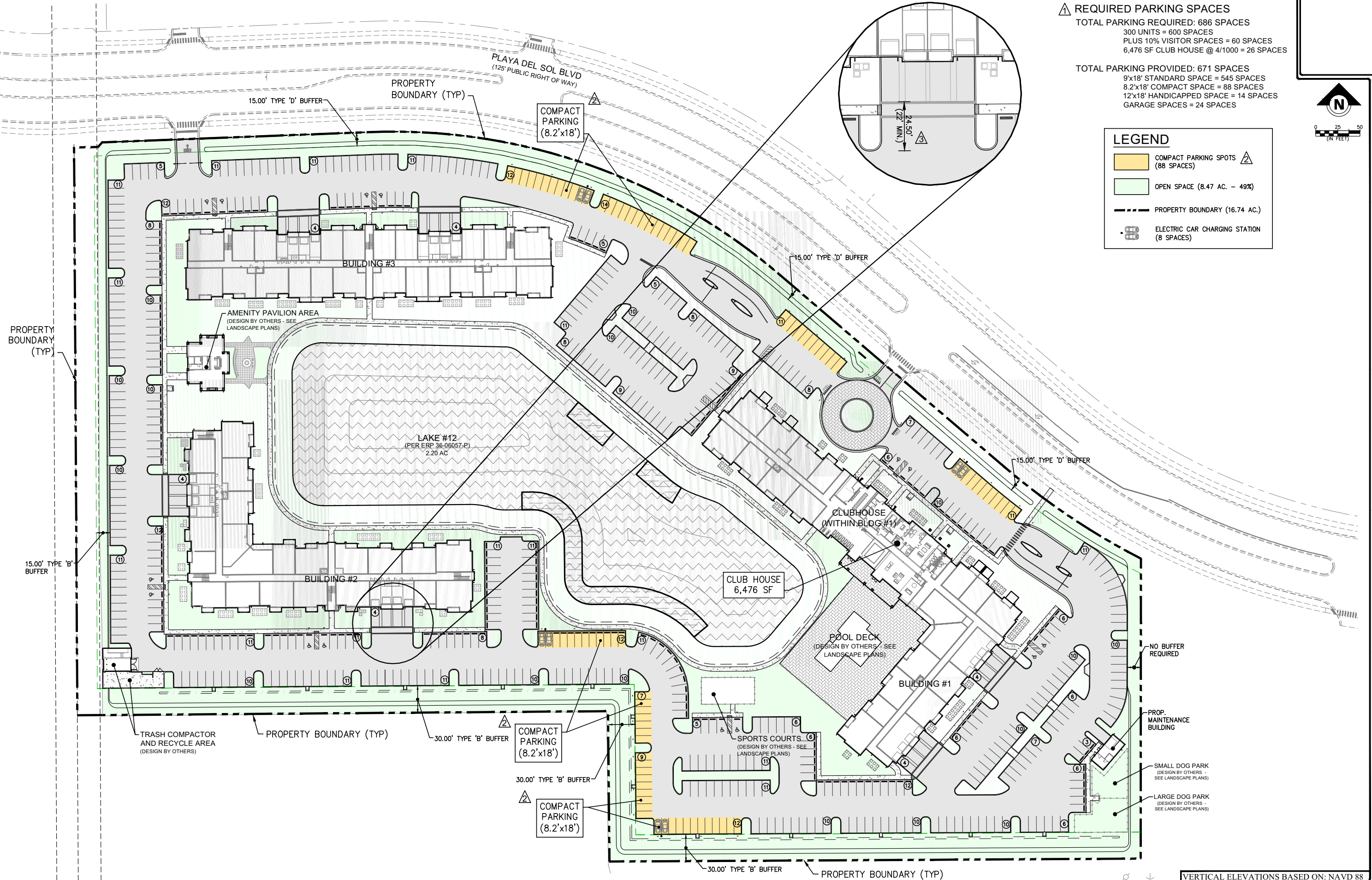
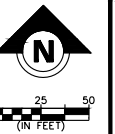
REQUIRED PARKING SPACES

TOTAL PARKING REQUIRED: 686 SPACES  
300 UNITS = 600 SPACES  
PLUS 10% VISITOR SPACES = 60 SPACES  
6,476 SF CLUB HOUSE @ 4/1000 = 26 SPACES

TOTAL PARKING PROVIDED: 671 SPACES  
9'x18' STANDARD SPACE = 545 SPACES  
8.2'x18' COMPACT SPACE = 88 SPACES  
12'x18' HANDICAPPED SPACE = 14 SPACES  
GARAGE SPACES = 24 SPACES

LEGEND

- COMPACT PARKING SPOTS (88 SPACES)
- OPEN SPACE (8.47 AC. - 49%)
- PROPERTY BOUNDARY (16.74 AC.)
- ELECTRIC CAR CHARGING STATION (8 SPACES)



DATE	BY	REVISION DESCRIPTION

AVOLON ENGINEERING, INC.  
2503 DEL PRADO BLVD. S #200  
CAPE CORAL, FLORIDA 33904  
FBPE#3128 (239) 573-2077

ESTATES AT ENTRADA  
TRACT 1  
PLAYA DEL SOL BLVD  
LEE COUNTY, FLORIDA

RPD ADMINISTRATIVE  
AMENDMENT

#21-133/CONST.



## EXHIBIT C

### Estates of Entrada RPD/CPD Administrative Amendment Request Statement

Introduction: The proposed amendment is for the Estates of Entrada RDP/CPD property located at the intersection of Playa Del Sol Boulevard and US 41. The Estates of Entrada Planned Development consists of 4 development areas, one commercial tract, two multi-family tracts, and one single family tract.

The subject Administrative Amendment is for the Multi-family Tract #1, consisting of 16.74 acres, and located on the south side of Playa Del Sol, west of the commercial tract, and east of the single-family development located off DeNavarra Parkway.

This application seeks approval to amend the Master Concept Plan approved by Resolution Z-06-39 and the subsequent amendments that have been obtained since the project was approved, to provide a total of 671 parking spaces for this 300-unit multi-family complex.

To the south of the subject parcel is a mobile home community, to the north across Playa Del Sol Boulevard, to the west and to the east across De Navarra parkway are other parcels that are part of the Estates of Entrada development

Three administrative deviations are requested:

- 1) To obtain administrative approval of a 15-parking space deviate from Lee County's Land Development Code Table 34-2020(a) requiring the following for this development:  
2 parking spaces per unit or  $300 \times 2 = 600$  parking spaces  
10% for guest parking or 60 spaces  
4 spaces per 1000 square feet for a 6,476 square foot clubhouse = 26 spaces  
The Multi-family development requires 686 parking spaces

The applicant is requesting approval of a 15-parking space reduction to provide a total of 671 parking spaces, 2.18 percent reduction to the total parking spaces required for this multi-family development.

- 2) An administrative deviation from Lee County's Land Development Code Section 34-2016(1)b by providing 88 compact car spaces in specific locations within this multi-family development. The compact spaces will be a minimum of 8.2 feet in width.
- 3) An administrative deviate from Lee County's Land Development Code Section 34-2015 (2) c. to have the ability to utilize tandem spaces within this multi-family complex. The tandem spaces are located directly behind the entrance to the individual garages within the buildings. These spaces are designed to be for the residents that have rented the garage space and provide residents with assigned parking spaces adjacent to their garage unit. These types of parking spaces are permitted for townhouses, duplex and two-family units, and single-family home and should be permitted when garage units are provided within a multi-family complex.

Standards for Approval: In accordance with Land Development Code Section 34-174(i)(2)a-g Administrative Amendments to Planned Developments may be approved under the following findings and criteria:

- Does not increase height, density, or intensity of the development.

***The proposed amendment does not increase the height, density, or intensity of the approved master concept plan. The Multi-family Tract 1 was approved for 300 multi-family units at a maximum height of 50 feet. The development order plans provide for 300 units at 4 stories in height 41 feet.***

- Does not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development.

***The subject parcel is within an urban area of Lee County. There is infrastructure in place to serve the Estates of Entrada Development as well as surrounding uses.***

- Does not result in a reduction of total open space provided on the master concept plan by more than ten percent.

***Approving this administrative amendment will allow for more open space than originally specified for this development. This project will provide 47 percent of the site as open space, 7 % more than what was established within the RPD/CPD.***

Does not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code.

***The Estates of Entrada RPD/CPD project is required to provide 52.5 acres of indigenous preservation and will provide 53 acres. This amendment is not proposing to reduce any acres planned for indigenous preservation. None of the indigenous native vegetation preservation area was planned to be provided on the Multi-family Tract 1.***

If changes to the buffer or landscaping areas are proposed, equivalent or better (by comparison with the approved Master Concept Plan) landscaping or buffering is provided.

***No changes to the buffer yards widths or areas are being proposed in this amendment. The Development order plans are consistent with the approved RPD/CPD Master Development Plan.***

Does not adversely impact surrounding land uses.

***The proposed amendment is for a specific design standard for this development only and does not reduce the dimensional setbacks from the adjacent uses.***

Is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request.

***The project with the approval of the parking space deviation is consistent with the County's Lee Plan, Land Development Regulations, and the Planned Development approved for this development.***

Justifications for the deviations requested (#1-3):

671 parking spaces are provided for this development. The parking banks highlighted in yellow have been resized as compact spaces at 8.2' x 18'. A total of 88 compact spaces are provided or 13.1 percent of the total spaces provided are compact spaces which is consistent with the trending increase in the sale of compact and sub-compact cars sold in the U.S. annually and is consistent with the developer's experience with other apartment complexes within Florida.

The Estates of Entrada RPD/CPD established the parking space requirement for the Multi-family Tract as 1.75 parking spaces per unit and 10% for guest parking, or 1.925 per unit. For the proposed 300 Multi-family Tract development a total of 578 parking spaces per the approved RPD/CPD would be required. The subject amendment for this 300-unit MF development is providing a total of 671 spaces or 2.24 parking spaces per unit. 93 more parking spaces then required for the Estates of Entrada development when approved as part of the RPD/CPD.

This development proposes utilizing 88 parking spaces for compact, sub-compact parking and electric charging stations.

Compact cars range in size with all of them under 6' wide by 15'4" long. Sub-Compact cars are 5'8" wide by 14'5" long. Other jurisdictions that permit compact car parking spaces detail the dimensional requirements as 8 feet in width by 15 feet in length. The parking space size that is being provided is 8.2 feet times 18 feet. The compact parking spaces size that is provided within this development is consistent or larger than required by other justifications in Florida.

Port St. Lucie: Compact car parking may be allowed for up to thirty (30) percent of the required spaces. The minimum stall width shall be seven and one half (7.5) feet and the minimum stall length shall be fifteen (15) feet. Compact parking spaces shall be clustered in groups and signed accordingly.

St. Petersburg: Compact parking spaces may be provided for up to 25 percent of the minimum required parking for all uses. Compact parking spaces shall measure eight feet in width by 18 feet in length.

The compact car parking spaces are provided in parking banks, grouped together to provide a designated area and the proper signing for these spaces. According to Bart Demandt at [www.carsalebase.com](http://www.carsalebase.com) 9.5 % of the vehicles sold sub-compact and compact and this trend is increasing due to the increase in gasoline prices. To plan for the functionality of this multi-family development now and into the future, this development is proposing 11.8 percent of the provided parking spaces to be compact and sub-compact spaces or 80 spaces. Some of the compact parking spaces will have an electric charging unit. When these spaces are not used for charging vehicles, they will be available for compact cars.

The sale of electric cars is trending way up according to an article published on August 8, 2022 by Sebastian Blanco for car and driver, <https://www.caranddriver.com/news/a39998609/electric-car-sales-usa/>. An analysis by HIS Markit projects that 25–30 percent of new car sales could be electric by 2030 and then 40–45 percent by 2035. This development proposes to provide 8 electric car parking spaces at the time of construction of this project but will have the ability to expand the number of charging spaces within the compact parking areas.

The most popular electric vehicles are similar in size to compact cars and measure up to 6.3 feet in width. The top selling electric cars for 2021 was provided in an article from Green Cars <https://www.greencars.com/post/top-10-best-selling-electric-cars-in-> and the dimension of these vehicles are:

<b>Tesla Model 3:</b>	185" L x 73" W x 57" H
<b>Tesla Model Y:</b>	187" L x 76" W x 64" H
<b>Chevrolet Bolt EV:</b>	163" L x 70" W x 63" H
<b>EUV:</b>	170" L x 70" W x 64" H

**Ford Mustang Mach-E:** 186" L x 74" W x 64" H  
**Volkswagen ID.4:** 181" L x 73" W x 65" H  
  
**Nissan Leaf:** 176" L x 71" W x 62" H  
**Audi e-tron:** 193" L x 76" W x 66" H  
**Hyundai Kona Electric:** 166" L x 71" W x 61" H  
**Hyundai Ioniq Electric:** 183" L x 74" W x 63" H

These vehicles range in width from 5.83 to 6.33 feet and in length from 14.16 to 16.08 feet.

**EXHIBIT D**

## ADMINISTRATIVE AMENDMENT (PD) ADD2020-00129(A)

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

**NOTE:** This resolution has been amended to revise the dwelling unit type maximums established by Resolution Z-06-039 to reflect the conversion of townhome units to single-family dwelling units as outlined in the Trip Generation Comparison Memorandum attached hereto as Exhibit "G." Revisions are noted in underlined text.

WHEREAS, Dan DeLisi, DeLisi, Inc., on behalf of Paul Hardy, Angel Aramis, LLC filed an application for an administrative amendment to the RPD-zoned portion of the Estates at Entrada Residential and Commercial Planned Development (RPD/CPD) to amend the approved Master Concept Plan by reconfiguring internal development tracts and by modifying the alignment to the approved spine road; to modify the mix of approved dwelling unit types; to amend the approved Property Development Regulations; and to amend certain conditions of approval to facilitate development on property generally located south of Playa del Sol Boulevard and west of De Navarra Parkway, North Fort Myers; and

WHEREAS, the applicant has indicated that the property's current STRAP number is 28-43-24-00-00001.0000 (see Exhibit "A"); and

WHEREAS, the property was originally rezoned by Resolution Z-06-039 and was subsequently amended by ADD2006-00240, ADD2007-00189, ADD2013-00021 and ADD2015-00086; and

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

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

WHEREAS, the applicant has filed a request to amend the approved Master Concept Plan for the planned development to reconfigure the layout of internal development tracts and modify the alignment of the existing spine road serving the development (see Exhibit "B"); and

WHEREAS, the aforementioned modifications to the approved Master Concept Plan do not impact previously approved upland buffer areas or established conservation easements on the property; and

WHEREAS, the applicant also proposes to amend the Master Concept Plan to convert Townhome Tracts #1 and #2 to single-family development tracts and reclassify Multi-Family Tract #2 to Townhouse Tract #3 consistent with past zoning and development order approvals (see Exhibit "B"); and

WHEREAS, ADD2015-00086 approved, in part, the reclassification of Townhome Tract #3 to Multi-Family Tract #2 (see Exhibit "G"); and

WHEREAS, the applicant has provided a memorandum describing the impact of the proposed modifications to the dwelling unit mix within the development on the overall trip generation for the development (see Exhibit "F"); and

WHEREAS, Development Services staff reviewed the request and offered no objection or comment to the proposed modifications to the dwelling unit mix; and

WHEREAS, the applicant also proposes to amend the Master Concept Plan for the development to adjust the alignment of the spine road serving the development and to remove the connection of the spine road to the property to the west (see Exhibit "B"); and

WHEREAS, the property to the west is held in conservation by Lee County, and no development that would facilitate a future right-of-way connection through the property is contemplated for this property; and

WHEREAS, the Lee County Department of Transportation (DOT) reviewed the request and offered no objection to the elimination of the proposed connection; and

WHEREAS, the applicant also proposes to amend the Master Concept Plan to depict the location of an existing Bald Eagle nest and the associated nest buffers (see Exhibit "B"); and

WHEREAS, a Bald Eagle Management Plan for the existing Bald Eagle nest was approved by the Board of County Commissioners in May of 2020 (see Exhibit "D"); and

WHEREAS, the approved Bald Eagle Management Plan includes an out-of-date version of a development plan for the subject property that is not consistent with the proposed Master Concept Plan; and

WHEREAS, the applicant has provided a memorandum indicating that the development plan attached to the approved Bald Eagle Management Plan included 27 single-family homes and one amenity site within the 330-foot and 660-foot buffer zones associated with the existing Bald Eagle nest (see Exhibit "E"); and

WHEREAS, the memorandum indicates that the proposed Master Concept Plan includes 30 single-family homes with no amenity site, which can be considered a net benefit through the elimination of the amenity center; and

WHEREAS, Environmental Planning staff has reviewed this analysis and recommends a condition of approval to ensure compliance with the Bald Eagle Management Plan; and

WHEREAS, the applicant has also filed a request to amend the site development regulations approved by Resolution Z-06-039, as amended by ADD2006-00240 and ADD2007-00189, to reduce the lot area, lot width, and waterbody setbacks applicable to certain single-family residential lots and to clarify a footnote relating to accessory structure setbacks (see Exhibit "C"); and

WHEREAS, the applicant proposes revisions to certain conditions of Resolution Z-06-039, as amended, to reflect the proposed modifications to the Master Concept Plan; and

WHEREAS, the subject property is located in the North Fort Myers Community Plan area as designated by the Lee Plan; and

WHEREAS, LDC Section 33-1532 requires an applicant seeking an amendment to a planned development or approval of a local development order to conduct a public information session within the North Fort Myers Community Plan area prior to approval or a finding of sufficiency; and



WHEREAS, the applicant has not conducted a public information session or furnished the required meeting summary document in compliance with LDC Section 33-1532 for the subject request; and

WHEREAS, a concurrent application for local development order approval has been filed for the subject property (DOS2021-00023), and the applicant will be required to conduct a public information session regarding the subject amendment to the planned development and the aforementioned application for local development order prior to approval; 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.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the RPD-zoned portion of the Estates at Entrada Residential and Commercial Planned Development (RPD/CPD) to amend the approved Master Concept Plan by reconfiguring internal development tracts and by modifying the alignment to the approved spine road; to modify the mix of approved dwelling unit types; to amend the approved Property Development Regulations; to reflect the presence of a Bald Eagle nest on the property; and to modify certain conditions of approval is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the Master Concept Plan entitled Estates of Entrada, prepared by Banks Engineering, dated August 26, 2020, last revised February 18, 2021, a copy of which is attached hereto as Exhibit "B."**
2. **The RPD-zoned portion of this project is limited to a maximum of 646 single-family homes, 325 townhomes, and 300 multiple-family dwelling units.**
3. **Condition 2.b. of Resolution Z-06-039, as amended by ADD2006-00240 and ADD2007-00189, are hereby amended and superseded by the Property Development Regulations attached hereto as Exhibit "C."**
4. **Condition 9 of Resolution Z-06-039 is hereby amended and superseded as follows:**  
  
As part of the approved local development order for this development, the developer must provide for a six-foot wide pedestrian/bike path parallel to and along both sides of the spine roads from the north connection to Entrada PDP south to the intersection of the east/west connector road to U.S. 41. ~~The remaining portion of the spine road, south of the intersection of the east/west connector road to U.S. 41 and the entire length of the east/west connector road, shall provide a six (6) foot pedestrian/bike path parallel to and along one side of the road.~~
5. **Condition 10 of Resolution Z-06-039 is hereby deleted.**
6. **Prior to local development order approval, the 660-foot bald eagle protection zone must be shown on the engineer and landscape plans. The development order must incorporate bald eagle protection measures outlined in the approved The Estates at**

**Entrada Bald Eagle Management Plan for Bald Eagle Nest Tree B dated Revised March 2020, a copy of which is attached hereto as Exhibit "D."**

- 7. A public information session advertised and conducted in accordance with LDC Section 33-1532 must be held, and a public information meeting summary document prepared in accordance with LDC Section 33-1532 must be submitted to the Zoning Manager within 60 calendar days of approval of this administrative amendment. Failure to conduct the required public information meeting or failure to submit the required meeting summary document will result in revocation of this approval.**
- 8. The terms and conditions of the original zoning resolution and subsequent amendments thereto remain in full force and effect, except as amended herein.**
- 9. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 3/22/2021

Anthony R. Rodriguez, AICP, Zoning Manager

List of Exhibits

Exhibit A: STRAP Number  
Exhibit B: Master Concept Plan  
Exhibit C: Property Development Regulations  
Exhibit D: Approved Bald Eagle Management Plan  
Exhibit E: Bald Eagle Management Plan Analysis Memorandum  
Exhibit F: Trip Generation Comparison Memorandum  
Exhibit G: ADD2015-00086 (includes Resolution Z-06-039, ADD2006-00240, ADD2007-00189, and ADD2013-00021)

**EXHIBIT A**

CASE NUMBER: ADD2020-00129

STRAP NUMBER

28-43-24-00-00001.0000

**REVIEWED**  
**ADD2020-00129**  
**Daniel Munt, Planner**  
**Lee County DCD**  
**10/9/2020**



EXHIBIT B

PA  
LEE COUNTY  
CONSERVATION  
LAND USE

100' RIGHT-OF-WAY EASEMENT  
SEMINOLE ELECTRIC CORPORATION, INC.

100' RIGHT-OF-WAY EASEMENT  
SEMINOLE ELECTRIC CORPORATION, INC.

EAGLE  
NEST

100' EASEMENT  
LEE COUNTY ELECTRIC COOPERATIVE, INC.

TYPE "B" BUFFER, MIN.

10 MODEL  
UNITS WITH  
TEMPORARY  
PARKING LOT

REC. AREA  
0.32 AC

LAKE 15  
0.53 AC  
12' DEEP

TOWNHOUSE  
TRACT #3

LAKE 11  
7.03 AC  
20' DEEP

MULTIFAMILY  
TRACT #1

TYPE "C" OR "F" BUFFER REQUIRED

TYPE "C" OR "F" BUFFER REQUIRED

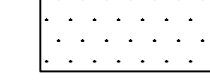
CPD  
TRACT

TYPE "C" OR "F" BUFFER REQUIRED

LEGEND



DEVIATION



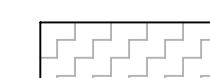
WETLAND PRESERVE



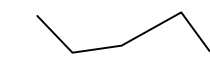
UPLAND BUFFER



CONSERVATION EASEMENT



SINGLE FAMILY LOTS ≥ 6500 SF



INDIGENOUS CREDIT BOUNDARY LINE



LAKES



SINGLE FAMILY TRACTS

OPEN SPACE CALCULATIONS

OPEN SPACE REQUIRED  
RESIDENTIAL PROJECT AREA – 40% (REQUIRED) \*  
COMMERCIAL PROJECT AREA – 30% (REQUIRED)  
\* NOT APPLICABLE TO SINGLE-FAMILY LOTS 6500 SF OR GREATER

TOTAL RESIDENTIAL AREA = 292.91 AC (PROPERTY AREA) – 12.35 AC (COMMERCIAL AREA)  
= 280.56 AC  
RESIDENTIAL AREA (LOTS ≥ 6500 SF) = 27.28 AC  
RESIDENTIAL AREA FOR OPEN SPACE = 253.28 AC

OPEN SPACE REQUIRED  
= (253.28 AC RESIDENTIAL X 40%) + (12.35 AC COMMERCIAL X 30%)  
= 101.31 AC + 3.71 AC  
= 105.02 AC \*\*

\*\* 50% OF OPEN SPACE REQUIREMENTS MUST BE INDIGENOUS NATIVE VEGETATION

REQUIRED INDIGENOUS NATIVE VEGETATION = 105.02 AC X 50% = 52.51 AC

INDIGENOUS NATIVE VEGETATION BREAKDOWN

WETLAND PRESERVE 22.74 AC  
UPLAND BUFFER 21.51 AC  
TOTAL AREA INDIGENOUS NATIVE VEGETATION: 44.25 AC  
TOTAL INDIGENOUS NATIVE VEGETATION (WITH CREDITS) 53.02 AC

PROPOSED OPEN SPACE

TOTAL INDIGENOUS NATIVE VEGETATION 44.25 AC  
LAKE (25% OF TOTAL OPEN SPACE REQ.) = .25 X 102.73 AC 25.68 AC  
LANDSCAPE AREA/COMMON OPEN SPACE/GREEN SPACE 35.61 AC  
DRAINAGE DITCHES (25% OF AREA) – 0.25 X 2.35 AC 0.59 AC  
UTILITY EASEMENT AREA (OVERHEAD POWER LINES) 15.95 AC  
TOTAL: 122.08 AC

TOTAL OPEN SPACE PROVIDED = 122.08 AC  
TOTAL OPEN SPACE REQUIRED = 105.02 AC

NOTE: INDIGENOUS PRESERVE LINES SHOWN ARE CONSISTENT WITH EXHIBIT "D"  
OF THE APPROVED RESOLUTION Z-06-039, ADD2007-00189.

PROJECT LAND USE

PROJECT AREA: 292.91 AC  
TRACT AREA TOTAL:  
COMMERCIAL = 12.3 AC  
MULTI-FAMILY TRACT #1 = 16.4 AC  
MULTI-FAMILY TRACT #2 = 21.7 AC  
SINGLE FAMILY TRACTS = 89.4 AC

DWELLING UNIT BREAKDOWN

MULTI-FAMILY TRACT #1 = 300 UNITS  
TOWNHOUSE TRACT #3 = 325 UNITS  
SINGLE FAMILY TRACTS = 646 UNITS  
COMMERCIAL LAND USE  
COMMERCIAL = 30,000 SF RETAIL  
140,000 SF OFFICE/WAREHOUSE

FLOOD ZONE

PARCEL LIES IN FLOOD ZONES AE (EL 16), AE (EL 17), AE (EL 18), AND X PER  
FLOOD INSURANCE PANEL 12071C0259F APPROVED 8/28/2008.

DENSITY

DENSITY = NUMBER DWELLING UNITS / TOTAL ACREAGE  
= 1419 UNITS / 292.91 AC = 4.84 UNITS PER ACRE

OWNER:  
ANGEL ARAMIS, L.L.C.  
3845 BECK BOULEVARD  
NAPLES, FL 34114

NO.	DATE	REVISION DESCRIPTION	BY
4	2/18/2021	ADDED CONSERVATION EASEMENT HATCH	SDJ
3	11/24/2020	ADDED 330' EAGLE RADIUS	TRL
2	11/20/2020	RENAMED TOWNHOUSE TRACT #3	EMH
1	10/29/2020	ADD TOWNHOME TRACT #2	TRL

**BANKS**  
**ENGINEERING**  
Professional Engineers, Planners, & Land Surveyors  
Serving The State Of Florida

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

MASTER CONCEPT PLAN  
ESTATES OF ENTRADA  
FT. MYERS, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/26/2020	ENTRADA		EMH	EMH	EMH		1 OF 1



## EXHIBIT C

b. Site Development Regulations

ESTATES AT ENTRADA RPD/CPD PROPERTY DEVELOPMENT REGULATIONS												
LAND USE	Minimum Lot Area sq. ft.	Minimum sq ft per unit	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage %	Minimum Setbacks (ft)					Max. Height (ft)	Stories
						Street	Side	Rear	Water	Preserve		
RESIDENTIAL												
Townhouse (Tract #3)	3,000	1,200	16	65	65	13 <sup>(6)(8)</sup>	5 <sup>(3)</sup> /0 <sup>(2)</sup>	20/12 <sup>(7)</sup> & 5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(4)</sup>	35	3
Multiple-family (Tract #1)	10,000	2,000	100	100	45	20 <sup>(6)</sup>	15	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(4)</sup>	50 <sup>(6)</sup>	5
Single-family	54,000	----	50/40	100	55	20 <sup>(6)</sup>	5	15/5 <sup>(1)</sup>	25/20/40 <sup>(1)</sup>	20 <sup>(4)</sup>	35	3
Single-family	6,500	----	65	100	45	20 <sup>(6)</sup>	5	15/5 <sup>(1)</sup>	25/20/40 <sup>(1)</sup>	20 <sup>(4)</sup>	35	3
COMMERCIAL												
CPD Tract	20,000	----	100	100	45	20 <sup>(6)</sup>	10/0 <sup>(2)</sup>	20/5 <sup>(1)</sup>	----	20 <sup>(4)</sup>	35	3
RECREATIONAL FACILITIES												
Recreational Facilities, Private On-site (Amenity area)	10,000	----	80	90	45	20 <sup>(6)</sup>	5	5	10 <sup>(1)</sup>	20 <sup>(4)</sup>	35	3

## Footnotes:

- (1) Accessory structures - No accessory structures may be located in a buffer. Lake tracts will include a 20' Lake Maintenance easement, as measured from the control elevation of the lake outside of individual residential parcels.
- (2) Interior side only
- (3) Exterior side only, with minimum building separation of 10 feet
- (4) Preserve Setbacks: Principal and accessory structures must be setback a minimum of 20 feet from the preserves.
- (5) Multiple-family dwelling units located on multiple-family Tract #1, within 75 feet of Leesure Village Recreational Vehicle park and Leesure Village Mobile home Park, will be limited to a maximum height of 35 feet.
- (6) All other streets in accordance with Section 34-2192(a) of the Land Development Code
- (7) For those lots in Townhouse Tract #3, abutting the canal on the west, the minimum rear setback will be 12 feet, as shown on a sketch attached hereto as EXHIBIT C.
- (8) For those lots in Townhouse Tract #3, the minimum front setback will be 13 feet, for those units without garages, as shown on a sketch attached hereto as EXHIBIT C.

## EXHIBIT D

**THE ESTATES AT ENTRADA  
BALD EAGLE MANAGEMENT PLAN  
for  
Bald Eagle Nest Tree B  
Lee County, Florida**

**Revised March 2020**

Prepared For:

***Angel Aramis LLC***  
*3845 Beck Boulevard*  
*Naples, Florida 34114*  
*(239) 593-3883*

Prepared By:

***Passarella & Associates, Inc.***  
*13620 Metropolis Avenue, Suite 200*  
*Fort Myers, Florida 33912*  
*(239) 274-0067*



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## 1.0 INTRODUCTION

This Bald Eagle Management Plan (BEMP) has been prepared for The Estates at Entrada (Project) located in Sections 27 and 28, Township 43 South, Range 24 East, Lee County (Exhibit 1). The Project site totals 292.90± acres and is located west of Tamiami Trail (U.S. 41) between Del Prado Boulevard and Littleton Road in North Fort Myers. The site is bordered by the Villages of Entrada residential community and commercial property to the north, Lee County District School Board property and multiple residential communities to the south, undeveloped forested land and commercial property to the east, and Lee County 20/20 Yellow Fever Creek Preserve to the west.

The Project consists of a fully permitted mixed-use residential/commercial development with associated infrastructure and surface water management system. The residential component of the Project consists of single- and multi-family dwellings. The Project has been issued South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) No. 36-06057-P, U.S. Army Corps of Engineers (Corps) Permit No. SAJ-02005-8762, and Lee County Development Order (DO) No. DOS2006-00145. Site clearing and construction of the Project's infrastructure and surface water management system was completed in the eastern portion of the site prior to April 2010 in accordance with these authorizations; however, the Project was suspended shortly thereafter due to economic constraints. DO No. DOS2014-00090 was later issued by Lee County for an update to the multi-family tract and town home tract in the eastern portion of the site.

Lee County previously requested that the applicant submit a BEMP prior to initiating clearing and development activities within a 660-foot radius of two undocumented bald eagle (*Haliaeetus leucocephalus*) nest trees identified within the Project limits. A BEMP was prepared by the applicant in May 2019 for the nest trees (Nest Trees A and B) which was subsequently reviewed by the Eagle Technical Advisory Committee (ETAC) on June 11, 2019. Since the June 11, 2019 ETAC meeting, Nest Tree A has been determined to be a "lost nest" according to the standards set forth in the Lee County Land Development Code (LDC) and Lee County Ordinance No. 08-25. As such, this BEMP has been updated to remove management activities previously proposed for Nest Tree A. The nest history for both trees is provided in Section 5.0 below and has been updated to reflect the status of Nest Tree A.

## 2.0 EXISTING SITE CONDITIONS

Site clearing and construction of the Project's infrastructure and surface water management system was completed in the eastern portion of the site prior to April 2010. This area includes approximately 86.34 acres and is identified as "Previously Developed" on Exhibit 2. The balance of the approved development footprint includes 163.53± acres and consists primarily of undeveloped pine forest and melaleuca habitat types with scattered herbaceous uplands and wetlands. The remaining 43.03± acres within the Project site includes preserve areas that were previously placed under conservation easement in accordance with SFWMD and Corps permit requirements. The preserve areas contain a mosaic of native forested and herbaceous upland and wetlands that have been routinely treated for exotic vegetation. The location of the preserve areas are depicted on Exhibit 3.

### 3.0 HABITAT INVENTORY AND MAPPING

The vegetation and land use mapping for the Project was originally conducted by Passarella & Associates, Inc. (PAI) in 2003. Groundtruthing to update the vegetative communities was conducted in February 2017. The vegetative communities and land uses were classified using the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Level III (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote disturbances and hydrologic conditions. “E” codes were used to identify levels of exotic and invasive vegetation such as Brazilian pepper (*Schinus terebinthifolius*) and melaleuca (*Melaleuca quinquenervia*). AutoCAD Map 3D 2017 was then used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map for the Project (Exhibit 2). A summary of the existing FLUCFCS codes is provided below.

#### Previously Developed (FLUCFCS Code 100)

This land use designation includes an area of the Project site that was previously cleared and developed prior to April 2010.

#### Palmetto Prairie, Disturbed (0-24% Exotics) (FLUCFCS Code 3219 E1)

The canopy is open with slash pine (*Pinus elliottii*) and melaleuca. The sub-canopy vegetation includes slash pine, melaleuca, wax myrtle (*Morella cerifera*), rusty lyonia (*Lyonia ferruginea*), and Brazilian pepper. The ground cover includes bottlebrush three awn (*Aristida spiciformis*), flat-topped goldenrod (*Euthamia minor*), saw palmetto (*Serenoa repens*), broomsedge (*Andropogon virginicus*), melaleuca, and beautyberry (*Callicarpa americana*).

#### Palmetto Prairie, Disturbed (25-49% Exotics) (FLUCFCS Code 3219 E2)

This upland habitat type is similar to FLUCFCS Code 3219 E1, except with higher concentrations of melaleuca and Brazilian pepper in the sub-canopy.

#### Palmetto Prairie, Disturbed (50-75% Exotics) (FLUCFCS Code 3219 E3)

This upland habitat type is similar to FLUCFCS Code 3219 E2, except with higher concentrations of melaleuca and Brazilian pepper in the sub-canopy.

#### Pine Flatwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 4119 E2)

The canopy vegetation includes slash pine and cabbage palm (*Sabal palmetto*). The sub-canopy includes melaleuca, Brazilian pepper, wax myrtle, rusty lyonia, and scattered dahoon holly (*Ilex cassine*). The ground cover includes saw palmetto, wiregrass (*Aristida stricta*), bahiagrass (*Paspalum notatum*), caesarweed (*Urena lobata*), and muscadine grapevine (*Vitis rotundifolia*).

#### Pine Flatwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 4119 E3)

This upland habitat type is similar to FLUCFCS Code 4119 E2, except with higher concentrations of melaleuca and Brazilian pepper in the sub-canopy.

#### Pine Flatwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 4119 E4)

This upland habitat type is similar to FLUCFCS Code 4119 E3, except with higher concentrations of melaleuca and Brazilian pepper in the sub-canopy.

Pine, Disturbed (76-100% Exotics) (FLUCFCS Code 4159 E4)

The canopy vegetation includes slash pine and cabbage palm. The sub-canopy includes melaleuca, Brazilian pepper, wax myrtle, rusty lyonia, and scattered dahoon holly. The ground cover includes wiregrass, bahiagrass, caesarweed, muscadine grapevine, and widely scattered saw palmetto.

Melaleuca (FLUCFCS Code 424)

The canopy is dominated by melaleuca and contains scattered slash pine. The sub-canopy consists of melaleuca and cabbage palm. The ground cover vegetation is open with scattered saw palmetto and muscadine grapevine.

Melaleuca, Hydric (FLUCFCS Code 4241)

The canopy is dominated by melaleuca and includes scattered slash pine and cabbage palm. The sub-canopy includes melaleuca, slash pine, cabbage palm, and wax myrtle. The ground cover is dominated by melaleuca with yellow-eyed grass (*Xyris* sp.), rush fuirena (*Fuirena scirpoidea*), gulfdune paspalum (*Paspalum monostachyum*), and scattered saw palmetto.

Wax Myrtle/Willow, Hydric (0-24% Exotics) (FLUCFCS Code 4291 E1)

The canopy is mostly open with scattered cabbage palm. The sub-canopy includes wax myrtle and willow (*Salix caroliniana*), with scattered melaleuca and Brazilian pepper. The ground cover includes pickerelweed (*Pontederia cordata*), arrowhead (*Sagittaria lancifolia*), sawgrass (*Cladium jamaicense*), yellow-eyed grass, beaksedge (*Rhynchospora microcarpa*), inundated beaksedge (*Rhynchospora inundata*), and rush (*Juncus megacephalus*).

Wax Myrtle/Willow, Hydric (50-75% Exotics) (FLUCFCS Code 4291 E3)

This wetland habitat is similar to FLUCFCS Code 4291 E1, except with higher concentrations of melaleuca and Brazilian pepper in the sub-canopy.

Ditch (FLUCFCS Code 514)

The canopy is open. The sub-canopy vegetation includes scattered willow and melaleuca. The ground cover includes torpedograss (*Panicum repens*), cattail (*Typha* sp.), and West Indian marsh grass (*Hymenachne amplexicaulis*).

Wet Prairies, Disturbed (0-24% Exotics) (FLUCFCS Code 6439 E1)

The canopy is open. The sub-canopy vegetation consists of scattered melaleuca. The ground cover includes wiregrass, bottlebrush three awn, longleaf three awn (*Aristida affinis*), rush fuirena, yellow-eyed grass, sawgrass, and corkwood (*Stillingia aquatica*).

Wet Prairies, Disturbed (25-49% Exotics) (FLUCFCS Code 6439 E2)

This wetland habitat is similar to FLUCFCS Code 6439 E1, except with higher concentrations of melaleuca in the sub-canopy.

Disturbed Land, Hydric (FLUCFCS Code 7401)

The canopy and sub-canopy are open with scattered Brazilian pepper and cabbage palm. The ground cover includes swamp fern (*Telmatoblechnum serrulatum*), rosy camphorweed (*Pluchea rosea*), yellow-eyed grass, Asiatic pennywort (*Centella asiatica*), bushy bluestem (*Andropogon glomeratus*), and goldenrod (*Solidago* sp.).

Borrow Area (FLUCFCS Code 742)

These open water habitats include areas of emergent and littoral vegetation including cattail, pickerelweed, arrowhead, and spikerush (*Eleocharis interstincta*).

Spoil Area (FLUCFCS Code 743)

The canopy and sub-canopy of this land use are open. The ground cover includes Brazilian pepper.

Primitive Road (FLUCFCS Code 814)

The canopy, sub-canopy, and ground cover of this land use are absent.

Electrical Power Transmission Line Easement (FLUCFCS Code 832)

The canopy and sub-canopy are open. The ground cover includes bahiagrass, caesarweed, wiregrass, and muscadine grapevine.

Electrical Power Transmission Line Easement, Hydric (FLUCFCS Code 8321)

The canopy and sub-canopy are open. The ground cover includes torpedograss, little blue maidencane (*Amphicarpum muhlenbergianum*), frogfruit (*Phyla nodiflora*), bushy bluestem, and camphorweed (*Pluchea camphorata*).

#### **4.0 BALD EAGLE BIOLOGY AND PROTECTION**

The following information on the biology of the bald eagle is excerpted from the South Florida Multi-Species Recovery Plan (U.S. Fish and Wildlife Service (USFWS) 1999).

Bald eagles are considered a water-dependent species typically found near estuaries, large lakes, reservoirs, major rivers, and some seacoast habitats (Robards and King 1966, King *et al.* 1972, Weekes 1974, Whitfield *et al.* 1974, Gerrard *et al.* 1975, Grier 1977, Anthony and Isaacs 1989, Wood *et al.* 1989). Their distribution is influenced by the availability of suitable nest and perch sites near large, open water bodies, typically with high amounts of water-to-land edge. Bald eagles demonstrate a remarkable ability to tolerate perturbations to their habitat throughout their range.

Their adaptability to a variety of habitat conditions makes generalizations about habitat requirements and nesting behavior difficult. Though variable, eagles have basic habitat requirements that must be met in order to successfully reproduce and survive during the winter or non-nesting season. Florida bald eagle nests are constructed in dominant or co-dominant living pines (*Pinus* spp.) or bald cypress and are often located in the ecotone between forest and marsh or water (McEwan and Hirth 1979). Approximately ten percent of eagle nests are located in dead pine trees, while two to three percent occur in other species such as Australian pine (*Casuarina equisetifolia*) and live oak (*Quercus virginiana*). The stature of nest trees decreases from north to south (Wood 1987, Wood *et al.* 1989) and in extreme Southwest Florida, eagles' nest in black mangroves (*Avicennia germinans*) and red mangroves (*Rhizophora mangle*), half of which are snags (Curnutt and Robertson 1994). Nest trees in South Florida are smaller and shorter than reported elsewhere; however, comparatively they are the largest trees available (Wood *et al.* 1989, Hardesty 1991). The small size of nest trees in South Florida relative to other nest sites throughout the eagle's range is due to the naturally smaller stature



of slash pine, loblolly pine (*P. taeda*), longleaf pine (*P. palustris*), and sand pine (*P. clausa*) in South Florida and to the lack of pines in extreme Southern Florida.

Bald eagles are monogamous and annual courtship behavior reinforces pair bonds (Palmer 1988). Pair bond formation includes dramatic pursuit flights, high soaring, talon locking, and cartwheeling (Johnsgard 1990). Eagles may also fly around the perimeter of their nesting areas, visually communicating their presence and further establishing their territories. Pair bond behavior, as well as territory establishment and defense, probably occur concurrently throughout much of the eagle's range. Successful pair bond ultimately leads to nest site selection and nest construction for newly formed pairs or established pairs without nests. Pairs that have previously nested may repair established nests or construct an alternate nest concurrent with copulation.

Nesting activities generally begin in early September in South Florida, with egg-laying occurring as early as late October and peaking in the latter part of December. Incubation may be initiated from as early as October through as late as March, depending upon latitude. Clutches usually consist of one or two eggs, but occasionally three or four are laid. Incubation takes approximately 35 days and fledging occurs within 10 to 12 weeks of hatching. Parental care may extend 4 to 6 weeks after fledging, even though young eagles are fully developed and may not remain at the nest after fledging (USFWS 1989).

The Florida Fish and Wildlife Conservation Commission (FWCC) documented 88 active bald eagle nesting territories in Florida during their initial surveys of this species in 1973; by 1987, that number had increased to 391 active territories when the USFWS implemented the Habitat Management Guidelines for the Bald Eagle in the Southeast Region (Guidelines) (USFWS 1987). By 1999, the 1,000-breeding pair recovery goal for Florida had been achieved; and had increased to 1,511 breeding pairs (Brush *et al.* 2012) by 2012. Peterson and Robertson (1978) reported that historic numbers of breeding pairs of bald eagles in Florida were likely "in excess of 1,000 breeding pairs."

The bald eagle was a federally and state listed "threatened" species that had been protected since the mid-1970s under the Endangered Species Act of 1973 and Chapter 68A-27.004, Florida Administrative Code. Management and recovery efforts for the species generally have included actions to improve reproductive success and survival by 1) reducing levels of persistent organochlorine pesticides, such as Dichlorodiphenyltrichloroethane (i.e., DDT), occurring in the environment; and 2) habitat protection. Habitat protection measures in Florida primarily have focused on the protection of nesting territories through the implementation of the 1987 Guidelines. Recovery goals for the bald eagle have been achieved as a result of these and related management actions throughout the United States, and the USFWS subsequently published a proposed rule in July 1999 to remove the bald eagle in the lower 48 states from the list of Threatened or Endangered wildlife. The bald eagle was subsequently delisted by the federal government in August 2007 and by the State of Florida in April 2008. The Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act provide continued federal protection for bald eagles. State Rule 68A-16.002 establishes rules for the continued protection and conservation of eagles in Florida.

## 5.0 NEST HISTORY AND OBSERVATIONS

### Nest Tree A

Nest Tree A is a slash pine tree approximately 55 feet in height that was first documented in February 2017. The nest was documented as active at the time (i.e., utilized by an adult bald eagle). The location of Nest Tree A is depicted on Exhibit 2.

During a site visit in February 2019, no nest was found in Nest Tree A. In addition, no bald eagles were observed utilizing the nest tree in February 2019 or during follow-up site visits conducted in March, April, October, and November 2019. A photograph of Nest Tree A taken on April 29, 2019 is included in Exhibit 4.

Based on the sequence of events, it can be deduced that the nest in Nest Tree A was likely blown out of the tree by Hurricane Irma in September 2017. Therefore, the nest in Nest Tree A has been absent from the tree for the past three nesting seasons (i.e., 2017-2018, 2018-2019, and 2019-2020) and is considered a “lost nest” since it was not rebuilt before February 15, 2020.

A request for a “lost nest” determination was submitted to ETAC by the applicant via letter dated January 16, 2020. ETAC voted to approve a “lost nest” determination for Nest Tree A during their March 10, 2020 meeting.

### Nest Tree B

Nest Tree B was first documented in February 2019. Nest Tree B is approximately 1,050 feet northeast of Nest Tree A and consists of a slash pine approximately 45 feet tall. The location of Nest Tree B is depicted on Exhibits 2 and 3. The nest observed in this tree was small and partially dilapidated. In addition, numerous sticks were present at the base of the tree. No bald eagles were observed utilizing Nest Tree B or its nest.

Later that month, on February 21, 2019, additional observations of this nest were conducted. At that time, a first-year eaglet was observed perched on the edge of the nest. Two adult bald eagles were observed flying to and perched on electrical power transmission lines west of Nest Tree B; however, the adult eagles were not observed utilizing Nest Tree B or its nest.

During observations conducted in March 2019, no bald eagle activity was observed in or around Nest Tree B. Additional observations conducted in April, October, and November 2019 confirmed that the nest was no longer present in the tree and no bald eagle activity was observed in or around Nest Tree B at that time. Photos of Nest Tree B taken on March 22, 2019 and April 29, 2019 are included in Exhibit 4.

Given the dilapidated nature of the nest as it was first observed in February 2019, it can be reasonably assumed that this nest was not successfully utilized during the 2018-2019 nesting season. However, the February 21, 2019 observation of a first-year eaglet at the nest location indicates that the nest may have been utilized during the 2017-2018 nesting season, as eaglets of this age are known to revisit the nest from which they fledged.

The nest in Nest Tree B will be considered a “lost nest” if not rebuilt within three consecutive nesting seasons (i.e., before February 15, 2022).

## **6.0 DESCRIPTION OF THE NEST TERRITORY AND LANDSCAPE**

Nest Tree B is a live slash pine tree approximately 45 feet tall located approximately 560 feet east of the electrical power transmission line easement in the Project’s preserve area (Exhibits 2 and 3). The nest in this tree, while extant, was near the top of the tree approximately 40 feet high. The nest tree is primarily surrounded by pine flatwoods, melaleuca, and palmetto prairie habitat types with varying degrees of exotic infestation. To the south and west, electrical power transmission line easements fall within portions of the 660-foot buffer to Nest Tree B. The 660-foot buffer zone for Nest Tree B is depicted on Exhibits 2 and 3.

Abutting the Project site to the north is permitted residential development (Villages of Entrada), with Del Prado Boulevard north of this. Immediately south of the Project are multiple high-density residential developments including the Horizon Village Co-Op, the Tamiami Village & RV Park, and Windmill Village. Lee County District School Board property lies on the southwest side of the site. East of the Project site and west of U.S. 41 lies undeveloped forested land and U-Haul Moving and Storage. Two roads exist within the previously developed portion of the Project and include De Navara Parkway and Playa Del Sol Boulevard. To the west of the Project site lies Lee County 20/20 Yellow Fever Creek Preserve which extends north to Del Prado Boulevard. The surrounding land uses are identified on Exhibit 3.

The adjacent Lee County 20/20 Yellow Fever Creek Preserve contains an abundance of trees that could potentially be utilized for perching and/or nesting by bald eagles. In addition, the Project’s on-site preserve area contains trees that could be utilized for perching.

## **7.0 PROPOSED SITE PLAN**

This BEMP addresses management activities associated with Nest Tree B since the nest was identified after the Project’s development authorizations (i.e., SFWMD ERP, Corps permit, Lee County DOs) were issued. The management activities address potential conflicts between Nest Tree B and the Lee County-approved Master Concept Plan (MCP). To address these conflicts, the following is being proposed for Nest Tree B:

The applicant proposes to modify the site plan as depicted on Exhibit 3. The site plan modifications include the removal of several single-family lots and a section of road within the 330-foot buffer zone. Also, a small portion of the amenity area located southwest of the nest has been removed. Therefore, no development will occur closer than 330 feet from the nest tree. In addition, the applicant proposes to preserve 2.85± acres within the 330-foot buffer zone as a critical eagle nesting habitat. The 2.85± acres will be placed under conservation easement to Lee County and will be maintained free of exotic vegetation by the Project’s long-term management entity (e.g., homeowner’s association). Exotic vegetation to be eradicated includes, but is not limited to, the 21 species of prohibited invasive exotic species listed in Section 10-420(h) of the LDC.

In exchange for providing critical nesting habitat, the applicant proposes to utilize 3.66± acres of uplands located in the southwestern portion of the site for future residential development in accordance with the compensation incentives outlined in Lee County Ordinance No. 08-25. Use of the 3.66± acres for residential development will not result in increased density. The conservation easement for the 2.85± acres of critical eagle nesting habitat will be recorded upon approval of an administrative zoning amendment to utilize the 3.66± acres for residential development. Exhibit 3 depicts the location of the proposed critical eagle nesting habitat and future residential development area.

## **8.0 BALD EAGLE PROTECTION ZONES**

A summary of the buffer protection (buffer) zones proposed for Nest Tree B is provided below.

The minimum distance from the nest tree to proposed residential development is 330 feet. No development activities are proposed within 330 feet of the nest tree. Development activities proposed between 330 and 660 feet of the nest tree, such as those outlined in Section 9.0 below, will be conducted in the non-nesting season (i.e., May 16 through September 30). However, development activities may occur as early as February 15 and extend through September 30 if the nest has not been rebuilt and there are no nesting activities observed from October 1 to February 14. Nest Tree B will be considered a “lost nest” if not rebuilt before February 15, 2022. The locations of the buffer zones are depicted on Exhibit 3.

## **9.0 PROPOSED EAGLE MANAGEMENT PLAN**

This BEMP is proposed as part of the Project and is intended to facilitate construction of the Project, while providing sufficient measures to minimize the potential for adverse impacts to nesting bald eagles that could occur as a result of the proposed Project. As a management instrument, the BEMP is only applicable to the Project. It is the responsibility of the property owner to retain and implement this plan for as long as it is required, including educating others (e.g., contractors, future owners, tenants, etc.) about the specific requirements of this BEMP and the State and Federal eagle protection laws. Any amendment to this management plan shall require review and approval by the Eagle Technical Advisory Committee or any successor body.

### **9.1 Bald Eagle Protection Measures for Nest Tree B**

Specific elements of the BEMP are as follows (No. 1 and 2 do not apply if Nest Tree B is determined to be a “lost nest”):

1. Infrastructure (e.g., grading, clearing, filling, paving, laying foundation, guttering; installation of underground utilities, street lighting, excavation; and installation of stormwater management facilities) that will be constructed within 660 feet of the nest tree shall be installed during the non-nesting season (i.e., May 16 through September 30). However, development activities may occur as early as February 15 and extend through September 30 if the nest has not been rebuilt and there are no nesting activities observed

- from October 1 to February 14. Infrastructure installation shall begin early during the non-nesting season, and any portion of such infrastructure installation that may require completion activities to extend into the following nesting season (i.e., October 1 through May 15) and/or at such time as the nests are active (e.g., courtship, nest tending, egg laying, incubation, and brooding and/or the fledging of the young is occurring), such activities shall be accomplished in accordance with provisions of the Bald Eagle Monitoring Guidelines (USFWS 2007).
2. Residential homes shall be constructed no closer than 330 feet from the tree and shall not exceed two stories in height from the base flood elevation. Vertical, interior, and finish construction may occur during the non-nesting season as needed without monitoring. Vertical construction (e.g., framing, laying foundation, siding, windows, roofing, etc.) and heavy construction (e.g., grading, pouring concrete (including driveways), painting other than by hand, etc.) occurring within 660 feet of the nest during an active nesting season shall be accomplished in accordance with provisions of the Bald Eagle Monitoring Guidelines (USFWS 2007).
  3. The use of any chemicals which are known to be toxic to wildlife shall be prohibited at all times in close proximity to the nest tree and within the on-site preserve areas. Chemicals used for the purpose of controlling invasive exotic plants shall be prohibited around the base of the nest tree.

