

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The regular business meeting of the Board of Supervisors of the Stoneybrook Community Development District was held on Friday, January 27, 2006 at 4:15 p.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.

Present and constituting a quorum were:

James Boesch	Chairman
Adrian Clark	Vice Chairman
Ron Ritschel	Assistant Secretary
Gus Robbins-Penniman	Supervisor
Andy Paulet	Assistant Secretary

Also present were:

Chuck Adams	Manager
Bob Casey	Assistant Manager
Dave Smith	S & S Golf Management
Russ	Lennar Homes
Brian Fabian	Lennar Homes

UNTABLE ISSUE/PROPERTY FOR STORAGE FACILITY

James Boesch	Let's retable that till this meeting so let's bring the table in motion (unintelligible) table off and so we could discuss the house, I mean, the claim (unintelligible). That's the first order of business. Can I have a motion to take the table off.
Adrian Clark	And second?
Guss Robbins-Penniman	Second.
James Boesch	Okay. So we have discussions. I'll –
Chuck Adams	Help – help me out with some names, if you would 'cause you're gonna have a whole new transcriptionist here so if you talk please state your last name

James Boesch Table was taken – motion to take the table off was Adrian and second was Gus – Gus Robbins.

Chuck Adams Okay, thank you.

James Boesch All right so why don't we start with you Gus. If you have questions and then Adrian, Andy and then Ton ask the questions and then after that we can enter a discussion and comments.

Guss Robbins-Penniman I have no questions at this time.

James Boesch Okay, Adrian?

Adrian Clark No.

James Boesch Andy?

Andy Paulet No.

James Boesch Could you show us the map? Did you bring the map with you?

Russ Smith I – I didn't, I'm sorry. I think it's in the – you've got the map? I was in Naples when I was (unintelligible) a plan to (unintelligible) but I could walk you through any kind of questions you have about –

James Boesch Who – who currently owns the property and which piece of the property?

Russ Smith US Homes, Lennar Corporations owns what is white (unintelligible) CDD has this shaded area as a preserve.

James Boesch Inclusive of this?

Russ Smith Inclusive of this.

James Boesch So this whole shaded area is the CDD preserve area?

Russ Smith That currently (unintelligible) flat.

James Boesch And now what you wanna do is you wanna re-claim this preserve area going from here back this way?

Russ Smith Back to the backside of this road here where this black line is.

James Boesch And then add a couple of places 'cause you were –

Russ Smith Right, (unintelligible) spot here because I think (unintelligible) and I have a spot over here that's, I think, (unintelligible).

James Boesch And you can't take the preserve? You can't touch the preserve?

Russ Smith Well we can't. That's correct. And what's allowing us to move the line is this current modification that we did in 2003 with the South Florida Water Management District, which actually sort of defines more specifically that line.

James Boesch Okay. And then what you're proposing to do is you have a potential client that you'd sell the property to, to build two storage buildings as I understood you (unintelligible), correct?

Russ Smith Yeah. In other words, they're gonna build storage facilities. I'm not aware of their exact plan but it makes sense given the dividing road in the middle that it's gonna be easy to build.

James Boesch And single story (unintelligible)?

Russ Smith Brian, do you have any idea (unintelligible)?

Brian Sabean I – I don't know what it is and I – I think that the, you know, they'll own the property and – and be able to do what they want with it so under the current zoning I think we showed last time that they are allowed up to three stories and not that they're planning that but I can't really represent for them, you know, once they own the property and they have it under whatever zoning classification is allowed at that time it's sort of up to them (unintelligible). But I mean, they plan building (unintelligible) story but I can't represent that.

Adrian Clark And this other land down here it says maximum building height 35 feet slash two stories.

Brian Sabean Okay, is that on the S – that's S1. This is tracts S2 and S5, commercial land and/or office uses and I think I was referring to setbacks, building heights.

Adrian Clark Okay, yeah there.

Brian Sabean Yep.

James Boesch - mentioned a (unintelligible) to do –

Brian Sabean Right. That's true. Remember – remember the sign says no building on that site and (unintelligible) review board

(unintelligible) necessary that they would have to go before the (unintelligible).

James Boesch Storeguard is the name of the people?

Brian Sabean Yeah.

Ron Ritschel So – so you’re (unintelligible) CDD change the preserve (unintelligible) –

James Boesch No Lennar wants to give them – give them the land in order to move the line back. We – we (unintelligible).

Brian Sabean This kinda is a – a sketch of the description we had. Now this kinda shows the specific piece of the property that we’re discussing. That’s got a lot of different things on it with what’s currently preserve (unintelligible) be added that the – this is – that’s the specific piece of land that we’re talking about.

Ron Ritschel Limitations – if you don’t have that piece of land – what does that – what limitations does that bring (unintelligible) looking at?

Brian Sabean Well, the limitation of providing (unintelligible) so you can see the road (unintelligible). So that provides like a great deal of difficulty in developing that piece of property commercial.

Ron Ritschel As a contiguous whole?

Brian Sabean As a contiguous whole, correct.

Ron Ritschel There’s not enough room there to put an – an access road, you know, or a connector (unintelligible) to –

Brian Sabean I – I don’t think so (unintelligible) ‘cause also issues with accessing off the corkscrew in more then one location (unintelligible) together and things of that nature.

James Boesch On the other hand, (unintelligible) at one point there was consideration of putting a gas station in to (unintelligible) to alternative variance and I don’t think that would go over too well.

Ron Ritschel That US Homes would sell the land to somebody –

James Boesh It’s a commercial piece of property?