## 10.0 REFERENCES

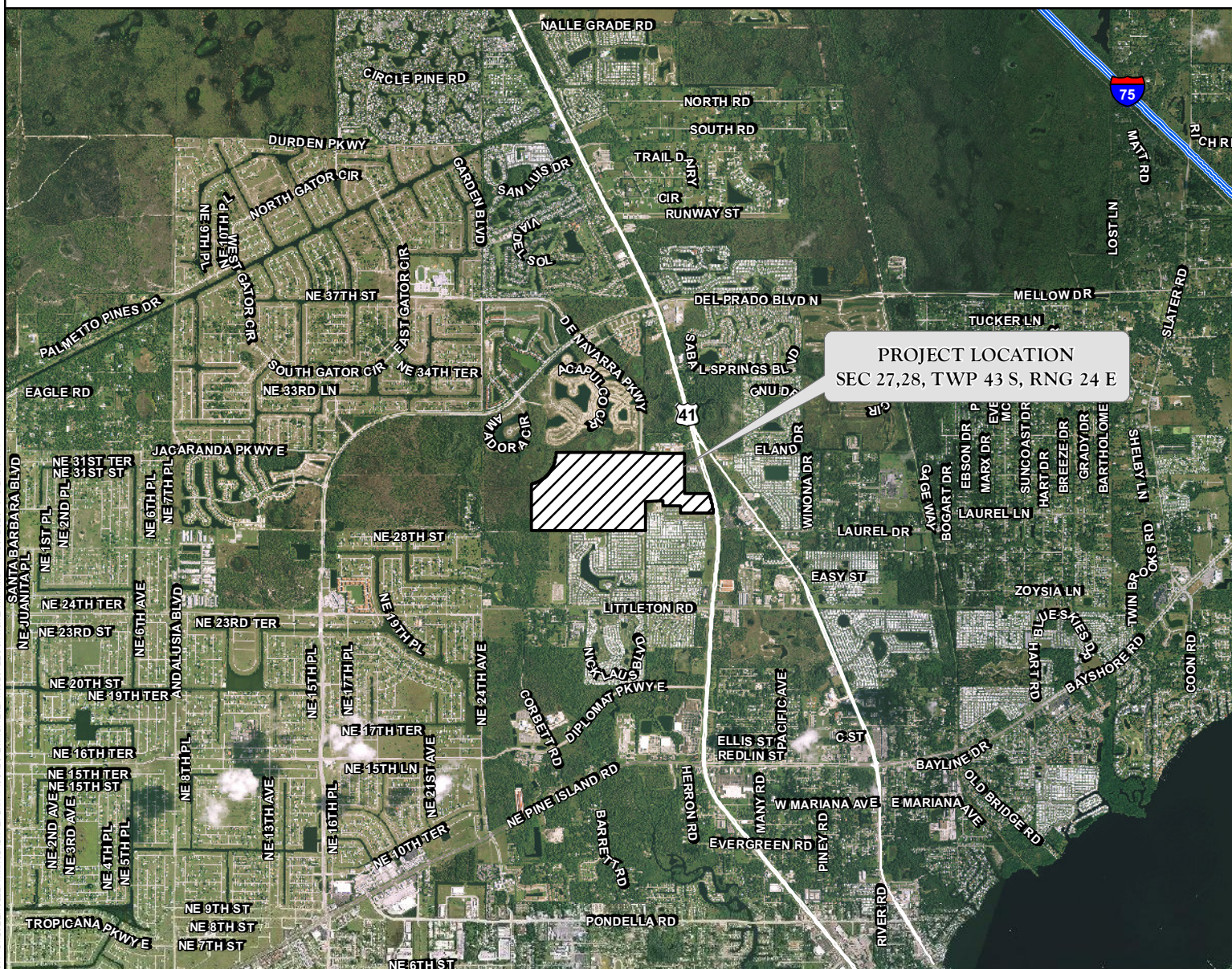
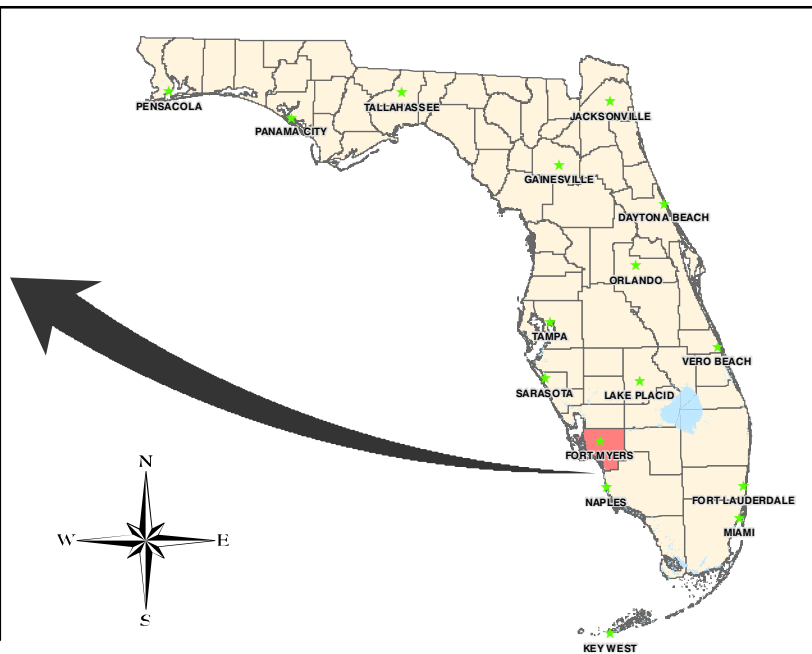
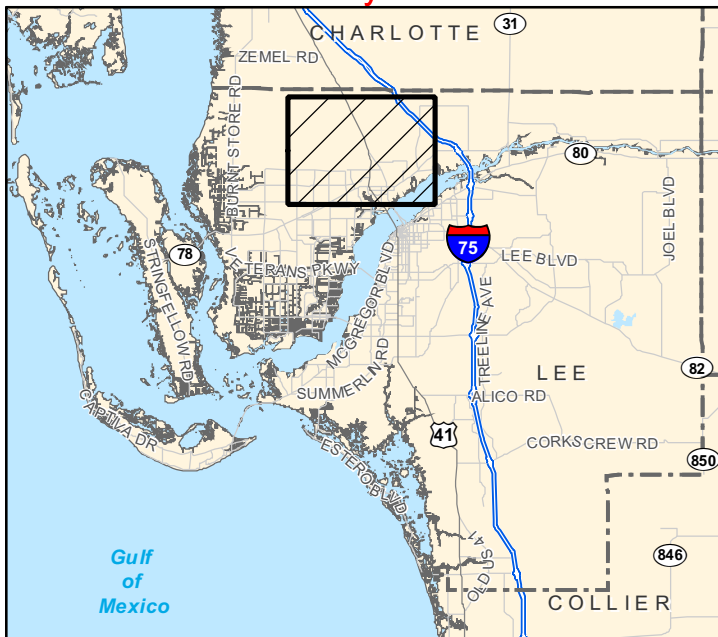
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**EXHIBIT 1**

**PROJECT LOCATION MAP**





DRAWN BY	DATE
H.H.	5/3/19
REVIEWED BY	DATE
J.T.	5/3/19
REVISED	DATE

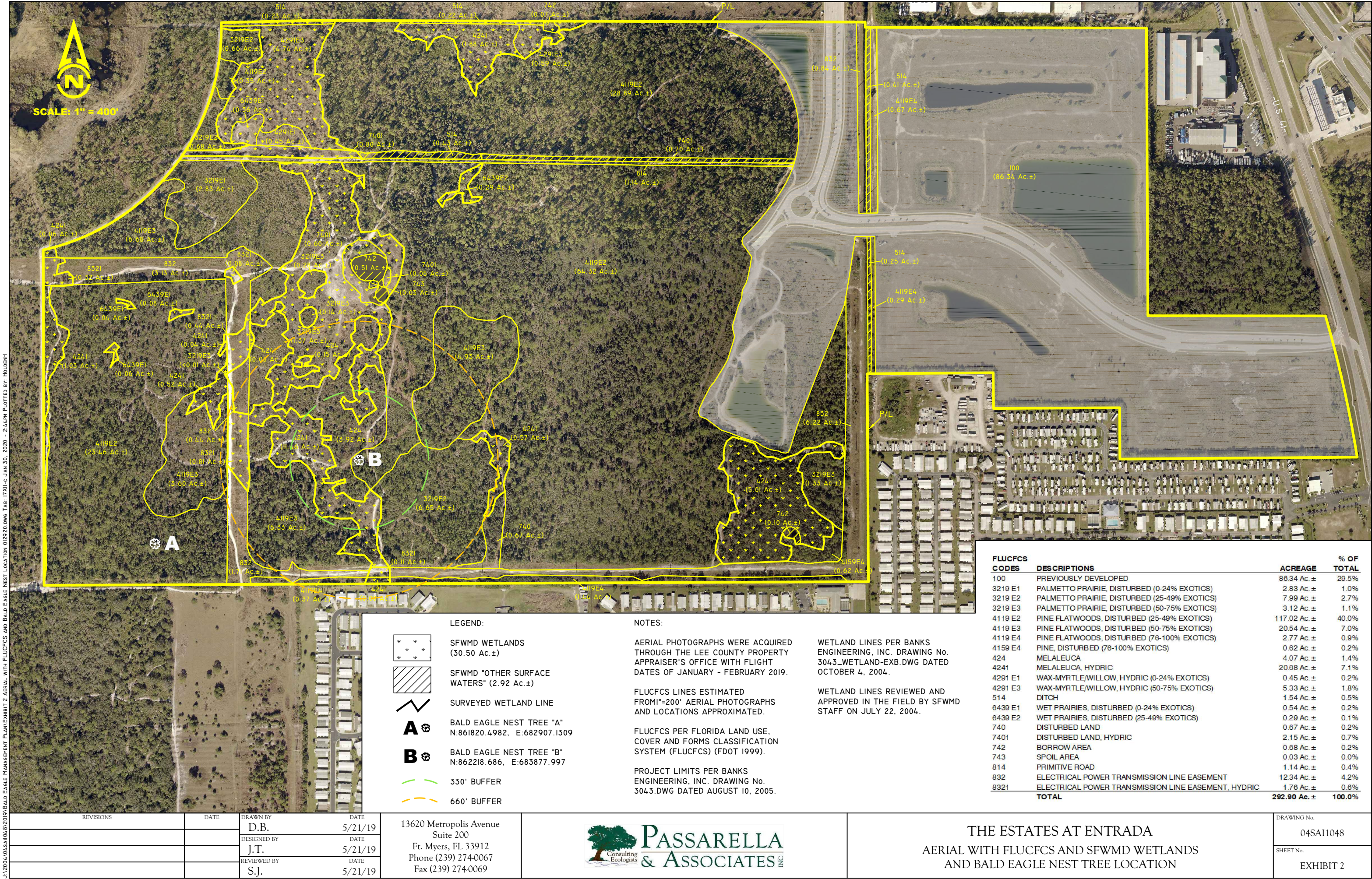




**EXHIBIT 2**

**AERIAL WITH FLUCFCS AND SFWMD WETLANDS AND  
BALD EAGLE NEST TREE LOCATION**





FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
100	PREVIOUSLY DEVELOPED	86.34 Ac. ±	29.5%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	2.83 Ac. ±	1.0%
3219 E2	PALMETTO PRAIRIE, DISTURBED (25-49% EXOTICS)	7.99 Ac. ±	2.7%
3219 E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	3.12 Ac. ±	1.1%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	117.02 Ac. ±	40.0%
4119 E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	20.54 Ac. ±	7.0%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	2.77 Ac. ±	0.9%
4159 E4	PINE, DISTURBED (76-100% EXOTICS)	0.82 Ac. ±	0.2%
424	MELALEUCA	4.07 Ac. ±	1.4%
4241	MELALEUCA, HYDRIC	20.68 Ac. ±	7.1%
4291 E1	WAX-MYRTLE/WILLOW, HYDRIC (0-24% EXOTICS)	0.45 Ac. ±	0.2%
4291 E3	WAX-MYRTLE/WILLOW, HYDRIC (50-75% EXOTICS)	5.33 Ac. ±	1.8%
514	DITCH	1.54 Ac. ±	0.5%
6439 E1	WET PRAIRIES, DISTURBED (0-24% EXOTICS)	0.54 Ac. ±	0.2%
6439 E2	WET PRAIRIES, DISTURBED (25-49% EXOTICS)	0.29 Ac. ±	0.1%
740	DISTURBED LAND	0.87 Ac. ±	0.2%
7401	DISTURBED LAND, HYDRIC	2.15 Ac. ±	0.7%
742	BORROW AREA	0.88 Ac. ±	0.2%
743	SPOIL AREA	0.03 Ac. ±	0.0%
814	PRIMITIVE ROAD	1.14 Ac. ±	0.4%
832	ELECTRICAL POWER TRANSMISSION LINE EASEMENT	12.34 Ac. ±	4.2%
8321	ELECTRICAL POWER TRANSMISSION LINE EASEMENT, HYDRIC	1.76 Ac. ±	0.6%
TOTAL		292.90 Ac. ±	100.0%

- LEGEND:
- SFWMD WETLANDS (30.50 Ac.±)
  - SFWMD "OTHER SURFACE WATERS" (2.92 Ac.±)
  - SURVEYED WETLAND LINE
  - BALD EAGLE NEST TREE "A"  
N:861820.4982, E:682907.1309
  - BALD EAGLE NEST TREE "B"  
N:862218.686, E:683877.997
  - 330' BUFFER
  - 660' BUFFER

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - FEBRUARY 2019.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROJECT LIMITS PER BANKS ENGINEERING, INC. DRAWING No. 3043.DWG DATED AUGUST 10, 2005.

WETLAND LINES PER BANKS ENGINEERING, INC. DRAWING No. 3043\_WETLAND-EXB.DWG DATED OCTOBER 4, 2004.

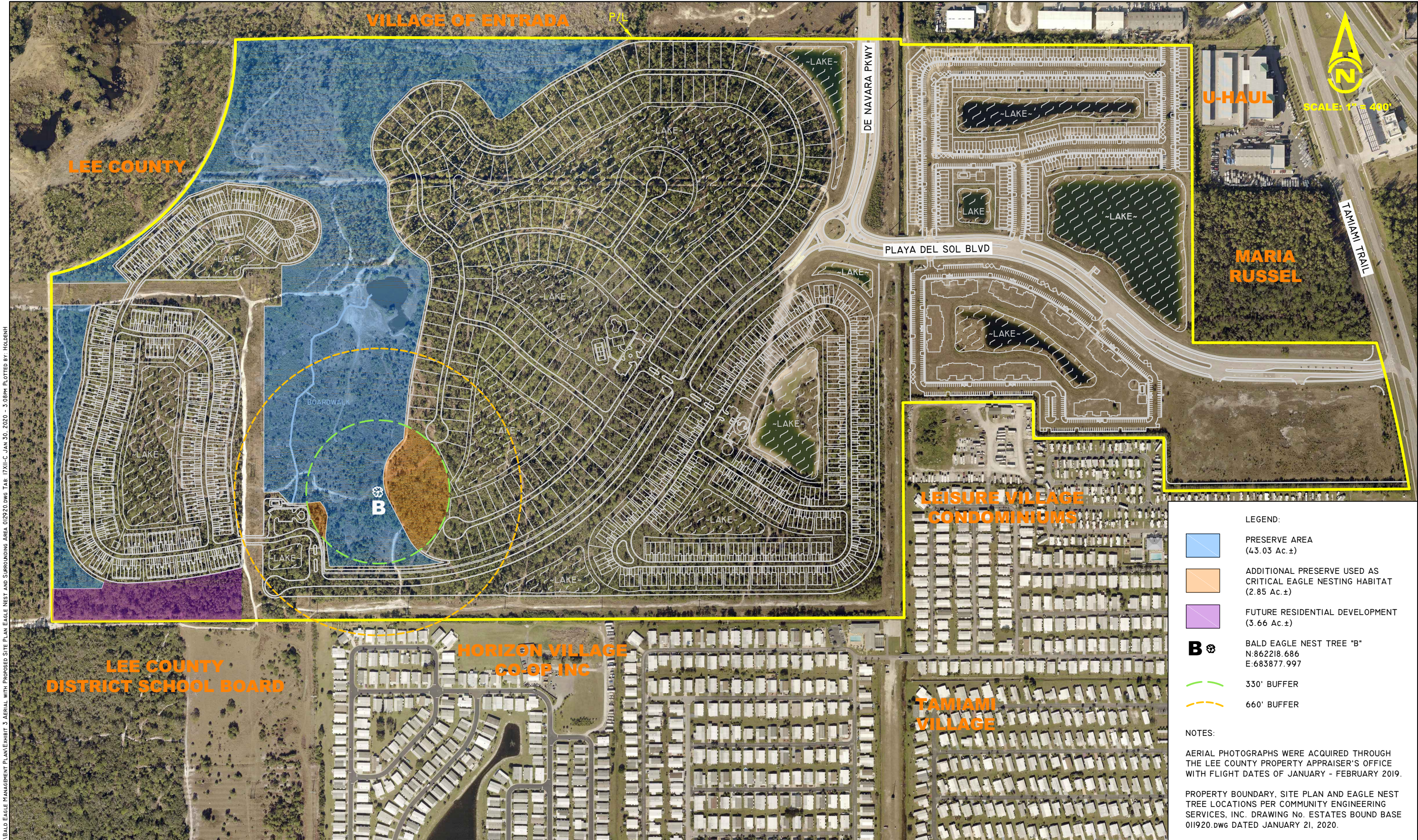
WETLAND LINES REVIEWED AND APPROVED IN THE FIELD BY SFWMD STAFF ON JULY 22, 2004.



**EXHIBIT 3**

**AERIAL WITH PROPOSED SITE PLAN,  
BALD EAGLE NEST TREE LOCATION, AND SURROUNDING AREAS**





J:\2004\045AI04\045AI04\BALD EAGLE MANAGEMENT PLAN\EXHIBIT 3 AERIAL WITH PROPOSED SITE PLAN EAGLE NEST AND SURROUNDING AREA 012920.DWG TAB: 17XII-C JAN 30, 2020 - 3:08PM PLOTTED BY: HOLDENH

REVISIONS		DATE	DRAWN BY	DATE	13620 Metropolis Avenue Suite 200 Ft. Myers, FL 33912 Phone (239) 274-0067 Fax (239) 274-0069	 <b>PASSARELLA &amp; ASSOCIATES</b> Consulting Ecologists	THE ESTATES AT ENTRADA AERIAL WITH PROPOSED SITE PLAN, BALD EAGLE NEST TREE LOCATION, AND SURROUNDING AREAS	DRAWING No. 04SAI1048	
Revised site plan		01/30/20	T.S., D.B.	5/21/19				SHEET No. EXHIBIT 3	
			DESIGNED BY J.T.	5/21/19					
			REVIEWED BY S.J.	5/21/19					



**EXHIBIT 4**

**BALD EAGLE NEST TREE PHOTOGRAPHS**



Bald Eagle Nest Tree A, April 29, 2019.





Bald Eagle Nest Tree B, April 29, 2019.





Bald Eagle Nest Tree B, March 22, 2019.





Bald Eagle Nest Tree B, March 22, 2019.



**EXHIBIT E****PASSARELLA**  
**& ASSOCIATES INC**

**TO:** Mr. Dan Delisi

**FROM:** Shane Johnson

**DATE:** February 18, 2021

**RE:** Administrative Zoning Amendment  
The Estates at Entrada  
Project No. 20DRH3329

This memo and attached information are provided in support of the Administrative Zoning Amendment proposed for Estates at Entrada (Project) located in Section 27 and 28, Township 43 South, Range 24 East, Lee County. The attached aerial is Exhibit 3 of the Project's Bald Eagle Management Plan (BEMP), previously-approved in March 2020. Exhibit 3 depicts an amenity site and 27 single-family homes within the 330-foot and 660-foot buffer zones of Nest Tree B. The attached Master Site Plan, which is proposed as part of the administrative zoning amendment, removes the amenity site and includes 30 single-family homes within the 330-foot and 660-foot buffer zones of Nest Tree B.

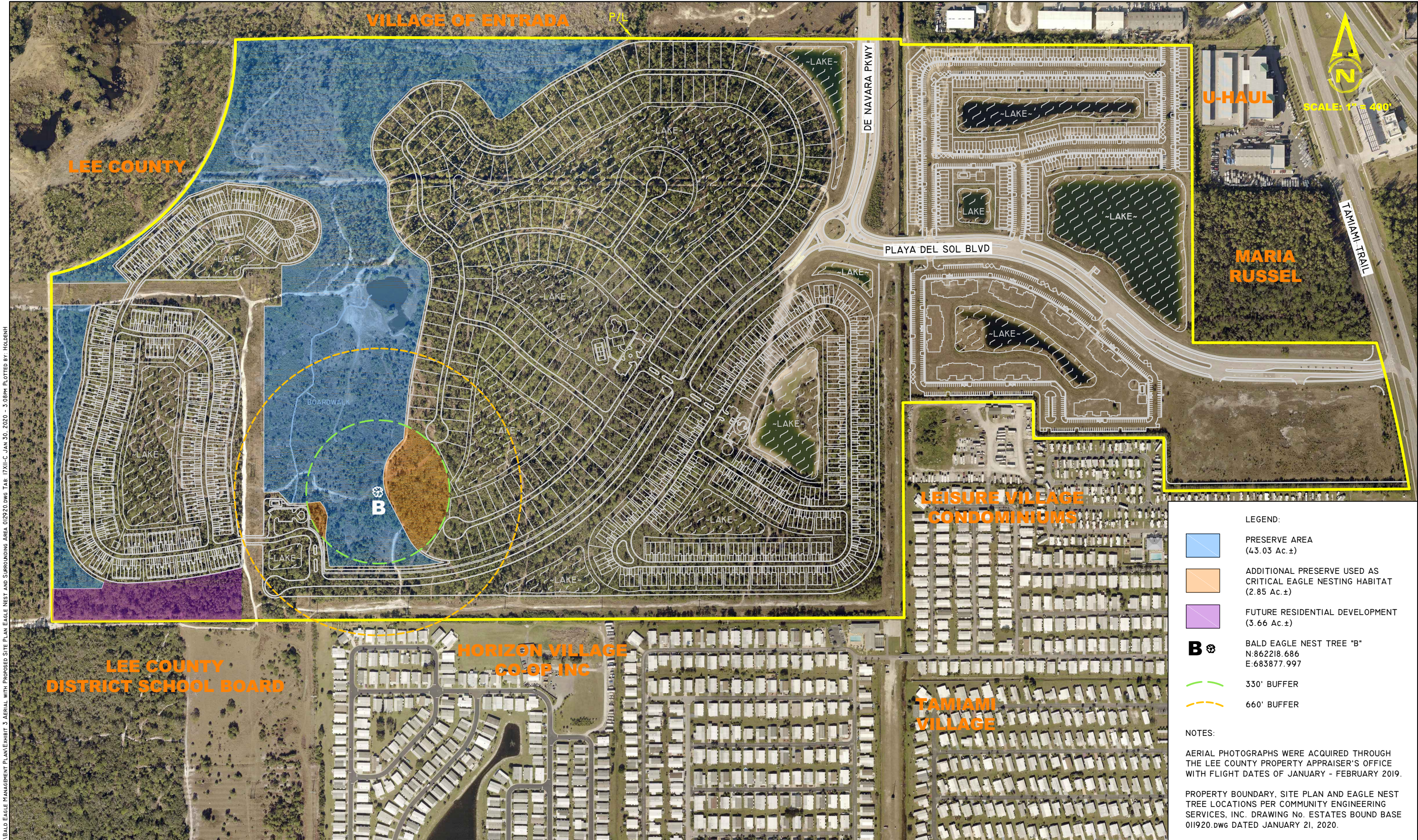
Removing the amenity site and adding single-family homes in its place will provide a benefit to bald eagles (*Haliaeetus leucocephalus*) that may utilize Nest Tree B. Amenity centers tend to promote congregations of people which can generate noise and potentially disturb nesting bald eagles. Noise abatement is often a component of U.S. Fish and Wildlife Service permits or other disturbance reduction measures for bald eagles; thus, having single-family homes in place of an amenity center is likely to promote noise reduction. Additionally, the proposed change to the Master Site Plan to remove the amenity center and add single-family homes is consistent with the protection measures currently provided for Nest Tree B in the March 2020 BEMP.

SJ/vv

Enclosures

Offices in Florida and South Carolina



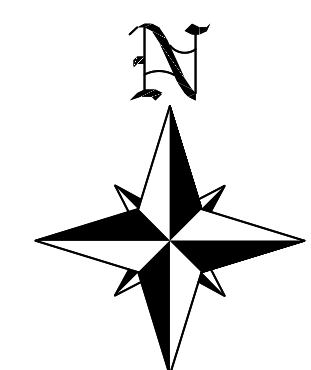


J:\2004\045AI04\045AI04\Bald Eagle Management Plan\EXHIBIT 3 Aerial with Proposed Site Plan Eagle Nest and Surrounding Area 01920.dwg TAB: 17XII-C JAN 30, 2020 - 3:08PM PLOTTED BY: HOLDENH

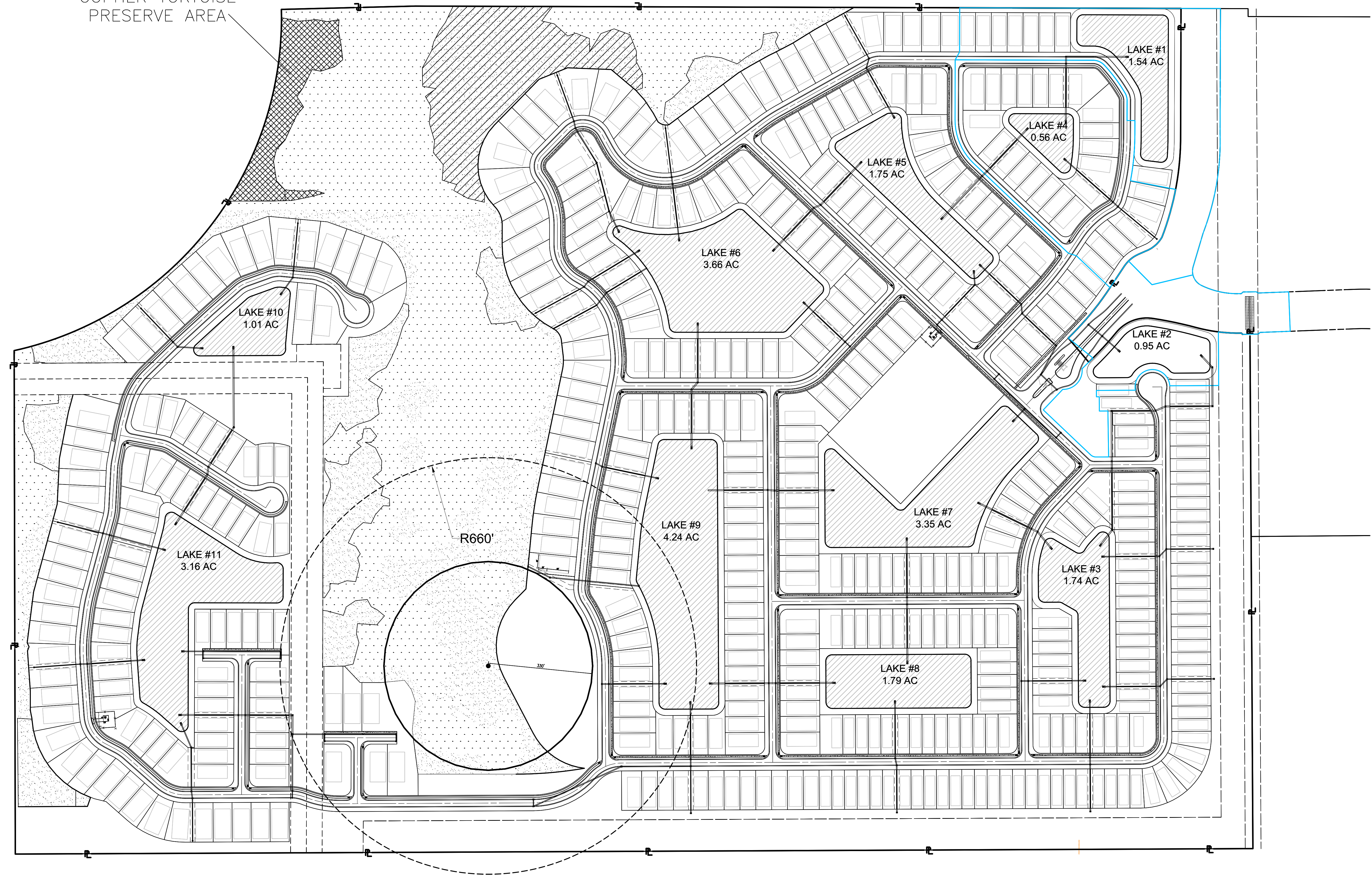
REVISIONS		DATE	DRAWN BY	DATE	13620 Metropolis Avenue Suite 200 Ft. Myers, FL 33912 Phone (239) 274-0067 Fax (239) 274-0069	 <b>PASSARELLA &amp; ASSOCIATES</b> Consulting Ecologists	THE ESTATES AT ENTRADA AERIAL WITH PROPOSED SITE PLAN, BALD EAGLE NEST TREE LOCATION, AND SURROUNDING AREAS	DRAWING No. 04SAI1048	
Revised site plan		01/30/20	T.S., D.B.	5/21/19				SHEET No.	
			J.T.	5/21/19				EXHIBIT 3	
			S.J.	5/21/19					



GOPHER TORTOISE  
PRESERVE AREA



0 50 100 150  
GRAPHIC SCALE 1" = 150'



S:\2022\2022-00189\2022-00189-04 MASTER SITE PLAN\2022-00189-04 MASTER SITE PLAN.dwg 2/10/2021 2:28 PM STEVE JOHNSON

PREPARED FOR:

**D.R. HORTON, INC.**

10541 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FL. 33966  
PHONE: (239) 225-2631  
FAX: (239) 928-8986

NO.	DATE	REVISION DESCRIPTION	BY

**BANKS**  
**ENGINEERING**  
Professional Engineers, Planners, & Land Surveyors  
Serving The State Of Florida

10511 SIX MILE CYPRESS PARKWAY  
FORT MYERS, FLORIDA 33966  
PHONE: (239) 939-5490 FAX: (239) 939-2523  
ENGINEERING LICENSE # EB 6469  
SURVEY LICENSE # LB 6690  
WWW.BANKSENG.COM

DAVE R. UNDERHILL, P.E.  
FL. REG. #47029

MASTER SITE PLAN  
**CORAL BAY**  
FORT MYERS, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
2/10/2021	3084DR		DRU	SDJ	DRU		04



## EXHIBIT F



2726 OAK RIDGE COURT, SUITE 503  
FORT MYERS, FL 33901-9356  
OFFICE 239.278.3090  
FAX 239.278.1906

TRAFFIC ENGINEERING  
TRANSPORTATION PLANNING  
SIGNAL SYSTEMS/DESIGN

December 3, 2020

Mr. Dan DeLisi  
DeLisi, Inc.  
520 27<sup>th</sup> Street  
West Palm Beach, FL 33407

RE: Estates at Entrada  
Lee County, Florida

Dear Mr. DeLisi:

TR Transportation Consultants, Inc. has prepared a trip generation comparison for the conversion of townhouse residential units (Multi-Family Low Rise) to Single Family residential units within the Estates at Entrada development located to the west of U.S. 41 and south of Del Prado Boulevard in Lee County, Florida. Zoning Resolution Z-06-039 and subsequent amendments permit the development of up to 325 single family homes, 975 townhomes and 300 multi-family dwelling units in addition to commercial and retail floor area on the subject site. It is the desire of the Developer to convert 650 townhouse units to Single Family dwelling units. The townhouse units being converted on the tracts identified on the Master Concept Plan at Townhome Tract #1 and Townhome Tract #2, which are both located in the western portion of the site.

Consistent with the traffic impact study prepared for the original zoning, Land Use Code 210 (Single Family Detached Housing) was utilized for the trip generation of the single family uses. Since the townhomes are typically two-story residential units, Land Use Code 220 (Multi-Family Housing – Low Rise) was used for the Townhouse units. The *Institute of Transportation Engineer's* (ITE) report titled Trip Generation, 10<sup>th</sup> Edition was utilized. **Table 1** reflects the trip conversion between LUC 210 and LUC 220 based on the Weekday P.M. peak hour Average Trip Rate for each land use.

**Table 1**  
**Conversion Between Single Family & Townhouse**

**1 Single Family DU = 1.77 Townhours DU**

Based on Weekday PM Peak Hour Avg. Trip Rates





Mr. Dan DeLisi  
Estates at Entrada  
December 3, 2020  
Page 2

So for every Single Family Dwelling Unit added, approximately 1.77 Townhouse Dwelling Units would need to be eliminated. This conversion is based on the ***Average Trip Rate*** for the Weekday P.M. Peak Hour.

Each of these land use codes contains a Logarithmic equation for the Weekday P.M. peak hour, meaning that depending on the number of units that are to be converted, it may be slightly different than the conversion based on the Average Rates as noted in Table 1. Converting 650 townhomes on the subject site to Single Family would result in a total of 321 Single Family units based on the ITE Trip Generation ***Equations*** for each Land Use Category. Combined with the approved 325 Single Family dwelling units on the western portion of the MCP would yield a total Single Family dwelling unit count of 646 units. The additional 325 townhouse units and 300 multi-family units would remain on the eastern portion of the MCP. This development intensity would not exceed the trip generation that was analyzed during the original zoning application process.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ted B. Treesh', written in a cursive, flowing style.

Ted B. Treesh, PTP  
President

Attachments

K:\2020\08 August\03 Estates at Entrada\12-3-2020 DeLisi Memo.doc

## Single-Family Detached Housing (210)

**Vehicle Trip Ends vs: Dwelling Units**

**On a: Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 190

Avg. Num. of Dwelling Units: 242

Directional Distribution: 63% entering, 37% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate

0.99

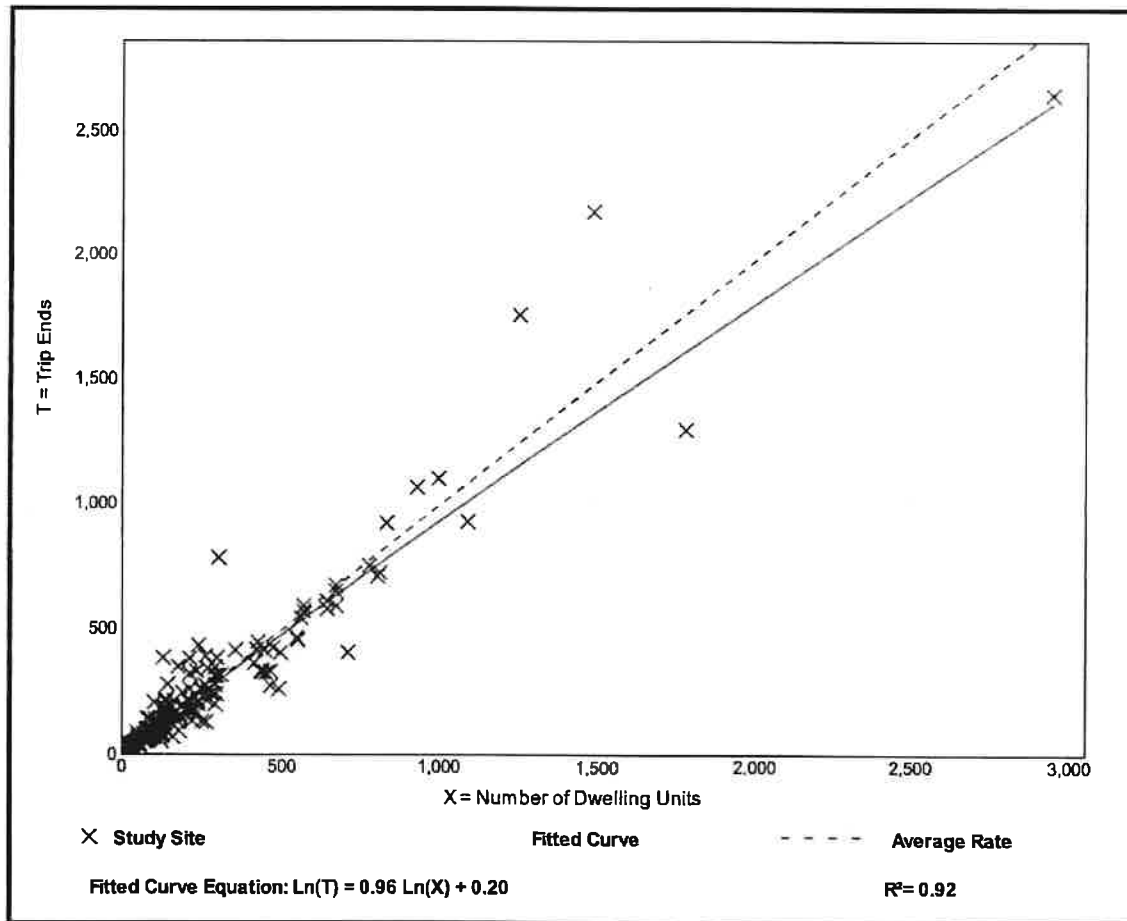
Range of Rates

0.44 - 2.98

Standard Deviation

0.31

### Data Plot and Equation



## Multifamily Housing (Low-Rise) (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 50

Avg. Num. of Dwelling Units: 187

Directional Distribution: 63% entering, 37% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate

0.56

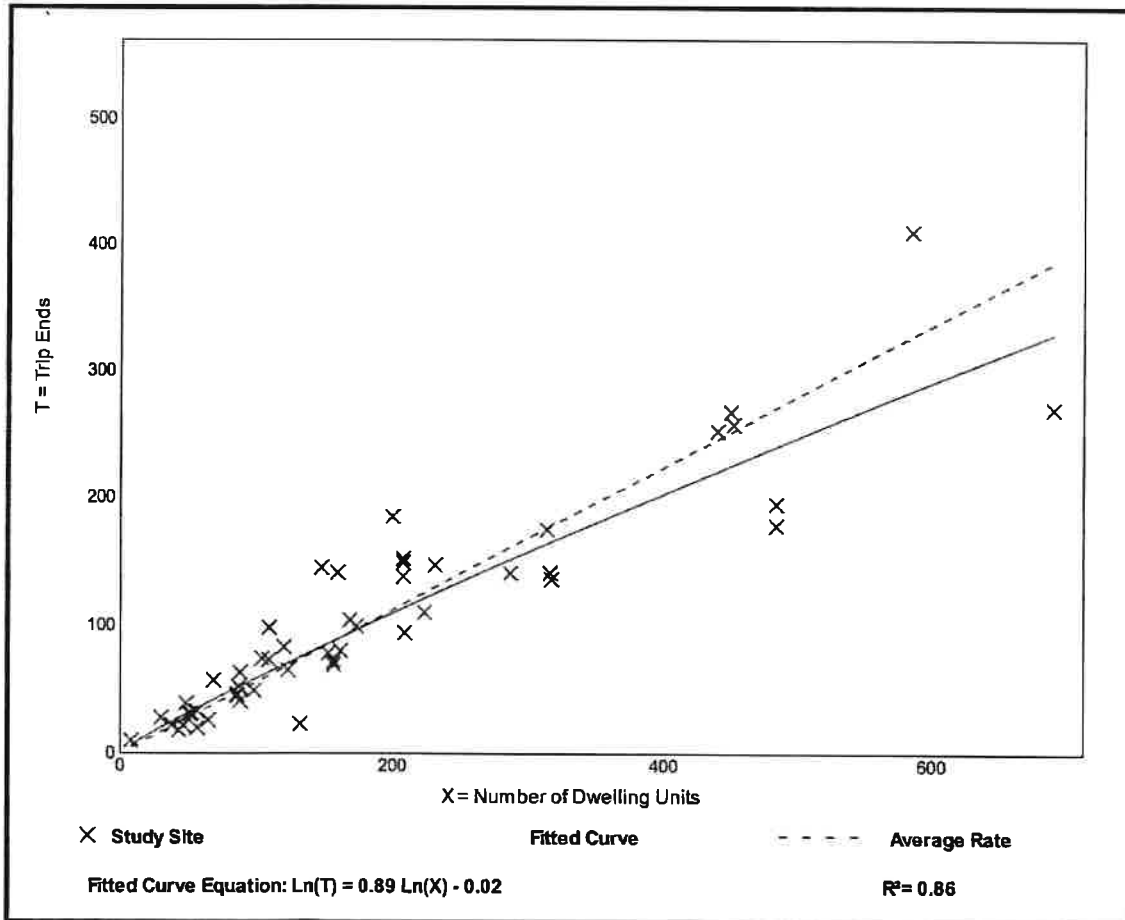
Range of Rates

0.18 - 1.25

Standard Deviation

0.16

### Data Plot and Equation



## EXHIBIT G

ADMINISTRATIVE AMENDMENT (PD) ADD2015-00086

### ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Angel Aramis, LLC filed an application for an administrative approval to amend ADD2013-00021 which amended Resolution Z-06-039, The Estates at Entrada, a Residential Planned Development (RPD)/Commercial Planned Development (CPD) to reclassify Townhome Tract #3 to Multi-family Tract #2 on property located at 16701 N. Cleveland Avenue in North Fort Myers, described more particularly as:

LEGAL DESCRIPTION: In Section 27, Township 43 South, Range 24 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-06-039 (with subsequent amendments in case number ADD2006-00240, ADD2007-00189, ADD2013-00021 and DCI2011-00054); and

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

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

WHEREAS, Resolution Z-06-039 approved a maximum of 325 single-family homes, 975 town homes, and 300 multiple-family dwelling units, 30,000 square feet of commercial retail, and 140,000 square feet of commercial, warehouse, and office uses not to exceed a maximum height of 50 feet for multiple-family uses and 35 feet for the remainder of the uses, see Exhibit B; and

WHEREAS, in December of 2006, a preliminary plat application (PLT2006-00065) was submitted; however the plat never received final approval; and

WHEREAS, ADD2006-00240 amended the RPD/CPD to reduce the separation distance requirement between multiple-family building on Tract #1 from 20 feet to 10 feet, see Exhibit C; and

WHEREAS, DOS2006-00145 originally was approved for 905 lots and 1,182 residential condominium units in 169 building with streets, parking, utilities, sewage pump stations with force mains, stormwater management facilities, 2 - 1,600± square feet, one story buildings for an amenity center (Townhouse Tract 1 and multifamily Tract 1), a 2,000± square foot, one story building for an amenity center (single family tract), five swimming pools, a tennis court and related minor site improvements, see Exhibit D; and

WHEREAS, ADD2007-00189 amended the RPD to revise the roadway configuration and other small changes, see Exhibit E; and

WHEREAS, DOS2006-00145 was amended to change De Navarra Parkway from a two lane to a four lane road; show Multi-family tract #1 as a vacant tract; minimal lake changes were made to accommodate the increased impervious from the change to De Navarra Parkway; and the site went from two lift stations to one, see Exhibit F; and

WHEREAS, a 2 year extension was granted to DOS2006-00145 to extend the approvals to April 24, 2015 per House Bill 7207, see Exhibit G; and

WHEREAS, DOS2006-00145 was amended reducing the number of residential units to 558 units in order to expedite the building of Playa Del Sol Boulevard; and

WHEREAS, DCI2011-00054, see Exhibit H, granted a 2 year extension for the MCP to August 21, 2013 per House Bill 7202; however on February 12, 2013, the Board of County Commissioners approved Ordinance 13-01, see Exhibit I, which granted development rights conferred by an approved zoning resolution and MCP to remain valid until it is deemed to be inconsistent with the Lee Plan at time of development such that the MCP has no set expiration date at this time; and

WHEREAS, ADD2013-00021 approved an amendment to the RPD to add a variety of adult living facilities, such as an ALF, CCF, and ILU to the Schedule of Uses, see Exhibit J; and

WHEREAS, DOS2006-00145 was amended to add a drainage structure to address a low spot; and

WHEREAS, a new development order application (DOS2014-00090) was submitted to restore the 558 residential units originally approved in DOS2006-00142 and is under review; and

WHEREAS, the applicant is requesting to amend ADD2013-00021 which amended Resolution Z-06-039, to reclassify Townhome Tract #3 to Multi-family Tract #2, see Exhibit K; and

WHEREAS, the unit count for the tract remains the same, as well as, the building setbacks and height restrictions set forth in ADD2007-00187, except for the removal of the lot lines between units, see Exhibit L; 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.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to amend ADD2013-00021 which amended Resolution Z-06-039, to reclassify Townhome Tract #3 to Multi-family Tract #2 is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated June 25, 2015. Master Concept Plan for ADD2015-00086 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit K.**
2. **The terms and conditions of the original zoning resolutions, as amended remain in full force and effect.**
3. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

DULY PASSED AND ADOPTED ON 6/26/2015

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

**Exhibits:**

**A – Legal Description**

**B – Z-06-039**

**C – ADD2006-00240**

**D – DOS2006-00145**

**E – ADD2007-00189**

**F – Amended DOS2006-00145**

**G – Two (2) year extension for DOS2006-00145**

**H – Two (2) year extension for DCI2011-00054**

**I – Ordinance 13-01**

**J - ADD2013-00021**

**K – Master Concept Plan (MCP) dated stamped received June 25, 2015**

**L - Narrative**



**EXHIBIT A****DESCRIPTION**

OF

**ESTATES AT ENTRADA**AS RECORDED IN INSTRUMENT NUMBER 2012000067129  
PUBLIC RECORDS OF LEE COUNTY, FL.**APPROVED****ADD2015-00086****Chick Jakacki, Planner****Lee Co Division of Zoning****5/29/2015****LEGAL DESCRIPTION**

A TRACT OF PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28 TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE S 00°19'44" E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION FOR 25.00 FEET TO AN INTERSECTION WITH A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE SAID FRACTION; THENCE S 89°51'02" E ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE S 00°16'35" E ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S 89°56'55" E FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121) AND AN INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N 73°49'24" E; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07°03'17.6" FOR 689.20 FEET TO THE NORTHEAST CORNER OF LEESURE VILLAGE AS RECORDED IN CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S 89°33'08" W ALONG THE NORTH LINE OF SAID LEESURE VILLAGE FOR 1128.76 FEET; THENCE N 00°17'28" W ALONG SAID NORTH LINE FOR 243.89 FEET; THENCE S 89°41'12" W ALONG SAID NORTH LINE FOR 599.97 FEET; THENCE N 00°33'01" W, ALONG SAID NORTH LINE FOR 169.75 FEET; THENCE S 89°33'13" W ALONG SAID NORTH LINE FOR 599.34 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 00°19'44" E ALONG SAID EAST LINE AND THE WEST LINE OF SAID LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S 89°44'52" W ALONG THE EAST WEST QUARTER SECTION LINE FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N 00°07'52" W ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S 12°27'00" E; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N 88°35'04" E ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 89°49'26" E ALONG THE NORTH LINE OF SAID FRACTION FOR 2639.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 292.91 ACRES MORE OR LESS.

**REVISIONS:**

PROJECT NO: ESTATES

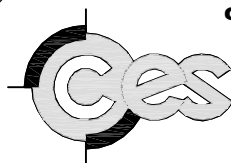
SCALE: 1"= 1000'

DRAWN BY: CBY

CHECKED BY: MDM

DATE DRAWN: 12/03/14

FIELD BOOK/PAGE:

**community engineering services, inc.**  
**civil engineering . surveying . project management**

EB-0006613 • LB-6572

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THIS MAP IS NOT VALID WITHOUT THE ORIGINAL  
SIGNATURE AND RAISED SEAL OF THE FLORIDA  
LICENSED SURVEYOR AND MAPPER.MARK D. MCGLARY, P.S.M.  
FLORIDA REGISTRATION NO. 6887  
FOR THE FIRM LB-6572

DATE SIGNED:

# Exhibit B

RESOLUTION NUMBER Z-06-039

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

WHEREAS, MFA Ventures, LLC filed an application on behalf of the property owners, Hole Montes & Associates, Inc., and Realmark Group, LLC., to rezone a 292+/- acre parcel from Mobile Home Planned Development (MHPD) and Commercial (C-1A/C-2) zoning districts to a Residential and Commercial Planned Development (RPD/CPD) in reference to The Estates at Entrada; and

WHEREAS, a public hearing was advertised and held on May 4, 2006, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2004-00080; and

WHEREAS, a second public hearing was advertised and held on August 21, 2006, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

### SECTION A. REQUEST

The applicant filed a request to rezone a 292+/- acre parcel from MHPD and C-1A/C-2 to RPD/CPD, to allow 325 single-family, 975 town homes, and 300 multiple-family dwelling units; 30,000 square feet of commercial retail; and 140,000 square feet of commercial, warehouse, and office uses. The property is located in the Central Urban 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.

### SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP), Exhibit C attached hereto, entitled "Preliminary Master Concept Plan: Estates at Entrada," stamped "Received on OCT 16 2006," last revised OCT 16, 2006, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this Planned Development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

This project is limited to a maximum of 325 single-family homes, 975 town homes, and 300 multiple-family dwelling units, 30,000 square feet of commercial retail, and 140,000 square

feet of commercial, warehouse, and office uses not to exceed a maximum height of 50 feet for multiple-family uses and 35 feet for the remainder of the uses.

2. The following limits apply to the project and uses:

a. Schedule of Uses

i. Residential Planned Development (RPD):

ACCESSORY USES AND STRUCTURES

DWELLING UNIT:

Single-family

Townhouse

Multiple-family building

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES, Group I

EXCAVATION, water retention

FENCES, WALLS

HOME OCCUPATION

PARKING LOT, accessory

MODELS:

Display center

Display group

Model home

Model unit

REAL ESTATE SALES OFFICE

RESIDENTIAL ACCESSORY USES

RECREATIONAL FACILITIES:

Personal

Private, On-Site

SIGNS, in accordance with chapter 30

ii. Commercial Planned Development (CPD) Tract:

ACCESSORY USES AND STRUCTURES

ADMINISTRATIVE OFFICES

ATM (automatic teller machine)

AUTO PARTS STORE, with or without installation facilities, limited to the most easterly 270 feet of the CPD Tract

AUTOMOBILE SERVICE STATION, limited to one, limited to the most easterly 270 feet of the CPD Tract

BANKS AND FINANCIAL ESTABLISHMENTS, Groups I and II

BAR OR COCKTAIL LOUNGE, only in conjunction with a Group III restaurant

BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION

BUILDING MATERIAL SALES

BUSINESS SERVICES, Groups I

CAR WASH, limited to the most easterly 270 feet of the CPD  
Tract  
CLEANING AND MAINTENANCE SERVICES  
CLOTHING STORES, general  
COMPUTER AND DATA PROCESSING SERVICES  
CONSUMPTION ON PREMISES  
CONTRACTORS AND BUILDERS, Groups I  
CONVENIENCE FOOD AND BEVERAGE STORE, limited to one having  
a maximum of 16 pumps and limited to the most easterly 270 feet of  
the CPD Tract,  
DEPARTMENT STORE  
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE  
EMS, FIRE, AND/OR SHERIFFS STATION  
ENTRANCE GATES AND GATEHOUSE  
ESSENTIAL SERVICES  
ESSENTIAL SERVICE FACILITIES, Group I  
EXCAVATION, water retention  
FENCES, WALLS  
FOOD AND BEVERAGE SERVICE, LIMITED  
FOOD STORES, Group I  
GIFT AND SOUVENIR SHOP  
HARDWARE STORE  
HEALTH CARE FACILITIES, Groups I, II, and III  
HOBBY, TOY AND GAME SHOPS  
HOUSEHOLD AND OFFICE FURNISHINGS, Groups I and II  
INSURANCE COMPANIES  
LAUNDROMAT  
LAUNDRY OR DRY CLEANING, Group I  
LAWN AND GARDEN SUPPLY STORES  
MEDICAL OFFICE  
NONSTORE RETAILERS, Groups I, II, and III  
PACKAGE STORE  
PAINT, GLASS AND WALLPAPER  
PARCEL AND EXPRESS SERVICES  
PARKING LOT:  
Accessory  
Temporary  
PERSONAL SERVICES, Groups I, II, III, and IV, excluding escort services,  
tattoo parlors, massage parlors, and steam and Turkish baths  
PET SERVICES  
PET SHOP  
PHARMACY  
POST OFFICE  
PRINTING AND PUBLISHING  
RECREATION, COMMERCIAL, Group I  
RENTAL OR LEASING ESTABLISHMENT, Groups I and II, no outdoor  
display  
REPAIR SHOPS, Groups I and II

RESEARCH AND DEVELOPMENT LABORATORIES, Groups II and IV  
RESTAURANT, FAST FOOD, limited one and to the most easterly 270 feet  
of the CPD Tract  
RESTAURANTS, Groups I, II, III, and IV  
SCHOOLS, Commercial  
SELF-SERVICE FUEL PUMPS, only in conjunction with a convenience food  
and beverage store  
SIGNS in accordance with chapter 30  
SOCIAL SERVICES, Group I  
SPECIALTY RETAIL SHOPS, Groups I, II, III, and IV  
STORAGE:  
Indoor  
STUDIOS  
TEMPORARY USES  
USED MERCHANDISE STORES, Group I  
VARIETY STORE  
WHOLESALE ESTABLISHMENTS, Group III



b. Site Development Regulations

ESTATES AT ENTRADA RPD/CPD PROPERTY DEVELOPMENT REGULATIONS												
LAND USE	Minimum Lot Area sq. ft.	Minimum sq ft per unit	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage %	Minimum Setbacks (ft)					Max. Height (ft.)	Stories
						Street	Side	Rear	Water	Preserve		
RESIDENTIAL												
Townhouse (Tract #1)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Townhouse (Tract #2)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Multiple-family (Tract #1)	10,000	3,000	100	100	45	20 <sup>(7)</sup>	5 <sup>(4)</sup> /0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50	3
Multiple-family (Tract #2)	10,000	2,000	100	100	45	20 <sup>(7)</sup>	15	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50 <sup>(6)</sup>	5
Single-family	5,000	-----	50	100	55	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Single-family <sup>(8)</sup>	6,500	-----	65	100	45	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
COMMERCIAL												
CPD Tract	20,000	-----	100	100	45	20 <sup>(7)</sup>	10/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	-----	20 <sup>(5)</sup>	35	3
RECREATIONAL FACILITIES												
Recreational Facilities, Private On-site (Amenity area)	10,000	-----	80	90	45	20 <sup>(7)</sup>	5	5	10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3

Footnotes:

- (1) Accessory structures - No accessory structures may be located in a buffer
- (2) Side opposite zero lot line
- (3) Interior side only
- (4) Exterior side only, with minimum building separation of 20 feet
- (5) Preserve Setbacks: Principal and accessory structures must be setback a minimum of ~~25~~ 20 feet from the preserves.
- (6) Multiple-family dwelling units located on multiple-family Tract #2, within 75 feet of Leesure Village Recreational Vehicle park and Leesure Village Mobile home Park, will be limited to a maximum height of 35 feet.
- (7) All other streets in accordance with Section 34-2192(a) of the Land Development code.
- (8) Property Development Regulations for single-family dwelling units in the stair-step hatched area as depicted on the master concept plan.

3. Environmental Conditions

a. GOPHER TORTOISE MANAGEMENT PLAN:

A Gopher Tortoise Management Plan must be submitted in conjunction with the indigenous preservation management plan at time of local development order review for the Division of Environmental Sciences staff review and approval. The Gopher Tortoise Management Plan must include the type of permit to be obtained from Florida Fish and Wildlife Conservation Commission, any habitat management activities required prior to relocating gopher tortoises and commensal species to the preserve, and long term management requirements.

The following steps must be followed prior to commencement of any site work to insure proper protection of gopher tortoises:

- i. A copy of the Florida Fish and Wildlife Conservation Commission gopher tortoise permit and receipt of payment if applicable, and updated gopher tortoise survey must be submitted to the Division of Environmental Sciences staff prior to issuance of a Vegetation Removal Permit; and
- ii. A Vegetation Removal Permit to install gopher tortoise fencing and burrow excavation must be obtained prior to any site work; and
- iii. Any gopher tortoises and commensal species located during burrow excavation must be moved to appropriate indigenous preserves; and
- iv. The number of tortoises and any commensal species moved to preserves must be reported to the Division of Environmental Sciences staff; and
- v. All active and inactive gopher tortoise burrows located within tracts to be excavated and fully collapsed prior to issuance of a Vegetation Removal Permit for clearing and filling of the development area.

b. LIMPKIN MANAGEMENT PLAN:

The proposed preserve and created lakes will provide foraging and roosting habitat for limpkins. No additional management is required.

c. Open Space:

Prior to local development order approval, the Development Order plans must include an open space diagram demonstrating how the 105.13 acres of required open space will be met on the overall project. The provided open space may include the 45 actual acres of indigenous preserve, 26 acres of lakes (25 percent of required open space), and 34 acres of common open space. The open space diagram must highlight how the 34 acres of landscape common open space will be

provided, and include details of how a minimum of 10 percent open space will be met within each tract requiring open space. The 10 percent open space per tract may be counted toward the 34 acres of required common open space.

4. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the Planned Development.
5. A 5-foot side setbacks for single-family detached residences shall be permitted as long as one builder constructs homes in the subdivision and certifies prior to Certificate of Occupancy that the grading plan has been accomplished in accordance with the approved Development Order issued for the project. If more than one builder constructs homes in any of the parcels, this certification must be made by a licensed Professional Engineer (P.E.) prior to the issuance of a Certificate of Occupancy.
6. Agriculture is not a permitted use within this Planned Development.
7. Accessory uses, including accessory parking, must be located on the same tract, lot, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, lot, parcel or outparcel.
8. Prior to the issuance of any Development Order, the developer must provide evidence that the property has access to central water and sanitary sewer, or that the extension of central water and sanitary sewer will coincide with the development of the property.
9. As part of the approved local development order for this development, the developer must provide for a six-foot wide pedestrian/bikepath parallel to and along both sides of the spine roads from the north connection, to Entrada PDP south to the intersection of the east/west connector road to U.S. 41. The remaining portion of the spine road, south of the intersection of the east/west connector road to U.S. 41 and the entire length of the east/west connector road, shall provide a six (6) foot pedestrian/bikepath parallel to and along one side of the road.
10. No entrance gates or gatehouses will be permitted on the spine roads within the development.
11. Model units and homes are permitted in compliance with the following conditions:
  - a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and
  - b. All model sites must be designated on the development order plans; and
  - c. All lots within a phase proposed for models must be platted before certificates of compliance will be granted for any models; and
  - d. Dry models are prohibited.

12. A Development Order may not be issued for this project until the 40-foot-wide haul road easement (as recorded in Official Records Book 36, at page 117 of the Public Records of Lee County, Florida), shown on the Master Concept Plan, is extinguished, as depicted on the Master Concept Plan.
13. Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in Lee County LDC Chapter 2 and the Lee County Comprehensive Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.
14. Buildings exceeding 35 feet in height must maintain additional building separation or additional building setbacks as regulated by Lee County LDC §34-2174(a) and Lee County LDC §34-935(e)4.
15. Approval of this rezoning 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.
16. Approval of this rezoning does not guarantee local development order approval. Future Development Order approvals must satisfy the requirements of the Lee County Comprehensive Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee County Comprehensive Plan provisions.
17. Prior to local development order approval, the billboard located along U.S. 41 must be removed.

#### SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-329(d)(1)a.3. requirement to provide excavations to be setback a minimum of 50 feet from any private property line under separate ownership; to allow a 25-foot setback as depicted on the Master Concept Plan. This deviation is APPROVED, SUBJECT TO the conditions that:
  - a. At the time of Development Order approval, the Developer must provide a minimum 4-foot-high fence on the north side of Lake 3 abutting the north property line. The fence will commence at the westerly side of the internal spine road and run westerly for 550 feet along the north property line.
  - b. The Developer, at the time of Development Order approval, must provide elements for the protection of wayward vehicles for that portion of the spine road adjacent to Lakes 1, 7, 13, and 15. The elements for the protection of wayward vehicles may include guardrails, berms, swales, vegetation or other protections as determined by the Development Services Director.
2. Deviation (2) seeks relief from the LDC §10-329(d)(6) requirement to provide that if roads, drives, or parking areas are located less than 125 feet from an existing residential



subdivision or residential lots a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped with a minimum of five trees and 18 shrubs per 100 linear feet; to eliminate the screening wall requirement in accordance with the Master Concept Plan. This deviation is APPROVED, SUBJECT TO the conditions that:

- a. At the time of local development order approval, for that portion of the spine road from its western limit to the west boundary of Lake 13, the developer will install a Type "B" buffer. Further that portion of the required buffer west of the temporary cul-de-sac, will not have to be installed until such time that the future right-of-way is extended to the west of the temporary cul-de-sac.
  - b. The deviation request is granted, adjacent to the CPD Tract, provided a Type "C" or Type "F" buffer is installed as shown on the master concept plan.
3. Deviation (3) seeks relief from the LDC §10-416(b) requirement to provide developments to provide fifty percent of their open space percentage requirement through the onsite preservation of existing native vegetation communities; to allow the development to meet this requirement through a replanting plan for portions of the proposed indigenous preserve that do not meet the indigenous plant community definition. This deviation is APPROVED, SUBJECT TO the conditions that:
- a. Prior to the issuance of a Certificate of Compliance for Phase I (infrastructure) of the development, invasive exotic vegetation must be removed from the preserve in a manner that does not disturb the soil (e.g., hydro-ax; hand-removal) to properly evaluate the amount of restoration plantings required to establish a complete indigenous vegetation community. The invasive exotic removal must be coordinated with the Division of Environmental Sciences Staff.
  - b. Prior to the issuance of a Certificate of Compliance for Phase I (infrastructure) of the development, the development order plans must delineate the indigenous preservation and restoration areas as shown on Exhibit D as well as 2.26 acres of additional indigenous preserve, including any applicable preservation credits per the Lee County LDC. Restoration areas used to achieve the additional indigenous preserve will be at an onsite 1:1 ratio.
  - c. Prior to local development order approval for Phase II of the development:
    1. A detailed indigenous restoration plan for both the wetland and upland portion of the preserve dominated by melaleuca (FLUCFCS Codes 424 and 4241) must be submitted for the Division of Environmental Sciences staff review and approval. The wetlands must be restored to hydric pine flatwoods/wet prairie and the upland must be restored to pine flatwoods / sabal palm hammock/palmetto prairie. Trees must be a minimum three-gallon container size, and shrubs and groundcover a minimum



one-gallon container size. Sabal palms may be relocated from portions of the property outside of the preserve into the upland restoration area. Upland restoration plantings must be mulched with pine straw, and irrigated with a temporary irrigation system. The wetland restoration plantings may be required to be irrigated depending on the time of year the plants are installed; and

2. The Development Order plans must provide indigenous restoration plan details including the number of each plant to be installed in the wetland restoration area and upland restoration area separately.
3. Prior to issuance of a Certificate of Compliance for Phase II of the development, the restoration plantings must be installed.

#### SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Preservation and Restoration Plan

The applicant has indicated that the STRAP numbers for the subject property are: 27-43-24-00-00023.0080 and 28-43-24-00-00001.0000

#### SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
  - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
  - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
  - c. is compatible with existing or planned uses in the surrounding area; and,
  - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

- e. will not adversely affect environmentally critical areas or natural resources.
- 3. The rezoning satisfies the following criteria:
  - a. the proposed use or mix of uses is appropriate at the subject location; and
  - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
  - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
- 4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
- 5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

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

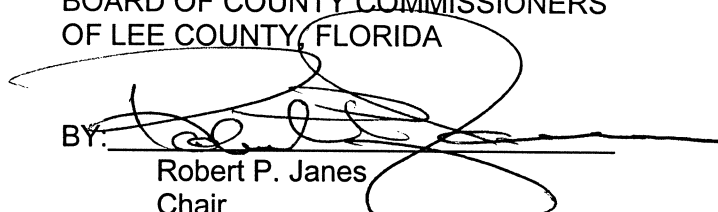
Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammara Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 21<sup>st</sup> day of August 2006.

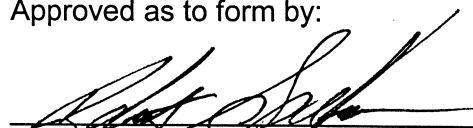
ATTEST:  
CHARLIE GREEN, CLERK

BY:   
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY:   
Robert P. Janes  
Chair

Approved as to form by:

  
County Attorney's Office

CASE NO: DCI2004-00080

2006 DEC 15 AM 8:55

RECEIVED  
MINUTES OFFICE

## EXHIBIT "A"

## OVERALL BOUNDARY DESCRIPTION

(292.91 ACRE PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28, THENCE S 00° 19' 44" E ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION FOR 25.00 FEET TO A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE S 89° 51' 02" E ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 27; THENCE S 00° 16' 35" E ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S 89° 56' 55" E FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N 73° 49' 24" E; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07° 03' 17.6" FOR 689.20 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S 89° 33' 08" W ALONG SAID BOUNDARY FOR 1128.76 FEET; THENCE N 00° 17' 28" W ALONG SAID BOUNDARY FOR 243.89 FEET; THENCE S 89° 41' 12" W ALONG SAID BOUNDARY FOR 599.97 FEET; THENCE N 00° 33' 01" W ALONG SAID BOUNDARY FOR 169.75 FEET; THENCE S 89° 33' 13" W ALONG SAID BOUNDARY FOR 599.34 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 00° 19' 44" E ALONG SAID EAST LINE AND SAID BOUNDARY OF LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S 89° 44' 52" W ALONG THE EAST WEST QUARTER SECTION LINE OF SAID SECTION 28 FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE LYING 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N 00° 07' 52" W ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S 12° 27' 00" E; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78° 57' 57" FOR 1488.47 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE N 88° 35' 04" E ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S 89° 49' 26" E ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 2639.07 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 292.91 ACRES MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 BEARS S 89° 49' 26" E. PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

S:\Zoning Tables\Legal Review data\Legal Cases\Legal Descriptions\Metes & Bounds\DCI2004-00080.doc

**Applicant's Legal Checked**

by Lgm 12/30/2005

(page 1 of 7)







**Banks Engineering, Inc.**Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTADESCRIPTION OF A PARCEL  
LYING IN SECTIONS 27 AND 28, T-43-S, R-24-E,  
LEE COUNTY, FLORIDA

(280.07 ACRE RPD PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28  
TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE S.00°19'44"E. ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION FOR 25.00 FEET TO AN INTERSECTION WITH A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE S.89°51'02"E. ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE S.00°16'35"E. ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S.89°56'55"E. FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.73°49'24"E.; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 1°41'55.3" FOR 165.95 FEET; THENCE N.89°56'55"W. FOR 972.94 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 72.50 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°22'58" FOR 57.43 FEET; THENCE S.00°17'28"E. FOR 299.45 FEET TO THE NORTH LINE OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S.89°41'12"W. ALONG SAID NORTH LINE FOR 599.97 FEET; THENCE N.00°33'01"W. FOR 169.75 FEET; THENCE S.89°33'13"W. FOR 599.34 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S.00°19'44"E. ALONG SAID EAST LINE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.89°44'52"W. ALONG THE EAST WEST QUARTER SECTION LINE FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N.00°07'52"W. ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.12°27'00"E.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.88°35'04"E. ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S.89°49'26"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 2639.07 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 280.07 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S.89°49'26"E.

DESCRIPTION PREPARED JULY 29, 2005



KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

**Applicant's Legal Checked**by Lgm 12/30/2005  
(page 4 of 7)

SHEET 1 OF 2

**DCI2004-00080**





## **Banks Engineering**

Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION OF A PARCEL  
LYING IN SECTIONS 27 AND 28, T-43-S, R-24-E,  
LEE COUNTY, FLORIDA

### **(12.84 ACRE COMMERCIAL PARCEL)**

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 27 TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE S.89°51'02"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1338.01 FEET; THENCE S.00°16'35"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 27 FOR 1553.29 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°56'55"E. FOR 888.02 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R.45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.75°31'20"E.; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 5°21'22" FOR 523.25 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S.89°33'08"W. ALONG SAID BOUNDARY LINE FOR 1128.76 FEET; THENCE N.00°17'28"W. FOR 543.33 FEET, LEAVING SAID BOUNDARY AT 243.88 FEET, TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 72.50 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.45°26'03"W.; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°22'58" FOR 57.43 FEET; THENCE S.89°56'55"E. FOR 84.92 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 12.84 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S.89°49'26"E.

DESCRIPTION PREPARED JULY 29, 2005

  
KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

OCI 2004-00080

Applicant's Legal Checked

by Lsm 12/30/2005

(Page 6 of 7)

**RECEIVED**  
DEC 14 2005

PERMIT COUNTER

SHEET 1 OF 2



# SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 27, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

**Banks Engineering**

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690  
12653 SW COUNTY ROAD 769 - SUITE B  
LAKE SUZY, FLORIDA 34269  
(941) 625-1165

## LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°56'55" E	84.92'

## CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5597.26'	05°21'22"	523.25'	523.06'	S 11°47'59" E
C2	72.50'	45°22'58"	57.43'	55.94'	S 67°15'26" E



1" = 200'

DCI 2004-00080

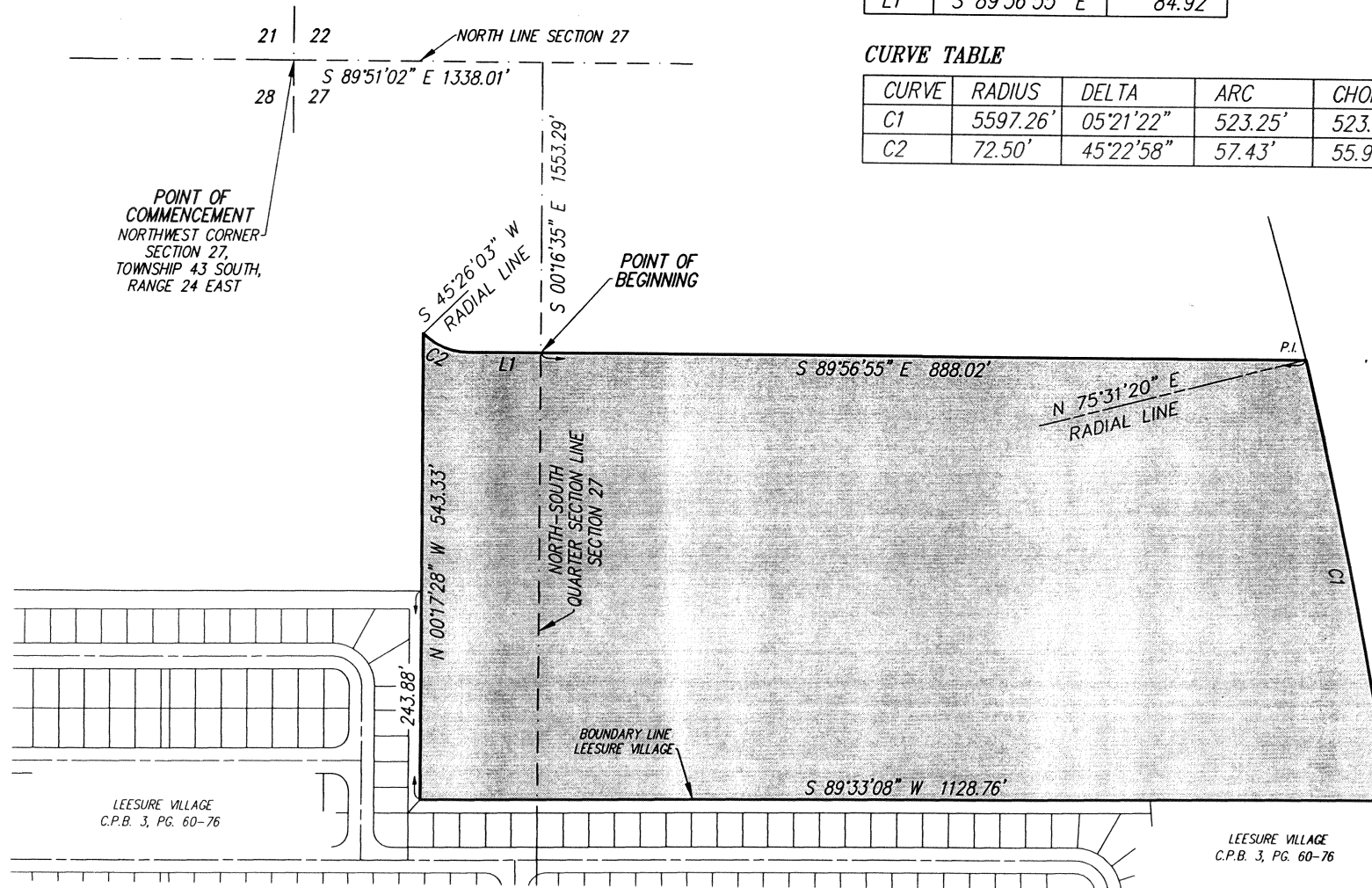
**RECEIVED**  
DEC 14 2005

PERMIT COUNTER

SEE SHEET 1 FOR COMPLETE  
METES AND BOUNDS DESCRIPTION.  
THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY

*Kenneth E. Trask* 12-6-2005  
KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

- THIS SKETCH OF DESCRIPTION IS NOT VALID  
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



## NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S 89°49'26" E.

Sketch of  
Applicant's Legal Checked  
by Lgm 12/30/2005  
(pg 7 of 7)

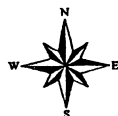
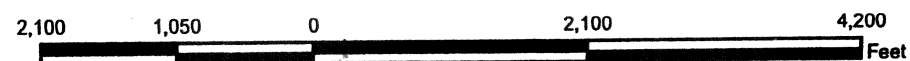
PREPARED JULY 29, 2005  
SHEET 2 OF 2

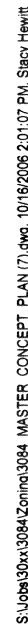
## LEGEND:

PG. INDICATES PAGE  
P.B. INDICATES PLAT BOOK  
S.R. INDICATES STATE ROAD  
U.S. INDICATES UNITED STATES  
P.I. INDICATES POINT OF INTERSECTION  
C.P.B. INDICATES CONDOMINIUM PLAT BOOK  
F.D.O.T. INDICATES FLORIDA DEPARTMENT OF TRANSPORTATION

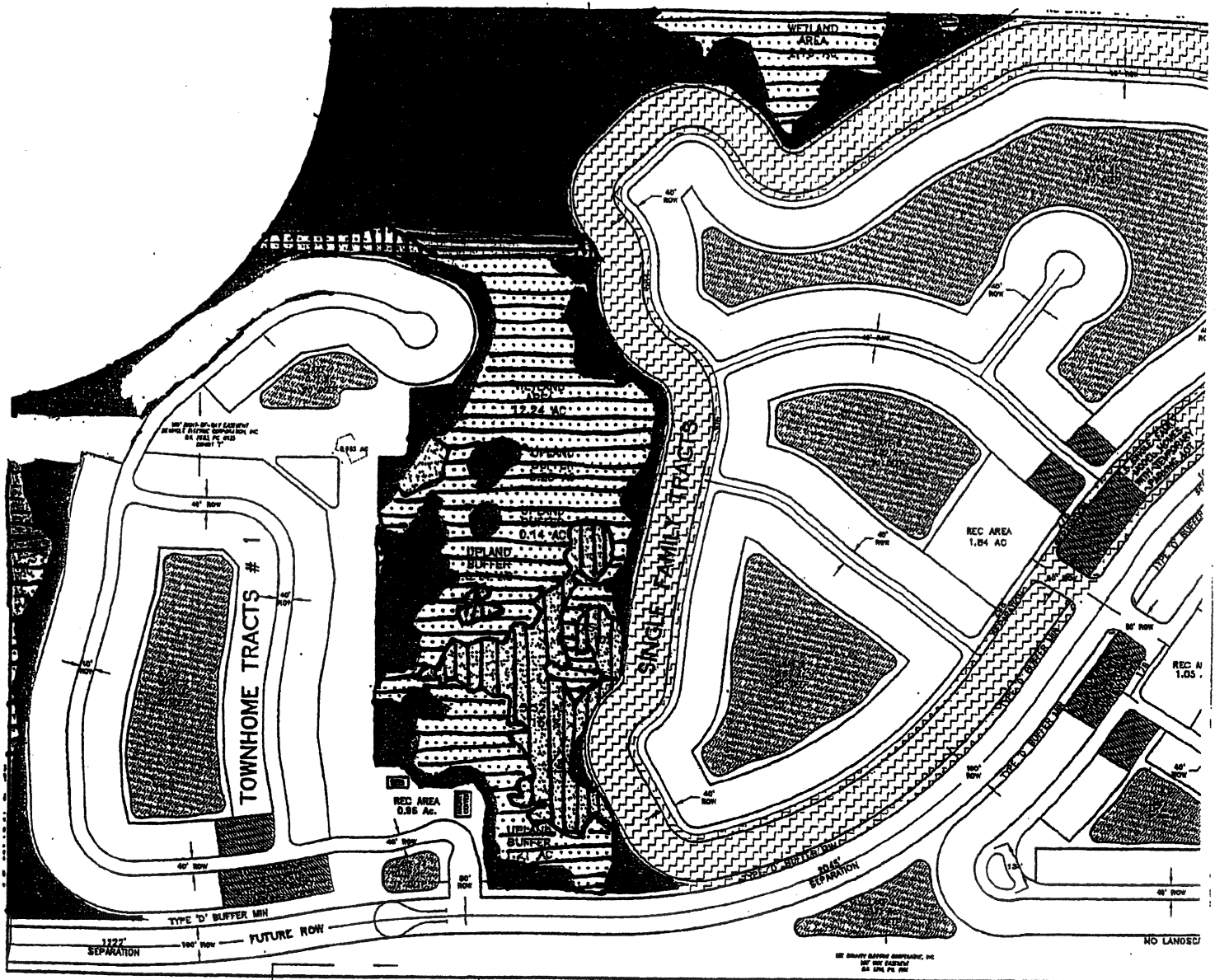


DCI2004-00080












MH-2  
TAMIAMI VILLAGE  
(P.B. 31, PG. 100 & 100A)  
CENTRAL URBAN FLUM

-  = Existing Indigenous Plant Community
-  = Wetland Restoration
-  = Upland Restoration

DCI 2004-00080

EXHIBIT D



# Exhibit C

ADMINISTRATIVE AMENDMENT (PD) ADD2006-00240

## ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, PGA Investment Holdings, LLC filed an application for administrative amendment approval to a Residential/Commercial Planned Development (RPD/CPD) on a project known as The Estates at Entrada to:

1. amend the Site Development Regulations Table to reduce the separation distance between multiple-family buildings on Tract #1 from 20 feet to 10 feet;

on property located at 16701 N. Cleveland Avenue, described more particularly as:

LEGAL DESCRIPTION: In Section 27, Township 43 South, Range 24 East, Lee County, Florida:

See Legal Description attached hereto as Exhibit "A"

WHEREAS, the property was originally rezoned in case number 75-5-10, with subsequent amendments in case numbers 89-5-2-4 DCI, 89-5-2-4(R) DCI, 95-12-237.13A, and DCI20004-00080 and;

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

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

WHEREAS, the applicant has indicated that there is a scrivener's error in the Site Development Regulations Table, wherein the applicant originally requested a building separation of 10 feet and the approved property development regulations provided for a 20 foot separation for multiple-family buildings in Tract #1; and

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an administrative approval for an amendment to a Residential/Commercial Planned Development is **APPROVED** to:

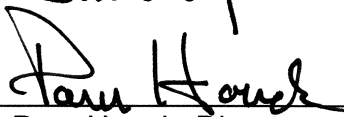
1. **amend the property development regulations, Resolution Z-06-039, to reduce the separation distance between multiple-family buildings on Tract #1 from 20 feet to 10 feet.**

**Approval is subject to the following conditions:**

1. **Resolution Z-06-039, Section B. Conditions, subsection 2.b., Site Development Regulations Table, is hereby amended by adding and deleting language as shown on Exhibit "B" attached hereto.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**

DULY SIGNED this 9<sup>th</sup> day of January, A.D., 2007.

BY: \_\_\_\_\_



Pam Houck, Director  
Division of Zoning  
Department of Community Development

**Banks Engineering, Inc.**Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTADESCRIPTION OF A PARCEL  
LYING IN SECTIONS 27 AND 28, T-43-S, R-24-E,  
LEE COUNTY, FLORIDA**(ESTATES AT ENTRADA OVERALL PARCEL)**

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28 TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE S.00°19'44"E. ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION FOR 25.00 FEET TO A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE S.89°51'02"E. ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 27; THENCE S.00°16'35"E. ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S.89°56'55"E. FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.73°49'24"E.; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07°03'17.6" FOR 689.20 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S.89°33'08"W. ALONG SAID BOUNDARY FOR 1128.76 FEET; THENCE N.00°17'28"W. ALONG SAID BOUNDARY FOR 243.89 FEET; THENCE S.89°41'12"W. ALONG SAID BOUNDARY FOR 599.97 FEET; THENCE N.00°33'01"W. ALONG SAID BOUNDARY FOR 169.75 FEET; THENCE S.89°33'13"W. ALONG SAID BOUNDARY FOR 599.34 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S.00°19'44"E. ALONG SAID EAST LINE AND SAID BOUNDARY OF LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S.89°44'52"W. ALONG THE EAST WEST QUARTER SECTION LINE OF SAID SECTION 28 FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE LYING 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N.00°07'52"W. ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.12°27'00"E.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 28; THENCE N.88°35'04"E. ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S.89°49'26"E. ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 2639.07 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 292.91 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S.89°49'26"E.

BANKS ENGINEERING, INC.

**Applicant's Legal Checked**

DESCRIPTION PREPARED JUNE 21, 2005

BY *[Signature]* 22 DEC 06

*[Signature]*  
KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

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SURVEYOR



PERMIT COUNTER

SHEET 1 OF 2

ADD 2006-00240



# SKETCH OF DESCRIPTION

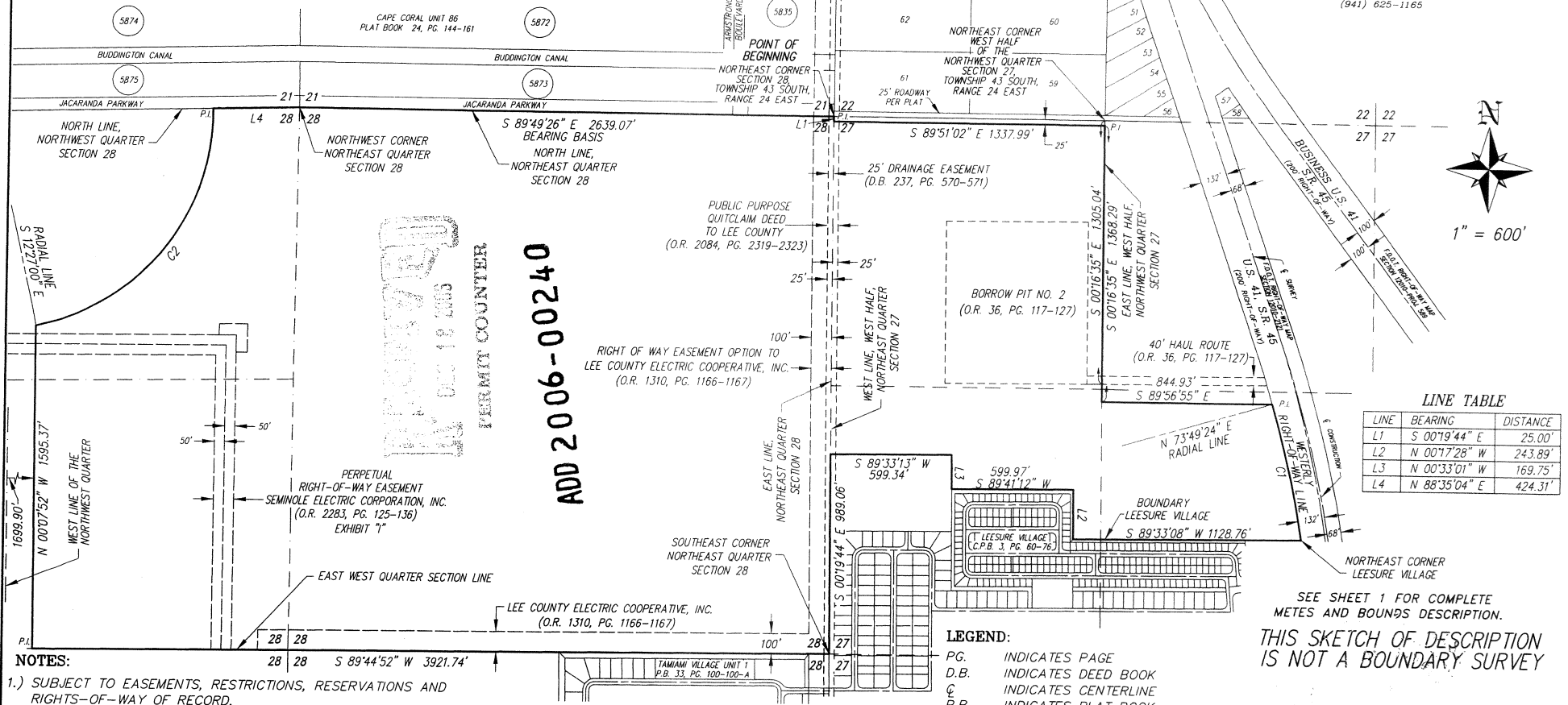
OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 27 AND 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA  
(ESTATES AT ENTRADA OVERALL PARCEL)

## ACREAGE SUMMARY

OVERALL PARCEL	269.82 ACRES MORE OR LESS
LESS PARCEL	-12.85 ACRES MORE OR LESS
NET ACREAGE	256.97 ACRES MORE OR LESS

**Banks Engineering, Inc.**

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690  
12653 SW COUNTY ROAD 769 - SUITE B  
LAKE SUZY, FLORIDA 34269  
(941) 625-1165



- NOTES:**
- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
  - 2.) BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S 89°49'26" E.

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5597.26'	07°03'17.6"	689.20'	688.76'	S 12°38'57" E
C2	1080.00'	78°57'57"	1488.47'	1373.43'	N 38°04'02" E

- LEGEND:**
- PG. INDICATES PAGE
  - D.B. INDICATES DEED BOOK
  - CL INDICATES CENTERLINE
  - P.B. INDICATES PLAT BOOK
  - S.R. INDICATES STATE ROAD
  - U.S. INDICATES UNITED STATES
  - P.I. INDICATES POINT OF INTERSECTION
  - O.R. INDICATES OFFICIAL RECORDS BOOK
  - C.P.B. INDICATES CONDOMINIUM PLAT BOOK
  - F.D.O.T. INDICATES FLORIDA DEPARTMENT OF TRANSPORTATION

SEE SHEET 1 FOR COMPLETE METES AND BOUNDS DESCRIPTION.  
**THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY**

*Kenneth E. Trask*  
KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684  
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED JUNE 21, 2005  
SHEET 2 OF 2

**APPROVED**  
Amendment to  
Master Concept Plan  
Subject to Case # ADD2006-00240  
Date 1/9/07

## EXHIBIT "B"

DCI2004-00080

Estates at Entrada

ESTATES AT ENTRADA RPD/CPD PROPERTY DEVELOPMENT REGULATIONS												
LAND USE	Minimum Lot Area sq. ft.	Minimum sq ft per unit	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage %	Minimum Setbacks (ft)				Max. Height (ft.)	Stories	
						Street	Side	Rear	Water			Preserve
RESIDENTIAL												
Townhouse (Tract #1)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Multiple-family (Tract #1)	10,000	3,000	100	100	45	20 <sup>(7)</sup>	5 <sup>(4)</sup> /0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50	3
Multiple-family (Tract #2)	10,000	2,000	100	100	45	20 <sup>(7)</sup>	15	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50 <sup>(6)</sup>	5
Single-family	5,000	-----	50	100	55	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Single-family <sup>(8)</sup>	6,500	-----	65	100	45	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
COMMERCIAL												
CPD Tract	20,000	-----	100	100	45	20 <sup>(7)</sup>	10/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	-----	20 <sup>(5)</sup>	35	3
RECREATIONAL FACILITIES												
Recreational Facilities, Private On-site (Amenity area)	10,000	-----	80	90	45	20 <sup>(7)</sup>	5	5	10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3



Footnotes:

- (1) Accessory structures - No accessory structures may be located in a buffer
- (2) Side opposite zero lot line
- (3) Interior side only
- (4) Exterior side only, with minimum building separation of ~~20~~ 10 feet
- (5) Preserve Setbacks: Principal and accessory structures must be setback a minimum of 20 feet from the preserves.
- (6) Multiple-family dwelling units located on multiple-family Tract #2, within 75 feet of Leesure Village Recreational Vehicle park and Leesure Village Mobile home Park, will be limited to a maximum height of 35 feet.
- (7) All other streets in accordance with Section 34-2192(a) of the Land Development code.
- (8) Property Development Regulations for single-family dwelling units in the stair-step hatched area as depicted on the master concept plan.



# Exhibit D

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8368

Bob Janes  
District One

A. Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

April 24, 2007

BRYAN CLEMONS  
BANKS ENGINEERING  
12653 SW CR 769  
SUITE B  
LAKE SUZY, FL 34269

RE: ESTATES AT ENTRADA  
DOS2006-00145 - DO Submittal Large  
RO2 Application (Resubmittal)A

Dear BRYAN CLEMONS :

Your plans for the above-referenced project have been reviewed and approved for Concurrence and a Development Order with stipulation(s). Concurrence and the Development Order are granted for the following:

Approved for a 279 lot subdivision for SFR and 1,182 residential condominium units in 169 buildings (31 Bldgs - 4 Units/Bldgs - 5 Units/Bldgs. 8 Bldgs - 6 Units/Bldg, 38 Bldgs - 7 Units/Bldgs, 28 Bldgs - 8/Units/Bldg, 8 Bldgs - 30 Units/Bldg) with streets, parking, utilities, sewage pump stations with 6"8" and 10" force mains, stormwater management facilities, two 1,600+/- sq. ft. one story buildings for an Amenity Centers (Townhouse Tract 1 and multi family tract 1), a 2000+/- sq. ft. one story building for an amenity center (single family tract), five swimming pools, a tennis court and related minor site improvements. CNC2006-00216

THIS CERTIFICATE OF CONCURRENCE SHALL BE VALID AND EFFECTIVE UNTIL 4/24/2010. DURING THE NEXT THREE (3) YEARS, the Development Services Division is authorized to issue building permits for the construction of the building(s) indicated above without further review of the Concurrence requirements by the Division. Upon expiration of the Concurrence Certificate, the project will be subject to the concurrence program in effect at the time of expiration. No vested right to a Concurrence Certificate will exist solely due to the existence of an otherwise effective Development Order.

THIS DEVELOPMENT ORDER WILL BE VALID FOR A PERIOD OF SIX (6) YEARS AND IS SCHEDULED TO EXPIRE ON 4/24/2013.

Approval is subject to the following stipulation(s) and/or comment(s):

LC Utilities Short Checklist

BANKS ENGINEERING  
ESTATES AT ENTRADA  
DOS2006-00145  
April 24, 2007

Page 2

*2) The reviewer may be contacted for additional information regarding this Utilities checklist.*

Prior to any utility construction, please revise the plans and submit to LCU showing the followings design considerations:

1. Please provide a 20' wide LCU easement up to the meter for the proposed Master Meter Assemblies along the south side of Playa del Sol Blvd.
2. Clearly delineate on the utility plan the proposed sizes of the cross connection control device. Please address sheet 49, 50, 52, 53, 59, 62, 63, 64 and 65 (Typical).
3. Please revise the utility plans to re-locate all proposed potable water or fire protection services out of the planting islands (Typical). Please address sheet 64 at or near Sta.288+00.
4. Please revise the utility plans to deflect the proposed force main underneath the water main (Typical). Please address sheet 46 at or near Sta.69+80 (Typical).
5. Please revise the utility plan as it contains conflicting information. Please address the utility note on sheet 46 at or near Sta.80+30.
6. Please note that the LCU operations manual does not allow trees, structures or encroaching of other easements within the LCU easement.

Please contact Jessica Gutierrez @ 479-8155 for further information regarding this review.

**LC Environmental Sciences Checklist (Ord. 03-16)**

*3b) Permits Required. Prior to any activity that will affect wetlands (See LCLDC Sec. 14-293), an Environmental Resources Permit (ERP) or an exemption is required from either DEP or SFWMD in accordance with F.S. ch. 373 and F.A.C ch. 62. [10-154(22), 14-293] {See Application Form PART VI A}*

Prior to site work, submit copies of the recorded conservation easement per special condition 28 of the SFWMD permit.

Prior to any site work within ACOE wetland aresa, submit copies of the ACOE permits to ES Staff.



*8) Protected Species Management Plan Requirements. When listed species are found on the property, a protected species management plan, meeting the requirements of LCLDC Sec. 10-474, is required for all development order applications.[10-473(b)]*

Prior to issuance of a vegetation removal permit, an updated gopher tortoise survey must be submitted which indicates the current locations and status of onsite gopher tortoise burrows. Please submit copies of the FWC permit and receipt for payment, if necessary, for the gopher tortoise relocation permit. Please submit full size FLUCCS map which indicate the burrow locations on the site.

The following steps must be followed prior to commencement of any site work to insure proper protection of gopher tortoises:

1. A copy of the Florida Fish and Wildlife Conservation Commission gopher tortoise permit and receipt of payment if applicable, and updated gopher tortoise survey must be submitted to the Division of Environmental Sciences staff prior to issuance of a Vegetation Removal Permit; and
2. A Vegetation Removal Permit to install gopher tortoise fencing and burrow excavation must be obtained prior to any site work; and
3. Any gopher tortoises and commensal species located during burrow excavation must be moved to appropriate indigenous preserves; and
4. The number of tortoises and any commensal species moved to preserves must be reported to the Division of Environmental Sciences staff; and
5. All active and inactive gopher tortoise burrows located outside of the indigenous preserves must be excavated and fully collapsed prior to issuance of a Vegetation Removal Permit for clearing and filling of the development area

*8b) Management Activities. Management plan submittals must include recommended management activities. [10-474(a)(2)]*

Prior to any site work, a vegetation removal permit must be obtained from ES staff at 239-479-8389. The preserve areas must be staked and point map with corresponding staking provided to ES staff prior to any onsite inspections. The exotic removal from the preserve areas must be conducted by hand and not mechanical means, unless an onsite meeting is held with ES staff to verify the exotic concentration in those areas.

Prior to plat approval, the HOA documents must include the education brochure regarding onsite preserve maintenance.

Prior to issuance of a Certificate of Compliance, post-monitoring report for the condition of the preserve must be submitted to ES staff. The CC monitoring report must describe and document ecological restoration activity that has occurred in the preserve areas. If review of the monitoring reports reveals death or significant decline to preserve vegetation, then revision of the management plan and restoration in accord with section 10-423 will be required.

*14) Master Phasing Plan. For phased development orders (see LCLDC Sec.10-117), a master phasing plan must be submitted with stages numbered in sequence showing how each phase fits into the master plan for continuance of all infrastructure, and landscaping and buffers. [10-154(7)b, 10-153(5)i, 10-117] {NOTE: See Application Form PART V D}*

Prior to issuance of a Certificate of Compliance for phase one, the exotic removal must be completed from the onsite preserve areas. The lake littorals, including destratification system must be installed and the buffers must be installed with phase one.

Prior to issuance of a Certificate of Compliance for phase two, the restoration plants must be installed and established. The restoration plants can not be bonded or delayed to a later phase.

No dewatering can occur within the preserve areas.

*19) General Tree Requirements. Landscaping for all new developments must include, at a minimum, the number of trees specified in LCLDC Sec. 10-416(a) in addition to those required for parking and vehicle use areas and buffers. [10-416(a)]*

Prior to issuance of a Certificate of Compliance, if the preserve area does not contain sufficient amount of general tree credits then a minor change must be submitted for review and approval which indicates the general tree locations.

*24) Buffering - General. A buffering area is required along the entire perimeter of the proposed development whenever the proposed development abuts a different use. The existing use, or where vacant the permitted use, of the abutting property will determine the type of buffering area required. [10-416(d)(1)]*

Prior to issuance of a Certificate of Compliance for phase one, the buffers must be installed around the perimeter of the site.

*33) Plantings in Easements. Utility, power, or drainage easements may overlap required buffers; however no required trees or shrubs may be located in any utility, power, or street easement or right-of-way. [10-421(a)(5)]*

Prior to issuance a Certificate of Compliance, all code required plantings must be located outside any easement.

*34b) Plant location. Trees may not be placed where they interfere with utilities, site drainage, views, signs, or where they require frequent pruning to avoid overhead power lines (i.e. less than 20 ft. in height at maturity under power lines). [10-421(a)(5)]*

Prior to issuance of a Certificate of Compliance, all code required trees must be installed a minimum of 10' from buildings to avoid conflicts at a later date.

*44d) Maintenance Covenants. The property owner must record covenants, in a form acceptable to the county attorney's office, providing that the lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lake(s). [10-329(d)(3)a.3]*

Prior to plat approval, the property owner must record covenants providing that the deep lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lakes.

BANKS ENGINEERING  
ESTATES AT ENTRADA  
DOS2006-00145  
April 24, 2007

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48) *Contact. The reviewer may be contacted for additional information regarding this Environmental Sciences checklist.*

Please contact Becky Sweigert at 239-479-8552 or via email at [rsweigert@leegov.com](mailto:rsweigert@leegov.com) regarding environmental comments.

**LC Engineering/General Checklist (Ord. 03-16)**

28) *Assurance of Completion of Improvements. Assurance of completion for all off-site improvements is required prior to commencing any off-site or on-site development. Assurance of completion for all on-site subdivision improvements is required prior to the acceptance of a subdivision plat. [10-154(26)] {See Application Form PART VIII}*

Prior to the start of any off-site construction, an assurance of completion must be submitted.

36) *Clean Water Requirements, NOI. For all projects one acre in size and larger a notice of intent (NOI) must be filed with FDEP in Tallahassee in accordance with DEP Document No. 62-621 as well as with the Director at least 48 hours prior to the start of construction. [14-476(b)(3)] {See Application Form PART VIII}*

45) *Contact. The reviewer may be contacted for additional information regarding this Engineering checklist.*

Contact Bob Rentz @ 479-8587, OR [rentzrg@leegov.com](mailto:rentzrg@leegov.com)

**LC Zoning Checklist (Ord. 03-16)**

14) *Operation and Maintenance Covenants. Operation and maintenance covenants for the operation and maintenance of common facilities must be submitted for review by the County Attorney. [10-154(23), 10-293(3), 10-327, 10-356, 10-413(f), 10-414(h), 10-417] {See Application Form PART VIII}*

Prior to the issuance of a Certificate of Compliance, all appropriate homeowner's documents must be approved and recorded.


29) *Contact. The reviewer may be contacted for additional information regarding this Zoning checklist.*

Contact Bob Rentz @ 479-8587, OR [rentzrg@leegov.com](mailto:rentzrg@leegov.com)

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

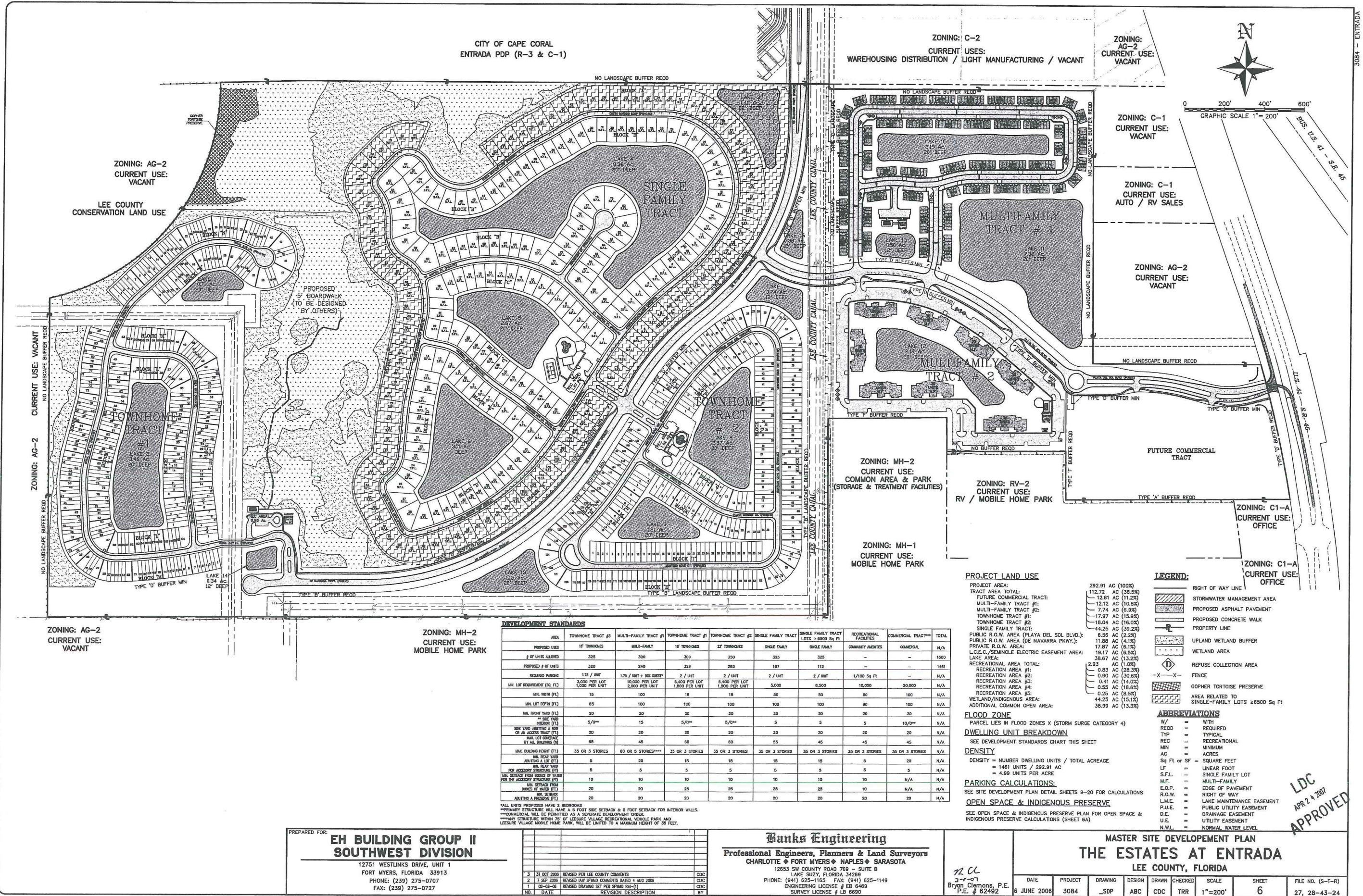


Peter J. Eckenrode  
Development Services Director

PJE / BGR

Three plans







# Exhibit E

ADMINISTRATIVE AMENDMENT (P.D.) ADD2007-00189

## ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, PGA Investment Holdings, LLC., filed an application for administrative approval to a Residential Planned Development on a project known as the Estates at Entrada to:

1. revise the proposed right -of-way width and road alignment of the DeNavarra Parkway extension on the master concept plan; and
2. revise Tract #1 on the master concept plan from multiple-family residential to townhouse and rename the tract "Townhome Tract #3"; and
3. delete the entire row titled "Multiple-family (Tract #1)" from the Site Development Regulations Table and replace it with "Townhouse (Tract #3)" containing revised Property Development Regulations; and
4. delete the words "Multiple-family Tract #2" on the master concept plan and Property Development Regulations and replace it with the words "Multiple-family Tract #1"; and
5. correct inconsistencies in the open space tabulations resulting from the widening and realignment of DeNavarra Parkway within the development; and
6. update the open space tabulations to ensure that the revised master concept plan is consistent with tabular data and Resolution Z-06-039

on property located at 16701 N. Cleveland Avenue, described more particularly as:

LEGAL DESCRIPTION: In Section 27 and Section 28, Township 43 South, Range 24 East, Lee County, Florida:

See Legal Description attached hereto as EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-75-123 with subsequent amendments in case numbers Z-89-045, Z-89-045A, Z-89-045AA, FPA-96-005, Z-06-039, and ADD2006-00240; and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the ; 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, Lee County Department of Transportation, the City of Cape Coral, and the applicant (PGA Investment Holdings, LLC) have been working to revise the alignment of DeNavarra Parkway (spine road) on the subject property from the City of Cape Coral city limits

on the north to US 41 on the east in Lee County; and

WHEREAS, the right-of-way on the subject proper was widened from 100 feet to 125 feet; and

WHEREAS, the 125 foot wide right-of-way will allow the spine road to be constructed as a four lane divided facility; and

WHEREAS the revised master concept plan reflects the realignment of the spine road agreed to in concept by Lee County Department of Transportation, the City of Cape Coral, and the applicant (PGA Investment Holdings, LLC); and

WHEREAS, the increase in the width of the right-of-way of the spine road necessitated additional site modifications to the master concept plan and Resolution Z-06-039; and

WHEREAS, the project originally contained 16 Lakes number 1 through 16; and

WHEREAS, the realignment of the spine road eliminated Lake 16; and

WHEREAS, the realignment of the spine road changed the acreage and configuration of Lakes 10, 15, 11, 7, and 3; and

WHEREAS, inconsistencies on the master concept plan were corrected to ensure that the master concept plan is consistent with the tabular data on the master concept plan and Resolution Z-06-039; and

WHEREAS, the applicant is desirous of changing the residential unit type mix within the development; and

WHEREAS, the development of multiple-family dwelling units on Tract #1, is replaced by townhome dwelling units; and

WHEREAS, "Multiple-family Tract #1", on the master concept plan, is renamed "Townhome Tract #3"; and

WHEREAS, the site development regulations table, Resolution Z-06-039, are modified to include regulations for "Townhome Tract #3"; and

WHEREAS, "Multiple-family Tract #2" on the originally approved master concept plan is renamed "Multiple-family Tract #1"; and

WHEREAS, deviation (1), Resolution Z-06-039, referenced Lake 1, which is a typographical error and the correct reference is Lake 11; and

WHEREAS, deviation (1), Resolution Z-06-039, referenced Lake 15 but was not depicted on the master concept plan; and

WHEREAS, Lake 14 was depicted on the approved master concept plan as being setback 25 feet from the right-of-way; and



WHEREAS, the applicant is requesting a deviation be granted to reduce the setback for Lake 14 from 50 feet to 25 feet to correct this omission; and

WHEREAS, the proposed dwelling units on Townhome Tract#3, have a proposed minimum 13 foot front setback for all units without garages; and

WHEREAS, the proposed dwelling units on Townhome Tract#3, have a minimum rear setback of 12 feet for all units backing up to the canal to the west of the project; and

WHEREAS, the proposed dwelling units on Townhome Tract#3 backing up to the canal will be 26± feet from the canal top-of-bank; 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.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development to:

1. **revise the proposed right-of-way width and road alignment of the DeNavarra Parkway extension on the master concept plan; and**
2. **revise Multiple-family Tract #1 on the master concept plan from multiple-family residential to townhouse and rename the tract "Townhome Tract #3"; and**
3. **delete the entire row titled "Multiple-family (Tract #1)" from the Site Development Regulations Table and replace it with "Townhouse (Tract #3)" containing revised Property Development Regulations; and**
4. **delete the words "Multiple-family Tract #2" on the master concept plan and Property Development Regulations and replace it with the words "Multiple-family Tract #1"; and**
5. **correct inconsistencies in the open space tabulations resulting from the widening and realignment of DeNavarra Parkway within the development; and**
6. **update the open space tabulations to ensure that the master concept plan is consistent with the zoning Resolution Z-06-039,**

**is APPROVED.**

**Approval is subject to the following conditions:**

1. The Development must be in compliance with the amended Master Concept Plan, last revised on March 17, 2008 and stamped received by the permit counter on March 20, 2008. Master Concept Plan for ADD2007-00189 is hereby APPROVED and adopted. A reduced copy is attached hereto.
2. Resolution Z-06-039, Section C., Deviations, 1.b., is hereby amended to correct a scrivener's error by adding and deleting language in strike-through and underline format as follows:

The Developer, at the time of Development Order approval, must provide elements for the protection of wayward vehicles for that portion of the spine road adjacent to Lakes 4, 7, ~~11~~ 13, ~~14~~ and 15. The elements for the protection of wayward vehicles may include guardrails, berms, swales, vegetation or other protections as determined by the Development Services Director.

3. Resolution Z-06-039, Section B. Conditions, 2.b., Site Development Regulations, table and footnotes are amended by adding and deleting language in strike through and underline format as shown on the revised table attached hereto as EXHIBIT B.
4. The terms and conditions of the original zoning resolutions and amendments thereto remain in full force and effect.

DULY SIGNED this 5th day of May, A.D., 2008.

BY: Pam Houck

Pam Houck, Director  
Division of Zoning  
Department of Community Development

***RHODES & RHODES LAND SURVEYING, INC.***

JOHN SCOTT RHODES, P.S. M.      THOMAS E. RHODES, P.S. M.  
 1440 RAIL HEAD BLVD. #1      NAPLES, FLORIDA 34110  
 PHONE (239) 593-0570      FAX (239) 593-0581

**EXHIBIT A**

**LEGAL DESCRIPTION  
 (ESTATES AT ENTRADA)**

A TRACT OF PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 00°19'44" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION FOR 25.00 FEET TO A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 89°51'02" EAST, ALONG SAID PARALLEL LINE FOR 1,337.99 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 27; THENCE SOUTH 00°16'35" EAST, ALONG SAID EAST LINE FOR 1,368.29 FEET; THENCE SOUTH 89°56'55" EAST, FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF HAVING A RADIUS OF 5,597.26 FEET AND TO WHICH A RADIAL LINE BEARS NORTH 73°49'24" EAST; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07°03'18" FOR 689.20 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE SOUTH 89°33'08" WEST, ALONG SAID BOUNDARY FOR 1128.76 FEET; THENCE NORTH 00°17'28" WEST, ALONG SAID BOUNDARY FOR 243.89 FEET; THENCE SOUTH 89°41'12" WEST, ALONG SAID BOUNDARY FOR 599.97 FEET; THENCE NORTH 00°33'01" WEST, ALONG SAID BOUNDARY FOR 169.75 FEET; THENCE SOUTH 89°33'13" WEST, ALONG SAID BOUNDARY FOR 599.34 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE SOUTH 00°19'44" EAST, ALONG SAID EAST LINE AND SAID BOUNDARY OF LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE SOUTH 89°44'52" WEST, ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 28 FOR 3,921.74 FEET TO AN INTERSECTION WITH A LINE LYING 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 00°07'52" WEST, ALONG SAID PARALLEL LINE FOR 1,595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS SOUTH 12°27'00" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 28; THENCE NORTH 88°35'04" EAST ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE SOUTH 89°49'26" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 2,639.07 FEET TO THE POINT OF BEGINNING

Z:\CONST\ENTRADA\10-25-07 4 PARCEL SURVEY\2007-961 legal.doc

Page 1 of 3

**RECEIVED**

NOV 01 2007

ADD 2007-00189

COMMUNITY DEVELOPMENT



***RHODES & RHODES LAND SURVEYING, INC.***


JOHN SCOTT RHODES, P.S. M.      THOMAS E. RHODES, P.S. M.  
1440 RAIL HEAD BLVD. #1      NAPLES, FLORIDA 34110  
PHONE (239) 593-0570      FAX (239) 593-0581

PARCEL CONTAINS 292.91 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS AND/OR RESERVATIONS OF RECORD.