Ron Ritschel - would build a gas station and eventually could –

James Boesch (Unintelligible) commercial that's zoned that you could put a gas station and I think at this particular point it seems to be a – a most realistic thing for us we can buy it back (unintelligible) operation the – the name of the people and they're trying to invest and get this type of thing through, you know, but the only other consideration is that it's worth \$53,000 and it's US Homes' position that they donated a couple million dollars of the period of time and that for that consideration we shouldn't charge them money for the land.

Ron Ritschel The land that (unintelligible) back in. Is that current (unintelligible) on our own property?

Brian Sabean Yeah, that's currently what would be considered Lennar Homes property. Now, it comes out to a total of I think .13 acres. It's not really (unintelligible) it's mostly a function of, like I said, that conservation area modification that took place so.

James Boesch (Unintelligible) we come in as this (unintelligible) if the storage thing doesn't go through, you do your utmost to prevent a gas station and I know you have certain limitations, you know, you get buyers – commercial buyers and you wanna sell the land there. But please keep in consideration, if that does not go through, because it's us who's gonna face the people here. Not US Homes so, you know, so –

Brian Sabean It – it's our main position to always attempt to do the – the best for our homeowners –

James Boesch Yeah.

Brian Sabean - is if –

James Boesch Yeah.

Brian Sabean - we get the (unintelligible) we wanna be able to – to be – continue to be something that we did and I'll do it with pride.

James Boesch And I could almost assure you that if a gas station was proposed for there, you'd have – you'd have 200 to 300 Stoneybrook

residents down at the hearing, which would not be pleasant to – to go through so I think they would accept the storage concept ‘cause it’s a client type of business. I could assure you that the planning committee is going to insist they put a Mediterranean look into those buildings down there and so it would be a nice fit for that piece of land.

Brian Sabean

We talked –

James Boesch

I also should mention to you that this same consideration was done to the land where (unintelligible) building the – the – the design center. That whole land there – that’s a whole land that was originally set aside (unintelligible) and then they from there were gonna do 1,800 or something (unintelligible) and that became commercial (unintelligible) zoned issuing with this (unintelligible) problem here. That’s how this property now comes up to commercial consideration.

Gus Robbins-Penniman

Where are you actually in the contract process with the buyer – the storage facility? Do you have a signed contract contingent on this going through or –

Brian Sabean

Yeah, that’s about exactly where it is. We have a contract with them that (unintelligible) to actually the successful permitting of that property and then building the service road, what have you. Obviously both those things are contingent upon this being approved.

Gus Robbins-Penniman

Have you gone through the informal conferencing for the permitting process –

Brian Sabean

Well, yeah –

Guss Robbins-Penniman

- which (unintelligible)?

Brian Sabean

- we have a – a development order that’s on its second submittal. And we have a plat that is on a preliminary plat stages and both of those will, you know, need final approval of Lee County because it took on –

Guss Robbins-Penniman This as well. Are there any significant – you’re at the second level on your DO, are there any significant issues?

Brian Sabean No, not really. Actually with the – we get our second round of comments back from just – yesterday, actually I got ‘em on the e-mail from the engineers and they were – all the comments were relatively fine. We got (unintelligible) the building of the little site over there. It sounds like they’re just – but that’s – but that’s about it. It really wasn’t (unintelligible).

James Boesch And your landscaping will obviously ensure it beautifies the whole area so that people that are driving on (unintelligible) here and then that would be the –

Brian Sabean Yeah and of course the landscaping (unintelligible) process. I mean, they (unintelligible) for our communities. We want them to look good so that’s obviously a consideration.

James Boesch Okay, so the motion on the floor is that we turn the property back to – to US Homes basically that’s it. (Unintelligible) what you (unintelligible). So –

Chuck Adams Is there a tract description for that for the record?

James Boesch Yes, he’s got it –

Chuck Adams Okay, I’ll – I’ll –

Brian Sabean Yeah, get (unintelligible).

Chuck Adams Let me (unintelligible) make it a part of the record.

James Boesch (Unintelligible) get you – a copy for you.

Chuck Adams Okay.

James Boesch So all those in favor signify by saying Aye.

ALL Aye.

James Boesch Opposed?

Brian Sabean I would like to thank the Board for your consideration.

AUDIENCE Just a point of clarification –

James Boesch Yes.

AUDIENCE - that’s a motion and (unintelligible)?

James Boesch Yes.
AUDIENCE (Unintelligible) didn't hear the – I didn't hear –
James Boesch The motion was made on the last meeting.
Chuck Adams Oh it was?
James Boesch We tabled it.
Chuck Adams Do you recall who – who made the motion and the second? It may be a while before I get the records.
James Boesch Just – just look in – just go back to your (unintelligible) –
James Boesch Just go back to what he has. Yeah.
Chuck Adams Yeah.
James Boesch Just go over a motion of (unintelligible).
James Boesch Well the motion – if you have a motion on the table that we did last meeting –
Chuck Adams Yes.
James Boesch - and then we tabled it (unintelligible) moved to here so we'll either have to get the record but –
Chuck Adams Yeah, do – do you recall - -
James Boesch - (unintelligible) the same thing.
Chuck Adams - who made the motion?
Adrian Clark I think I made the motion.
Chuck Adams Okay, so Adrian made the motion?
James Boesch And Ron you –
Chuck Adams Who wanted the second on that?
Andy Paulet I wanted the second on that.
Chuck Adams Andy got the second?
James Boesch Andy second.
Chuck Adams Okay, good we're all set then.
James Boesch Could we take the tape off?
Chuck Adams Thank you.

END