BEARINGS BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28,  
TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS BEING SOUTH  
89°49'26" EAST AND RELATE TO THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA  
WEST ZONE, NORTH AMERICAN DATUM 1983/90 ADJUSTMENT (NAD83/90).

RHODES & RHODES LAND SURVEYING, INC.  
FLORIDA BUSINESS AUTHORIZATION NO. LB 6897

  
THOMAS E. RHODES, SR.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA, LICENSE NUMBER 5854

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

R&R FILE NO. 2007-961  
DATE: 10/31/07

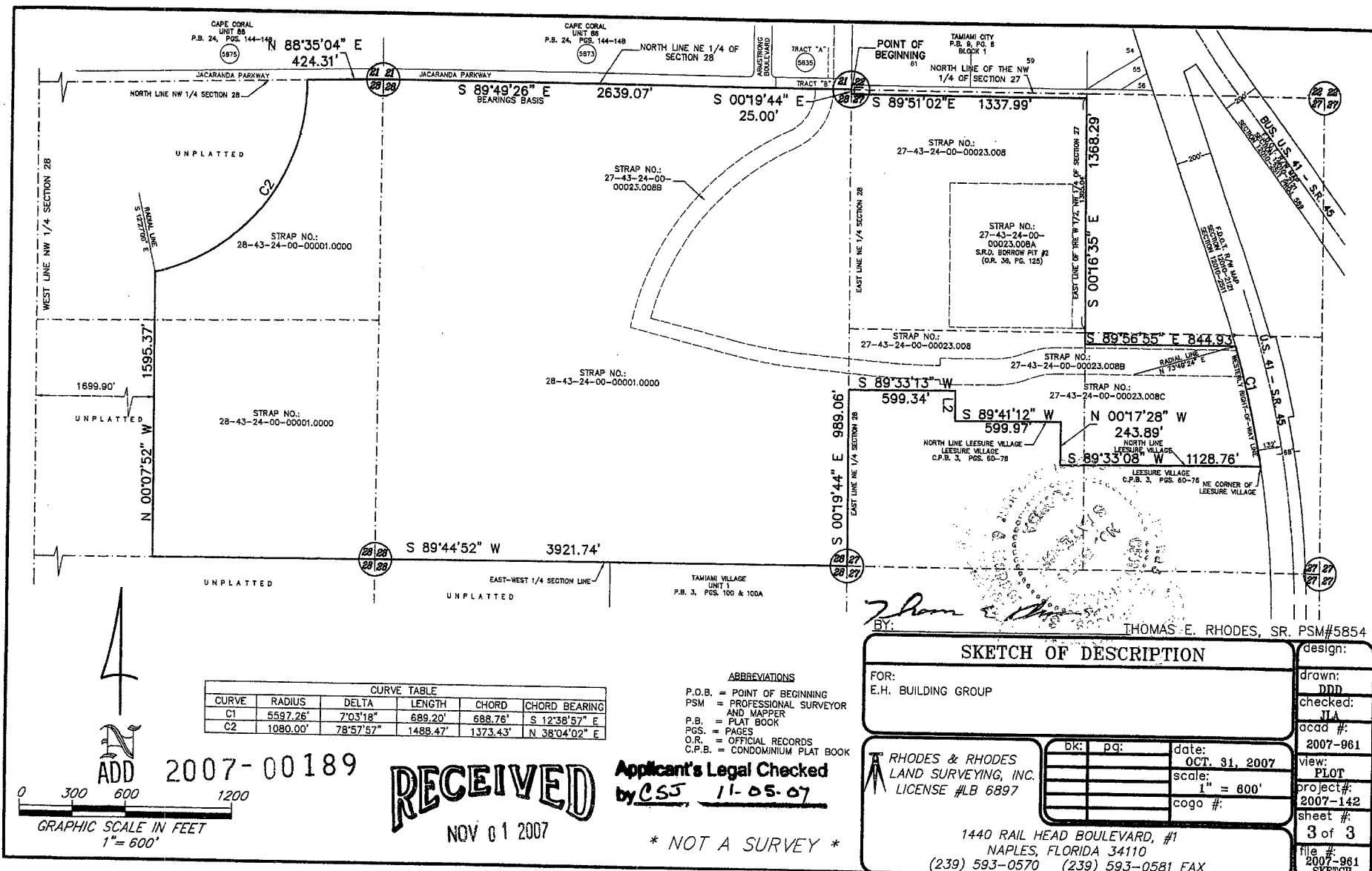
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NOV 01 2007

COMMUNITY DEVELOPMENT

Applicant's Legal Checked  
by BJ 11-05-07

ADD 2007-00189

ST/ENTRADA10-25-07 4 PARCEL SURVEY/2007-961 sketch.dwg, Layout1, 11/1/2007 6:43:39 AM, L1



ADD2007-00189 (revised table)

Estates at Entrada

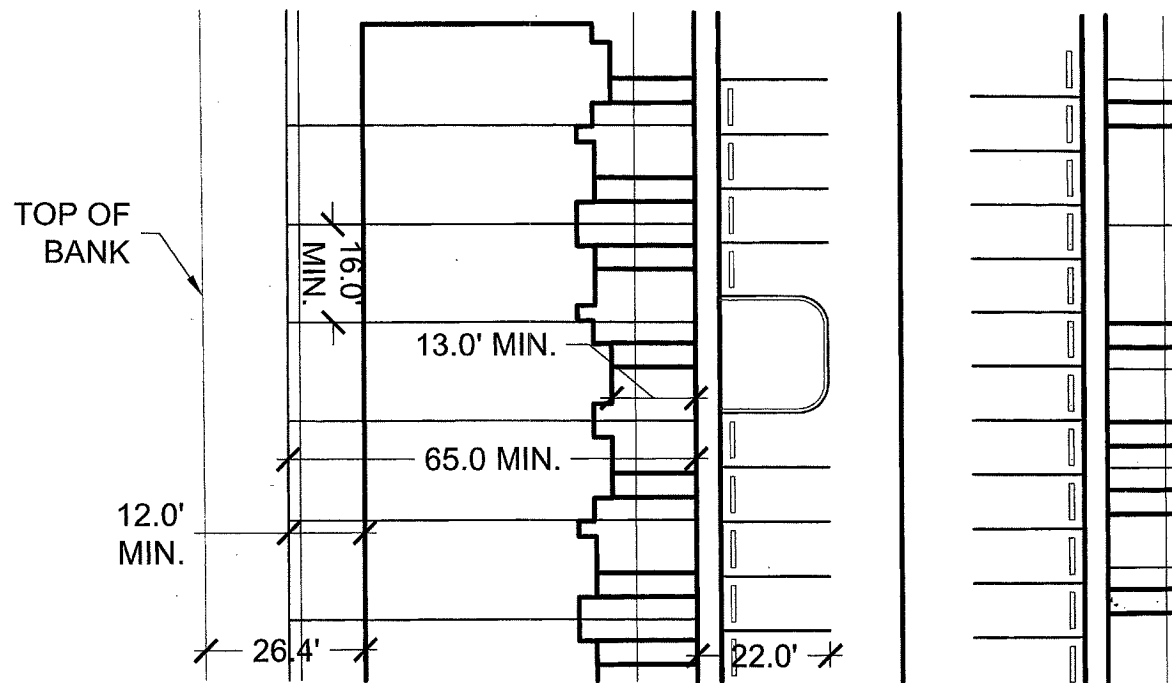
EXHIBIT "B"

ESTATES AT ENTRADA RPD/CPD PROPERTY DEVELOPMENT REGULATIONS												
LAND USE	Minimum Lot Area sq. ft.	Minimum sq ft per unit	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage %	Minimum Setbacks (ft)					Max. Height (ft.)	Stories
						Street	Side	Rear	Water	Preserve		
RESIDENTIAL												
Townhouse (Tract #1)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Townhouse (Tract #2)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Townhouse (Tract #3)	<u>3,000</u>	<u>1,200</u>	<u>16</u>	<u>65</u>	<u>65</u>	<u>13<sup>(7/10)</sup></u>	<u>5<sup>(4)</sup>/0<sup>(3)</sup></u>	<u>20/12<sup>(9)</sup> &amp; 5<sup>(1)</sup></u>	<u>20/10<sup>(1)</sup></u>	<u>20<sup>(5)</sup></u>	<u>35</u>	<u>3</u>
Multiple-family (Tract #1)	40,000	3,000	400	400	45	20 <sup>(7)</sup>	5 <sup>(4)</sup> /0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50	3
Multiple-family (Tract #1) Multiple-family (Tract #2)	10,000	2,000	100	100	45	20 <sup>(7)</sup>	15	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50 <sup>(6)</sup>	5
Single-family	5,000	-----	50	100	55	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Single-family <sup>(8)</sup>	6,500	-----	65	100	45	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
COMMERCIAL												
CPD Tract	20,000	-----	100	100	45	20 <sup>(7)</sup>	10/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	-----	20 <sup>(5)</sup>	35	3
RECREATIONAL FACILITIES												
Recreational Facilities, Private On-site (Amenity area)	10,000	-----	80	90	45	20 <sup>(7)</sup>	5	5	10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3



Footnotes:

- (1) Accessory structures - No accessory structures may be located in a buffer
- (2) Side opposite zero lot line
- (3) Interior side only
- (4) Exterior side only, with minimum building separation of 10 feet (Amended by ADD2006-00240)
- (5) Preserve Setbacks: Principal and accessory structures must be setback a minimum of 20 feet from the preserves.
- (6) Multiple-family dwelling units located on multiple-family Tract #2, #1 within 75 feet of Leesure Village Recreational Vehicle park and Leesure Village Mobile home Park, will be limited to a maximum height of 35 feet.
- (7) All other streets in accordance with Section 34-2192(a) of the Land Development code.
- (8) Property Development Regulations for single-family dwelling units in the stair-step hatched area as depicted on the master concept plan.
- (9) For those lots in Townhouse Tract #3, abutting the canal on the west, the minimum rear setback will be 12 feet, as shown on a sketch attached hereto as EXHIBIT C.
- (10) For those lots in Townhouse Tract #3, the minimum front setback will be 13 feet, for those units without garages, as shown on a sketch attached hereto as EXHIBIT C.



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EXHIBIT C







BOARD OF COUNTY COMMISSIONERS

# Exhibit F

Writer's Direct Dial Number: 239-533-8585

Bob Janes  
District One

A. Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

December 3, 2008

TRAVIS R. RICHARDS, P.E.  
CREECH ENGINEERS, INC.  
1562 PARK LANE SOUTH  
SUITE 700  
JUPITER, FL 33458

RE: THE ESTATES AT ENTRADA  
DOS2006-00145 - DO Submittal Large  
A13 Appl. (Amend Resub) A

Dear TRAVIS R. RICHARDS, P.E. :

Your plans for the above-referenced project have been reviewed and approved for an Amended Development Order with stipulation(s) for the following:

De Navarra Parkway is being changed from a two lane to a four lane road. Multi-family tract #1 is now being shown as a vacant tract, the utility services shown do not constitute in any way, the approval of fee simple townhome lots. Minimal lake changes were made to accommodate the increased impervious from the changes to De Navarra Pkwy.. The site went from two lift stations to one.

Approval is subject to the following stipulation(s) and/or comment(s):

**LC D.O.T. Right-of-Way Construction Checklist (Ord. 03-16)**

CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

*10) Miscellaneous Items.*

**STIPULATIONS:**

a) In addition to the deed or roadway easement for the proposed dedication in compliance with the requirements of AC-11-7, all other requirements of AC11-7 will need to be satisfied before any road is turned over to Lee County for maintenance. The Board of County Commissioners of Lee County must approve any road for County maintenance. The private roads (De Navarra Pkwy. & Playa Del Sol Blvd.) shown on the D.O. plans may or may not be approved for County maintenance per AC11-7. Please contact Howard Coachman (533-8117 or hcoachman@leegov.com) for questions and information on AC11-7.

b) The proposed project connections at STA 72+60, 87+50 and 91+40 will require further operational analysis for turn lanes prior to implementation of Phase II, III and the future commercial tract.

c) Construction of sidewalks (8' conc. shared path per AC11-9) along the project frontage of the future commercial tracts along U.S. 41 will be required per LDC10-256(b)(2)(b)(4) and will need to be located within the State Right-of-Way (not on private property) and will require an FDOT ROW Permit.

*11) Contact. The LCDOT staff member may be contacted regarding this ROW checklist.*

Dan Kirkpatrick (239)533-8580x48140 or kirkpado@leegov.com

The comments relate to the the request for county maintainance of two roadway segments unless otherwise noted. The requested roadway segments are Playa Del Sol Boulevard from U.S. 41 to De Navarra Parkway and De Navarra Parkway from Playa Del Sol Boulevard to the Cape Coral City limit. Policies and procedures for acceptance of a roadway for maintenance are outlined in Lee County Administrative Code AC-11-7.

**LC Environmental Sciences Checklist (Ord. 03-16)**

*8b) Management Activities. Management plan submittals must include recommended management activities. [10-474(a)(2)]*

Stip: The preserve areas must be staked and point map with corresponding staking provided to ES staff prior to any onsite inspections. The exotic removal from the preserve areas must be conducted by hand and not mechanical means, unless an onsite meeting is held with ES staff to verify the exoitc concentration in those areas.

Stip: Prior to issuance of a Certificate of Compliance, post-monitoring report for the condition of the preserve must be submitted to ES staff. The CC monitoring report must describe and document ecological restoration activity that has occurred in the preserve areas. If review of the monitoring reports reveals death or significant decline to preserve vegetation, then revision of the management plan and restoration in accord with section 10-423 will be required.

CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

*14) Master Phasing Plan. For phased development orders (see LCLDC Sec.10-117), a master phasing plan must be submitted with stages numbered in sequence showing how each phase fits into the master plan for continuance of all infrastructure, and landscaping and buffers. [10-154(7)b, 10-153(5)i, 10-117] {NOTE: See Application Form PART V D}*

Stip: The perimeter buffers must be installed in phase one. The perimeter buffers include the Type 'D' buffer along US 41 and the Type 'C' or 'F' buffers, located in the Future Commercial and Multi-Family tracts, along the south property line up to the canal.

Stip: Prior to issuance of a Certificate of Compliance for phase one, the exotic removal must be completed from the onsite preserve areas. The lake littorals, including destraification system must be installed and the perimeter buffers must be installed with phase one.

Prior to issuance of a Certificate of Compliance for phase two, the restoration plants must be installed and established. The restoration plants can not be bonded or delayed to a later phase.

No dewatering can occur within the preserve areas.

*19) General Tree Requirements. Landscaping for all new developments must include, at a minimum, the number of trees specified in LCLDC Sec. 10-416(a) in addition to those required for parking and vehicle use areas and buffers. [10-416(a)]*

Stip: Prior to issuance of a Certificate of Compliance, if the preserve area does not contain sufficient amount of general tree credits then a minor change must be submitted for review and approval which indicates the general tree locations.

*24) Buffering - General. A buffering area is required along the entire perimeter of the proposed development whenever the proposed development abuts a different use. The existing use, or where vacant the permitted use, of the abutting property will determine the type of buffering area required. [10-416(d)(1)]*

Stip: Prior to issuance of a Certificate of Compliance for phase one, the buffers must be installed around the perimeter of the site.

*33) Plantings in Easements. Utility, power, or drainage easements may overlap required buffers; however no required trees or shrubs may be located in any utility, power, or street easement or right-of-way. [10-421(a)(5)]*

Stip: Prior to issuance a Certificate of Compliance, all code required plantings must be located outside any easement.

*34b) Plant location. Trees may not be placed where they interfere with utilities, site drainage, views, signs, or where they require frequent pruning to avoid overhead power lines (i.e. less than 20 ft. in height at maturity under power lines). [10-421(a)(5)]*

Stip: Prior to issuance of a Certificate of Compliance, all code required trees must be installed a minimum of 10' from buildings to avoid conflicts at a later date.



CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

Page 4

*44d) Maintenance Covenants. The property owner must record covenants, in a form acceptable to the county attorney's office, providing that the lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lake(s). [10-329(d)(3)a.3]*

Stip: Prior to plat approval, the property owner must record covenants providing that the deep lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lakes.

*48) Contact. The reviewer may be contacted for additional information regarding this Environmental Sciences checklist..*

Please contact Brad Browning at 239-533-8157 or via email at [bbrowning@leegov.com](mailto:bbrowning@leegov.com) regarding environmental comments.

#### **LC Engineering/General Checklist (Ord. 03-16)**

*7g) Sidewalks & Bikeways. The proposed location of all on-site and off-site bikeways and pedestrian ways, with ingress to and egress from the development, as well as to or from common open space areas, must be shown on the proposed development plans. {See Bikeways & Pedestrian Ways checklist} [10-154(7)g]*

The sidewalk must be constructed prior to the C.C. for this amendment.

*28) Assurance of Completion of Improvements. Assurance of completion for all off-site improvements is required prior to commencing any off-site or on-site development. Assurance of completion for all on-site subdivision improvements is required prior to the acceptance of a subdivision plat. [10-154(26)] {See Application Form PART VIII}*

Prior to the start of any off-site construction, an assurance of completion must be submitted.

#### **LC Zoning Checklist (Ord. 03-16)**

*14) Operation and Maintenance Covenants. Operation and maintenance covenants for the operation and maintenance of common facilities must be submitted for review by the County Attorney. [10-154(23), 10-293(3), 10-327, 10-356, 10-413(f), 10-414(h), 10-417] {See Application Form PART VIII}*

Prior to the issuance of a Certificate of Compliance, all appropriate homeowner's documents must be approved and recorded.

#### **LC DOS Utilities Short Checklist**

CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

Page 5

*2) Contact. The reviewer may be contacted for additional information regarding this LC DOS Utilities Short Checklist.*

Prior to any utility construction, please revise the plans and submit to LCU showing the followings design considerations:

1. All portions of the utility infrastructure to be dedicated to LCU for ownership and maintenance needs be constructed within the road ROW or LCU easement. Please relocate the master-meter assemblies to be beyond the 10' 'UE' and provide a 20' wide LCU easement, 10' on each side, for for both vs. 10' UE (Typical).

If you should have any questions regarding the above, please contact Terry Kelley at [kelleyta@leegov.com](mailto:kelleyta@leegov.com).

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

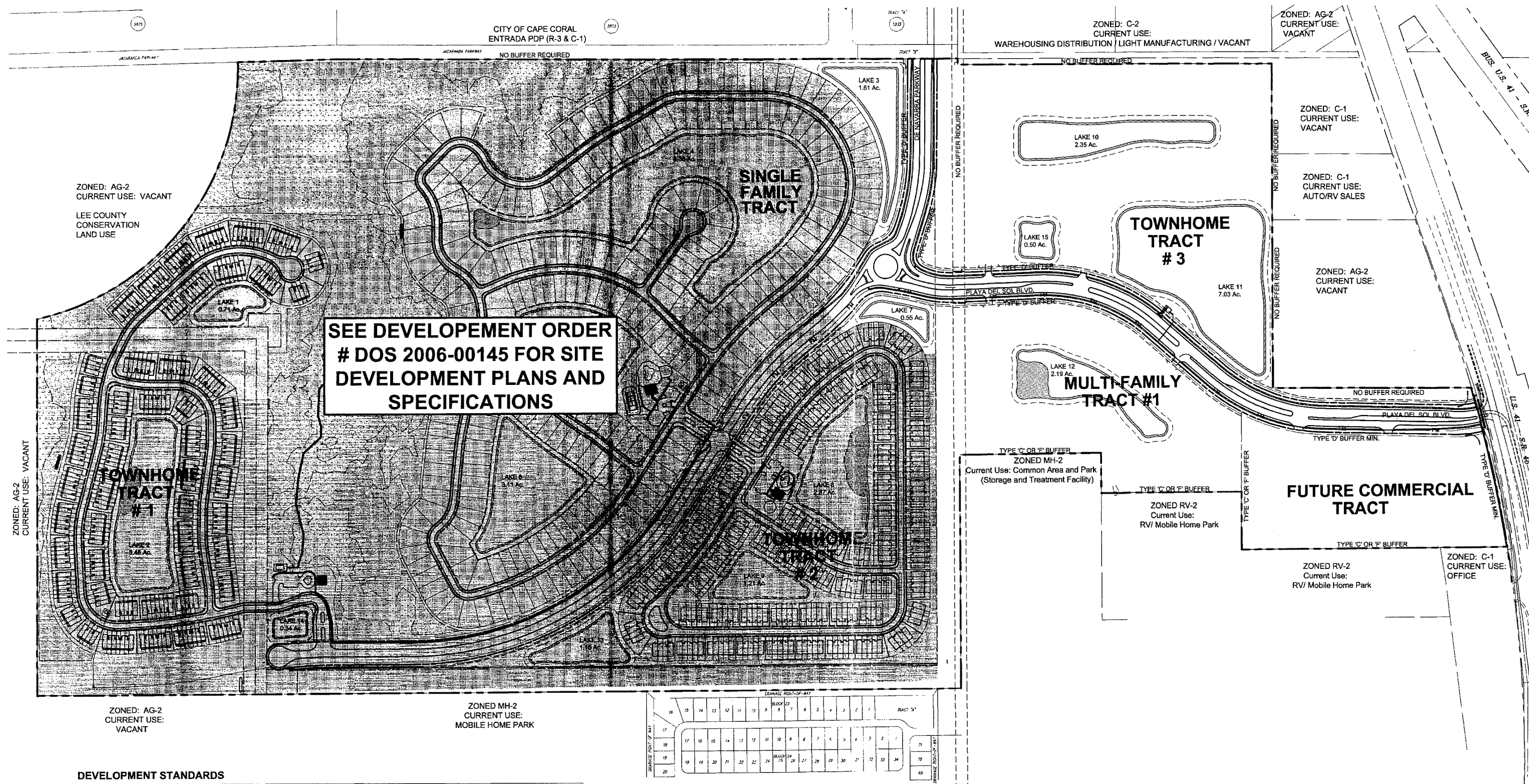


Peter J. Eckenrode  
Development Services Director

PJE / SLH

Plans





DEVELOPMENT STANDARDS

AREA	MULTI-FAMILY TRACT #1	TOWNHOME TRACT #1	TOWNHOME TRACT #2	TOWNHOME TRACT #3	SINGLE FAMILY TRACT	SINGLE FAMILY TRACT LOTS 2 & 6500 Sq Ft	RECREATIONAL FACILITIES	COMMERCIAL TRACT**	TOTAL
PROPOSED USES	MULTI-FAMILY	18 TOWNHOMES	22 TOWNHOMES	18 TOWNHOMES	SINGLE FAMILY TRACT	SINGLE FAMILY	COMMUNITY AMENITIES	COMMERCIAL	N/A
# OF UNITS ALLOWED	300	300	320	320	167	112	-	-	1500
PROPOSED # OF UNITS	240	320	293	320	167	112	-	-	1481
REQUIRED PARKING	1,751 UNIT + 10% GUEST**	21 UNIT	21 UNIT	21 UNIT	21 UNIT	21 UNIT	17,000 Sq Ft	-	N/A
MIN. LOT REQUIREMENT (SQ. FT.)	10,000 PER LOT 2,000 PER UNIT	5,400 PER LOT 1,800 PER UNIT	5,400 PER LOT 1,800 PER UNIT	3,000 PER LOT 1,200 PER UNIT	5,000	6,500	10,000	20,000	N/A
MIN. WIDTH (FT.)	100	18	22	18	50	50	60	100	N/A
MIN. LOT DEPTH (FT.)	100	100	100	100	100	100	50	100	N/A
MIN. FRONT YARD (FT.)	20	20	20	13	20	20	20	20	N/A
** SIDE YARD INTERIOR (FT.)	15	50**	50**	50**	5	5	5	100**	N/A
SIDE YARD ABUTTING A ROW OR AN ACCESS TRACT (FT.)	20	20	20	20	20	20	20	20	N/A
MAX. LOT COVERAGE BY ALL BUILDINGS (%)	45	60	60	65	65	45	45	45	N/A
MAX. BUILDING HEIGHT (FT.)	60 OR 5 STORIES***	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	N/A
MIN. REAR YARD ABUTTING A LOT (FT.)	20	15	15	5	15	15	5	20	N/A
MIN. REAR YARD FOR ACCESSORY STRUCTURE (FT.)	5	5	5	5	5	5	5	5	N/A
MIN. SETBACK FROM BODIES OF WATER FOR THE ACCESSORY STRUCTURE (FT.)	10	10	10	10	10	10	10	N/A	N/A
MIN. SETBACK FROM BODIES OF WATER (FT.)	20	25	25	20	25	25	10	N/A	N/A
MIN. SETBACK ABUTTING A PRESERVE (FT.)	20	20	20	20	20	20	20	20	N/A

\*ALL UNITS PROPOSED HAVE 2 BEDROOMS  
\*\*PRIMARY STRUCTURE WILL HAVE A 5 FOOT SIDE SETBACK & 8 FOOT SETBACK FOR INTERIOR WALLS.  
\*\*\*COMMERCIAL WILL BE PERMITTED AS A SEPARATE DEVELOPMENT ORDER.  
\*\*\*\*ANY STRUCTURE WITHIN 75' OF LEISURE VILLAGE RECREATIONAL VEHICLE PARK AND LEISURE VILLAGE MOBILE HOME PARK, WILL BE LIMITED TO A MAXIMUM HEIGHT OF 35 FEET.

PROJECT LAND USE

PROJECT AREA:	292.91 AC (100%)
TRACT AREA TOTAL:	109.92 AC (37.5%)
FUTURE COMMERCIAL TRACT:	12.25 AC (4.2%)
MULTI-FAMILY TRACT #1:	10.54 AC (3.6%)
TOWNHOME TRACT #1:	8.77 AC (3.0%)
TOWNHOME TRACT #2:	17.97 AC (6.1%)
TOWNHOME TRACT #3:	18.04 AC (6.2%)
SINGLE FAMILY TRACT:	44.25 AC (15.1%)
PUBLIC R.O.W. AREA (PLAYA DEL SOL BLVD.):	7.57 AC (2.6%)
PUBLIC R.O.W. AREA (DE NAVARRA PIQWY.):	10.38 AC (3.5%)
PRIVATE R.O.W. AREA:	17.87 AC (6.1%)
L.C.S.C./SEMI-PRIVATE ELECTRIC EASEMENT AREA:	19.11 AC (6.5%)
LAKE AREA:	40.53 AC (13.8%)
RECREATIONAL AREA TOTAL:	2.42 AC (0.8%)
RECREATION AREA #1:	0.51 AC (0.2%)
RECREATION AREA #2:	0.55 AC (0.2%)
RECREATION AREA #3:	0.41 AC (0.1%)
RECREATION AREA #4:	0.53 AC (0.2%)
RECREATION AREA #5:	0.23 AC (0.1%)
WETLAND/INDIGENOUS AREA:	44.25 AC (15.1%)
ADDITIONAL COMMON OPEN AREA:	35.91 AC (12.2%)

FLOOD ZONE

PARCEL LIES IN FLOOD ZONES X (STORM SURGE CATEGORY 4)

DWELLING UNIT BREAKDOWN

SEE DEVELOPMENT STANDARDS CHART THIS SHEET

DENSITY

DENSITY = NUMBER DWELLING UNITS / TOTAL ACREAGE  
= 1481 UNITS / 292.91 AC  
= 5.06 UNITS PER ACRE

PARKING CALCULATIONS

SEE SITE DEVELOPMENT PLAN DETAIL SHEETS 9-20 FOR CALCULATIONS

OPEN SPACE & INDIGENOUS PRESERVE

SEE OPEN SPACE & INDIGENOUS PRESERVE PLAN FOR OPEN SPACE & INDIGENOUS PRESERVE CALCULATIONS (SHEET 8A)

urban design studio

Urban Planning & Design  
Landscape Architecture  
Communication Graphics

The Lofts at City Place  
477 S. Rosemary Ave., Suite 225  
West Palm Beach, FL 33401  
561.366.1100  
Fax 561.366.1111  
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Job Number: 97-028-090 P.M. LAS

Submitted Date	Drawn By	Comments
05-04-08	WJT	DO Submittal
07-18-08	LMB	DO Submittal
08-23-08	LMB	DO Submittal
10-30-08	LMB	DO Submittal

The Estates at Entrada  
Lee County, Florida  
Master Site Development Plan

LDC

DEC 03 2008

APPROVED



Scale: 1" = 200'-0"

0 100' 200' 400'

Master Site Development Plan

Sheet SP-1





BOARD OF COUNTY COMMISSIONERS

John E. Manning  
*District One*

A. Brian Bigelow  
*District Two*

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

Frank Mann  
*District Five*

Karen B. Hawes  
*County Manager*

Michael D. Hunt  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

239-533-8585

# Exhibit G

January 30, 2012

K'SHANA J. HAYNIE  
ROETZEL AND ANDRESS  
2320 FIRST STREET  
SUITE 1000  
FT MYERS FL 33901  
Re: THE ESTATES AT ENTRADA  
House Bill 7207 Extension (F)  
DOS2006-00145

Dear K'SHANA J. HAYNIE:

In accord with House Bill 7207 (HB7207), development permits meeting certain criteria are entitled to one 2-year extension from the existing/initial permit expiration date. Accordingly, development order DOS2006-00145, THE ESTATES AT ENTRADA, is hereby extended for the following:

Approved for the completion of a development order for a 279 lot subdivision for SFR and 1,182 residential condominium units in 169 buildings (31 Bldgs - 4 Units/Bldgs - 5 Units/Bldgs. 8 Bldgs - 6 Units/Bldg, 38 Bldgs - 7 Units/Bldgs, 28 Bldgs - 8/Units/Bldg, 8 Bldgs - 30 Units/Bldg) with streets, parking, utilities, sewage pump stations with 6"8" and 10" force mains, stormwater management facilities, two 1,600+/- sq. ft. one story buildings for an Amenity Centers (Townhouse Tract 1 and multi family tract 1), a 2000+/- sq. ft. one story building for an amenity center (single family tract), five swimming pools, a tennis court and related minor site improvements. The new expiration date for this development order is 04/24/2015, as extended.

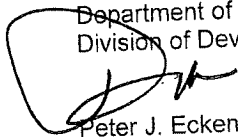
CNC2006-00216

No additional extensions under HB7207 may be granted for this Development Order. All underlying conditions of the development order remain in full force and effect. All required surety documents and agreements must remain in place and valid throughout the duration of the Development Order.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under HB7207, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Department of Community Development  
Division of Development Services  
Peter J. Eckenrode  
Director



**LEE COUNTY**  
SOUTHWEST FLORIDA  
BOARD OF COUNTY COMMISSIONERS

239-533-8585

# Exhibit H

John E. Manning  
*District One*

A. Brian Bigelow  
*District Two*

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

Frank Mann  
*District Five*

Karen B. Hawes  
*County Manager*

Michael D. Hunt  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

January 31, 2012

K'SHANA J. HAYNIE  
ROETZEL & ANDRESS, LPA  
2320 FIRST ST  
SUITE 1000  
FT MYERS FL 33901  
Re: ENTRADA ESTATES  
House Bill 7207 Extension (F)  
DCI2011-00054

Dear K'SHANA J. HAYNIE:

In accord with House Bill 7207 (HB7207), development permits meeting certain criteria are entitled to one 2-year extension from the existing/initial permit expiration date. Accordingly, the effectiveness of the Master Concept Plan identified in Zoning Resolution, Original Resolution Z-06-039, DCI2004-00080, ENTRADA ESTATES, is hereby extended for the following:

APPROVAL OF A 2-YEAR EXTENSION FROM AUGUST 21, 2011 TO AUGUST 21, 2013  
FOR THE ESTATES AT ENTRADA.

No additional extensions under HB7207 may be granted for the above-referenced development permit. All underlying conditions of the zoning resolution remain in full force and effect. Failure to comply with zoning conditions may result in enforcement action as provided under Florida law and local regulations.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under HB7207, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development  
Division of Zoning

Pam Houck  
Director



# Exhibit I

## ORDINANCE NO. 13-01

AN ORDINANCE AMENDING LEE COUNTY LAND DEVELOPMENT CODE, CHAPTERS 2, 10, 12, 14, 22, AND 34; SPECIFICALLY AMENDING PROVISIONS APPLICABLE TO: CONDUCT OF CODE ENFORCEMENT HEARINGS, ADDITIONAL REQUIRED SUBMITTALS FOR DEVELOPMENT ORDERS, APPLICATION SUBMITTALS FOR MINING CASES, MINE SITE PLAN; SITE MAP AND ENGINEERING PLAN SET, EXISTING MINE OPERATIONS, EAGLE TECHNICAL ADVISORY COMMITTEE, STAFF PARTICIPATION IN MEETINGS OF HISTORIC PRESERVATION BOARD; MEETINGS, GENERAL SUBMITTAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING, APPLICATION, AMENDMENTS TO APPROVED MASTER CONCEPT PLANS, DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLANS, AND PROVIDING A RETROACTIVE APPLICATION OF AMENDMENTS TO THE DURATION OF ALL PLANNED DEVELOPMENTS.

WHEREAS, Florida Statutes Section 125.01(1)(h) authorizes counties to establish, coordinate, and enforce development regulations necessary for the protection of the public; and,

WHEREAS, the Board of County Commissioners adopted the Lee County Land Development Code which contains regulations applicable to the development of land in Lee County; and,

WHEREAS, the Board of County Commissioners of Lee County, Florida, has adopted a comprehensive Land Development Code (LDC); and,

WHEREAS, Goal 24 of the Lee County Comprehensive Land Use Plan (Lee Plan) mandates that the County maintain clear, concise, and enforceable development regulations that fully address on-site and off-site development impacts, yet function in a streamlined manner; and,

WHEREAS, Lee Plan Policies 14.5.3, 24.1.9, 52.1.1 and 110.6.2 require county staff and private citizen committees to review existing development regulations to determine whether the regulations can be further fine tuned and streamlined in order meet the Goals, Objectives, and Policies of the Lee Plan; and,

WHEREAS, the Horizon Council, through its Business Issues Task Force, engaged in a year-long effort with the County to review and streamline permitting procedures in Lee County; and,

WHEREAS, on May 18, 2012, the Horizon Council approved recommendations to present to the Board for adoption through the LDC amendment process; and,

WHEREAS, during its Management and Planning meeting on June 4, 2012, the Board directed Staff to bring forward proposed amendments to the LDC consistent with the recommendations of the Horizon Council,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA:

**SECTION ONE: AMENDMENT TO LDC CHAPTER 2-ADMINISTRATION**

Lee County Land Development Code Chapter 2 is amended as follows with strike through identifying deleted text and underline identifying new text.

**ARTICLE VII. HEARING EXAMINER**

**Sec. 2-425. Conduct of hearing.**

*Subsection (a) remains unchanged.*

(b) Prosecution of the case. Each case on the code enforcement docket will be presented to the Hearing Examiner by a county attorney familiar with the case or a member of the County's Code Enforcement department. If the county prevails in prosecuting a case before the Hearing Examiner, it will be entitled to recover all costs incurred in prosecuting the case. For purposes of this section, the issuance of an order finding violation will evidence the county has prevailed in prosecuting the case.

*Subsections (c) through (e) remain unchanged.*

**SECTION TWO: AMENDMENT TO LDC CHAPTER 10-DEVELOPMENT STANDARDS**

Lee County Land Development Code Chapter 10 is amended as follows with strike through identifying deleted text and underline identifying new text.

**CHAPTER 10 DEVELOPMENT STANDARDS  
ARTICLE 1-IN GENERAL**

**Sec. 10-154. Additional required submittals.**

The following must be submitted with an application for development order approval:

- (1) Legal description. A legal description for the property must be submitted.
- (2) Title certification. Certification of title for property subject to development order approval must meet the following criteria:

- a. Form. The certification of title must be in one of the following forms:

i. Title Certificate or Title Opinion, no greater than 90 days old at the time of the initial development order submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.

ii. Ownership and Encumbrance Report, no greater than 30 days old at the time of the initial development order submittal.

iii. Title Insurance Policy with appropriate schedules, no greater than 5 years old at the time of the initial development order submittal and an Affidavit of No Change covering the period of time between issuance of the Policy and the application date. If submission of a complete Affidavit of No Change is not possible, a Title Certificate, Title Opinion or Ownership and Encumbrance report must be submitted in the alternative.

b. Content. The certification of title must include, at a minimum, the following:

- i. the name of the owner or owners of the fee title;
- ii. all mortgages secured by the property,
- iii. all easements encumbering the property,
- iv. the legal description of the property, and
- v. the certification of title documentation must be unequivocal.

~~A document, no greater than 90 days old at the time of initial development order submittal, must be submitted to establish the following information concerning title to the subject property: (a) the owner or owners of the fee title; (b) all mortgages secured by the property; (c) all easements encumbering the property; and, (d) the legal description of the property. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company. The certification must be unequivocal. A title binder/commitment or title insurance policy is not acceptable to meet this requirement.~~

(3) Boundary survey. A boundary survey of the subject property must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. Ch. 177. The survey must be based upon the title certification submitted in accord with section 10-154(2). The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. All ~~b~~Boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 5J-17, Florida Administrative Code. The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current Adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. The



Federal Emergency Management Agency flood zone and required finished floor elevations must be shown. The survey must locate and depict all existing structures and improvements on the subject parcel.

If the subject property consists of one or more undivided lots within a subdivision, then a copy of the subdivision plat may be submitted in lieu of the boundary survey. However, if the dimensions of the subject property differ from those in the original plat, then a boundary survey, including a metes and bounds legal description, will be required.

*Subsections (4) through (28) remain unchanged.*

**SECTION THREE: AMENDMENT TO LDC CHAPTER 12- RESOURCE EXTRACTION**  
Lee County Land Development Code Chapter 12 is amended as follows with strike through identifying deleted text and underline identifying new text.

**CHAPTER 12 RESOURCE EXTRACTION  
ARTICLE II. MINING AND EXCAVATION**

**Sec. 12-110. Application Submittals.**

(a) Mine excavation planned development approval. Application for a MEPD approval must be made on a form prepared by Lee County and be submitted with the appropriate fee. Application sufficiency and resubmittal timing will be in accord with section 34-373(d). The application must address the following:

- (1) Legal description and sketch of the subject property. The legal description and accompanying sketch must comply with the requirements set forth in section 34-202(a)(1).
- (2) Boundary survey. The survey must comply with the provisions of section 34-202(a)(2). It must also be based upon the title certification required under subsection 3 below. ~~an opinion of title or certificate of title meeting the requirements set forth in Lee County Administrative Code 13-19.~~
- (3) Title certification. A document meeting the requirements of section 10-154(2) must be provided with the survey.

*Subsections (a)(4) through (a)(26) remain unchanged.*

*Subsections (b) through (e) remain unchanged.*

**Sec. 12-111. Mine site plan; site map and engineering plan set.**

A series of maps and engineering plans, including drawings prepared and sealed by an appropriate registered professional in the State of Florida (e.g. engineer, architect, surveyor) must be provided to obtain MDO approval in accord with the provisions of this

section. This map and plan series, known as the Mine Site Plan, must meet and include the following minimum criteria:

*Subsections (1) through (5) remain unchanged.*

- (6) The names and location of existing:
  - a. Streams, creeks, sloughs, natural flowways, floodways, wetlands, water bodies within the determined watershed area.
  - b. Indigenous vegetation areas.
  - c. Wildlife habitat areas.
  - d. Easements within the property boundary (as identified on the required title ~~opinion~~ certification provided pursuant to section 12-110(a)(3)) including publicly and privately owned Conservation easements and the means by which access to the easements is obtained.
  - e. Percolation ponds and drainfields within the determined watershed area.
  - f. Public and private roads; and vehicle access routes to nearest county-maintained road.
  - g. Railroad.
  - h. Utility lines and easements.
  - i. Existing buildings.
  - j. Cemeteries within 100 feet of the property boundary.
  - k. Test boring locations.
  - l. Public wellfields.
  - m. Public and permitted private wells with GPS or surveyed locations of wells along with wellhead elevations within a one mile radius around the mine project boundary.

#### **Sec. 12-121. Existing mine operations.**

*Subsections (a) through (e) remain unchanged.*

(f) Site map and engineer plan set for existing mine MDO or MOP renewal/approval. A series of maps and engineering plans, including drawings prepared and sealed by an appropriate registered professional in the State of Florida (e.g. engineer, architect, surveyor) must be provided to obtain MDO or MOP approval in accord with the provisions of this section. This map and plan series must meet and include the following minimum criteria:

*Subsections (1) through (5) remain unchanged.*

- (6) The names and location of existing:
  - a. Streams, creeks, sloughs, natural flowways, floodways, wetlands, and water bodies within the determined watershed area.
  - b. Indigenous vegetation areas.

- c. Wildlife habitat areas.
- d. Easements within the property boundary (as identified on the required title ~~opinion~~ certification provided pursuant to section 12-110(a)(3)) including publicly and privately owned Conservation easements and the means by which access to the easements is obtained.

#### **SECTION FOUR: AMENDMENT TO LDC CHAPTER 14-ENVIRONMENTAL AND NATURAL RESOURCES**

Lee County Land Development Code Chapter 14 is amended as follows with strike through identifying deleted text and underline identifying new text.

##### **ARTICLE II. WILDLIFE AND HABITAT PROTECTION** **Division 3. Southern Bald Eagle**

##### **Sec. 14-116. Eagle technical advisory committee.**

*Subsections (a) through (d) remain unchanged.*

- (e) The county department of community development, and environmental sciences division, ~~with assistance from the county attorney's office~~ will serve as support staff to the eagle technical advisory committee.

*Subsections (f) and (g) remain unchanged.*

#### **SECTION FIVE: AMENDMENT TO LDC CHAPTER 22-HISTORIC PRESERVATION**

Lee County Land Development Code Chapter 22 is amended as follows with strike through identifying deleted text and underline identifying new text.

##### **ARTICLE II. ADMINISTRATION AND ENFORCEMENT** **Division 2. Historic Preservation Board**

##### **Sec. 22-73. Organization; meetings.**

The members of the historic preservation board will elect a chairman and a vice-chairman for a one-year term each. The chairman will preside at all meetings and have the right to vote. The vice-chairman will preside in the absence of the chairman. The chairman and vice-chairman may be reelected for an additional one-year term each, but may not serve for more than two consecutive years. The county will provide adequate staff to allow the historic preservation board to perform its duties. Staff will consist of at least one historic preservation planner, and one clerical person responsible for recording and transcribing the minutes of all meetings of the historic preservation board. ~~An Assistant County Attorney will represent the Board of County Commissioners at all meetings of the Historic Preservation Board.~~

All meetings of the historic preservation board must be open to the public. A record of the minutes and resolutions of the historic preservation board will be



maintained and made available for inspection by the public. The historic preservation board will meet at least once per month, at a date and time to be decided by the historic preservation board, unless there is no business pending before the historic preservation board. Regardless of the lack of pending business, the historic preservation board must meet at least four times during any calendar year.

## **SECTION SIX: AMENDMENT TO LDC CHAPTER 34-ZONING**

Lee County Land Development Code Chapter 34 is amended as follows with strike through identifying deleted text and underline identifying new text.

### **CHAPTER 34 ZONING ARTICLE I. IN GENERAL**

#### **Sec. 34-202. General submittal requirements for applications requiring public hearing.**

(a) All applications. Every request for actions requiring a public hearing under this chapter must include the following. However, upon written request, on a form prepared by the County, the Director may modify the submittal requirements contained in this section where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request for a waiver or modification must be submitted to the Director prior to submitting the application. A copy of the request and the Director's written response must accompany the application and will become a part of the permanent file.

(1) Legal description and sketch to accompany legal description. A metes and bounds legal description along with a sketch of the legal description, prepared by a Florida Licensed Surveyor and Mapper, must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with Florida Statutes, Ch. 177. If the subject property is one contiguous parcel, the legal description must specifically describe the entire continuous perimeter boundary of the property subject to the zoning action with accurate bearings and distances for every line. If the application seeks to rezone undivided, platted lots, then a complete legal description (i.e. lot, block, subdivision name, public records recording information) of the platted subject property is required. A sketch of the undivided, platted lots to be rezoned is not required. The Director has the right to reject any legal description that is not sufficiently detailed so as to locate the property on County maps.

(2) Boundary survey. A boundary survey of the subject property must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. Ch. 177. The survey must be based upon the title certification submitted in accord with section 34-202(a)(3) and certified to the present owner as reflected in the title documentation submitted in accordance with section 34-202(a)(3). The boundary survey must identify and depict all easements affecting the subject property, whether recorded or

unrecorded, and all other physical encumbrances readily identified by a field inspection.

All boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 5J-17, F.A.C. The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current Adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed.

If the subject property consists of one or more undivided lots within a subdivision, then a copy of the subdivision plat may be submitted in lieu of the boundary survey. However, if the dimensions of the subject property differ from those in the original plat, then a boundary survey, including a metes and bounds legal description, will be required.

~~(3) Confirmation of ownership/title certification. A document, no greater than 90 days old at the time of initial zoning application submittal, must be submitted to establish the following information concerning title to the subject property: (a) the owner or owners of the fee title; (b) all easements encumbering the property; and, (c) the legal description of the property. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company. The certification must be unequivocal. A title binder/commitment or title insurance policy is not acceptable to meet this requirement.~~

(3) Certification of Title and Encumbrances. Certification of title and encumbrances submitted for property subject to zoning approval must meet the following criteria:

a. Form. The certification of title must be in one of the following forms:

i. Title Certificate or Title Opinion, no greater than 90 days old at the time of the initial development order submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.

ii. Ownership and Encumbrance Report, no greater than 30 days old at the time of the initial development order submittal.

iii. Title Insurance Policy with appropriate schedules, no greater than 5 years old at the time of the initial development order submittal and an Affidavit of No Change covering the period of time between issuance of the Policy and the application date. If submission of a complete Affidavit of No Change is not

possible, a Title Certificate, Title Opinion or Ownership and Encumbrance report must be submitted in the alternative.

b. Content. The certification of title must include, at a minimum, the following:

- i. the name of the owner or owners of the fee title,
- ii. all mortgages secured by the property,
- iii. all easements encumbering the property,
- iv. the legal description of the property, and
- v. the certification of title documentation must be unequivocal.

*Subsections (a)(4) through (a)(10) remain unchanged.*

### **Sec. 34-373. Application.**

*Subsections (a) through (c) remain unchanged.*

(d) Sufficiency.

- (1) Upon initial submission of application information for applications for planned developments, the County will have up to 20 business days to review the application to determine if the required materials, in the required form, have been included in the application or resubmission.
- (2) If the required materials have been properly submitted, the application will be found sufficient for review.
- (3) If the required materials have not been properly submitted or resubmitted, the County must provide the Applicant a letter with a brief explanation as to why the application is not complete for review and request the necessary additional information within 20 business days of the date the application is initially submitted or additional information is resubmitted.
- (4) After notice of insufficiency, the Applicant has 60 days to submit supplemental or corrected documents, unless a longer time is agreed to in writing by the Director and the Applicant prior to the expiration of the 60 days. If the supplement or corrections are not submitted within the 60 days (or other time period agreed to) the application will be deemed withdrawn.
- (5) If the County does not provide the Applicant written notice of the insufficiencies within 20 business days of the date the application is initially submitted or additional information resubmitted, the application will be deemed sufficient and ready for substantive review.
- (6) Insufficiency issues not raised during the initial sufficiency review may not serve as the basis for a finding of insufficiency during subsequent rounds of sufficiency



review. Notwithstanding, this provision is not intended to restrict new insufficiency comments generated from documents or information submitted by the Applicant in response to a prior insufficiency comment.

- (7) A waiver of the time frames may be voluntarily agreed to by the Applicant and the County. The County may request, but not require, a waiver of the time frames by an Applicant, except that, with respect to a specific application, a waiver may be required in the case of a declared local, state or federal emergency that directly affects the administration of all permitting activities of the County.
- (8) If the Applicant has made no less than two bona fide attempts to submit supplemental or corrected documents in response to the County's insufficiency notices and the Applicant disputes that additional supplemental documents or information is required, the Applicant may submit a written notice seeking to terminate the sufficiency review process. At that time, the County must proceed with its substantive review of the application as it exists on that date. However, if the additional information requested by County Staff is needed to find the application consistent with the Code or Lee Plan, the failure to provide the additional information requested may affect the County's ability to find the application consistent with County regulations. Termination of the sufficiency review process will not terminate the need for the Applicant to meet its burden to prove that the application is consistent with County regulations.

~~(1) All applications for planned developments will be reviewed within 15 working days of submittal of the application; and, a letter advising the Applicant of the status of the application will be provided. If insufficient, the letter will include a brief explanation as to why the application is not complete for review and request the necessary additional information.~~

~~After notice of insufficiency, the Applicant has 60 days to submit supplemental or corrected documents, unless a longer time is agreed to in writing by the Director and the Applicant prior to the expiration of the 60 days. If the supplement or corrections are not submitted within the 60 days (or other time period agreed to) the application will be deemed withdrawn. This submittal and review process will be repeated until the application is found sufficient for hearing.~~

~~Once an application has been found sufficient any new information submitted by the Applicant, or any changes made to information submitted by the Applicant may, at the discretion of the Director, be grounds for a deferral or continuance of the public hearing, depending on the advertised status of the hearing, and may result in revocation of the finding of sufficiency.~~

*Subsection (2) remains unchanged.*

#### **ARTICLE IV. PLANNED DEVELOPMENTS**

**Sec. 34-380. Amendments to approved master concept plan.**

(a) Amendments to an approved master concept plan or its attendant documentation may be requested at any time during the development of or useful life of a planned development.

(b) The Division Director may approve any change to the ~~interior of the~~ development that does not increase height, density or intensity (i.e., number of dwelling units or quantity of commercial or industrial floor area). The Director may not approve a change that will:

- (1) result in the substantial underutilization of public resources and public infrastructure committed to the support of the development;
- (2) ~~In addition, the Director may not approve changes that result in a reduction of total open space provided on the master concept plan by more than 10% or that would decrease the amount of indigenous native vegetation or open space required by the Code;~~
- (3) ~~decrease preservation areas. Changes to buffer and or landscaping and preservation areas are permitted but must provide equivalent or better (by comparison with the approved Master concept plan) landscaping or buffering; or~~
- (4) adversely impact on surrounding land uses.

*Subsections (c) through (f) remain unchanged.*

~~(g) Amendments to an approved master concept plan does not extend the duration of development rights conferred by an approved master concept plan, unless the extension is granted as part of the requested amendment.~~

**Sec. 34-381. Duration of rights conferred by adopted master concept plan ~~an~~ approved planned development.**

~~Duration of rights for planned development with the exception of mining, excavations: Development rights conferred by an approved planned development, including Zoning Resolution and Master Concept Plan, will remain valid until vacated by operation of Florida law or in accordance with Chapter XIII, (Procedures and Administration), of the Lee Plan, as amended. The duration of approved planned developments issued for mining excavation are subject to Chapter 12. Planned development approvals issued for mining excavation before September 1, 2008, are subject to sections 12-109 and 12-121.~~

[EDITORIAL NOTE: The amendment to the duration of approved planned developments applies retroactively to all master concept plans. See Effective Provision in Section Ten, Ordinance Number: ]

~~(1) All development rights conferred by an adopted master concept plan are valid for five years from the date the planned development was approved by the Board of County Commissioners, unless a greater time is approved in accordance with the provisions below.~~

- ~~(2) — All development rights conferred by an adopted master concept plan for a large project are valid for seven years from the date the planned development was approved by the Board of County Commissioners. Large Projects, for the purpose of this provision, only include projects that contain either 200,000 square feet of office uses, 300 residential dwelling units, 200,000 square feet of retail uses, a total of 200,000 square feet of office or retail uses, 500,000 square feet of industrial uses, or projects with equivalent intensities.~~
- ~~(3) — A master concept plan that is approved as part of a development of regional impact is valid from the date the planned development was approved by the Board of County Commissioners until the initial build out date provided in the development of regional impact development order.~~
- ~~(4) — An Applicant must acquire a development order for a substantial portion of the project within five years (or seven years for Large Projects) of the date of the approval of the planned development, unless a greater time is approved in accordance with the provisions below. The development order must be issued before the master concept plan expires. A substantial portion of the project is defined as no less than 20 percent of the lots, dwelling units, square feet, or other applicable measurements of intensity as applicable unless a lesser percentage is approved by the Board of County Commissioners.~~
- ~~(5) — Master concept plans for planned developments that do not require development orders are not subject to the timeframes in this section.~~
- ~~(6) — Master concept plans issued for mining excavation before September 1, 2008, are subject to sections 12-109 and 12-121.~~
- ~~(b) — Status of expired master concept plans. When a master concept plan expires the property will remain zoned planned development, but no additional development can occur or be approved until a new master concept plan is approved in compliance with section 34-373 et seq.; the original master concept plan is reinstated in accordance with subsection (e) below, or the property is rezoned.~~
- ~~(c) — Administrative extensions of master concept plans.~~
- ~~(1) — An approved master concept plan that has not expired may be extended through an Administrative Amendment without a public hearing, provided that:~~
- ~~a. — The Applicant submits a completed application form for extension (on a form provided by the Department of Community Development) and the appropriate fee prior to the date the current master concept plan expires, but not more than one year before the expiration date. If an extension is not granted before the expiration date, no further development approvals can be issued after the expiration date and before an extension is granted. The application must include:~~
- ~~1. — All submittal requirements for a public hearing pursuant to sections 34-201 and 34-202;~~



- ~~2. A copy of the approved master concept plan amended in accordance with subsections 34-377(b)(6) and (7) reflect the uses, deviations and other modifications set forth in the approving resolution;~~
- ~~3. A copy of the approved planned development zoning resolution and all approved amendments;~~
- ~~4. A written statement describing how the criteria listed in subsection (c)(1)b. below have been met;~~
- ~~5. A current Traffic Impact Statement (TIS) pursuant to subsection 34-373(a)(7); and~~
- ~~6. A detailed narrative explaining why a development order has not been issued and the basis for the extension requested.~~
- ~~7. The Director may require additional information as described in section 34-373 if necessary to review the request.~~
- ~~b. Prior to issuance of an extension of the master concept plan, the Director of Community Development must find that:~~
  - ~~1. The master concept plan is consistent with the current Lee Plan, including allocation tables;~~
  - ~~2. The master concept plan is compatible with existing and approved development in the planning community;~~
  - ~~3. There will be sufficient capacity for potable water, sanitary sewer, surface water management, solid waste disposal, parks and recreation, roadway facilities and public schools to serve the development at the time the impacts of the development will occur without causing these facilities and services to function at a level of service below the minimum regulatory levels established in the Lee Plan; and~~
  - ~~4. The reasons the required development order is not approved is reasonably beyond the control of the Applicant and the Applicant is diligently pursuing approval of the required development order.~~
- ~~(2) Regardless of ownership of the underlying property, a master concept plan may only be extended one time through the Administrative Amendment process. Extensions granted under an Administrative Amendment may not exceed five years from the original date of expiration. Requests for extension in excess of five years must be granted through a public hearing in accordance with subsection (d) below.~~
- ~~(3) The Director may approve, deny, or limit the requested extension to a period less than five years. The decision of the Director is discretionary and is not subject to administrative appeal. If the request is not approved administratively, the Applicant must file an application for public hearing in accordance with subsection (d) below.~~
- ~~(4) The duration of a master concept plan that is part of a Development of Regional Impact ("DRI") will be automatically extended if the DRI's phasing or build out dates are extended. The MCP duration extension is limited to the length of extension of the build out date granted in the DRI. Automatic extensions~~

~~pursuant to this provision are not subject to the limitation of the number of extensions found under subsection (c)(2) above.~~

~~(d) Extensions of master concept plans through public hearing process.~~

~~(1) An approved master concept plan that is not vacated may be extended by the Board of County Commissioners at a public hearing provided that:~~

~~a. The Applicant submits a completed application form for extension (on a form provided by the Department of Community Development) not more than one year and not fewer than 120 days prior to the date the current master concept plan vacates as provided in subsection (a), above together with the appropriate fee. The application must include, at a minimum:~~

- ~~1. All submittal requirements for a public hearing pursuant to sections 34-201 and 34-202;~~
- ~~2. A copy of the approved master concept plan amended in accordance with subsections 34-377(b)(6) and (7) reflect the uses, deviations and other modifications set forth in the approving resolution (no changes may be made to the master concept plan);~~
- ~~3. A copy of the approved planned development zoning resolution and all approved amendments;~~
- ~~4. A written statement describing how the criteria listed in subsection (d)(1)b. below have been met;~~
- ~~5. A current Traffic Impact Statement (TIS) pursuant to subsection 34-373(a)(7); and~~
- ~~6. A detailed narrative explaining why the required development order is not approved and a chronology documenting that the required development order has been diligently pursued.~~

~~The Director may require additional information as described in Section 34-373 if necessary to review the request.~~

~~b. The Board of County Commissioners, after reviewing the recommendation of the staff, determines that:~~

- ~~1. The master concept plan is consistent with the current Lee Plan, including allocation tables;~~
- ~~2. The master concept plan is compatible with existing and approved development in the planning community;~~
- ~~3. There will be sufficient capacity for potable water, sanitary sewer, surface water management, solid waste disposal, parks and recreation, roadway facilities and public schools to serve the development at the time the impacts of the development will occur without causing these facilities and services to function at a level of service below the minimum regulatory levels established in the Lee Plan; and~~
- ~~4. The reasons the required development order is not approved is reasonably beyond the control of the Applicant and the Applicant is diligently pursuing approval of the required development order.~~

~~(2) The Board of County Commissioners may approve, deny, or limit the requested extension to a period less than the Applicant's request. The decision of the Board of County Commissioners is discretionary.~~

~~A master concept plan that has not received a development order and diligently pursued construction, prior to the master concept plan extension expiration, may not receive a second extension but must be reviewed in accordance with section 34-373 et seq.~~

~~(e) Reinstatement of master concept plans.~~

~~(1) An expired master concept plan or a phase of a master concept plan may only be reinstated by the Board of County Commissioners provided the Board of County Commissioners find:~~

- ~~a. The request meets the considerations listed in section 34-83(b)(2);~~
- ~~b. There are no changes to the original approved master concept plan, with the exception of changes that bring the development into compliance with current regulations; and~~
- ~~c. The request meets the criteria listed in subsection (d)(1)b. above.~~

~~(2) Before preparing a recommendation to the Board of County Commissioners on a reinstatement, the hearing examiner must find that:~~

- ~~a. The applicable criteria set forth in section 34-145(d)(2), are satisfied; and~~
- ~~b. The criteria listed in subsection (d)(1)(b) above are satisfied.~~

~~(3) An application for reinstatement of a master concept plan may be filed at any time after it expires and must consist of the following:~~

~~a. A completed application form provided by the Department of Community Development that will include, at a minimum:~~

- ~~1. All submittal requirements for a public hearing pursuant to section 34-201 and 34-202;~~
- ~~2. The following submittal requirements as set forth in section 34-373(a)(4):~~

- ~~i. A boundary survey unless the original application included one and there has been no change to the property;~~
- ~~ii. A map showing current zoning and uses within 500 feet;~~
- ~~iii. A current aerial photograph; and~~
- ~~iv. A FLUCGS map.~~

~~3. The submittal requirements as set forth in section 34-373(a)(6) only if they are required to indicate a reduction of uses or a decrease in the density or intensity of the development;~~

~~4. A current Traffic Impact Statement (TIS) pursuant to subsection 34-373(a)(7);~~

~~5. A schedule of uses keyed to the master concept plan ONLY if previously approved uses are being removed; and~~

~~6. A schedule of deviations keyed to the master concept plan ONLY if previously approved deviations are being removed;~~

~~b. A legible copy of the approved master concept plan (where~~



~~applicable, the master concept plan must be amended to reflect the uses, deviations and other modifications set forth in the approving resolution). See section 34-377(b)(6) and (7);~~

~~c. Legible copies of the applicable zoning resolution and all approved amendments;~~

~~d. A written statement describing how the criteria listed in subsection (d)(1) above are satisfied; and~~

~~e. The appropriate fee.~~

~~(4) A request for an extension or reinstatement may not include new uses or increase the density or intensity of the development proposed under the expired master concept plan. If an Applicant wants to include new uses or increased density or intensity, the request must be submitted and reviewed in accordance with section 34-373 et seq.~~

~~(5) Prior to reinstatement, the BOCC may remove uses or decrease the density or intensity of the master concept plan.~~

## **SECTION SEVEN: CONFLICTS OF LAW**

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements will apply.

## **SECTION EIGHT: SEVERABILITY**

It is the Board of County Commissioner's intent that if any section, subsection, clause or provision of this ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this ordinance. The Board of County Commissioners further declares its intent that this ordinance would have been adopted if such unconstitutional provision was not included.

## **SECTION NINE: CODIFICATION AND SCRIVENER'S ERRORS**

The Board of County Commissioners intend that this ordinance will be made part of the Lee County Code. Sections of this ordinance can be renumbered or relettered and the word "ordinance" can be changed to "section", "article," or other appropriate word or phrase to accomplish codification, and regardless of whether this ordinance is ever codified, the ordinance can be renumbered or relettered and typographical errors that do not affect the intent can be corrected with the authorization of the County Administrator, County Manager or his designee, without the need for a public hearing.

## **SECTION TEN: EFFECTIVE DATE**

This ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State. The provisions of this ordinance will apply to all projects or applications subject to the LDC unless the application for a development order for such project is complete or the zoning application has been found sufficient before the effective date hereof. The amendment to Sec. 34-381 regarding the duration of rights conferred by an approved planned development applies retroactively to all previously approved planned developments.

Commissioner Hall made a motion to adopt the foregoing ordinance, seconded by Commissioner Manning. The vote was as follows:

John Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 12<sup>th</sup> day of February, 2013.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: Cecil L Pendergrass  
Cecil L Pendergrass, Chair



Approved as to form by:

County Attorney's Office



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

February 19, 2013..

Honorable Linda Doggett  
Clerk of the Circuit Courts  
Lee County  
Post Office Box 2469  
Fort Myers, Florida 33902-2469

Attention: Ms. Marcia Wilson, Deputy Clerk

Dear Ms. Doggett:

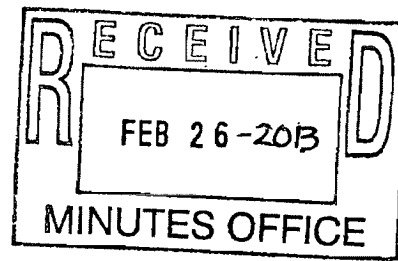
Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 15, 2013 and copy of Lee County Ordinance No. 13-01 which was filed in this office on February 18, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/elr





# Exhibit J

ADMINISTRATIVE AMENDMENT (PD) ADD2013-00021

## ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Angel Aramis of Naples, LLC filed an application for administrative approval to amend Resolution Z-06-039, The Estates at Entrada a Residential Planned Development (RPD)/Commercial Planned Development (CPD) to add a variety of adult living facilities, ie., assisted living facilities (ALF), continuing care facilities (CCF), and independent living units (ILU) to the Schedule of Uses on property located at 16701N. Cleveland Avenue in North Fort Myers, described more particularly as:

LEGAL DESCRIPTION: In Section 28, Township 43 South, Range 24 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the property was originally rezoned in case number Z-06-039 (with subsequent amendments in case numbers ADD2006-00240, ADD2007-00189, DCI2011-00054; and

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

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

WHEREAS, on August 21, 2006, Resolution Z-06-039 approved a maximum of 325 single-family homes, 975 town homes, and 300 multiple-family dwelling units, 30,000 square feet of commercial retail, and 140,000 square feet of commercial, warehouse, and office uses not to exceed a maximum height of 50 feet for multiple-family uses and 35 feet for the remainder of the uses, see Exhibit "B"; and

WHEREAS, in December of 2006, a preliminary plat application (PLT2006-00065) was submitted; however the plat never received final approval; and

WHEREAS, on January 9, 2007, ADD2006-00240 amended the RPD/CPD to reduce the separation distance requirement between multiple-family building on Tract #1 from 20 feet to 10 feet, see Exhibit "C"; and

WHEREAS, on April 24, 2007, DOS2006-00145 was approved with stipulations for 905 lots and 1,182 residential condominium units in 169 building with streets, parking, utilities, sewage pump stations with force mains, stormwater management facilities, 2 - 1,600± square feet, one story buildings for an amenity centers (Townhouse Tract 1 and multifamily Tract 1) , a 2000± square foot, one story building a for an amenity center (single CASE NO. ADD2013-00021

family tract), five swimming pools, a tennis court and related minor site improvements, see Exhibit "D"; and

WHEREAS, on May 8, 2008, ADD2007-00189 amended the RPD to revise the right-of-way width and the road alignment of DeNavarra Parkway; revise Tract #1 from multiple-family to townhouse and rename Tract #1 to Townhome Tract #3; delete from the Site Development Regulations Table multiple-family on Tract #1 and replace it with Townhouse (Tract #3) with revised Property Development Regulations; delete multiple-family Tract #2 on the Master Concept Plan (MCP) and from the Property Development Regulations and replace with Multiple-family Tract #1; correct inconsistencies in the open space tabulations; and update the open space tabulations, see Exhibit "E"; and

WHEREAS, on December 3, 2008, DOS2006-00145 was amended to change De Navarra Parkway from a two lane to a four lane road; show Multi-family tract #1 as a vacant tract; minimal lake changes were made to accommodate the increased impervious from the change to De Navarra Parkway; and the site went from two lift stations to one, see Exhibit "F"; and

WHEREAS on January 30, 2012, a 2 year extension was granted to DOS2006-00145 and CNC2006-00216 (Concurrency) to extend those approvals to now expire on April 24, 2015 per House Bill 7207, see Exhibit "G"; and

WHEREAS, on January 31, 2012, DCI2011-00054, see Exhibit "H", granted a 2 year extension for the MCP to August 21, 2013 per House Bill 7202; however on February 12, 2013, the Board of County Commissioners approved Ordinance13-01, see Exhibit "I", which granted development rights conferred by an approved zoning resolution and MCP to remain valid until it is deemed to be inconsistent with the Lee Plan at time of development such that the MCP has no set expiration date at this time; and

WHEREAS, the applicant is requesting to amend Resolution Z-06-039 to add a variety of adult living facilities, ie., assisted living facilities (ALF), continuing care facilities (CCF), and independent living units (ILU) to the Schedule of Uses and allow them on MF Tract 1, TH Tract 3, and the CPD Tract; however only ILU use would be allowed on TH Tract 2 see Master Concept Plan stamped received June 5, 2013 attached as Exhibit "J"; and

WHEREAS, the proposed adult living facilities have a density equivalent ratio stated in LDC Sections 34-1414 (c) and 34-1494 (b) (2), depending on the type of living facility as follows:

ALF & CCF without a kitchen – 4 persons to 1 dwelling unit  
ILF – 2 units to 1 dwelling unit; and

WHEREAS, there will be no cooking facilities in the individual units in the proposed ALF and CCF facilities; and

WHEREAS, the density for the CPD parcel is calculated based on the Central Urban maximum density range of 10 dwelling units per acre; and



WHEREAS, the applicant provided a conversion density ratio table that demonstrates the conversion of the approved dwelling units according to Resolution Z-06-39 to each proposed adult living facility, see Exhibit "K"; and

WHEREAS, the applicant submitted Trip Generation Summary table, see Exhibit "L" which was reviewed by Development Services who offered no objection to the table; and

WHEREAS, Environmental Sciences reviewed the proposed amendment to the RPD/CPD and offered no objection; 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.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to amend Resolution Z-06-039, The Estates at Entrada a Residential Planned Development (RPD)/Commercial Planned Development (CPD) to add adult living facilities, ie., assisted living facilities (ALF), continuing care facilities (CCF), and independent living units (ILU) to the Schedule of Uses is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated June 5, 2013. Master Concept Plan for ADD2013-00021 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit "J".**
2. **The ALF,CCF and ILU facilities may be constructed on the CPD Tract, Townhome Tract #3, and Multifamily Tract #1. ILU facilities may be constructed on Townhome Tract #2. The maximum allowable densities for the facilities are shown in the conversion density table in Exhibit "K".**
3. **Prior to issuance of a development order for any ALF, CCF, or ILU facility on the CPD Tract, an administrative amendment to the CPD Tract will be required. As part of the documentation for the administrative amendment, the applicant will submit a trip generation summary of the proposed facility to document that the trip generation for the CPD Tract does not exceed the trip generation that was reviewed during the rezoning. Approval of any ALF, CCF, or ILU facilities on the CPD Tract will result in a corresponding reduction of allowable commercial and/or office space based upon trip generation. The reduction in allowable commercial and/or office space will**



be reflected in the administrative amendment approving the ALF, CCF, or ILU facility.

4. No individual cooking facilities are allowed in the ALF or CCF units.
5. The terms and conditions of the original zoning resolutions remain in full force and effect.
6. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

DULY SIGNED this 18th day of July, A.D., 2013.

BY: 

Pam Houck, Director  
Division of Zoning  
Department of Community Development

Exhibits:

- A – Legal Description
- B – Z-06-039
- C – ADD2006-00240
- D – DOS2006-00145
- E – ADD2007-00189
- F – Amended DOS2006-00145
- G – Two (2) year extension for DOS2006-00145
- H – Two (2) year extension for DCI2011-00054
- I – Ordinance 13-01
- J – Master Concept Plan (MCP) dated stamped received June 5, 2013
- K – Conversion Densities Table
- L – Trip Generation Summary

**EXHIBIT**
 tabbles  
 AA-3.C.1. and  
 AA-3.C.2.

**RECEIVED**  
 MAR 11 2013

COMMUNITY DEVELOPMENT

 DESCRIPTION  
 OF  
 THE ESTATES AT ENTRADA  
 OF

 SETIONS 27&28. TOWNSHIP 43 SOUTH  
 RANGE 24 EAST

3-18-13

 APPROVED  
 LEGAL


**DESCRIPTION**

A TRACT OF PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28 TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE S 00°19'44" E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION FOR 25.00 FEET TO AN INTERSECTION WITH A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE SAID FRACTION; THENCE S 89°51'02" E ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE S 00°16'35" E ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S 89°56'55" E FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121) AND AN INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N 73°49'24" E; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07°03'17.6" FOR 689.20 FEET TO THE NORTHEAST CORNER OF LEESURE VILLAGE AS RECORDED IN CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S 89°33'08" W ALONG THE NORTH LINE OF SAID LEESURE VILLAGE FOR 1128.76 FEET; THENCE N 00°17'28" W ALONG SAID NORTH LINE FOR 243.89 FEET; THENCE S 89°41'12" W ALONG SAID NORTH LINE FOR 599.97 FEET; THENCE N 00°33'01" W, ALONG SAID NORTH LINE FOR 169.75 FEET; THENCE S 89°33'13" W ALONG SAID NORTH LINE FOR 599.34 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 00°19'44" E ALONG SAID EAST LINE AND THE WEST LINE OF SAID LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S 89°44'52" W ALONG THE EAST WEST QUARTER SECTION LINE FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N 00°07'52" W ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S 12°27'00" E; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N 88°35'04" E ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 89°49'26" E ALONG THE NORTH LINE OF SAID FRACTION FOR 2639.07 FEET TO THE POINT OF BEGINNING.

SHEET 2 of 2

REVISIONS:

 PROJECT NO: VCC  
 SCALE: NA  
 DRAWN BY: GSY  
 CHECKED BY: ADM  
 DATE DRAWN: 08/23/12  
 FIELD BOOK/PAGE:

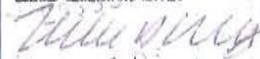
**community engineering services, inc.**  
 civil engineering surveying project management  
 EB-0006613 LB-6572

13650 Fiddlesticks Boulevard, PMB 202-389

Fort Myers, Florida 33912

Telephone (239) 936-9777 Fax (239) 936-0064

 THIS MAP IS NOT VALID WITHOUT THE ORIGINAL  
 SIGNATURE AND RAISED SEAL OF THE FLORIDA  
 LICENSED SURVEYOR AND MAPPER

  
 MARK D. MCCLEARY, P.S.M.  
 FLORIDA REGISTRATION NO. 6557  
 FOR THE FIRM LB-6572  
 DATE SIGNED: 2/7/13

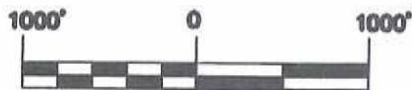


**EXHIBIT**

AA-3.C.1. and  
AA-3.C.2.

**BOUNDARY SKETCH  
OF  
THE ESTATES AT ENTRADA**

OF  
SECTIONS 27&28, TOWNSHIP 43 SOUTH  
RANGE 24 EAST



**SCALE: 1" = 1000'**  
 LEGEND:  
 LCEC - LEE COUNTY ELECTRIC COOPERATIVE, INC.  
 CA - CONSERVATION AREA  
 DE - DRAINAGE EASEMENT  
 SEC - SEMINOLE ELECTRIC COOPERATION  
 ROW - RIGHT-OF-WAY

**NOTES:**

1. PREPARED AS A BOUNDARY SKETCH. BASED ON AVAILABLE RESEARCH INFORMATION.
2. PARCEL MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
3. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
4. MAP BASED ON DESCRIPTION PROVIDED BY THE CLIENT.
5. THIS SKETCH WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
6. PARCEL LIES IN FLOOD ZONE "AE" ELEV = 18.0' NAVD, AS SHOWN ON FEDERAL INSURANCE RATE MAPS NUMBER 12071C0259F AND 12071C0258F, DATED AUGUST 28, 2008.
7. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

NUMBER	DIRECTION	DISTANCE
L15	S 89°49'10" E	125.00'
L100	S 00°19'44" E	25.00'
L101	S 89°51'02" E	1337.99'
L102	S 00°16'35" E	1368.29'
L103	S 89°56'55" E	844.93'
L104	S 89°33'08" W	1128.76'
L105	N 00°17'28" W	243.89'
L106	S 89°41'12" W	599.97'
L107	N 00°33'01" W	169.75'
L108	S 89°33'13" W	599.34'
L109	S 00°19'44" E	989.06'
L110	S 89°44'52" W	3921.74'
L111	N 00°07'52" W	1595.37'
L112	N 88°35'04" E	424.31'
L113	S 89°49'26" E	2639.07'

NUMBER	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH
C100	689.20	5597.26	07°03'18"	S 12°38'57" E	688.76
C200	1488.47	1080.00	78°57'57"	N 38°04'01" E	1373.43

SEE SHEET 2 OF 2 FOR  
DESCRIPTION.

SHEET 1 of 2

REVISIONS:

PROJECT NO. VCC  
 SCALE: NA  
 DRAWN BY: CBV  
 CHECKED BY: JDM  
 DATE DRAWN: 08/23/12  
 FIELD BOOK/PAGE:



**community engineering services, inc.**  
 civil engineering surveying project management

EB-0006613 LB-6572

13650 Hindlesticks Boulevard, PMB 202-389

Fort Myers, Florida 33912

Telephone (239) 936-9777 Fax (239) 936-0064

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 SIGNATURE AND RAISED SEAL OF THE FLORIDA  
 LICENSED SURVEYOR AND MAPPER.

MARK D. MCCLARY, P.S.M.  
 FLORIDA REGISTRATION NO. 6557  
 FOR THE FIDM LB-4572  
 DATE SIGNED: 2/17/13

RECEIVED  
 MAR 11 2013  
 COMMUNITY DEVELOPMENT

ADD 2013-00021



## RESOLUTION NUMBER Z-06-039

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

WHEREAS, MFA Ventures, LLC filed an application on behalf of the property owners, Hole Montes & Associates, Inc., and Realmark Group, LLC., to rezone a 292+/- acre parcel from Mobile Home Planned Development (MHPD) and Commercial (C-1A/C-2) zoning districts to a Residential and Commercial Planned Development (RPD/CPD) in reference to The Estates at Entrada; and

WHEREAS, a public hearing was advertised and held on May 4, 2006, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2004-00080; and

WHEREAS, a second public hearing was advertised and held on August 21, 2006, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

**SECTION A. REQUEST**

The applicant filed a request to rezone a 292+/- acre parcel from MHPD and C-1A/C-2 to RPD/CPD, to allow 325 single-family, 975 town homes, and 300 multiple-family dwelling units; 30,000 square feet of commercial retail; and 140,000 square feet of commercial, warehouse, and office uses. The property is located in the Central Urban 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.

**SECTION B. CONDITIONS:**

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP), Exhibit C attached hereto, entitled "Preliminary Master Concept Plan: Estates at Entrada," stamped "Received on OCT 16 2006," last revised OCT 16, 2006, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this Planned Development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

This project is limited to a maximum of 325 single-family homes, 975 town homes, and 300 multiple-family dwelling units, 30,000 square feet of commercial retail, and 140,000 square

feet of commercial, warehouse, and office uses not to exceed a maximum height of 50 feet for multiple-family uses and 35 feet for the remainder of the uses.

2. The following limits apply to the project and uses:

a. Schedule of Uses

i. Residential Planned Development (RPD):

ACCESSORY USES AND STRUCTURES

DWELLING UNIT:

Single-family

Townhouse

Multiple-family building

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES, Group I

EXCAVATION, water retention

FENCES, WALLS

HOME OCCUPATION

PARKING LOT, accessory

MODELS:

Display center

Display group

Model home

Model unit

REAL ESTATE SALES OFFICE

RESIDENTIAL ACCESSORY USES

RECREATIONAL FACILITIES:

Personal

Private, On-Site

SIGNS, in accordance with chapter 30

ii. Commercial Planned Development (CPD) Tract:

ACCESSORY USES AND STRUCTURES

ADMINISTRATIVE OFFICES

ATM (automatic teller machine)

AUTO PARTS STORE, with or without installation facilities, limited to the most easterly 270 feet of the CPD Tract

AUTOMOBILE SERVICE STATION, limited to one, limited to the most easterly 270 feet of the CPD Tract

BANKS AND FINANCIAL ESTABLISHMENTS, Groups I and II

BAR OR COCKTAIL LOUNGE, only in conjunction with a Group III restaurant

BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION

BUILDING MATERIAL SALES

BUSINESS SERVICES, Groups I

CAR WASH, limited to the most easterly 270 feet of the CPD  
Tract  
CLEANING AND MAINTENANCE SERVICES  
CLOTHING STORES, general  
COMPUTER AND DATA PROCESSING SERVICES  
CONSUMPTION ON PREMISES  
CONTRACTORS AND BUILDERS, Groups I  
CONVENIENCE FOOD AND BEVERAGE STORE, limited to one having  
a maximum of 16 pumps and limited to the most easterly 270 feet of  
the CPD Tract,  
DEPARTMENT STORE  
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE  
EMS, FIRE, AND/OR SHERIFFS STATION  
ENTRANCE GATES AND GATEHOUSE  
ESSENTIAL SERVICES  
ESSENTIAL SERVICE FACILITIES, Group I  
EXCAVATION, water retention  
FENCES, WALLS  
FOOD AND BEVERAGE SERVICE, LIMITED  
FOOD STORES, Group I  
GIFT AND SOUVENIR SHOP  
HARDWARE STORE  
— HEALTH CARE FACILITIES, Groups I, II, and III  
HOBBY, TOY AND GAME SHOPS  
HOUSEHOLD AND OFFICE FURNISHINGS, Groups I and II  
INSURANCE COMPANIES  
LAUNDROMAT  
LAUNDRY OR DRY CLEANING, Group I  
LAWN AND GARDEN SUPPLY STORES  
MEDICAL OFFICE  
NONSTORE RETAILERS, Groups I, II, and III  
PACKAGE STORE  
PAINT, GLASS AND WALLPAPER  
PARCEL AND EXPRESS SERVICES  
PARKING LOT:  
Accessory  
Temporary  
PERSONAL SERVICES, Groups I, II, III, and IV, excluding escort services,  
tattoo parlors, massage parlors, and steam and Turkish baths  
PET SERVICES  
PET SHOP  
PHARMACY  
POST OFFICE  
PRINTING AND PUBLISHING  
RECREATION, COMMERCIAL, Group I  
RENTAL OR LEASING ESTABLISHMENT, Groups I and II, no outdoor  
display  
REPAIR SHOPS, Groups I and II



RESEARCH AND DEVELOPMENT LABORATORIES, Groups II and IV  
RESTAURANT, FAST FOOD, limited one and to the most easterly 270 feet  
of the CPD Tract  
RESTAURANTS, Groups I, II, III, and IV  
SCHOOLS, Commercial  
SELF-SERVICE FUEL PUMPS, only in conjunction with a convenience food  
and beverage store  
SIGNS in accordance with chapter 30  
SOCIAL SERVICES, Group I  
SPECIALTY RETAIL SHOPS, Groups I, II, III, and IV  
STORAGE:  
Indoor  
STUDIOS  
TEMPORARY USES  
USED MERCHANDISE STORES, Group I  
VARIETY STORE  
WHOLESALE ESTABLISHMENTS, Group III

b. Site Development Regulations

ESTATES AT ENTRADA RPD/CPD PROPERTY DEVELOPMENT REGULATIONS												
LAND USE	Minimum Lot Area sq. ft.	Minimum sq ft per unit	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage %	Minimum Setbacks (ft)					Max. Height (ft.)	Stories
						Street	Side	Rear	Water	Preserve		
RESIDENTIAL												
Townhouse (Tract #1)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
	Townhouse (Tract #2)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35
Multiple-family (Tract #1)	10,000	3,000	100	100	45	20 <sup>(7)</sup>	5 <sup>(4)</sup> /0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50	3
Multiple-family (Tract #2)	10,000	2,000	100	100	45	20 <sup>(7)</sup>	15	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50 <sup>(6)</sup>	5
Single-family	5,000	-----	50	100	55	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Single-family <sup>(8)</sup>	6,500	-----	65	100	45	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
COMMERCIAL												
CPD Tract	20,000	-----	100	100	45	20 <sup>(7)</sup>	10/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	-----	20 <sup>(5)</sup>	35	3
RECREATIONAL FACILITIES												
Recreational Facilities, Private On-site (Amenity area)	10,000	-----	80	90	45	20 <sup>(7)</sup>	5	5	10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3

Footnotes:

- (1) Accessory structures - No accessory structures may be located in a buffer
- (2) Side opposite zero lot line
- (3) Interior side only
- (4) Exterior side only, with minimum building separation of 20 feet
- (5) Preserve Setbacks: Principal and accessory structures must be setback a minimum of ~~25~~ 20 feet from the preserves.
- (6) Multiple-family dwelling units located on multiple-family Tract #2, within 75 feet of Leasure Village Recreational Vehicle park and Leasure Village Mobile home Park, will be limited to a maximum height of 35 feet.
- (7) All other streets in accordance with Section 34-2192(a) of the Land Development code.
- (8) Property Development Regulations for single-family dwelling units in the stair-step hatched area as depicted on the master concept plan.



3. Environmental Conditions

a. GOPHER TORTOISE MANAGEMENT PLAN:

A Gopher Tortoise Management Plan must be submitted in conjunction with the indigenous preservation management plan at time of local development order review for the Division of Environmental Sciences staff review and approval. The Gopher Tortoise Management Plan must include the type of permit to be obtained from Florida Fish and Wildlife Conservation Commission, any habitat management activities required prior to relocating gopher tortoises and commensal species to the preserve, and long term management requirements.

The following steps must be followed prior to commencement of any site work to insure proper protection of gopher tortoises:

- i. A copy of the Florida Fish and Wildlife Conservation Commission gopher tortoise permit and receipt of payment if applicable, and updated gopher tortoise survey must be submitted to the Division of Environmental Sciences staff prior to issuance of a Vegetation Removal Permit; and
- ii. A Vegetation Removal Permit to install gopher tortoise fencing and burrow excavation must be obtained prior to any site work; and
- iii. Any gopher tortoises and commensal species located during burrow excavation must be moved to appropriate indigenous preserves; and
- iv. The number of tortoises and any commensal species moved to preserves must be reported to the Division of Environmental Sciences staff; and
- v. All active and inactive gopher tortoise burrows located within tracts to be cleared for development and outside of the indigenous preserves must be excavated and fully collapsed prior to issuance of a Vegetation Removal Permit for clearing and filling of the development area.

b. LIMPKIN MANAGEMENT PLAN:

The proposed preserve and created lakes will provide foraging and roosting habitat for limpkins. No additional management is required.

c. Open Space:

Prior to local development order approval, the Development Order plans must include an open space diagram demonstrating how the 105.13 acres of required open space will be met on the overall project. The provided open space may include the 45 actual acres of indigenous preserve, 26 acres of lakes (25 percent of required open space), and 34 acres of common open space. The open space diagram must highlight how the 34 acres of landscape common open space will be

provided, and include details of how a minimum of 10 percent open space will be met within each tract requiring open space. The 10 percent open space per tract may be counted toward the 34 acres of required common open space.

4. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the Planned Development.
5. A 5-foot side setbacks for single-family detached residences shall be permitted as long as one builder constructs homes in the subdivision and certifies prior to Certificate of Occupancy that the grading plan has been accomplished in accordance with the approved Development Order issued for the project. If more than one builder constructs homes in any of the parcels, this certification must be made by a licensed Professional Engineer (P.E.) prior to the issuance of a Certificate of Occupancy.
6. Agriculture is not a permitted use within this Planned Development.
7. Accessory uses, including accessory parking, must be located on the same tract, lot, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, lot, parcel or outparcel.
8. Prior to the issuance of any Development Order, the developer must provide evidence that the property has access to central water and sanitary sewer, or that the extension of central water and sanitary sewer will coincide with the development of the property.
9. As part of the approved local development order for this development, the developer must provide for a six -foot wide pedestrian/bikepath parallel to and along both sides of the spine roads from the north connection, to Entrada PDP south to the intersection of the east/west connector road to U.S. 41. The remaining portion of the spine road, south of the intersection of the east/west connector road to U.S. 41 and the entire length of the east/west connector road, shall provide a six (6) foot pedestrian/bikepath parallel to and along one side of the road.
10. No entrance gates or gatehouses will be permitted on the spine roads within the development.
11. Model units and homes are permitted in compliance with the following conditions:
  - a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and
  - b. All model sites must be designated on the development order plans; and
  - c. All lots within a phase proposed for models must be platted before certificates of compliance will be granted for any models; and
  - d. Dry models are prohibited.

12. A Development Order may not be issued for this project until the 40-foot-wide haul road easement (as recorded in Official Records Book 36, at page 117 of the Public Records of Lee County, Florida), shown on the Master Concept Plan, is extinguished, as depicted on the Master Concept Plan.
13. Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in Lee County LDC Chapter 2 and the Lee County Comprehensive Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.
14. Buildings exceeding 35 feet in height must maintain additional building separation or additional building setbacks as regulated by Lee County LDC §34-2174(a) and Lee County LDC §34-935(e)4.
15. Approval of this rezoning 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.
16. Approval of this rezoning does not guarantee local development order approval. Future Development Order approvals must satisfy the requirements of the Lee County Comprehensive Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee County Comprehensive Plan provisions.
17. Prior to local development order approval, the billboard located along U.S. 41 must be removed.

#### SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-329(d)(1)a.3. requirement to provide excavations to be setback a minimum of 50 feet from any private property line under separate ownership; to allow a 25-foot setback as depicted on the Master Concept Plan. This deviation is APPROVED, SUBJECT TO the conditions that:
  - a. At the time of Development Order approval, the Developer must provide a minimum 4-foot-high fence on the north side of Lake 3 abutting the north property line. The fence will commence at the westerly side of the internal spine road and run westerly for 550 feet along the north property line.
  - b. The Developer, at the time of Development Order approval, must provide elements for the protection of wayward vehicles for that portion of the spine road adjacent to Lakes 1, 7, 13, and 15. The elements for the protection of wayward vehicles may include guardrails, berms, swales, vegetation or other protections as determined by the Development Services Director.
2. Deviation (2) seeks relief from the LDC §10-329(d)(6) requirement to provide that if roads, drives, or parking areas are located less than 125 feet from an existing residential



subdivision or residential lots a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped with a minimum of five trees and 18 shrubs per 100 linear feet; to eliminate the screening wall requirement in accordance with the Master Concept Plan. This deviation is APPROVED, SUBJECT TO the conditions that:

- a. At the time of local development order approval, for that portion of the spine road from its western limit to the west boundary of Lake 13, the developer will install a Type "B" buffer. Further that portion of the required buffer west of the temporary cul-de-sac, will not have to be installed until such time that the future right-of-way is extended to the west of the temporary cul-de-sac.
  - b. The deviation request is granted, adjacent to the CPD Tract, provided a Type "C" or Type "F" buffer is installed as shown on the master concept plan.
3. Deviation (3) seeks relief from the LDC §10-416(b) requirement to provide developments to provide fifty percent of their open space percentage requirement through the onsite preservation of existing native vegetation communities; to allow the development to meet this requirement through a replanting plan for portions of the proposed indigenous preserve that do not meet the indigenous plant community definition. This deviation is APPROVED, SUBJECT TO the conditions that:
- a. Prior to the issuance of a Certificate of Compliance for Phase I (infrastructure) of the development, invasive exotic vegetation must be removed from the preserve in a manner that does not disturb the soil (e.g., hydro-ax; hand-removal) to properly evaluate the amount of restoration plantings required to establish a complete indigenous vegetation community. The invasive exotic removal must be coordinated with the Division of Environmental Sciences Staff.
  - b. Prior to the issuance of a Certificate of Compliance for Phase I (infrastructure) of the development, the development order plans must delineate the indigenous preservation and restoration areas as shown on Exhibit D as well as 2.26 acres of additional indigenous preserve, including any applicable preservation credits per the Lee County LDC. Restoration areas used to achieve the additional indigenous preserve will be at an onsite 1:1 ratio.
  - c. Prior to local development order approval for Phase II of the development:
    1. A detailed indigenous restoration plan for both the wetland and upland portion of the preserve dominated by melaleuca (FLUCFCS Codes 424 and 4241) must be submitted for the Division of Environmental Sciences staff review and approval. The wetlands must be restored to hydric pine flatwoods/wet prairie and the upland must be restored to pine flatwoods / sabal palm hammock/palmetto prairie. Trees must be a minimum three-gallon container size, and shrubs and groundcover a minimum

one-gallon container size. Sabal palms may be relocated from portions of the property outside of the preserve into the upland restoration area. Upland restoration plantings must be mulched with pine straw, and irrigated with a temporary irrigation system. The wetland restoration plantings may be required to be irrigated depending on the time of year the plants are installed; and

2. The Development Order plans must provide indigenous restoration plan details including the number of each plant to be installed in the wetland restoration area and upland restoration area separately.
3. Prior to issuance of a Certificate of Compliance for Phase II of the development, the restoration plantings must be installed.

#### SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Preservation and Restoration Plan

The applicant has indicated that the STRAP numbers for the subject property are: 27-43-24-00-00023.0080 and 28-43-24-00-00001.0000

#### SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
  - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
  - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
  - c. is compatible with existing or planned uses in the surrounding area; and,
  - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

- e. will not adversely affect environmentally critical areas or natural resources.
- 3. The rezoning satisfies the following criteria:
  - a. the proposed use or mix of uses is appropriate at the subject location; and
  - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
  - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
- 4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
- 5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

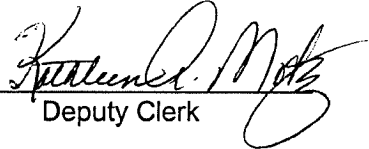
Commissioner Judah made a motion to adopt the foregoing resolution, seconded by Commissioner Albion. The vote was as follows:

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

DULY PASSED AND ADOPTED this 21<sup>st</sup> day of August 2006.

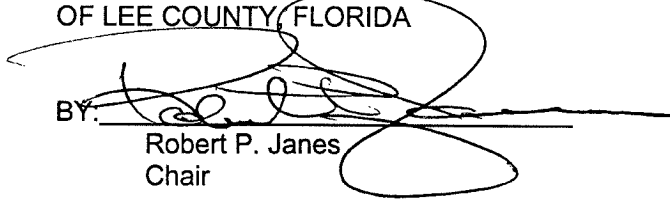
ATTEST:  
CHARLIE GREEN, CLERK

BY:

  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY:

  
Robert P. Janes  
Chair

Approved as to form by:

  
County Attorney's Office

  
CASE NO: DCI2004-00080

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Z-06-039  
Page 12 of 12



## EXHIBIT "A"

## OVERALL BOUNDARY DESCRIPTION

(292.91 ACRE PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28, THENCE S 00° 19' 44" E ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION FOR 25.00 FEET TO A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE S 89° 51' 02" E ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 27; THENCE S 00° 16' 35" E ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S 89° 56' 55" E FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N 73° 49' 24" E; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07° 03' 17.6" FOR 689.20 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S 89° 33' 08" W ALONG SAID BOUNDARY FOR 1128.76 FEET; THENCE N 00° 17' 28" W ALONG SAID BOUNDARY FOR 243.89 FEET; THENCE S 89° 41' 12" W ALONG SAID BOUNDARY FOR 599.97 FEET; THENCE N 00° 33' 01" W ALONG SAID BOUNDARY FOR 169.75 FEET; THENCE S 89° 33' 13" W ALONG SAID BOUNDARY FOR 599.34 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 00° 19' 44" E ALONG SAID EAST LINE AND SAID BOUNDARY OF LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S 89° 44' 52" W ALONG THE EAST WEST QUARTER SECTION LINE OF SAID SECTION 28 FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE LYING 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N 00° 07' 52" W ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S 12° 27' 00" E; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78° 57' 57" FOR 1488.47 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE N 88° 35' 04" E ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S 89° 49' 26" E ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 2639.07 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 292.91 ACRES MORE OR LESS.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 BEARS S 89° 49' 26" E. PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

S:\Zoning Tables\Legal Review data\Legal Cases\Legal Descriptions\Metes & Bounds\DCI2004-00080.doc

**Applicant's Legal Checked**

by Lgm 12/30/2005

(page 1 of 7)



CURVE	RADIUS	DEG. TA	APC	CHORD	CHORD BEG.
C1	5587.26'	070.517.8	683.20'	888.78'	S 12°36'57"
C2	1080.00'	78.573.5	1408.47'	1573.43'	S 38°04'00"

[illegible]



**Banks Engineering, Inc.**Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTADESCRIPTION OF A PARCEL  
LYING IN SECTIONS 27 AND 28, T-43-S, R-24-E,  
LEE COUNTY, FLORIDA

(280.07 ACRE RPD PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28  
TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

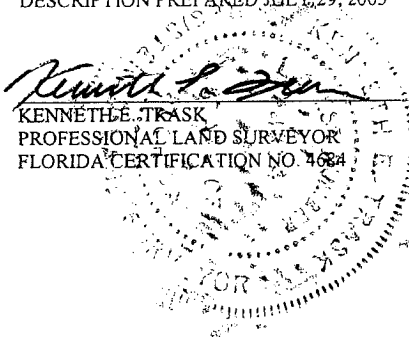
**BEGINNING** AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE S.00°19'44"E. ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION FOR 25.00 FEET TO AN INTERSECTION WITH A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE S.89°51'02"E. ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE S.00°16'35"E. ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S.89°56'55"E. FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.73°49'24"E.; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 1°41'55.3" FOR 165.95 FEET; THENCE N.89°56'55"W. FOR 972.94 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 72.50 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°22'58" FOR 57.43 FEET; THENCE S.00°17'28"E. FOR 299.45 FEET TO THE NORTH LINE OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S.89°41'12"W. ALONG SAID NORTH LINE FOR 599.97 FEET; THENCE N.00°33'01"W. FOR 169.75 FEET; THENCE S.89°33'13"W. FOR 599.34 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S.00°19'44"E. ALONG SAID EAST LINE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.89°44'52"W. ALONG THE EAST WEST QUARTER SECTION LINE FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N.00°07'52"W. ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.12°27'00"E.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.88°35'04"E. ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S.89°49'26"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 2639.07 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 280.07 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S.89°49'26"E.

DESCRIPTION PREPARED JULY 29, 2005



KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

Applicant's Legal Checked

by Lgm 12/30/2005

(page 4 of 7)

SHEET 1 OF 2

DCI2004-00080

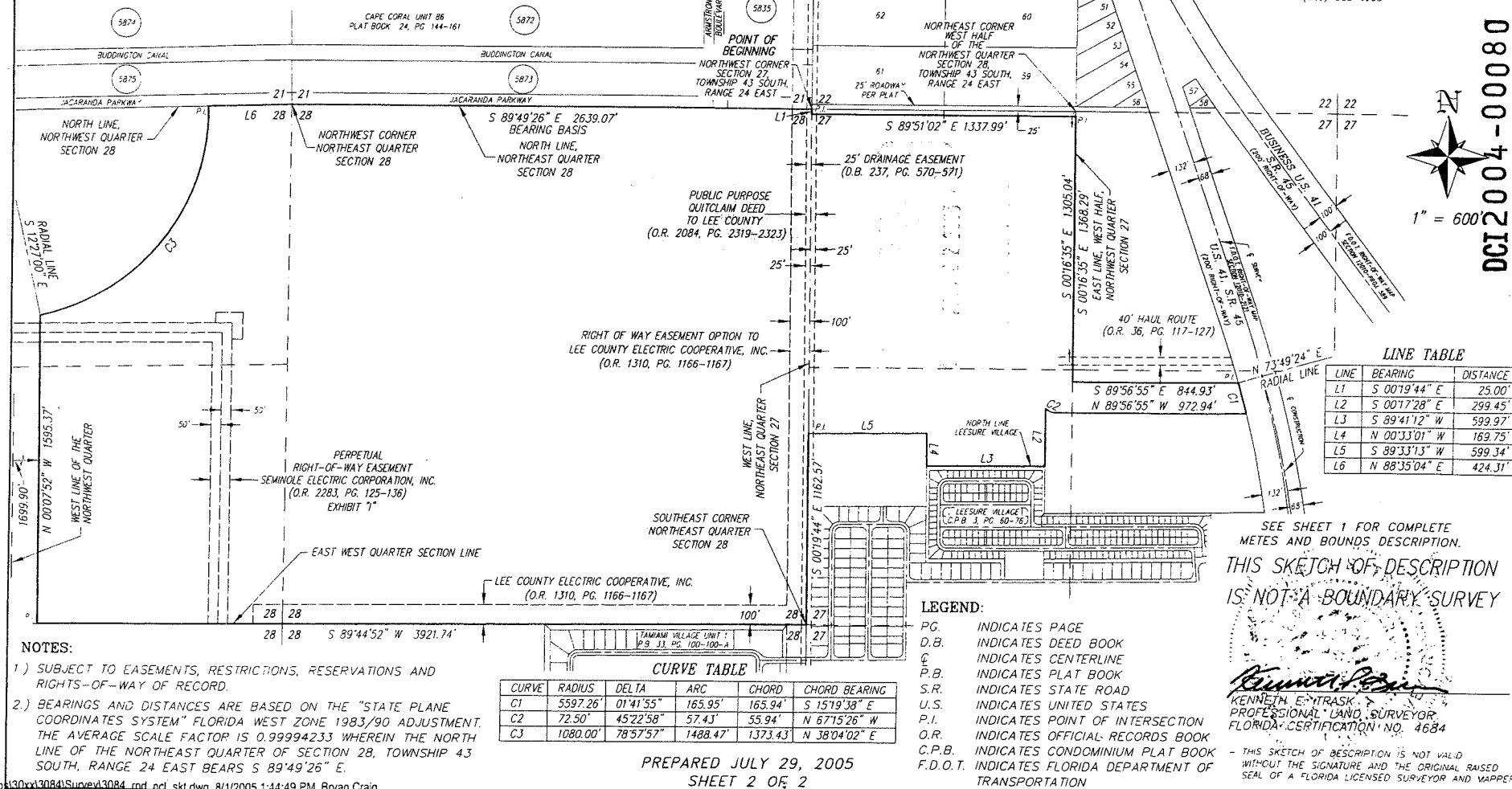
# SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 27 AND 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

Sketch  
Applicant's Legal Checked  
by Lgm 12/30/2005  
(page 5 of 7)

**Banks Engineering, Inc.**

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690  
12653 SW COUNTY ROAD 769 - SUITE B  
LAKE SUZY, FLORIDA 34269  
(941) 625-1165



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DCI2004-00080

# **Banks Engineering**

Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION OF A PARCEL  
LYING IN SECTIONS 27 AND 28, T-43-S, R-24-E,  
LEE COUNTY, FLORIDA

(12.84 ACRE COMMERCIAL PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 27 TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

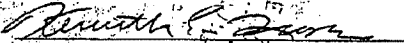
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE S.89°51'02"E. ALONG THE NORTH LINE OF SAID SECTION FOR 1338.01 FEET; THENCE S.00°16'35"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 27 FOR 1553.29 FEET TO THE POINT OF BEGINNING; THENCE S.89°56'55"E. FOR 888.02 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R.45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.75°31'20"E.; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 5°21'22" FOR 523.25 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S.89°33'08"W. ALONG SAID BOUNDARY LINE FOR 1128.76 FEET; THENCE N.00°17'28"W. FOR 543.33 FEET, LEAVING SAID BOUNDARY AT 243.88 FEET, TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 72.50 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.45°26'03"W.; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°22'58" FOR 57.43 FEET; THENCE S.89°56'55"E. FOR 84.92 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 12.84 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S.89°49'26"E.

DESCRIPTION PREPARED JULY 29, 2005

  
KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

DCI 2004-00080

Applicant's Legal Checked  
by Lgm 12/30/2005  
(Page 6 of 7)

**RECEIVED**  
DEC 14 2005  
PERMIT COUNTER

SHEET 1 OF 2



# SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 27, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA

## LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°56'55" E	84.92'

## CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5597.26'	05°21'22"	523.25'	523.06'	S 11°47'59" E
C2	72.50'	45°22'58"	57.43'	55.94'	S 67°15'26" E

## Banks Engineering

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
FLORIDA BUSINESS CERTIFICATION NUMBER LB 0690  
12653 SW COUNTY ROAD 769 - SUITE B  
LAKE SUZY, FLORIDA 34269  
(941) 625-1165



1" = 200'

DCI 2004-00080

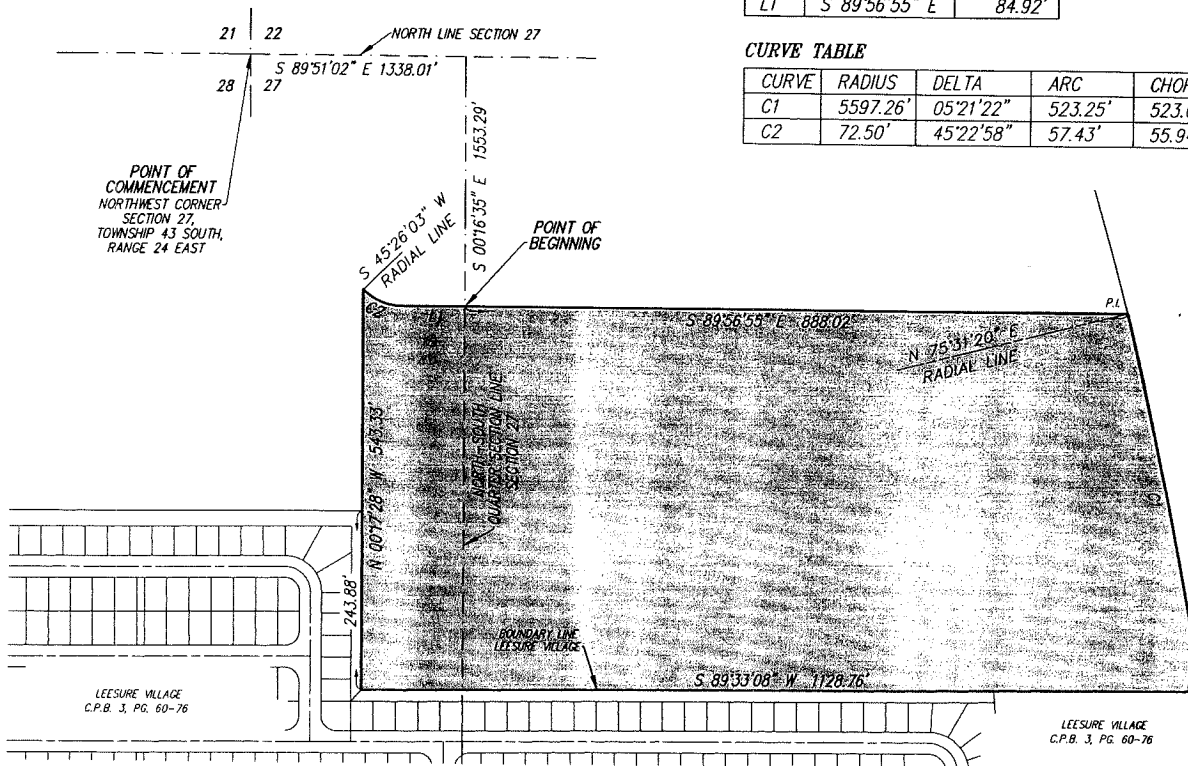
**RECEIVED**  
DEC 14 2005

PERMIT COUNTER

SEE SHEET 1 FOR COMPLETE  
METES AND BOUNDS DESCRIPTION.  
THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY

*Kenneth E. Trask* 12-6-2005  
KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

- THIS SKETCH OF DESCRIPTION IS NOT VALID  
WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



## NOTES:

- SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S 89°49'26" E.

Sketch of  
Applicant's Legal Checked  
by *Lgm* 12/30/2005  
(pg 7 of 7)

PREPARED JULY 29, 2005  
SHEET 2: OF 2

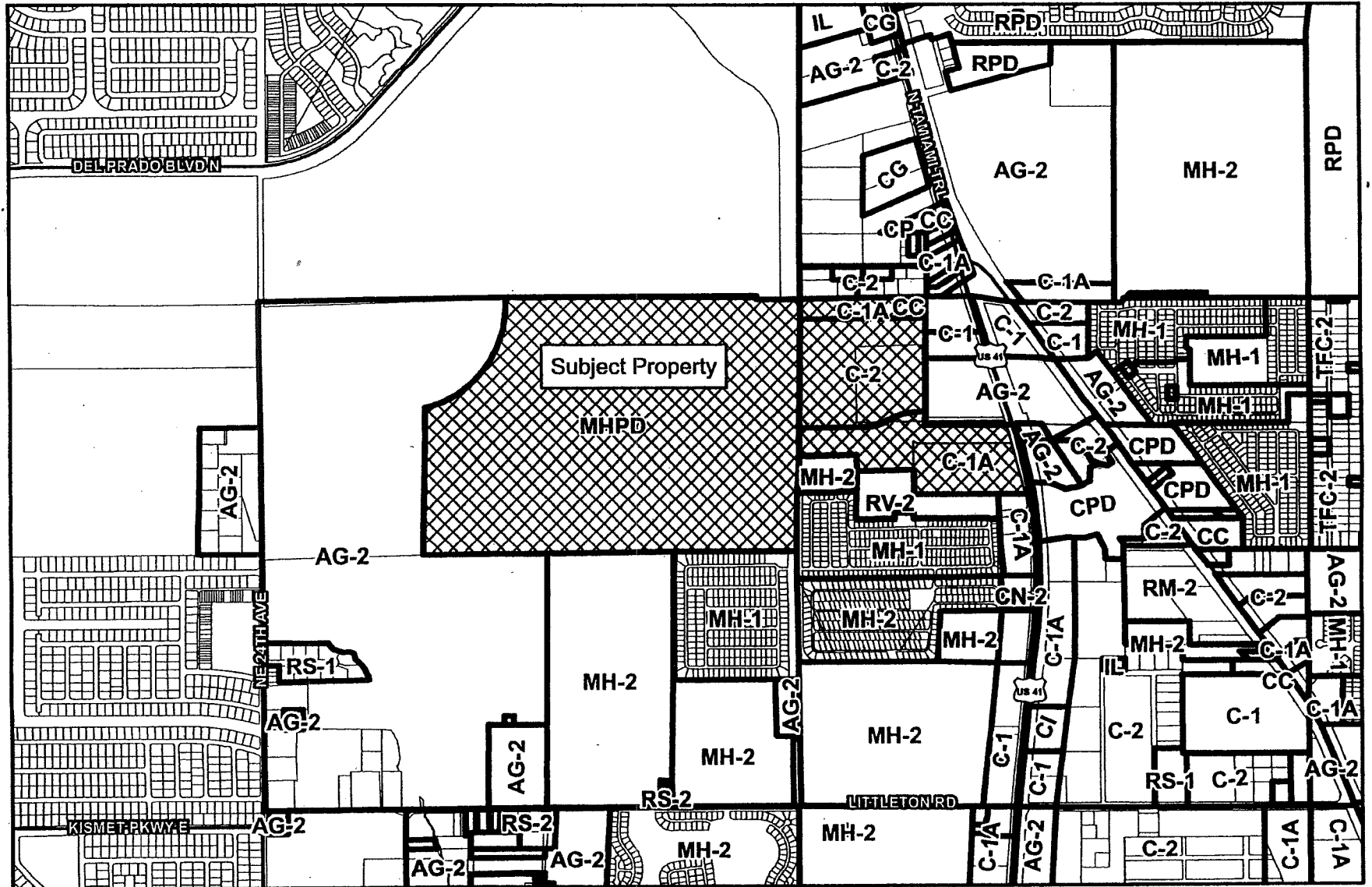
## LEGEND:

- PG. INDICATES PAGE
- P.B. INDICATES PLAT BOOK
- S.R. INDICATES STATE ROAD
- U.S. INDICATES UNITED STATES
- P.I. INDICATES POINT OF INTERSECTION
- C.P.B. INDICATES CONDOMINIUM PLAT BOOK
- F.D.O.T. INDICATES FLORIDA DEPARTMENT OF TRANSPORTATION

EXHIBIT B

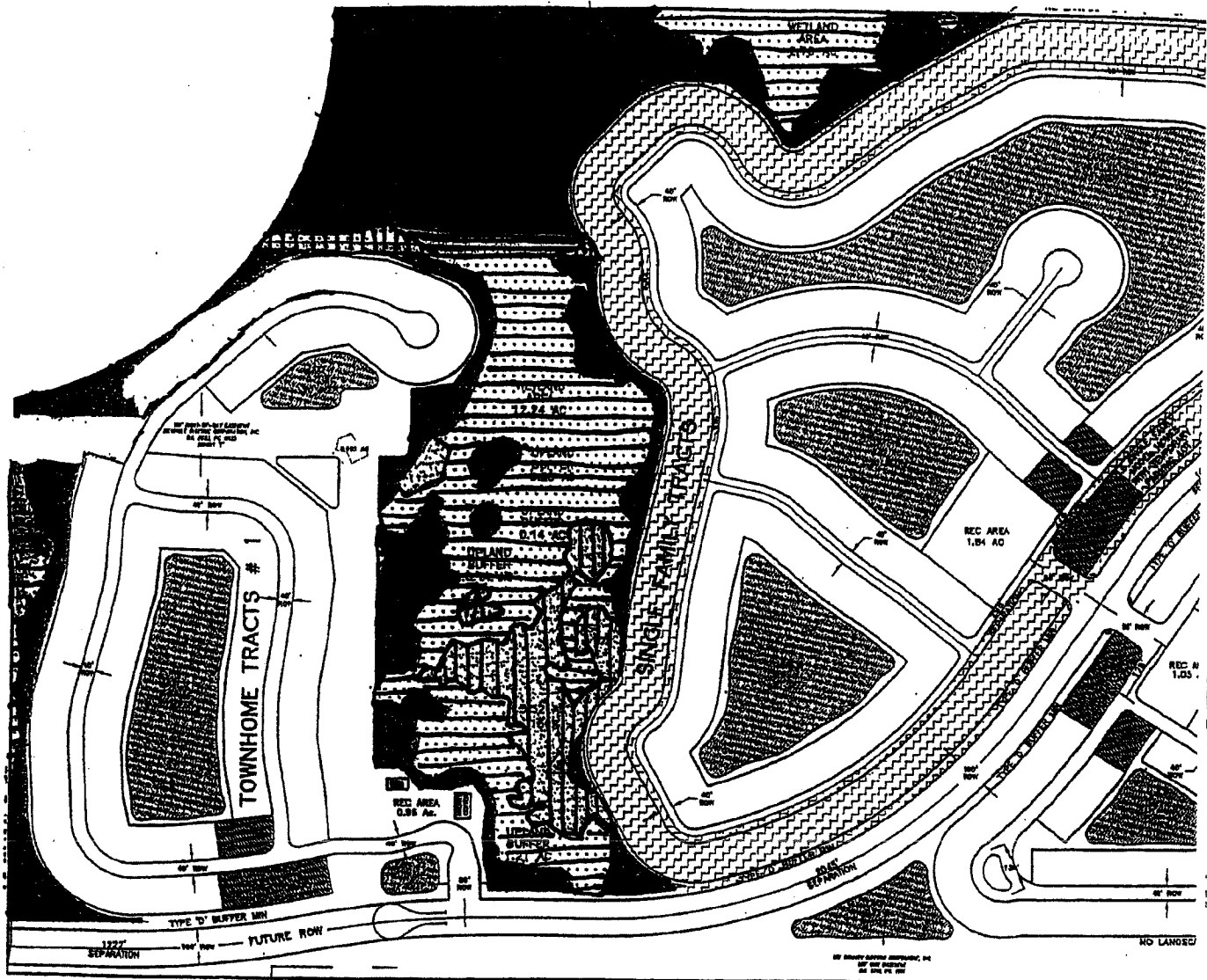
DCI2004-00080

4/19/2006












MH-2  
TAMIAMI VILLAGE  
(P.B. 31, PG. 100 & 100A)  
CENTRAL URBAN FLUM

-  = Existing Indigenous Plant Community
-  = Wetland Restoration
-  = Upland Restoration

DCI 2004-00080

EXHIBIT D

ADMINISTRATIVE AMENDMENT (PD) ADD2006-00240

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, PGA Investment Holdings, LLC filed an application for administrative amendment approval to a Residential/Commercial Planned Development (RPD/CPD) on a project known as The Estates at Entrada to:

1. amend the Site Development Regulations Table to reduce the separation distance between multiple-family buildings on Tract #1 from 20 feet to 10 feet;

on property located at 16701 N. Cleveland Avenue, described more particularly as:

LEGAL DESCRIPTION: In Section 27, Township 43 South, Range 24 East, Lee County, Florida:

See Legal Description attached hereto as Exhibit "A"

WHEREAS, the property was originally rezoned in case number 75-5-10, with subsequent amendments in case numbers 89-5-2-4 DCI, 89-5-2-4(R) DCI, 95-12-237.13A, and DCI20004-00080 and;

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

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

WHEREAS, the applicant has indicated that there is a scrivener's error in the Site Development Regulations Table, wherein the applicant originally requested a building separation of 10 feet and the approved property development regulations provided for a 20 foot separation for multiple-family buildings in Tract #1; and

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an administrative approval for an amendment to a Residential/Commercial Planned Development is **APPROVED** to:

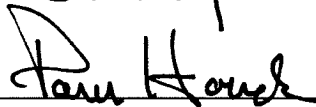
1. **amend the property development regulations, Resolution Z-06-039, to reduce the separation distance between multiple-family buildings on Tract #1 from 20 feet to 10 feet.**

**Approval is subject to the following conditions:**

1. **Resolution Z-06-039, Section B. Conditions, subsection 2.b., Site Development Regulations Table, is hereby amended by adding and deleting language as shown on Exhibit "B" attached hereto.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**

DULY SIGNED this 9<sup>th</sup> day of January, A.D., 2007.

BY: \_\_\_\_\_



Pam Houck, Director

Division of Zoning

Department of Community Development



**Banks Engineering, Inc.**Professional Engineers, Planners & Land Surveyors  
FORT MYERS ♦ NAPLES ♦ SARASOTADESCRIPTION OF A PARCEL  
LYING IN SECTIONS 27 AND 28, T-43-S, R-24-E,  
LEE COUNTY, FLORIDA**(ESTATES AT ENTRADA OVERALL PARCEL)**

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28 TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE S.00°19'44"E. ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION FOR 25.00 FEET TO A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE S.89°51'02"E. ALONG SAID PARALLEL LINE FOR 1337.99 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 27; THENCE S.00°16'35"E. ALONG SAID EAST LINE FOR 1368.29 FEET; THENCE S.89°56'55"E. FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5597.26 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.73°49'24"E.; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07°03'17.6" FOR 689.20 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE S.89°33'08"W. ALONG SAID BOUNDARY FOR 1128.76 FEET; THENCE N.00°17'28"W. ALONG SAID BOUNDARY FOR 243.89 FEET; THENCE S.89°41'12"W. ALONG SAID BOUNDARY FOR 599.97 FEET; THENCE N.00°33'01"W. ALONG SAID BOUNDARY FOR 169.75 FEET; THENCE S.89°33'13"W. ALONG SAID BOUNDARY FOR 599.34 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S.00°19'44"E. ALONG SAID EAST LINE AND SAID BOUNDARY OF LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S.89°44'52"W. ALONG THE EAST WEST QUARTER SECTION LINE OF SAID SECTION 28 FOR 3921.74 FEET TO AN INTERSECTION WITH A LINE LYING 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N.00°07'52"W. ALONG SAID PARALLEL LINE FOR 1595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.12°27'00"E.; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 28; THENCE N.88°35'04"E. ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S.89°49'26"E. ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 2639.07 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 292.91 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATES SYSTEM" FLORIDA WEST ZONE 1983/90 ADJUSTMENT. THE AVERAGE SCALE FACTOR IS 0.99994233 WHEREIN THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS S.89°49'26"E.

BANKS ENGINEERING, INC.

**Applicant's Legal Checked**

DESCRIPTION PREPARED JUNE 21, 2005

BY 22DEC06

*Kenneth E. Trask*  
KENNETH E. TRASK  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATION NO. 4684

Z:\Jobs\30xx\3084-Survey\3084\_SK\_OVL.doc



PERMIT COUNTER

SHEET 1 OF 2

ADD 2006-00240

# SKETCH OF DESCRIPTION

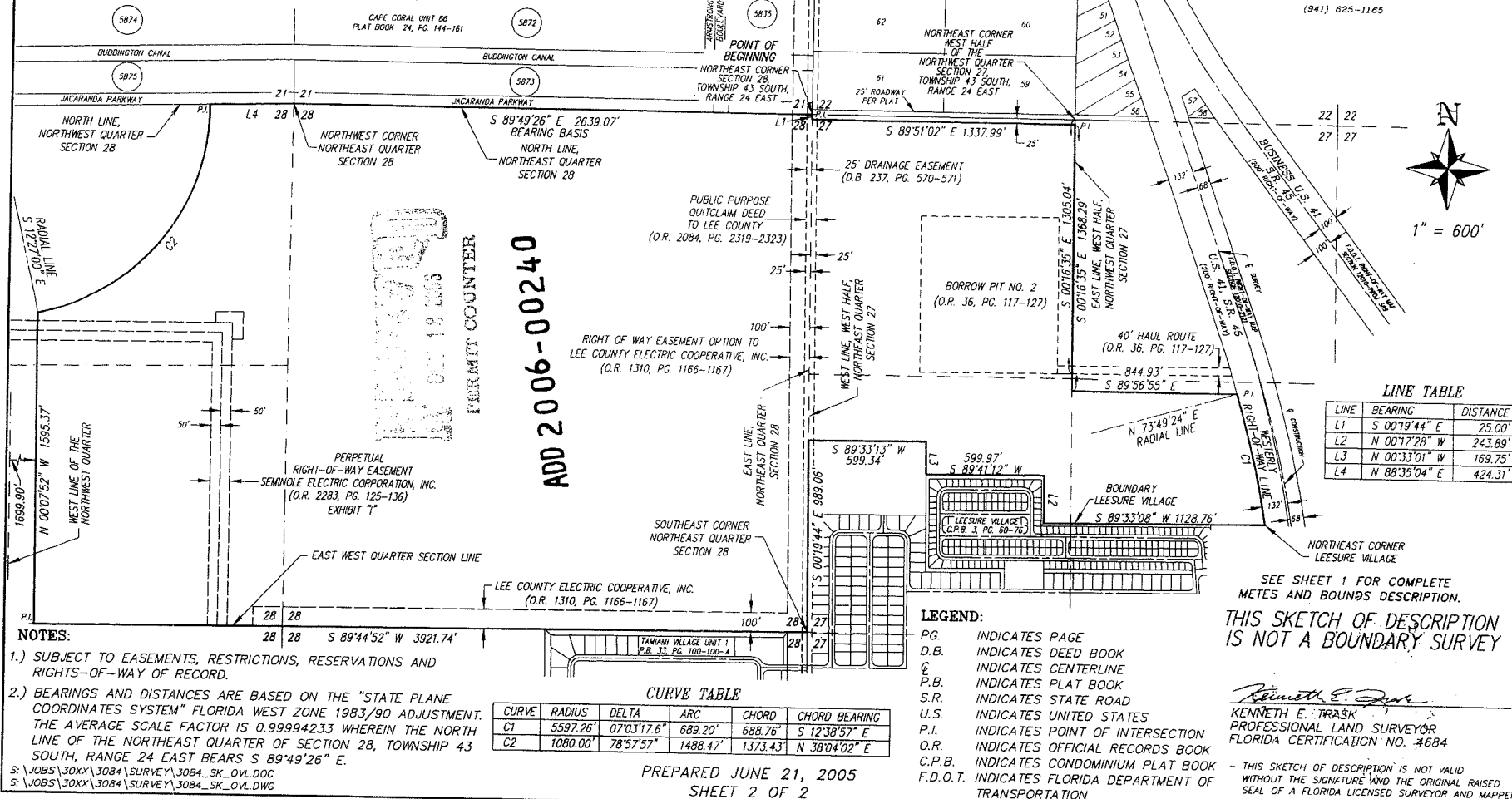
OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 27 AND 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
LEE COUNTY, FLORIDA  
(ESTATES AT ENTRADA OVERALL PARCEL)

## ACREAGE SUMMARY

OVERALL PARCEL 269.82 ACRES MORE OR LESS  
LESS PARCEL -12.85 ACRES MORE OR LESS  
NET ACREAGE 256.97 ACRES MORE OR LESS

**Banks Engineering, Inc.**

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS  
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690  
12653 SW COUNTY ROAD 769 - SUITE B  
LAKE SUZY, FLORIDA 34269  
(941) 625-1165



# APPROVED

Amendment to  
Master Concept Plan

Subject to Case # ADD2006-00240

Date 11/9/07

## EXHIBIT "B"

DCI2004-00080

Estates at Entrada

ESTATES AT ENTRADA RPD/CPD PROPERTY DEVELOPMENT REGULATIONS												
LAND USE	Minimum Lot Area sq. ft.	Minimum sq ft per unit	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage %	Minimum Setbacks (ft)					Max. Height (ft.)	Stories
						Street	Side	Rear	Water	Preserve		
RESIDENTIAL												
Townhouse (Tract #1)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Townhouse (Tract #2)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Multiple-family (Tract #1)	10,000	3,000	100	100	45	20 <sup>(7)</sup>	5 <sup>(4)</sup> /0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50	3
Multiple-family (Tract #2)	10,000	2,000	100	100	45	20 <sup>(7)</sup>	15	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50 <sup>(6)</sup>	5
Single-family	5,000	-----	50	100	55	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Single-family <sup>(8)</sup>	6,500	-----	65	100	45	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
COMMERCIAL												
CPD Tract	20,000	-----	100	100	45	20 <sup>(7)</sup>	10/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	-----	20 <sup>(5)</sup>	35	3
RECREATIONAL FACILITIES												
Recreational Facilities, Private On-site (Amenity area)	10,000	-----	80	90	45	20 <sup>(7)</sup>	5	5	10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3



Footnotes:

- (1) Accessory structures - No accessory structures may be located in a buffer
- (2) Side opposite zero lot line
- (3) Interior side only
- (4) Exterior side only, with minimum building separation of ~~20~~ 10 feet
- (5) Preserve Setbacks: Principal and accessory structures must be setback a minimum of 20 feet from the preserves.
- (6) Multiple-family dwelling units located on multiple-family Tract #2, within 75 feet of Leesure Village Recreational Vehicle park and Leesure Village Mobile home Park, will be limited to a maximum height of 35 feet.
- (7) All other streets in accordance with Section 34-2192(a) of the Land Development code.
- (8) Property Development Regulations for single-family dwelling units in the stair-step hatched area as depicted on the master concept plan.



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8368

Bob Janes  
District One

A. Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

April 24, 2007

**BRYAN CLEMONS**  
**BANKS ENGINEERING**  
12653 SW CR 769  
SUITE B  
LAKE SUZY, FL 34269

RE: ESTATES AT ENTRADA  
DOS2006-00145 - DO Submittal Large  
RO2 Application (Resubmittal)A

Dear BRYAN CLEMONS :

Your plans for the above-referenced project have been reviewed and approved for Concurrence and a Development Order with stipulation(s). Concurrence and the Development Order are granted for the following:

Approved for a 279 lot subdivision for SFR and 1,182 residential condominium units in 169 buildings (31 Bldgs - 4 Units/Bldgs - 5 Units/B/dgs. 8 Bldgs - 6 Units/Bldg, 38 Bldgs - 7 Units/Bldgs, 28 Bldgs - 8/Units/Bldg, 8 Bldgs - 30 Units/Bldg) with streets, parking, utilities, sewage pump stations with 6"8" and 10" force mains, stormwater management facilities, two 1,600+/- sq. ft. one story buildings for an Amenity Centers (Townhouse Tract 1 and multi family tract 1), a 2000+/- sq. ft. one story building for an amenity center (single family tract), five swimming pools, a tennis court and related minor site improvements. CNC2006-00216

THIS CERTIFICATE OF CONCURRENCE SHALL BE VALID AND EFFECTIVE UNTIL 4/24/2010. DURING THE NEXT THREE (3) YEARS, the Development Services Division is authorized to issue building permits for the construction of the building(s) indicated above without further review of the Concurrence requirements by the Division. Upon expiration of the Concurrence Certificate, the project will be subject to the concurrence program in effect at the time of expiration. No vested right to a Concurrence Certificate will exist solely due to the existence of an otherwise effective Development Order.

THIS DEVELOPMENT ORDER WILL BE VALID FOR A PERIOD OF SIX (6) YEARS AND IS SCHEDULED TO EXPIRE ON 4/24/2013.

Approval is subject to the following stipulation(s) and/or comment(s):

**LC Utilities Short Checklist**

BANKS ENGINEERING  
ESTATES AT ENTRADA  
DOS2006-00145  
April 24, 2007

Page 2

*2) The reviewer may be contacted for additional information regarding this Utilities checklist.*

Prior to any utility construction, please revise the plans and submit to LCU showing the followings design considerations:

1. Please provide a 20' wide LCU easement up to the meter for the proposed Master Meter Assemblies along the south side of Playa del Sol Blvd.
2. Clearly delineate on the utility plan the proposed sizes of the cross connection control device. Please address sheet 49, 50, 52, 53, 59, 62, 63, 64 and 65 (Typical).
3. Please revise the utility plans to re-locate all proposed potable water or fire protection services out of the planting islands (Typical). Please address sheet 64 at or near Sta.288+00.
4. Please revise the utility plans to deflect the proposed force main underneath the water main (Typical). Please address sheet 46 at or near Sta.69+80 (Typical).
5. Please revise the utility plan as it contains conflicting information. Please address the utility note on sheet 46 at or near Sta.80+30.
6. Please note that the LCU operations manual does not allow trees, structures or encroaching of other easements within the LCU easement.

Please contact Jessica Gutierrez @ 479-8155 for further information regarding this review.

**LC Environmental Sciences Checklist (Ord. 03-16)**

*3b) Permits Required. Prior to any activity that will affect wetlands (See LCLDC Sec. 14-293), an Environmental Resources Permit (ERP) or an exemption is required from either DEP or SFWMD in accordance with F.S. ch. 373 and F.A.C ch. 62. [10-154(22), 14-293] {See Application Form PART VI A}*

Prior to site work, submit copies of the recorded conservation easement per special condition 28 of the SFWMD permit.

Prior to any site work within ACOE wetland aresa, submit copies of the ACOE permits to ES Staff.



*8) Protected Species Management Plan Requirements. When listed species are found on the property, a protected species management plan, meeting the requirements of LCLDC Sec. 10-474, is required for all development order applications.[10-473(b)]*

Prior to issuance of a vegetation removal permit, an updated gopher tortoise survey must be submitted which indicates the current locations and status of onsite gopher tortoise burrows. Please submit copies of the FWC permit and receipt for payment, if necessary, for the gopher tortoise relocation permit. Please submit full size FLUCCS map which indicate the burrow locations on the site.

The following steps must be followed prior to commencement of any site work to insure proper protection of gopher tortoises:

1. A copy of the Florida Fish and Wildlife Conservation Commission gopher tortoise permit and receipt of payment if applicable, and updated gopher tortoise survey must be submitted to the Division of Environmental Sciences staff prior to issuance of a Vegetation Removal Permit; and
2. A Vegetation Removal Permit to install gopher tortoise fencing and burrow excavation must be obtained prior to any site work; and
3. Any gopher tortoises and commensal species located during burrow excavation must be moved to appropriate indigenous preserves; and
4. The number of tortoises and any commensal species moved to preserves must be reported to the Division of Environmental Sciences staff; and
5. All active and inactive gopher tortoise burrows located outside of the indigenous preserves must be excavated and fully collapsed prior to issuance of a Vegetation Removal Permit for clearing and filling of the development area

*8b) Management Activities. Management plan submittals must include recommended management activities. [10-474(a)(2)]*

Prior to any site work, a vegetation removal permit must be obtained from ES staff at 239-479-8389. The preserve areas must be staked and point map with corresponding staking provided to ES staff prior to any onsite inspections. The exotic removal from the preserve areas must be conducted by hand and not mechanical means, unless an onsite meeting is held with ES staff to verify the exotic concentration in those areas.

Prior to plat approval, the HOA documents must include the education brochure regarding onsite preserve maintenance.

Prior to issuance of a Certificate of Compliance, post-monitoring report for the condition of the preserve must be submitted to ES staff. The CC monitoring report must describe and document ecological restoration activity that has occurred in the preserve areas. If review of the monitoring reports reveals death or significant decline to preserve vegetation, then revision of the management plan and restoration in accord with section 10-423 will be required.

*14) Master Phasing Plan. For phased development orders (see LCLDC Sec.10-117), a master phasing plan must be submitted with stages numbered in sequence showing how each phase fits into the master plan for continuance of all infrastructure, and landscaping and buffers. [10-154(7)b, 10-153(5)i, 10-117] {NOTE: See Application Form PART V D}*

Prior to issuance of a Certificate of Compliance for phase one, the exotic removal must be completed from the onsite preserve areas. The lake littorals, including destratification system must be installed and the buffers must be installed with phase one.

Prior to issuance of a Certificate of Compliance for phase two, the restoration plants must be installed and established. The restoration plants can not be bonded or delayed to a later phase.

No dewatering can occur within the preserve areas.

*19) General Tree Requirements. Landscaping for all new developments must include, at a minimum, the number of trees specified in LCLDC Sec. 10-416(a) in addition to those required for parking and vehicle use areas and buffers. [10-416(a)]*

Prior to issuance of a Certificate of Compliance, if the preserve area does not contain sufficient amount of general tree credits then a minor change must be submitted for review and approval which indicates the general tree locations.

*24) Buffering - General. A buffering area is required along the entire perimeter of the proposed development whenever the proposed development abuts a different use. The existing use, or where vacant the permitted use, of the abutting property will determine the type of buffering area required. [10-416(d)(1)]*

Prior to issuance of a Certificate of Compliance for phase one, the buffers must be installed around the perimeter of the site.

*33) Plantings in Easements. Utility, power, or drainage easements may overlap required buffers; however no required trees or shrubs may be located in any utility, power, or street easement or right-of-way. [10-421(a)(5)]*

Prior to issuance a Certificate of Compliance, all code required plantings must be located outside any easement.

*34b) Plant location. Trees may not be placed where they interfere with utilities, site drainage, views, signs, or where they require frequent pruning to avoid overhead power lines (i.e. less than 20 ft. in height at maturity under power lines). [10-421(a)(5)]*

Prior to issuance of a Certificate of Compliance, all code required trees must be installed a minimum of 10' from buildings to avoid conflicts at a later date.

*44d) Maintenance Covenants. The property owner must record covenants, in a form acceptable to the county attorney's office, providing that the lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lake(s). [10-329(d)(3)a.3]*

Prior to plat approval, the property owner must record covenants providing that the deep lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lakes.

BANKS ENGINEERING  
ESTATES AT ENTRADA  
DOS2006-00145  
April 24, 2007

Page 5

48) *Contact. The reviewer may be contacted for additional information regarding this Environmental Sciences checklist.*

Please contact Becky Sweigert at 239-479-8552 or via email at [rsweigert@leegov.com](mailto:rsweigert@leegov.com) regarding environmental comments.

**LC Engineering/General Checklist (Ord. 03-16)**

28) *Assurance of Completion of Improvements. Assurance of completion for all off-site improvements is required prior to commencing any off-site or on-site development. Assurance of completion for all on-site subdivision improvements is required prior to the acceptance of a subdivision plat. [10-154(26)] {See Application Form PART VIII}*

Prior to the start of any off-site construction, an assurance of completion must be submitted.

36) *Clean Water Requirements, NOI. For all projects one acre in size and larger a notice of intent (NOI) must be filed with FDEP in Tallahassee in accordance with DEP Document No. 62-621 as well as with the Director at least 48 hours prior to the start of construction. [14-476(b)(3)] {See Application Form PART VIII}*

45) *Contact. The reviewer may be contacted for additional information regarding this Engineering checklist.*

Contact Bob Rentz @ 479-8587, OR [rentzrg@leegov.com](mailto:rentzrg@leegov.com)

**LC Zoning Checklist (Ord. 03-16)**

14) *Operation and Maintenance Covenants. Operation and maintenance covenants for the operation and maintenance of common facilities must be submitted for review by the County Attorney. [10-154(23), 10-293(3), 10-327, 10-356, 10-413(f), 10-414(h), 10-417] {See Application Form PART VIII}*

Prior to the issuance of a Certificate of Compliance, all appropriate homeowner's documents must be approved and recorded.


29) *Contact. The reviewer may be contacted for additional information regarding this Zoning checklist.*

Contact Bob Rentz @ 479-8587, OR [rentzrg@leegov.com](mailto:rentzrg@leegov.com)

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

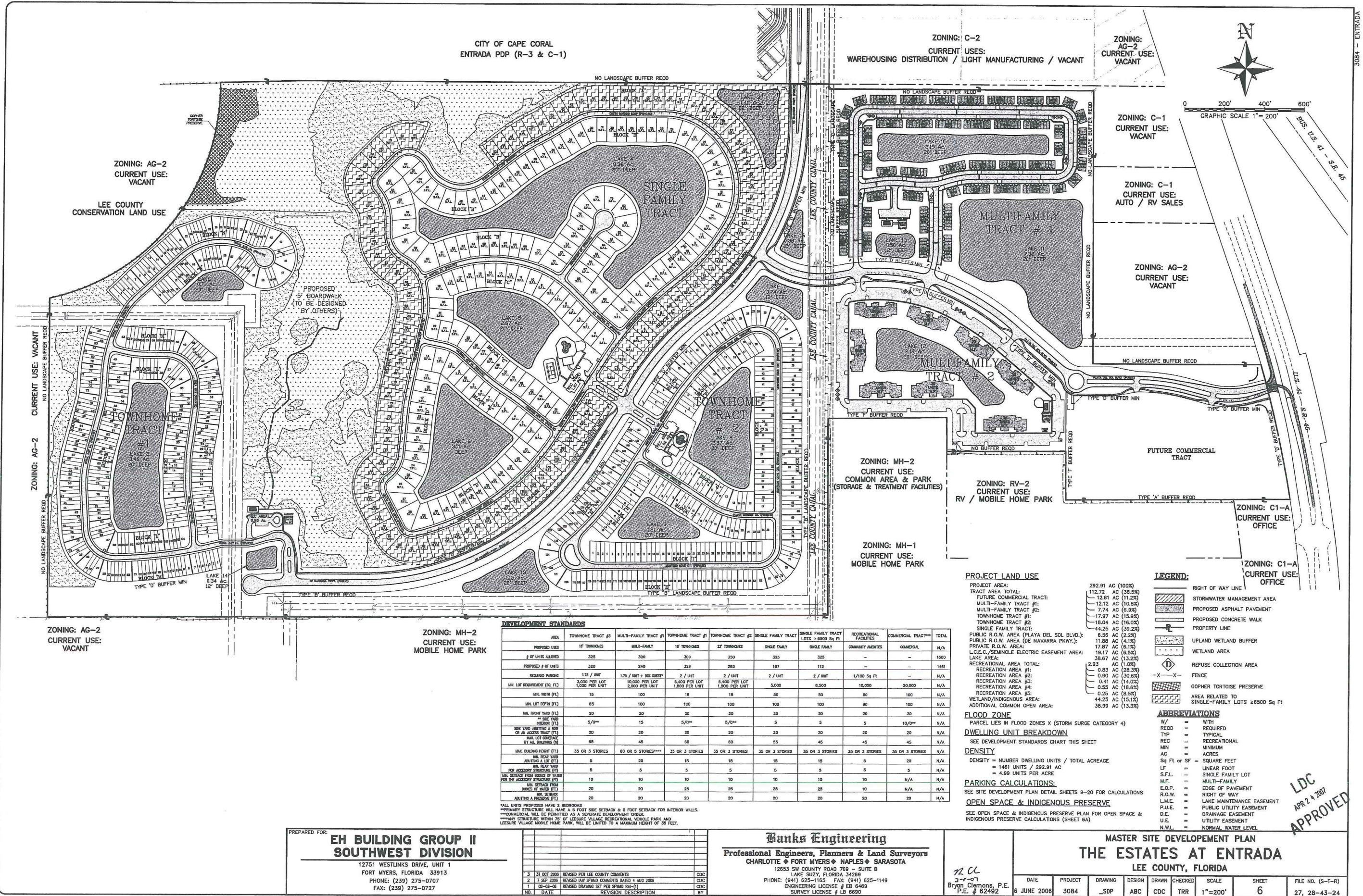


Peter J. Eckenrode  
Development Services Director

PJE / BGR

Three plans







ADMINISTRATIVE AMENDMENT (P.D.) ADD2007-00189

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, PGA Investment Holdings, LLC., filed an application for administrative approval to a Residential Planned Development on a project known as the Estates at Entrada to:

1. revise the proposed right -of-way width and road alignment of the DeNavarra Parkway extension on the master concept plan; and
2. revise Tract #1 on the master concept plan from multiple-family residential to townhouse and rename the tract "Townhome Tract #3"; and
3. delete the entire row titled "Multiple-family (Tract #1)" from the Site Development Regulations Table and replace it with "Townhouse (Tract #3)" containing revised Property Development Regulations; and
4. delete the words "Multiple-family Tract #2" on the master concept plan and Property Development Regulations and replace it with the words "Multiple-family Tract #1"; and
5. correct inconsistencies in the open space tabulations resulting from the widening and realignment of DeNavarra Parkway within the development; and
6. update the open space tabulations to ensure that the revised master concept plan is consistent with tabular data and Resolution Z-06-039

on property located at 16701 N. Cleveland Avenue, described more particularly as:

LEGAL DESCRIPTION: In Section 27 and Section 28, Township 43 South, Range 24 East, Lee County, Florida:

See Legal Description attached hereto as EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number Z-75-123 with subsequent amendments in case numbers Z-89-045, Z-89-045A, Z-89-045AA, FPA-96-005, Z-06-039, and ADD2006-00240; and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the ; 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, Lee County Department of Transportation, the City of Cape Coral, and the applicant (PGA Investment Holdings, LLC) have been working to revise the alignment of DeNavarra Parkway (spine road) on the subject property from the City of Cape Coral city limits

on the north to US 41 on the east in Lee County; and

WHEREAS, the right-of-way on the subject proper was widened from 100 feet to 125 feet; and

WHEREAS, the 125 foot wide right-of-way will allow the spine road to be constructed as a four lane divided facility; and

WHEREAS the revised master concept plan reflects the realignment of the spine road agreed to in concept by Lee County Department of Transportation, the City of Cape Coral, and the applicant (PGA Investment Holdings, LLC); and

WHEREAS, the increase in the width of the right-of-way of the spine road necessitated additional site modifications to the master concept plan and Resolution Z-06-039; and

WHEREAS, the project originally contained 16 Lakes number 1 through 16; and

WHEREAS, the realignment of the spine road eliminated Lake 16; and

WHEREAS, the realignment of the spine road changed the acreage and configuration of Lakes 10, 15, 11, 7, and 3; and

WHEREAS, inconsistencies on the master concept plan were corrected to ensure that the master concept plan is consistent with the tabular data on the master concept plan and Resolution Z-06-039; and

WHEREAS, the applicant is desirous of changing the residential unit type mix within the development; and

WHEREAS, the development of multiple-family dwelling units on Tract #1, is replaced by townhome dwelling units; and

WHEREAS, "Multiple-family Tract #1", on the master concept plan, is renamed "Townhome Tract #3"; and

WHEREAS, the site development regulations table, Resolution Z-06-039, are modified to include regulations for "Townhome Tract #3"; and

WHEREAS, "Multiple-family Tract #2" on the originally approved master concept plan is renamed "Multiple-family Tract #1"; and

WHEREAS, deviation (1), Resolution Z-06-039, referenced Lake 1, which is a typographical error and the correct reference is Lake 11; and

WHEREAS, deviation (1), Resolution Z-06-039, referenced Lake 15 but was not depicted on the master concept plan; and

WHEREAS, Lake 14 was depicted on the approved master concept plan as being setback 25 feet from the right-of-way; and



WHEREAS, the applicant is requesting a deviation be granted to reduce the setback for Lake 14 from 50 feet to 25 feet to correct this omission; and

WHEREAS, the proposed dwelling units on Townhome Tract#3, have a proposed minimum 13 foot front setback for all units without garages; and

WHEREAS, the proposed dwelling units on Townhome Tract#3, have a minimum rear setback of 12 feet for all units backing up to the canal to the west of the project; and

WHEREAS, the proposed dwelling units on Townhome Tract#3 backing up to the canal will be 26± feet from the canal top-of-bank; 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.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development to:

1. **revise the proposed right-of-way width and road alignment of the DeNavarra Parkway extension on the master concept plan; and**
2. **revise Multiple-family Tract #1 on the master concept plan from multiple-family residential to townhouse and rename the tract "Townhome Tract #3"; and**
3. **delete the entire row titled "Multiple-family (Tract #1)" from the Site Development Regulations Table and replace it with "Townhouse (Tract #3)" containing revised Property Development Regulations; and**
4. **delete the words "Multiple-family Tract #2" on the master concept plan and Property Development Regulations and replace it with the words "Multiple-family Tract #1"; and**
5. **correct inconsistencies in the open space tabulations resulting from the widening and realignment of DeNavarra Parkway within the development; and**
6. **update the open space tabulations to ensure that the master concept plan is consistent with the zoning Resolution Z-06-039,**

**is APPROVED.**

**Approval is subject to the following conditions:**

1. The Development must be in compliance with the amended Master Concept Plan, last revised on March 17, 2008 and stamped received by the permit counter on March 20, 2008. Master Concept Plan for ADD2007-00189 is hereby APPROVED and adopted. A reduced copy is attached hereto.
2. Resolution Z-06-039, Section C., Deviations, 1.b., is hereby amended to correct a scrivener's error by adding and deleting language in strike-through and underline format as follows:

The Developer, at the time of Development Order approval, must provide elements for the protection of wayward vehicles for that portion of the spine road adjacent to Lakes 4, 7, ~~11~~ 13, ~~14~~ and 15. The elements for the protection of wayward vehicles may include guardrails, berms, swales, vegetation or other protections as determined by the Development Services Director.

3. Resolution Z-06-039, Section B. Conditions, 2.b., Site Development Regulations, table and footnotes are amended by adding and deleting language in strike through and underline format as shown on the revised table attached hereto as EXHIBIT B.
4. The terms and conditions of the original zoning resolutions and amendments thereto remain in full force and effect.

DULY SIGNED this 5th day of March, A.D., 2008.

BY: Pam Houck

Pam Houck, Director  
Division of Zoning  
Department of Community Development

***RHODES & RHODES LAND SURVEYING, INC.***

JOHN SCOTT RHODES, P.S. M.      THOMAS E. RHODES, P.S. M.  
 1440 RAIL HEAD BLVD. #1      NAPLES, FLORIDA 34110  
 PHONE (239) 593-0570      FAX (239) 593-0581

**EXHIBIT A**

**LEGAL DESCRIPTION  
 (ESTATES AT ENTRADA)**

A TRACT OF PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 27 AND 28, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 00°19'44" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION FOR 25.00 FEET TO A LINE LYING 25.00 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 89°51'02" EAST, ALONG SAID PARALLEL LINE FOR 1,337.99 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 27; THENCE SOUTH 00°16'35" EAST, ALONG SAID EAST LINE FOR 1,368.29 FEET; THENCE SOUTH 89°56'55" EAST, FOR 844.93 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (S.R. 45) 200.00 FEET WIDE (PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 12010-2121), BEING A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5,597.26 FEET AND TO WHICH A RADIAL LINE BEARS NORTH 73°49'24" EAST; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 07°03'18" FOR 689.20 FEET TO THE BOUNDARY OF LEESURE VILLAGE AS SHOWN ON CONDOMINIUM PLAT BOOK 3, AT PAGES 60 THROUGH 76, LEE COUNTY PUBLIC RECORDS; THENCE SOUTH 89°33'08" WEST, ALONG SAID BOUNDARY FOR 1128.76 FEET; THENCE NORTH 00°17'28" WEST, ALONG SAID BOUNDARY FOR 243.89 FEET; THENCE SOUTH 89°41'12" WEST, ALONG SAID BOUNDARY FOR 599.97 FEET; THENCE NORTH 00°33'01" WEST, ALONG SAID BOUNDARY FOR 169.75 FEET; THENCE SOUTH 89°33'13" WEST, ALONG SAID BOUNDARY FOR 599.34 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE SOUTH 00°19'44" EAST, ALONG SAID EAST LINE AND SAID BOUNDARY OF LEESURE VILLAGE FOR 989.06 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE SOUTH 89°44'52" WEST, ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 28 FOR 3,921.74 FEET TO AN INTERSECTION WITH A LINE LYING 1699.90 FEET EAST OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 00°07'52" WEST, ALONG SAID PARALLEL LINE FOR 1,595.37 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1080.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS SOUTH 12°27'00" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 78°57'57" FOR 1488.47 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 28; THENCE NORTH 88°35'04" EAST ALONG SAID NORTH LINE FOR 424.31 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE SOUTH 89°49'26" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 2,639.07 FEET TO THE POINT OF BEGINNING

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Page 1 of 3

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ADD 2007-00189

COMMUNITY DEVELOPMENT



***RHODES & RHODES LAND SURVEYING, INC.***


JOHN SCOTT RHODES, P.S. M.      THOMAS E. RHODES, P.S. M.  
1440 RAIL HEAD BLVD. #1      NAPLES, FLORIDA 34110  
PHONE (239) 593-0570      FAX (239) 593-0581

PARCEL CONTAINS 292.91 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS AND/OR RESERVATIONS OF RECORD.

BEARINGS BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28,  
TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS BEING SOUTH  
89°49'26" EAST AND RELATE TO THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA  
WEST ZONE, NORTH AMERICAN DATUM 1983/90 ADJUSTMENT (NAD83/90).

RHODES & RHODES LAND SURVEYING, INC.  
FLORIDA BUSINESS AUTHORIZATION NO. LB 6897

  
THOMAS E. RHODES, SR.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA, LICENSE NUMBER 5854

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

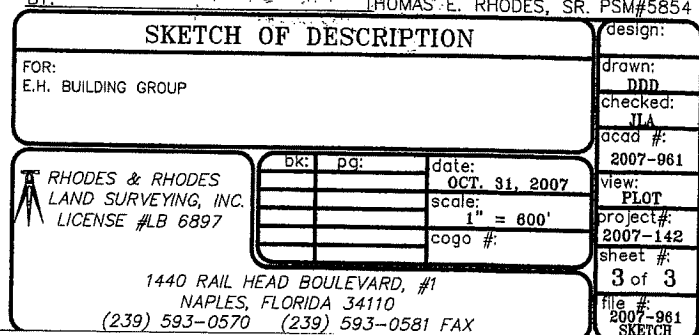
R&R FILE NO. 2007-961  
DATE: 10/31/07

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COMMUNITY DEVELOPMENT

Applicant's Legal Checked  
by BJ 11-05-07

ADD 2007-00189



ADD2007-00189 (revised table)

Estates at Entrada

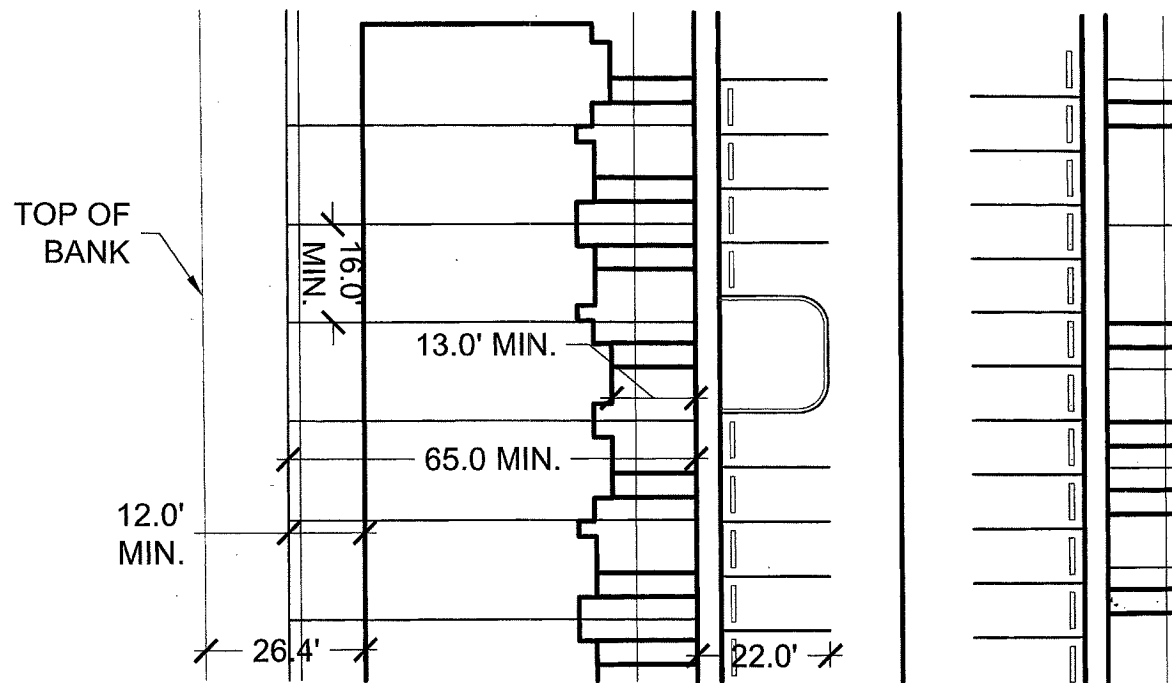
EXHIBIT "B"

ESTATES AT ENTRADA RPD/CPD PROPERTY DEVELOPMENT REGULATIONS												
LAND USE	Minimum Lot Area sq. ft.	Minimum sq ft per unit	Minimum Lot Width (ft)	Minimum Lot Depth (ft)	Maximum Lot Coverage %	Minimum Setbacks (ft)					Max. Height (ft.)	Stories
						Street	Side	Rear	Water	Preserve		
RESIDENTIAL												
Townhouse (Tract #1)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Townhouse (Tract #2)	5,400	1,800	18	100	60	20 <sup>(7)</sup>	5/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Townhouse (Tract #3)	<u>3,000</u>	<u>1,200</u>	<u>16</u>	<u>65</u>	<u>65</u>	<u>13<sup>(7/10)</sup></u>	<u>5<sup>(4)</sup>/0<sup>(3)</sup></u>	<u>20/12<sup>(9)</sup> &amp; 5<sup>(1)</sup></u>	<u>20/10<sup>(1)</sup></u>	<u>20<sup>(5)</sup></u>	<u>35</u>	<u>3</u>
Multiple-family (Tract #1)	40,000	3,000	400	400	45	20 <sup>(7)</sup>	5 <sup>(4)</sup> /0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50	3
Multiple-family (Tract #1) Multiple-family (Tract #2)	10,000	2,000	100	100	45	20 <sup>(7)</sup>	15	20/5 <sup>(1)</sup>	20/10 <sup>(1)</sup>	20 <sup>(5)</sup>	50 <sup>(6)</sup>	5
Single-family	5,000	-----	50	100	55	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
Single-family <sup>(8)</sup>	6,500	-----	65	100	45	20 <sup>(7)</sup>	5	15/5 <sup>(1)</sup>	25/10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3
COMMERCIAL												
CPD Tract	20,000	-----	100	100	45	20 <sup>(7)</sup>	10/0 <sup>(3)</sup>	20/5 <sup>(1)</sup>	-----	20 <sup>(5)</sup>	35	3
RECREATIONAL FACILITIES												
Recreational Facilities, Private On-site (Amenity area)	10,000	-----	80	90	45	20 <sup>(7)</sup>	5	5	10 <sup>(1)</sup>	20 <sup>(5)</sup>	35	3



Footnotes:

- (1) Accessory structures - No accessory structures may be located in a buffer
- (2) Side opposite zero lot line
- (3) Interior side only
- (4) Exterior side only, with minimum building separation of 10 feet (Amended by ADD2006-00240)
- (5) Preserve Setbacks: Principal and accessory structures must be setback a minimum of 20 feet from the preserves.
- (6) Multiple-family dwelling units located on multiple-family Tract #2, #1 within 75 feet of Leesure Village Recreational Vehicle park and Leesure Village Mobile home Park, will be limited to a maximum height of 35 feet.
- (7) All other streets in accordance with Section 34-2192(a) of the Land Development code.
- (8) Property Development Regulations for single-family dwelling units in the stair-step hatched area as depicted on the master concept plan.
- (9) For those lots in Townhouse Tract #3, abutting the canal on the west, the minimum rear setback will be 12 feet, as shown on a sketch attached hereto as EXHIBIT C.
- (10) For those lots in Townhouse Tract #3, the minimum front setback will be 13 feet, for those units without garages, as shown on a sketch attached hereto as EXHIBIT C.



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EXHIBIT C

[illegible]





LEE COUNTY  
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 239-533-8585

Bob Janes  
District One

A. Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

December 3, 2008

TRAVIS R. RICHARDS, P.E.  
CREECH ENGINEERS, INC.  
1562 PARK LANE SOUTH  
SUITE 700  
JUPITER, FL 33458

RE: THE ESTATES AT ENTRADA  
DOS2006-00145 - DO Submittal Large  
A13 Appl. (Amend Resub) A

Dear TRAVIS R. RICHARDS, P.E. :

Your plans for the above-referenced project have been reviewed and approved for an Amended Development Order with stipulation(s) for the following:

De Navarra Parkway is being changed from a two lane to a four lane road. Multi-family tract #1 is now being shown as a vacant tract, the utility services shown do not constitute in any way, the approval of fee simple townhome lots. Minimal lake changes were made to accommodate the increased impervious from the changes to De Navarra Pkwy.. The site went from two lift stations to one.

Approval is subject to the following stipulation(s) and/or comment(s):

**LC D.O.T. Right-of-Way Construction Checklist (Ord. 03-16)**

CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

*10) Miscellaneous Items.*

**STIPULATIONS:**

a) In addition to the deed or roadway easement for the proposed dedication in compliance with the requirements of AC-11-7, all other requirements of AC11-7 will need to be satisfied before any road is turned over to Lee County for maintenance. The Board of County Commissioners of Lee County must approve any road for County maintenance. The private roads (De Navarra Pkwy. & Playa Del Sol Blvd.) shown on the D.O. plans may or may not be approved for County maintenance per AC11-7. Please contact Howard Coachman (533-8117 or hcoachman@leegov.com) for questions and information on AC11-7.

b) The proposed project connections at STA 72+60, 87+50 and 91+40 will require further operational analysis for turn lanes prior to implementation of Phase II, III and the future commercial tract.

c) Construction of sidewalks (8' conc. shared path per AC11-9) along the project frontage of the future commercial tracts along U.S. 41 will be required per LDC10-256(b)(2)(b)(4) and will need to be located within the State Right-of-Way (not on private property) and will require an FDOT ROW Permit.

*11) Contact. The LCDOT staff member may be contacted regarding this ROW checklist.*

Dan Kirkpatrick (239)533-8580x48140 or kirkpado@leegov.com

The comments relate to the the request for county maintainance of two roadway segments unless otherwise noted. The requested roadway segments are Playa Del Sol Boulevard from U.S. 41 to De Navarra Parkway and De Navarra Parkway from Playa Del Sol Boulevard to the Cape Coral City limit. Policies and procedures for acceptance of a roadway for maintenance are outlined in Lee County Administrative Code AC-11-7.

**LC Environmental Sciences Checklist (Ord. 03-16)**

*8b) Management Activities. Management plan submittals must include recommended management activities. [10-474(a)(2)]*

Stip: The preserve areas must be staked and point map with corresponding staking provided to ES staff prior to any onsite inspections. The exotic removal from the preserve areas must be conducted by hand and not mechanical means, unless an onsite meeting is held with ES staff to verify the exoitc concentration in those areas.

Stip: Prior to issuance of a Certificate of Compliance, post-monitoring report for the condition of the preserve must be submitted to ES staff. The CC monitoring report must describe and document ecological restoration activity that has occurred in the preserve areas. If review of the monitoring reports reveals death or significant decline to preserve vegetation, then revision of the management plan and restoration in accord with section 10-423 will be required.

CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

*14) Master Phasing Plan. For phased development orders (see LCLDC Sec.10-117), a master phasing plan must be submitted with stages numbered in sequence showing how each phase fits into the master plan for continuance of all infrastructure, and landscaping and buffers. [10-154(7)b, 10-153(5)i, 10-117] {NOTE: See Application Form PART V D}*

Stip: The perimeter buffers must be installed in phase one. The perimeter buffers include the Type 'D' buffer along US 41 and the Type 'C' or 'F' buffers, located in the Future Commercial and Multi-Family tracts, along the south property line up to the canal.

Stip: Prior to issuance of a Certificate of Compliance for phase one, the exotic removal must be completed from the onsite preserve areas. The lake littorals, including destraification system must be installed and the perimeter buffers must be installed with phase one.

Prior to issuance of a Certificate of Compliance for phase two, the restoration plants must be installed and established. The restoration plants can not be bonded or delayed to a later phase.

No dewatering can occur within the preserve areas.

*19) General Tree Requirements. Landscaping for all new developments must include, at a minimum, the number of trees specified in LCLDC Sec. 10-416(a) in addition to those required for parking and vehicle use areas and buffers. [10-416(a)]*

Stip: Prior to issuance of a Certificate of Compliance, if the preserve area does not contain sufficient amount of general tree credits then a minor change must be submitted for review and approval which indicates the general tree locations.

*24) Buffering - General. A buffering area is required along the entire perimeter of the proposed development whenever the proposed development abuts a different use. The existing use, or where vacant the permitted use, of the abutting property will determine the type of buffering area required. [10-416(d)(1)]*

Stip: Prior to issuance of a Certificate of Compliance for phase one, the buffers must be installed around the perimeter of the site.

*33) Plantings in Easements. Utility, power, or drainage easements may overlap required buffers; however no required trees or shrubs may be located in any utility, power, or street easement or right-of-way. [10-421(a)(5)]*

Stip: Prior to issuance a Certificate of Compliance, all code required plantings must be located outside any easement.

*34b) Plant location. Trees may not be placed where they interfere with utilities, site drainage, views, signs, or where they require frequent pruning to avoid overhead power lines (i.e. less than 20 ft. in height at maturity under power lines). [10-421(a)(5)]*

Stip: Prior to issuance of a Certificate of Compliance, all code required trees must be installed a minimum of 10' from buildings to avoid conflicts at a later date.



CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

Page 4

*44d) Maintenance Covenants. The property owner must record covenants, in a form acceptable to the county attorney's office, providing that the lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lake(s). [10-329(d)(3)a.3]*

Stip: Prior to plat approval, the property owner must record covenants providing that the deep lake management techniques, including operation of the destratification system specified in the Deep Lake Management Plan, will be maintained for the life of the lakes.

*48) Contact. The reviewer may be contacted for additional information regarding this Environmental Sciences checklist..*

Please contact Brad Browning at 239-533-8157 or via email at [bbrowning@leegov.com](mailto:bbrowning@leegov.com) regarding environmental comments.

#### **LC Engineering/General Checklist (Ord. 03-16)**

*7g) Sidewalks & Bikeways. The proposed location of all on-site and off-site bikeways and pedestrian ways, with ingress to and egress from the development, as well as to or from common open space areas, must be shown on the proposed development plans. {See Bikeways & Pedestrian Ways checklist} [10-154(7)g]*

The sidewalk must be constructed prior to the C.C. for this amendment.

*28) Assurance of Completion of Improvements. Assurance of completion for all off-site improvements is required prior to commencing any off-site or on-site development. Assurance of completion for all on-site subdivision improvements is required prior to the acceptance of a subdivision plat. [10-154(26)] {See Application Form PART VIII}*

Prior to the start of any off-site construction, an assurance of completion must be submitted.

#### **LC Zoning Checklist (Ord. 03-16)**

*14) Operation and Maintenance Covenants. Operation and maintenance covenants for the operation and maintenance of common facilities must be submitted for review by the County Attorney. [10-154(23), 10-293(3), 10-327, 10-356, 10-413(f), 10-414(h), 10-417] {See Application Form PART VIII}*

Prior to the issuance of a Certificate of Compliance, all appropriate homeowner's documents must be approved and recorded.

#### **LC DOS Utilities Short Checklist**

CREECH ENGINEERS, INC.  
THE ESTATES AT ENTRADA  
DOS2006-00145  
December 3, 2008

Page 5

*2) Contact. The reviewer may be contacted for additional information regarding this LC DOS Utilities Short Checklist.*

Prior to any utility construction, please revise the plans and submit to LCU showing the followings design considerations:

1. All portions of the utility infrastructure to be dedicated to LCU for ownership and maintenance needs be constructed within the road ROW or LCU easement. Please relocate the master-meter assemblies to be beyond the 10' 'UE' and provide a 20' wide LCU easement, 10' on each side, for for both vs. 10' UE (Typical).

If you should have any questions regarding the above, please contact Terry Kelley at [kellyta@leegov.com](mailto:kellyta@leegov.com).

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

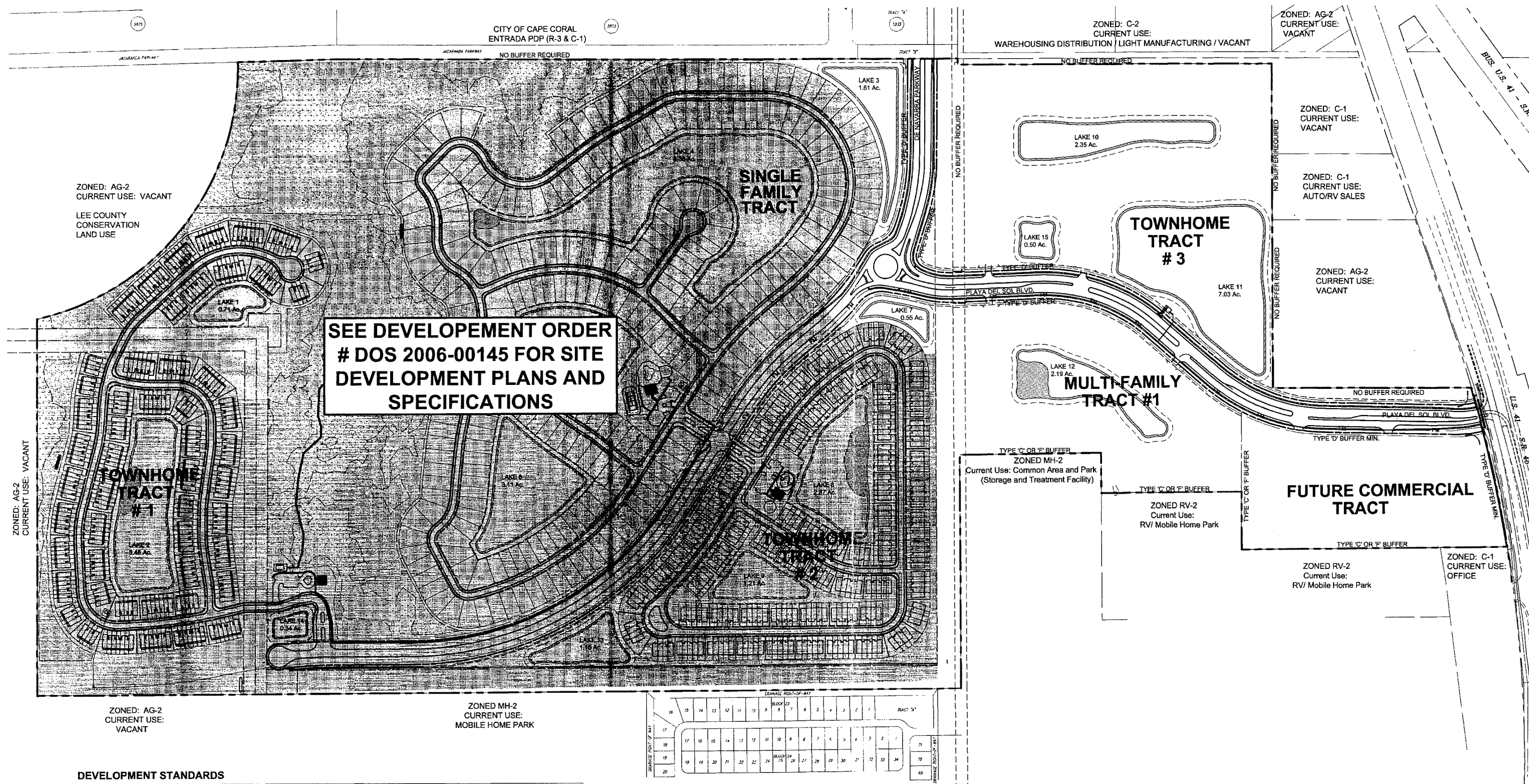


Peter J. Eckenrode  
Development Services Director

PJE / SLH

Plans





DEVELOPMENT STANDARDS

AREA	MULTI-FAMILY TRACT #1	TOWNHOME TRACT #1	TOWNHOME TRACT #2	TOWNHOME TRACT #3	SINGLE FAMILY TRACT	SINGLE FAMILY TRACT LOTS 2 & 6500 Sq Ft	RECREATIONAL FACILITIES	COMMERCIAL TRACT**	TOTAL
PROPOSED USES	MULTI-FAMILY	18 TOWNHOMES	22 TOWNHOMES	18 TOWNHOMES	SINGLE FAMILY TRACT	SINGLE FAMILY	COMMUNITY AMENITIES	COMMERCIAL	N/A
# OF UNITS ALLOWED	300	300	320	320	167	112	-	-	1500
PROPOSED # OF UNITS	240	320	293	320	167	112	-	-	1481
REQUIRED PARKING	1,751 UNIT + 10% GUEST**	21 UNIT	21 UNIT	21 UNIT	21 UNIT	21 UNIT	17100 Sq Ft	-	N/A
MIN. LOT REQUIREMENT (SQ. FT.)	10,000 PER LOT 2,000 PER UNIT	5,400 PER LOT 1,800 PER UNIT	5,400 PER LOT 1,800 PER UNIT	3,000 PER LOT 1,200 PER UNIT	5,000	6,500	10,000	20,000	N/A
MIN. WIDTH (FT.)	100	18	22	18	50	50	60	100	N/A
MIN. LOT DEPTH (FT.)	100	100	100	100	100	100	50	100	N/A
MIN. FRONT YARD (FT.)	20	20	20	13	20	20	20	20	N/A
** SIDE YARD INTERIOR (FT.)	15	50**	50**	50**	5	5	5	100**	N/A
SIDE YARD ABUTTING A ROW OR AN ACCESS TRACT (FT.)	20	20	20	20	20	20	20	20	N/A
MAX. LOT COVERAGE BY ALL BUILDINGS (%)	45	60	60	65	65	45	45	45	N/A
MAX. BUILDING HEIGHT (FT.)	60 OR 5 STORIES***	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	35 OR 3 STORIES	N/A
MIN. REAR YARD ABUTTING A LOT (FT.)	20	15	15	5	15	15	5	20	N/A
MIN. REAR YARD FOR ACCESSORY STRUCTURE (FT.)	5	5	5	5	5	5	5	5	N/A
MIN. SETBACK FROM BODIES OF WATER FOR THE ACCESSORY STRUCTURE (FT.)	10	10	10	10	10	10	10	N/A	N/A
MIN. SETBACK FROM BODIES OF WATER (FT.)	20	25	25	20	25	25	10	N/A	N/A
MIN. SETBACK ABUTTING A PRESERVE (FT.)	20	20	20	20	20	20	20	20	N/A

\*ALL UNITS PROPOSED HAVE 2 BEDROOMS  
\*\*PRIMARY STRUCTURE WILL HAVE A 5 FOOT SIDE SETBACK & 0 FOOT SETBACK FOR INTERIOR WALLS.  
\*\*\*COMMERCIAL WILL BE PERMITTED AS A SEPARATE DEVELOPMENT ORDER.  
\*\*\*\*ANY STRUCTURE WITHIN 75' OF LEISURE VILLAGE RECREATIONAL VEHICLE PARK AND LEISURE VILLAGE MOBILE HOME PARK, WILL BE LIMITED TO A MAXIMUM HEIGHT OF 35 FEET.

PROJECT LAND USE

PROJECT AREA:	292.91 AC (100%)
TRACT AREA TOTAL:	109.92 AC (37.5%)
FUTURE COMMERCIAL TRACT:	12.25 AC (11.3%)
TOWNHOME TRACT #3:	10.54 AC (8.6%)
MULTI-FAMILY TRACT #1:	8.77 AC (8.2%)
TOWNHOME TRACT #1:	17.97 AC (18.3%)
TOWNHOME TRACT #2:	18.04 AC (18.4%)
SINGLE FAMILY TRACT:	44.25 AC (40.5%)
PUBLIC R.O.W. AREA (PLAYA DEL SOL BLVD.):	7.57 AC (2.6%)
PUBLIC R.O.W. AREA (DE NAVARRA PIQWY.):	10.38 AC (3.5%)
PRIVATE R.O.W. AREA:	17.87 AC (6.1%)
L.C.S.C./SEMI-PRIVATE ELECTRIC EASEMENT AREA:	19.11 AC (6.5%)
LAKE AREA:	40.53 AC (14.0%)
RECREATIONAL AREA TOTAL:	2.42 AC (0.8%)
RECREATION AREA #1:	0.51 AC (22%)
RECREATION AREA #2:	0.65 AC (26.9%)
RECREATION AREA #3:	0.41 AC (16.9%)
RECREATION AREA #4:	0.53 AC (22.7%)
RECREATION AREA #5:	0.23 AC (10.3%)
WETLAND/INDIGENOUS AREA:	44.25 AC (15.1%)
ADDITIONAL COMMON OPEN AREA:	35.91 AC (12.2%)

FLOOD ZONE

PARCEL LIES IN FLOOD ZONES X (STORM SURGE CATEGORY 4)

DWELLING UNIT BREAKDOWN

SEE DEVELOPMENT STANDARDS CHART THIS SHEET

DENSITY

DENSITY = NUMBER DWELLING UNITS / TOTAL ACREAGE  
= 1481 UNITS / 292.91 AC  
= 5.09 UNITS PER ACRE

PARKING CALCULATIONS

SEE SITE DEVELOPMENT PLAN DETAIL SHEETS 9-20 FOR CALCULATIONS

OPEN SPACE & INDIGENOUS PRESERVE

SEE OPEN SPACE & INDIGENOUS PRESERVE PLAN FOR OPEN SPACE & INDIGENOUS PRESERVE CALCULATIONS (SHEET 8A)

urban  
design  
studio

Urban Planning & Design  
Landscape Architecture  
Communication Graphics

The Lofts at City Place  
477 S. Rosemary Ave., Suite 225  
West Palm Beach, FL 33401  
561.366.1100  
Fax 561.366.1111  
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Job Number: 97-028-090 P.M. LAS

Submittal Dates	Drawn By	Comments
05-04-08	WJT	DO Submittal
07-18-08	LMB	DO Submittal
08-23-08	LMB	DO Submittal
10-30-08	LMB	DO Submittal

The Estates at Entrada  
Lee County, Florida  
Master Site Development Plan

LDC

DEC 03 2008

APPROVED



Scale: 1" = 200'-0"  
0 100' 200' 400'

Master Site Development Plan

Sheet SP-1





BOARD OF COUNTY COMMISSIONERS

John E. Manning  
*District One*

A. Brian Bigelow  
*District Two*

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

Frank Mann  
*District Five*

Karen B. Hawes  
*County Manager*

Michael D. Hunt  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

239-533-8585

January 30, 2012

K'SHANA J. HAYNIE  
ROETZEL AND ANDRESS  
2320 FIRST STREET  
SUITE 1000  
FT MYERS FL 33901  
Re: THE ESTATES AT ENTRADA  
House Bill 7207 Extension (F)  
DOS2006-00145

Dear K'SHANA J. HAYNIE:

In accord with House Bill 7207 (HB7207), development permits meeting certain criteria are entitled to one 2-year extension from the existing/initial permit expiration date. Accordingly, development order DOS2006-00145, THE ESTATES AT ENTRADA, is hereby extended for the following:

Approved for the completion of a development order for a 279 lot subdivision for SFR and 1,182 residential condominium units in 169 buildings (31 Bldgs - 4 Units/Bldgs - 5 Units/Bldgs. 8 Bldgs - 6 Units/Bldg, 38 Bldgs - 7 Units/Bldgs, 28 Bldgs - 8/Units/Bldg, 8 Bldgs - 30 Units/Bldg) with streets, parking, utilities, sewage pump stations with 6"8" and 10" force mains, stormwater management facilities, two 1,600+/- sq. ft. one story buildings for an Amenity Centers (Townhouse Tract 1 and multi family tract 1), a 2000+/- sq. ft. one story building for an amenity center (single family tract), five swimming pools, a tennis court and related minor site improvements. The new expiration date for this development order is 04/24/2015, as extended.

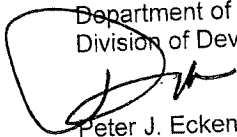
CNC2006-00216

No additional extensions under HB7207 may be granted for this Development Order. All underlying conditions of the development order remain in full force and effect. All required surety documents and agreements must remain in place and valid throughout the duration of the Development Order.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under HB7207, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Department of Community Development  
Division of Development Services  
Peter J. Eckenrode  
Director



LEE COUNTY

SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

239-533-8585

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Diana M. Parker  
County Hearing  
Examiner

January 31, 2012

K'SHANA J. HAYNIE  
ROETZEL & ANDRESS, LPA  
2320 FIRST ST  
SUITE 1000  
FT MYERS FL 33901  
Re: ENTRADA ESTATES  
House Bill 7207 Extension (F)  
DCI2011-00054

Dear K'SHANA J. HAYNIE:

In accord with House Bill 7207 (HB7207), development permits meeting certain criteria are entitled to one 2-year extension from the existing/initial permit expiration date. Accordingly, the effectiveness of the Master Concept Plan identified in Zoning Resolution, Original Resolution Z-06-039, DCI2004-00080, ENTRADA ESTATES, is hereby extended for the following:

APPROVAL OF A 2-YEAR EXTENSION FROM AUGUST 21, 2011 TO AUGUST 21, 2013  
FOR THE ESTATES AT ENTRADA.

No additional extensions under HB7207 may be granted for the above-referenced development permit. All underlying conditions of the zoning resolution remain in full force and effect. Failure to comply with zoning conditions may result in enforcement action as provided under Florida law and local regulations.

This extension applies only to the specific approvals identified above. If your project requires additional development permits or authorizations to continue construction, you are required to obtain the necessary approvals, including related permit extensions. If you hold other permits or authorizations that qualify for an extension under HB7207, you must file a specific request for each qualifying development permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Department of Community Development  
Division of Zoning

Pam Houck  
Director



**ORDINANCE NO. 13-01**

AN ORDINANCE AMENDING LEE COUNTY LAND DEVELOPMENT CODE, CHAPTERS 2, 10, 12, 14, 22, AND 34; SPECIFICALLY AMENDING PROVISIONS APPLICABLE TO: CONDUCT OF CODE ENFORCEMENT HEARINGS, ADDITIONAL REQUIRED SUBMITTALS FOR DEVELOPMENT ORDERS, APPLICATION SUBMITTALS FOR MINING CASES, MINE SITE PLAN; SITE MAP AND ENGINEERING PLAN SET, EXISTING MINE OPERATIONS, EAGLE TECHNICAL ADVISORY COMMITTEE, STAFF PARTICIPATION IN MEETINGS OF HISTORIC PRESERVATION BOARD; MEETINGS, GENERAL SUBMITTAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING, APPLICATION, AMENDMENTS TO APPROVED MASTER CONCEPT PLANS, DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLANS, AND PROVIDING A RETROACTIVE APPLICATION OF AMENDMENTS TO THE DURATION OF ALL PLANNED DEVELOPMENTS.

WHEREAS, Florida Statutes Section 125.01(1)(h) authorizes counties to establish, coordinate, and enforce development regulations necessary for the protection of the public; and,

WHEREAS, the Board of County Commissioners adopted the Lee County Land Development Code which contains regulations applicable to the development of land in Lee County; and,

WHEREAS, the Board of County Commissioners of Lee County, Florida, has adopted a comprehensive Land Development Code (LDC); and,

WHEREAS, Goal 24 of the Lee County Comprehensive Land Use Plan (Lee Plan) mandates that the County maintain clear, concise, and enforceable development regulations that fully address on-site and off-site development impacts, yet function in a streamlined manner; and,

WHEREAS, Lee Plan Policies 14.5.3, 24.1.9, 52.1.1 and 110.6.2 require county staff and private citizen committees to review existing development regulations to determine whether the regulations can be further fine tuned and streamlined in order meet the Goals, Objectives, and Policies of the Lee Plan; and,

WHEREAS, the Horizon Council, through its Business Issues Task Force, engaged in a year-long effort with the County to review and streamline permitting procedures in Lee County; and,

WHEREAS, on May 18, 2012, the Horizon Council approved recommendations to present to the Board for adoption through the LDC amendment process; and,

WHEREAS, during its Management and Planning meeting on June 4, 2012, the Board directed Staff to bring forward proposed amendments to the LDC consistent with the recommendations of the Horizon Council,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA:

**SECTION ONE: AMENDMENT TO LDC CHAPTER 2-ADMINISTRATION**

Lee County Land Development Code Chapter 2 is amended as follows with strike through identifying deleted text and underline identifying new text.

**ARTICLE VII. HEARING EXAMINER**

**Sec. 2-425. Conduct of hearing.**

*Subsection (a) remains unchanged.*

(b) Prosecution of the case. Each case on the code enforcement docket will be presented to the Hearing Examiner by a county attorney familiar with the case or a member of the County's Code Enforcement department. If the county prevails in prosecuting a case before the Hearing Examiner, it will be entitled to recover all costs incurred in prosecuting the case. For purposes of this section, the issuance of an order finding violation will evidence the county has prevailed in prosecuting the case.

*Subsections (c) through (e) remain unchanged.*

**SECTION TWO: AMENDMENT TO LDC CHAPTER 10-DEVELOPMENT STANDARDS**

Lee County Land Development Code Chapter 10 is amended as follows with strike through identifying deleted text and underline identifying new text.

**CHAPTER 10 DEVELOPMENT STANDARDS  
ARTICLE 1-IN GENERAL**

**Sec. 10-154. Additional required submittals.**

The following must be submitted with an application for development order approval:

- (1) Legal description. A legal description for the property must be submitted.
- (2) Title certification. Certification of title for property subject to development order approval must meet the following criteria:
  - a. Form. The certification of title must be in one of the following forms:

i. Title Certificate or Title Opinion, no greater than 90 days old at the time of the initial development order submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.

ii. Ownership and Encumbrance Report, no greater than 30 days old at the time of the initial development order submittal.

iii. Title Insurance Policy with appropriate schedules, no greater than 5 years old at the time of the initial development order submittal and an Affidavit of No Change covering the period of time between issuance of the Policy and the application date. If submission of a complete Affidavit of No Change is not possible, a Title Certificate, Title Opinion or Ownership and Encumbrance report must be submitted in the alternative.

b. Content. The certification of title must include, at a minimum, the following:

- i. the name of the owner or owners of the fee title;
- ii. all mortgages secured by the property,
- iii. all easements encumbering the property,
- iv. the legal description of the property, and
- v. the certification of title documentation must be unequivocal.

~~A document, no greater than 90 days old at the time of initial development order submittal, must be submitted to establish the following information concerning title to the subject property: (a) the owner or owners of the fee title; (b) all mortgages secured by the property; (c) all easements encumbering the property; and, (d) the legal description of the property. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company. The certification must be unequivocal. A title binder/commitment or title insurance policy is not acceptable to meet this requirement.~~

(3) Boundary survey. A boundary survey of the subject property must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. Ch. 177. The survey must be based upon the title certification submitted in accord with section 10-154(2). The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. All ~~b~~Boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 5J-17, Florida Administrative Code. The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current Adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. The



Federal Emergency Management Agency flood zone and required finished floor elevations must be shown. The survey must locate and depict all existing structures and improvements on the subject parcel.

If the subject property consists of one or more undivided lots within a subdivision, then a copy of the subdivision plat may be submitted in lieu of the boundary survey. However, if the dimensions of the subject property differ from those in the original plat, then a boundary survey, including a metes and bounds legal description, will be required.

*Subsections (4) through (28) remain unchanged.*

**SECTION THREE: AMENDMENT TO LDC CHAPTER 12- RESOURCE EXTRACTION**  
Lee County Land Development Code Chapter 12 is amended as follows with strike through identifying deleted text and underline identifying new text.

**CHAPTER 12 RESOURCE EXTRACTION  
ARTICLE II. MINING AND EXCAVATION**

**Sec. 12-110. Application Submittals.**

(a) Mine excavation planned development approval. Application for a MEPD approval must be made on a form prepared by Lee County and be submitted with the appropriate fee. Application sufficiency and resubmittal timing will be in accord with section 34-373(d). The application must address the following:

- (1) Legal description and sketch of the subject property. The legal description and accompanying sketch must comply with the requirements set forth in section 34-202(a)(1).
- (2) Boundary survey. The survey must comply with the provisions of section 34-202(a)(2). It must also be based upon the title certification required under subsection 3 below. ~~an opinion of title or certificate of title meeting the requirements set forth in Lee County Administrative Code 13-19.~~
- (3) Title certification. A document meeting the requirements of section 10-154(2) must be provided with the survey.

*Subsections (a)(4) through (a)(26) remain unchanged.*

*Subsections (b) through (e) remain unchanged.*

**Sec. 12-111. Mine site plan; site map and engineering plan set.**

A series of maps and engineering plans, including drawings prepared and sealed by an appropriate registered professional in the State of Florida (e.g. engineer, architect, surveyor) must be provided to obtain MDO approval in accord with the provisions of this

section. This map and plan series, known as the Mine Site Plan, must meet and include the following minimum criteria:

*Subsections (1) through (5) remain unchanged.*

- (6) The names and location of existing:
  - a. Streams, creeks, sloughs, natural flowways, floodways, wetlands, water bodies within the determined watershed area.
  - b. Indigenous vegetation areas.
  - c. Wildlife habitat areas.
  - d. Easements within the property boundary (as identified on the required title ~~opinion~~ certification provided pursuant to section 12-110(a)(3)) including publicly and privately owned Conservation easements and the means by which access to the easements is obtained.
  - e. Percolation ponds and drainfields within the determined watershed area.
  - f. Public and private roads; and vehicle access routes to nearest county-maintained road.
  - g. Railroad.
  - h. Utility lines and easements.
  - i. Existing buildings.
  - j. Cemeteries within 100 feet of the property boundary.
  - k. Test boring locations.
  - l. Public wellfields.
  - m. Public and permitted private wells with GPS or surveyed locations of wells along with wellhead elevations within a one mile radius around the mine project boundary.

#### **Sec. 12-121. Existing mine operations.**

*Subsections (a) through (e) remain unchanged.*

(f) Site map and engineer plan set for existing mine MDO or MOP renewal/approval. A series of maps and engineering plans, including drawings prepared and sealed by an appropriate registered professional in the State of Florida (e.g. engineer, architect, surveyor) must be provided to obtain MDO or MOP approval in accord with the provisions of this section. This map and plan series must meet and include the following minimum criteria:

*Subsections (1) through (5) remain unchanged.*

- (6) The names and location of existing:
  - a. Streams, creeks, sloughs, natural flowways, floodways, wetlands, and water bodies within the determined watershed area.
  - b. Indigenous vegetation areas.

- c. Wildlife habitat areas.
- d. Easements within the property boundary (as identified on the required title ~~opinion~~ certification provided pursuant to section 12-110(a)(3)) including publicly and privately owned Conservation easements and the means by which access to the easements is obtained.

#### **SECTION FOUR: AMENDMENT TO LDC CHAPTER 14-ENVIRONMENTAL AND NATURAL RESOURCES**

Lee County Land Development Code Chapter 14 is amended as follows with strike through identifying deleted text and underline identifying new text.

##### **ARTICLE II. WILDLIFE AND HABITAT PROTECTION** **Division 3. Southern Bald Eagle**

##### **Sec. 14-116. Eagle technical advisory committee.**

*Subsections (a) through (d) remain unchanged.*

- (e) The county department of community development, and environmental sciences division, ~~with assistance from the county attorney's office~~ will serve as support staff to the eagle technical advisory committee.

*Subsections (f) and (g) remain unchanged.*

#### **SECTION FIVE: AMENDMENT TO LDC CHAPTER 22-HISTORIC PRESERVATION**

Lee County Land Development Code Chapter 22 is amended as follows with strike through identifying deleted text and underline identifying new text.

##### **ARTICLE II. ADMINISTRATION AND ENFORCEMENT** **Division 2. Historic Preservation Board**

##### **Sec. 22-73. Organization; meetings.**

The members of the historic preservation board will elect a chairman and a vice-chairman for a one-year term each. The chairman will preside at all meetings and have the right to vote. The vice-chairman will preside in the absence of the chairman. The chairman and vice-chairman may be reelected for an additional one-year term each, but may not serve for more than two consecutive years. The county will provide adequate staff to allow the historic preservation board to perform its duties. Staff will consist of at least one historic preservation planner, and one clerical person responsible for recording and transcribing the minutes of all meetings of the historic preservation board. ~~An Assistant County Attorney will represent the Board of County Commissioners at all meetings of the Historic Preservation Board.~~

All meetings of the historic preservation board must be open to the public. A record of the minutes and resolutions of the historic preservation board will be



maintained and made available for inspection by the public. The historic preservation board will meet at least once per month, at a date and time to be decided by the historic preservation board, unless there is no business pending before the historic preservation board. Regardless of the lack of pending business, the historic preservation board must meet at least four times during any calendar year.

## **SECTION SIX: AMENDMENT TO LDC CHAPTER 34-ZONING**

Lee County Land Development Code Chapter 34 is amended as follows with strike through identifying deleted text and underline identifying new text.

### **CHAPTER 34 ZONING ARTICLE I. IN GENERAL**

#### **Sec. 34-202. General submittal requirements for applications requiring public hearing.**

(a) All applications. Every request for actions requiring a public hearing under this chapter must include the following. However, upon written request, on a form prepared by the County, the Director may modify the submittal requirements contained in this section where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request for a waiver or modification must be submitted to the Director prior to submitting the application. A copy of the request and the Director's written response must accompany the application and will become a part of the permanent file.

(1) Legal description and sketch to accompany legal description. A metes and bounds legal description along with a sketch of the legal description, prepared by a Florida Licensed Surveyor and Mapper, must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with Florida Statutes, Ch. 177. If the subject property is one contiguous parcel, the legal description must specifically describe the entire continuous perimeter boundary of the property subject to the zoning action with accurate bearings and distances for every line. If the application seeks to rezone undivided, platted lots, then a complete legal description (i.e. lot, block, subdivision name, public records recording information) of the platted subject property is required. A sketch of the undivided, platted lots to be rezoned is not required. The Director has the right to reject any legal description that is not sufficiently detailed so as to locate the property on County maps.

(2) Boundary survey. A boundary survey of the subject property must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. Ch. 177. The survey must be based upon the title certification submitted in accord with section 34-202(a)(3) and certified to the present owner as reflected in the title documentation submitted in accordance with section 34-202(a)(3). The boundary survey must identify and depict all easements affecting the subject property, whether recorded or

unrecorded, and all other physical encumbrances readily identified by a field inspection.

All boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 5J-17, F.A.C. The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current Adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed.

If the subject property consists of one or more undivided lots within a subdivision, then a copy of the subdivision plat may be submitted in lieu of the boundary survey. However, if the dimensions of the subject property differ from those in the original plat, then a boundary survey, including a metes and bounds legal description, will be required.

~~(3) Confirmation of ownership/title certification. A document, no greater than 90 days old at the time of initial zoning application submittal, must be submitted to establish the following information concerning title to the subject property: (a) the owner or owners of the fee title; (b) all easements encumbering the property; and, (c) the legal description of the property. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company. The certification must be unequivocal. A title binder/commitment or title insurance policy is not acceptable to meet this requirement.~~

(3) Certification of Title and Encumbrances. Certification of title and encumbrances submitted for property subject to zoning approval must meet the following criteria:

a. Form. The certification of title must be in one of the following forms:

i. Title Certificate or Title Opinion, no greater than 90 days old at the time of the initial development order submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.

ii. Ownership and Encumbrance Report, no greater than 30 days old at the time of the initial development order submittal.

iii. Title Insurance Policy with appropriate schedules, no greater than 5 years old at the time of the initial development order submittal and an Affidavit of No Change covering the period of time between issuance of the Policy and the application date. If submission of a complete Affidavit of No Change is not

possible, a Title Certificate, Title Opinion or Ownership and Encumbrance report must be submitted in the alternative.

b. Content. The certification of title must include, at a minimum, the following:

- i. the name of the owner or owners of the fee title,
- ii. all mortgages secured by the property,
- iii. all easements encumbering the property,
- iv. the legal description of the property, and
- v. the certification of title documentation must be unequivocal.

*Subsections (a)(4) through (a)(10) remain unchanged.*

### **Sec. 34-373. Application.**

*Subsections (a) through (c) remain unchanged.*

(d) Sufficiency.

- (1) Upon initial submission of application information for applications for planned developments, the County will have up to 20 business days to review the application to determine if the required materials, in the required form, have been included in the application or resubmission.
- (2) If the required materials have been properly submitted, the application will be found sufficient for review.
- (3) If the required materials have not been properly submitted or resubmitted, the County must provide the Applicant a letter with a brief explanation as to why the application is not complete for review and request the necessary additional information within 20 business days of the date the application is initially submitted or additional information is resubmitted.
- (4) After notice of insufficiency, the Applicant has 60 days to submit supplemental or corrected documents, unless a longer time is agreed to in writing by the Director and the Applicant prior to the expiration of the 60 days. If the supplement or corrections are not submitted within the 60 days (or other time period agreed to) the application will be deemed withdrawn.
- (5) If the County does not provide the Applicant written notice of the insufficiencies within 20 business days of the date the application is initially submitted or additional information resubmitted, the application will be deemed sufficient and ready for substantive review.
- (6) Insufficiency issues not raised during the initial sufficiency review may not serve as the basis for a finding of insufficiency during subsequent rounds of sufficiency



review. Notwithstanding, this provision is not intended to restrict new insufficiency comments generated from documents or information submitted by the Applicant in response to a prior insufficiency comment.

- (7) A waiver of the time frames may be voluntarily agreed to by the Applicant and the County. The County may request, but not require, a waiver of the time frames by an Applicant, except that, with respect to a specific application, a waiver may be required in the case of a declared local, state or federal emergency that directly affects the administration of all permitting activities of the County.
- (8) If the Applicant has made no less than two bona fide attempts to submit supplemental or corrected documents in response to the County's insufficiency notices and the Applicant disputes that additional supplemental documents or information is required, the Applicant may submit a written notice seeking to terminate the sufficiency review process. At that time, the County must proceed with its substantive review of the application as it exists on that date. However, if the additional information requested by County Staff is needed to find the application consistent with the Code or Lee Plan, the failure to provide the additional information requested may affect the County's ability to find the application consistent with County regulations. Termination of the sufficiency review process will not terminate the need for the Applicant to meet its burden to prove that the application is consistent with County regulations.

~~(1) All applications for planned developments will be reviewed within 15 working days of submittal of the application; and, a letter advising the Applicant of the status of the application will be provided. If insufficient, the letter will include a brief explanation as to why the application is not complete for review and request the necessary additional information.~~

~~After notice of insufficiency, the Applicant has 60 days to submit supplemental or corrected documents, unless a longer time is agreed to in writing by the Director and the Applicant prior to the expiration of the 60 days. If the supplement or corrections are not submitted within the 60 days (or other time period agreed to) the application will be deemed withdrawn. This submittal and review process will be repeated until the application is found sufficient for hearing.~~

~~Once an application has been found sufficient any new information submitted by the Applicant, or any changes made to information submitted by the Applicant may, at the discretion of the Director, be grounds for a deferral or continuance of the public hearing, depending on the advertised status of the hearing, and may result in revocation of the finding of sufficiency.~~

*Subsection (2) remains unchanged.*

#### **ARTICLE IV. PLANNED DEVELOPMENTS**

**Sec. 34-380. Amendments to approved master concept plan.**

(a) Amendments to an approved master concept plan or its attendant documentation may be requested at any time during the development of or useful life of a planned development.

(b) The Division Director may approve any change to the ~~interior of the~~ development that does not increase height, density or intensity (i.e., number of dwelling units or quantity of commercial or industrial floor area). The Director may not approve a change that will:

- (1) result in the substantial underutilization of public resources and public infrastructure committed to the support of the development;
- (2) ~~In addition, the Director may not approve changes that result in a reduction of total open space provided on the master concept plan by more than 10% or that would decrease the amount of indigenous native vegetation or open space required by the Code;~~
- (3) ~~decrease preservation areas. Changes to buffer and or landscaping and preservation areas are permitted but must provide equivalent or better (by comparison with the approved Master concept plan) landscaping or buffering; or~~
- (4) adversely impact on surrounding land uses.

*Subsections (c) through (f) remain unchanged.*

~~(g) Amendments to an approved master concept plan does not extend the duration of development rights conferred by an approved master concept plan, unless the extension is granted as part of the requested amendment.~~

**Sec. 34-381. Duration of rights conferred by adopted master concept plan ~~an~~ approved planned development.**

~~Duration of rights for planned development with the exception of mining, excavations: Development rights conferred by an approved planned development, including Zoning Resolution and Master Concept Plan, will remain valid until vacated by operation of Florida law or in accordance with Chapter XIII, (Procedures and Administration), of the Lee Plan, as amended. The duration of approved planned developments issued for mining excavation are subject to Chapter 12. Planned development approvals issued for mining excavation before September 1, 2008, are subject to sections 12-109 and 12-121.~~

[EDITORIAL NOTE: The amendment to the duration of approved planned developments applies retroactively to all master concept plans. See Effective Provision in Section Ten, Ordinance Number: ]

~~(1) All development rights conferred by an adopted master concept plan are valid for five years from the date the planned development was approved by the Board of County Commissioners, unless a greater time is approved in accordance with the provisions below.~~

- ~~(2) — All development rights conferred by an adopted master concept plan for a large project are valid for seven years from the date the planned development was approved by the Board of County Commissioners. Large Projects, for the purpose of this provision, only include projects that contain either 200,000 square feet of office uses, 300 residential dwelling units, 200,000 square feet of retail uses, a total of 200,000 square feet of office or retail uses, 500,000 square feet of industrial uses, or projects with equivalent intensities.~~
- ~~(3) — A master concept plan that is approved as part of a development of regional impact is valid from the date the planned development was approved by the Board of County Commissioners until the initial build out date provided in the development of regional impact development order.~~
- ~~(4) — An Applicant must acquire a development order for a substantial portion of the project within five years (or seven years for Large Projects) of the date of the approval of the planned development, unless a greater time is approved in accordance with the provisions below. The development order must be issued before the master concept plan expires. A substantial portion of the project is defined as no less than 20 percent of the lots, dwelling units, square feet, or other applicable measurements of intensity as applicable unless a lesser percentage is approved by the Board of County Commissioners.~~
- ~~(5) — Master concept plans for planned developments that do not require development orders are not subject to the timeframes in this section.~~
- ~~(6) — Master concept plans issued for mining excavation before September 1, 2008, are subject to sections 12-109 and 12-121.~~
- ~~(b) — Status of expired master concept plans. When a master concept plan expires the property will remain zoned planned development, but no additional development can occur or be approved until a new master concept plan is approved in compliance with section 34-373 et seq.; the original master concept plan is reinstated in accordance with subsection (e) below, or the property is rezoned.~~
- ~~(c) — Administrative extensions of master concept plans.~~
- ~~(1) — An approved master concept plan that has not expired may be extended through an Administrative Amendment without a public hearing, provided that:~~
- ~~a. — The Applicant submits a completed application form for extension (on a form provided by the Department of Community Development) and the appropriate fee prior to the date the current master concept plan expires, but not more than one year before the expiration date. If an extension is not granted before the expiration date, no further development approvals can be issued after the expiration date and before an extension is granted. The application must include:~~
- ~~1. — All submittal requirements for a public hearing pursuant to sections 34-201 and 34-202;~~



- ~~2. A copy of the approved master concept plan amended in accordance with subsections 34-377(b)(6) and (7) reflect the uses, deviations and other modifications set forth in the approving resolution;~~
- ~~3. A copy of the approved planned development zoning resolution and all approved amendments;~~
- ~~4. A written statement describing how the criteria listed in subsection (c)(1)b. below have been met;~~
- ~~5. A current Traffic Impact Statement (TIS) pursuant to subsection 34-373(a)(7); and~~
- ~~6. A detailed narrative explaining why a development order has not been issued and the basis for the extension requested.~~
- ~~7. The Director may require additional information as described in section 34-373 if necessary to review the request.~~
- ~~b. Prior to issuance of an extension of the master concept plan, the Director of Community Development must find that:~~
  - ~~1. The master concept plan is consistent with the current Lee Plan, including allocation tables;~~
  - ~~2. The master concept plan is compatible with existing and approved development in the planning community;~~
  - ~~3. There will be sufficient capacity for potable water, sanitary sewer, surface water management, solid waste disposal, parks and recreation, roadway facilities and public schools to serve the development at the time the impacts of the development will occur without causing these facilities and services to function at a level of service below the minimum regulatory levels established in the Lee Plan; and~~
  - ~~4. The reasons the required development order is not approved is reasonably beyond the control of the Applicant and the Applicant is diligently pursuing approval of the required development order.~~
- ~~(2) Regardless of ownership of the underlying property, a master concept plan may only be extended one time through the Administrative Amendment process. Extensions granted under an Administrative Amendment may not exceed five years from the original date of expiration. Requests for extension in excess of five years must be granted through a public hearing in accordance with subsection (d) below.~~
- ~~(3) The Director may approve, deny, or limit the requested extension to a period less than five years. The decision of the Director is discretionary and is not subject to administrative appeal. If the request is not approved administratively, the Applicant must file an application for public hearing in accordance with subsection (d) below.~~
- ~~(4) The duration of a master concept plan that is part of a Development of Regional Impact ("DRI") will be automatically extended if the DRI's phasing or build out dates are extended. The MCP duration extension is limited to the length of extension of the build out date granted in the DRI. Automatic extensions~~

~~pursuant to this provision are not subject to the limitation of the number of extensions found under subsection (c)(2) above.~~

~~(d) Extensions of master concept plans through public hearing process.~~

~~(1) An approved master concept plan that is not vacated may be extended by the Board of County Commissioners at a public hearing provided that:~~

~~a. The Applicant submits a completed application form for extension (on a form provided by the Department of Community Development) not more than one year and not fewer than 120 days prior to the date the current master concept plan vacates as provided in subsection (a), above together with the appropriate fee. The application must include, at a minimum:~~

- ~~1. All submittal requirements for a public hearing pursuant to sections 34-201 and 34-202;~~
- ~~2. A copy of the approved master concept plan amended in accordance with subsections 34-377(b)(6) and (7) reflect the uses, deviations and other modifications set forth in the approving resolution (no changes may be made to the master concept plan);~~
- ~~3. A copy of the approved planned development zoning resolution and all approved amendments;~~
- ~~4. A written statement describing how the criteria listed in subsection (d)(1)b. below have been met;~~
- ~~5. A current Traffic Impact Statement (TIS) pursuant to subsection 34-373(a)(7); and~~
- ~~6. A detailed narrative explaining why the required development order is not approved and a chronology documenting that the required development order has been diligently pursued.~~

~~The Director may require additional information as described in Section 34-373 if necessary to review the request.~~

~~b. The Board of County Commissioners, after reviewing the recommendation of the staff, determines that:~~

- ~~1. The master concept plan is consistent with the current Lee Plan, including allocation tables;~~
- ~~2. The master concept plan is compatible with existing and approved development in the planning community;~~
- ~~3. There will be sufficient capacity for potable water, sanitary sewer, surface water management, solid waste disposal, parks and recreation, roadway facilities and public schools to serve the development at the time the impacts of the development will occur without causing these facilities and services to function at a level of service below the minimum regulatory levels established in the Lee Plan; and~~
- ~~4. The reasons the required development order is not approved is reasonably beyond the control of the Applicant and the Applicant is diligently pursuing approval of the required development order.~~

~~(2) The Board of County Commissioners may approve, deny, or limit the requested extension to a period less than the Applicant's request. The decision of the Board of County Commissioners is discretionary.~~

~~A master concept plan that has not received a development order and diligently pursued construction, prior to the master concept plan extension expiration, may not receive a second extension but must be reviewed in accordance with section 34-373 et seq.~~

~~(e) Reinstatement of master concept plans.~~

~~(1) An expired master concept plan or a phase of a master concept plan may only be reinstated by the Board of County Commissioners provided the Board of County Commissioners find:~~

- ~~a. The request meets the considerations listed in section 34-83(b)(2);~~
- ~~b. There are no changes to the original approved master concept plan, with the exception of changes that bring the development into compliance with current regulations; and~~
- ~~c. The request meets the criteria listed in subsection (d)(1)b. above.~~

~~(2) Before preparing a recommendation to the Board of County Commissioners on a reinstatement, the hearing examiner must find that:~~

- ~~a. The applicable criteria set forth in section 34-145(d)(2), are satisfied; and~~
- ~~b. The criteria listed in subsection (d)(1)(b) above are satisfied.~~

~~(3) An application for reinstatement of a master concept plan may be filed at any time after it expires and must consist of the following:~~

~~a. A completed application form provided by the Department of Community Development that will include, at a minimum:~~

~~1. All submittal requirements for a public hearing pursuant to section 34-201 and 34-202;~~

~~2. The following submittal requirements as set forth in section 34-373(a)(4):~~

~~i. A boundary survey unless the original application included one and there has been no change to the property;~~

~~ii. A map showing current zoning and uses within 500 feet;~~

~~iii. A current aerial photograph; and~~

~~iv. A FLUCGS map.~~

~~3. The submittal requirements as set forth in section 34-373(a)(6) only if they are required to indicate a reduction of uses or a decrease in the density or intensity of the development;~~

~~4. A current Traffic Impact Statement (TIS) pursuant to subsection 34-373(a)(7);~~

~~5. A schedule of uses keyed to the master concept plan ONLY if previously approved uses are being removed; and~~

~~6. A schedule of deviations keyed to the master concept plan ONLY if previously approved deviations are being removed;~~

~~b. A legible copy of the approved master concept plan (where~~



~~applicable, the master concept plan must be amended to reflect the uses, deviations and other modifications set forth in the approving resolution). See section 34-377(b)(6) and (7);~~

~~c. Legible copies of the applicable zoning resolution and all approved amendments;~~

~~d. A written statement describing how the criteria listed in subsection (d)(1) above are satisfied; and~~

~~e. The appropriate fee.~~

~~(4) A request for an extension or reinstatement may not include new uses or increase the density or intensity of the development proposed under the expired master concept plan. If an Applicant wants to include new uses or increased density or intensity, the request must be submitted and reviewed in accordance with section 34-373 et seq.~~

~~(5) Prior to reinstatement, the BOCC may remove uses or decrease the density or intensity of the master concept plan.~~

## **SECTION SEVEN: CONFLICTS OF LAW**

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements will apply.

## **SECTION EIGHT: SEVERABILITY**

It is the Board of County Commissioner's intent that if any section, subsection, clause or provision of this ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this ordinance. The Board of County Commissioners further declares its intent that this ordinance would have been adopted if such unconstitutional provision was not included.

## **SECTION NINE: CODIFICATION AND SCRIVENER'S ERRORS**

The Board of County Commissioners intend that this ordinance will be made part of the Lee County Code. Sections of this ordinance can be renumbered or relettered and the word "ordinance" can be changed to "section", "article," or other appropriate word or phrase to accomplish codification, and regardless of whether this ordinance is ever codified, the ordinance can be renumbered or relettered and typographical errors that do not affect the intent can be corrected with the authorization of the County Administrator, County Manager or his designee, without the need for a public hearing.

## **SECTION TEN: EFFECTIVE DATE**

This ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State. The provisions of this ordinance will apply to all projects or applications subject to the LDC unless the application for a development order for such project is complete or the zoning application has been found sufficient before the effective date hereof. The amendment to Sec. 34-381 regarding the duration of rights conferred by an approved planned development applies retroactively to all previously approved planned developments.

Commissioner Hall made a motion to adopt the foregoing ordinance, seconded by Commissioner Manning. The vote was as follows:

John Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 12<sup>th</sup> day of February, 2013.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: Cecil L Pendergrass  
Cecil L Pendergrass, Chair



Approved as to form by:

County Attorney's Office



**FLORIDA DEPARTMENT of STATE**

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

February 19, 2013..

Honorable Linda Doggett  
Clerk of the Circuit Courts  
Lee County  
Post Office Box 2469  
Fort Myers, Florida 33902-2469

Attention: Ms. Marcia Wilson, Deputy Clerk

Dear Ms. Doggett:

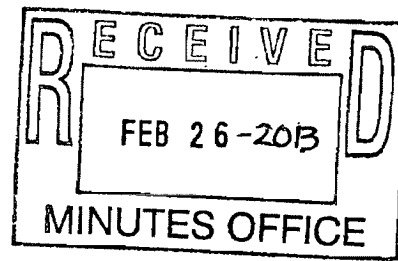
Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 15, 2013 and copy of Lee County Ordinance No. 13-01 which was filed in this office on February 18, 2013.

Sincerely,

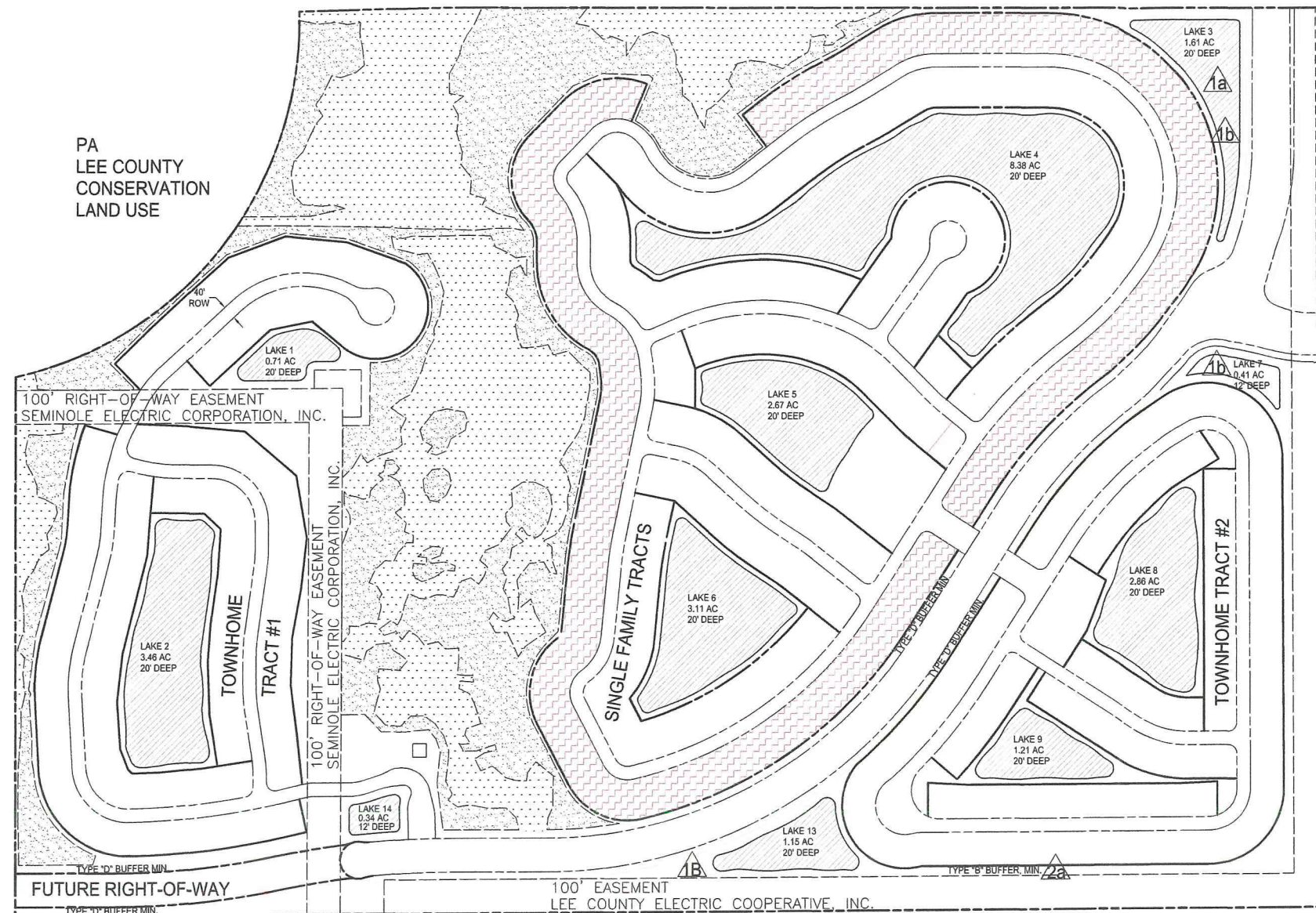
A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/elr







**PROJECT LAND USE**

PROJECT AREA:	292.91 AC
TRACT AREA TOTAL:	
COMMERCIAL =	12.3 AC
MULTI-FAMILY TRACT =	16.4 AC
TOWNHOME TRACT #1=	25.9 AC
TOWNHOME TRACT #2 =	29.8 AC
TOWNHOME TRACT #3 =	21.7 AC
SINGLE FAMILY TRACT #1 =	72.0 AC

**FLOOD ZONE**

PARCEL LIES IN FLOOD ZONES AE (EL 16), AE (EL 17), AE (EL 18), AND X PER FLOOD INSURANCE PANEL 12071C0259F APPROVED 8/28/2008.

**DENSITY**

DENSITY = NUMBER DWELLING UNITS / TOTAL ACREAGE  
= 1600 UNITS / 292.91 AC = 5.46 UNITS PER ACRE

**DWELLING UNIT BREAKDOWN**

MULTI-FAMILY TRACT =	300 UNITS
TOWNHOME TRACT #1=	350 UNITS
TOWNHOME TRACT #2 =	300 UNITS
TOWNHOME TRACT #3 =	325 UNITS
SINGLE FAMILY TRACT #1 =	325 UNITS

**COMMERCIAL LAND USE**

COMMERCIAL =	30,000 SF RETAIL
	140,000 SF OFFICE/WAREHOUSE

**APPROVED**  
Amendment to  
Master Concept Plan  
Subject to Case # ADD2013-00021  
Date 7/18/13

**OWNER**

ANGEL ARAMIS, L.L.C.  
3845 BECK BOULEVARD  
NAPLES, FL 34114  
PH:  
FAX:

**LEGEND**

- # DEVIATION
- WETLAND PRESERVE
- UPLAND BUFFER
- SINGLE FAMILY LOTS ≥ 6500 SF
- INDIGENOUS CREDIT BOUNDARY LINE
- LAKES
- MODEL UNITS

**OPEN SPACE CALCULATIONS**

**OPEN SPACE REQUIRED**

RESIDENTIAL PROJECT AREA - 40% (REQUIRED) \*  
COMMERCIAL PROJECT AREA - 30% (REQUIRED)  
\* NOT APPLICABLE TO SINGLE-FAMILY LOTS 6500 SF OR GREATER

TOTAL RESIDENTIAL AREA = 292.91 AC (PROPERTY AREA) - 12.35 AC (COMMERCIAL AREA) = 280.56 AC  
RESIDENTIAL AREA (LOTS ≥ 6500 SF) = 27.28 AC  
RESIDENTIAL AREA FOR OPEN SPACE = 253.28 AC

OPEN SPACE REQUIRED  
= (253.28 AC RESIDENTIAL X 40%) + (12.35 AC COMMERCIAL X 30%)  
= 101.31 AC + 3.71 AC  
= 105.02 AC \*\*

\*\* 50% OF OPEN SPACE REQUIREMENTS MUST BE INDIGENOUS NATIVE VEGETATION

REQUIRED INDIGENOUS NATIVE VEGETATION = 105.02 AC X 50% = 52.51 AC

**INDIGENOUS NATIVE VEGETATION BREAKDOWN**

WETLAND PRESERVE	22.74 AC
UPLAND BUFFER	21.51 AC
TOTAL AREA INDIGENOUS NATIVE VEGETATION:	44.25 AC
TOTAL INDIGENOUS NATIVE VEGETATION (WITH CREDITS)	53.02 AC

**PROPOSED OPEN SPACE**

TOTAL INDIGENOUS NATIVE VEGETATION	44.25 AC
LAKE (25% OF TOTAL OPEN SPACE REQ.) = .25 X 102.73 AC	25.68 AC
LANDSCAPE AREA/COMMON OPEN SPACE/GREEN SPACE	35.61 AC
DRAINAGE DITCHES (25% OF AREA) - 0.25 X 2.35 AC	0.59 AC
UTILITY EASEMENT AREA (OVERHEAD POWER LINES)	15.95 AC
TOTAL:	122.08 AC

TOTAL OPEN SPACE PROVIDED = 122.08 AC  
TOTAL OPEN SPACE REQUIRED = 105.02 AC

NOTE: INDIGENOUS PRESERVE LINES SHOWN ARE CONSISTENT WITH EXHIBIT "D" OF THE APPROVED RESOLUTION Z-06-039, ADD2007-00189.

ADD 2013-00021

**RECEIVED**  
JUN 05 2013

COMMUNITY DEVELOPMENT

No.	Date	Revisions
1	5/9/13	REVISIONS PER COUNTY COMMENTS

date 04/21/12  
file name: ZONING\_MCP  
job ENTRADA

**community engineering services, inc.**  
civil engineering • surveying • project management  
EB-0006613 LB-6572  
13650 Fiddlesticks Blvd. PMB 202-389  
Fort Myers, Florida 33912  
Telephone (239) 936-9777 Fax (239) 936-0064

**MASTER CONCEPT PLAN**  
OF  
**THE ESTATES OF ENTRADA**  
FOR  
ANGEL ARAMIS, L.L.C.  
3845 BECK BOULEVARD  
NAPLES, FL 34114

scale: 1"=200'  
**SHEET**  
1 OF 1  
date 06/05/13



**Estates of Entrada Conversion Densities**

<b>Tract</b>	<b>Standard D.U.</b>	<b>ALF/CCF Units***</b>	<b>ILU Units****</b>
CPD Tract	123*	492	246
MF Tract 1	300**	1200	600
TH Tract 2	300**	----	600
TH Tract 3	325**	1300	650

\* Standard DU for the CPD Tract was calculated as 12.3 ac x 10 du/ac allowed in Central Urban land use classification = 123 du. This calculation is made only for purposes of determining the number of ALF/CCF units allowed for the Health Care Facilities Groups I and II allowed on this tract. Standard residential dwelling units are not permitted on the CPD Tract.

\*\* DU for these tracts taken from revised Master Concept Plan prepared by CES.

\*\*\* Conversion ratio of 4:1 based upon LDC Section 34-1494(b)(2), which allows conversion at a ratio of 4 persons = 1 standard du, provided the ALF/CCF does not have cooking facilities in individual units. These types of units are not permitted on TH Tract 2.

\*\*\*\* Conversion ratio of 2:1 based upon LDC Section 34-1414(c), which allows conversion at a ratio of 2 Independent Living Units (ILU) = 1 standard residential unit.

**RECEIVED**  
JUN 5 2013

COMMUNITY DEVELOPMENT

**TRIP GENERATION SUMMARY**  
**ESTATES at ENTRADA**

**Current Zoning****Land Use**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units		
230	Residential Condo/Townhouse	325 Units	Daily Traffic (ADT) =	16,475 ADT
750	Office Park	140,000 s.f.	AM Peak Hour (vph) =	1,392 vph
820	Shopping Center	30,000 s.f.	PM Peak Hour (vph) =	1,614 vph

\*\*\*\*\*

**Scenario A**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units	Daily Traffic (ADT) =	16,006 ADT
230	Residential Condo/Townhouse	325 Units	AM Peak Hour (vph) =	1,434 vph
254	Assisted Living	492 Units	PM Peak Hour (vph) =	1,613 vph
255	CC Retirement Community	0 Units		
750	Office Park	140,000 s.f.		
820	Shopping Center	9,250 s.f.	Less 20,750 s.f.	

\*\*\*\*\*

**Scenario B**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units	Daily Traffic (ADT) =	16,346 ADT
230	Residential Condo/Townhouse	325 Units	AM Peak Hour (vph) =	1,337 vph
254	Assisted Living	492 Units	PM Peak Hour (vph) =	1,615 vph
255	CC Retirement Community	0 Units		
750	Office Park	68,000 s.f.	Less 72,000 s.f.	
820	Shopping Center	30,000 s.f.		

\*\*\*\*\*

**Scenario C**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units	Daily Traffic (ADT) =	16,408 ADT
230	Residential Condo/Townhouse	325 Units	AM Peak Hour (vph) =	1,419 vph
254	Assisted Living	0 Units	PM Peak Hour (vph) =	1,614 vph
255	CC Retirement Community	246 Units		
750	Office Park	140,000 s.f.		
820	Shopping Center	15,500 s.f.	Less 14,500 s.f.	

\*\*\*\*\*

**Scenario D**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units	Daily Traffic (ADT) =	16,630 ADT
230	Residential Condo/Townhouse	325 Units	AM Peak Hour (vph) =	1,356 vph
254	Assisted Living	0 Units	PM Peak Hour (vph) =	1,615 vph
255	CC Retirement Community	246 Units		
750	Office Park	93,000 s.f.	Less 47,000 s.f.	
820	Shopping Center	30,000 s.f.		

\*\*\*\*\*

**Scenario E**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units	Daily Traffic (ADT) =	16,208 ADT
230	Residential Condo/Townhouse	325 Units	AM Peak Hour (vph) =	1,381 vph
254	Assisted Living	492 Units	PM Peak Hour (vph) =	1,615 vph
255	CC Retirement Community	0 Units		
750	Office Park	100,000 s.f.	Less 40,000 s.f.	
820	Shopping Center	20,000 s.f.	Less 10,000 s.f.	

\*\*\*\*\*

**Scenario F**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units	Daily Traffic (ADT) =	16,530 ADT
230	Residential Condo/Townhouse	325 Units	AM Peak Hour (vph) =	1,378 vph
254	Assisted Living	0 Units	PM Peak Hour (vph) =	1,613 vph
255	CC Retirement Community	246 Units		
750	Office Park	110,000 s.f.	Less 30,000 s.f.	
820	Shopping Center	24,000 s.f.	Less 6,000 s.f.	



**TABLE 1**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

**Current Zoning****Land Use**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>
210	Single-Family Detached Housing	1,275 Units
230	Residential Condo/Townhouse	325 Units
750	Office Park	140,000 s.f.
820	Shopping Center	30,000 s.f.

<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210		Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	10,815 ADT	
		AM Peak Hour (vph) =	$T = 0.75(X) =$ 25% Enter/ 75% Exit =	956 vph	239 / 717 vph
		PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$ 63% Enter/ 37% Exit =	1,039 vph	654 / 384 vph
*****					
LUC 230		Daily Traffic (ADT) =	$T = 5.81(X) =$	1,888 ADT	
		AM Peak Hour (vph) =	$T = .44(X) =$ 17% Enter/ 83% Exit =	143 vph	24 / 119 vph
		PM Peak Hour (vph) =	$T = 0.52(X) =$ 67% Enter/ 33% Exit =	169 vph	113 / 56 vph
*****					
LUC 750		Daily Traffic (ADT) =	$T = 11.42(X) =$	1,599 ADT	
		AM Peak Hour (vph) =	$T = 1.71(X) =$ 89% Enter/ 11% Exit =	239 ADT	213 / 26 vph
		PM Peak Hour (vph) =	$T = 1.48(X) =$ 14% Enter/ 86% Exit =	207 ADT	184 / 23 vph
*****					
LUC 820		Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	3,105 ADT	
		AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$ 61% Enter/ 39% Exit =	76 vph	46 / 30 vph
		PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$ 49% Enter/ 51% Exit =	284 vph	139 / 145 vph

**Pass-by Trips per County****30% Pass-by Rate**

	New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	2,174 ADT	
	New AM Peak Hour (vph) =	(AM) x (% of New Trips)	53 vph	32 / 21 vph
	New PM Peak Hour (vph) =	(PM) x (% of New Trips)	199 vph	97 / 101 vph
*****				
*****				
Total	Daily Traffic (ADT) =		16,475 ADT	
	AM Peak Hour (vph) =		1,392 vph	509 / 883 vph
	PM Peak Hour (vph) =		1,614 vph	1,049 / 564 vph

**TABLE 1A**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

**Scenario A**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>			
210	Single-Family Detached Housing	1,275 Units			
230	Residential Condo/Townhouse	325 Units			
254	Assisted Living	492 Units			
255	CC Retirement Community	0 Units			
750	Office Park	140,000 s.f.			
820	Shopping Center	9,250 s.f.	<i>Less 20,750 s.f.</i>		

<u>Land Use Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>	
LUC 210	Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	10,815 ADT		
	AM Peak Hour (vph) =	$T = 0.75(X) =$ 25% Enter/ 75% Exit =	956 vph	239 / 717	vph
	PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$ 63% Enter/ 37% Exit =	1,039 vph	654 / 384	vph
*****					
LUC 230	Daily Traffic (ADT) =	$T = 5.81(X) =$	1,888 ADT		
	AM Peak Hour (vph) =	$T = .44(X) =$ 17% Enter/ 83% Exit =	143 vph	24 / 119	vph
	PM Peak Hour (vph) =	$T = 0.52(X) =$ 67% Enter/ 33% Exit =	169 vph	113 / 56	vph
*****					
LUC 254	Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	693 ADT		
	AM Peak Hour (vph) =	$T = 0.14(X) =$ 65% Enter/ 35% Exit =	69 vph	45 / 24	vph
	PM Peak Hour (vph) =	$T = 0.22(X) =$ 44% Enter/ 56% Exit =	108 vph	48 / 61	vph
*****					
LUC 255	Daily Traffic (ADT) =	$T = 2.81(X) =$	0 ADT		
	AM Peak Hour (vph) =	$T = 0.18(X) =$ 64% Enter/ 36% Exit =	0 vph	0 / 0	vph
	PM Peak Hour (vph) =	$T = 0.29(X) =$ 48% Enter/ 52% Exit =	0 vph	0 / 0	vph
*****					
LUC 750	Daily Traffic (ADT) =	$T = 11.42(X) =$	1,599 ADT		
	AM Peak Hour (vph) =	$T = 1.71(X) =$ 89% Enter/ 11% Exit =	239 ADT	213 / 26	vph
	PM Peak Hour (vph) =	$T = 1.48(X) =$ 14% Enter/ 86% Exit =	207 ADT	184 / 23	vph
*****					
LUC 820	Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	1,445 ADT		
	AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$ 61% Enter/ 39% Exit =	38 vph	23 / 15	vph
	PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$ 49% Enter/ 51% Exit =	129 vph	63 / 66	vph
*****					
<i>Pass-by Trips per County=</i>			<b>30% Pass-by Rate</b>		
	New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	1,012 ADT		
	New AM Peak Hour (vph) =	(AM) x (% of New Trips) 61% Enter/ 39% Exit =	26 vph	16 / 10	vph
	New PM Peak Hour (vph) =	(PM) x (% of New Trips) 49% Enter/ 51% Exit =	90 vph	44 / 46	vph
*****					
*****					
Total	Daily Traffic (ADT) =		16,006 ADT		
	AM Peak Hour (vph) =		1,434 vph	537 /	897 vph
	PM Peak Hour (vph) =		1,613 vph	1,044 /	570 vph

TABLE 1B  
TRIP GENERATION COMPUTATIONS  
ESTATES at ENTRADA

## Scenario B

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>	
210	Single-Family Detached Housing	1,275 Units	
230	Residential Condo/Townhouse	325 Units	
254	Assisted Living	492 Units	
255	CC Retirement Community	0 Units	
750	Office Park	68,000 s.f.	<i>Less 72,000 s.f.</i>
820	Shopping Center	30,000 s.f.	

<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210		Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	10,815 ADT	
		AM Peak Hour (vph) =	$T = 0.75(X) =$ 25% Enter/ 75% Exit =	956 vph	239 / 717 vph
		PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$ 63% Enter/ 37% Exit =	1,039 vph	654 / 384 vph
*****					
LUC 230		Daily Traffic (ADT) =	$T = 5.81(X) =$	1,888 ADT	
		AM Peak Hour (vph) =	$T = .44(X) =$ 17% Enter/ 83% Exit =	143 vph	24 / 119 vph
		PM Peak Hour (vph) =	$T = 0.52(X) =$ 67% Enter/ 33% Exit =	169 vph	113 / 56 vph
*****					
LUC 254		Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	693 ADT	
		AM Peak Hour (vph) =	$T = 0.14(X) =$ 65% Enter/ 35% Exit =	69 vph	45 / 24 vph
		PM Peak Hour (vph) =	$T = 0.22(X) =$ 44% Enter/ 56% Exit =	108 vph	48 / 61 vph
*****					
LUC 255		Daily Traffic (ADT) =	$T = 2.81(X) =$	0 ADT	
		AM Peak Hour (vph) =	$T = 0.18(X) =$ 64% Enter/ 36% Exit =	0 vph	0 / 0 vph
		PM Peak Hour (vph) =	$T = 0.29(X) =$ 48% Enter/ 52% Exit =	0 vph	0 / 0 vph
*****					
LUC 750		Daily Traffic (ADT) =	$T = 11.42(X) =$	777 ADT	
		AM Peak Hour (vph) =	$T = 1.71(X) =$ 89% Enter/ 11% Exit =	116 ADT	103 / 13 vph
		PM Peak Hour (vph) =	$T = 1.48(X) =$ 14% Enter/ 86% Exit =	101 ADT	90 / 11 vph
*****					
LUC 820		Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	3,105 ADT	
		AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$ 61% Enter/ 39% Exit =	76 vph	46 / 30 vph
		PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$ 49% Enter/ 51% Exit =	284 vph	139 / 145 vph
*****					
<i>Pass-by Trips per County=</i>			30% Pass-by Rate		
		New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	2,174 ADT	
		New AM Peak Hour (vph) =	(AM) x (% of New Trips)	53 vph	32 / 21 vph
		New PM Peak Hour (vph) =	(PM) x (% of New Trips)	199 vph	97 / 101 vph
*****					
*****					
Total		Daily Traffic (ADT) =		16,346 ADT	
		AM Peak Hour (vph) =		1,337 vph	444 / 893 vph
		PM Peak Hour (vph) =		1,615 vph	1,002 / 613 vph



**TABLE 1C**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

**Scenario C**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>			
210	Single-Family Detached Housing	1,275 Units			
230	Residential Condo/Townhouse	325 Units			
254	Assisted Living	0 Units			
255	CC Retirement Community	246 Units			
750	Office Park	140,000 s.f.			
820	Shopping Center	15,500 s.f.	<i>Less 14,500 s.f.</i>		

<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210		Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	10,815 ADT	
		AM Peak Hour (vph) =	$T = 0.75(X) =$	956 vph	239 / 717 vph
			25% Enter/ 75% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$	1,039 vph	654 / 384 vph
LUC 230			63% Enter/ 37% Exit =		
		Daily Traffic (ADT) =	$T = 5.81(X) =$	1,888 ADT	
		AM Peak Hour (vph) =	$T = .44(X) =$	143 vph	24 / 119 vph
			17% Enter/ 83% Exit =		
LUC 254		PM Peak Hour (vph) =	$T = 0.52(X) =$	169 vph	113 / 56 vph
			67% Enter/ 33% Exit =		
		Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	0 ADT	
		AM Peak Hour (vph) =	$T = 0.14(X) =$	0 vph	0 / 0 vph
LUC 255			65% Enter/ 35% Exit =		
		PM Peak Hour (vph) =	$T = 0.22(X) =$	0 vph	0 / 0 vph
			44% Enter/ 56% Exit =		
		Daily Traffic (ADT) =	$T = 2.81(X) =$	691 ADT	
LUC 750		AM Peak Hour (vph) =	$T = 0.18(X) =$	44 vph	28 / 16 vph
			64% Enter/ 36% Exit =		
		PM Peak Hour (vph) =	$T = 0.29(X) =$	71 vph	34 / 37 vph
			48% Enter/ 52% Exit =		
LUC 820		Daily Traffic (ADT) =	$T = 11.42(X) =$	1,599 ADT	
		AM Peak Hour (vph) =	$T = 1.71(X) =$	239 ADT	213 / 26 vph
			89% Enter/ 11% Exit =		
		PM Peak Hour (vph) =	$T = 1.48(X) =$	207 ADT	184 / 23 vph
LUC 820			14% Enter/ 86% Exit =		
		Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	2,021 ADT	
		AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$	51 vph	31 / 20 vph
			61% Enter/ 39% Exit =		
LUC 820		PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$	182 vph	89 / 93 vph
			49% Enter/ 51% Exit =		
			30% Pass-by Rate		
		New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	1,415 ADT	
LUC 820		New AM Peak Hour (vph) =	(AM) x (% of New Trips)	36 vph	22 / 14 vph
			61% Enter/ 39% Exit =		
		New PM Peak Hour (vph) =	(PM) x (% of New Trips)	128 vph	63 / 65 vph
			49% Enter/ 51% Exit =		
Total		Daily Traffic (ADT) =		16,408 ADT	
		AM Peak Hour (vph) =		1,419 vph	527 / 892 vph
		PM Peak Hour (vph) =		1,614 vph	1,049 / 565 vph

**TABLE 1D**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

**Scenario D**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>			
210	Single-Family Detached Housing	1,275 Units			
230	Residential Condo/Townhouse	325 Units			
254	Assisted Living	0 Units			
255	CC Retirement Community	246 Units			
750	Office Park	93,000 s.f.	Less 47,000 s.f.		
820	Shopping Center	30,000 s.f.			
<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210		Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	10,815 ADT	
		AM Peak Hour (vph) =	$T = 0.75(X) =$	956 vph	239 / 717 vph
			25% Enter/ 75% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$	1,039 vph	654 / 384 vph
		63% Enter/ 37% Exit =			
*****					
LUC 230		Daily Traffic (ADT) =	$T = 5.81(X) =$	1,888 ADT	
		AM Peak Hour (vph) =	$T = .44(X) =$	143 vph	24 / 119 vph
			17% Enter/ 83% Exit =		
		PM Peak Hour (vph) =	$T = 0.52(X) =$	169 vph	113 / 56 vph
		67% Enter/ 33% Exit =			
*****					
LUC 254		Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	0 ADT	
		AM Peak Hour (vph) =	$T = 0.14(X) =$	0 vph	0 / 0 vph
			65% Enter/ 35% Exit =		
		PM Peak Hour (vph) =	$T = 0.22(X) =$	0 vph	0 / 0 vph
		44% Enter/ 56% Exit =			
*****					
LUC 255		Daily Traffic (ADT) =	$T = 2.81(X) =$	691 ADT	
		AM Peak Hour (vph) =	$T = 0.18(X) =$	44 vph	28 / 16 vph
			64% Enter/ 36% Exit =		
		PM Peak Hour (vph) =	$T = 0.29(X) =$	71 vph	34 / 37 vph
		48% Enter/ 52% Exit =			
*****					
LUC 750		Daily Traffic (ADT) =	$T = 11.42(X) =$	1,062 ADT	
		AM Peak Hour (vph) =	$T = 1.71(X) =$	159 ADT	142 / 17 vph
			89% Enter/ 11% Exit =		
		PM Peak Hour (vph) =	$T = 1.48(X) =$	138 ADT	122 / 15 vph
		14% Enter/ 86% Exit =			
*****					
LUC 820		Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	3,105 ADT	
		AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$	76 vph	46 / 30 vph
			61% Enter/ 39% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$	284 vph	139 / 145 vph
		49% Enter/ 51% Exit =			
*****					
Pass-by Trips per County=			30% Pass-by Rate		
	New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	2,174 ADT		
	New AM Peak Hour (vph) =	(AM) x (% of New Trips)	53 vph	32 / 21	vph
		61% Enter/ 39% Exit =			
	New PM Peak Hour (vph) =	(PM) x (% of New Trips)	199 vph	97 / 101	vph
		49% Enter/ 51% Exit =			
*****					
*****					
Total	Daily Traffic (ADT) =		16,630 ADT		
	AM Peak Hour (vph) =		1,356 vph	466 /	890 vph
	PM Peak Hour (vph) =		1,615 vph	1,022 /	594 vph

**TABLE 1E**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

**Scenario E**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	1,275 Units		
230	Residential Condo/Townhouse	325 Units		
254	Assisted Living	492 Units		
255	CC Retirement Community	0 Units		
750	Office Park	100,000 s.f.	<i>Less 40,000 s.f.</i>	
820	Shopping Center	20,000 s.f.	<i>Less 10,000 s.f.</i>	

<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210		Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	10,815 ADT	
		AM Peak Hour (vph) =	$T = 0.75(X) =$	956 vph	239 / 717 vph
			25% Enter/ 75% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$	1,039 vph	654 / 384 vph
			63% Enter/ 37% Exit =		
*****					
LUC 230		Daily Traffic (ADT) =	$T = 5.81(X) =$	1,888 ADT	
		AM Peak Hour (vph) =	$T = .44(X) =$	143 vph	24 / 119 vph
			17% Enter/ 83% Exit =		
		PM Peak Hour (vph) =	$T = 0.52(X) =$	169 vph	113 / 56 vph
			67% Enter/ 33% Exit =		
*****					
LUC 254		Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	693 ADT	
		AM Peak Hour (vph) =	$T = 0.14(X) =$	69 vph	45 / 24 vph
			65% Enter/ 35% Exit =		
		PM Peak Hour (vph) =	$T = 0.22(X) =$	108 vph	48 / 61 vph
			44% Enter/ 56% Exit =		
*****					
LUC 255		Daily Traffic (ADT) =	$T = 2.81(X) =$	0 ADT	
		AM Peak Hour (vph) =	$T = 0.18(X) =$	0 vph	0 / 0 vph
			64% Enter/ 36% Exit =		
		PM Peak Hour (vph) =	$T = 0.29(X) =$	0 vph	0 / 0 vph
			48% Enter/ 52% Exit =		
*****					
LUC 750		Daily Traffic (ADT) =	$T = 11.42(X) =$	1,142 ADT	
		AM Peak Hour (vph) =	$T = 1.71(X) =$	171 ADT	152 / 19 vph
			89% Enter/ 11% Exit =		
		PM Peak Hour (vph) =	$T = 1.48(X) =$	148 ADT	132 / 16 vph
			14% Enter/ 86% Exit =		
*****					
LUC 820		Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	2,386 ADT	
		AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$	60 vph	36 / 23 vph
			61% Enter/ 39% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$	216 vph	106 / 110 vph
			49% Enter/ 51% Exit =		

*Pass-by Trips per County=***30% Pass-by Rate**

New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	1,670 ADT		
New AM Peak Hour (vph) =	(AM) x (% of New Trips)	42 vph	25 / 16	vph
	61% Enter/ 39% Exit =			
New PM Peak Hour (vph) =	(PM) x (% of New Trips)	151 vph	74 / 77	vph
	49% Enter/ 51% Exit =			
*****				
*****				
<b>Total</b>	Daily Traffic (ADT) =	16,208 ADT		
	AM Peak Hour (vph) =	1,381 vph	486 /	895 vph
	PM Peak Hour (vph) =	1,615 vph	1,021 /	594 vph



**TABLE 1F**  
**TRIP GENERATION COMPUTATIONS**  
ESTATES at ENTRADA

**Scenario F**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>			
210	Single-Family Detached Housing	1,275 Units			
230	Residential Condo/Townhouse	325 Units			
254	Assisted Living	0 Units			
255	CC Retirement Community	246 Units			
750	Office Park	110,000 s.f.		Less 30,000 s.f.	
820	Shopping Center	24,000 s.f.		Less 6,000 s.f.	

<u>Land Use Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>	
LUC 210	Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	10,815 ADT		
	AM Peak Hour (vph) =	$T = 0.75(X) =$	956 vph	239 / 717	vph
		25% Enter/ 75% Exit =			
	PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$	1,039 vph	654 / 384	vph
		63% Enter/ 37% Exit =			
*****					
LUC 230	Daily Traffic (ADT) =	$T = 5.81(X) =$	1,888 ADT		
	AM Peak Hour (vph) =	$T = .44(X) =$	143 vph	24 / 119	vph
		17% Enter/ 83% Exit =			
	PM Peak Hour (vph) =	$T = 0.52(X) =$	169 vph	113 / 56	vph
		67% Enter/ 33% Exit =			
*****					
LUC 254	Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	0 ADT		
	AM Peak Hour (vph) =	$T = 0.14(X) =$	0 vph	0 / 0	vph
		65% Enter/ 35% Exit =			
	PM Peak Hour (vph) =	$T = 0.22(X) =$	0 vph	0 / 0	vph
		44% Enter/ 56% Exit =			
*****					
LUC 255	Daily Traffic (ADT) =	$T = 2.81(X) =$	691 ADT		
	AM Peak Hour (vph) =	$T = 0.18(X) =$	44 vph	28 / 16	vph
		64% Enter/ 36% Exit =			
	PM Peak Hour (vph) =	$T = 0.29(X) =$	71 vph	34 / 37	vph
		48% Enter/ 52% Exit =			
*****					
LUC 750	Daily Traffic (ADT) =	$T = 11.42(X) =$	1,256 ADT		
	AM Peak Hour (vph) =	$T = 1.71(X) =$	188 ADT	167 / 21	vph
		89% Enter/ 11% Exit =			
	PM Peak Hour (vph) =	$T = 1.48(X) =$	163 ADT	145 / 18	vph
		14% Enter/ 86% Exit =			
*****					
LUC 820	Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	2,686 ADT		
	AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$	66 vph	40 / 26	vph
		61% Enter/ 39% Exit =			
	PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$	245 vph	120 / 125	vph
		49% Enter/ 51% Exit =			
<i>Pass-by Trips per County=</i>			<b>30% Pass-by Rate</b>		
	New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	1,880 ADT		
	New AM Peak Hour (vph) =	(AM) x (% of New Trips)	46 vph	28 / 18	vph
		61% Enter/ 39% Exit =			
	New PM Peak Hour (vph) =	(PM) x (% of New Trips)	171 vph	84 / 87	vph
		49% Enter/ 51% Exit =			
*****					
			16,530 ADT		
Total	Daily Traffic (ADT) =				
	AM Peak Hour (vph) =		1,378 vph	487 /	891 vph
	PM Peak Hour (vph) =		1,613 vph	1,031 /	582 vph

**TRIP GENERATION SUMMARY**  
**ESTATES at ENTRADA**

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		Date Prepared:	October 24, 2012	
Current Zoning		Prepared by:	JMB Transportation Engineering, Inc.	
Land Use			761 21st Street NW	
			Naples, Florida 34120	
<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units		
230	Residential Condo/Townhouse	1,275 Units	Daily Traffic (ADT) =	14,255 ADT
750	Office Park	140,000 s.f.	AM Peak Hour (vph) =	1,097 vph
820	Shopping Center	30,000 s.f.	PM Peak Hour (vph) =	1,372 vph
*****				
Scenario A				
<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units	Daily Traffic (ADT) =	13,786 ADT
230	Residential Condo/Townhouse	1,275 Units	AM Peak Hour (vph) =	1,139 vph
254	Assisted Living	492 Units	PM Peak Hour (vph) =	1,372 vph
255	CC Retirement Community	0 Units		
750	Office Park	140,000 s.f.		
820	Shopping Center	9,250 s.f.	Less 20,750 s.f.	
*****				
Scenario B				
<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units	Daily Traffic (ADT) =	14,126 ADT
230	Residential Condo/Townhouse	1,275 Units	AM Peak Hour (vph) =	1,043 vph
254	Assisted Living	492 Units	PM Peak Hour (vph) =	1,374 vph
255	CC Retirement Community	0 Units		
750	Office Park	68,000 s.f.	Less 72,000 s.f.	
820	Shopping Center	30,000 s.f.		
*****				
Scenario C				
<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units	Daily Traffic (ADT) =	14,188 ADT
230	Residential Condo/Townhouse	1,275 Units	AM Peak Hour (vph) =	1,124 vph
254	Assisted Living	0 Units	PM Peak Hour (vph) =	1,373 vph
255	CC Retirement Community	246 Units		
750	Office Park	140,000 s.f.		
820	Shopping Center	15,500 s.f.	Less 14,500 s.f.	
*****				
Scenario D				
<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units	Daily Traffic (ADT) =	14,410 ADT
230	Residential Condo/Townhouse	1,275 Units	AM Peak Hour (vph) =	1,061 vph
254	Assisted Living	0 Units	PM Peak Hour (vph) =	1,374 vph
255	CC Retirement Community	246 Units		
750	Office Park	93,000 s.f.	Less 47,000 s.f.	
820	Shopping Center	30,000 s.f.		
*****				
Scenario E				
<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units	Daily Traffic (ADT) =	13,988 ADT
230	Residential Condo/Townhouse	1275 Units	AM Peak Hour (vph) =	1,086 vph
254	Assisted Living	492 Units	PM Peak Hour (vph) =	1,374 vph
255	CC Retirement Community	0 Units		
750	Office Park	100,000 s.f.	Less 40,000 s.f.	
820	Shopping Center	20,000 s.f.	Less 10,000 s.f.	
*****				
Scenario F				
<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units	Daily Traffic (ADT) =	14,310 ADT
230	Residential Condo/Townhouse	1275 Units	AM Peak Hour (vph) =	1,084 vph
254	Assisted Living	0 Units	PM Peak Hour (vph) =	1,372 vph
255	CC Retirement Community	246 Units		
750	Office Park	110,000 s.f.	Less 30,000 s.f.	
820	Shopping Center	24,000 s.f.	Less 6,000 s.f.	

**TABLE 1**  
**TRIP GENERATION COMPUTATIONS**  
ESTATES at ENTRADA

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**Current Zoning**

Date Prepared: October 24, 2012

<u>Land Use</u>	
<u>Code</u>	<u>Land Use Description</u>
<b>210</b>	<b>Single-Family Detached Housing</b>
<b>230</b>	<b>Residential Condo/Townhouse</b>
<b>750</b>	<b>Office Park</b>
<b>820</b>	<b>Shopping Center</b>
	<u>Build Schedule</u>
	325 Units
	1,275 Units
	140,000 s.f.
	30,000 s.f.

<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
<b>LUC 210</b>		Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	<b>3,075 ADT</b>	
		AM Peak Hour (vph) =	$T = 0.75(X) =$	<b>244 vph</b>	61 / 183 vph
			25% Enter/ 75% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$	<b>304 vph</b>	191 / 112 vph
<b>LUC 230</b>			63% Enter/ 37% Exit =		
		Daily Traffic (ADT) =	$T = 5.81(X) =$	<b>7,408 ADT</b>	
		AM Peak Hour (vph) =	$T = .44(X) =$	<b>561 vph</b>	95 / 466 vph
			17% Enter/ 83% Exit =		
<b>LUC 750</b>		PM Peak Hour (vph) =	$T = 0.52(X) =$	<b>663 vph</b>	444 / 219 vph
			67% Enter/ 33% Exit =		
		Daily Traffic (ADT) =	$T = 11.42(X) =$	<b>1,599 ADT</b>	
		AM Peak Hour (vph) =	$T = 1.71(X) =$	<b>239 ADT</b>	213 / 26 vph
<b>LUC 820</b>			89% Enter/ 11% Exit =		
		PM Peak Hour (vph) =	$T = 1.48(X) =$	<b>207 ADT</b>	184 / 23 vph
			14% Enter/ 86% Exit =		
		Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	<b>3,105 ADT</b>	
<b>LUC 820</b>		AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$	<b>76 vph</b>	46 / 30 vph
			61% Enter/ 39% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$	<b>284 vph</b>	139 / 145 vph
			49% Enter/ 51% Exit =		

**Pass-by Trips per County****30% Pass-by Rate**

<b>Total</b>	New Daily Traffic (ADT) =	$(ADT) \times (\% \text{ of New Trips})$	<b>2,174 ADT</b>	
	New AM Peak Hour (vph) =	$(AM) \times (\% \text{ of New Trips})$	<b>53 vph</b>	32 / 21 vph
		61% Enter/ 39% Exit =		
	New PM Peak Hour (vph) =	$(PM) \times (\% \text{ of New Trips})$	<b>199 vph</b>	97 / 101 vph
<b>Total</b>		49% Enter/ 51% Exit =		
	Daily Traffic (ADT) =		<b>14,255 ADT</b>	
	AM Peak Hour (vph) =		<b>1,097 vph</b>	402 / 695 vph
	PM Peak Hour (vph) =		<b>1,372 vph</b>	917 / 455 vph



**TABLE 1A**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

Page 3 of 8

Scenario A

Date Prepared:

October 24, 2012

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>				
210	Single-Family Detached Housing	325 Units				
230	Residential Condo/Townhouse	1,275 Units				
254	Assisted Living	492 Units				
255	CC Retirement Community	0 Units				
750	Office Park	140,000 s.f.				
820	Shopping Center	9,250 s.f.	<i>Less 20,750 s.f.</i>			

<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>		
LUC 210	Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	3,075 ADT			
	AM Peak Hour (vph) =	$T = 0.75(X) =$ 25% Enter/ 75% Exit =	244 vph	61	/	183 vph
	PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$ 63% Enter/ 37% Exit =	304 vph	191	/	112 vph
*****						
LUC 230	Daily Traffic (ADT) =	$T = 5.81(X) =$	7,408 ADT			
	AM Peak Hour (vph) =	$T = .44(X) =$ 17% Enter/ 83% Exit =	561 vph	95	/	466 vph
	PM Peak Hour (vph) =	$T = 0.52(X) =$ 67% Enter/ 33% Exit =	663 vph	444	/	219 vph
*****						
LUC 254	Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	693 ADT			
	AM Peak Hour (vph) =	$T = 0.14(X) =$ 65% Enter/ 35% Exit =	69 vph	45	/	24 vph
	PM Peak Hour (vph) =	$T = 0.22(X) =$ 44% Enter/ 56% Exit =	108 vph	48	/	61 vph
*****						
LUC 255	Daily Traffic (ADT) =	$T = 2.81(X) =$	0 ADT			
	AM Peak Hour (vph) =	$T = 0.18(X) =$ 64% Enter/ 36% Exit =	0 vph	0	/	0 vph
	PM Peak Hour (vph) =	$T = 0.29(X) =$ 48% Enter/ 52% Exit =	0 vph	0	/	0 vph
*****						
LUC 750	Daily Traffic (ADT) =	$T = 11.42(X) =$	1,599 ADT			
	AM Peak Hour (vph) =	$T = 1.71(X) =$ 89% Enter/ 11% Exit =	239 ADT	213	/	26 vph
	PM Peak Hour (vph) =	$T = 1.48(X) =$ 14% Enter/ 86% Exit =	207 ADT	184	/	23 vph
*****						
LUC 820	Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	1,445 ADT			
	AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$ 61% Enter/ 39% Exit =	38 vph	23	/	15 vph
	PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$ 49% Enter/ 51% Exit =	129 vph	63	/	66 vph
*****						
Pass-by Trips per County=		30% Pass-by Rate				
	New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	1,012 ADT			
	New AM Peak Hour (vph) =	(AM) x (% of New Trips) 61% Enter/ 39% Exit =	26 vph	16	/	10 vph
	New PM Peak Hour (vph) =	(PM) x (% of New Trips) 49% Enter/ 51% Exit =	90 vph	44	/	46 vph
*****						
*****						
Total	Daily Traffic (ADT) =		13,786 ADT			
	AM Peak Hour (vph) =		1,139 vph	430	/	709 vph
	PM Peak Hour (vph) =		1,372 vph	912	/	461 vph

**TABLE 1B**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

Page 4 of 8

Date Prepared: October 24, 2012

**Scenario B**

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>	
210	Single-Family Detached Housing	325 Units	
230	Residential Condo/Townhouse	1,275 Units	
254	Assisted Living	492 Units	
255	CC Retirement Community	0 Units	
750	Office Park	68,000 s.f.	Less 72,000 s.f.
820	Shopping Center	30,000 s.f.	

**Land Use**

<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210	Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	3,075 ADT	
	AM Peak Hour (vph) =	$T = 0.75(X) =$ 25% Enter/ 75% Exit =	244 vph	61 / 183 vph
	PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$ 63% Enter/ 37% Exit =	304 vph	191 / 112 vph
*****				
LUC 230	Daily Traffic (ADT) =	$T = 5.81(X) =$	7,408 ADT	
	AM Peak Hour (vph) =	$T = .44(X) =$ 17% Enter/ 83% Exit =	561 vph	95 / 466 vph
	PM Peak Hour (vph) =	$T = 0.52(X) =$ 67% Enter/ 33% Exit =	663 vph	444 / 219 vph
*****				
LUC 254	Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	693 ADT	
	AM Peak Hour (vph) =	$T = 0.14(X) =$ 65% Enter/ 35% Exit =	69 vph	45 / 24 vph
	PM Peak Hour (vph) =	$T = 0.22(X) =$ 44% Enter/ 56% Exit =	108 vph	48 / 61 vph
*****				
LUC 255	Daily Traffic (ADT) =	$T = 2.81(X) =$	0 ADT	
	AM Peak Hour (vph) =	$T = 0.18(X) =$ 64% Enter/ 36% Exit =	0 vph	0 / 0 vph
	PM Peak Hour (vph) =	$T = 0.29(X) =$ 48% Enter/ 52% Exit =	0 vph	0 / 0 vph
*****				
LUC 750	Daily Traffic (ADT) =	$T = 11.42(X) =$	777 ADT	
	AM Peak Hour (vph) =	$T = 1.71(X) =$ 89% Enter/ 11% Exit =	116 ADT	103 / 13 vph
	PM Peak Hour (vph) =	$T = 1.48(X) =$ 14% Enter/ 86% Exit =	101 ADT	90 / 11 vph
*****				
LUC 820	Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	3,105 ADT	
	AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$ 61% Enter/ 39% Exit =	76 vph	46 / 30 vph
	PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$ 49% Enter/ 51% Exit =	284 vph	139 / 145 vph
*****				
Pass-by Trips per County=		30% Pass-by Rate		
	New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	2,174 ADT	
	New AM Peak Hour (vph) =	(AM) x (% of New Trips) 61% Enter/ 39% Exit =	53 vph	32 / 21 vph
	New PM Peak Hour (vph) =	(PM) x (% of New Trips) 49% Enter/ 51% Exit =	199 vph	97 / 101 vph
*****				
*****				
Total	Daily Traffic (ADT) =		14,126 ADT	
	AM Peak Hour (vph) =		1,043 vph	337 / 706 vph
	PM Peak Hour (vph) =		1,374 vph	870 / 504 vph

**TABLE 1C**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

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Scenario C

Date Prepared: October 24, 2012

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units		
230	Residential Condo/Townhouse	1,275 Units		
254	Assisted Living	0 Units		
255	CC Retirement Community	246 Units		
750	Office Park	140,000 s.f.		
820	Shopping Center	15,500 s.f.	<i>Less 14,500 s.f.</i>	

<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210		Daily Traffic (ADT) =	$\text{Ln}(T) = 0.92\text{Ln}(X) + 2.71 =$	3,075 ADT	
		AM Peak Hour (vph) =	$T = 0.75(X) =$	244 vph	61 / 183 vph
			25% Enter/ 75% Exit =		
		PM Peak Hour (vph) =	$\text{Ln}(T) = 0.90\text{Ln}(X) + 0.51 =$	304 vph	191 / 112 vph
		63% Enter/ 37% Exit =			
*****					
LUC 230		Daily Traffic (ADT) =	$T = 5.81(X) =$	7,408 ADT	
		AM Peak Hour (vph) =	$T = .44(X) =$	561 vph	95 / 466 vph
			17% Enter/ 83% Exit =		
		PM Peak Hour (vph) =	$T = 0.52(X) =$	663 vph	444 / 219 vph
		67% Enter/ 33% Exit =			
*****					
LUC 254		Daily Traffic (ADT) =	$\text{Ln}(T) = 0.56\text{Ln}(X) + 3.07 =$	0 ADT	
		AM Peak Hour (vph) =	$T = 0.14(X) =$	0 vph	0 / 0 vph
			65% Enter/ 35% Exit =		
		PM Peak Hour (vph) =	$T = 0.22(X) =$	0 vph	0 / 0 vph
		44% Enter/ 56% Exit =			
*****					
LUC 255		Daily Traffic (ADT) =	$T = 2.81(X) =$	691 ADT	
		AM Peak Hour (vph) =	$T = 0.18(X) =$	44 vph	28 / 16 vph
			64% Enter/ 36% Exit =		
		PM Peak Hour (vph) =	$T = 0.29(X) =$	71 vph	34 / 37 vph
		48% Enter/ 52% Exit =			
*****					
LUC 750		Daily Traffic (ADT) =	$T = 11.42(X) =$	1,599 ADT	
		AM Peak Hour (vph) =	$T = 1.71(X) =$	239 ADT	213 / 26 vph
			89% Enter/ 11% Exit =		
		PM Peak Hour (vph) =	$T = 1.48(X) =$	207 ADT	184 / 23 vph
		14% Enter/ 86% Exit =			
*****					
LUC 820		Daily Traffic (ADT) =	$\text{Ln}(T) = 0.65\text{Ln}(X) + 5.83 =$	2,021 ADT	
		AM Peak Hour (vph) =	$\text{Ln}(T) = 0.59\text{Ln}(X) + 2.32 =$	51 vph	31 / 20 vph
			61% Enter/ 39% Exit =		
		PM Peak Hour (vph) =	$\text{Ln}(T) = 0.67\text{Ln}(X) + 3.37 =$	182 vph	89 / 93 vph
		49% Enter/ 51% Exit =			

<i>Pass-by Trips per County=</i>		<b>30% Pass-by Rate</b>			
		New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	1,415 ADT	
		New AM Peak Hour (vph) =	(AM) x (% of New Trips)	36 vph	22 / 14 vph
			61% Enter/ 39% Exit =		
		New PM Peak Hour (vph) =	(PM) x (% of New Trips)	128 vph	63 / 65 vph
		49% Enter/ 51% Exit =			
*****					
*****					
Total		Daily Traffic (ADT) =		14,188 ADT	
		AM Peak Hour (vph) =		1,124 vph	420 / 705 vph
		PM Peak Hour (vph) =		1,373 vph	917 / 456 vph





**TABLE 1E**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

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Scenario E

Date Prepared: October 24, 2012

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>	
210	Single-Family Detached Housing	325 Units	
230	Residential Condo/Townhouse	1,275 Units	
254	Assisted Living	492 Units	
255	CC Retirement Community	0 Units	
750	Office Park	100,000 s.f.	<i>Less 40,000 s.f.</i>
820	Shopping Center	20,000 s.f.	<i>Less 10,000 s.f.</i>

<u>Land Use</u>	<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210		Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X) + 2.71 =$	<b>3,075 ADT</b>	
		AM Peak Hour (vph) =	$T = 0.75(X) =$	<b>244 vph</b>	61 / 183 vph
			25% Enter/ 75% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X) + 0.51 =$	<b>304 vph</b>	191 / 112 vph
LUC 230		Daily Traffic (ADT) =	$T = 5.81(X) =$	<b>7,408 ADT</b>	
		AM Peak Hour (vph) =	$T = .44(X) =$	<b>561 vph</b>	95 / 466 vph
			17% Enter/ 83% Exit =		
		PM Peak Hour (vph) =	$T = 0.52(X) =$	<b>663 vph</b>	444 / 219 vph
LUC 254		Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X) + 3.07 =$	<b>693 ADT</b>	
		AM Peak Hour (vph) =	$T = 0.14(X) =$	<b>69 vph</b>	45 / 24 vph
			65% Enter/ 35% Exit =		
		PM Peak Hour (vph) =	$T = 0.22(X) =$	<b>108 vph</b>	48 / 61 vph
LUC 255		Daily Traffic (ADT) =	$T = 2.81(X) =$	<b>0 ADT</b>	
		AM Peak Hour (vph) =	$T = 0.18(X) =$	<b>0 vph</b>	0 / 0 vph
			64% Enter/ 36% Exit =		
		PM Peak Hour (vph) =	$T = 0.29(X) =$	<b>0 vph</b>	0 / 0 vph
LUC 750		Daily Traffic (ADT) =	$T = 11.42(X) =$	<b>1,142 ADT</b>	
		AM Peak Hour (vph) =	$T = 1.71(X) =$	<b>171 ADT</b>	152 / 19 vph
			89% Enter/ 11% Exit =		
		PM Peak Hour (vph) =	$T = 1.48(X) =$	<b>148 ADT</b>	132 / 16 vph
LUC 820		Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X) + 5.83 =$	<b>2,386 ADT</b>	
		AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X) + 2.32 =$	<b>60 vph</b>	36 / 23 vph
			61% Enter/ 39% Exit =		
		PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X) + 3.37 =$	<b>216 vph</b>	106 / 110 vph

Pass-by Trips per County=

30% Pass-by Rate

New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	<b>1,670 ADT</b>	
New AM Peak Hour (vph) =	(AM) x (% of New Trips)	<b>42 vph</b>	25 / 16 vph
	61% Enter/ 39% Exit =		
New PM Peak Hour (vph) =	(PM) x (% of New Trips)	<b>151 vph</b>	74 / 77 vph
	49% Enter/ 51% Exit =		
*****			
*****			
Total	Daily Traffic (ADT) =	<b>13,988 ADT</b>	
	AM Peak Hour (vph) =	<b>1,086 vph</b>	<b>379 / 708 vph</b>
	PM Peak Hour (vph) =	<b>1,374 vph</b>	<b>889 / 485 vph</b>

**TABLE 1F**  
**TRIP GENERATION COMPUTATIONS**  
**ESTATES at ENTRADA**

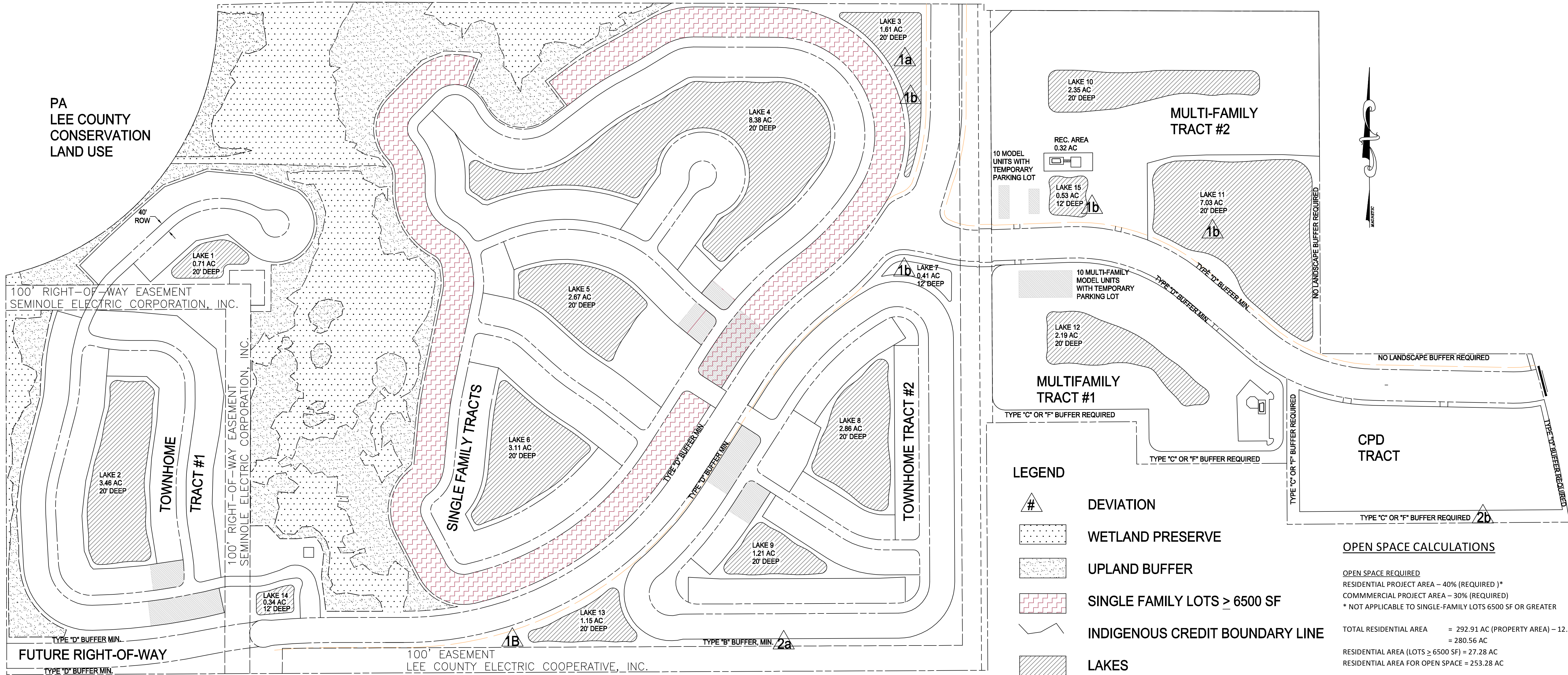
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Scenario F

Date Prepared: October 24, 2012

<u>Code</u>	<u>Land Use Description</u>	<u>Build Schedule</u>		
210	Single-Family Detached Housing	325 Units		
230	Residential Condo/Townhouse	1,275 Units		
254	Assisted Living	0 Units		
255	CC Retirement Community	246 Units		
750	Office Park	110,000 s.f.	Less 30,000 s.f.	
820	Shopping Center	24,000 s.f.	Less 6,000 s.f.	
Land Use				
<u>Code</u>	<u>Trip Period</u>	<u>Trip Generation Equation</u>	<u>Total Trips</u>	<u>Trips Enter/Exit</u>
LUC 210	Daily Traffic (ADT) =	$\ln(T) = 0.92\ln(X)+2.71 =$	3,075 ADT	
	AM Peak Hour (vph) =	$T = 0.75(X) =$	244 vph	61 / 183 vph
		25% Enter/ 75% Exit =		
	PM Peak Hour (vph) =	$\ln(T) = 0.90\ln(X)+0.51 =$	304 vph	191 / 112 vph
		63% Enter/ 37% Exit =		
*****				
LUC 230	Daily Traffic (ADT) =	$T = 5.81(X) =$	7,408 ADT	
	AM Peak Hour (vph) =	$T = .44(X) =$	561 vph	95 / 466 vph
		17% Enter/ 83% Exit =		
	PM Peak Hour (vph) =	$T = 0.52(X) =$	663 vph	444 / 219 vph
		67% Enter/ 33% Exit =		
*****				
LUC 254	Daily Traffic (ADT) =	$\ln(T) = 0.56\ln(X)+3.07 =$	0 ADT	
	AM Peak Hour (vph) =	$T = 0.14(X) =$	0 vph	0 / 0 vph
		65% Enter/ 35% Exit =		
	PM Peak Hour (vph) =	$T = 0.22(X) =$	0 vph	0 / 0 vph
		44% Enter/ 56% Exit =		
*****				
LUC 255	Daily Traffic (ADT) =	$T = 2.81(X) =$	691 ADT	
	AM Peak Hour (vph) =	$T = 0.18(X) =$	44 vph	28 / 16 vph
		64% Enter/ 36% Exit =		
	PM Peak Hour (vph) =	$T = 0.29(X) =$	71 vph	34 / 37 vph
		48% Enter/ 52% Exit =		
*****				
LUC 750	Daily Traffic (ADT) =	$T = 11.42(X) =$	1,256 ADT	
	AM Peak Hour (vph) =	$T = 1.71(X) =$	188 ADT	167 / 21 vph
		89% Enter/ 11% Exit =		
	PM Peak Hour (vph) =	$T = 1.48(X) =$	163 ADT	145 / 18 vph
		14% Enter/ 86% Exit =		
*****				
LUC 820	Daily Traffic (ADT) =	$\ln(T) = 0.65\ln(X)+5.83 =$	2,686 ADT	
	AM Peak Hour (vph) =	$\ln(T) = 0.59\ln(X)+2.32 =$	66 vph	40 / 26 vph
		61% Enter/ 39% Exit =		
	PM Peak Hour (vph) =	$\ln(T) = 0.67\ln(X)+3.37 =$	245 vph	120 / 125 vph
		49% Enter/ 51% Exit =		
*****				
Pass-by Trips per County=			30% Pass-by Rate	
	New Daily Traffic (ADT) =	(ADT) x (% of New Trips)	1,880 ADT	
	New AM Peak Hour (vph) =	(AM) x (% of New Trips)	46 vph	28 / 18 vph
		61% Enter/ 39% Exit =		
	New PM Peak Hour (vph) =	(PM) x (% of New Trips)	171 vph	84 / 87 vph
		49% Enter/ 51% Exit =		
*****				
*****				
Total	Daily Traffic (ADT) =		14,310 ADT	
	AM Peak Hour (vph) =		1,084 vph	380 / 703 vph
	PM Peak Hour (vph) =		1,372 vph	898 / 473 vph





PROJECT LAND USE	
PROJECT AREA:	292.91 AC
TRACT AREA TOTAL:	
COMMERCIAL =	12.3 AC
MULTI-FAMILY TRACT #1 =	16.4 AC
MULTI-FAMILY TRACT #2 =	21.7 AC
TOWNHOME TRACT #1 =	25.9 AC
TOWNHOME TRACT #2 =	29.8 AC
SINGLE FAMILY TRACT #1 =	72.0 AC

DWELLING UNIT BREAKDOWN	
MULTI-FAMILY TRACT #1 =	300 UNITS
MULTI-FAMILY TRACT #2 =	325 UNITS
TOWNHOME TRACT #1 =	350 UNITS
TOWNHOME TRACT #2 =	300 UNITS
SINGLE FAMILY TRACT #1 =	325 UNITS
COMMERCIAL LAND USE	
COMMERCIAL =	30,000 SF RETAIL
	140,000 SF OFFICE/WAREHOUSE

**FLOOD ZONE**  
PARCEL LIES IN FLOOD ZONES AE (EL 16), AE (EL 17), AE (EL 18), AND X PER  
FLOOD INSURANCE PANEL 12071C0259F APPROVED 8/28/2008.

**DENSITY**  
DENSITY = NUMBER DWELLING UNITS / TOTAL ACREAGE  
= 1600 UNITS / 292.91 AC = 5.46 UNITS PER ACRE

Exhibit K

RECEIVED

6/25/2015

COMMUNITY DEVELOPMENT

ADD2015-00086

OWNER  
ANGEL ARAMIS, L.L.C.  
3845 BECK BOULEVARD  
NAPLES, FL 34114

- LEGEND**
- # DEVIATION
  - WETLAND PRESERVE
  - UPLAND BUFFER
  - SINGLE FAMILY LOTS ≥ 6500 SF
  - INDIGENOUS CREDIT BOUNDARY LINE
  - LAKES
  - MODEL UNITS

**OPEN SPACE CALCULATIONS**

OPEN SPACE REQUIRED  
RESIDENTIAL PROJECT AREA – 40% (REQUIRED) \*  
COMMERCIAL PROJECT AREA – 30% (REQUIRED)  
\* NOT APPLICABLE TO SINGLE-FAMILY LOTS 6500 SF OR GREATER

TOTAL RESIDENTIAL AREA = 292.91 AC (PROPERTY AREA) – 12.35 AC (COMMERCIAL AREA)  
= 280.56 AC  
RESIDENTIAL AREA (LOTS ≥ 6500 SF) = 27.28 AC  
RESIDENTIAL AREA FOR OPEN SPACE = 253.28 AC

OPEN SPACE REQUIRED  
= (253.28 AC RESIDENTIAL X 40%) + (12.35 AC COMMERCIAL X 30%)  
= 101.31 AC + 3.71 AC  
= 105.02 AC \*\*

\*\* 50% OF OPEN SPACE REQUIREMENTS MUST BE INDIGENOUS NATIVE VEGETATION

REQUIRED INDIGENOUS NATIVE VEGETATION = 105.02 AC X 50% = 52.51 AC

**INDIGENOUS NATIVE VEGETATION BREAKDOWN**

WETLAND PRESERVE	22.74 AC
UPLAND BUFFER	21.51 AC
TOTAL AREA INDIGENOUS NATIVE VEGETATION:	44.25 AC
TOTAL INDIGENOUS NATIVE VEGETATION (WITH CREDITS)	53.02 AC

**PROPOSED OPEN SPACE**

TOTAL INDIGENOUS NATIVE VEGETATION	44.25 AC
LAKE (25% OF TOTAL OPEN SPACE REQ.) = .25 X 102.73 AC	25.68 AC
LANDSCAPE AREA/COMMON OPEN SPACE/GREEN SPACE	35.61 AC
DRAINAGE DITCHES (25% OF AREA) – 0.25 X 2.35 AC	0.59 AC
UTILITY EASEMENT AREA (OVERHEAD POWER LINES)	15.95 AC
TOTAL:	122.08 AC

TOTAL OPEN SPACE PROVIDED = 122.08 AC  
TOTAL OPEN SPACE REQUIRED = 105.02 AC

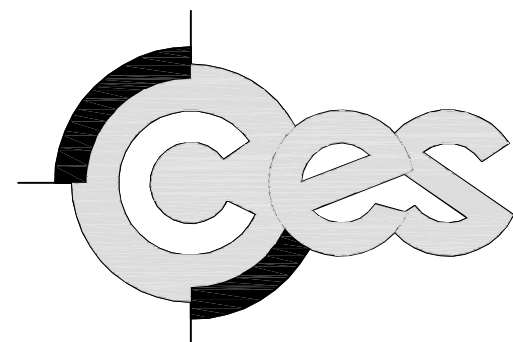
NOTE: INDIGENOUS PRESERVE LINES SHOWN ARE CONSISTENT WITH EXHIBIT "D"  
OF THE APPROVED RESOLUTION Z-06-039, ADD2007-00189.

date 041212

file name: ZONING MCP

job ENTRADA

No.	Date	Revisions
1	5/9/13	REVISIONS PER COUNTY COMMENTS



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MASTER CONCEPT PLAN  
OF  
THE ESTATES OF ENTRADA

FOR  
ANGEL ARAMIS, L.L.C.  
3845 BECK BOULEVARD  
NAPLES, FL 34114

scale: 1"=200'

SHEET

1 OF 1

date





Estates at Entrada  
Application to Amend a Planned Development

# Exhibit L

## NARRATIVE

Estates at Entrada is a planned development in North Fort Myers including single family, townhomes, multi-family and commercial. The purpose of this amendment is to reclassify Townhome Tract #3 as Multi-Family Tract #2 to conform with the proposed development of the tract.

The unit count for the tract remain the same. The building setbacks and height restrictions for Multi-Family Tract #2 are to remain the same in accordance with the details from ADD2007-00187 except for the removal of the lot lines between units.



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## **EXHIBIT E**

**Linda Miller**

---

**From:** Richard Thomas <mbuilder26@yahoo.com>  
**Sent:** Friday, November 4, 2022 11:03 AM  
**To:** Charlie Krebs; John Gardner; Wayne Daltry; Richard Thomas; Rudy Berndlmaier  
**Cc:** Linda Miller; Michelle Moore  
**Subject:** Minutes- November 1, 2022 NFMDRP/PP Meeting

### **MINUTES**

#### **JOINT MEETING OF THE NORTH FORT MYERS DESIGN**

#### **REVIEW PANEL**

#### **AND**

#### **THE NORTH FOR MYERS COMMUNITY PLANNING PANEL**

#### **NORTH FORT MYERS RECREATION CENTER**

#### **2000 N. RECREATION WAY**

#### **NORTH FORT MYERS, FL**

**NOVEMBER 1, 2022**

**6:00 PM**

#### **ATTENDEES:**

Panel Members: Richard Thomas, Charles Krebs, Rudy Berndlmaier

1. CALL TO ORDER: The meeting was called to order at 6:10 PM.
2. APPROVAL OF AGENDA: The agenda was approved as presented.
3. APPROVAL OF LAST MEETING MINUTES: The agenda was approved as presented
4. NEW BUSINESS:

-Estates of Entrada-RPD Administrative Amendment-This request was to reduce the LDC required parking from 700 spaces to 671 spaces for a previously approved multi-family project. The parcel is 15.61 acres There are connections to Del Prado Blvd and US 41. The parking includes electric

car charging stations, compact car spaces and 5 spaces for the leasing office. The development meets all other LDC requirements. Member Berndlmaier made a motion of "No Objection" and member Thomas seconded it. The motion was approved. There were no residents in attendance.

6. OLD BUSINESS: There was no Old Business
7. OTHER BUSINESS: There was no Other Business.
8. ADJOURNMENT: The meeting was adjourned at 6:30 PM

THE NEXT MEETING WILL BE ON DECEMBER 6, 2022 -N. FT. MYERS REC. CENTER